

**RESOLUTION FOR APPROVAL OF AN UPDATE TO THE CAPITAL
CONSTRUCTION DELIVERY METHOD APPROVAL PROCESS**

The Committee will consider for approval a resolution updating the university's capital construction delivery method approval process.

RESOLUTION FOR APPROVAL OF AN UPDATE TO THE CAPITAL CONSTRUCTION DELIVERY METHOD APPROVAL PROCESS

WHEREAS, effective July 1, 2006, Virginia Polytechnic Institute and State University (Virginia Tech) operates as a Tier III institution in accordance with its Management Agreement and operational policies; and

WHEREAS, pursuant to the Management Agreement, Virginia Tech has delegated authority relating to the procurement of goods, services, insurance, and construction services; and

WHEREAS, a resolution for approval of the construction procurement approval process for capital project delivery was approved by the Board of Visitors June, 6, 2016; and

WHEREAS, the Commonwealth of Virginia 2017 General Assembly passed legislation (Title 2.2 Chapter 43.1) regulating the types of construction procurement methods available for public institutions of higher education; and

WHEREAS, such legislation requires Virginia Tech to update its Capital Construction Delivery Method approval process and submit the proposed updates to the Department of General Services for review and recommendations; and

WHEREAS, the Department of General Services has reviewed and provided recommendations, which recommendations have been incorporated into the university's updated Capital Construction Delivery Method Approval Process; and

WHEREAS, the university submits for Board of Visitors approval the updated Capital Construction Delivery Method Approval Process; and

WHEREAS, with the approval of these updated procedures, Virginia Tech confirms that all of the required Board-level policies and procedures are in place to implement the new legislation;

NOW, THEREFORE, BE IT RESOLVED, that the university adopts the proposed Capital Construction Delivery Method Approval Process.

RECOMMENDATION:

That the above resolution approving the Capital Construction Delivery Method Approval Process be approved.

September 11, 2017

**Virginia Polytechnic Institute and State University
Facilities Department Procedures**

**Approval Process for Construction Manager at Risk (CMAR) and Design –
Build (D-B) Capital Project Delivery Methods**

Date: September 11, 2017

Revision: 1

Purpose:

Pursuant to the Restructuring Act and in accordance with Chapter 780 (2016) Item 4-4.01 #1c and *Code of Virginia* §2.2-4378, 2.2-4379, 2.2-4381 and 2.2-4383, the following process is adopted for use of the Construction Manager at Risk (CMAR) and Design –Build (D-B) Capital Project Delivery Methods.

Responsible Staff:

Capital Construction and Renovations (CCR) – the Facilities division responsible for the procurement, administration, management, and implementation of Major Capital Outlay Projects.

CCR Project Manager (PM) – coordinates with CCR management and project stakeholders to recommend a project delivery method.

Senior Facilities Contract Officer – administers the capital outlay procurement process, reviews delivery method options, and manages contract development, approval, and execution.

Director of Capital Construction and Renovation (DCCR) – provides CCR leadership, manages operations, and recommends project delivery methods to meet university goals.

Assistant Vice President for Facilities Operations and Construction (AVPFOC) - provides CCR leadership and recommends project delivery methods.

Associate Vice President and Chief Facilities Officer (AVPCFO) – approves project delivery methods and recommends contracts for execution.

Procedure:

- A. Except for projects that use the Design-Bid-Build delivery method, the construction delivery method for a capital outlay project shall be approved in writing by the Virginia Tech Associate Vice President and Chief Facilities Officer (AVPCFO).
- B. In order to obtain the AVPCFO approval and document the university's determination, a written recommendation for the CMAR or D-B project delivery method will be provided to the AVPCFO through the AVPFOC, Director of CCR and from the PM in consultation with the Senior Facilities Contract Officer. The written recommendation will justify why sealed bidding is not practicable and/or fiscally advantageous to the university. In addition, the following will be considered in recommending the CMAR or D-B construction delivery method for each capital project:

