# CHAPTER 12 – CONSTRUCTION SERVICES: SPECIAL PROJECT DELIVERY PROCEDURES

## SECTION 12.1 GENERAL

In accordance with the Restructured Act and the Management Agreement for the University, the following procedures may be utilized for construction projects of a highly specialized or unique nature, as deemed appropriate by the University. These Design-Build, Construction Management, Competitive Negotiation, Pre-Qualification, and Term Contract procedures apply to all projects for the University. Use of these procedures requires approval from the University Architect.

## SECTION 12.2 DESIGN-BUILD PROCEDURES

In accordance with the provision of Chapter 43.1 of the Code of Virginia, the University has adopted the following Policy for the use of Design-Build (DB).

### 12.2.1 Criteria for the Use of DB

The University shall provide a written determination that competitive sealed bidding is not practicable or fiscally advantageous. (COV Section: §2.2-4381.C.1)

12.2.1.1 - The written determination shall include the basis of the determination which shall include one or more of the following:

- Construction Cost
- Project Complexity
- Building Use Project Timeline
- Need for Single Point of Contact
- The University Architect or a licensed architect or engineer shall be employed or under contract to advise in use of DB. (COV Section: §2.2-4381.C.2)

### 12.2.2 DGS Review of DB Delivery Method Selection

For all projects where the University has selected DB as the proposed project delivery method, prior to the University Architect approval of the use of DB, the University shall submit the following to DGS for review per COV Sections 2.2-4381.D through 2.2-4381.F:

- The University's written determination that competitive sealed bidding is not practicable or advantageous.
- A completed Design-Build Procurement Review Submittal Form (DGS-30-471) identifying the project characteristics relevant to DB procurement.

12.2.2.1 - Upon receipt of DGS Determination, the University shall:

- Address DGS comments as necessary.

- Document University action in project file and submit to DGS, and include the determination in the Request for Qualifications and maintained in the procurement file (COV Section: §2.2-4381.C.1).
- If the university elects to proceed with the project using a design-build procurement method despite a decision of DGS to the contrary, the university shall follow procedures outlined in COV Section §2.2-4381.F. A written statement of the covered institution's decision not to follow the decision of the Department, its reasons therefore, and the vote of the board of visitors shall be maintained in the procurement file.

### 12.2.3 DB Procurement Procedures

The University shall appoint an Evaluation Committee which shall consist of at least three members from the University, including a licensed design professional. The Committee shall also include a licensed professional engineer or architect provided by the Division of Engineering and Buildings of the Department of General Services.

1) A two-step Request for Qualifications/Request for Proposals (RFQ/RFP) process shall be utilized. (COV Section: §2.2-4381.C.7)
2) The University shall prepare an RFQ containing the University's Facility Requirements, building and site criteria, site and survey data (if available). All offerors shall have a licensed Class "A" Contractor and an Architect or Engineer registered in the Commonwealth of Virginia as part of the Project team. The University's justification for the use of DB shall be included in the RFQ.
3) The criteria for evaluation shall be included in RFQ, including any unique capabilities and qualifications, and the RFQ shall be posted in accordance with the current standards in the Code of Virginia for a minimum of 30 days. (COV Section: §2.2- 4381.C.3)
4) The Evaluation Committee shall evaluate the firm's RFQ responses and any other relevant information and shall recommend those deemed most qualified with respect to the criteria established for the project in the RFQ. The University Architect shall approve the offerors to receive an RFP. Prior DB or DEB Experience shall not be a Prerequisite for award.
5) The RFQ process shall result in a short list of 2-5 offerors to receive an RFP and be invited to make oral presentations. An offeror may be denied prequalification only as specified under the Code of Virginia §2.2-4317, but the short list shall consist of those deemed best qualified.
6) The criteria for evaluation shall be included in the RFP and the RFP shall be posted in accordance with the current standards in the Code of Virginia. Prior DB or DEB Experience shall not be a Prerequisite for award. (COV Section: §2.2-4381.C.5) Cost shall be a critical component of the selection process.
7) In addition, prior to the date for RFP response submission, those offerors who were not selected for the short list shall be provided with written notification.
8) Sealed Technical Proposals as described in the RFP shall be submitted to the Evaluation Committee through buy W&M. Separately sealed Cost Proposals shall be submitted to the University's VCCO and shall be secured and kept sealed until evaluation of the Technical Proposals and the design adjustments are completed. (COV Section: §2.2-4381.A)
9) The Evaluation Committee shall evaluate the firm's Technical Proposals based upon the criteria contained in the RFP. It shall inform each DB offeror of any adjustments necessary to make its Technical Proposal fully comply with the requirements of the RFP. In addition, the University may require that offerors make design adjustments necessary to incorporate project improvements and/or additional detailed information identified by the Evaluation Committee during design development.

