IDA 590

September 1, 2017

VICE CHANCELLOR AND CHIEF FINANCIAL OFFICER–PLANNING AND BUDGET
VICE CHANCELLOR–ADMINISTRATIVE AND BUSINESS SERVICES

RE: Delegation of Authority – Negotiation, Approval, and Execution of Licenses for Use of Real Property

The authority to negotiate, approve and execute licenses of real property was delegated to Chancellors by Presidential Delegation DA 2232, September 3, 2009.

I am redelegating to the Vice Chancellor and Chief Financial Officer–Planning and Budget and the Vice Chancellor–Administrative and Business Services authority to negotiate and, with each vice chancellor’s office in consultation with the other, to approve and execute licenses of real property including facilities use agreements and other forms of agreement that are equivalent to licenses of real property (except those licenses relating to real property held as an investment of the Corporation), when such agreements:

1. Involve: (i) real property that is or will be used for University-related purposes, or (ii) University-related real property to be used by others, and (iii) are limited in the length of term and consideration as follows:
   
   a. the License term does not exceed 10 years excluding options when UC is licensee but including options when UC is licensor;

   b. the base annual consideration:

      (i) does not exceed $500,000 for the initial year, or

      (ii) if the initial year consideration exceeds $500,000, the agreement must either be on (1) a University standard form license without material modification, or (2) a form license that has been reviewed and approved by the appropriate risk manager in the event it contains indemnity, waiver of subrogation, or insurance provisions, or (3) a form license that has been reviewed and approved by the Office of the President, Real Estate Services & Strategies (RESS) and the Office of General Counsel (OGC); or

2. Are revocable on not more than 180 days’ notice; and

3. Do not involve the assumption by the University of liability for conduct of persons other than University officers, agents, employees, students, invitees, and guests, except that this
restriction does not apply if under the agreement the University assumes responsibility for liability resulting from the condition of licensed property which the University is obliged to maintain [Standing Order 100.4(dd)(9)], or as otherwise authorized by The Regents.

License agreements that do not meet these conditions must be submitted to the President or The Regents for approval and execution, in accordance with the Standing Orders of The Regents. The campus license practitioner shall complete and maintain in the official license file, the Lease/License Checklist attached to DA 2232 prepared pursuant to this delegated authority ("Lease/License Checklist"). The RESS and OGC are available to consult on real property license agreement negotiation and documentation matters.

The campus shall be the office of record for original executed licenses of real property, including facility use agreements, and amendments thereto executed pursuant to this delegation.

Annually, by July 31, you shall certify and submit to RESS a report listing each agreement approved and executed pursuant to this delegated authority during the preceding fiscal year, including total cost of licensed space and average cost/square foot, and attest that all terms referenced in this delegation and the Lease/License Checklist have been met.

This authority may not be further redelegated and supersedes Chancellor Drake’s October 23, 2009, delegation of authority on the same subject (IDA 484).

Howard Gillman
Chancellor

cc: Provost and Executive Vice Chancellor
    Vice Chancellors
    Office of Campus Counsel
    Associate Provost and Executive Vice Chancellor
    Associate Vice Chancellor—Administration and Chief of Staff, Health Affairs
    Assistant Vice Chancellor—Accounting and Fiscal Services
    Assistant Vice Chancellor—Design & Construction Services
    Assistant Vice Chancellor—Facilities Management
    Director—Environmental Planning and Sustainability
    Director—Real Estate Services
    Director—Internal Audit
    Chief Procurement Officer—Procurement Services
    Risk Manager
    Manager—Administrative Policies