June 13, 2007

DA 820.25

VICE CHANCELLOR FINANCE, BUDGET AND CAPITAL PROGRAMS STEVEN A. OLSEN

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.

Supersedes: DA 820.02 (Construction Contracts) to Vice Chancellor Olsen, dated 7/27/06.

Effective as of the date above, I hereby delegate to you, for approved projects within your area of responsibility, the authority to solicit bids and execute construction contracts and other documents necessary in the exercise of this delegation 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 DAs: 1040 (Bonding Requirements for Construction Contracts), 2134 (Appointment of Executive Architects, etc.), 2136 (Approval of Project Design), 2157 (Transfers of Funds for Minor Capital Improvement Projects), 2158 (Amendments to CIP for Non-State Funded Minor Capital Improvement Projects) and 2159 (Amendments to CIP for Non-State Funded Major Capital Improvement Projects With a Total Project Cost Not to Exceed $5MM).

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 specifications (Lump Sum); Design-and-build (Design-Build); Construction manager (CM at Risk); and Cost-plus-fee.

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; Energy retrofit and performance contracting, and Unit pricing.

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.

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 the reissuance of the parent UC DA (reference (a), above) to include performance contracting and unit pricing as additional contracting modes, and to reference related UC DAs in addition to DA 1040 and 2136, the requirements of which bid solicitations and contract awards must comply. Any redelegation of these authorities shall be in writing with a copy to me and those listed below.

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

Norman Abrams
Acting Chancellor