10) Based upon the adjustments requested by the Evaluation Committee, the offeror shall provide a revised Technical Proposal and Cost Proposal as necessary. In addition, an offeror may submit cost modifications to its original sealed Cost Proposal which are not based upon revisions to the Technical Proposals.
11) The Evaluation Committee shall evaluate (and rank if technical rankings are to be considered as a criterion for award) the firms' Technical Proposals and open the cost proposals and apply the criteria for award as specified in the RFP.
12) The Evaluation Committee shall recommend the highest ranked firm to the University Architect for approval. The contract shall be awarded to the offeror who is deemed fully qualified and has been determined to have provided the best value in response to the RFP. The University shall notify all offerors who submitted proposals, which offeror was selected for the project. When so provided in the RFP, awards may be made to more than one offeror.
13) The university shall notify the Division of Engineering and Buildings of its selection of the Design-Builder and shall request authority to award a construction contract by processing the HECO-8.
14) Upon request, documentation of the process used for the final selection shall be made available to the unsuccessful proposers.

## SECTION 12.3 CONSTRUCTION MANAGEMENT PROCEDURES

In accordance with the provisions of Chapter 43.11 of the Code of Virginia, the University has adopted the following Policy for the use of Construction Management at Risk (CM@R).

### 12.3.1 Criteria for the Use of CM@R

The University shall provide a written determination that competitive sealed bidding is not practicable or fiscally advantageous. (COV Section: §2.2-4381.C.1)

12.3.1.1 - The written determination shall include the basis of the determination which shall include one or more of the following:

- Construction Cost
- Project Complexity
- Building Use Project Timeline
- Project Phasing
- Necessity of Value Eng. and/or Constructability Analysis Concurrent with Design
- Quality Control/Vendor Prequalification Needs
- Cost/Design Control Needs
- The University Architect or a licensed architect or engineer shall be employed or under contract to advise in use of CM@R (COV Section: §2.2-4381.C.2)

### 12.3.2 DGS Review of CM@R Delivery Method Selection

For all projects where the University has selected CM@R as the proposed project delivery method, prior to the University Architect approval of the use of DB, the University shall submit the following to DGS for review per COV Sections 2.2-4381.D through 2.2-4381.F:

- The University's written determination that competitive sealed bidding is not practicable or fiscally advantageous.

- A completed Construction Management at Risk Procurement Review Submittal Form (DGS-30-456) identifying the project characteristics relevant to CM@R procurement.

12.3.2.1 - Upon receipt of DGS Determination, the University shall:

- Address DGS comments as necessary.
- Document University action in project file and submit to DGS and include the determination in the Request for Qualifications and maintained in the procurement file (COV Section: §2.2-4381.C.1)
- If the university elects to proceed with the project using a design-build procurement method despite a decision of DGS to the contrary, the university shall follow procedures outlined in COV Section §2.2-4381.F. A written statement of the covered institution's decision not to follow the decision of the Department, its reasons therefor, and the vote of the board of visitors shall be maintained in the procurement file.