1. Considerations for Adopting the CMAR Delivery Method

- a. Construction Costs
- b. Project Complexity (difficult site location, unique equipment, specialized building systems, multifaceted program, accelerated schedule, historic designation, intricate phasing or other aspect that makes competitive sealed bidding impractical)
- c. Building Use
- d. Project Timeline
- e. Need to perform Value Engineering and/or Constructability Analysis concurrent with design
- f. Need for Quality Control and/or vendor prequalification
- g. Need for Cost/Design control
- h. Need for project phasing

2. Considerations for Adopting the Design-Build Delivery Method

- a. Construction Costs
- b. Project Complexity (simplicity)
- c. Building Use
- d. Project Timeline
- e. Need for a Single Point of Contact

C. General Guidelines for Both CMAR and D-B Projects

The following general guidelines shall apply to university CMAR and D-B Projects:

- 1. At least five working days prior to the release of a CMAR or D-B RFQ, the university will provide a copy of its written determination for using either delivery method together with a signed Procurement Review Submittal Form (Department of General Services [DGS] 30-456 or DGS 30-471) to DGS for review. Upon receipt of DGS' recommendation, the university shall consider DGS comments and document the university's final determination and planned course of action in the project file and provide a copy to DGS for information.
- 2. The university shall have in its employ or under contract a licensed architect or engineer with professional competence appropriate to the project who shall i) advise regarding the use of CMAR or D-B for that project and will ii) assist with the preparation of the Request for Proposal and evaluation of proposals.
- 3. The Request for Qualifications and RFP will include criteria for contractor selection and will establish a two-step (RFQ/RFP) contractor selection method.
- 4. The Request for Qualifications will be posted for no less than 30 days on eVA, the Commonwealth statewide electronic procurement system. It will include a CMAR or D-B justification to support why sealed bidding is not practicable and/or fiscally advantageous.
- 5. The selection committee shall evaluate the firms' RFQ responses and any other relevant information and shall determine two to five offerors deemed best qualified with respect to the criteria established for the project in the RFQ to receive the Request for Proposals. Prior CMAR or D-B experience or experience with BCOM shall not be required as a prerequisite for award of a contract. However, in the selection of a contractor, the university may consider the experience of each contractor on comparable projects.
- 6. For CMAR Projects:
 - i. At least 90 percent of the construction work shall be subcontracted by the Construction Manager through publicly advertised competitive sealed bidding to the maximum extent

- practicable.
 - ii. The contract with the Construction Manager at Risk shall be entered into no later than the completion of the Schematic Phase of design, unless prohibited by authorization of funding restrictions.
 - iii. The establishment of interim GMP contracts for early release packages of construction work are permitted.
 - iv. The GMP for the project shall be established based on Working Drawings.
7. For D-B Projects
- i. Sealed Technical Proposals as described in the RFP shall be submitted to the evaluation committee.
 - ii. Separately sealed Cost Proposals shall remain sealed until evaluation of the Technical Proposals and the design adjustments are completed.
 - iii. After evaluation and ranking the committee shall conduct negotiations with two or more offerors submitting the highest ranked proposals. Cost shall be a critical component in evaluations.

Reporting:

The university shall report on completed projects that employ the CMAR or D-B delivery methods annually or as needed upon request by DGS.

References:

- Virginia Tech Management Agreement
- Virginia Tech Construction and Professional Services Manual

Approval and Revisions:

Initial Adoption

Approved by the Board of Visitors on June 6, 2016.

Revision 1

Updated Approved by the Board of Visitors on September 11, 2017.



July 24, 2017

W. Michael Coppa
Acting Director of Division of Engineering and Buildings
Department of General Services
1100 Bank Street, Suite 506
Richmond, Virginia 23219

Dear Mr. Coppa,

In reply to your May 23, 2017 correspondence indicating changes in the *Acts of Assembly* Chapters 699 and 704 affecting construction procurement and the utilization of construction management and design-build, please find the response for Virginia Polytechnic Institute and State University attached.

The completed procedure summary checklists and our draft construction management and design-build procedures are included for Department of General Services (DGS) review and comment. Please provide a response by Wednesday, August 9, 2017 so that we may include this item in materials for review and approval by the university's Board of Visitors at their September 2017 meeting.

Additionally, I acknowledge the project specific requirement that DGS evaluate the proposed procurement method and make recommendation as to whether the use of the construction management or design-build procurement method is appropriate.

Please contact my office if you have any further questions.

