DA2664

UNIVERSITY OF CALIFORNIA

James B. Milliken
President

Office of the President
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Oakland, CA 94607

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September 4, 2026

Chancellors
Executive Vice President – Chief Financial Officer
Executive Vice President – Chief Operating Officer
Director – Lawrence Berkeley National Laboratory
Vice President – Agriculture and Natural Resources

<u>Delegation of Authority – Capital Project Matters</u>

Regents Policy 8103 on Capital Project Matters (Policy) provides certain authorities to the President of the University concerning: capital planning and capital budget requests; state budget requests for capital; the Capital Financial Plan; sales, purchases, leases, and licenses of real estate and real property interests acquired or used for University-related purposes; Physical Design Frameworks; project design; and Long Range Development Plans (collectively, Capital Project Matters). For this Policy, University-related purposes means real estate and real property interests acquired for or used by the University for teaching, research, or public service. It specifically excludes real estate and real property interests held for investment purposes and managed by the Chief Investment Officer. As provided by the California Environmental Quality Act, the certification or adoption of environmental documents is undertaken at the level of the associated project approval.

All significant Capital Project Matters are reserved to the Committee and Board under Bylaw 22.2 (d). However, in the interest of operational efficiency of the University, the authority to approve or act on certain Capital Project Matters is deemed best exercised by the President and designees rather than the Board or its Committees. Also, under Bylaw 30 the President is authorized to administer the day to day central and/or system-wide functions of the University, of which certain activities are related to Capital Project Matters. The attached *Delegations of President's Authority for Capital Project Matters* indicates the authorities under the Policy and Bylaw 30 you are delegated in your respective areas of responsibility.

This delegation replaces the prior DA2629 Delegation of Authority – Capital Project Matters.

Sincerely,

James B. Milliken
President

Attachment

cc: Division Leaders
Associate Vice President and Systemwide Controller
Executive Director – Capital Programs
Director – Capital Planning

Se	Transaction Type	President's Maximum Authority	Maximum Authority Delegated from the President to EVP – CFO	Maximum Authority Delegated from the President to Chancellors / Director – LBNL / EVP – COO / VP – ANR in Their Respective Areas of Responsibility
1.	Acquisition of real property consistent with the approved Capital Financial Plan. Acceptance of gifts of real property	Approve transactions and execute agreements related to acquisitions and gifts of real property valued up to and including $70 million	Approve transactions and execute agreements related to acquisitions and gifts of real property valued up to and including $70 million May be further delegated within the EVP – CFO division	Approve transactions and execute agreements related to acquisitions and gifts of real property valued up to and including $10 million All closing and related execution documents shall be coordinated with the UC Finance Real Estate Services & Strategies Department and reviewed by UC Legal as to legal form May not be further delegated
2.	Acquisition of real property not consistent with the approved Capital Financial Plan	Approve transactions and execute agreements related to acquisitions of real property valued up to and including $20 million	Approve transactions and execute agreements related to acquisitions of real property valued up to and including $20 million May be further delegated within the EVP – CFO division	Approve transactions and execute agreements related to acquisitions of real property valued up to and including $10 million All closing and related execution documents shall be coordinated with the UC Finance Real Estate Services & Strategies Department and reviewed by UC Legal as to legal form May not be further delegated
3.	Budget or design for capital projects consistent with the approved Capital Financial Plan, accepted Physical Design Framework (PhDF), and approved Long Range Development Plan (LRDP). Consistency with PhDF and LRDP not required for off-	Approve budget and design for capital projects up to and including $70 million	Approve budget and design for capital projects with a project budget up to and including $70 million May be further delegated within the EVP – CFO division	Approve budget (non-State) and design for minor capital improvement projects, subject to the following: (i) Authority excludes budget approvals for any minor capital improvement project funded wholly or in part by State funds (ii) May be further delegated Approve budget (non-State) and design for capital projects with a project budget up to and including $70 million, subject to the following: (i) Authority excludes budget approvals for any capital project funded wholly or in part by State funds

