

Contracting at Berkeley

Research Administration and Compliance Forum

April 15, 2015

A faded, light gray background image of a mountain range with jagged peaks and rolling hills, centered behind the text.

How many contracting offices are
there on campus?

Contracting at Berkeley | Landscape

Eleven (11)!

OCFO:

- Business Contracts and Brand Protection (BCBP)
- Supply Chain Management (SCM)

Intellectual Property and Industry Research Alliances (IPIRA):

- Industry Alliances Office (IAO)
- Office of Technology Licensing

Real Estate Division:

- Construction & Design
- Real Estate Development and Portfolio

Office of Legal Affairs

Sponsored Projects Office (SPO)

Human Resources

Office of Public Affairs

- Media Relations

Cal Performances

Good News!

We talk to and collaborate with one another



Contracting at Berkeley | Landscape

Contracting at Berkeley Working Group



Contracting at Berkeley | Members

Business Contracts and Brand Protection

- Maria Rubinshteyn
- Karen Etheridge
- Jan Gonsalves

Intellectual Property and Industry Research

Alliances:

- Carol Mimura
- Eric Giegerich
- Lynne Hollyer, Industry Alliances Office (IAO)
- Leah Esturas-Pierson, IAO
- Marc Oettinger, Office of Technology Licensing (OTL)
- Terri Sale, OTL

Engineering Research Support Organization

- Jennifer Stone
- Kendall Moalem

Human Resources

- Anita Raman

Lawrence Hall of Science

- Susan Gregory
- Laura Scudder

Office of the Chief Financial Officer

- Tom Holdford
- Mariana Corzo

Office of Legal Affairs

- David Robinson

Office of Risk Services

- Andy Goldblatt
- Laila DeBerry

Real Estate Division:

- Barb Evans, Real Estate and Portfolio
- Theresa Cerney, Construction & Design

Research Administration and Compliance

- Patrick Schlessinger

Sponsored Projects Office

- Pam Miller
- Jyl Baldwin

Supply Chain Management

- Rich Taylor
- Stacey Templeman

Contracting at Berkeley | Landscape



Supply Chain Management (SCM)

Stacey Templeman, Senior Buyer

Supply Chain Management's mission is to expand opportunities for teaching, research and public service by delivering savings and efficient procurement services across the University of California

Contracting at Berkeley | Landscape



Office of
Legal Affairs
(OLA)

Office of Legal Affairs (OLA)

David Robinson, Associate Campus Counsel

The Office of Legal Affairs is a campus office that provides legal advice to all campus offices with contracting authority, and advises contract administrators about how to respond to failures of performance after a contract has been executed.