Sincerely,

Christopher H. Kiwus, PE, PhD
Associate Vice President and Chief Facilities Officer

Attachments: 3

cc:	Robert R. Broyden	Timothy L. Hodge
	Lynn Eichhorn	Elizabeth G. Hooper
	Mark A. Gess	G.E. Dwyn Taylor II
	Kay K. Heidbreder	Sherwood G. Wilson
	Mary W. Helmick	Christopher Yianilos

Virginia Polytechnic Institute and State University (Virginia Tech)

Covered Institution Procurement Procedure Summary

Construction Management at Risk

Construction Manager at Risk Procedures

Criteria	Agency Procedure Item Number/Page Number
Construction Cost Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.1.a- pg 2
Project Complexity Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.4, §2.2-4381.D.4)	B.1.b- pg 2
Building Use Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.1.c- pg 2
Project Timeline Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.1.d- pg2
Value Eng. and/or Constructability Analysis Concurrent with Design Considered (Relevant COV Sections: §2.2-4381.A)	B.1.e- pg2
GMP Established at Working Drawings (Relevant COV Sections: §2.2-4381.A)	C.6.iv.-pg3
2-5 Offerors in Short List (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.5-pg 2
Interim GMP for Early Packages Permitted (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.6.iii.-pg 3
Need for Quality Control/Vendor Prequalification Considered (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	B.1.f-pg2
Need for Cost/Design Control Considered (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	B.1.g-pg2
Need for Project Phasing Considered (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	B.1.h-pg2
Written determination that Competitive Sealed Bidding is not Practicable or Advantageous (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	B.-pg 2
Justification included in Request for Qualification (RFQ) (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	C.4-pg2
Licensed Architect or Engineer employed or under contract to advise in use of CM@Risk (Relevant COV Sections: §2.2-4380.B.2, §2.2-4381.C.2)	C.2-pg 2
30 Day RFQ Posting Time (Relevant COV Sections: §2.2-4380.B.3, §2.2-4381.C.3)	C.4-pg 2
Two Step Request for Qualifications/Request for Proposals (RFQ/RFP) Process (Relevant COV Sections: §2.2-4380.B.7, §2.2-4381.C.7)	C.3-pg 2
Criteria for evaluation included in RFQ & RFP (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	C.3-pg 2
Contract Entered Into No Later than the Completion of Schematic Design Phase (Relevant COV Sections: §2.2-4380.B.4, §2.2-4381.C.4)	C.6.ii.-pg 3
Prior CM@ Risk or BCOM Experience not a Prerequisite for award. (Relevant COV Sections: §2.2-4380.B.5, §2.2-4381.C.5)	C.5-pg 3
90% of Construction Work Subcontracted Through Publicly Advertised Competitive Sealed Bidding to the Maximum Extent Practicable (Relevant COV Sections: §2.2-4380.B.6, §2.2-4381.C.6)	C.6.i.-pg3

Virginia Polytechnic Institute and State University (Virginia Tech)**Covered Institution Procurement Procedure Summary****Design-Build****Design-Build Procedures**

Criteria	Agency Procedure Item Number/Page Number
Construction Cost Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.2.a-pg 2
Project Complexity Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.4, §2.2-4381.D.4)	B.2.b-pg 2
Building Use Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.2.c-pg 2
Project Timeline Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.2.d-pg 2
Cost Proposals Remain Sealed Until Ranking of Technical Proposals is Complete (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.7.ii.-pg 3
Cost is Critical Component (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.7.iii.-pg 3
2-5 Offerors in Short List (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.5-pg 2
Having a Single Point of Contact Considered (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	B.2.e-pg2
Written determination that Competitive Sealed Bidding is not Practicable or Advantageous (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	B.-pg 2
Justification included in Request for Qualification (RFQ) (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	C.4-pg 2
Licensed Architect or Engineer employed or under contract to advise in use of Design-Build (Relevant COV Sections: §2.2-4380.B.2, §2.2-4381.C.2)	C.2-pg 2
30 Day RFQ Posting Time (Relevant COV Sections: §2.2-4380.B.3, §2.2-4381.C.3)	C.4-pg 2
Two Step Request for Qualifications/Request for Proposals (RFQ/RFP) Process (Relevant COV Sections: §2.2-4380.B.7, §2.2-4381.C.7)	C.3-pg 2
Criteria for evaluation included in RFQ and RFP? (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	C.3-pg 2
Prior Design-Build or BCOM Experience not a Prerequisite for award. (Relevant COV Sections: §2.2-4380.B.5, §2.2-4381.C.5)	C.5-pg 3