### 12.3.3 CM@R Procurement Procedures

The University shall appoint an Evaluation Committee which shall consist of at least three members from the University, including a licensed design professional from the University. The Committee shall also include a licensed professional engineer or architect provided by the Division of Engineering and Buildings of the Department of General Services.

1) The contract shall be entered into no later than the SD phase unless prohibited by funding authorization restrictions. (COV Section: §2.2-4381.C.4)
2) A two-step RFQ/RFP process shall be utilized. (COV Section: §2.2-4381.C.7)
3) The University shall prepare an RFQ containing the University's Facility Requirements, building and site criteria, site and survey data (if available). All offerors shall have a licensed Class "A" Contractor registered in the Commonwealth of Virginia as part of the project team. The University's justification for the use of CM@R shall be included in the RFQ. (COV Sections: §2.2-4380.B.1, §2.2-4381.C.1)
4) The criteria for evaluation shall be included in RFQ, including any unique capabilities and qualifications, and the RFQ shall be posted in accordance with the current requirements in the Code of Virginia for a minimum of 30 days. (COV Section: §2.2-4381.C.3)
5) The Evaluation Committee shall evaluate the firms' RFQ responses and any other relevant information and shall recommend those deemed best qualified with respect to the criteria established for the project in the RFQ. The University Architect shall approve the offerors to receive an RFP. Prior CM@R or DEB Experience shall not be a Prerequisite for award. (COV Section: §2.2- 4381.C.5)
6) The RFQ process shall result in a short list of 2-5 offerors to receive an RFP and be invited to make oral presentations. An offeror may be denied prequalification only as specified under the Code of Virginia §2.2-4317, but the short list shall be those deemed best qualified.
7) The RFP shall include the current stage of design documents. Firms will be encouraged to elaborate on their qualifications and performance data or staff expertise pertinent to the proposed project. Offerors are required to submit complete, detailed technical proposals describing how they intend to carry the project including:
    a. Names and credentials of key personnel
    b. Names and credentials of Subcontractors and key personnel
    c. Proposed schedules and work plans
    d. Detailed description of procedures for particularly sensitive parts of the project
    e. Other information important to understanding the project and completing it successfully

8) Offerors shall also submit a fixed price cost proposal for the entire project as described in the RFP (preconstruction services, General Conditions, and CM fee) and detailed in their technical proposals.
9) The criteria for evaluation shall be included in the RFP and the RFP shall be posted in accordance with the current requirements in the Code of Virginia.
10) In addition, prior to the date for RFP response submission, those offerors who were not selected for the short list shall be provided with written notification.
11) The Evaluation Committee shall evaluate and rank the firms' Proposals. Prior CM@R or DEB experience shall not be a prerequisite for award. (COV Section: §2.2-4381.C.5) Separately sealed Price Proposals will be submitted to be held separately from the Technical Proposals. The price proposals will be opened after the initial technical evaluations and integrated into the final ranking.
12) Should the University determine in writing and at its sole discretion that only one offeror is fully qualified, or that one offeror is more highly qualified than the others under consideration, then, with the consent of the CFO, a contract may be negotiated with and awarded to that offeror.
13) After evaluation and ranking, the Committee shall conduct negotiations with the offeror submitting the highest ranked proposal.
14) The Evaluation Committee shall recommend the highest ranked firm to the University Architect for approval. The contract shall be awarded to the offeror who is deemed fully qualified and has been determined to have provided the best value in response to the RFP. The University shall notify all offerors who submitted proposals, which offer was selected for the project. When so provided in the RFP, awards may be made to more than one offeror.
15) The university shall notify the Division of Engineering and Buildings of its selection of the Design-Builder and shall request authority to award a construction contract by processing the HECO-8.
16) Upon request, documentation of the process used for the final selection shall be made available to the unsuccessful offerors.

