

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
September 15, 2016**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at Longleaf Plantation in Purvis, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 23, 2015, to each and every member of said Board, said date being at least five days prior to this September 15, 2016 meeting. At the above-named place there were present the following members to wit: Mrs. Karen L. Cummins, Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by Dr. Doug Rouse, President, and opened with prayer by Trustee Duff.

**APPROVAL OF THE MINUTES**

On motion by Trustee Duff, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on August 18, 2016.

**CONSENT AGENDAS**

On motion by Trustee Duff, seconded by Trustee Perry, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

**FINANCE**

1. **UM** – Approved the request to amend the agreement with Total Production Services, LLC to provide production of video board broadcasts and/or production/engineering of internet streaming broadcast of Ole Miss Athletics home games. The initial term of the agreement is from September 16, 2016 through June 30, 2019 with an option to renew for an additional term of three (3) years upon either party giving notice one hundred and twenty (120) days prior to the termination date. The Board approved the renewal option with a contract end date of June 30, 2022. The contract amount is estimated to be \$498,205 per year; however, the parties agree to negotiate a mutually acceptable cost adjustment based on actual team schedules and personnel requirements. The agreement will be funded by the University of Mississippi Athletics Department's operating funds. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
2. **UMMC** – Approved the request to enter into two (2) letters of agreement with Genzyme Corporation for the purchase of the drug Lemtrada, a drug utilized to treat relapsing, remitting Multiple Sclerosis (MS) in patients that have failed two or more other MS therapies. The first letter of agreement would provide Lemtrada at WAC pricing and the second, which contains the same terms other than pricing, provides the drug at 340-B pricing. WAC is the standard pricing method for the pharmacy industry. 340-B pricing is provided through the Health Resource and Services Administration (HRSA), a division of the United States Department of Health and Human Services. Under this program the federal government has required drug manufacturers to provide outpatient drugs to eligible healthcare facilities at significantly reduced pricing. Participation in the 340-B pricing allows hospitals to pass along cost saving to its outpatients. The initial term of

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the agreement will commence within one (1) business day after Genzyme receives the signed letters of agreement, which is expected to be no later than October 1, 2016, and will run through December 31, 2018. Thereafter, the agreement may be renewed for no more than two (2) additional one (1) year periods upon mutual written agreement. The Board approved the initial term and potential renewal terms. The estimated cost of the agreement over the entire term is expected to be \$15,000,000. This cost is based on the number of MS patients that could immediately take advantage of this drug, the current drug pricing (WAC and 340-B), potential increases in drug pricing and increased patient volume. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

3. **UMMC** – Approved the request to enter into a service agreement with Mississippi Children's Home Services, Inc. (MCHS) to provide behavioral health and care coordination services in support of the Children's Collaborative Pilot Project, which is a coordinated collaborative effort between the MS Department of Medicaid and UMMC. The term of the agreement is for one (1) year, beginning October 1, 2016 and ending September 30, 2017. The amount of this amendment shall not exceed the total approved cost of the agreement of \$1,995,301. This agreement is funded by grant funds. The agreement was approved by the Personal Service Contract Review Board at its meeting on September 13, 2016. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
4. **USM** – Approved the request to enter into a contractual services agreement with the CPA firm Topp McWhorter Harvey, PLLC to conduct the annual audit for the University Affiliated Entity for fiscal year 2016 as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities, subsection D. General Requirements of Affiliation Agreements (9).

**REAL ESTATE**

5. **UM** – Approved the initiation of **IHL 207-425, Crosby Hall Boiler Replacement**, and the appointment of Corbett Legge & Associates, PLLC as the design professional. The project will remove the 45+ year old boilers, pumps and associated piping from the basement of Crosby Hall, seal and close the existing exhaust system, and construct a new boiler room (approximately 15' x 35') in close proximity to house a new boiler, pumps and controls. The new high efficiency boiler will require the installation of domestic water, sanitary sewer, heating water and natural gas piping to the new boiler room. Additionally, the project will connect two existing potable water storage tanks, double wall plate and frame heat exchangers and pumps to the new boiler system. The estimated project budget is \$1.1 million. Funds are available from Student Housing R&R funds (\$1,100,000).
6. **UMMC** – Approved the request to grant a twelve (12) foot traffic utility right-of-way easement to Meridian at Fondren, LLC (Grantee) for the purpose of constructing a traffic signal and establishing a utility easement near the intersection of Peachtree Street and Lakeland Drive on the main campus at Jackson. This right of way and easement is needed to put in the signals required by the City of Jackson prior to residents moving into the new Meridian at Fondren development. A property description is included in the bound *September 15, 2016 Board Working File*. Grantor grants to Grantee a right-of-way, servitude and easement 12 feet in width for the location, relocation, improvements, repair, construction, reconstruction, operation, inspection, patrol, replacement, removal and maintenance of a traffic signal and utility easement to be used for the construction of traffic signal arms, supporting infrastructure, controller and power service panels,

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pedestrian signal poles, and other equipment. structures, material and appurtenances, now or hereafter used, useful or desired in connection therewith by Grantee over, across, under or on that land of Grantor in the City of Jackson, County of Hinds, State of Mississippi. Grantee shall have the full and continuing right, without further compensation, to clear and keep clear vegetation within or growing in said right of way and the further right to remove or modify from time to time trees and/or limbs which Grantee considers a hazard to any of Grantee's facilities. As used in this paragraph, "hazard" includes any trees, limbs, and/or vegetation within the right of way that Grantee determines are tall enough that if they fell may strike, hit, or come in contact with any of Grantee's facilities. Payment for the first cutting of trees, limbs, and other vegetation outside of the right of way is included in the initial consideration paid to Grantor. Grantee shall pay to Grantor, or Grantor's successor in title, the reasonable market value, as timber, of such trees when removed in the future outside of the said right of way. Grantee shall pay Grantor for physical damages to Grantor's buildings or other structures located outside said right of way and to Grantor's roads, bridges, fences, sidewalks or other structures caused by the construction and maintenance of Grantee's facilities as contemplated herein. Grantor retains the right to use for Grantor's own purposes the land covered by the said right of way so long as such use does not interfere with Grantee's use of said right of way and other rights herein granted. This Right of Way may be executed in multiple parts where there are multiple owners, each of which such multiple parts shall be binding on the party or parties so executing. Grantee does hereby agree to defend, indemnify and hold harmless Grantor from any loss, expense, damage or injury resulting from the construction or use of Grantee's facilities. The Attorney General's Office has reviewed and approved this item contingent upon approval by the Governor of Mississippi. As required by Miss. Code Ann. §29-1-1(3), the Mississippi Secretary of State's Office has reviewed this easement.