Contracting at Berkeley | Landscape



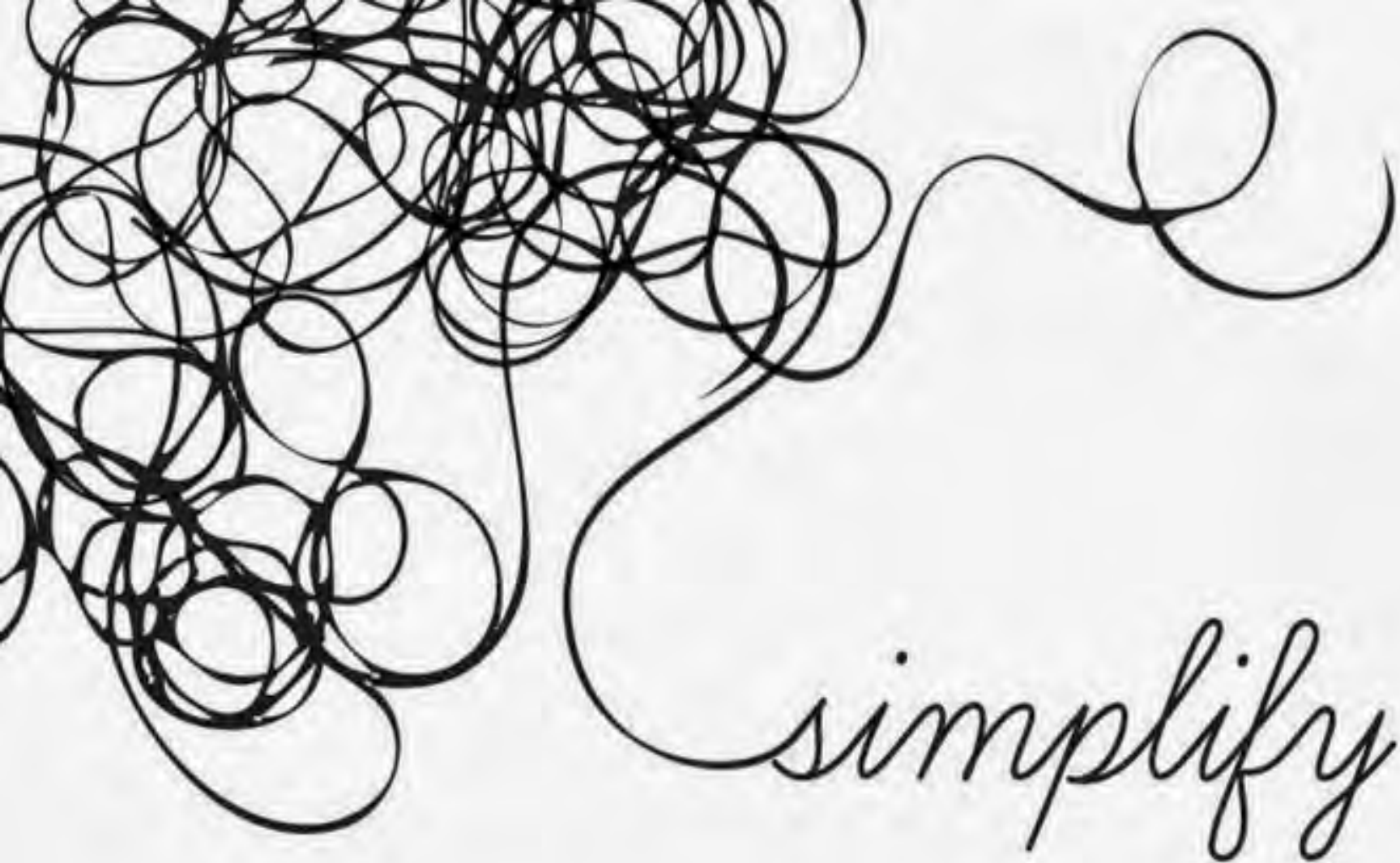
Office of
Risk
Services

Office of Risk Services(ORS)

Andy Goldblatt, Campus Risk Manager

Laila DeBerry, Enterprise Risk Analyst

The Regents have given Risk Services delegated authority over the indemnification and insurance language in all University contracts.



simplify

Contracting at Berkeley | Website

Where to Start?

Contracting at
Berkeley Portal

Decision Tree/Wizard

University of California, Berkeley
Guide to Contracting



Contracting at Berkeley | Decision Tree

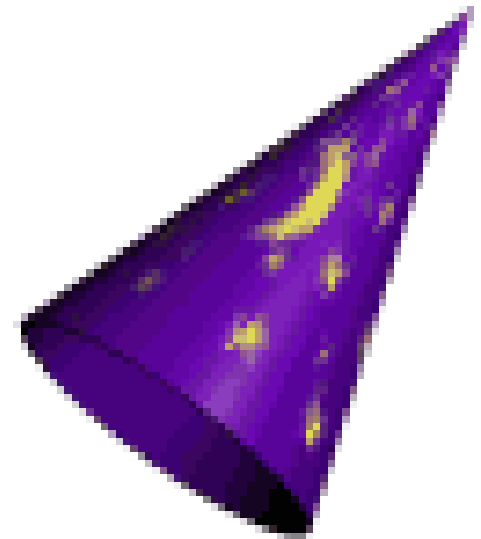
Stump the Wizard!

