



VPRA Procurement Rules Overview

FY25 Small & Diverse Business Participation Goal

November 19, 2024



Adoption of Rules Governing VPRA Procurement Procedures

- Section 33.2-299.1 of the Code of Virginia
 - Exempts VPRA from the Virginia Public Procurement Act
 - Requires VPRA to adopt its own procurement rules
 - However, such rules adopted for the procurement of professional services with a cost expected to exceed \$80,000 shall be consistent with the provisions of §§ 2.2-4302.2, 2.2-4303.1 and 2.2-4303.2.
- May 2022 Board Meeting
 - Board adopted *Virginia Passenger Rail Authority Procurement Rules*

VPRA Procurement Rules

- Governs goods, services, and construction from private contractors
- Maximizes both competition and fairness
- Requires DBE and SWaM participation plans in all competitive procurements



Small & Diverse Businesses Overview

Diverse Suppliers in VPRA Procurements

- VPRA promotes SWaM/DBE usage in all procurements.
- Contractors are scored on SWaM/DBE participation plans.
- There are no SWaM/DBE contract goals (law requires VPRA remain race and gender neutral).
 - VPRA requires that proposers submit SWaM and DBE utilization plans as part of their proposal package. Once approved, these plans become part of the contract documents and are binding on the contractors
- Contractors report SWaM/DBE use during project.
 - Address deficiencies as they arise
- Participation plans may be amended for more SWaM/DBE usage during project.



VA Department of Small Business and Supplier Diversity (DSBSD) SWaM

- Small and diverse businesses (i.e., SWaMs) are certified by the Virginia Department of Small Business and Supplier Diversity (DSBSD) under Va. Code § 2.2-1604.
- Available certifications include:
 - small business,
 - woman-owned business,
 - minority-owned business, and
 - micro businesses.
- DSBSD also allows a special “status” for small businesses that are owned by service-disabled veterans.
- When evaluating compliance with a participation plan, VPRA only counts firms certified as SWaM by DSBSD.



Disadvantaged Business Enterprises

- Disadvantaged Business Enterprises (DBEs) are a federal designation under 49 CFR Part 26.
- The requirements of Part 26 do not apply to all projects
 - Apply to FHWA, FAA, and FTA (but not FRA).
- VPRA may still require DBE participation plans, but DBE contract goals may not be used.
- DBEs must be certified by either VA Dept. Of Small Business & Supplier Diversity (DSBSD) or The Metropolitan Washington Airports Authority (MWAA).
- When evaluating compliance with a participation plan VPRA only counts firms certified as DBE by DSBSD or MWAA.





FY25 Supplier Diversity Goal

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- VPRA is recommending a supplier diversity goal for FY25 of 11.5%.
- VPRA will demonstrate financial stewardship to achieve the FY25 goal.
- As always, VPRA will continue to:
 - afford maximum opportunities for SWaM and DBE usage, and
 - work with state and local organizations to promote SWaM and DBE involvement in upcoming procurements.



Questions?

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