



## Northern Virginia Regional Commission

# RESOLUTION

Resolution No. 14-03

PATRON: G. Mark Gibb  
Executive Director  
DATE: September 26, 2013

### AUTHORIZATION TO SIGN INTERNATIONAL REGIONAL PARTNERSHIP MEMORANDUM OF UNDERSTANDING WITH GEORGE MASON UNIVERSITY

WHEREAS, the Northern Virginia Regional Commission (NVRC) has set a national precedent for its systemic search, analysis and application of innovative energy, transportation, watershed restoration, "green" building, and economic development policies and technologies with international partners; and

WHEREAS, many countries such as Germany, the Netherlands and South Korea are global leaders and innovators in renewable energy, climate change policy research, broadband telecommunications, urban infrastructure and economic development; and

WHEREAS, NVRC's work in this context has helped improve the economic, environmental and social landscape of Northern Virginia; and

WHEREAS, George Mason University (GMU) maintains many international relationships such as through its campus in Songdo, South Korea; linkages with Chinese universities and institutions; the Moscow State University-GMU Undergraduate Dual Degree Program; the 2012 India initiative of the International Academic Partnership Program; GMU's Africa, Asia and Latin America Interest Groups; and other; and

WHEREAS, George Mason University's research, technical and policy faculties and staff offer an ideal constellation of technical and policy analysis to assess the transferability of innovations to Northern Virginia; and

WHEREAS, NVRC offers unique relationships with regional councils, universities, and other partners in countries such as Germany, the Netherlands, and South Korea; and

WHEREAS, the signing of this agreement provides for cooperative work but does not dictate that public funds will be expended in pursuing the goals and objectives of the cooperative agreement;

THEREFORE BE IT RESOLVED, that the Executive Director of the Northern Virginia Regional Commission is authorized to sign a Memorandum of Understanding with George Mason University to support the activities of this MOU.



#### CERTIFICATION

The undersigned certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Executive Committee on September 26, 2013.

A handwritten signature in black ink, appearing to read "G. Mark Gibb", is written over a horizontal line.

G. Mark Gibb, Certifying Officer

A MEMORANDUM OF UNDERSTANDING CONCERNING  
THE ESTABLISHMENT OF COOPERATION BETWEEN

**Northern Virginia Regional Commission**

**and**

**George Mason University**

This Memorandum of Understanding (“MOU”), dated this 26<sup>th</sup> day of September 2013 (the “Effective Date”), is made by and between the Northern Virginia Regional Commission (NVRC), located at 3060 Williams Drive, Suite 510, Fairfax, Virginia 22031, and George Mason University (“Mason”), an educational institution and agency of the Commonwealth of Virginia, located at 4400 University Drive, Fairfax, Virginia 22030-4444. Mason and NVRC are referred to individually as “Party” and collectively as “Parties.”

In order to advance the transfer of innovative technology and policy innovations from abroad for the betterment of Northern Virginia, NVRC and Mason hereby agree to initiate cooperation between the two Parties.

1. **Purpose:** The purpose of this MOU is to formalize long-term cooperation between Mason and NVRC to support transfers of regional policy and technical innovations from many pioneering countries, beginning with Germany, the Netherlands and South Korea, with Northern Virginia.
2. **Scope:** NVRC and Mason agree to explore collaborative endeavors that could include the following areas of applied research:
  - a) Conduct collaboration involving potential transfers of innovative urban infrastructure financing from countries such as Germany, South Korea and the Netherlands;
  - b) Identify and strengthen collaboration with appropriate regional partner organizations engaged in transferring technical and policy innovations with countries such as Germany, the Netherlands and South Korea and Northern Virginia and work to expand shared programming efforts between NVRC and Mason concerning regional planning;
  - c) Gather data, analyze, and map a Northern Virginia Climate and Energy Atlas by drawing from innovative cartographic, energy planning, ecological and climate models in countries such as Germany, the Netherlands and South Korea;
  - d) Assess the transfer and application of storm water modeling and coastal zone management technical and policy innovations from countries such as the Netherlands to Northern Virginia and the Commonwealth;

- e) Map data and assess the effects of foreign trade and direct foreign investment and local economic development resulting from interactions between international countries and the Northern Virginia area;
  - f) Assess the transfer of energy, land-use, transportation, “green” building and operational technical and policy innovations from cities such as Munich, Frankfurt and Seoul for possible application in the development of projects in and around Dulles International Airport;
  - g) Assess transfer opportunities of economic and technical innovations related to broadband Internet operations and service with countries such as South Korea.
3. **Implementation:** Specific collaborations shall be the subject of separately negotiated agreements. These agreements shall specify the appropriate and necessary financial arrangements sufficient to support these activities, and shall be in compliance with all Mason academic policies and NVRC administration guidelines. These include policies on joint and/or dual degrees. Neither party guarantees specific funding for the activities under this MOU.
4. **Coordinators:** Each Party shall designate a coordinator to oversee and facilitate the implementation of this MOU.

