DA 2107

April 25, 2008

ASSISTANT DIRECTOR(S)
SPONSORED PROJECTS OFFICE

Re: Delegation of Authority 2107 – Approval of Waiver of Subrogation Rights, National Aeronautic and Space Administration

Effective immediately, and in accordance with President Atkinson’s letter of February 24, 1999 to the UC Berkeley Chancellor, I am re-delegating DA 2107 to the Assistant Director(s) of the Sponsored Projects Office. This re-delegation authorizes the solicitation and acceptance or execution of any grants or contracts containing the NASA Waiver of Subrogation Rights (Clause Number 1852.228-75(d)), subject to the terms of the July 17, 1998 Regental authorization. A copy of this waiver is attached, along with the initial letter of delegation from President Atkinson.

This re-delegation is effective immediately and this delegation of authority may not be further re-delegated.

If you have any questions or concerns regarding this re-delegation, please contact Cindy Major, Campus Delegations Coordinator, at 642-3115 or email cmajor@berkeley.edu.

Yours sincerely,

Robert J. Birgeneau
Attachments  Atkinson’s letter February 24, 1999
                NASA Waiver of Subrogation Rights

cc:  Coordinator – Universitywide Policies N. Capell
     Vice Chancellor for Research B. Burnside
     Associate Chancellor J. Cummins
     Assistant Chancellor B. Fitzpatrick
     Assistant Vice Chancellor – IPIRA C. Mimura
     Director – Sponsored Projects
     Audit & Advisory Services Director W. Riley
     Campus Delegations Coordinator C. Major
February 24, 1999

CHANCELLORS
SENIOR VICE PRESIDENT—BUSINESS AND FINANCE

Delegation of Authority--Approval of Waiver of Subrogation Rights, National Aeronautic and Space Administration

At the meeting on July 17, 1998, The Regents granted the President blanket authority to execute a National Aeronautic and Space Administration (NASA) clause which requires assumption by the University of third-party liability, action which is restricted to The Regents under Standing Order 100.4(dd)(9).

Effective immediately, you are authorized to solicit and accept or execute any grants or contracts containing the NASA Waiver of Subrogation Rights (Clause Number 1852.228-75(d)), subject to the terms of the July 17, 1998 Regental authorization, a copy of which is attached.

Campuses must attempt to reduce the University's potential risk for subcontractors' liability by negotiating appropriate contractual relationships and asking the subcontractors to (1) indemnify The Regents and the United States government against such liability, and (2) name The Regents and the United States government as additional insureds on their insurance policies.

Any redelegation of this authority shall be in writing, with copies to the Senior Vice President—Business and Finance, the Special Assistant--Coordination & Review, the General Counsel and Vice President for Legal Affairs, and the Secretary of The Regents.

Richard C. Atkinson
President

Attachment

cc: Members, President's Cabinet
    Executive Director Feuerborn
    Special Assistant Gardner
    Principal Officers of The Regents
COMMITTEE ON FINANCE
July 17, 1998

TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

F. Approval of Waiver of Subrogation Rights, National Aeronautic and Space Administration, Office of the President

The Committee recommends that the President be given blanket authorization to execute a National Aeronautic and Space Administration (NASA) clause which requires assumption by the University of third-party liability, action which is restricted to The Regents under Standing Order 100.4(dd)(9). The clause is required by NASA for all awards.