

P3 Legislative Snapshot

VIRGINIA

State P3 Legislative Status: Broadly-enabled P3 authority.

1. Does this state have broadly-enabling P3 legislation?

State and local entities are authorized to enter into P3 agreements for a wide range of transportation and social infrastructure projects.

2. Does this state allow for Unsolicited Proposals? Yes.

3. What is this state's P3 Review Process (i.e., multi-step: RFI, RFQ, RFP – even for unsolicited proposals)?

Dual-tier for both solicited and unsolicited (shortlist, then detailed proposal). Advisory Panel review for solicited and unsolicited. Must conduct sealed bid and selection process for solicited and unsolicited. MUST state, confirm and reconfirm that a project is "in the best interests of the public" as part of the review and approval process.

4. Does this state have a Centralized Agency dedicated to P3?

At the State-level, VAP3 serves as the central review authority for Virginia's Secretary of Transportation. For social infra, local jurisdictions serve the review function for their specific needs.

5. Is this a Home Rule state, with limitations or opportunities for P3? No.

6. What projects or asset classes are eligible for P3 in this state?

Transportation Facilities: Any road, bridge, tunnel, overpass, ferry, airport, mass transit facility, vehicle parking facility, port facility, or similar commercial facility used for the transportation of persons or goods, together with any buildings, structures, parking areas, appurtenances, and other property needed to operate such facility; however, "transportation facility" does not include a commercial or retail use or enterprise not essential to the transportation of persons or goods.

PPEA/Social: Any education facility, including, but not limited to a school building, any functionally related and subordinate facility

and land to a school building (including any stadium or other facility primarily used for school events), and any depreciable property provided for use in a school facility that is operated as part of the public school system or as an institution of higher education; (ii) any building or facility that meets a public purpose and is developed or operated by or for any public entity; (iii) any improvements, together with equipment, necessary to enhance public safety and security of buildings to be principally used by a public entity; (iv) utility and telecommunications and other communications infrastructure; (v) a recreational facility; (vi) technology infrastructure, services, and applications, including, but not limited to, telecommunications, automated data processing, word processing and management information systems, and related information, equipment, goods and services; (vii) any services designed to increase the productivity or efficiency of the responsible public entity through the use of technology or other means; (viii) any technology, equipment, or infrastructure designed to deploy wireless broadband services to schools, businesses, or residential areas; (ix) any improvements necessary or desirable to any unimproved locally- or state-owned real estate; or (x) any solid waste management facility as defined in § 10.1-1400 that produces electric energy derived from solid waste.

7. Are there Projects where the P3 procurement method has been applied?

I-66; Elizabeth River Tunnels; Pocahontas Parkway; 495 HOT Lanes and 95 Express: are notable, successful P3s, ranging from contract negotiation thru completed construction and now operational. Youngkin announced \$2 billion partnership with Monumental Sports for development of Entertainment District at Potomac Yards in Alexandria.

8. What is the legislative foundation for P3s in this state?

[Va. Code Title 33.2 Chapter 18 \(VDOT\)](#)

[Va. Code Title 56, Chapter 22.1 \(PPEA\)](#)