Delegation of Authority – Construction Contracts

References:
(a) UC DA 2173 (Construction Contracts) to Chancellors, et al., dated November 13, 2006;
(b) Regents’ Standing Order 100.4(z) and (dd);
(c) Public Contract Code, Part 2, Chapter 2.1, University of California Competitive Bidding (commencing with Section 10500);
(d) University of California Facilities Manual, Volume 3.

Supersedes:
UCLA DA 820.10 (Construction Contracts) to Directors Calloway, Johnson, Markham and Assistant Director Noda, dated 6/30/05.

Effective as of the date above, I hereby delegate to Director Johnson, Director Markham, and Director Sisneros, the authority to solicit bids and execute construction contracts and other necessary documents with total project costs not exceeding $1,000,000 for approved projects within your respective areas of responsibility, and other projects for which you may be specially assigned project management responsibility with total project costs not exceeding $1,000,000. I will, however, retain the authority to approve justifications for negotiated construction contracts and to approve construction contracts over $500,000 after they have been bid. Exercise of this authority is subject to the following restrictions:

1. Execution of a contract for a project shall not cause the total cost of the Project (including site clearance, building construction, exterior utilities, site development, A&E fees, campus administration, surveys & tests, special items, construction contingency, and group 2 & 3 equipment) to exceed the approved capital improvement budget.

2. Bid solicitations and contract awards shall comply with applicable State law and shall be subject to regulations and requirements specified in the University of California (UC) Facilities Manual and other requirements which may be established from time to time by the Office of the President, including the requirements stated in UC DA 2136 (Approval of Project Design), UC DA 2134 (Appointment of Executive Architects, etc., and UC DA 1040 (Bonding Requirements for Construction Contracts).

You are authorized to use the following modes of contracting as defined in Public Contract Code Section 10503, subject to requirements in the UC Facilities Manual: Complete plans and
Public Contract Code, Section 10503(e) authorizes The Regents to solicit bids under such other contracting modes as The Regents determine to be in the best interest of the University, provided that such bids or proposals are compared on a uniform basis and that the award is made as determined by the published selection standards. You are hereby authorized to use the following additional contracting modes (pursuant to Standing Order 100.4(dd)), subject to the requirements in the UC Facilities Manual: Job order or delivery order; Time and materials; Unit Pricing; and Energy retrofit and performance contracting.

Subject to requirements in the UC Facilities Manual, you are also authorized:

1. To consent to the withdrawal of a bid after bids are opened and the bidder claims a mistake, under the conditions specified in the UC Facilities Manual section on “Modification or Withdrawal of Bids after the Bid Deadline”;

2. To negotiate and execute change orders to a construction contract, within appropriated funds; and

3. To sign notices of completion in the name of the Corporation.

I hereby delegate to Assistant Director Noda the authority to negotiate and execute change orders to construction contracts for approved projects within his area of responsibility, with total project costs not exceeding $1,000,000. This authority shall be executed in accordance with all relevant regulations and requirements as specified in the preceding paragraphs.

Any modifications to approved contract documents not authorized by the UC Facilities Manual require review and approval by the General Counsel and the Office of the President. Detailed requirements are set forth in the UC Facilities Manual.

This delegation is being reissued due to an organization change and there are no substantive changes to the delegation being superseded. This authority may not be further redelegated.

Jack Powazek
Associate Vice Chancellor, General Services

cc: Chancellor
    Executive Vice Chancellor & Provost
    Administrative Vice Chancellor
    Vice Chancellor, Finance, Budget & Capital Programs
    Executive Vice President – Business Operations
    General Counsel and Vice President for Legal Affairs
    Universitywide Policy Coordinator
    Contracts Administrator, Capital Programs
    Manager, Administrative Policies & Delegations