



# VCU

## Board of Visitors

**FACILITIES, REAL ESTATE AND ADMINISTRATION COMMITTEE**

**DECEMBER 13, 2024, 9:15 A.M.**

**CABELL LIBRARY, ROOM 303**

**RICHMOND, VIRGINIA**

### **MEETING MINUTES**

#### **COMMITTEE MEMBERS PRESENT**

Mr. Steve DeLuca, *Chair*

Mr. Anthony Bedell, *Vice Chair (exited at 9:55 a.m.)*

Rev. Tyrone Nelson

Mr. Randy Reynolds

#### **OTHER BOARD MEMBERS PRESENT**

Mr. Todd P. Haymore, *Rector*

Dr. Siobhan Dunnavant

Dr. Kenneth Lipstock

Dr. Dale Jones

Mr. P2 Sandhu

#### **OTHERS PRESENT**

Dr. Michael Rao, *President*

Dr. Meredith Weiss, *Senior Vice President for Finance and Administration and CFO*

Mr. Jeff Kidd, *Associate Vice President for Capital Assets and Real Estate*

Ms. Jessica Bryant, *Senior Director, Strategic Initiatives, Finance and Administration*

VCU Administration leadership team

VCU Presidential Cabinet

#### **CALL TO ORDER**

Mr. Steve DeLuca, Chair of the Facilities, Real Estate and Administration Committee, called the meeting to order at 9:15 a.m.

#### **OPEN SESSION ACTION ITEMS**

Mr. DeLuca began by sharing that the minutes for the September 13, 2024 meeting were provided to the committee in advance for review. Hearing no comments or changes, he asked Dr. Weiss to present the other action items.

Dr. Weiss presented information for the following action items: Comprehensive Emergency Management Plan Approval; Approval of Project Plans, Athletic Village Phase I; Amendment to the 2024-2030 Six-Year Capital Plan, Authorization to Initiate a Capital Project and Approval of Project Plans, 901 West Franklin Street Renovation; Amendment to the 2024-2030 Six-Year Capital Plan, Authorization to Initiate a Capital Project and Approval of Project Plans, Gladding



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Residence Center III HVAC Replacement; and Amendment to the 2024-2030 Six-Year Capital Plan, Authorization to Initiate a Capital Project and Approval of Project Plans, Massey Building Shared Lab Renovation.

On a motion duly made and seconded, the September 13, 2024 meeting minutes, Comprehensive Emergency Management Plan Approval; Approval of Project Plans, Athletic Village Phase I; Amendment to the 2024-2030 Six-Year Capital Plan, Authorization to Initiate a Capital Project and Approval of Project Plans, 901 West Franklin Street Renovation; Amendment to the 2024-2030 Six-Year Capital Plan, Authorization to Initiate a Capital Project and Approval of Project Plans, Gladding Residence Center III HVAC Replacement; and Amendment to the 2024-2030 Six-Year Capital Plan, Authorization to Initiate a Capital Project and Approval of Project Plans, Massey Building Shared Lab Renovation were recommended to the full board for approval.

The meeting minutes are posted at <https://bov.vcu.edu/meetings/minutes/>. A copy of the other action items is attached hereto as *Attachment A* and is made a part hereof.

### **REPORT FROM THE SENIOR VICE PRESIDENT**

Mr. DeLuca asked Dr. Weiss to present her report. She introduced reports from VCU Safety and Risk Management, VCU Police and the bi-annual building and grounds report.

Mr. Mike Cimis, Associate Vice President for Safety and Risk Management, discussed a brief organizational overview and then discussed VCU's enterprise risk management evolution, student and employee health and well-being; how Safety and Risk Management supports research and innovation; and noteworthy achievements from his area.

Chief John Venuti, Associate Vice President for Emergency Services and Public Safety, VCU and VCU Health, discussed policing with a purpose, focus areas, safety initiatives, and threat, crisis and emergency response. He also shared current metrics. Dr. Rao reiterated his commitment to one of VCU Police's focus areas, pedestrian safety.

Mr. Rich Sliwoski, Associate Vice President for Facilities Management, presented a building and grounds report, highlighting facilities related metrics, VCU's facilities management program, and community engagement during major construction and renovation projects.

A copy of the presentations are attached hereto as *Attachment B* and is made a part hereof.

### **REPORTS FOR INFORMATIONAL PURPOSES**

Mr. DeLuca noted that there were several reports for informational purposes, specifically, the Capital Projects Update, which provides planning and construction updates for VCU's major capital projects and outlines the capital project process as well as VCU's Annual Succession Plan which is a yearly requirement for all public institutions of higher education per the Code of



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Virginia (§ 2.2-1209.C) to develop succession plans for key personnel, executive positions and employees nearing retirement; and the Amended Higher Education Capital Outlay Manual. The BOV authorized an amendment to VCU’s Higher Education Capital Outlay Manual in September 2024 to reflect changes in state law (Chapter 469 of the Acts of the General Assembly 2024) pertaining to specific alternative construction procurement methods (Construction Management and Design-Build). This is the final version that incorporates feedback following a review by the Virginia Department of General Services.

A copy of the Capital Projects Update is attached hereto as *Attachment C* and is made a part hereof.

### **CLOSED SESSION**

On motion made and seconded, the Facilities, Real Estate and Administration Committee of the VCU BOV convened into closed session to discuss the potential acquisition of certain real property to further the educational purposes and research opportunities of the university where discussion in open session would adversely affect the university's bargaining position and negotiating strategy, as permitted by Section 2.2-3711.A(3) of the Virginia Freedom of Information Act.

### **RECONVENED SESSION**

Following the closed session, the public was invited to return to the meeting. Mr. DeLuca called the meeting to order.

### **Resolution of Certification**

On motion duly made and seconded, the following resolution of certification was approved by a roll call vote:

BE IT RESOLVED, that the Facilities, Real Estate and Administration Committee certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under this chapter were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered by the Committee.

#### **Vote**

Mr. Steve DeLuca, *Chair*  
Rev. Tyrone Nelson  
Mr. Randy Reynolds  
Mr. Toddy Haymore, *Rector*

#### **Ayes**

X  
X  
X  
X

#### **Nays**

All members present responding affirmatively, the resolution of certification was adopted.



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On a motion duly made and seconded the committee approved the recommendation to the full board to approve two property acquisitions as discussed in closed session.

### **OTHER BUSINESS**

None

### **ADJOURNMENT**

Mr. DeLuca asked the committee if there was any other business, and hearing none, adjourned the meeting at 10:28 a.m.

DRAFT



# Action items

# Approval of September 13, 2024 meeting minutes

# Request for approval

## Comprehensive Emergency Management Plan (CEMP)

### Background

VCU's CEMP identifies potential threats, an incident command structure, phases of emergency, impacts on operations, and operational contingency plans. Every year, VCU conducts a comprehensive review and revision of the CEMP to ensure that the plan remains current. Every four years, the revised plan must be adopted formally by the Board of Visitors.

### Considerations

This plan is required per the Commonwealth of Virginia code §23.1-804. Significant changes made to the CEMP plan since 2020 are outlined in BOV materials.

### Recommendation

Approve the 2024 VCU Crisis and Emergency Management Plan.



# Approval of Project Plans

## Athletic Village Phase I: Outdoor Track Facilities and Practice Fields

### Background

This is the first of four phases to be developed for the Athletic Village. The new outdoor track facilities and practice fields will consist of a 400-meter outdoor track with a natural turf infield to accommodate an NCAA soccer field. The outdoor track facilities will contain seating for approximately 1,500 spectators as well as locker rooms, athlete meeting space, a press box and media area for events, concession stands, and storage. There will be two NCAA-size practice fields, one artificial and one with natural grass.

Work on the practice fields and outdoor track/soccer field is scheduled to start in January 2025. Construction of the stadium is scheduled to begin in July 2025.

### Cost and funding

The estimated cost of Phase I: Outdoor Track Facilities and Practice Fields is \$38M and will be funded by the sale of the Sports Backers Stadium property, VCU Athletics funds and private fundraising.

### Recommendation

Approve the project plans for the Athletic Village Phase I: Outdoor Track Facilities and Practice Fields.



# Amendment to the 2024-2030 Six-Year Capital Plan, Authorization to Initiate a Capital Project, and Approval of Project Plans

## 901 West Franklin Street Renovations

### Background

Located at the corner of Franklin and Shafer streets, the original building was constructed as a home between 1882 and 1892 and is currently used as office space. Additions on the south and west ends of the building were added in the early 20th century. There have been no significant restorative efforts performed on this facility in recent history. Normal aging and degradation of building materials is contributing to moisture infiltration issues that need to be addressed appropriately.

### Size and scope

This renovation project includes tuckpointing (i.e., repairing the mortar joints between the bricks of the entire building), replacing the roof and adding a fall protection system to the roof. The project is anticipated to begin in 2025 and will take approximately one year to complete.

### Cost and funding

The total cost for the renovations is estimated to be between \$6M and \$7M and will be funded by state-appropriated maintenance reserve funds.

### Recommendation

Approve the amendment to the university's 2024-2030 Six-Year Capital Plan, authorize the initiation of a capital project at a cost not to exceed \$7M, and approve the corresponding project plans for the 901 West Franklin Street renovation.