**PERSONNEL REPORT**

7. **EMPLOYMENT**

**Mississippi Valley State University**

*(Rehired retirees making more than \$20,000 who are on contract during FY 2017.)*

- Edgar Holman; *former position:* Principal, Sunflower County School District; *re-employment position;* Instructor; re-employment period – August 15, 2016 – May 15, 2017; salary of \$28,439

8. **CHANGE OF STATUS**

**Mississippi State University**

- Allison W. Pearson; *from* Professor and Endowed Professor, Management and Information Systems; salary of \$168,279 per annum, pro rata; E&G Funds; *to* Interim Associate Vice President for Academic Affairs, Professor and Endowed Professor, Management and Information Systems; salary of \$220,000 per annum, pro rata; E&G Funds ; effective August 9, 2016

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9. **SABBATICAL**

**Jackson State University**

- Mukesh Kumar; Associate Professor, College of Public Service, Urban & Regional Planning; *from* salary of \$69,904 per annum, pro rata; E&G Funds; *to* salary of \$34,952 for sabbatical period; E&G Funds; effective August 16, 2016 to December 31, 2016; professional development

**Mississippi State University**

*(Revision to date approved March 2016)*

From: David M. Hoffman; Associate Professor of Anthropology and Middle Eastern Cultures; *from* salary of \$71,295 per annum, pro rata; E&G Funds; *to* salary of \$35,648 for sabbatical period; E&G Funds; effective August 16, 2016 to May 15, 2017; professional development

To: David M. Hoffman; Associate Professor of Anthropology and Middle Eastern Cultures; *from* salary of \$71,295 per annum, pro rata; E&G Funds; *to* salary of \$35,648 for sabbatical period; E&G Funds; effective August 16, 2016 to December 16, 2016; professional development

10. **EMERITUS STATUS**

**University of Southern Mississippi**

- Robert Yeats Lochhead; Professor and Director Emeritus of Polymer Science; effective July 1, 2016

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda items #3 & #4.

1. **SYSTEM** – Approved for first reading the proposed tuition rate increase for non-resident students for the University for Southern Mississippi effective for fiscal year 2018. In compliance with Board Policy 702.04 Approval Process Subsection C Consideration of Request, the Board will have a thirty-day review prior to final approval of the tuition rates. **(See Exhibit 1.)**
2. **UM** – Approved a resolution authorizing the University to enter a ground lease with the Ole Miss Athletics Foundation (OMAF) to facilitate the financing and construction of an indoor tennis facility, to enter into an operating lease under which the University will lease the completed facility from OMAF, and to execute related documents. The facility will be located south of the Olivia and Archie Manning Athletics Performance Center and southeast of the Track and Field complex on the University's main campus. The construction will be financed by Renasant Bank through a

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promissory note to OMAF. After construction, OMAF will lease the facility back to the University for its use and OMAF will assign its interest in the leases to the University of Mississippi Educational Building Corporation (UMEBC). Following completion of the facility, UMEBC will become the obligor or a co-obligor on the promissory note. Upon full repayment of the promissory note, the leases will terminate and the property and all improvements will revert to the University. Both leases will have a primary term that is concurrent with the Renasant promissory note. The OMAF/UMEBC promissory note will not exceed \$8 million and will be repaid over a ten-year period after an initial construction period. OMAF/UMEBC will pay 2.745% interest on the promissory note. After completion of construction, annual debt service by OMAF/UMEBC is estimated to be approximately \$775,988 per year for ten years. Under the operating lease to the University, the University is obligated to pay rent to OMAF/UMEBC in an amount sufficient to service the OMAF/UMEBC promissory note if there is an event of default for OMAF/EBC for failure to pay the note. However, it is intended that private donations to OMAF will be used to repay all debt service under the promissory note. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

3. **UMMC** – Approved the request to enter into a lease agreement with Mississippi Baptist Medical Center, Inc. (Baptist). Pursuant to the lease, UMMC will occupy 15,011 square feet of space on the second floor of property located at 1421 North State Street in Jackson, MS, commonly referred to as the Watkins Building. This space will be clinical space for outpatient digestive disease services (non-procedural). This lease is contingent upon approval for UMMC to purchase the Radiology Building (RAD), which is owned by Baptist and located next to the Watkins Building. A coinciding agenda item (#4 below) for the purchase of RAD has been submitted for consideration. In accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board also approved the request to allow advanced payment of rent payments as required in the agreement. The primary term of the lease will be five (5) years, from the commencement date, with the option for renewal for two (2) five (5) year terms. The commencement date is defined in the contract as the earlier of (i) the date that is thirty (30) days after the date of substantial completion of renovations to the premises, as set forth in a work letter and as further evidenced by the execution of a Commencement Date Certificate, or (ii) the date on which UMMC opens for business in the premises. If the commencement date is a date other than the first day of a calendar month, then the rent due for such month shall be prorated according to the number of days remaining in such month, and, for purposes of determining the end of the first lease year and the end of the primary term only, the commencement date shall be deemed to occur on the first day of the calendar month following the commencement date. The cost over the primary five (5) year term is estimated to be \$2,085,741.28. This includes the basic lease costs of \$1,885,741.28, and the optional charge for improvements, that, if set aside, would be \$200,000 for the primary term. Both costs factors are as further described within in the bound *September 15, 2016 Board Working File*. If elected, UMMC may set aside \$200,000 over the primary term of the agreement and, thereafter for any subsequent renewal terms, which shall be held by Baptist in an account from which funds may be spent only at the direction of UMMC. These funds will be utilized, by Baptist, only to facilitate the freshening up of the premises and making improvements as UMMC may determine it desires from time to time. Finally, the space has previously been used as a GI clinic and is configured for this type of practice. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