### 12.3.4 Contracting Requirements for CM@R

- Preconstruction Services shall be contracted as a Non-Professional Service.
- The GMP shall be established at the completion of WD unless a waiver has been granted to this requirement by DEB for General Fund projects, or the University Architect for NGF projects.
- If the University and CM@R cannot agree on a GMP, the University may competitively bid the project with the other prequalified CM@R offerors or enter into competitive negotiations with the other prequalified CM@R offerors in accordance with the requirements of the Code of Virginia.
- Interim GMPs for early release packages are permitted with approval of the University Architect.
- Not more than 10% of the construction work (measured by cost of the work) will be performed by the CM with its own forces and the remaining 90% or more of construction work must be subcontracted through publicly advertised competitive sealed bidding to the maximum extent practicable.

## SECTION 12.4 COMPETITIVE NEGOTIATION PROCEDURES

### 12.4.1 Procedure for Approval to use Competitive Negotiation Procedures

The University shall document in writing (using the D&F format in Appendix B) the decision to use competitive negotiation procedures.

- The documentation shall justify and substantiate that competitive negotiation is more advantageous than a competitive sealed bid construction contract to select a general Contractor and shall indicate how the University will benefit from using competitive negotiation.
- The University Architect must approve the D&F

### 12.4.2 Competitive Negotiation Procedures

Competitive Negotiation shall include the selection procedures similar to 12.3 above. However, in all cases, pricing shall be based on 100% construction documents.

## SECTION 12.5 PREQUALIFICATION PROCEDURES

### 12.5.1 Procedure for Approval to use Prequalification Procedures

The University shall document in writing (using the D & F format in Appendix B) the decision to use pre-qualification procedures.

- The documentation shall justify and substantiate that prequalification is advantageous to the University and shall indicate how the University will benefit from using pre-qualification.
- The University Architect must approve the D&F.

### 12.5.2 Prequalification Procedures

The following Prequalification procedures shall be followed. In all cases, pricing shall be based on 100% construction documents.

12.5.2.1 - The University may pre-qualify Contractors for a particular construction project and limit consideration of bids or proposals to pre-qualified Contractors. The procedures contained in this Section shall be used for prequalification of Contractors for a particular construction project. The University may pre-qualify both general Contractors and Subcontractors. Any prequalification of Contractors shall be conducted sufficiently in advance of the bid receipt date to allow potential Contractors a fair opportunity to complete the process.

12.5.2.2 - The objective of prequalification shall be to qualify as many Contractors as possible to bid on the proposed work. Pre-qualification is most frequently used for projects with sophisticated building systems, a unique site or constructability issue or where project scheduling or sequencing is critical.

12.5.2.3 - If deemed necessary by the University Architect, the University shall advertise for the pre-qualification in at least two (2) newspapers, one of which has daily statewide circulation. The University shall advertise for the pre-qualification on the eVA web site and shall post the advertisement in the public area where Invitations to Bid are generally posted. The date set for receipt of the Standard Form for Contractor's Statement of Qualifications shall be at least thirty (30) calendar days from the date of the initial advertisement.

12.5.2.4 - The Standard Form for Contractor's Statement of Qualifications, HECO-16 shall be the application form submitted by Contractors when applying to be pre-qualified for a particular construction project. The HECO-16, when provided to interested Contractors, shall be accompanied by

the minimum qualification criteria for the proposed construction contract. The experience section may be expanded to include further project specific information.

12.5.2.5 - The University shall appoint an Evaluation Committee which shall consist of at least three members from the University, including a licensed design professional from the University, if possible. The evaluation committee will review the HECO-16 forms submitted by interested Contractors and determine which, if any, of the Contractors shall be pre-qualified. The A/E for the project may, at the discretion of the Committee, serve as an advisor to the Committee.

