

114TH CONGRESS
1ST SESSION

H. R. 3106

To authorize Department major medical facility construction projects for fiscal year 2015, to amend title 38, United States Code, to make certain improvements in the administration of Department medical facility construction projects, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2015

Mr. MILLER of Florida introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To authorize Department major medical facility construction projects for fiscal year 2015, to amend title 38, United States Code, to make certain improvements in the administration of Department medical facility construction projects, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Construction Reform
5 Act of 2015”.

1 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS CONSTRUC-**
2 **TION REFORMS.**

3 (a) PROJECT MANAGEMENT.—Section 8103 of title
4 38, United States Code, is amended by adding at the end
5 the following new subsection:

6 “(e) In the case of any super construction project (as
7 such term is defined in section 8104(a)(4)(C)), the Sec-
8 retary shall enter into an agreement with an appropriate
9 non-Department Federal entity to provide full project
10 management services for the super construction project,
11 including management over the project design, acquisition,
12 construction, and contract changes. Such agreement shall
13 provide that the Secretary shall reimburse such Federal
14 entity for all costs associated with the provision of project
15 management services under the agreement.”.

16 (b) APPLICATION OF INDUSTRY STANDARDS.—Sec-
17 tion 8103 of title 38, United States Code, as amended by
18 subsection (a) is further amended by adding at the end
19 the following new subsection:

20 “(f) To the maximum extent practicable, the Sec-
21 retary shall use industry standards, standard designs, and
22 best practices in carrying out the construction of medical
23 facilities.”.

24 (c) LIMITATION ON PLANNING AND DESIGN FOR
25 SUPER CONSTRUCTION PROJECTS.—

1 (1) IN GENERAL.—Section 8104(a) of title 38,
2 United States Code, is amended—

3 (A) by redesignating paragraph (3) as
4 paragraph (4);

5 (B) by inserting after paragraph (2) the
6 following new paragraph (3):

7 “(3) The Secretary may not obligate or expend funds
8 for advance planning or design for any super construction
9 project, until the date that is 60 days after the date on
10 which the Secretary submits to the Committee on Vet-
11 erans’ Affairs and the Committee on Appropriations of the
12 Senate and the Committee on Veterans’ Affairs and the
13 Committee on Appropriations of the House of Representa-
14 tives notice of such obligation or expenditure.”; and

15 (C) in paragraph (4), as redesignated by
16 paragraph (1) of this subsection, by adding at
17 the end the following new subparagraph:

18 “(C) The term ‘super construction project’
19 means a project for the construction, alteration, or
20 acquisition of a medical facility involving a total ex-
21 penditure of more than \$100,000,000, but such term
22 does not include an acquisition by exchange.”.

23 (2) APPLICABILITY.—The amendments made
24 by paragraph (1) shall take effect on the date of the
25 enactment of this Act and shall apply with respect

1 to a construction project that is initiated on or after
2 that date.

3 (d) CONGRESSIONAL APPROVAL OF CERTAIN
4 PROJECTS.—

5 (1) PROJECTS THAT EXCEED SPECIFIED
6 AMOUNT.—Subsection (c) of section 8104 of title 38,
7 United States Code, is amended to read as follows:

8 “(c) The Secretary may not obligate funds for a
9 major medical facility project or a super construction
10 project approved by a law described in subsection (a)(2)
11 in an amount that would cause the total amount obligated
12 for that project to exceed the amount specified in the law
13 for that project (or would add to total obligations exceed-
14 ing such specified amount) by more than 10 percent unless
15 the Committee on Veterans’ Affairs and the Committee
16 on Appropriations of the Senate and the Committee on
17 Veterans’ Affairs and the Committee on Appropriations
18 of the House of Representatives each approve in writing
19 the obligation of those funds.”.

20 (2) USE OF EXTRA AMOUNTS.—Subsection (d)
21 of such section is amended—

22 (A) in paragraph (2)(B), in the matter
23 preceding clause (i), by striking “Whenever”
24 and inserting “Before”; and

1 (B) by adding at the end the following new
2 paragraph:

3 “(3) The Secretary may not obligate any funds de-
4 scribed in paragraph (1) or amounts described in para-
5 graph (2) before the date that is 30 days after the notifi-
6 cation submitted under paragraph (1) or paragraph
7 (2)(B), as the case may be, unless the Committee on Vet-
8 erans’ Affairs and the Committee on Appropriations of the
9 Senate and the Committee on Veterans’ Affairs and the
10 Committee on Appropriations of the House of Representa-
11 tives each approve in writing the obligation of those funds
12 or amounts.”.

13 (3) NOTIFICATION REQUIREMENTS.—

14 (A) COMMITTEES REQUIRED.—Subsection
15 (d)(1) of such section is amended by striking
16 “each committee” and inserting “the Com-
17 mittee on Veterans’ Affairs and the Committee
18 on Appropriations of the Senate and the Com-
19 mittee on Veterans’ Affairs and the Committee
20 on Appropriations of the House of Representa-
21 tives”.