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4. **UMMC** – Approved the request to enter into a purchase agreement with Mississippi Baptist Health Systems, Inc. (Baptist) for the purchase of a building and land currently owned by Baptist located at 1405 North State Street in Jackson, MS, which is best known as the Radiology (RAD) Building. The purchase price is \$3,950,000 which is the average of two independent appraisals. The first appraisal was in the amount of \$3,900,000. The second appraisal was in the amount of \$4,000,000. The Board also granted Baptist a temporary easement to allow Baptist to remove certain fiber and information technology equipment located on the property both inside and outside of the RAD Building. The removal is expected to be complete by December 1, 2016. The subject building is physically located at the northwest corner of N. State and Webster Streets. Its municipal address is 1405 N. State Street in Jackson, Hinds County, Mississippi. The Radiology medical office building consists of approximately 29,190 square feet of rentable area located on approximately 1.04 acres of land. The closing date shall be on or before September 30, 2016. If the purchase price is confirmed at less than \$3,950,000, then the Seller shall have the right to terminate this Agreement at any time prior to the Closing, without cause, penalty or fee, by the giving of written notice thereof to the Purchaser, and neither party shall have any further rights or obligations. A Phase I Environmental Site Assessment has been conducted on the property. Based on site inspection, current and past land use history, adjacent property inspections and record review, no recognized environmental conditions are evident at the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda items #1 & #2 as submitted on the Legal Agenda. On motion by Trustee Duff, seconded by Trustee Perry, all Trustees legally present and participating voted unanimously to move agenda item #3 to the Executive Session Agenda.

1. **SYSTEM** – Approved for final reading the proposed amendment to Board Policy 801.13 Withholding of Pay which gives the universities authority to authorize payroll deductions without the need for prior Board approval.

**801.13 WITHHOLDING OF PAY**

No deductions shall be made from the paychecks of employees unless they are required by law, relate directly to institution sponsored insurance or benefits plans or programs, are to satisfy any financial obligation to the institution of employment or are for recognized charities for which the institution has previously granted approval and which directly or indirectly benefit the institution of employment (such as the United Way, American Heart Association and the like).

No deductions are allowed for professional association dues, commercial products or ventures or insurance or benefit plans not specifically approved in advance as an authorized benefit provider sponsored by the institution, ~~subject to board approval.~~

These limitations are necessary in order to limit the work load and costs incurred by the payroll-computer services facilities of the institution.

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2. **SYSTEM** – Approved for final reading the proposed amendments to Board Policy 301.0513 Presentations and Appearances Before the Board to clarify the current policy and practice of the Board. (See Exhibit 2.)
3. **JSU** – Settlement of Tort Claim No. 65-1125-1. (THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**FINANCE**

1. **ASU** – The Board received documentation representing approval by the Mississippi Department of Information Technology Services (MS-ITS) Board of the continuation of a contractual agreement with Blackboard, Inc. for the acquisition of software and services for a learning management system hosted by Blackboard for Alcorn State University (ASU). The Attorney General's staff assigned to the MS-ITS will review the agreement prior to its execution. The resulting agreement will be between Blackboard, Inc. and MS-ITS on behalf of ASU. The documentation is included in the bound *September 15, 2016 Board Working File*.
2. **USM** – The agreement between USM and Oceaneering approved by the Board in August 2016, was for the use of the R/V Sea Scout (or a comparable vessel) for a research cruise that is to start on Saturday, September 17, 2016. However, due to Hurricane Hermine, the R/V Sea Scout was delayed in returning to port and could not return in time to be properly outfitted for the research cruise prior to the departure date. Oceaneering has changed the vessel to the DSV Ocean Inspector and has assured USM that the substitution of vessels will not affect the deliverables of Oceaneering under the contract. The specifications of the DSV Ocean Inspector are included in the bound *September 15, 2016 Board Working File*.

**REAL ESTATE**

3. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the August 18, 2016 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 3.)

**LEGAL**

4. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 4.)

**ANNOUNCEMENTS**

- President Rouse announced the next Board meeting will be held October 20, 2016 in Jackson, MS.

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**FIRST EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of strategic business plans for a public hospital.

**During Executive Session, the following matters were discussed and/or voted upon:**

The Board discussed the strategic business plans of a public hospital. **No action was taken.**

**On motion by Trustee Pickering, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to return to Open Session.**

**OTHER BUSINESS**

- The Board discussed projects and priorities of the University of Mississippi Medical Center.
- On motion by Trustee Perry, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve the request to ask for an official opinion from the Attorney General regarding the ability of the Construction Manager at Risk to subcontract with the lowest and best bidder for each trade contract.

**BY CONSENSUS AT APPROXIMATELY 3:30 P.M., ALL TRUSTEES LEGALLY PRESENT AND PARTICIPATING VOTED UNANIMOUSLY TO RECESS THE BOARD MEETING UNTIL FRIDAY, SEPTEMBER 16, 2016 AT 9:00 A.M.**

**THE BOARD MEETING RECONVENED FRIDAY, SEPTEMBER 16, 2016 AT 9:00 A.M.** there were present the following members to wit: Mrs. Karen L. Cummins, Dr. Ford Dye, Mr. Tom Duff, Mr. Shane Hooper, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. The meeting was called to order by Dr. Doug Rouse, President.

**OTHER BUSINESS**

(Continued)

- The Board discussed initiatives for the Mississippi Institutions of Higher Learning. **No action was taken.**



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**SECOND EXECUTIVE SESSION**

On motion by Trustee Perry, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Continued discussion of a state university litigation matter and  
Discussion of five state university personnel matters.

**During Executive Session, the following matters were discussed and/or voted upon:**

On motion by Trustee Perry, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to reject the settlement proposal for Tort Claim No. 65-1125-1 styled as *Denise Taylor-Travis v. Jackson State University, et. al.*, as recommended by IHL Risk Management and outside counsel.

On motion by Trustee Smith, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve raises for Dr. Al Rankins, President of Alcorn State University; Mr. Bill LaForge, President of Delta State University; Dr. Jim Borsig, President of Mississippi University for Women; and Dr. William Bynum, President of Mississippi Valley State University, in the amount of \$10,000 each, effective October 1, 2016.

**On motion by Trustee Perry, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to return to Open Session.**

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Pickering, seconded by Trustee Perry, all Trustees legally present and participating voted unanimously to adjourn the meeting.



