

2004 Virginia Outsourcing/Offshoring Bills
(all bills continued to the 2005 Session)

House Bill 243 (Nutter)/ Senate Bill 151 (Deeds)

Public Procurement Act; preference for goods made in the United States. Provides that in determining the award of any contract for goods or nonprofessional services, a public body shall give preference to goods produced in the United States, or to goods or nonprofessional services provided by U.S.-based firms or corporations, so long as the bid price of such firm or corporation is not more than 20 percent greater than the bid price of the low responsive and responsible foreign-based firm or corporation. The bill provides that such contract may be awarded to a foreign-based firm or corporation in accordance if it is a sole source contract. The bill defines "foreign-based firm or corporation" as a firm or corporation based outside of the United States or any of its territories.

House Bill 315 (Cosgrove)

Virginia Public Procurement Act; preference for Virginia products and firms. Provides that in awarding contracts in excess of \$500,000 for the procurement of goods or services, state public bodies shall give a three percent preference to any person with facilities located in Virginia that manufacture, develop, produce, grow, mine, or make such goods or services.

House Bill 1010 (Rust)

Public Procurement Act; prohibited contracts; required contract provisions. Provides that no public body shall enter into any contract for professional services unless the contract provides that only citizens of the United States, legal resident aliens, and individuals with a valid visa will perform the services under the contract or any subcontract of that contract. The bill further requires all public bodies to include in every contract for professional services the following provisions: During the performance of this contract, the contractor agrees to (i) post in conspicuous places, available to employees and applicants for employment, a statement notifying such persons that only citizens of the United States, legal resident aliens, and individuals with a valid visa will be hired to perform the services under the contract or any subcontract of such contract; (ii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor will hire only citizens of the United States, legal resident aliens, and individuals with a valid visa to perform the services under the contract or any subcontract of such contract; and (iii) include the provisions of the foregoing clauses in every subcontract or purchase order, so that the provisions will be binding upon each subcontractor or vendor.