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June 1, 2011

DA 820.65

**ASSISTANT VICE CHANCELLOR GAIL COWLING, FACILITIES MANAGEMENT**

**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:** New

Effective as of the date above, I hereby delegate to you the authority to solicit bids and execute construction contracts and other documents necessary in the exercise of this delegation, for approved projects within your area of responsibility and other projects for which you may be specially assigned project management responsibility, with total project costs not exceeding \$3,000,000, 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...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.

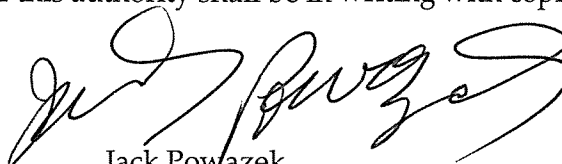
Public Contract Code Section 10503(e) authorizes The Regents to solicit bids under such other contracting modes as The Regents determine to be in the best interest of the University, provided that such bids or proposals are compared on a uniform basis and that the award is made as determined by the published 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 an organization change and the reissuance of the parent UC DA which includes performance contracting and unit pricing as additional contracting modes, and references additional UC DAs that bid solicitations and contract awards must be compliant with. Any redelegation of this authority shall be in writing with copies to me and those listed below.



Jack Powazek  
Administrative Vice Chancellor

cc: Chancellor  
Executive Vice Chancellor & Provost  
Vice Chancellor, Finance, Budget & Capital Programs  
Contracts Administrator, Capital Programs  
Manager, Administrative Policies & Delegations