12.5.2.6 - The University may deny prequalification to any Contractor only if the University finds at least one of the following:

a) The Contractor does not have sufficient financial ability to perform the contract. Evidence that the Contractor can acquire a surety bond from a corporation included on the United States Treasury list of acceptable surety corporations in the amount and type required for the project shall be sufficient to establish financial ability
b) The Contractor does not have appropriate experience to perform the construction project in question
c) The Contractor or any officer, director or owner thereof has had judgments entered against him within the past ten years for the breach of contracts for governmental or non-governmental construction
d) The Contractor has been in substantial noncompliance with the terms and conditions of prior construction contracts with a public body, without good cause. The University may not utilize this provision to deny prequalification unless the facts underlying such substantial noncompliance were documented in writing in the prior construction project file and such information relating thereto was given to the Contractor at that time, with the opportunity to respond
e) The Contractor or any officer, director, owner, PM, procurement manager or chief financial official thereof has been convicted within the past ten years of a crime related to governmental or non-governmental construction or contracting
f) The Contractor or any officer, director or owner thereof is currently debarred pursuant to an established debarment procedure from bidding or contracting by any public body (including the Virginia Department of Taxation pursuant to §58.1-1902), agency of another state or agency of the federal government
g) The Contractor failed to provide to the agency, in a timely manner, any information requested by the agency relevant to (a) through (f) above; or
h) The Contractor does not have the requisite Virginia license issued by The Virginia Board of Contractors to perform work in Virginia pursuant to Virginia Procurement Rules.

12.5.2.7 - The University shall notify, in writing, each Contractor that submitted the HECO-16 whether that Contractor has been pre-qualified. If a Contractor is denied prequalification, the written notice to that Contractor shall state the reason(s) for denial of prequalification and the factual basis of such reasons(s). The written notice to each Contractor shall be delivered by U. S. mail. A Contractor denied prequalification shall have ten (10) calendar days from the postmark date of the written notice from the agency in which to appeal the denial of prequalification. The Contractor shall submit the written appeal with any additional information which may support the appeal to the CBO, the University's designated appeal officer (Appeal Officer).

12.5.2.8 - The decision of the CBO shall be the final University decision. There is no further administrative appeal procedure pursuant to University Procurement Rules; however, the Contractor may initiate legal action pursuant to University Procurement Rules.

12.5.2.9 - Verification of References supplied by the Contractor in Sections VI: 1, 2, 3 & 5 of the HECO-16 shall be accomplished.

12.5.2.10 - Qualification criteria I, III, V and VI in the standard qualification criteria package in the HECO-16 shall not be changed without the prior written approval of the CFO. Qualification criteria for Experience (II) shall be customized to fit the project for which prequalification is intended.

### 12.5.3 Bidding Following Prequalification

Following prequalification of bidders, the process in chapter 11 shall be followed to solicit bids from only prequalified Contractors. If deemed necessary by the Director, FPDC, the Notice of Invitation for Bids for the project shall be posted in a newspaper of statewide circulation. The Notice of Invitation for Bids for the project shall be posted in a public place used for such postings and on eVA, Virginia's central electronic procurement website. The advertisement shall appear no less than 30 days prior to the date of bid receipt, unless otherwise approved by the CFO. The advertisement shall state that bids will be accepted only from those Contractors prequalified to bid on the project. Further, the Contractor shall be a registered vendor with eVA.

### 12.5.4 Award of Contracts Following Prequalification

The contract shall be awarded as outlined in chapter 11.

## SECTION 12.6 DEMOLITION

### 12.6.1 Capital Project Demolition

When a building is to be demolished as part of a capital project, the capital project write-up will include the demolition. Unless demolition is approved by the BOV as part of a capital project approval, separate BOV approval of demolition is required. (See Management Agreement, exhibit G, section X.)