# Amendment to the 2024-2030 Six-Year Capital Plan, Authorization to Initiate a Capital Project, and Approval of Project Plans

## Gladding Residence Center III, Heating, Ventilation and Air Conditioning System Replacement

### Background

Gladding Residence Center III is located at 711 West Main Street on VCU's Monroe Park Campus. It is a five-level masonry residence hall constructed in 1979 that currently houses first-year students. The existing HVAC system is at the end of its useful life and requires replacement. VCU will utilize a term contract vendor, Colonial Webb, to complete the work.

### Size and scope

The project scope includes full HVAC replacement and installation, including condensing units located on each of GRC's two roof sections and air handlers in each room.

### Cost and funding

The total cost for the HVAC is estimated to be \$3.4M and will be funded using auxiliary housing funds.

### Recommendation

Approve the amendment to the university's 2024-2030 Six-Year Capital Plan, authorize the initiation of a capital project at a cost not to exceed \$3.4M, and approve the corresponding project plans for the Gladding Residence Center III HVAC system replacement.



# Amendment to the 2024-2030 Six-Year Capital Plan, Authorization to Initiate a Capital Project, and Approval of Project Plans

## Massey Building Shared Lab Renovation

### Background

This proposed renovation of a shared lab in the Massey Building is essential to meet and enhance growing research needs.

### Size and scope

The renovation will focus on the first and ground floors. The first floor will be converted from wet labs to a 5,415 assignable square foot (ASF) vivarium, expanding vivarium space in the facility, and 1,500 ASF square feet of core labs. The ground floor will be converted from administrative space to 6,245 ASF square feet of wet labs.

### Cost and funding

The total cost is \$33.9M. This includes \$21.3M for construction renovations, \$5M for furnishings, \$4M for design, \$2.5M for construction management and inspection, and \$1.1M for construction contingency. The project will be funded with \$2M from the university, \$500K from the MCV Foundation, and the remainder from Massey.

### Recommendation

Approve the amendment to the university's 2024-2030 Six-Year Capital Plan, authorize the initiation of a capital project at a cost not to exceed \$33.9M, and approve the corresponding project plans for the Massey Building Shared Lab Renovation.



# Report from the Senior Vice President



# Safety & Risk Management update

# Who we are



## Risk management

Enterprise risk management;  
insurance management



## Workplace safety

Occupational health and  
safety; environmental health;  
fire safety; industrial hygiene



## Health & well-being

Mental and physical wellness;  
employee health clinics;  
RamStrong; TimelyCare for  
students and employees



## Research support

Lab, biological, chemical and  
radiation safety; chemical  
inventory; animal and field  
research support; research  
protocol reviews

# VCU enterprise risk management evolution



**64%**

Lower

Accident rates at VCU  
compared to national  
average for higher education

Source: OSHA Total Recordable  
Incident Rates (TRIR)

**22%**

Decrease

OSHA recordable injuries  
since 2019

**4,916**

Fit tests in 2023  
53% increase from  
2021

**\$2.1M**

Insurance claims recovered  
(2019-2023)



# Student health and well-being



100% of residence hall life safety drills and tests completed on time



TimelyCare 24/7 mental and emotional health counseling for students and employees



Doubled the number of undergraduates trained in laboratory safety in 2024

# Employee health and well-being



Annual wellness screenings

9% increase in FY24



Pharmacy support

Staffed with a pharmacy resident one day/week



TimelyCare

46% increase in employee use in FY24



24/7 mental & emotional health support

78% of employees using TimelyCare reported an improvement in mental health

Supporting  
research and  
innovation

**25%**

**Increase**

**IN RESEARCH PROTOCOL  
APPROVALS (2021-2023)**

**\$100**

**Million per year**

**FEDERAL RESEARCH FUNDING  
REVIEWED AND APPROVED BY THE  
INSTITUTIONAL BIOSAFETY  
COMMITTEE AND RADIATION SAFETY  
COMMITTEE**



**Green labs  
initiative**

**SAFETY AND ENERGY  
EFFICIENCY**



# Notable achievements



## 2023 VA State Police Outstanding Safety Achievement Award

Lowest preventable accident rate/total miles driven



## 2023 Campus Safety and Health Management Association Awards

Received three innovation awards in process improvement, resource enhancement, and safety culture

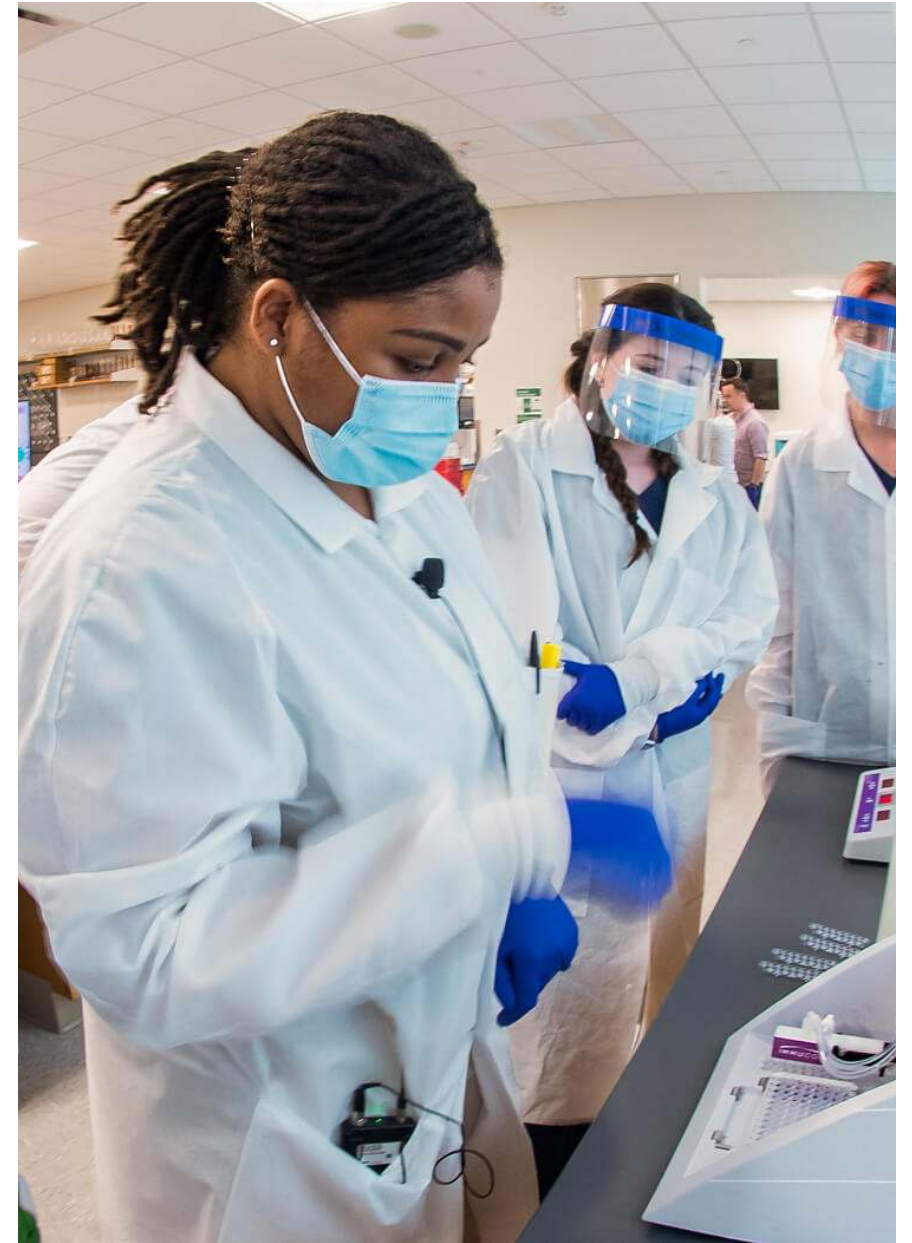


## Insurance premiums

Outperformed market with 6.4% premium increase in FY24 with comparable or better coverage



Thoughts? Questions?



