2002 Session

Budget Bill - HB29 (Chapter 814)

Item 4-5.08

§ 4-5.08 DELEGATION OF AUTHORITY

a. The designation in this act of an officer or agency head to perform a specified duty shall not be deemed to supersede the authority of the Governor to delegate powers under the provisions of § ~~2.1-39.1~~ *2.2-1304*, Code of Virginia.

b.1. The provisions of § 4-5.08 b of Chapter 912 of the Acts of Assembly of 1996, pertaining to pilot programs for capital outlay projects in selected institutions of higher education, including Old Dominion University, are hereby continued. The Secretary of Administration shall report to the 2001 and 2002 Sessions of the General Assembly on pilot programs in additional institutions of higher education which he may authorize under this section.

2. Notwithstanding the provisions of § ~~11-55~~ *2.2-4309*, Code of Virginia, no approval of the Governor shall be required for contract modifications as specified therein for the pilot programs of the selected institutions of higher education referenced in paragraph 1, provided that contract modifications of such projects, including construction and architectural and engineering change orders, shall be approved by the Boards of Visitors, which may further delegate this authority to the President, a Vice President, or the individual responsible for facilities design and construction matters at the selected institution of higher education to act on its behalf.

3. The selected institutions are hereby granted a waiver until June 30, 2001, from the provisions of § ~~11-37~~ *2.2-4301*, Competitive Negotiation, subdivision 3a, Code of Virginia, regarding the not to exceed amount for a single project, the not to exceed sum for all projects performed, and the option to renew for an additional term, contingent upon the enactment of legislation in the 2000 Session of the General Assembly to amend § ~~11-37~~ *§ 2.2-4301* accordingly.

c. The provisions of § 4-5.08 c of Chapter 912 of the Acts of Assembly of 1996 pertaining to pilot programs for real property leases in selected institutions of higher education, including Old Dominion University, are hereby continued. The Secretary of Administration shall report to the 2001 and 2002 Sessions of the General Assembly on pilot programs in additional institutions of higher education which he may authorize under this section.

d. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

e. Virginia Commonwealth University is hereby delegated the authority of the Department of General Services and the Governor provided in §§ ~~2.1-504.2~~ *2.2-1149* and 23-4.1, Code of Virginia, to enter into leases with the ~~Medical College of Virginia Hospitals~~ *Virginia Commonwealth University Health System* Authority for space within the facilities which are the subject of the Master Lease between the University and the Authority dated June 10, 1997. This delegation of authority is limited to operating leases and excludes capital leases as defined by Generally Accepted Accounting Principles (GAAP).

f. Notwithstanding any other provisions of law, the Commonwealth Transportation Commissioner may enter into a contract for a pilot program with Homeowner Associations with a population greater than 35,000 for

groundskeeping, mowing, and litter removal services.