**Virginia Polytechnic Institute and State University
Facilities Procedures**

**Approval Process for Construction Manager at Risk (CMAR) and Design –
Build (D-B) Capital Project Delivery Methods**

Date:

Revision: X

Purpose:

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Reporting:

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References:

- Virginia Tech Management Agreement
- Virginia Tech Construction and Professional Services Manual

Approval and Revisions:



COMMONWEALTH of VIRGINIA
Department of General Services

Division of Engineering and Buildings

1100 Bank Street
Suite 506
Richmond, Virginia 23219
(804) 786-3263
Voice/TDD (804) 786-6152
FAX (804) 371-7934

August 8, 2017

Christopher H. Kiwus, PE, PhD
Associate Vice President and Chief Facilities Officer
230 Sterrett Drive, Suite 112 (0127)
Blacksburg, VA 24061

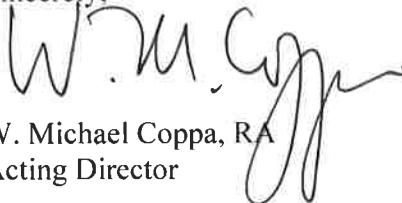
Dear Dr. Kiwus,

Attached are the results of the DGS review based on the procedures submitted under §2.2-4381.B.2 of the Code of Virginia. These procedures have been reviewed for compliance with §2.2-4381 of the Code of Virginia and the Secretary of Administration's Procedures.

This review has been completed to reflect compliance with the Acts of the Assembly Chapters 699 and 704 which is effective July 1, 2017.

Please provide a copy of the procedures approved by the Board of Visitors for our files and for use in future project reviews.

Sincerely,



W. Michael Coppa, RA
Acting Director

DGS-30-901

(Rev. 6/17)

Virginia Polytechnic Institute and State University (Virginia Tech)
Covered Institution Procurement Procedure Summary
Design-Build

Submitting Institution: Virginia Tech
DGS Response Date: August 8, 2017

Procedures Received 7-24-17

Design-Build Procedures

Criteria	Agency Procedure Item Number/Page Number	DGS Comments/Recommendations
Construction Cost Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.2.a-pg 2	Compliant
Project Complexity Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.4, §2.2-4381.D.4)	B.2.b-pg 2	Compliant
Building Use Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.2.c-pg 2	Compliant
Project Timeline Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.2.d-pg 2	Compliant
Cost Proposals Remain Sealed Until Ranking of Technical Proposals is Complete (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.7.ii.-pg 3	Compliant
Cost is Critical Component (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.7.iii.-pg 3	Compliant
2-5 Offerors in Short List (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.5-pg 2	Compliant
Having a Single Point of Contact Considered (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	B.2.e-pg2	Compliant
Written determination that Competitive Sealed Bidding is not Practicable or Advantageous (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	B.-pg 2	Compliant
Justification included in Request for Qualification (RFQ) (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	B.4-pg 2	Compliant
Licensed Architect or Engineer employed or under contract to advise in use of Design-Build (Relevant COV Sections: §2.2-4380.B.2, §2.2-4381.C.2)	C.2-pg 2	Compliant
30 Day RFQ Posting Time (Relevant COV Sections: §2.2-4380.B.3, §2.2-4381.C.3)	C.4-pg 2	Compliant
Two Step Request for Qualifications/Request for Proposals (RFQ/RFP) Process (Relevant COV Sections: §2.2-4380.B.7, §2.2-4381.C.7)	C.3-pg 2	Compliant
Criteria for evaluation included in RFQ and RFP? (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	C.3-pg 2	Compliant
Prior Design-Build or BCOM Experience not a Prerequisite for award. (Relevant COV Sections: §2.2-4380.B.5, §2.2-4381.C.5)	D.5-pg 3	Compliant

DGS-30-900

(Rev. 6/17)