# VCU Police update

Community policing

Fair & impartial policing

**Policing  
with a  
purpose**

Community input & involvement

Innovation & creativity

# Threat, crisis and emergency response

## Crisis and emergency management plan (CEMP)

- Identifies potential threats, an incident command structure, phases of emergency, impacts on operations and operational contingency plans
- Reviewed and revised annually
- Approved by the BOV every four years

## Threat assessment

- A multi-disciplinary team chaired by VCU Police and VCU Student Affairs
- 77 total cases reviewed in academic year 2023-24
- 24 cases reviewed to date in academic year 2024-25

## Incident Coordination Team (ICT)

- Coordinates the university's crisis response
- Meets anytime there is an incident that may affect university operations
- Establishes a command center - reviews crisis online, in person and through coordinated incident command on scene
- Handles communications and critical decision-making on behalf of the university

# Focus areas

Academic year 2024-25



## Traffic/pedestrian safety

420 traffic summons

324 warnings

350 parking citations



## Visibility and deployment

17,684 strategic deployments of police

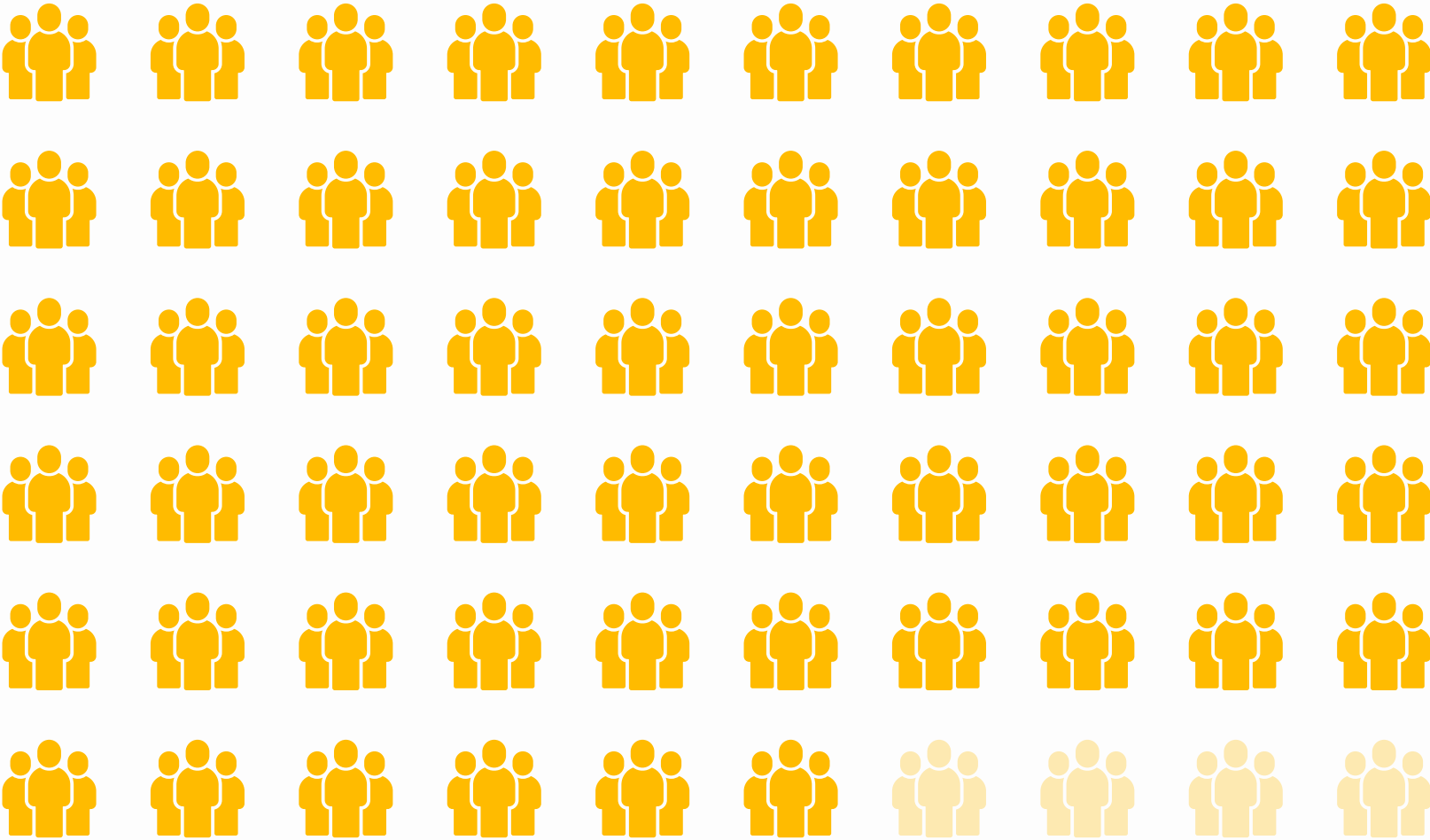


## Community engagement

62,836 engagements with students,  
faculty and staff

# Perception of safety

92%



Community members who feel "safe" or "very safe" on VCU campuses

# Safety initiatives



Weapons screening



Real time crime center



Weapon detection camera analytics



Officer recruitment

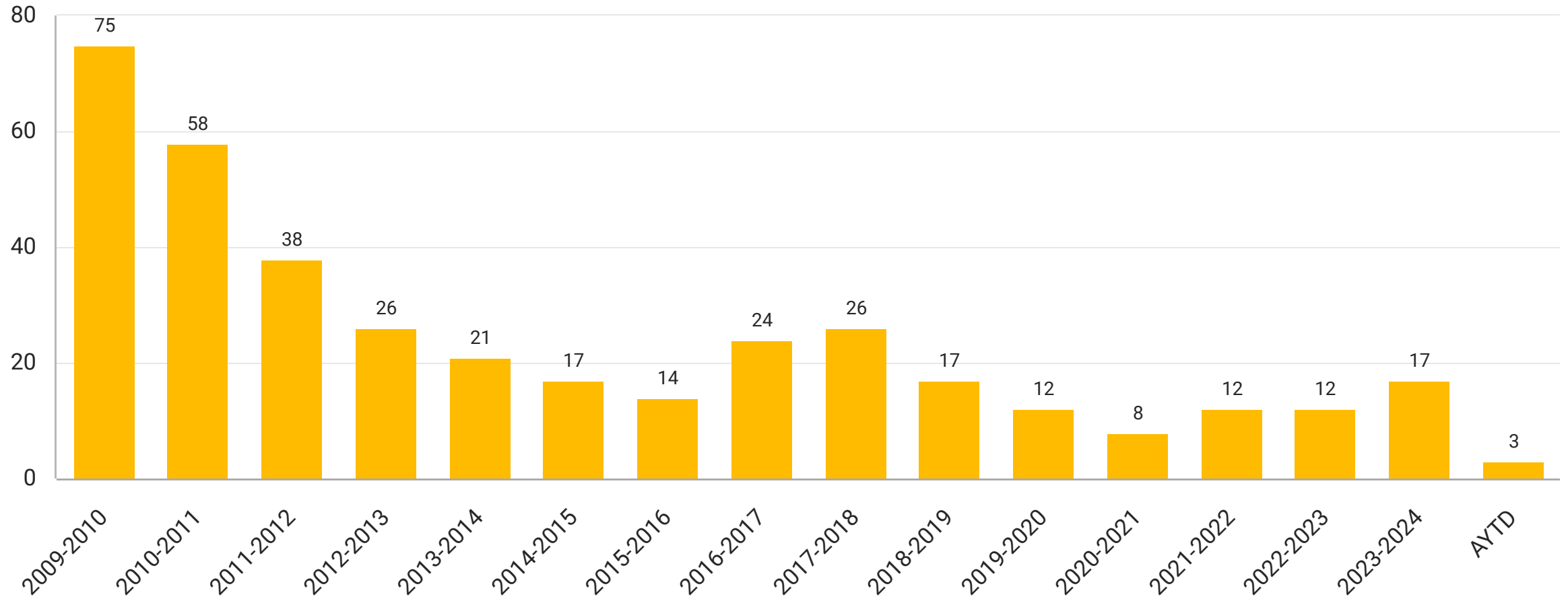


Community Oversight & Advisory Committee



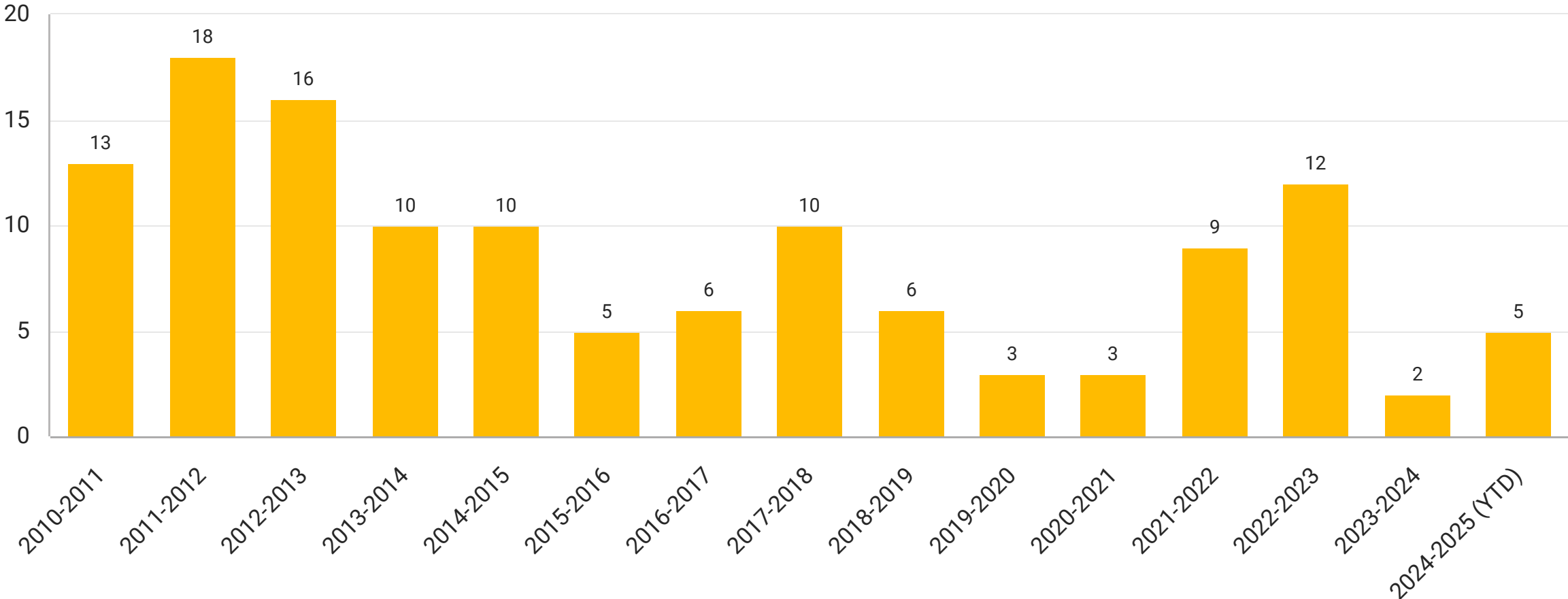
Safety ambassadors

# Use-of-force by VCU police officers





# Robberies: VCU's core campus



## Using technology to deter and solve crime

VCU's security camera system includes thousands of cameras on both campuses that capture valuable photographic evidence to support investigations.