22 (B) USE OF AMOUNTS FROM BID SAV-
23 INGS.—Subsection (d)(2)(B) of such section is
24 amended by adding at the end the following
25 new clause:

1 “(iv) With respect to the major construction
2 project that is the source of the bid savings—

3 “(I) the amounts already obligated or
4 available in the project reserve for such project;

5 “(II) the percentage of such project that
6 has been completed; and

7 “(III) the amount of such bid savings that
8 is already obligated or otherwise being used for
9 a purpose other than such project.”.

10 (e) QUARTERLY REPORT ON SUPER CONSTRUCTION
11 PROJECTS.—

12 (1) IN GENERAL.—At the end of subchapter I
13 of chapter 81 of title 38, United States Code, insert
14 the following new section:

15 **“§ 8120. Quarterly report on super construction**
16 **projects**

17 “(a) QUARTERLY REPORTS REQUIRED.—Not later
18 than 30 days after the last day of each fiscal quarter the
19 Secretary shall submit to the Committees on Veterans’ Af-
20 fairs of the Senate and House of Representatives on the
21 super construction projects carried out by the Secretary
22 during such quarter. Each such report shall include, for
23 each such project—

1 “(1) the budgetary and scheduling status of the
2 project, as of the last day of the quarter covered by
3 the report; and

4 “(2) the actual cost and schedule variances of
5 the project, as of such day, compared to the planned
6 cost and schedules for the project.

7 “(b) SUPER CONSTRUCTION PROJECT DEFINED.—In
8 this section, the term ‘super construction project’ has the
9 meaning given such term in section 8103(a)(4)(C) of this
10 title.”.

11 (2) CLERICAL AMENDMENT.—The table of sec-
12 tions at the beginning of the chapter is amended by
13 adding at the end of the items relating to such sub-
14 chapter the following new item:

 “8120. Quarterly report on super construction projects.”.

15 (f) ACCELERATED MASTER PLANNING FOR EACH
16 MEDICAL FACILITY OF THE DEPARTMENT OF VETERANS
17 AFFAIRS.—

18 (1) EXISTING FACILITIES.—Not later than De-
19 cember 31, 2016, the Secretary of Veterans Affairs
20 shall complete a master plan described in paragraph
21 (3) for each medical facility of the Department of
22 Veterans Affairs.

23 (2) NEW FACILITIES.—For each medical facility
24 of the Department for which construction is com-
25 pleted after the date of the enactment of this Act,

1 the Secretary shall complete a master plan described
 2 in paragraph (3) for the facility by not later than
 3 the earlier of the following dates:

4 (A) The date on which activation is com-
 5 pleted.

6 (B) The date of the formal dedication of
 7 the facility.

8 (3) MASTER PLAN DESCRIBED.—A master plan
 9 described in this paragraph is, with respect to a
 10 medical facility of the Department, a plan to inform
 11 investment decisions and funding requests over a 10-
 12 year period for construction projects at such medical
 13 facility—

14 (A) to meet the health care needs of a
 15 changing veteran population through a com-
 16 bination of health care from the Department
 17 and other community resources; and

18 (B) to maximize the best use of the land
 19 and structures comprising such medical facility.

20 **SEC. 3. MODIFICATION OF AUTHORIZATION OF FISCAL**
 21 **YEAR 2008 MAJOR MEDICAL FACILITY**
 22 **PROJECT AT DEPARTMENT MEDICAL CENTER**
 23 **IN TAMPA, FLORIDA.**

24 In chapter 3 of the Supplemental Appropriations Act,
 25 2008 (Public Law 110–252; 122 Stat. 2326), in the mat-

1 ter under the heading “Department of Veterans Affairs–
2 Departmental Administration–Construction, Major
3 Projects”, after “Five Year Capital Plan” insert the fol-
4 lowing: “and for constructing a new bed tower at the De-
5 partment of Veterans Affairs medical center in Tampa,
6 Florida, in lieu of providing bed tower upgrades at such
7 medical center”.

8 **SEC. 4. AUTHORIZATION OF FISCAL YEAR 2015 MAJOR MED-**
9 **ICAL FACILITY PROJECTS.**

10 (a) AUTHORIZATION.—The Secretary of Veterans Af-
11 fairs may carry out the following major medical facility
12 projects in fiscal year 2015, with each project to be carried
13 out in an amount not to exceed the amount specified for
14 that project:

15 (1) Construction of a community living center,
16 outpatient clinic, renovated domiciliary, and renova-
17 tion of existing buildings in Canandaigua, New
18 York, in an amount not to exceed \$158,980,000.

19 (2) Seismic corrections to the mental health
20 and community living center in Long Beach, Cali-
21 fornia, in an amount not to exceed \$126,100,000.

22 (3) Seismic correction of 12 buildings in West
23 Los Angeles, California, in an amount not to exceed
24 \$70,500,000.

1 (4) Construction of a spinal cord injury build-
2 ing and seismic corrections in San Diego, California,
3 in an amount not to exceed \$205,840,000.

4 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to the Secretary of Veterans
6 Affairs for fiscal year 2015 or the year in which funds
7 are appropriated for the Construction, Major Projects, ac-
8 count, a total of \$561,420,000 for the projects authorized
9 in subsection (a).

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