Virginia Polytechnic Institute and State University (Virginia Tech)**Covered Institution Procurement Procedure Summary****Construction Management at Risk**

Submitting Institution: Virginia Tech
DGS Response Date: August 8, 2017

Procedures Received 7-24-17

Construction Manager at Risk Procedures

Criteria	Agency Procedure Item Number/Page Number	DGS Comments/Recommendations
Construction Cost Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-	B.1.a- pg 2	Compliant
Project Complexity Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.4, §2.2-4381.D.4)	B.1.b- pg 2	Compliant
Building Use Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.1.c- pg 2	Compliant
Project Timeline Considered (Relevant COV Sections: §2.2-4381.B.1, §2.2-4380.C.3, §2.2-4381.D.3)	B.1.d- pg2	Compliant
Value Eng. and/or Constructability Analysis Concurrent with Design Considered (Relevant COV Sections: §2.2-4381.A)	B.1.e- pg2	Compliant
GMP Established at Working Drawings (Relevant COV Sections: §2.2-4381.A)	C.6.iv.-pg3	Compliant
2-5 Offerors in Short List (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.5-pg 2	Compliant
Interim GMP for Early Packages Permitted (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	C.6.iii.-pg 3	It is recommended that the wording of this section be modified to specifically reflect "interim GMP contracts" for early release packages.
Need for Quality Control/Vendor Prequalification Considered (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	B.1.f-pg2	Compliant
Need for Cost/Design Control Considered (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	B.1.g-pg2	Compliant
Need for Project Phasing Considered (Relevant COV Sections: §2.2-4380.C.5, §2.2-4381.D.5)	B.1.h-pg2	Compliant
Written determination that Competitive Sealed Bidding is not Practicable or Advantageous (Relevant COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)	B.- pg 2	Compliant
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Licensed Architect or Engineer employed or under contract to advise in use of CM@Risk (Relevant COV Sections: §2.2-4380.B.2, §2.2-4381.C.2)	C.2-pg 2	Compliant
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Two Step Request for Qualifications/Request for Proposals (RFQ/RFP) Process (Relevant COV Sections: §2.2-4380.B.7, §2.2-4381.C.7)	C.3-pg 2	Compliant
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Contract Entered Into No Later than the Completion of Schematic Design Phase (Relevant COV Sections: §2.2-4380.B.4, §2.2-4381.C.4)	C.6.ii.-pg 3	Compliant
Prior CM@ Risk or BCOM Experience not a Prerequisite for award. (Relevant COV Sections: §2.2-4380.B.5, §2.2-4381.C.5)	C.5-pg 3	Compliant
90% of Construction Work Subcontracted Through Publicly Advertised Competitive Sealed Bidding to the Maximum Extent Practicable (Relevant COV Sections: §2.2-4380.B.6, §2.2-4381.C.6)	C.6.i.-pg3	Compliant

**Virginia Polytechnic Institute and State University
Facilities Department Procedures**

**Approval Process for Construction Manager at Risk (CMAR) and Design –
Build (D-B) Capital Project Delivery Methods**

Date: September 11, 2017

Revision: 1

Purpose:

Pursuant to the Restructuring Act and in accordance with Chapter 780 (2016) Item 4-4.01 #1c and *Code of Virginia* §2.2-4378, 2.2-4379, 2.2-4381 and 2.2-4383, the following process is adopted for use of the Construction Manager at Risk (CMAR) and Design –Build (D-B) Capital Project Delivery Methods.

Responsible Staff:

Capital Construction and Renovations (CCR) – the Facilities division responsible for the procurement, administration, management, and implementation of Major Capital Outlay Projects.

CCR Project Manager (PM) – coordinates with CCR management and project stakeholders to recommend a project delivery method.

Senior Facilities Contract Officer – administers the capital outlay procurement process, reviews delivery method options, and manages contract development, approval, and execution.

Director of Capital Construction and Renovation (DCCR) – provides CCR leadership, manages operations, and recommends project delivery methods to meet university goals.

Assistant Vice President for Facilities Operations and Construction (AVPFOC) - provides CCR leadership and recommends project delivery methods.

Associate Vice President and Chief Facilities Officer (AVPCFO) – approves project delivery methods and recommends contracts for execution.