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President, Board of Trustees of State Institutions of Higher Learning



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Commissioner, Board of Trustees of State Institutions of Higher Learning

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**EXHIBITS**

- |           |  |
|-----------|--|
| Exhibit 1 | Proposed tuition rate increase for non-resident students for the University for Southern Mississippi effective for fiscal year 2018 for first reading. |
| Exhibit 2 | Proposed amendments to Board Policy 301.0513 Presentations and Appearances Before the Board for final approval.  |
| Exhibit 3 | Real Estate items that were approved by the IHL Board staff subsequent to the August 18, 2016 Board meeting.   |
| Exhibit 4 | Report of the payment of legal fees to outside counsel.  |

# EXHIBIT 1

## University of Southern Mississippi Proposed Tuition Rate FY 2018

	Approved FY 2017	Requested Incr/Decr		Requested FY 2018
		\$	%	
Non-Resident Tuition*	\$ 16,419	(6,565)	-40.0%	\$ 9,854
Capital Improvements Fee	\$ 70		0.0%	\$ 70
Student Activity Fee	\$ 40		0.0%	\$ 40
<b>Total Non-Resident Tuition and Required Fees</b>	<b>16,529</b>	<b>(6,565)</b>	<b>-39.7%</b>	<b>\$ 9,964</b>

Analysis		
	<u>Total – All Units</u>	<u>On/Off Campus</u>
FY 2016 Appropriations Budgeted*	\$93,759,710	\$83,918,135
Headcount – Fall 2015	14,551	14,507**
FTE – Fall 2015	12,666	12,590
Average cost from appropriated funds – HC	\$6,444	\$5,785
Average cost from appropriated funds – FTE	\$7,402	\$6,665
<b>Proposed</b> total tuition/fees for Non-resident student	\$9,964	\$9,964
*original budget		
**includes Hattiesburg, Gulf Park, Stennis & high school teaching sites; does not include GCRL.		

# EXHIBIT 2

September 15, 2016

## **SYSTEM – PROPOSED AMENDMENTS TO BOARD POLICY 301.0513** **APPEARANCES BEFORE THE BOARD FOR FIRST READING**

### **301.0513      PRESENTATIONS AND APPEARANCES BEFORE THE BOARD**

Because of the number and complexity of the items considered by the Board, it is the practice and the strong preference of the members of the Board to base their consideration in large part on written material submitted prior to Board meetings, rather than to consider issues raised during oral presentations, since such oral presentations allow inadequate opportunity for analysis, review and consideration. Oral presentations are generally limited to those made by designated staff of the board, Institutional Executive Officers, other persons designated by the Institutional Executive Offices, and other persons invited by the Board to make presentations. While the Board retains the power to determine its agenda and to determine when to allow others to address the board, the Board will generally receive, as a matter of custom, practice, and courtesy, oral presentations from state elected officials, legislators, and representatives of other state agencies and institutions. In general, the Board of Trustees receives presentations from other persons or entities only in written form made available to the Board in a manner that allows sufficient time for consideration prior to the meeting at which the matter is to be considered. Any request to submit any written or oral communication should be made as soon as possible and should be submitted in writing to the Commissioner of Higher Education, along with a full explanation of the issue and the interest and position of the party seeking to submit the material related to the issue. Any request to make an oral presentation should provide a detailed explanation as to why a written presentation would not be sufficient. The Commissioner will then submit same to the President of the Board, who will make a decision as to whether an oral presentation will be permitted, subject to review by the Board.

~~No person shall be entitled as a matter of right to appear before the Board of Trustees of Institutions of Higher Learning except the following persons:~~

- ~~1. ——— Designated Staff of the Board;~~
- ~~2. ——— Institutional Executive Officers;~~
- ~~3. ——— Official guests invited by the President after consultation with the Board.~~

~~Other appearances before the Board are not a matter of right, and will only be considered if the request is material and relevant to any matters then pending before the Board. Any person who desires to be placed on the agenda to address the Board shall submit such request, including justification, in writing to the Commissioner. The request should be at least three weeks prior to the designated Board meeting at which the person desires to appear and set forth the purpose of such appearance. The three week period is necessary to permit referral to the President or appropriate Board committee to rule on such request.~~

# EXHIBIT 3

September 15, 2016

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE AUGUST 18, 2016 BOARD MEETING SUBMISSION DEADLINE**

**NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL.**

**Change Order Approval Note:** No change orders approved by Board staff, as reflected within any of the following informational agenda items, increase the Board approved total project budget. The total project budget as approved by the Board provides for a contingency fund, which allows for an increase in the construction budget of between five and ten percent. Any increase in the total project budget caused by a change order, would require Board approval and could not be approved by Board staff until the budget increase is approved by the Board.

## **JACKSON STATE UNIVERSITY**

### **1. JSU- GS 103-277 – Library Envelope Repairs Phase II**

**NOTE: This is a Bureau of Building project**

**UNAPPROVAL REQUEST #1: Award of Construction Contract**

Board staff did not approve the Award of Contract in the amount of \$3,301,000.00 to the apparent low bidder, Mid State Construction Company, Inc.

Approval Status & Date: NOT APPROVED, June 28, 2016

**Approval Request #2: Change Order #1**

Board staff approved Change Order #1 in the amount of \$8,068.80 and zero (0) additional days to the contract of Mid State Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 6, 2016

Change Order Description: Change Order #1 includes the following items: to install a high wind screen; to anchor the existing windows & their perimeter blocking; and to level 70' of existing concrete masonry unit parapet with self-leveling non-shrink grout bed.

Change Order Justification: The Using Agency requested the installation of the high wind screen and the other changes were due to latent job site conditions.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$8,068.80.

Project Initiation Date: February 20, 2014

Design Professional: Burris/Wagnon Architects, P.A.

General Contractor: Mid State Construction Company, Inc.

Phased Project Budget: \$1,550,000.00

Total Project Budget: \$4,550,000.00

### **2. JSU- GS 103-281 – Alexander Center Renovation Phase III**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Award of Construction Contract**

# EXHIBIT 3

September 15, 2016

Board staff approved the Award of Contract in the amount of \$1,396,000.00 to the apparent low bidder, Sullivan Enterprises, Inc.

Approval Status & Date: APPROVED, June 27, 2016

Project Initiation Date: February 18, 2016

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Sullivan Enterprises, Inc.

