



# Virginia Regulatory Town Hall

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## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Virginia Dept. of Transportation (Commonwealth Transportation Board)
<b>Virginia Administrative Code (VAC) citation</b>	24 VAC 30-250, 24 VAC 30-350, 24 VAC 30-410
<b>Regulation title</b>	Guidelines for the Procurement and Management of Professional Services, Administrative Services Division Manual/Agency Procurement and Surplus Property Manual, Professional and Nonprofessional Services
<b>Action title</b>	Repeal of existing procurement regulations in accordance with recommendation of OAG Task Force
<b>Final agency action date</b>	February 3, 2010
<b>Document preparation date</b>	January 28, 2010

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

This action repeals three existing regulations that address procurement by the Virginia Department of Transportation (VDOT):

- 24 VAC 30-250 Guidelines for the Procurement and Management of Professional Services
- 24 VAC 30-350 Administrative Services Division Manual/Agency Procurement and Surplus Property Manual
- 24 VAC 30-410 Professional and Nonprofessional Services

This action is taken in accordance with a recommendation of the Office of the Attorney General's Government and Regulatory Reform Task Force to combine these regulations due to their common content areas. In response to this recommendation, VDOT reviewed these

regulations and determined that the content is out-of-date and that the subject matter addressed in these regulations is addressed in other laws, regulations, and guidance documents.

The Guidelines for the Procurement and Management of Professional Services (24 VAC 30-250) have been reformatted as a document titled "Manual for the Procurement and Management of Professional Services." It is available online at:

[http://www.virginiadot.org/business/resources/2007Manual\\_Final\\_070920.pdf](http://www.virginiadot.org/business/resources/2007Manual_Final_070920.pdf)

The Administrative Services Division Manual (24 VAC 30-350) has also been reformatted as a document titled "Administrative Services Division Procurement Manual." These two manuals have been determined to be guidance documents pursuant to § 2.2-4001 of the *Code of Virginia*.

The Agency Procurement and Surplus Property Manual (APSPM) is a Department of General Services regulation (1 VAC 30-130).

The content of 24 VAC 30-410 is out of date. The topics addressed in that regulation are addressed in the Virginia Public Procurement Act (VPPA) (§ 2.2-4300 et seq. of the *Code of Virginia*), the APSPM (with which VDOT is required to comply), the DGS Construction & Professional Services Manual, and the two VDOT manuals that will be filed as guidance documents.

The existing regulations are repealed pursuant to § 33.1-12 and the VPPA. The Office of the Attorney General certified that this action is exempt from the requirements of the Administrative Process Act pursuant to § 2.2-4002 B.2.

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

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On January 20, 2010, the Commonwealth Transportation Board repealed 24 VAC 30-410. On February 3, 2010, the Acting Commonwealth Transportation Commissioner repealed 24 VAC 30-250 and 24 VAC 30-350.

### Family impact

*Assess the impact of this regulatory action on the institution of the family and family stability.*

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The repeal of 24 VAC 30-250, 24 VAC 30-350, and 24 VAC 30-410 will have no impact on the family or family stability.