

UNIVERSITY OF CALIFORNIA, BERKELEY

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**DA 2107**

April 25, 2008

DIRECTOR  
SPONSORED PROJECTS

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 Director 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](mailto: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  
Audit & Advisory Services Director W. Riley  
Campus Delegations Coordinator C. Major

DA 2107

## UNIVERSITY OF CALIFORNIA

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SANTA BARBARA · SANTA CRUZ

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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

Approved

Approved as amended

Accepted

Notice served

Deferred

Withdrawn

Disapproved

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.