Demonstration and Interactive Session using
the Online Decision Tree by:

Karen Etheridge, BCBP

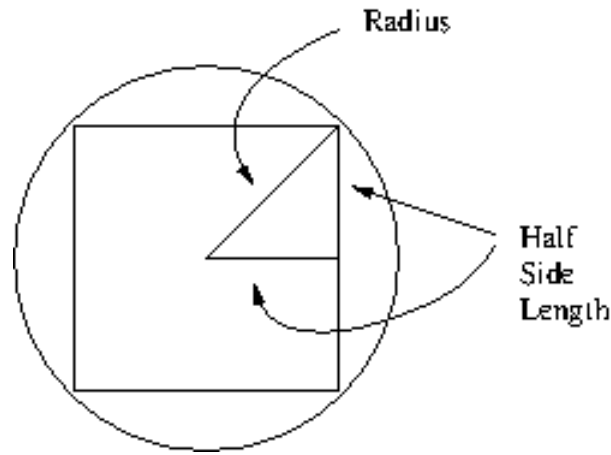
Lynne Hollyer, IAO

Pam Miller, SPO



Contracting at Berkeley | Wizard





When a square peg doesn't
fit into the round hole...

Contracting at Berkeley | PARC

Project Analysis and Resolution Committee (PARC)
meets as needed to resolve areas of overlap

PARC Committee Members:

- Business Contracts and Brand Protection
- Industry Alliances Office
- Office of Legal Affairs
- Sponsored Projects Office

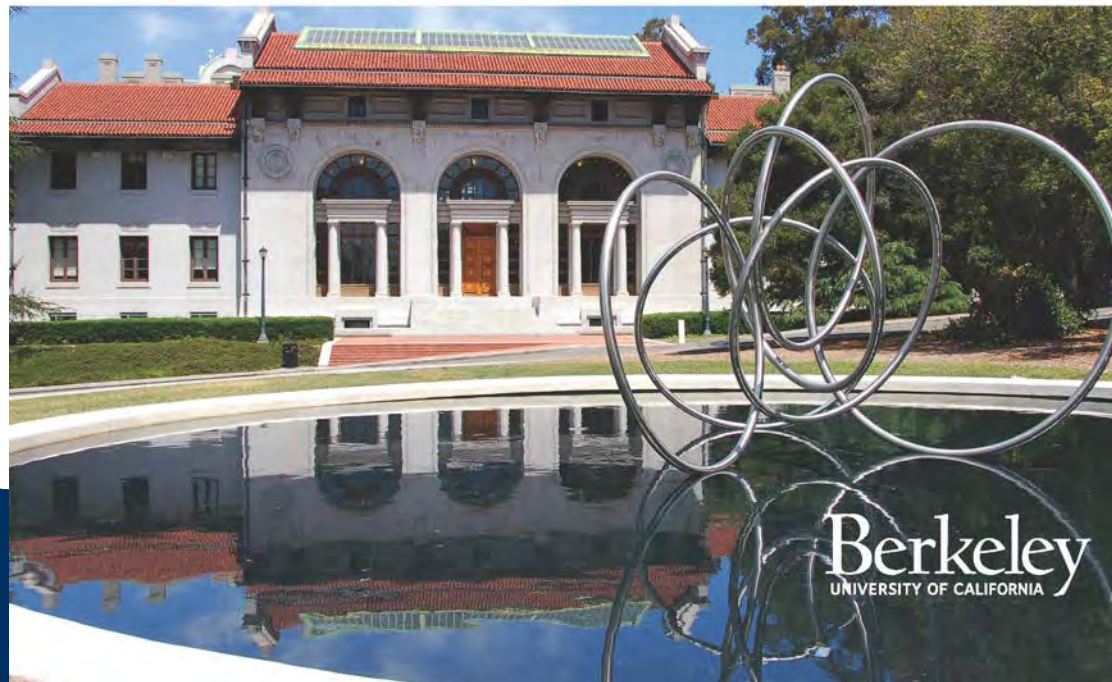
Coming Soon| The *Guide*!

