
From: "Francesca Negri" <francesca_negri@dot.ca.gov>
To: "Andrew Boulter" <Andrew.Boulter@ucop.edu>
Cc: "Cris Rojas" <cris_rojas@dot.ca.gov>; "Wendy Streitz" <Wendy.Streitz@ucop.edu>
Sent: Friday, May 20, 2011 10:37 AM
Subject: RE: Follow Up to May 6 Discussion

Andrew,

Thank you for your patience. We agree to accept an electronic signature to verify the Payroll Expense Reports and Ledgers. We're finalizing the Amendment now and will be sending it to you for review and approval.

Thank you for your partnership and diligence in working through these issues. Please call me if you have any questions. Thanks, and have a great weekend. - - Francesca

Francesca Negri, Chief
Division of Procurement and Contracts
Department of Transportation

1727 30th Street Sacramento, CA 95816
Office: 916.227.6100 Cell: 916.709.3636.

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Andrew Boulter <Andrew.Boulter@ucop.edu>

05/17/2011 11:48 AM

To Francesca Negri <francesca_negri@dot.ca.gov>
cc Cris Rojas <cris_rojas@dot.ca.gov>, Wendy Streitz
<Wendy.Streitz@ucop.edu>
Subject RE: Follow Up to May 6 Discussion

Francesca –

Thanks a bunch. I hope this addresses your needs. (And as a personal endorsement, I did use this form of digital signature as binding on contracts, when I was working on the San Francisco campus.)

-- Andrew

Andrew C. Boulter
Research Policy Manager
Research Policy Analysis & Coordination
Office of Research & Graduate Studies
University of California Office of the President
1111 Franklin Street, Fifth Floor
Oakland, CA 94607-5200

phone: (510) 987-9840

fax: (510) 587-6091

From: Francesca Negri [mailto:francesca_negri@dot.ca.gov]

Sent: Tuesday, May 17, 2011 11:34 AM
To: Andrew Boulter
Cc: Cris Rojas; Wendy Streitz
Subject: RE: Follow Up to May 6 Discussion

Thanks, Andrew. I'll take a look at it immediately and will forward to Legal as well. I'll get back to you by cob today.

Francesca Negri, Chief
Division of Procurement and Contracts
Department of Transportation
 1727 30th Street Sacramento, CA 95816
Office: 916.227.6100 Cell: 916.709.3636.
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Andrew Boulter <Andrew.Boulter@ucop.edu>

05/17/2011 09:29 AM

To Francesca Negri <francesca_negri@dot.ca.gov>

cc Cris Rojas <cris_rojas@dot.ca.gov>, Wendy Streitz <Wendy.Streitz@ucop.edu>

Subject RE: Follow Up to May 6 Discussion

Francesca –

Here's a link (http://help.adobe.com/en_US/Acrobat/9.0/Standard/WS58a04a822e3e50102bd615109794195ff-7d4a.w.html) to Adobe Acrobat's explanation of the digital signature function in their product. (I'm sure there are other products out there with this functionality, but this is the one I'm familiar with.) In essence, the program can embed the signature into a PDF document and then saves that document so that the signature is a permanent part of the document. What I like about this particular program is that the signature block can be customized to include specific text and in this case that text could be the PI's certification language that you are proposing.

I hope this helps.

-- Andrew

Andrew C. Boulter
 Research Policy Manager
 Research Policy Analysis & Coordination
 Office of Research & Graduate Studies
 University of California Office of the President
 1111 Franklin Street, Fifth Floor
 Oakland, CA 94607-5200

phone: (510) 987-9840

fax: (510) 587-6091

From: Francesca Negri [mailto:francesca_negri@dot.ca.gov]

Sent: Friday, May 13, 2011 5:01 PM

To: Andrew Boulter

Cc: Cris Rojas; Wendy Streitz

Subject: RE: Follow Up to May 6 Discussion

Hi Andrew,

Thank you for the prompt response. Can you clarify for us how the signature can be authenticated digitally (does the user have to provide a code in Adobe)?

I apologize for our lack of knowledge on this subject. Most of the processes I've been involved with have required a wet signature. Nevertheless, I'm open and enthusiastic toward reducing administrative burden if possible and have forwarded the idea to our Legal for review and comment. We're reviewing the applicability of the Uniform Electronic Transactions Act (California Civil Code section 1633 et seq.).

In the meantime, I'll pursue as if we are in agreement, and we will forward the Amendment to 22A0486 to Legal on Monday for review and approval.

I'll follow up with you on Monday. Have a great weekend. - - Francesca

Francesca Negri, Chief

Division of Procurement and Contracts

Department of Transportation

1727 30th Street Sacramento, CA 95816

Office: 916.227.6100 Cell: 916.709.3636.

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Andrew Boulter <Andrew.Boulter@ucop.edu>

05/13/2011 11:12 AM

To Francesca Negri <francesca_negri@dot.ca.gov>

cc Cris Rojas <cris_rojas@dot.ca.gov>, Wendy Streitz <Wendy.Streitz@ucop.edu>

Subject RE: Follow Up to May 6 Discussion

Francesca –

Thanks for the note and my apologies for the late reply.

I understand your auditing requirements for the invoice/ledger endorsement. I'd like to suggest another option in an attempt

to address your needs and keep the administrative burden down: could the PI endorse the invoice/ledger with a digital signature. Adobe Acrobat, as an example, provides the option for a digital signature that not only includes the actual signature but a certification that it is legitimate. Would this be a possibility? (And for clarity, the option for a “wet” signature is always open for our investigators. I’d just like to be able to provide them a digital alternative.)

Thanks.

