



OFFICE OF THE PRESIDENT

Robert C. Dynes
President

1111 Franklin Street
Oakland, CA 94607-5200
Phone: (510) 987-9074
Fax: (510) 987-9086
<http://www.ucop.edu>

November 13, 2006

CHANCELLOR BISHOP

Delegation of Authority--Best Value Selection Pilot Program

Standing Orders of The Regents 100.4(z) and 100.4(dd) provide as follows:

100.4 Duties of the President of the University.

* * *

(z) The President is authorized to approve building plans and to solicit bids in connection with approved projects, except that the President shall not approve the design of such projects as the Board has specifically designated as requiring design approval by the Committee on Grounds and Buildings.

* * *

(dd) Except as otherwise specifically provided in the Bylaws and Standing Orders, the President is authorized to execute on behalf of the Corporation all contracts and other documents necessary in the exercise of the President's duties, including documents to solicit and accept pledges, gifts, and grants, except that specific authorization by resolution of the Board shall be required for documents which involve or which are:

* * *

(8) Construction contracts in excess of appropriated funds.

The authority assigned to the President in Standing Orders 100.4(z) and 100.4(dd) is governed by Regents' Bylaw 5.1, which references state law on the letting of construction contracts (Public Contract Code, Part 2, Chapter 2.1, *University of California Competitive Bidding* (commencing with Section 10500)).

For approved projects within your respective jurisdictions, you are authorized to solicit bids and to 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 *Facilities Manual* and other requirements which may be established from time to time by the Office of the President, including the requirements of Delegation of Authority 1040, 2134, 2136, 2157, 2158, and 2159.

Public Contract Code Section 10506.4 authorizes the San Francisco campus of the University of California to utilize best value selection as a pilot program for a period of 5 years from January 1, 2007 to January 1, 2012.

Effective January 1, 2007, you are authorized to use best value selection as defined by Public Contract Code section 10506.4 et seq. for selection of construction contractors, subject to requirements in the *Facilities Manual* and the following for each project for which you intend to utilize this authority:

1. Obtain approval of bidding documents from Assistant Vice President–Facilities Administration (or designee) at least 30 days prior to advertising;
2. Obtain approval of the best value selection from Assistant Vice President–Facilities Administration (or designee) prior to award; and
3. Notify the Assistant Vice President–Facilities Administration (or designee) of any bid protest.

Any redelegation of these authorities shall be in writing, with copies to the Vice President–Budget, the Universitywide Policy Office, and the General Counsel of The Regents.

This delegation is in addition to authority under Delegation of Authority 2173 on construction contracts.



Robert C. Dynes

cc: Members, President's Cabinet
Assistant Vice President Bocchicchio
Universitywide Policy Coordinator Capell
Acting General Counsel and Vice President Blair