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HOUSE BILL NO. 816

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws

on _____)

(Patron Prior to Substitute--Delegate Torian [HB 818])

A BILL directing the Department of General Services to evaluate certain public procurement policies.

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Department of General Services (the Department) shall review the merits of amending the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) or otherwise modifying Virginia's public contracting process, to require bidders and their offers to identify all subcontractors involved, the estimated amount of compensation to be paid to the subcontractors, a description of the work to be done by the subcontractors, and a copy of all agreements between the contractor and subcontractors related to the bid or offer. The Department shall also evaluate the merits of amending the Virginia Public Procurement Act, or otherwise modifying Virginia's public contracting process, to provide that no state agency shall furnish final payment to any prime contractor without first ensuring that all subcontractors to such prime contractor on such contract have been paid in full. The Department shall report its findings and, if it deems appropriate, shall include in the report a model policy for state agencies to incorporate the collection of subcontractor information or final payment standards, or both, into their agency public contracting process. The Department shall submit its report to the General Assembly no later than September 1, 2022. The Department may satisfy its duties under this act by incorporating its review into the work of the public body procurement workgroup established by Item 82 of Chapter 552 of the Acts of Assembly of 2021, Special Session I.

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