Total Project Budget: \$2,018,827.06

## 3. **JSU – GS 103-276 – Campus Master Plan**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Master Plan 10-Year Update**

Board staff approved the Campus Master Plan in the amount of \$458,800.00

Approval Status & Date: APPROVED, July 15, 2016

Project Initiation Date: June 20, 2016

Design Professional: Dale Partners Architects, P.A.

General Contractor: N/A

Total Project Budget: \$458,800.00

## MISSISSIPPI STATE UNIVERSITY

## 4. **MSU– IHL 205-262-A – Aiken Village Day Care Relocation**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Pryor Morrow Architects and Engineers

Approval Status & Date: APPROVED, August 2, 2016

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 2, 2016

Project Initiation Date: October 20, 2011

Design Professional: Pryor Morrow Architects and Engineers

General Contractor: TBD

Phased Project Budget: \$1,263,584.38

Total Project Budget: \$5,000,000.00

## 5. **MSU– IHL 205-278 – MSU NSPARC Data Center**

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$2,590,000.00 to the apparent low bidder, Burks-Mordecai Builders, Inc.

Approval Status & Date: APPROVED, July 22, 2016

Project Initiation Date: November 20, 2014

Design Professional: Dale partners Architects, P.A.

General Contractor: Burks-Mordecai Builders, Inc.

Total Project Budget: \$4,650,000.00

# EXHIBIT 3

September 15, 2016

**6. MSU– IHL 205-279 – Addition and Renovation to Dudy Noble Field-Polk Dement Stadium**

**Approval Request #1: Approval of Design Development Documents**

Board staff approved the Design Development Documents as submitted by Wier Boerner Allin Architecture.

Approval Status & Date: APPROVED, July 18, 2016

Project Initiation Date: May 21, 2015

Design Professional: Wier Boerner Allin Architecture

General Contractor: TBD

Project Budget: \$55,000,000.00

**7. MUW– GS 104-184 – Fant Library Renovation, PH III**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Burris/Wagnon Architects

Approval Status & Date: APPROVED, June 23, 2016

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, June 23, 2016

Project Initiation Date: January 22, 2015

Design Professional: Burris/Wagnon Architects

General Contractor: TBD

Total Project Budget: \$7,511,444.00

## UNIVERSITY OF MISSISSIPPI

**8. UM– GS 107-308.1 – Union Addition & Renovation – Primary Electric at Grove**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Eley Guild Hardy Architects and Engineers

Approval Status & Date: APPROVED, July 12, 2016

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, July 12, 2016

Project Initiation Date: November 15, 2012

Design Professional: Eley Guild Hardy Architects and Engineers

General Contractor: TBD

Phased Project Budget: \$118,574.00

Total Project Budget: \$58,900,000.00

**9. UM– GS 107-308 – Union Addition & Renovation**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #2**

# EXHIBIT 3

September 15, 2016

Board staff approved Change Order #2 in the amount of \$46,277.00 and zero (0) additional days to the contract of Roy Anderson Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 1, 2016

Change Order Description: Change Order #2 includes the following items: to install a temporary wall at the existing loading dock; and installing 12” insert valves to the east of the tees shown on the mechanical site plan.

Change Order Justification: These changes will fully prevent access to the existing Phase 2 jobsite from occupied areas of the existing union building and the installation of 12” insert valves in the existing lines will prevent shutting the chilled water loop down to make the tie-in with the new CWS and CWR lines.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$257,616.00.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects and Engineers

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$58,781,426.00

Total Project Budget: \$58,900,000.00

## **10. UM– IHL 207-353 – Coulter Hall Additions & Renovations**

### **Approval Request #1: Change Order #16**

Board staff approved Change Order #16 in the amount of \$108,073.00 and zero (0) additional days to the contract of Barlow Eddy Jenkins + Cooke Douglas Farr Lemons, P.A.

Approval Status & Date: APPROVED, July 14, 2016

Change Order Description: Change Order #16 includes the following items: replace p-traps to bottle traps at the lab sinks; and stainless steel duct transtions for exhaust/supply manifolds to 8’ fume hoods.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; and user/owner requested modifications.

Total Project Change Orders and Amount: Sixteen (16) change orders for a total amount of \$523,320.00.

Project Initiation Date: February 16, 2012

Design Professional: Barlow Eddy Jenkins + Cooke Douglas Farr Lemons, P.A.

General Contractor: Carothers Construction, Inc.

Project Budget: \$18,000,000.00

## **11. UM – IHL 207-372.1 – South Campus Recreation Facility & Transportation Hub DEMO**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,076,500.00 to the apparent low bidder, Century Construction and Realty, Inc.

Approval Status & Date: APPROVED, June 22, 2016

### **Approval Request #2: Change Order #1**



# EXHIBIT 3

September 15, 2016

Board staff approved Change Order #1 in the amount of \$29,875.00 and zero (0) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, July 18, 2016

Change Order Description: Change Order #1 includes the following items: additional site work related to one hundred additional feet of concrete encased primary line running from the transformer pad on the southeast corner of the building to the existing concrete utility pole.

Change Order Justification: This change was due to changes in requirements or recommendations by governmental agencies: i.e. revisions in building codes, safety or health regulations, controls on materials specified, etc.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$29,875.00.

Project Initiation Date: August 21, 2014

Design Professional: JBHM Architects, P.A.

General Contractor: Century Construction & Realty, Inc.

Phased Project Budget: \$1,334,786.48

Project Budget: \$32,000,000.00

## **12. UM– IHL 207-375 – Student Housing Phase II**

### **Approval Request #1: Change Order #7**

Board staff approved Change Order #7 in the amount of \$143,589.00 and zero (0) additional days to the contract of B.L. Harbert International, LLC.

Approval Status & Date: APPROVED, August 12, 2016

Change Order Description: Change Order #7 includes the following items: change the lighting fixture type to a low profile can light with an external light control; add guy wire to an existing pole; change the voltage of the outlets in two data rooms from 120v to 208v; repair wall at resident room vanity fixtures & in the vending rooms; add access control provisions to the 3<sup>rd</sup> floor of the east & west stairwell in the north & south buildings; encase in concrete and backfill the existing communication ductbank running north & south along the minor; and add access control provisions to three floors of the east and west stairwell in the north and south buildings.

