

**Resolution for Adopting Procurement Policies and Procedures
for the Acquisition of Information Technology Goods or Services**

FINANCE AND RESOURCE MANAGEMENT COMMITTEE

October 2, 2025

WHEREAS, in 2025, the General Assembly enacted Code of Virginia § 2.2-4311.3, granting public institutions of higher education authority to develop procurement policies and procedures to ensure terms and provisions in public contracts for the acquisition of information technology goods and services are consistent with Virginia law; and

WHEREAS, pursuant to Code of Virginia § 2.2-4311.3, any term or provision in such a public contract that (i) makes the public contract subject to, governed by, or interpreted under the laws of another state or country or (ii) requires or permits any litigation or other dispute resolution proceeding arising from the public contract to be conducted in another state or country shall be void. Such public contract shall instead be deemed to provide for the application of the law of the Commonwealth of Virginia, without regard to such contract's choice of law provisions, and to provide jurisdiction in the courts of the commonwealth; and

WHEREAS, the provisions of §2.2-4311.3 only apply if the Board of Visitors adopts the provisions of that section as part of the university's procurement policies and procedures; and

WHEREAS, the Board of Visitors wishes to adopt the provisions of §2.2-4311.3, as part of the University's procurement policies and procedures; and

NOW, THEREFORE, BE IT RESOLVED, that the Virginia Tech Board of Visitors hereby adopts the provisions of §2.2-4311 and directs the Executive Vice President and Chief Operating Officer to take any necessary action to include the provisions of §2.2-4311-3 in the university's procurement policies and procedures.

RECOMMENDATION:

That the resolution for adopting procurement policies and procedures for the acquisition of information technology goods or services be approved.

November 18, 2025