### 12.6.2 University PM Responsibilities

If a building is identified for demolition, the University PM will:

- Confirm with the UA that the demolition is valid and that BOV approval has been obtained.
- Working with the Director, EH&S, ensure a hazardous material assessment is made.
- Ensure identified hazardous material is abated.
- Working with the Executive Director, Facilities Operations ensure building utilities are disconnected prior to demolition.
- Write a letter to the DHR seeking demolition approval. The letter must include an attachment with the following information:
    a. FAACS building number
    b. Date of construction
    c. Size in gross square feet
    d. Type of construction
    e. Structural and life safety conditions

f. Assessed or estimated conditions
g. Original use
h. Present or most recent use
i. Architect's name (if known)
j. Reason for demolition including future use of site
k. Photographs of exterior and interior (exterior of all sides and representative interior
l. Cost estimate of demolition and site clean-up
m. Analysis of alternative programs to demolition
n. Analysis of relationship of demolished space to new programs
o. Conformity of demolition with comprehensive campus plan
p. Hazardous materials inspection, mitigation information

- On favorable determination by DHR, which will normally require 60 days, a copy of the demolition application request and approval by DHR will be sent to the AARB with request that it be placed on the consent agenda; this will normally take another 30 days.
- After approval by DHR and the AARB, prepare a demolition permit for review by the Director of EHS (for hazardous materials concerns); Executive Director of Facilities Operations; Director, Design & Construction; and the University Architect; and approval by the UBO.
- After all approvals are received, initiate demolition action.
- After demolition is accomplished, notify:
  a. the State
  b. Council of Higher Education for Virginia and the State
  c. Bureau of Real Property Management of DGS.
  d. W&M Risk management
  e. The signatories of the demolition permit

## SECTION 12.7 EMERGENCY PROCEDURES

### 12.7.1 Determination of Emergency Conditions

Consult with the CBO, University Architect, and the Director, Design & Construction.

### 12.7.2 Contractor Selection

In an emergency, selection of a Contractor and agreement on the scope and price of the contracted work may be made using any procedure approved by the University Architect in a D&F. Generally, the following will be considered as emergencies:

- Protection life and/or property.
- Prevention of substantial economic loss.
- Prevention of interruption of necessary services.

### 12.7.3 Emergency Conditional Notice to Proceed

An Emergency Conditional Notice to Proceed (ECNTP) shall be used to get the work started quickly and shall include the following elements:

12.7.3.1 - Mandatory notification

The Contractor shall provide written notification to the University PM on expending and/or obligating 50% of a not-to-exceed dollar amount indicated in the ECNTP. Time constraint – A contract specifying scope, time and fixed cost must be agreed to by the Contractor and the University as soon as practicable, but in no case longer than 30 days (or other time specified in the ECNTP) after issuance of the ECNTP and prior to obligating and/or expending 50% of the not-to-exceed amount specified in the ECNTP.

12.7.3.2 - Insurance Submittals
Insurance Certificates in the types and amounts required by the HECO-7 are required before work may begin.

12.7.3.3 - Signatures Required
The ECNTP must be signed by the University and the Contractor before work may begin.

## SECTION 12.8 TERM GENERAL/SPECIALTY CONTRACTOR (DESIGN AUGMENT) SERVICES CONTRACT

### 12.8.1 Definition
A term general/specialty Contractor (design augment) services contract provides an avenue for quick execution of smaller projects that require limited design. Contractors with access to design support are prequalified and placed under a Term Contract. Design support may be provided by RDPs on the Contractor's staff or by subcontracting with one or more A/E firms. Contractors then compete on a price basis for individual projects awarded as Project Orders.

### 12.8.2 Applicability
Term Contractors (design supported) are to be used when minor design support is needed to detail limited elements of work but formal plans and specifications are not required to convey the scope of work or to ensure competition between proposers. Design cost is typically less than 5% of the total contract cost.

### 12.8.3 Term Contracts Not Exclusive
The Term Contract is not exclusive. An agency may issue separate RFPs for similar work and other projects as the need may occur.

### 12.8.4 Multiple Contract Awards from a Solicitation
An Agency may issue Term Contracts to multiple fully qualified and best suited firms interviewed from a particular Term Contract RFP advertisement and selection process. Where multiple awards are made, the University will compete Project Orders among the Term Contractors during the contract term.