Change Order Justification: These changes were due to errors & omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$388,768.00.

Project Initiation Date: November 21, 2013

Design Professional: The McCarty Company – Design Group, P.A.

General Contractor: B.L. Harbert International, LLC

Total Project Budget: \$40,000,000.00

## **13. UM– IHL 207-376.1 – STEM Building – Site Abatement & Demolition**

### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$32,988.00 and forty-seven (47) additional days to the contract of Virginia Wrecking Company, Inc.

Approval Status & Date: APPROVED, June 22, 2016

# EXHIBIT 3

September 15, 2016

Change Order Description: Change Order #2 includes the following items: install temporary fencing across the parking lot; install additional fencing and gates; additional asphalt/rock removal; additional concrete removal & backfill; and forty-seven (47) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$62,346.00.

Project Initiation Date: January 16, 2014

Design Professional: McCarty Architects, P.A.

General Contractor: Virginia Wrecking Company, Inc.

Phased Project Budget: \$970,094.19

Total Project Budget: \$8,700,000.00

## **14. UM – IHL 207-385R.1 – Manning – Practice Fields Enlargement REBID**

### **Approval Request #1: Change Order #1R**

Board staff approved Change Order #1R in the amount of \$17,919.26 and zero (0) additional days to the contract of Sports Turf Company, Inc.

Approval Status & Date: APPROVED, July 27, 2016

Change Order Description: Change Order #1R includes the following items: install sanitary manhole and thicken a portion of the concrete walk at the cooling tower.

Change Order Justification: These changes were requested by the user/owner to allow for future crane and maintenance access.

### **Approval Request #2: Change Order #2**

Board staff approved Change Order #2 in the amount of \$18,607.59 and zero (0) additional days to the contract of Sports Turf Company, Inc.

Approval Status & Date: APPROVED, August 10, 2016

Change Order Description: Change Order #2 includes the following items: add a concrete collar around the storm line; eliminate the fence along the east side of field #2 and tie the proposed into the existing fence at each end; add drainage stone to the field; add two risers to the steps from the indoor facility on the east side of field #2; add two (2) irrigation station valves in the common area north of field #1; and replace/lower two (2) 4" diameter conduits across Stadium Field.

Change Order Justification: These changes were due to a storm line encountered during wall installation west of practice field #1; drainage stone was required to extend the field; risers were added due to a rise in elevation of the field due to a survey conflict; valves were added as requested by the user/owner for future use; and conduits were replaced/lowered as discovered during excavation.

### **Approval Request #3: Change Order #3**

Board staff approved Change Order #3 in the amount of \$141,675.63 and zero (0) additional days to the contract of Sports Turf Company, Inc.

Approval Status & Date: APPROVED, August 17, 2016

Change Order Description: Change Order #3 includes the following items: raise valve sleeves in the synthetic turf & cover with blue synthetic turf on the east side of practice field #1; thicken the 14' concrete walk along the north side of practice field #1; add two

# EXHIBIT 3

September 15, 2016

(2) drain inlets at the cooling tower; omit plugging the drain inlets along the east side of practice field #2; eliminate the concrete flume with short nap synthetic turf on the north & south ends of the stadium field; eliminate the catch basin in the northeast corner of the stadium field; cap the existing inlets on the south end of the stadium field with filter fabric and stone; install a concrete curb for the synthetic turf attachment at the stadium field; install a stone base and green infill synthetic turf at each end of the stadium field to match the existing blue on the sidelines; lower/reset the north stadium field goal post to the proper height & install access frames at both goal posts; add 4" diameter line herringbone on the stadium field and replace with a panel drain; add filter fabric to the subgrade below the drainage stone on the stadium field; and replace 'Big Heads' and quick couplers on the stadium field with turf VAH rotors.

Change Order Justification: These changes were due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$178,202.48.

Project Initiation Date: June 19, 2014

Design Professional: Holcombe Norton Partners, Inc.

General Contractor: Sports Turf Company, Inc.

Phased Project Budget: \$4,782,530.00

Project Budget: \$5,351,030.00

## **15. UM– IHL 207-387 – Track Facility Restoration**

### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$55,919.60 and fifty-four (54) additional days to the contract of Xcavators, Inc.

Approval Status & Date: APPROVED, July 15, 2016

Change Order Description: Change Order #2 includes the following items: install spray applied Hobart Texture on the red surface areas of the track; and fifty-four (54) days to the contract.

Change Order Justification: These changes were necessary in order to create a consistent texture on all surface areas of the track as requested by the user/owner; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$88,549.62.

Project Initiation Date: January 16, 2014

Design Professional: CHA Consulting, Inc.

General Contractor: Xcavators, Inc.

Total Project Budget: \$7,900,000.00

## **16. UM – IHL 207-391 – Jackson Avenue Center Phase II Renovation**

### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$15,366.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Approval Status & Date: APPROVED, July 18, 2016

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September 15, 2016

Change Order Description: Change Order #2 includes the following items: repairs to the electrical service & plumbing for two (2) rooms; repair the white pvc conduit under the slab; re-pull the wiring from the junction box to the parking lot pole light; relocate the existing heating water lines around column line 6 and column line 6.2 for installation of a skylight; add six (6) dedicated receptacles and three (3) data outlets stubbed above the ceiling for the vending machines in existing hallways as described by the university.

Change Order Justification: These changes were due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$81,273.00.

Project Initiation Date: August 21, 2014

Design Professional: Shafer & Associates, PLLC

General Contractor: Murphy & Sons, Inc.

Project Budget: \$8,835,000.00

## **17. UM– IHL 207-401 – Wastewater Treatment Facility Expansion**

### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$13,924.00 and zero (0) additional days to the contract of Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, June 22, 2016

Change Order Description: Change Order #1 includes the following items: undercut the EQ basin to approximately 3' depth; haul out bad dirt; import select fill; and place & compact dirt to the appropriate density.

Change Order Justification: These changes were necessary due to the discovery of unsuitable soil at this location.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$523,320.00.

Project Initiation Date: February 16, 2012

Design Professional: Engineering Solutions, Inc.

General Contractor: Hemphill Construction Company, Inc.