# 7,243

Pieces of evidence used in VCU Police investigations\*

# 1,089

Pieces of evidence used in Virginia, Richmond, Henrico and Chesterfield police investigations\*

Thoughts?  
Questions?



# Buildings & grounds report

# 0.71%

Less than 1% of land within the City of Richmond is owned by VCU.

VCU owns 2.3% of the total acreage of land that is tax exempt in the City.

The City of Richmond owns nearly half of the tax exempt land within the City and the State owns roughly 20% (this includes the VCU related land).

# > \$10B

Economic activity  
generated by VCU



# Land, buildings & parking

Does not include VCU Health

	Monroe Park Campus	Health Sciences Campus	Athletic Village	Rice Center
Acres of land	99.2	19.5	48	350
No. buildings	152	51	--	8
Gross square feet	7.4M	5.2M	--	27K
Parking spaces	5,441 (8 decks, 25 lots)	4,294 (4 decks, 9 lots)	--	--





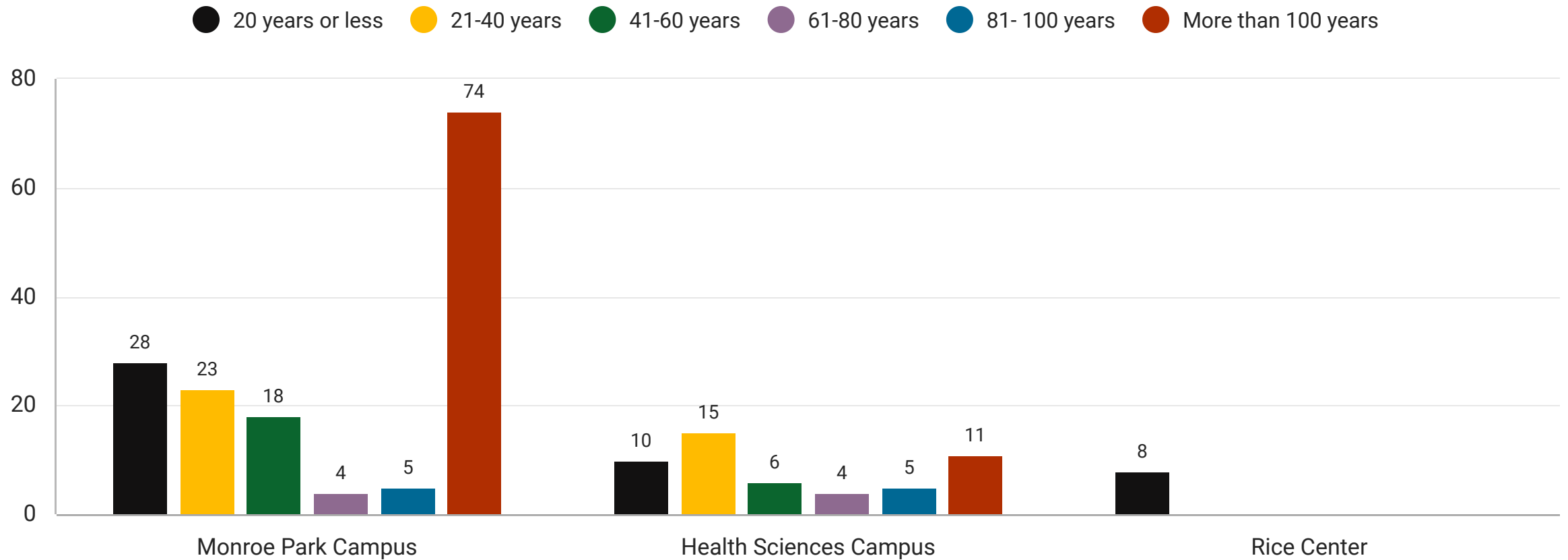
# Leased space & parking

Does not include VCU Health

	Monroe Park Campus	Health Sciences Campus	Off-site
Gross square feet	544K	277K	49K
Parking spaces	342	851	0

# Building age

VCU has a significant number of buildings over 100 years old

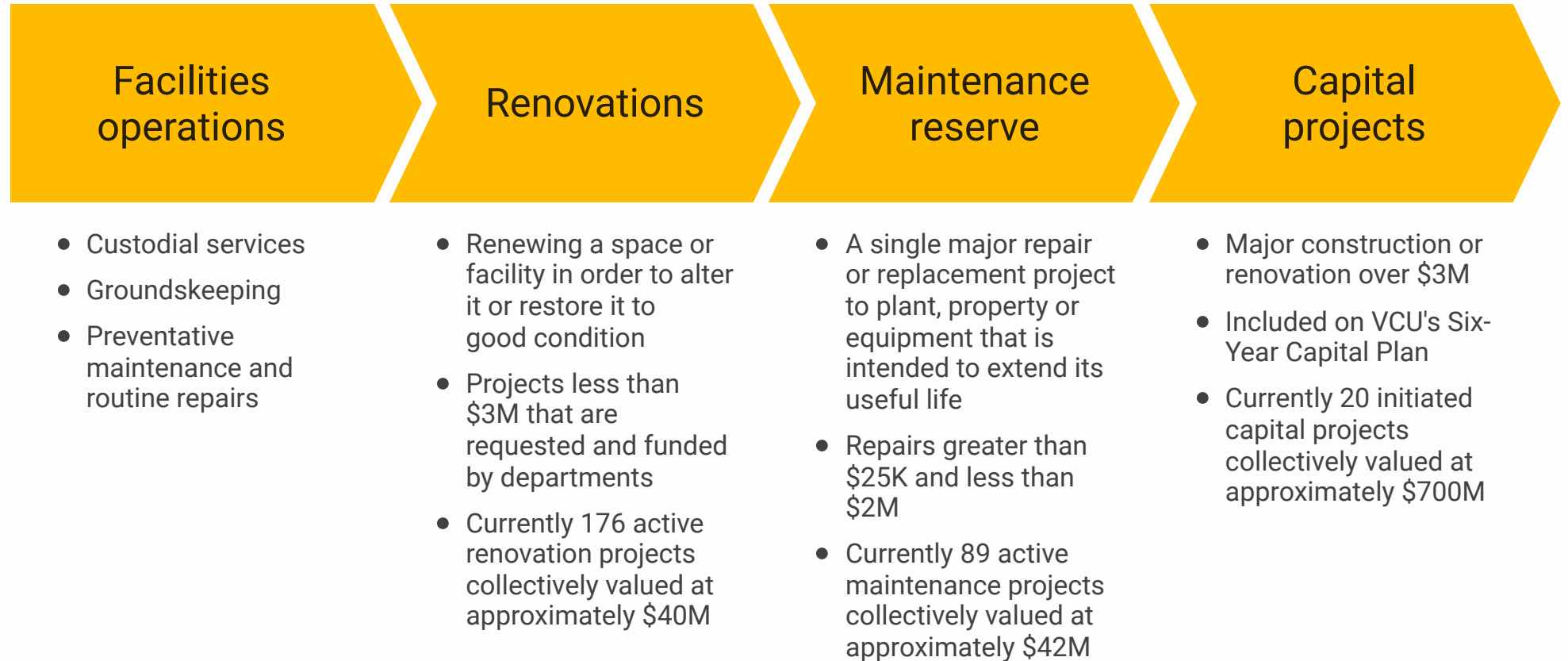






# Facilities management program

## Types of projects



# Community engagement

For major construction and renovation projects



Coordinate with internal partners to address adjacent community



Publicly share major project updates and impacts



Share info and/or gain approval from VCU and state committees



Host public community meeting and invite adjacent property owners



Collaborate with municipality to understand impacts, limitations and requirements, and develop logistics plan