-- Andrew

Andrew C. Boulter
Research Policy Manager
Research Policy Analysis & Coordination
Office of Research & Graduate Studies
University of California Office of the President
1111 Franklin Street, Fifth Floor
Oakland, CA 94607-5200

phone: (510) 987-9840

fax: (510) 587-6091

From: Francesca Negri [mailto:francesca_negri@dot.ca.gov]

Sent: Friday, May 13, 2011 9:14 AM

To: Andrew Boulter

Cc: Cris Rojas; Wendy Streitz

Subject: RE: Follow Up to May 6 Discussion

Hi Andrew,

We are okay with the and/or language for timesheets and calendar entries. However, for legal and auditing purposes, the certification language must be included on the ledger/payroll expense report. We can have one of our contract managers work with one of your programs to provide an example of how this may easily be accomplished if that would assist. We're okay with the ledger/payroll expense report and invoice being sent to our contract managers via email. In fact, we'd prefer that they all be submitted as one package, either via regular mail or via email.

I'm meeting with our Legal this morning to incorporate these changes into the current Amendment to 22A0486. Please let me know if this is a go, and we'll get the Amendment to you as quickly as possible for signature.

Thanks, Andrew. I've really appreciated our partnership in resolving this situation.

Francesca Negri, Chief
Division of Procurement and Contracts
Department of Transportation

1727 30th Street Sacramento, CA 95816

Office: 916.227.6100 Cell: 916.709.3636 .

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Andrew Boulter <Andrew.Boulter@ucop.edu>

05/12/2011 04:21 PM

To Francesca Negri <francesca_negri@dot.ca.gov>

cc Wendy Streitz <Wendy.Streitz@ucop.edu>, Cris Rojas <cris_rojas@dot.ca.gov>

11/7/2011

Subject RE: Follow Up to May 6 Discussion

Francesca -

Once again thanks for outlining the results of our phone call last Friday. I've gotten comments back from my campuses and, in the main, your proposals below are acceptable. I would like to request one change and one clarification.

In the disclaimer, can we adjust the last sentence from "...but not be limited to, timesheets **and** calendar entries," to "...but not be limited to, timesheets **and/or** calendar entries?" I think this change would maximize the flexibility of the back-up retained by the department for the labor charges.

For the endorsement of the invoice-ledger by the PI, can that be placed in the email itself? I am concerned about the level of burden for our PIs if they need to print out the invoice they receive from their accounting office, append the legend you've requested, sign the invoice, scan the newly signed document and email that to the contract or program representative at Caltrans. I would suggest that the legend you've proposed with the PI's concurrence be added to the body of the email that attaches the invoice in question and that be forwarded onto Caltrans.

Please let me know your thoughts. Thanks.

-- Andrew

-----Original Message-----

From: Francesca Negri [mailto:francesca_negri@dot.ca.gov]
Sent: Wednesday, May 11, 2011 4:41 PM
To: Andrew Boulter
Subject: Re: Follow Up to May 6 Discussion

Thanks!

----- Original Message -----

From: Andrew Boulter [Andrew.Boulter@ucop.edu]
Sent: 05/11/2011 11:11 PM GMT
To: Francesca Negri; Wendy Streitz <Wendy.Streitz@ucop.edu>

Cc: Cris Rojas
 Subject: RE: Follow Up to May 6 Discussion

Francesca --

Thanks so much for the note. I'm running this by my campus stakeholders and will be able to get back to you definitively tomorrow afternoon. (I have a meeting in the morning.)

-- Andrew

From: Francesca Negri [francesca_negri@dot.ca.gov]
 Sent: Wednesday, May 11, 2011 12:57 PM
 To: Wendy Streitz; Andrew Boulter
 Cc: Cris Rojas
 Subject: Follow Up to May 6 Discussion

Wendy and Andrew,

Thank you for last Friday's discussion, memorialized below. This language has been approved by our Audits and Investigations and Legal Divisions. Additionally, because the language will require an amendment to Master Agreement 22A0486, I've run this language by the Office of Legal Services in DGS to ensure that they are on board:

1. Regarding the ledger/invoice endorsement, we will accept the detailed payroll expense report and ledger signed by the PI with the following language, "I have reviewed the expenditure detail for these accounts to determine the allowability of these charges to this project and certify that the salaries and wages included on these reports is an accurate representation of actual time worked." This may be submitted parallel to the invoice, although payment of the invoice will not be authorized until Caltrans has had the opportunity to review the invoice, signed ledger and payroll report. We can accept an email with certified ledger, payroll expense report, and invoice attached.

2. We will include in the pending amendment to Master Agreement 22A0486 the following addition to the Audit provision in GIA 610: " State reserves the right to audit, among other items pertinent to this Agreement, costs incurred by UC to determine the actual cost incurred in the performance of this contract for a period of three years from the expiration date. In the event the State's audit reveals that UC's actual costs were less than UC's invoicing under the contract, State may request reimbursement for the difference between UC's invoicing and the actual costs incurred by UC."

3. For the disclaimer language, we will agree to the following, which would also have to be included in the pending amendment:

Caltrans shall pay the University based upon percentage effort with the following caveat: The University must retain supporting documentation, which shall substantiate actual costs and shall be available for review by Caltrans upon request. Supporting documentation shall show actual time worked towards completion of the scope of work (Exhibit A) and may include, but not be limited to, timesheets and calendar entries.

Let me know if you've had the opportunity to review this language with your programs. We're getting toward the end of DPAC's ability to timely process the pending Technical Agreements prior to end of the fiscal year, and if possible, I'd like to expedite the amendment as quickly as possible. Please let me know if you have any questions. Thanks!

Francesca Negri, Chief
Division of Procurement and Contracts
Department of Transportation
1727 30th Street Sacramento, CA 95816
Office: 916.227.6100 Cell: 916.709.3636 .
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