Project Budget: \$9,900,000.00

## **18. UM – IHL 207-411 – Oxford-University Stadium (Swayze Field) Addition & Renovation - REBID**

### **Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons, LTD.

Approval Status & Date: APPROVED, July 18, 2016

### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, July 18, 2016

Project Initiation Date: October 15, 2015

Design Professional: Cooke Douglas Farr Lemons, LTD

General Contractor: TBD

Project Budget: \$5,000,000.00

# EXHIBIT 3

September 15, 2016

## **19. UM– IHL 207-413 – Greek Village Pre.iminary Lot Grading (Revised)**

### **Approval Request #1: Change Order #1**

Board staff approved Change Order #1 in the amount of \$8,930.00 and zero (0) additional days to the contract of Michael Pittman Construction Company, Inc.

Approval Status & Date: APPROVED, July 12, 2016

Change Order Description: Change Order #1 includes the following items: install advanced warning signs along the reverse turn of the relocated portion of Chucky Mullins Drive; the addition of two (2) each reverse curve signs with advisory speed plaques indicating an advisory speed of 15 mph for the reverse curve; installation of Chevron alignment signs (20 each) for additional emphasis & guidance for the change in horizontal alignment for the reverse turn to be placed along both curves & shall be spaced approximately 40 feet apart; installation of temporary traffic barricades placed in accordance with recommended spacing along the Whirlpool Building and truck dock side of the relocated portion of Chucky Mullins Drive; installation of a water service line for the proposed guard shack; installation of a water service tap to the existing 8-inch ductile iron fire protection line that is onsite; the setting of a residential meter box; placement of a pvc service line; provide water service to the proposed guard booth location to include payment of the applicable water service connection fee to the City of Oxford Public Works Department; a deduction in the project costs pertaining to the adjustment of plan quantities based on the site plan modifications associated with the relocation of the proposed guard booth and as-built quantities of work performed during the relocation of Chucky Mullins Drive.

Change Order Justification: These changes were due to user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$8,930.00.

Project Initiation Date: December 17, 2015

Design Professional: Precision Engineers Corporation

General Contractor: Michael Pittman Construction Company, Inc.

Project Budget: \$1,933,636.00

## **UNIVERSITY OF MISSISSIPPI MEDICAL CENTER**

## **20. UMMC – IHL 209-552 – School of Medicine Infrastructure-Contract 2**

### **Approval Request #1: Change Order #2**

Board staff approved Change Order #2 in the amount of \$23,649.00 and zero (0) additional days to the contract of Cooke Douglas Farr Lemons Architects & Engineers.

Approval Status & Date: APPROVED, August 2, 2016

Change Order Description: Change Order #2 includes the following items: relocate the gate at Ronald McDonald House; lower the existing 3" steel gas main at the roadway; remove & replace 86 lf of curb and gutter; lower the existing oxygen line; and remove & replace 15 square yards of 4" concrete.

# EXHIBIT 3

September 15, 2016

Change Order Justification: These changes were necessary due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$334,739.00.

Project Initiation Date: March 19, 2015

Design Professional: Cooke Douglass Farr Lemons Architects & Engineers

General Contractor: Hemphill Construction Company, Inc.

Project Budget: \$2,087,108.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

### **21. USM – GS 108-261 – School of Nursing**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Change Order #7**

Board staff approved Change Order #7 in the credit amount of \$7,305.36 and zero (0) additional days to the contract of Hanco Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, June 29, 2016

Change Order Description: Change Order #7 includes the following items: delete testing of 276 fixed seating; add a sink cabinet to the home health room and replace unsuitable soil with select fill in the east parking area.

Change Order Justification: These changes were due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Seven (7) change orders for a total credit amount of \$1,282,061.48.

Project Initiation Date: September 17, 2009

Design Professional: Studio South Architects, PLL and Eley Associates/Architects

General Contractor: Hanco Corporation

Total Project Budget: \$30,000,000.00

### **22. USM– GS 110-097 – Campus Repairs and Renovations – USM-GCRL**

**NOTE: This is a Bureau of Building project**

**Approval Request #1: Approval of Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Allred Architecture.

Approval Status & Date: APPROVED, August 2, 2016

Project Initiation Date: October 15, 2015

Design Professional: Allred Architecture

General Contractor: TBD

Total Project Budget: \$2,000,000.00

# EXHIBIT 3

September 15, 2016

## EDUCATION AND RESEARCH CENTER

### **23. ERC– GS 111-052 – Structural & Subsurface Repair**

**NOTE: This is a Bureau of Building project**

#### **Approval Request #1: Change Order #2 Rev2**

Board staff approved Change Order #2R2 in the amount of \$24,274.50 and sixty (60) additional days to the contract of Gregory Construction Services. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 29, 2016

Change Order Description: Change Order #2R2 includes the following items: rebuild the south courtyard with exposed aggregate and broom-finish concrete in lieu of pavers, and with simplified planting areas; rebuild the tower and east & west courtyards with exposed aggregate and broom finish concrete; limit the depth of the normal-weight concrete where the new concrete paving is to be placed over the garage roof slab at the east courtyard; provide additional demolition to remove all features of the existing plaza paving, planting, site electrical & irrigation system; preserve intact all the existing site drainage piping in the south plaza area; relocate the existing drain inlets; provide additional exposed aggregate and broom finish concrete to areas which had not been previously disturbed; install 6" diameter pvc sleeves connecting all existing & new planter areas in the south plaza; broadcast approximately 50 tons of granulated quicklime on the ground surface & incorporate the lime into the upper 9" of earth, compact, grade & leave ready to receive asphalt paving; and sixty (60) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; weather; and user/owner requested modifications.

Total Project Change Orders and Amount: Two Revised (2) change orders for a total amount of \$174,274.50.

Project Initiation Date: November 21, 2013

Design Professional: JBHM

General Contractor: Gregory Construction Services, Inc.

Total Project Budget: \$3,563,570.87

### **24. ERC– GS 111-053 – Primary Electrical Replacement**

**NOTE: This is a Bureau of Building project**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on June 22, 2016 to approve the budget increase from \$1,834,133.00 to \$2,000,000.00, an increase of \$165,867.00 and appointment of Atherton Consulting Engineers, Inc. as the design professional

Interim Approval Status & Date: APPROVED, June 22, 2016

#### **Approval Request #2: Schematic Design Documents**

Board staff approved the Schematic Design Documents as submitted by Atherton Consulting Engineers, Inc.