Coordinate with general contractor or construction management



Establish commitments and communicate them to the community

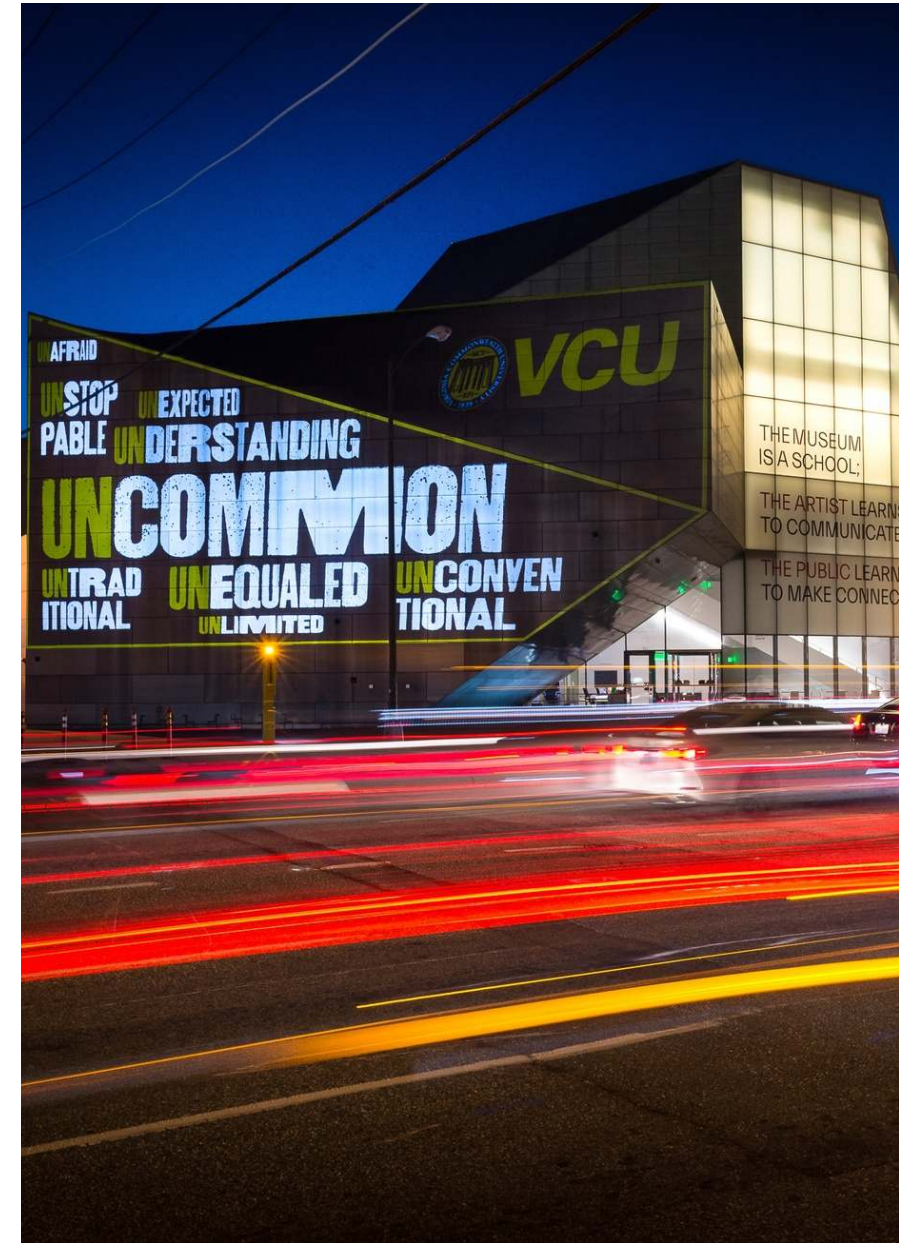


Conduct outreach to SWaM owned businesses



Route VCU Real Estate Foundation projects through City of Richmond's permitting process

# Discussion



# Miscellaneous reports

**Board of Visitors  
December 13, 2024  
Major Capital Projects Update**

## Projects underway

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### **Technology Operations Center**

Architect/engineer: PSH+  
Budget: \$31.3M  
Funding source: University debt

Biennium: 2022-2024  
Contractor: Mark Turner  
Status: Complete, under budget by  
\$1.7M

Description:

The 28,000 square foot facility was constructed at 707 West Broad Street adjacent to the Facilities Administration Building. The new facility will replace technology operations currently taking place at the state-owned Pocahontas Building. In April 2021, the Commonwealth of Virginia informed the university that it must vacate the Pocahontas Building to provide a site for the proposed Virginia Supreme Court Building. The new Technology Operations Center will serve as the primary data center and network operations hub for both the Monroe Park and the Academic Medical Center Campuses, as well as the telecommunications hub for VCU Health. As such, it will directly or indirectly support all of VCU's and much of VCU Health's critical operations.

Progress:

Construction is complete and the building's certificate of occupancy has been received. The data center start-up continues to progress.

### **Founders Hall Building Envelope Rehabilitation**

Architect/engineer: Raymond Engineering  
Budget: \$3.2M  
Funding source: Maintenance reserve

Biennium: 2020-2022  
Contractor: SRC, Inc.  
Status: Under construction;  
estimated completion late 2025

Description:

Founders Hall is located within the Historic Franklin Street District and houses several VCU College of Humanities and Sciences departments. The building is experiencing significant water intrusion issues and requires repairs that include replacement of the roof as well as repairs to windows and the deteriorated masonry exterior.

Progress:

Exterior renovations are on schedule with expected completion of both phases by late 2025.

## **CoStar Center for Arts and Innovation (CCAI)**

(Formerly referred to as the Arts and Innovation Academic Building)

Architect/engineer: William Rawn Associates

Biennium: 2022-2024

Budget: \$253M

Contractor: Hourigan

Funding source: \$232.4M will be funded by the state with the remainder funded by university funds, \$18M of which is committed by CoStar Group

Status: Under construction; estimated completion late 2027

Description:

Positioned on the southeast corner of Broad and Belvidere Streets, across from the Institute for Contemporary Art at VCU and steps away from Fortune 500 companies and local startups, the new CCAI will provide a launch pad for critical digital and creative economy initiatives both on campus and in the city. The new CCAI will feature flexible classroom spaces, interdisciplinary performance venues, and makerspaces for rapidly growing partnerships across arts, business, humanities and sciences, medicine, and engineering. The new building will optimize VCU's arts innovation programs by bringing many of them together under one roof in a modern facility, replacing old and outdated buildings.

Progress:

Construction is underway.

## **Athletic Village Phase I: Outdoor Track Facilities and Practice Fields**

Architect/engineer: HKS

Biennium: 2024-2026

Budget: \$35.8M (estimated)

Contractor: Barton Malow

Funding source: The sale of the Sports Backers Stadium property, private funds and short-term debt

Status: Under construction;

estimated completion summer 2026

Description:

The new outdoor track facilities and practice fields will consist of a 400-meter outdoor track with a natural turf infield to accommodate a NCAA soccer field. The outdoor track facilities, intended to replace those of the current Sports Backers Stadium, will contain seating for 1,500 spectators as well as locker rooms, concessions and storage. There will be two lighted practice fields, one of artificial turf and one of natural grass.

Progress:

The demolition of existing site structures is complete. Design work for the fields, track and the stadium are underway. An early site work package for the fields and the track

will be available by December 2024. Groundbreaking ceremony was held on October 30, 2024.

## **Scherer Hall Renovations**

Architect/engineer: Baskervill and Dunbar Structural  
Budget: \$6.25M (estimated)  
Funding source: Maintenance reserves

Biennium: 2024-2026  
Contractor: SRC, Inc.  
Status: Under construction;  
estimated completion mid to  
late 2025

### Description:

Constructed in 1910, Scherer Hall is a five-story, 23,141 square foot brick building in the West Franklin Street Historic District of VCU's Monroe Park Campus. The facility is experiencing significant HVAC maintenance issues due to both the age and design of the equipment. Controls for the mechanical system are obsolete and no longer serviceable. Additionally, uneven floor conditions must be addressed to prevent impacts to the building's structural integrity and a backflow preventer needs to be installed.

### Progress:

The L. Douglas Wilder School of Government and Public Affairs faculty and staff who were working in Scherer Hall have been temporarily relocated to 700 W. Grace Street while Scherer Hall undergoes renovation. Renovation work has begun and is expected to be completed by mid to late 2025.

## Projects in the planning phase

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### **West Grace Street Housing Project**

Architect/engineer: TBD  
Budget: TBD  
Funding source: Combination of auxiliary funds  
and debt and paid with student housing payments

Biennium: 2024-2026  
Contractor: TBD  
Status: Planning

### Description:

The ONE VCU Master Plan identified the need for additional student housing, a need that has been compounded by the closing of Johnson Hall and increasing undergraduate housing demand. A new residential housing facility will replace the 518 beds in Johnson Hall and provide additional beds to meet increased demand.

Progress:

The university is currently negotiating a contract for services to design a facility with approximately 1,000 to 1,250 total semi-suite and apartment style beds.

## **VCU Dentistry Center**

Architect/engineer: TBD

Biennium: 2024-2026

Budget: \$417M (estimated)

Contractor: TBD

Funding source: Seeking state funding

Status: Planning

Description:

VCU is home to the Commonwealth's only dental school and is the only facility in the state offering complete multidisciplinary care, including oral surgery, periodontology, oral pain, oral cancer, etc. The current School of Dentistry buildings are beyond their useful life, do not meet current educational or patient care needs, have significant accessibility issues, and have deferred maintenance estimated in excess of \$75M. When the school turns away emergency care patients due to lack of adequate space, it leads to expensive and preventable emergency room visits and loss of student educational opportunities. The proposed 314,835 square foot VCU Dentistry Center will provide state-of-the-art equipment and technology serving more than 500 students as well as maximize care for patients from across the Commonwealth, including underserved populations. It will bring together general and specialty clinics, multiple cutting-edge academic laboratories, and associated contemporary support spaces – aligning with modern practices in dental education, enhancing patient care, advancing the academic (non-sponsored) research mission, improving faculty and student recruitment, and allowing for increased enrollment.