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	campus projects for which there is no applicable PhDF or LRDP			(ii) Authority to approve budget (non-State) and design may be delegated to any direct report(s) to the Chancellor, but may not be further delegated (iii) For each project approved under this authority, a complete copy of final, signed project approval documents shall be transmitted to UCOP Capital Programs following approval All designees, and changes thereto, shall be reported to UCOP – Capital Programs Guidance and requirements for the implementation of this authority can be found in the following areas of the Facilities Manual: 2.7.1 Capital Project Budget Approvals 2.7.2 Capital Project Design Approvals
4.	Budget or design for capital projects not consistent with the approved Capital Financial Plan or accepted Physical Design Framework (PhDF), but consistent with the approved Long Range Development Plan (LRDP). Consistency with PhDF and LRDP not required for off-campus projects for which there is no applicable PhDF or LRDP	Approve budget and design for capital projects up to and including $20 million	Approve budget and design for capital projects with a project budget up to and including $20 million May be further delegated within the EVP – CFO division	Approve budget (non-State) and design for minor capital improvement projects, subject to the following: (i) Authority excludes budget approvals for any minor capital improvement project funded wholly or in part by State funds (ii) May be further delegated Approve budget (non-State) and design for capital projects with a project budget up to and including $20 million, subject to the following: (i) Authority excludes budget approvals for any capital project funded wholly or in part by State funds (ii) Authority to approve budget (non-State) and design may be delegated to any direct report(s) to the Chancellor, but may not be further delegated (iii) For each project approved under this authority, a complete copy of final, signed project approval

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				documents shall be transmitted to UCOP Capital Programs following approval All designees, and changes thereto, shall be reported to UCOP – Capital Programs Guidance and requirements for the implementation of this authority can be found in the following areas of the Facilities Manual: 2.7.1 Capital Project Budget Approvals 2.7.2 Capital Project Design Approvals
5.	Augmentation and scope change for acquisition of real property and budget for capital projects - original approval by the President	Approve cumulative augmentations and scope changes up to $20 million, but in no event exceeding a total project budget (as augmented) of $70 million	Approve cumulative augmentations and scope changes up to $20 million, but in no event exceeding a total project budget (as augmented) of $70 million May not be further delegated	For capital projects budgets approved under your authority as delegated from the President, approve cumulative augmentations and scope changes to non-State minor capital improvement projects, so long as the project budget (as augmented) does not exceed the limit to qualify as a minor capital improvement project. May be further delegated For capital projects budgets approved under your authority as delegated from the President, approve cumulative augmentations and scope changes to non-State capital projects with a project budget (as augmented) up to and including $20 million. May be further delegated to any direct report(s) to the Chancellor, but may not be further delegated For capital projects budgets approved under your authority as delegated from the President, approve cumulative augmentations and scope changes up to 15% of the original approval to non-State capital projects with a project budget greater than $20 million, but in no event exceeding a project budget (as augmented) of $70 million. May be further delegated to any direct report(s) to the Chancellor, but may not be further delegated

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				All designees, and changes thereto, shall be reported to UCOP – Capital Programs For each project approved under this authority, a complete copy of final, signed project approval documents shall be transmitted to UCOP Capital Programs following approval Guidance and requirements for the implementation of this authority can be found in the following areas of the Facilities Manual: 2.7.1 Capital Project Budget Approvals 2.7.2 Capital Project Design Approvals 2.7.3 Capital Project Budget Augmentations and Scope Changes
6.	Augmentation and scope changes for acquisition of real property and budget for capital projects - original approval by the Regents	Approve cumulative augmentations and scope changes up to 15% of the original approval, but in no event exceeding a total augmentation of $20 million	Approve cumulative augmentations and scope changes up to 15% of the original approval, but in no event exceeding a total augmentation of $20 million May be further delegated within the EVP – CFO division	Approve cumulative augmentations and scope changes to non-State capital projects up to 15% of the original approval, but in no event exceeding a total augmentation of $20 million, subject to the following: For each project approved under this authority, a complete copy of final, signed project approval documents shall be transmitted to UCOP Capital Programs following approval May be further delegated to any direct report(s) to the Chancellor, but may not be further delegated All designees, and changes thereto, shall be reported to UCOP – Capital Programs
7.	Dispositions of real property	Approve transactions and execute disposition agreements related to real property valued up to and including $70 million	Approve transactions and execute disposition agreements related to real property valued up to and including $70 million	Approve transactions and execute disposition agreements related to real property valued up to and including $10 million All closing and related execution documents shall be coordinated with the UC Finance Real Estate Services &

