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### I. Purpose

This document sets forth VITA’s small purchase policy. All executive branch agencies (as that term is defined in Virginia Code [§ 2.2-2006](#)) are subject to this policy, in accordance with Virginia Code [§ 2.2-2012](#).

### II. Definition of Small Purchase

For the purposes of this policy, a procurement is considered a small purchase when the aggregate or sum-total of all phases of the procurement does not exceed \$200,000.

### III. Delegation of Authority for Small Purchases

In accordance with Virginia Code [§ 2.2-2012](#):

- VITA has procurement authority for all IT goods and services.
- IT procurements up to \$250,000 are delegated to executive branch agencies, subject to the conditions below.

### IV. Limitations on Small Purchases

- All VITA delegated procurements regardless of amount are subject to the Virginia Public Procurement Act (VPPA).
- All acquisitions (regardless of amount) that may or will include third party, off premises hosting are considered “Cloud Services” and must be submitted to VITA’s Enterprise Cloud Oversight Services (ECOS) for review. These Cloud Services acquisitions are subject to VITA security-related assessment and oversight processes that must be met by both the agency and the supplier. The Supply Chain Management Division (SCM) will participate in the ECOS review and determine whether Cloud Services acquisitions are delegated to the agency.
- Use of VITA’s statewide contracts is mandatory for all IT goods and services acquisitions, including small purchases. VITA’s website provides access to [VITA Statewide IT Goods & Services Contracts](#).

If a VITA statewide contract does not exist for the required IT good or service, VITA may conduct a procurement.

- No small purchase may include hardware, software, or services prohibited for use in the Commonwealth. More information is available in Virginia Code [§ 2.2-5514](#) and VITA's [Prohibited Hardware, Software, and Services Policy \(SEC528\)](#).
- VITA's small purchase delegation of authority applies to IT goods and services that are (i) out of scope, or (ii) in scope but not infrastructure. A guide to in scope and out of scope IT goods and services is available at [VITA In-Scope & Out-of-Scope IT Goods & Services](#).
- The Delegated authority for in scope IT Goods & Services is defined in the [Authority and Delegation Policy](#).
- IT Procurements over \$200,000 must be competed using competitive sealed bidding or competitive negotiation, in accordance with Virginia Code [§2.2-4302.1](#) or [§2.2 4302.2](#), unless a statutory exception exists.

## V. Set-Aside and Competitive Requirements

Agencies must follow these small purchase competitive requirements:

### **IT Solicitations up to \$10,000** – DSBSD-certified Micro-Business set-aside

- A minimum of one quote/bid must be solicited from qualified DSBSD-certified micro-business(s).
- All prices/bids must be determined fair and reasonable.
- The price cannot exceed 5% above the lowest responsive and responsible non-certified bidder.
- If multiple DSBSD-certified bidders, the award is made to the lowest responsive and responsible qualified DSBSD-certified micro business bidder.
- If the soliciting agency receives no acceptable bids or offers from micro-businesses, the award is made to the lowest responsive and responsible *small business* bidder.
- If there is no qualified small business bidder available, the procurement shall be awarded to the lowest responsive and responsible non-small business bidder.

### **IT Solicitations from \$10,000 to \$100,000** – DSBSD-certified Small Business set-aside

- Four (4) qualified DSBSD-certified small business sources should be solicited, with at least one business being a DSBSD-certified micro business.
- All prices/bids must be determined fair and reasonable.
- eVA may be relied upon for a list of qualified businesses.
- If two or more DSBSD-certified small businesses cannot be identified, the procurement file should document the efforts to obtain the number of required sources.
- If two or more DSBSD-certified small businesses cannot be identified the award may be made to a qualified, reasonably-ranked small business (including a minority-owned, women-owned, service disabled veteran-owned, or micro business) that is other than the highest ranking offeror, provided the price/bid submitted is deemed fair and reasonable and does not exceed five percent (5%) of the lowest responsive and responsible non-certified bidder.
- If an informal RFP is utilized in lieu of Quick Quote the award shall be made to the highest ranking qualified small business, including woman-, minority-, service disabled veteran-owned and micro business offerors.
- If the soliciting agency receives no acceptable bids or offers from a certified small business or micro business source, the award is be made to the highest ranking qualified non-small business bidder/offeror.

**IT Solicitations between \$100,000 and \$200,000** – Considered small purchases and approved small purchase procedures apply.

- Agencies may, but are not required to, set aside these small purchases for qualified DSBSD-certified small businesses and follow the same procedures as outlined above

for IT Solicitations from \$10,000 to \$100,000.

**Set-Aside Exemption:** A procurement may be exempt from the micro and small business set-aside requirements above if there is no reasonable expectation that the agency or institution will receive at least two competitive bids or offers from DSBSD-certified micro or small businesses. The procuring agency should include the factual basis for determining that the procurement does not qualify for a set-aside in the procurement file.

#### VI. Competitive Request for Quotes (“Quick Quotes”)

If an agency's estimated cost of goods or services is \$10,000 or less, purchases may be made using the eVA Quick Quote system or upon the solicitation and receipt of a minimum of one (1) written or telephonic (oral) bid/quote from a DSBSD-certified micro business. If a responsive and responsible DSBSD-certified micro-business is not available, the agency should document the factual basis for that determination in the procurement file.

#### VII. Emergencies

Emergency procurements for IT goods and services available on an existing statewide contract are not subject to VITA's small purchase policy.

#### VIII. Authority References

[Executive Order 35 \(2019\) Advancing Equity for Small- Women- Minority- and Service-Disabled Veteran-Owned Businesses in State Contracting](#)

[§ 2.2-2006](#) of the *Code of Virginia*. Definition of executive branch agency or agency

[§ 2.2-2009](#) of the *Code of Virginia*. Duties of the CIO & VITA relating to information security.

[§ 2.2-2012](#) of the *Code of Virginia*. Authority for procurement of information technology goods and services for executive branch agencies.

[§ 2.2-4303](#) of the *Code of Virginia*. Methods of Procurement (including a grant of authority for public bodies to establish written policies for small purchases in subsection G).

[§ 2.2-5514](#) & [§ 2.2-5514.1](#) of the *Code of Virginia*. Prohibit use by Virginia public bodies of certain software, hardware, and services, as communicated by the CIO per [§ 2.2-2009\(H\)](#).