Progress:

The Virginia General Assembly approved \$5.2M in general funds for detailed planning. VCU will seek authorization to self fund, and be reimbursed for, an additional \$14.3M to complete detailed planning. Typically the General Assembly will authorize an amount for design and require VCU to front the funding for detailed planning, which VCU is reimbursed for upon authorization from the state to proceed to construction.



# VCU Capital Project Process

## Overview

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As a state institution, VCU follows the design philosophy outlined in the Commonwealth's Construction and Professional Services Manual (CPSM), which states that "the design goal is to create a capital investment that meets the user's functional requirements, provides the most economical life cycle cost, and promotes energy efficiency and environmental conservation. The Commonwealth's design philosophy envisions a long and useful life for state buildings. These buildings will often be used for periods exceeding 50 years and, consequently, should be designed for durability, economy of operation and ease of maintenance."

In general, academic facilities are funded by the Commonwealth of Virginia (the state), while auxiliary facilities, such as dining halls, residence halls and student centers, are funded through university fees.

## Process

The capital process is outlined below. Gray italicized text provides additional information for each step. Rules, agreements, statutes and policies governing VCU's highly-regulated capital process are also noted.

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### Master plan

The VCU Board of Visitors (BOV) approved the One VCU Master Plan (March of 2019), which aligns VCU's physical campus site plan with VCU's strategic plan.

### Six-Year Capital Plan and funding sources

VCU prioritizes capital projects in the master plan into a Six-Year Capital Plan, which includes preliminary size, cost and fund source estimates for each project for the next six years. This is presented to the Facilities, Real Estate and Administration Committee and approved by the BOV in the spring of every odd year. The BOV approves amendments to add, update or remove capital projects as needed.

- ***State-funded projects:*** VCU works with the Virginia Department of General Services (DGS), Division of Engineering and Buildings (DEB) following a detailed, state-approved template/process (CR-1) to establish high-level estimates for size, scope and cost. Estimates in this template are derived from the DEB cost database and comparable projects throughout the state as well as similar projects identified by the university throughout the country. The governor's office evaluates VCU's projected needs and incorporates recommendations into the Executive Budget for consideration by the General Assembly.
- ***University-funded projects:*** VCU uses the same state-approved planning template/process that is used to plan for state-funded capital projects – the DEB CR-1 template – to establish high-level estimates for size, scope and cost. VCU's CFO requires a business plan that identifies the source of funds (i.e., cash, debt, gifts and/or anticipated revenue streams) as well as the timing of funding availability (i.e., gifts in hand or issuance of debt) and the plan to cover costs in the interim (i.e., covering costs with cash or debt until funds are raised or committed gifts are paid). Any project with a component of debt requires authorization from the BOV no later than 60 days prior to any expenditures.
- ***Public-private partnership projects or other potentially complex projects (e.g., projects that involve historic tax credits):*** VCU brings in external consultants (e.g., financial, legal, development) and real estate foundation advisors to explore and vet options, analyze potential risks and provide recommendations.

### Project initiation and applicable contract approvals

The BOV approves the initiation of capital projects, authorizing VCU to advertise and procure design services (and construction services, if applicable, depending on the procurement method) per the management agreement. If a contract is expected to be more than \$5M (per the signatory authority policy), the BOV authorizes VCU to procure a firm(s) and negotiate contract(s) at a Not to Exceed (NTE) amount. Project initiation approval requests are presented to the Facilities, Real Estate and Administration Committee; contract and funding source approval requests and debt resolutions, if applicable, are presented to the Finance and University Resources Committee.

- ***State-funded projects:*** This step follows a budget bill that is signed by the governor.
- ***University-funded projects:*** This step follows an approved business plan.
- ***Public-private partnership projects or other potentially complex projects:*** This step follows a BOV review of external advisors analyses and recommendations.

At initiation, VCU determines the most appropriate procurement method for the project (per the HECO Manual and management agreement). Construction Management and Design-Build construction procurement methods are considered “alternative construction procurement methods” (Design-Bid-Build is the state’s default construction procurement method) and require approval from DGS. *Should VCU elect to proceed with the use of an alternative construction procurement method, despite the decision of DGS to the contrary, the BOV has the opportunity to override the decision of DGS and approve the use of this method (this applies to projects \$65M or more); for projects under \$65M, that are funded in whole or in part from state general funds, VCU shall obtain approval from the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, or their designees, and a representative of DGS. In addition, if the project is funded in whole or in part from state general funds, and an alternative construction procurement method is selected, a representative from DGS, to the extent DGS deems practicable, shall be included in the process for the selection of a contractor.*

- **Construction Manager (CM):** *This is a two-part, competitive procurement process – a proposal request is issued for design services (i.e., the architect/engineer or A/E) and a separate proposal request is issued for construction services. Both the designer and the construction vendor are selected based on qualifications and best value and work together on design, cost, logistics and constructability in order to reach a guaranteed maximum price (GMP). For large, complex construction projects, the CM method reduces the risk of added costs or delays. CM is based on the Competitive Negotiations method of contractor selection (Code of Virginia § 2.2-4302.2) and requires approval from the DGS.*
- **Design-Build (DB):** *This is a competitive procurement process where a single vendor is selected based on qualifications and best value. Under this method, the vendor provides both design and construction services. This method is best suited for low-complexity projects such as warehouses or parking decks. DB is based on the Competitive Negotiations method of contractor selection (Code of Virginia § 2.2-4302.2) and requires approval from DGS.*
- **Design-Bid-Build (DBB):** *Following a competitive bidding process, a designer is selected based on qualifications and value. Later in the process, construction vendors are solicited through a competitive bidding process and a contract is awarded to the lowest-cost responsive and responsible bidder. The designer and the construction vendor work separately. DBB is based on the Competitive Sealed Bidding method of contractor selection (Code of Virginia § 2.2-4302.1).*
- **Public-private partnership projects or other potentially complex projects:** External advisors (e.g., financial, legal, development) assist with determining the procurement method, contract review and negotiation.

## Project plans and applicable contract approvals

The BOV reviews and approves project plans and amendments to the Six-Year Capital Plan and authorizes VCU to negotiate and execute a NTE contract for construction. Project plans and Six-Year Capital Plan amendments are presented to the Facilities, Real Estate and Administration Committee for approval; contract and funding source approvals, including any debt resolutions, if applicable, are presented to the Finance and University Resources Committee.

- **State-funded projects:** VCU works alongside DEB on preliminary design plans and cost estimates to arrive at an agreed upon final size, scope and cost as well as compliance with legislative intent in terms of the purpose and use of the facility. All projects must also be approved by applicable regulatory authorities such as the Virginia Art and Architectural Review Board, the Virginia Department of Health, the Virginia Department of Historic Resources, respective municipalities, etc.
- **University-funded projects:** VCU presents the preliminary design plans to the state (DEB). All projects must also be approved by applicable regulatory authorities.
- **Public-private partnership projects or other potentially complex projects:** VCU works with external advisors and partners, following applicable regulations, to develop project plans. All projects must also be approved by applicable regulatory authorities.

## Ongoing updates and disbursements

Once project plans are approved and construction begins, the BOV is updated on the progress of capital projects at each board meeting.

- **State-funded projects:** VCU requests disbursement of funds from the state in order to begin construction.
- **University-funded projects:** VCU Treasury Services is apprised of construction progress and ongoing draws on bond proceeds throughout the completion of the project to maintain compliance with the requirements around the use of bond proceeds.
- **Public-private partnership projects:** Disbursement of funds follows contract terms.

## Rules, agreements, statutes and policies

- **Rules Governing Procurement of Goods, Services, Insurance, and Construction by a Public Institution of Higher Education of the Commonwealth of Virginia (Governing Rules)**

- **VCU Management Agreement (management agreement):** Agreement between the state and the BOV that governs financial and administrative authority
- **Codes of Virginia:**
  - **§ 2.2-1132.C:** Administration of Capital Outlay Construction Projects
  - **§§ 2.2-4300 through 2.2-4377:** Virginia Public Procurement Act (Procurement Act); as a Tier 3 institution, VCU is generally exempt from the Public Procurement Act, as specified in the Governing Rules and the management agreement
  - **§§ 2.2-4378 through 2.2-4383:** Construction Management and Design-Build Contracting consistent with the Governing Rules and the management agreement
  - **§§ 23.1-1000 through 23-1028:** Restructured Higher Education Financial and Administrative Operations Act (The Restructuring Act)
- **VCU Higher Education Capital Outlay Manual (HECO):** The HECO manual is based upon the state's CPSM, modified by VCU according to the Restructuring Act and management agreement
- **VCU Delegation of Signatory Authority Policy (Signatory Authority Policy):** Stipulates that agreements/contracts exceeding (or expected to exceed) \$5M require BOV approval

## **Annual VCU Succession Plan**

### For Fiscal Year 2024

#### **Background**

In 2017, § 2.2-1209.C of the Code of Virginia was amended to require that all public institutions of higher education develop and present annually to their Boards of Visitors succession plans for key personnel, executive positions and employees nearing retirement. Succession plans must also be submitted annually to the Virginia Department of Human Resource Management.

