

# **Repeal of Professional and Nonprofessional Services (24 VAC 30-410)**

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# Overview

- Professional and Nonprofessional Services
- Reasons for repeal of the regulation
- Repeal process
- Next steps

# Professional and Nonprofessional Services

- History:
  - Part of the VDOT Department Policy Memorandum (DPM) Manual
    - Approved by Commissioner as DPM 6-3 when the DPM Manual was reformatted in 1991
    - Replaced DPM 6-8, which included provisions adopted by the CTB
  - Filed as Chapter 410 (24 VAC 30-410) in the Virginia Administrative Code in 1994
  - Established the general guidelines under which VDOT acquires professional and nonprofessional services
- Current status:
  - Obsolete—last revised in 1991
  - Replaced by the APSPM, DGS and VDOT manuals
  - Superseded by changes in the Code

# Reasons for Repeal of the Regulation

- In October 2008, VDOT started the process of repealing the Professional and Nonprofessional Services DPM
- At the same time, the Office of the Attorney General's Government and Regulatory Reform Task Force issued recommendations to:
  - increase efficiencies
  - reduce bureaucracy
  - mitigate adverse impacts on Virginia businesses and individuals
- OAG Task Force recommended combining three VDOT procurement regulations

## Reasons for Repeal of the Regulation

- OAG Task Force recommended combining:
  - Guidelines for the Procurement & Management of Professional Services (24 VAC 30-250)
  - Administrative Services Division Manual/Agency Procurement and Surplus Property Manual (24 VAC 30-350)
  - Professional and Nonprofessional Services (24 VAC 30-410)
- VDOT had reviewed these regulations and determined they were no longer necessary
- OAG concurred that they could be repealed

# Reasons for Repeal of the Regulation

Regulation	Current Status	Going Forward
<p>Guidelines for the Procurement and Management of Professional Services (24 VAC 30-250)</p>	<p>Subject matter is addressed in VDOT's Manual for the Procurement &amp; Management of Professional Services, the Department of General Services (DGS) Construction &amp; Professional Services Manual, and in the Virginia Public Procurement Act (VPPA)</p>	<p>VDOT Manual will be filed as a guidance document VDOT is subject to the VPPA and the DGS manuals</p>
<p>Administrative Services Division Manual/APSPM (24 VAC 30-350)</p>	<p>Reformatted as the Administrative Services Division Procurement Manual (currently under revision to become an APSPM exceptions manual) APSPM is a DGS regulation (1VAC30-130) promulgated under the VPPA that agencies, including VDOT, must follow</p>	<p>Manual will be filed as a guidance document VDOT is subject to the APSPM</p>
<p>Professional and Nonprofessional Services (24 VAC 30-410)</p>	<p>Subject matter is addressed in the VPPA, APSPM, DGS Construction &amp; Professional Services Manual, and the two VDOT manuals above</p>	<p>VDOT is subject to the VPPA, APSPM, and DGS manuals VDOT manuals will be filed as guidance documents</p>

## Repeal Process

- Only Chapter 410 is a CTB regulation
  - Chapter 410 must be repealed by the CTB
  - Other two regulations need only VDOT approval for repeal
- All three regulations are exempt from requirements of the Administrative Process Act (APA)
- APA-exempt regulations require:
  - OAG certification—obtained for these actions
  - Posting final regulatory package to DPB Town Hall
  - Publication in the Virginia Register

## Next Steps

- CTB approval of repeal of Chapter 410
- Posting/publication of the regulatory action to the DPB Virginia Regulatory Town Hall and the Virginia Register:
  - Regulatory action includes repeal of all three regulations
- Repeal effective 60 days after CTB action, pursuant to § 33.1-19 of the Code of Virginia