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			May be further delegated within the EVP – CFO division	Strategies Department and reviewed by UC Legal as to legal form May <u>not</u> be further delegated
8.	Leases (including ground leases) and, if necessary, to the extent applicable, design of buildings developed pursuant to a lease	Approve and execute leases that: (i) have a term of up to and including 20 years, excluding options when UC is Tenant but including options when UC is Landlord, and (ii) have an initial base annual consideration up to and including $5 million. Approve design for buildings developed pursuant to such leases	Approve and execute leases that: (i) have a term of up to and including 20 years, excluding options when UC is Tenant but including options when UC is Landlord, and (ii) have an initial base annual consideration up to and including $5 million. Approve design for buildings developed pursuant to such leases May be further delegated within the EVP – CFO division with lease term up to and including 20 years and initial base annual consideration up to and including $5 million	Approve and execute leases (including exercising renewal options, ancillary documents, amendments, and other modifications to leases), that have: (i) a term not to exceed 20 years excluding options when UC is Tenant but including options when UC is Landlord, and (ii) an initial base annual consideration not to exceed $5 million provided that all commitments with an initial base annual consideration in excess of $1 million shall be memorialized by either: (a) a UC Standard Form Lease without material modification, or (b) an agreement reviewed by Real Estate Services & Strategies and approved by UC Legal as to legal form Authority <u>excludes</u> approval and execution of ground leases, and execution of options to purchase May be further delegated; all designees, and changes thereto, shall be reported to UCOP – Capital Programs Guidance and requirements for the implementation of this authority can be found in the following area of the Facilities Manual: 2.7.8 Requirements to Lease, License, and Granting Easements or Rights-of-Way Under Delegated Authority

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9.	Licenses	Approve and execute licenses pertaining to capital project matters	Approve and execute licenses pertaining to capital project matters May be further delegated within the EVP – CFO division	Approve and execute commitments for licenses (including ancillary documents, amendments, and other modifications to licenses), that have: (i) a term (a) not to exceed 10 years, excluding options when UC is Licensee but including options when UC is Licensor, or (b) revocable by UC for convenience on notice not to exceed 180 days; and (ii) an initial base annual consideration not to exceed $5 million, provided that all commitments with an initial base annual consideration in excess of $500,000 shall be memorialized by either: (a) a UC Standard Form License without material modification, or (b) an agreement reviewed by Real Estate Services & Strategies and approved by UC Legal as to legal form May be further delegated; all designees, and changes thereto, shall be reported to UCOP – Capital Programs Guidance and requirements for the implementation of this authority can be found in the following area the Facilities Manual: 2.7.8 Requirements to Lease, License, and Granting Easements or Rights-of-Way Under Delegated Authority
10.	Reimbursement agreements and stipend agreements ancillary to real property transactions	Approve and execute such agreements where the University assumes an obligation to pay cost of up to and including $20 million	Approve and execute such agreements where the University assumes an obligation to pay a cost of up to and including $20 million	Approve and execute reimbursement and stipend agreements, where the University assumes an obligation to pay a cost of up to and including $20 million May be further delegated where the University assumes an obligation to pay a cost of up to and including $75,000, obligations beyond this amount may <u>not</u> be further delegated

