

MAY 23, 2022

RULE GOVERNING VPRA PROCUREMENT PROCEDURES



Background

- VPRA is exempt from the Virginia Public Procurement Act (Va. Code Sec. 2.2-4300, *et seq.*)
- VPRA is required to develop and adopt rules governing its procurement procedures (Va. Code Sec. 33.2-299.1)
- Rules govern procurement of goods, services, and construction from private contractors
- Competition and fairness are cornerstone principles

Methods of Procurement†

Non-Competitive

- Micro purchases (under \$10K)
- Small purchases (under \$250K)
- Sole Source
- Emergency
- Categorical exemptions

Competitive

- Competitive sealed bidding
- Competitive negotiation
 - Professional services exceeding \$80K

Procurement Rule Features

- Bid security mandatory for construction over \$250K (5% of bid price)
 - Payment and performance security may be required
- Proposed contract terms will be incorporated into solicitation documents
- Contracts can be changed bilaterally or unilaterally by VPRA, when needed
- Aggrieved potential contractors can file procurement decision appeals
 - Available relief tailored to basis for appeal
- VPRA continued use of transitional and DRPT contracts

DBE and SWaM

- VPRA will establish fully-compliant programs
 - Required by state and federal law
- VPRA will recommend annual goals to the Board for adoption
- VPRA will report annually to the Board comparing goals to actual DBE and SWaM usage
- All competitive procurements will require DBE and SWaM participation plans