Succession planning is the process of identifying and replacing critical positions needed to support the university in fulfilling its mission. It is also a key component of crisis planning as well as leadership development for high-performing employees.

VCU's succession planning efforts focus on three areas:

- 1. Career/succession development**

Career development and succession planning are key to VCU's Human Resources strategy. VCU provides training and leadership development through various modalities including in-person workshops, virtual classes, career pathing tools that identify development opportunities, and 18 career communities. Staff are encouraged to develop career development plans and update them annually.

- 2. Interim leadership**

Each cabinet member identifies interim leadership to serve in the event of short-term and long-term absences (completed and updated annually).

- 3. Continuity of operations**

Senior leadership identifies individuals to execute duties during emergencies (completed and updated annually as part of VCU's emergency preparedness and planning process).

VCU's succession plan was submitted to the Virginia Department of Human Resource Management in fall 2024. In this plan, VCU provided metrics that describe both strengths and areas of opportunity related to recruitment, retention and engagement, continuity of operations, and workforce development.

Key action items from VCU's workforce plan are:

- Develop internal talent to provide pipelines for key vacancies.

- Use human resources data analytics to predict potential turnover and take proactive steps to retain key employees.
- Regularly survey employees to understand what employees value and help craft a modern value proposition for VCU as an employer of choice.
- Clearly communicate VCU's values, vision and mission and culture of care.
- Improve recruitment and retention efforts in support of everyone to further VCU's culture and talent.
- Continue to update and refine staff career paths to assist both employees and managers with developing actionable career development plans.
- Continue to build awareness of VCU's career communities by embedding information into new employee orientation and onboarding.
- Continue to meet the needs of our workforce by offering the majority of VCU's learning and development opportunities in many modalities, including in-person, online synchronous and online asynchronous.
- Transition to a new recruitment management system in 2025 with enhanced recruitment marketing which will better enable VCU's promotion as an employer of choice.

**Recommendation**

No action required. This is an informational item only.

## **Amended VCU Higher Education Capital Outlay Manual**

### **Background**

VCU's HECO Manual establishes policies and procedures for capital outlay in accordance with state laws. It was created per a directive under the Management Agreement between VCU and the Commonwealth of Virginia and in accordance with its authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005 (i.e., the "Restructuring Act").

The VCU Board of Visitors (BOV) authorized an amendment to VCU's Higher Education Capital Outlay Manual (HECO Manual) in September 2024 to reflect changes in state law (Chapter 469 of the Acts of the General Assembly 2024) pertaining to specific alternative construction procurement methods (Construction Management and Design-Build).

### **Considerations**

Following the review and approval by the BOV, VCU's HECO Manual was submitted to the Virginia Department of General Services (DGS) for final review. DGS approved VCU's Higher Education Capital Outlay Manual (HECO Manual) per the redlined document in miscellaneous reports. The modifications are not considered by VCU legal counsel to be substantive.

### **Recommendation**

This is for informational purposes only.



## VCU Facilities Management Notice 09/2024

(Effective: 09/01/2024)

### 2022, Third Edition – VCU Higher Education Capital Outlay Manual – Amendment 1

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#### 1. Purpose of This Notice

The purpose of this notice is to set forth the issuance of Amendment 1 of the 2022, Third Edition of the VCU Higher Education Capital Outlay Manual (HECO Manual), and to summarize the changes since the publication of Revision 0 of the 2022 Edition dated November 2021. Specific changes herein were required due to changes in Commonwealth of Virginia law pursuant to Chapter 469 of the Acts of the General Assembly (2024).

This version of the HECO Manual is available on VCU Facilities Management website at <https://fmd.vcu.edu/units/construction-management/resources/>.

#### 2. Summary of Changes

The changes incorporated into this Amendment are as follows: Replace “Chapter 10: Alternate Construction Procurement” in its entirety with:

### **Chapter 10: Alternate Construction Procurement**

#### **10.1 General**

These Design-Build and Construction Management competitive negotiation procedures may be used for capital projects for the University.

Prior to making a determination as to the use of Design-Build or Construction Management **delivery procurement** methods, the University shall have in its employ or under contract a licensed architect or engineer competent to the project who shall (i) advise the University

regarding the use of Design-Build or Construction Management and (ii) assist with the preparation of the request for proposals (RFP) and evaluation of such proposals.

The University shall obtain written authorization to use a Design-Build or Construction Management contract from the Associate Vice President (AVP) for Facilities Management (FM). The request shall substantiate that Design-Bid-Build project delivery method is not practicable or fiscally advantageous, and the determining basis to utilize the selected project deliveryprocurement method. Determination shall, at a minimum, consider: cost, schedule, complexity and building use.

In compliance with §2.2-4381 of the Code of Virginia (Virginia Code), the University shall submit to the Department of General Services (DGS) for its approval the University's decision to utilize Design-Build or Construction Management deliveryprocurement methods. The written approval or denial from DGS shall be maintained with the procurement files. Reference 10.4 if the University elects to proceed with a project deliveryprocurement method not approved by DGS. In its review, DGS shall also consider:

1. The written determination of VCU;
2. VCU's compliance with §2.2-4342, C1, 2 and 7;
3. The project cost, expected timeline, and use;
4. Whether the project is a complex project; and
5. Any other criteria established by DGS to evaluate the proposed procurement method for the project.

Pursuant to Virginia Code §2.2-4381 and §2.2-4342, the University shall post all documents open to public inspection that are exchanged between the University and DGS on DGS's central procurement website (eVA) prior to the date of proposals.

## **10.2 Design-Build Procedures**

### **Criteria for Use of Design-Build Contracts**

Design-Build contracts are generally utilized on new construction projects with limited complexity. Design-Build contracts may be approved for but are not limited to use on building projects in the following general categories: warehouse/storage buildings, garage/maintenance shops, general mercantile buildings, single-story administrative buildings, recreational and concession buildings, exhibition and agricultural buildings, parking decks, and housing.

### **Design-Build Selection Procedures**

On projects approved for Design-Build, procurement of the contract shall be a two-step competitive negotiation process. The following procedures must occur prior to the issuance of a RFP and shall be used in selecting a firm and awarding a contract:

1. The University shall appoint an Evaluation Committee which shall have a minimum of three members, including at least one licensed professional engineer or architect.
2. The University's architect/engineer (A/E) consultant (~~sometimes under a term contract~~) or a licensed professional on the University's staff prepares pre-design scope and



- criteria. Standard professional services procurement procedures are used to select the University's A/E.
3. The University's A/E prepares schematics, including outline and technical specifications, for the University's approval, with an opportunity for the University to make changes. The completed schematic drawings and outline specifications are sometimes referred to as "bridging documents." The documents establish the minimum level of quality required for the project.
  4. Minimum requirements for bridging documents:
    - Survey of site
    - Soil borings/geotechnical reports
    - Program describing building use and functional requirements
    - Various user groups/spaces
    - Specific operational requirements
    - Specific equipment demands
    - Square footage
    - Architectural restrictions
    - Schematic floor plans showing building dimensions
    - Site restrictions (access, staging area, traffic control, work hours, etc.)
    - Schedule constraints
    - Master planning documents (if available)
    - Any additional data that is pertinent to the project
  5. Reference use of HECO-7DB as the general conditions of the Design-Build contract and the HECO-9DB as the contract between the University and Design-Builder.

### **Selection of Qualified Offerors**

VCU ~~shall will~~ prepare a request for quote (RFQ) containing the University's facility requirements, building and site criteria, site and survey data (if available), and the University's written determination of approved ~~delivery~~procurement method. All offerors shall have a licensed Class "A" contractor and an architect or engineer licensed to perform such duties in the Commonwealth of Virginia as part of the project team.

1. The University shall advertise the requirement in eVA for a minimum of 30 days prior to the receipt of qualification packages and may advertise in a newspaper of general circulation in the area.
2. The University ~~shall will~~ issue an RFQ process resulting in a short list of between three to five offerors, including at least one Department of Small Business and Supplier Diversity (DSBSD) – Certified Business if such offeror meets the requirements for prequalification, and if responses may be submitted electronically and/or via paper response.-
3. RFQ responses must be submitted by interested parties by the due date and time to the location stipulated in the solicitation.
4. The RFQ responses ~~shall will~~ be evaluated based upon the information submitted and any other relevant information. The Evaluation Committee ~~shall will~~ conduct this evaluation.
5. Prior Design-Build experience or previous experience with DGS shall not be considered as a prerequisite or factor considered for pre-qualification or award of contract. However,

in the selection of a contractor, the experience of each contractor on comparable projects of similar complexity and size may be considered.

6. The University may request additional information from the offerors, if needed.
7. The Evaluation Committee ~~shall will~~ rank the firms based upon the overall merit of the information submitted and any other relevant information and recommend those deemed most qualified with respect to the criteria established for the project in the RFQ.