### 12.8.5 Contract Limit
No Contractor, including any subdivisions or branches thereof, may at any time have in effect more than one Term Contract with the University.

### 12.8.6 Contract Term
Term Contracts shall be limited to one year, or when the cumulative total project fees reach the maximum cost authorized, whichever occurs first. Such contracts may be renewable for four additional one-year terms at the option of the Owner. The sum of all projects performed in a one-year term shall not exceed $3 million. When

the aggregate total of all Project Orders, including change orders to those Project Orders, reaches the term dollar limit, no further Project Orders may be issued during that term. It is understood that the Contractor's work under the Project Orders issued may not be completed during the contract's term; however, all terms and conditions of the contract, including all rights and obligations, shall survive until the work is completed, except the owner's right to issue, and the Contractor's right to accept, additional Project Orders. The Owner and the Contractor are obligated to fulfill the requirements of all Project Orders issued, including change orders, even though the term for issuing new Project Orders has concluded.

12.8.6.1 - The Owner may, at its sole discretion, renew the contract for up to four additional one-year Contract Terms, provided the option to renew was indicated in the RFP. If the Owner exercises its option to renew, the next Contract Term shall begin one year from the date of the first Contract Term. A new aggregate limit of $3 million shall apply to the second Contract Term and any subsequent Contract Term, without regard to the dollar amounts of Project Orders issued during the first year of the contract. Any unused amounts from the first Contract Term shall carry forward to the next Contract Term. Subsequent renewals shall follow the same procedures.

12.8.6.2 - In general, in renewable Contract Term years, Project Orders will first be charged to unused amounts carried forward from a prior Contract Term. The Owner, however, reserves the sole discretion as to whether to charge Project Orders against unused amounts carried forward or to the dollar limit allocated for a renewable Contract Term; i.e., the $3 million allocated to each renewable term.

### 12.8.7 Procedures for Selection of Contractors for Award of Term Contract

- The University will draft an RFP which includes the information outlined in chapter 11.
- The University will advertise the Term Contract RFP as outlined in chapter 11.
- The Standard Form for Contractor's Statement of Qualifications, HECO-16 shall be the application form submitted by Contractors when applying to be evaluated for award of a Term Contract. The HECO-16, when provided to interested Contractors, shall be accompanied by the minimum qualification criteria for the proposed construction contract. The experience section may be expanded to include further project specific information, including information about in-house design capability and relationships with relevant design firms.
- The University will verify that all Contractors are properly licensed to offer services in Virginia.
- The University shall appoint an Evaluation Committee which shall consist of at least three members (typically the Director, Design & Construction, a University PM, and other Facilities Operations or VIMS FM staff) from the University. The evaluation committee will review the HECO-16 forms submitted by interested Contractors and determine which, if any, of the Contractors shall be selected.
- The objective of evaluation process is to select an appropriate number of highly qualified Contractors to ensure competition while considering the projected workload.
- The evaluation committee may conduct interviews with two or more Contractors deemed fully qualified, responsible and suitable. Repetitive informal interviews are permissible.
- Based on review of HECO-16 forms and interviews, if held, one or more Contractors will be selected for award of a Term Contract.
- Once the selections are complete, the VCCO will record the terms of the agreement in a written MOU and incorporate it in the HECO-9 contract form, which shall be signed by the University and the Contractor.
- The HECO-7 terms and conditions shall be made a part of each Term Contract.

### 12.8.8 Project Orders

- Specific work under a Term Contract will be authorized by Project Order using a HECO-9 form. A Project Order shall not exceed $1.5 million. This threshold may not be exceeded without approval of the University Architect.
- The following process outlines the creation of a Project Order.
    - Following the same project cost thresholds in chapter 11, the University PM will identify and the Director, Design & Construction will approve a specific group of Term Contractors for an identified project.
    - Following the process in chapter 11, procurement staff will request bids from the selected Term Contractors, including any design effort necessary to execute the project. Additional advertising is not required.