



# Department of Health Professions

Contracts and Procurement(76-30)  
Procurement of Professional Services(76-30.2)

Adopted Date: 10/19/2017

Approved By: \_\_\_\_\_

Policy Name	Procurement of Professional Services		Policy Number	76-30.2
Section Title	Contracts and Procurement	Section Number	76-30	Former Policy No. 76-5.2
Approval Authority	Agency Director		Effective Date	10/19/2017
Responsible Executive	Procurement Manager		Revised Date	10/18/2017
Responsible Office	Finance Office		Last Reviewed	10/18/2017
Responsible Reviewer	Yeatts, Elaine			

### Purpose:

To ensure that procurement procedures meet the agency’s mission, fully conform to state law and are conducted in a fair and impartial manner.

### Policy:

It is the policy of the Agency to obtain high quality goods and services at a reasonable cost, by conducting procurement in a fair and impartial manner with avoidance of any impropriety or appearance of impropriety; that competition is sought to the maximum feasible degree to ensure a reasonable cost and conform to the *The Virginia Public Procurement Act (VPPA)*, *Agency Procurement and Surplus Property Manual (APSPM)* *Vendors Manual*, *Construction and Professional Services Manual (CPSM)* issued by DGS/Division of Engineering and Buildings and the Virginia Information Technology Agency (VITA) *Buy IT Manual* regardless of the source of funds by which the contract is to be paid or which may or may not result in monetary consideration for either party.

### Authority:

*Code of Virginia*, § 2.2-4300 thru 2.2-4377

### Definitions:

Professional services shall mean work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture, land surveying, landscape architecture, dentistry, law, medicine, optometry, pharmacy, or professional engineering. “Professional Services” shall also include services of an economist procured by the State Corporation Commission.

### Procedures:

The procurement of professional services from nongovernmental sources shall be in accordance with the applicable provisions of the *VPPA*, and, for small business enhancement, in accordance with rules adopted pursuant to Executive



Order 20 (2014) and § 2.2-1605(A)(6) of the Code of Virginia. Summary information is provided below. See agencies below for specific guidance.

Table with 2 columns: Service and Agency. Rows include Architecture, Professional Engineering; Landscape Architecture, Land Surveying; and Law.

Legal Services and Expert Witness. Information on the use of legal services and expert witness may be obtained from the Attorney General's Office.

Competitive Negotiation. Competitive negotiation shall be used for the procurement of professional services as provided for in the Code of Virginia. Annex 7-C of the Agency Procurement and Surplus Property Manual provides guidelines for negotiated procurements.

Professional Services Small Purchases. The small purchase threshold for the procurement of professional services is \$60,000. Procurements up to and including \$60,000 for Professional services may only be procured by other than competitive negotiation if the agency has implemented small purchase procedures in accordance with the Code of Virginia, § 2.2-4303G.

Evaluation and Award Procedures. The evaluation and award procedure for the procurement of professional services by competitive negotiation is not under the authority of the Division of Purchases and Supply. Evaluation and award of professional services is addressed in the Code of Virginia §2.2-4302.2.

Contractor Performance. During the period of the contract, the contractor's performance is to be monitored in accordance with the standards set forth in the contract.

Administration of professional service contracts is performed in accordance with the APSPM Chapter 10.