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			May be further delegated within the EVP – CFO division	All designees, and changes thereto, shall be reported to UCOP – Capital Programs Guidance and requirements for the implementation of this authority can be found in the following area of the Facilities Manual: 2.7.9 Reimbursement Agreements and Stipend Agreements Ancillary to Real Property Transaction
11.	Third Party Indemnification (where the University assumes liability for conduct of persons other than University officers, agents, employees, students, invitees, and guests)	In consultation with UC Legal – Office of the General Counsel, approve and execute indemnification provisions in favor of state or federal permitting agencies where providing indemnification is a necessary condition to secure the relevant permit in order to proceed with the capital project matter	In consultation with UC Legal – Office of the General Counsel, approve and execute indemnification provisions in favor of state or federal permitting agencies where providing indemnification is a necessary condition to secure the relevant permit in order to proceed with the capital project matter May be further delegated	In consultation with UC Legal – Office of the General Counsel, approve and execute indemnification provisions in favor of state or federal permitting agencies where providing indemnification is a necessary condition to secure the relevant permit in order to proceed with the capital project matter May not be further delegated

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12.	Other Real Estate matters	Approve and execute: easements; rights of way; covenants, conditions, and restrictions; encumbrances; mineral rights; geothermal resources; documents required under the Subdivision Map Act or with respect to Subdivided Lands Act; miscellaneous real property documents; and other contracts and ancillary documents as necessary to implement real estate transactions	Approve and execute: easements; rights of way; covenants, conditions, and restrictions; encumbrances; mineral rights; geothermal resources; documents required under the Subdivision Map Act or with respect to Subdivided Lands Act; miscellaneous real property documents; and other contracts and ancillary documents as necessary to implement real estate transactions May be further delegated within the EVP – CFO division	Approve and execute the grant of easements and rights- of-way (including ancillary documents, amendments, and other modifications to easements and rights-of-way), that: (i) are revocable by UC for convenience on notice not to exceed 180 days, or (ii) provide utility services to UC property exclusively, or (iii) comprise no more than 5,000 square feet of UC land and are memorialized by either a (a) UC Standard Form without material modification, or (b) an instrument reviewed by Real Estate Services & Strategies and approved by UC Legal as to legal form May be further delegated; all designees, and changes thereto, shall be reported to UCOP – Capital Programs Guidance and requirements for the implementation of this authority can be found in the following areas of the Facilities Manual: 2.7.7 Authorization for Acquisitions, Dispositions, or Ground Lease of Real Property 2.7.8 Requirements to Lease, License, and Granting Easements or Rights-of-Way Under Delegated Authority 2.7.9 Reimbursement Agreements and Stipend Agreements Ancillary to Real Property Transaction
13.	Minor Long Range Development Plan (LRDP) amendments	Approve Minor LRDP amendments. Minor LRDP amendments are defined as those that modify but preserve the fundamental planning principles and objectives	Approve Minor LRDP amendments. Minor LRDP amendments are defined as those that modify but preserve the fundamental planning principles and objectives of the previously adopted LRDP, and are limited to:	Approve Minor LRDP amendments consisting of administrative corrections or changes that do not change land use designations or modify circulation or infrastructure provided that all changes to the LRDP are reported to UCOP Capital Programs and a current version made available to the public on the campus website

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		of the previously adopted LRDP, and are limited to: (i) modifying up to and including 30,000 gross square feet of allocated building space, (ii) changing land use boundaries or designations for up to and including 4 acres of land, or (iii) administrative corrections or changes	(i) modifying up to and including 30,000 gross square feet of allocated building space, (ii) changing land use boundaries or designations for up to and including 4 acres of land, or (iii) administrative corrections or changes May be further delegated within the EVP – CFO division	May be further delegated to any direct report(s) to the Chancellor, but may not be further delegated; all designees, and changes thereto, shall be reported to UCOP – Capital Programs
14.	Minor Physical Design Framework (PhDF) amendments	Accept Minor PhDF amendments. Minor PhDF amendments are defined as those that modify but preserve the fundamental planning principles and objectives of the previously adopted PhDF	Accept Minor PhDF amendments. Minor PhDF amendments are defined as those that modify but preserve the fundamental planning principles and objectives of the previously adopted PhDF May be further delegated within the EVP – CFO division	None
15.	Modification of previously adopted or certified environmental document pursuant to the California Environmental Quality Act (CEQA)	Modify an environmental document certified or adopted by the Regents pursuant to CEQA so long as the modification does not result in new or increased significant environmental impacts	Modify an environmental document certified or adopted by the Regents pursuant to CEQA so long as the modification does not result in new or increased significant environmental impacts	None