Procedure:

- A. Except for projects that use the Design-Bid-Build delivery method, the construction delivery method for a capital outlay project shall be approved in writing by the Virginia Tech Associate Vice President and Chief Facilities Officer (AVPCFO).
- B. In order to obtain the AVPCFO approval and document the university's determination, a written recommendation for the CMAR or D-B project delivery method will be provided to the AVPCFO through the AVPFOC, Director of CCR and from the PM in consultation with the Senior Facilities Contract Officer. The written recommendation will justify why sealed bidding is not practicable and/or fiscally advantageous to the university. In addition, the following will be considered in recommending the CMAR or D-B construction delivery method for each capital project:

1. Considerations for Adopting the CMAR Delivery Method

- a. Construction Costs
- b. Project Complexity (difficult site location, unique equipment, specialized building systems, multifaceted program, accelerated schedule, historic designation, intricate phasing or other aspect that makes competitive sealed bidding impractical)
- c. Building Use
- d. Project Timeline
- e. Need to perform Value Engineering and/or Constructability Analysis concurrent with design
- f. Need for Quality Control and/or vendor prequalification
- g. Need for Cost/Design control
- h. Need for project phasing

2. Considerations for Adopting the Design-Build Delivery Method

- a. Construction Costs
- b. Project Complexity (simplicity)
- c. Building Use
- d. Project Timeline
- e. Need for a Single Point of Contact

C. General Guidelines for Both CMAR and D-B Projects

The following general guidelines shall apply to university CMAR and D-B Projects:

- 1. At least five working days prior to the release of a CMAR or D-B RFQ, the university will provide a copy of its written determination for using either delivery method together with a signed Procurement Review Submittal Form (Department of General Services [DGS] 30-456 or DGS 30-471) to DGS for review. Upon receipt of DGS' recommendation, the university shall consider DGS comments and document the university's final determination and planned course of action in the project file and provide a copy to DGS for information.
- 2. The university shall have in its employ or under contract a licensed architect or engineer with professional competence appropriate to the project who shall i) advise regarding the use of CMAR or D-B for that project and will ii) assist with the preparation of the Request for Proposal and evaluation of proposals.
- 3. The Request for Qualifications and RFP will include criteria for contractor selection and will establish a two-step (RFQ/RFP) contractor selection method.
- 4. The Request for Qualifications will be posted for no less than 30 days on eVA, the Commonwealth statewide electronic procurement system. It will include a CMAR or D-B justification to support why sealed bidding is not practicable and/or fiscally advantageous.
- 5. The selection committee shall evaluate the firms' RFQ responses and any other relevant information and shall determine two to five offerors deemed best qualified with respect to the criteria established for the project in the RFQ to receive the Request for Proposals. Prior CMAR or D-B experience or experience with BCOM shall not be required as a prerequisite for award of a contract. However, in the selection of a contractor, the university may consider the experience of each contractor on comparable projects.
- 6. For CMAR Projects:
 - i. At least 90 percent of the construction work shall be subcontracted by the Construction Manager through publicly advertised competitive sealed bidding to the maximum extent

- practicable.
- ii. The contract with the Construction Manager at Risk shall be entered into no later than the completion of the Schematic Phase of design, unless prohibited by authorization of funding restrictions.
 - iii. The establishment of interim GMP contracts for early release packages of construction work are permitted.
 - iv. The GMP for the project shall be established based on Working Drawings.
7. For D-B Projects
- i. Sealed Technical Proposals as described in the RFP shall be submitted to the evaluation committee.
 - ii. Separately sealed Cost Proposals shall remain sealed until evaluation of the Technical Proposals and the design adjustments are completed.
 - iii. After evaluation and ranking the committee shall conduct negotiations with two or more offerors submitting the highest ranked proposals. Cost shall be a critical component in evaluations.

Reporting:

The university shall report on completed projects that employ the CMAR or D-B delivery methods annually or as needed upon request by DGS.

References:

- Virginia Tech Management Agreement
- Virginia Tech Construction and Professional Services Manual

Approval and Revisions:

Initial Adoption

Approved by the Board of Visitors on June 6, 2016.

Revision 1

Updated Approved by the Board of Visitors on September 11, 2017.