### **Selection of Design-Build Contractor**

1. The University ~~shall will~~ prepare an RFP containing the University's facility requirements, building and site criteria, site and survey data, the criteria to be used to evaluate submittals, and other relevant information.
2. The University ~~shalwill~~ solicit the firms selected as specified in step one above to submit proposals that include both technical and cost information by the date and time to the location established in the RFP for receipt of the offers.
3. The Evaluation Committee ~~shall will~~ evaluate the proposals based on the criteria contained in the RFP and individually score each proposal prior to the first Evaluation Committee meeting. At the conclusion of the first Evaluation Committee meeting or after oral presentations (if conducted), the scores based on the evaluation criteria shall determine the number of firms selected for negotiations. Clarifications and additional information may be requested by the committee from these offerors. The Evaluation Committee ~~shall will~~ inform the procurement officer of any adjustments necessary to make the proposal from a selected Design-Build offeror in full compliance with the mandatory requirements of the RFP. The bid officer shall obtain the clarifications from the offerors in writing.
4. Offerors who submit a proposal in response to the RFP may be required to give an oral presentation of their proposal to the Evaluation Committee. This provides an opportunity for the offeror to clarify or elaborate on the proposal. This is a fact-finding and explanation session only and does not include negotiation. The Evaluation Committee Chair will coordinate the schedule and the time and location of these presentations with the committee and the bid officer. The bid officer shall schedule the oral presentations with the offerors. Oral presentations are an option of the Evaluation Committee and may or may not be conducted. The Evaluation Committee shall score the proposals based on the evaluation criteria after the oral presentation.
5. As specified in the solicitation, negotiations ~~will shall~~ be held with two or more of the selected Design-Build teams. The University may require that offerors make design adjustments necessary to incorporate project improvements and/or additional detail identified by the committee for design development. The University may make multiple requests for adjustments to the plans, approach and proposed personnel to provide the Design-Build services, and the requests may be customized for each proposal. Negotiations must also include a discussion(s) about obtaining a reasonable price with all offerors and increasing the commitment for the utilization of small, women and minority-owned firms as subcontractors with all majority companies.
6. At the conclusion of negotiations, the Evaluation Committee ~~shallwill~~ score the proposals and select the Design-Build team with the highest score based on the RFP evaluation criteria to recommend for the contract award.
7. The Committee shall make the recommendation on the selection of the Design-Build contractor to the AVP for FM. The AVP for FM shall approve the selection of the Design-Build contractor. This approval shall be submitted to the bid officer in writing.

8. The buyer ~~shall~~will post the notice of intent to award to the selected Design-Build contractor on eVA. The University shall complete the HECO/CO-8 and supporting documents, and the Virginia Construction Contracting Officer (VCCO) shall facilitate executing the contract (HECO-9DB).
9. Upon request, any unsuccessful proposer ~~shall~~will be provided documentation demonstrating the processes used in awarding the contract.

### 10.3 Construction Management Procedures

On projects approved for Construction Management ~~delivery~~procurement method, the University shall proceed as follows to qualify offerors who may submit proposals utilizing a two-step competitive negotiation process. The University must enter into a Construction Management contract no later than the completion of the schematic phase of design, unless prohibited by authorization of funding restrictions.

The University shall appoint an Evaluation Committee from the professional staff of FM which shall have a minimum of three members, including at least one licensed professional engineer or architect. A representative from the Virginia Division of Engineering and Buildings may be invited to participate on the Evaluation Committee. Representatives of the University customer organization may be invited to participate as ad hoc members of the committee but ~~shall~~will not be voting members.

#### Selection of Qualified Offerors

1. The University shall advertise the requirement in eVA for a minimum of 30 days prior to the receipt of proposals and may advertise in a newspaper of general circulation.
2. The University ~~shall~~ will issue an RFQ package, to include the University's written determination of approved ~~delivery~~procurement method and if responses may be submitted electronically and/or via paper response. -
3. RFQ responses must be submitted by interested parties by the due date and time to the location stipulated in the solicitation.
4. The RFQ responses ~~shall~~ will be evaluated based upon the information submitted and any other relevant information. The Evaluation Committee ~~shall~~will conduct this evaluation and recommend those best qualified with respect to criteria established for the project in the RFQ.
- ~~4.5.~~ When evaluating the RFQ, successful completion of at least three (3) projects of similar size and scope within the past ten (10) years, by any delivery method, meets the experience criteria.
- ~~5.6.~~ Prior Construction Management experience or previous experience with DGS shall not be considered as a prerequisite or factor considered for pre-qualification or award of contract. However, in the selection of a contractor, the experience of each contractor on comparable projects of similar complexity and size may be considered.
- ~~6.7.~~ The University may request additional information from the offerors, if needed.
- ~~7.8.~~ The Evaluation Committee ~~shall~~will rank the firms based upon the overall merit of the information submitted and any other relevant information.
- ~~8.9.~~ The committee ~~shall~~ will select no fewer than ~~three~~ two and no more than five offerors deemed suitable for the project to proceed to step two. If available, the short-list shall include a minimum of one DSBSD-Certified Business that meets the minimum

requirements.

### **Selected Offerors Will Be Given the Opportunity to Submit Proposals**

- ~~9-10.~~ The University ~~shall will~~ prepare an RFP containing the University's facility requirements, building and site criteria, site and survey data, and the criteria to be used to evaluate submittals, and other relevant information.
- ~~10-11.~~ The University ~~shall will~~ solicit the firms selected as specified above to submit proposals that include both technical and cost information by the date and time to the location established in the RFP for receipt of the offers.
- ~~11-12.~~ The Evaluation Committee ~~shall will~~ evaluate the proposals based on the criteria contained in the RFP and individually score each proposal prior to the first Evaluation Committee meeting. At the conclusion of the first Evaluation Committee meeting or after oral presentations (if conducted), the scores based on the evaluation criteria shall determine the number of firms selected for negotiations. Clarifications and additional information may be requested by the committee from these offerors. The Evaluation Committee will inform the buyer of any negotiation issues necessary to make the proposal from a selected Construction Management offeror fully compliant with the mandatory requirements of the RFP. The buyer shall obtain the negotiation clarifications from the offerors in writing.
- ~~12-13.~~ Offerors who submit a proposal in response to the RFP may be required to give an oral presentation of their proposal to the Evaluation Committee. This provides an opportunity for the offeror to clarify or elaborate on the proposal. This is a fact-finding and explanation session only and does not include negotiation. The Evaluation Committee Chair will coordinate the schedule and the time and location of these presentations with the committee and the buyer. The buyer shall schedule the oral presentations with the offerors. Oral presentations are an option of the Evaluation Committee and may or may not be conducted. The Evaluation Committee shall score the proposals based on the evaluation criteria after the oral presentations.
- ~~13-14.~~ As specified in the solicitation, negotiations ~~shall will~~ be held with two or more of the selected Construction Management contractors. Negotiations must include a discussion(s) about obtaining a reasonable price with all offerors and increasing the commitment for the utilization of small, women and minority-owned firms as subcontractors with all majority companies.
- ~~14-15.~~ At the conclusion of negotiations, the Evaluation Committee ~~will shall~~ score the proposals and select the Construction Management contractor with the highest score based on the RFP evaluation criteria to recommend for the contract award.
- ~~15-16.~~ The committee shall make the recommendation on the selection of the Construction Management contractor to the AVP for FM. The AVP for FM shall approve the selection of the Construction Management contractor.
- ~~16-17.~~ The buyer ~~shall will~~ provide the notice of intent to award to the selected Construction Management contractor. The University shall complete the HECO/CO-8 and supporting documents, and the VCCO shall facilitate executing the contract (HECO-9CM).
- ~~17-18.~~ Upon request, any unsuccessful proposer ~~shall will~~ be provided documentation demonstrating the processes used in awarding the contract.

### **Required Construction Management Contract Terms**

Any Guaranteed Maximum Price Construction Management contract entered into by any department, University or institution of the Commonwealth ~~will~~shall contain provisions requiring that (1) not more than 10% of the construction work (measured by cost of the ~~work~~<sup>[MM1]</sup>) ~~will~~ be performed by the Construction Management contractor with its own forces and (2) that the remaining 90% of the construction work ~~will~~ be performed by subcontractors of the Construction Management contractor which the Construction Management contractor must procure by publicly advertised, competitive sealed bidding.

### **Sub-Contractor Advertisement**

The University is allowed to ~~may~~<sup>[MM2]</sup> ~~post~~<sup>[MM3]</sup> to eVA when and where the Construction Manager plans to advertise bid packages for subcontracting opportunities.

### **Guaranteed Maximum Price**

The Guaranteed Maximum Price (GMP) shall be established at the completion of working drawings unless a waiver has granted to this requirement by the Associate Vice President of Facilities.

## **10.4 Procedures for Design-Build/Construction Management not approved by DGS**

These procedures apply to projects either funded entirely with Non-State General Funds or if the project cost is \$65M or more.

1. The University shall present the DGS denial to the VCU Board of Visitors (BOV) and obtain a majority vote authorization from the BOV to proceed with the elected deliveryprocurement method.
2. A written statement by the BOV shall be provided to document the reasons to proceed despite the DGS denial and the results of the vote. This statement shall be maintained with the procurement files.
3. Upon BOV authorization to proceed with the selected deliveryprocurement method, a representative of DGS, to the extent DGS deems practicable, shall be included in the process for the selection of a contractor.

These procedures apply to projects that are funded with any State General Funds and the project cost is less than \$65M.

4. Authorization to proceed with the selected deliveryprocurement method shall be obtained by Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, or their designees, and a representative of DGS.
5. A written statement by the BOV shall be provided to document the reasons to proceed despite the DGS denial and the results of the vote. This statement shall be maintained with the procurement files.