Administrative Coordinator for NVRC:

Dale Medearis, PhD  
Senior Environmental Planner  
Northern Virginia Regional Commission  
3060 Williams Drive, Suite 510  
Fairfax, Virginia 22031

Administrative Coordinators for Mason:

Rita Rowand and Keith Segerson, Mason Enterprise Center  
Office of Global and International Strategies  
George Mason University  
4400 University Drive  
Fairfax, Virginia 22030

5. **Future Cooperation:** Both Parties expect to continue discussions concerning possible future phases of their work together. This MOU is entirely independent of future cooperation on subsequent phases, which will be separately evaluated and shall require separate agreements.
6. **Approval:** This MOU is contingent upon the approval of the NVRC Board of Commissioners and, if appropriate, of the Southern Association of Colleges and Schools-Commission on Colleges (SACS-COC) and/or the State Council for Higher Education in Virginia (SCHEV). This MOU and any supplemental agreements must comply with all Mason policies, as well as those of relevant accrediting agencies or government bodies.

7. **Term and Termination:** This MOU shall continue for three (3) years, at which time the Parties may negotiate a written renewal. Either Party may terminate this MOU without cause upon providing written notice to the other Party no later than six (6) months prior to the date of termination.

8. **General:**

- a. **Intellectual Property:** The parties will ensure that the intellectual property rights are fully addressed and agreed upon consistent with Mason policies and existing laws and regulations, prior to the initiation of each academic collaborative activity.
- b. **Export Control:** The Parties understand that activities under this MOU may be subject to applicable export control laws. Each Party shall be responsible for compliance with such laws.
- c. **Entire Agreement.** This MOU constitutes the entire understanding of the Parties with respect to the subject matter herein, and supersedes all prior oral and written agreements.
- d. **Publicity.** Except as specifically provided for herein, Parties shall not use, in its external advertising, marketing programs, or promotional efforts, any data, name, insignia, trademarks, pictures or other representation of the other Party or its employees except on the specific written authorization in advance by the Party. All requests for authorization must be received in writing by no later than ten (10) days in advance of the use date.
- e. **Image.** Parties shall not take any action or inaction, which may be detrimental to the image or reputation of the Parties.
- f. **Independent Contractors:** The relationship of the Parties to each other is solely that of independent contractors. No Party shall be considered an employee, agent, partner or fiduciary of the other except for such purposes as may be specifically enumerated herein, nor shall anything contained in this MOU be construed to create any partnership or joint venture between the Parties. Mason does not sponsor, endorse, or make any express or implied warranties for NVRC.
- g. **Authorized Signatures:** The signatory for each Party certifies that he or she is an authorized agent to sign on behalf such Party.
- h. **Conflicts of Interest:** No employee of Mason may receive compensation from NVRC unless authorized by Mason in writing.
- i. **Sovereign Immunity:** Nothing in this agreement shall be deemed a waiver of the sovereign immunity of the Commonwealth of Virginia.

- j. **Notice:** Any notice required by this MOU shall be in writing and shall be deemed given when sent, postage prepaid, through the United States Postal Service by certified mail, return receipt, or when sent by internationally recognized overnight delivery service, or personally served upon the appropriate Party.

To: Dr. Claudia Rector  
Assistant Provost for Academic Affairs  
Office of the Provost  
George Mason University  
4400 University Drive, MS 3A2  
Fairfax, VA 22030, U.S.A.  
Email: crector@gmu.edu

To: Mr. Mark Gibb  
Executive Director  
Northern Virginia Regional Commission  
3060 Williams Drive, Suite 510  
Fairfax, Virginia 22031  
Email: gmg@novaregion.org

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Peter N. Stearns, Ph.D.  
Executive Vice President and Provost  
George Mason University

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Date

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Mark Gibb  
Executive Director  
Northern Virginia Regional Commission

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Date