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			May be further delegated within the EVP – CFO division	
16.	Capital project matters approved by the Regents	In consultation with UC Legal – Office of the General Counsel, execute documents necessary in connection with Regents-approved capital project matters	In consultation with UC Legal – Office of the General Counsel, execute documents necessary in connection with Regents-approved capital project matters May not be further delegated	No additional authority beyond other existing delegations
17.	Appointment of Executive Design Professionals and Execution of Executive Design Professional Agreements	Full Authority per Bylaw 30	Approve the appointment of Executive Design Professionals and execute Executive Design Professional Agreements May be further delegated within the EVP – CFO division	Approve the appointment of Executive Design Professionals and execute Executive Design Professional Agreements subject to procedures in the Facilities Manual May be further delegated; all designees, and changes thereto, shall be reported to UCOP – Capital Programs Guidance and requirements for the implementation of this authority can be found in the following areas of the Facilities Manual: Volume 4: Construction Contracting Volume 5: Bidding & Construction Administration Contract Templates – Construction Contract Templates – Design and Other Consultants

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18.	Siting of individual buildings or Projects that are generally in accordance with the applicable Long Range Development Plan or are on Regents property such as field stations and research stations which may not be included in the scope of an applicable Long Range Development Plan.	Full Authority per Bylaw 30	Approve siting of individual buildings or projects May be further delegated within the EVP – CFO division	Approve siting of individual buildings or projects May be further delegated to any direct report(s) to the Chancellor, but may not be further delegated; all designees, and changes thereto, shall be reported to UCOP – Capital Programs
19.	Bid Solicitations and Execution of Construction Contracts	Full Authority per Bylaw 30	Approve solicitation of bids and execute contracts for construction May be further delegated within the EVP – CFO division	For non-State projects, approve solicitation of bids and execute contracts for construction, subject to procedures and standard contracts in the Facilities Manual For projects funded wholly or in part by State funds, approve solicitation of bids and execute contracts for construction, subject to appropriate notification from the State or Office of the President and procedures and standard contracts in the Facilities Manual May be further delegated; all designees, and changes thereto, shall be reported to UCOP – Capital Programs Guidance and requirements for the implementation of this authority can be found in the following areas of the Facilities Manual: Volume 4: Construction Contracting Volume 5: Bidding & Construction Administration Contract Templates – Construction Contract Templates – Design and Other Consultants

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20.	Modifications to the Facilities Manual	Full Authority per Bylaw 30	Approve modifications to the Facilities Manual May be further delegated within the EVP – CFO division	None
21.	University of California Procedures for Implementation of the California Environmental Quality Act (Procedures)	Full Authority per Bylaw 30 and Regents Policy on Capital Project Matters	Implement the Procedures, consulting with UC Legal – Office of the General Counsel as appropriate May be further delegated within the EVP – CFO division	For capital projects or transactions approved under your authority as delegated from the President, implement the Procedures in accordance with Volume 2, Chapter 5 of the Facilities Manual May be further delegated; all designees, and changes thereto, shall be reported to UCOP – Capital Programs
22.	Transfer of funds for capital projects	Full Authority per Bylaw 30	Approve transfer or allocations of University operating funds and transfer of funds designated for capital projects, subject to any limitations which might be imposed by the terms of said funds. May be further delegated within the EVP – CFO division	For capital projects or transactions approved under your authority as delegated from the President, approve transfer or allocations of University operating funds and transfer of funds designated for capital projects, subject to any limitations which might be imposed by the terms of said funds May be further delegated to any direct report(s) to the Chancellor; for non-State minor capital improvement projects only, the designee's authority may be further delegated; all designees, and changes thereto, shall be reported to UCOP – Capital Programs
23	Transmittal of Legislative Reports for Capital Project Matters	Full Authority per Bylaw 30	Transmit reports or other informational documents related to Capital Project Matters as required by the state legislature, unless otherwise directed by state legislation, with a copy to the President at the time of submission May be further delegated within the EVP – CFO division	None