Jan Gonsalves, BCBP

Chair of Guide Drafting
Subgroup

University of California, Berkeley Guide to Contracting

Berkeley
UNIVERSITY OF CALIFORNIA



Contracting at Berkeley | Guide TOC

Table of Contents

Introduction	4
Acknowledgements	5
Contracting Lifecycle	8
1. Before Starting a Contract	9
What is a contract?	9
When to create a contract	9
Who is authorized to create, amend, or terminate a contract at Berkeley?	9
2. Benefits and Risks	11
Benefits of having a written contract	11
Risks of not having a written contract	11
3. Types of Contracts and Key Considerations	13
Types of Contracts	13
Key Considerations	16
4. Creating and Executing a Contract	19
Identifying the appropriate Contracting Office	19
Contacting the Contracting Office	19
Drafting a contract	20
Reviewing and approving a contract	20
Executing a Contract	20
5. Managing, Amending, and Terminating a Contract	22
Day-to-day contract management	22
Amending or updating a contract	22
Terminating a contract	22
Sample contract management responsibilities	23

Contracting at Berkeley | Guide TOC

Appendix	25
Contracting Offices	26
Business Contracts and Brand Protection (BCBP)	26
Cal Performances	31
Construction & Design (formerly Capital Projects)	32
Human Resources	34
Intellectual Property & Industrial Research Alliances Office (IPIRA)	35
Media Relations (Office of Public Affairs)	41
Real Estate Development & Portfolio	42
Sponsored Projects Office	44
Supply Chain Management (SCM)	47
Contracting Office Consulting Partners	50
Office of Legal Affairs	50
Risk Services	51
Information Security and Policy	52
Privacy Office	53
Additional Reference	54
University of California Forms	54
Parties and Signatures	55
Sample of Required Terms and Conditions	56
Unrelated Business Income Tax (UBIT)	60
Acronyms	61
Index	63

We are here to:

- Partner with you as your advocate, anticipate your needs and set you up for success
- Provide highly trained individuals with expertise in a wide range of contracts

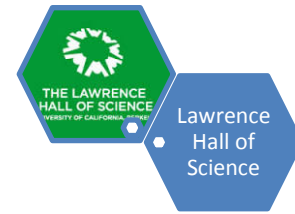
Resources

Contracting at Berkeley Website	http://bcbp.berkeley.edu/contracting-berkeley
"Who does what" guide	http://bcbp.berkeley.edu/who-does-what-guide
Decision Tree/Wizard	http://www.surveygizmo.com/s3/1881469/Contracting-at-Berkeley
University of California, Berkeley Guide to Contracting	Will be posted on the Contracting at Berkeley website
Delegations of Authority	http://compliance.berkeley.edu/delegation
Useful links	http://bcbp.berkeley.edu/contracting-portal/berkeley-contracting-links

A nighttime photograph of the University of California Berkeley Library and the Campanile tower. The library building is a large, classical-style structure with many windows illuminated from within, casting a warm yellow glow. The Campanile tower, a tall, slender stone tower with a pointed roof, is also illuminated and stands prominently in the background against a clear blue night sky. The text "Thank you" is overlaid in the upper left portion of the image.

Thank you

Appendix A: CBWG Member|



"The Lawrence Hall of Science joined the group to give feedback from a client perspective. In the last fiscal year, the Hall had at least 277 business contracts spanning a wide range of types, dollar amounts and complexity.

Included were: agreements for publication, affiliation, intellectual property licensing, collaboration on products, exhibit rental, educational outreach, teacher inservice, and professional services.

Additionally, the Hall has extensive activity with hotel rentals, click-through terms, 3D films rentals, facilities permits, real estate leases, policy change implementations, forms revisions, and vendor contract term reviews."

Susan Gregory, Deputy Director

Appendix B| Intake Tools

BCBP

IAO

SPO

SCM

[BCMS](#)

[Phoebe](#)

[Phoebe](#)

[BearBuy](#)

Training for each program is available on the respective websites