Approval Status & Date: APPROVED, June 30, 2016

#### **Approval Request #3: Waiver of Design Development Documents**

# EXHIBIT 3

September 15, 2016

Board staff approved the Waiver of Design Development Documents as submitted by Atherton Consulting Engineers, Inc.

Approval Status & Date: APPROVED, June 30, 2016

Project Initiation Date: September 17, 2015

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: TBD

Total Project Budget: \$2,000,000.00



# EXHIBIT 4

September 15, 2016

## SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

### **Legal fees approved for payment to outside counsel in relation to litigation and other matters:**

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 7/25/16) from the funds of Mississippi State University. (This statement, in the amount of \$2,243.88, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,243.88**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 5/27/16) from the funds of the University of Mississippi. (This statement, in the amount of \$28,446.30, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 28,446.30**

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 6/6/16, 6/14/16, 7/6/16 and 8/5/16) from the funds of the University of Mississippi. (These statements, in the amounts of \$22,529.54, \$9,525.11, \$34,125.96 and \$44,376.48, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 110,557.15**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 4/20/16, 6/30/16, 7/6/16, 7/11/16, 7/14/16, 7/14/16, 7/14/16, 7/15/16, 7/15/16, 7/20/16 and 8/8/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$993.01, \$9,677.50, \$2,595.90, \$1,501.70, \$7,154.00, \$367.50, \$1,029.00, \$2,009.00, \$2,817.50, \$2,597.00 and \$1,592.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 32,334.61**

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 7/21/16 and 7/29/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,173.00 and \$759.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,932.00**

# EXHIBIT 4

September 15, 2016

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 8/5/16) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$5,908.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 5,908.50**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 8/16/16) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$3,552.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 3,552.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 8/1/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$2,500.00, \$1,500.00, \$1,541.33, \$1,500.00, \$1,500.00, \$47.92, \$28.23, \$65.82, \$48.12 and \$862.50, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 9,593.92**

## **Legal fees approved for payment to outside counsel in relation to patent and other matters:**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 12/9/15, 12/15/15, 1/12/16, 3/24/16, 3/24/16, 6/16/16, 6/30/16, 6/30/16 and 6/30/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Kim- Listeria and Salmonella Assay Methods and Kits” - \$2,184.72; “Kim- Listeria and Salmonella Assay Methods and Kits” - \$3,362.75; “Kim- Listeria and Salmonella Assay Methods and Kits” - \$670.00; “Live Attenuated Catfish Vaccine” - \$129.00; “Engineering the Production of a Conformational Variant of Occidiofungin” - \$900.00; “Occidiofungin Patent Applications” - \$120.00; “Weed- Pelvic Floor Strength Assessment Device” - \$552.00; “Kim- Vibrio Assay Methods and Kits” - \$528.00 and “Kim- Listeria and Salmonella Assay Methods and Kits” - \$240.00, respectively.)

**TOTAL DUE.....\$ 8,686.47**

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/22/16, 7/22/16, 7/22/16, 7/22/16, 7/22/16, 7/22/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16 and 7/26/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Generation of Imazapic Resistance Switchgrass Population” - \$71.25; “Using Biochar, A Byproduct from Thermal Chemical Conversion of Biomass” - \$1,278.75; “MSU-Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans-Europe”

# EXHIBIT 4

September 15, 2016

- \$71.25; “MSU-Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans-Japan” - \$6,441.20; “MSU-Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans-South Korea” - \$150.00; “MSU-Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning-Europe” - \$603.75; “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - \$2,660.00; “Improving Rice Nutrition and Taste Via Disruption of Grain Starch Crystalline” - \$71.25; “Neshoba-Crapemyrtle Trademark Registration Application” - \$292.50; “Pascagoula-Crapemyrtle Trademark Registration Application” - \$340.00; “Sequoyah-Crapemyrtle Trademark Registration Application” - \$463.75; “Shumaka-Crapemyrtle Trademark Registration Application” - \$440.00; “Tishomingo-Crapemyrtle Trademark Registration Application” - \$292.50; “MSU-Method and System for Estimating Age of an Animal” - \$1,123.75; “Southern Gardening Service Mark” - \$1,045.00; “Inhomogeneous Computer Interconnects for Classical and Quantum Computers” - \$498.75; “Fiber Separation from Grains and Grain Products using Electrostatic Methods” - \$166.25; “Improving Rice Nutrition and Taste Via Disrupting Grain Starch Crystallization” - \$118.75; “Method for Obtaining Unit Transmission in Nanodevice Electrol Propagation: Full Transmission without Ballistic Propagation and Associated Field-Effect Transistors” - \$47.50; “Therabot Trademark Word Mark Registration Application” - \$71.25; “Shockwave Mitigating Helmets” - \$567.50; “Helmets with Facemask Gaskets” - \$95.00; “Personal Protective Equipment Liner” - \$95.00; “The Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity against Fungal Species” - \$746.62; “Method for Epitaxial Growth of Silicon Carbide” - \$940.00; “Mos Transcapacitance Charge Pump” - \$65.00; “Synthesis and Quality Control Methods of Carbon Encapsulated Copper Nanoparticles from Lignin” - \$350.00; “Using Carbon-Encapsulated Copper Nanoparticles for Catalytic Conversion of Carbon Dioxide to Methanol” - \$231.25; “Ratiometric Resonance Synchronous Spectrophotometer and Methods of Configuration and Use” - \$397.50; “Accessories for Raman and Luminescence Spectral Acquisitions” - \$445.00; “Novel Oximes for Reactivating Butrylcholinesterase” - \$278.75; “Acetylcholinesterase (AChE) Reactivation by Novel Oximes and Pralidoxime Chloride (2-PAM) after Inhibition with Cyclosarin Surrogate” - \$278.75; “Ratiometric Resonance Synchronous Spectrophotometer and Methods of Configuration and Use” - \$278.75; “Microchannel Battery Module Cooling System” - \$166.25; “Utilization of Oleaginous Microorganisms as an Oral Supplement for Animals” - \$5,612.25; “Poly(Heterocyclic Diphenylamine)s Compounds and Highly Conducting Polymers and Methods of Synthesis” - \$326.25; “Microenvironment Incubation Method and Apparatus” - \$350.00; “Bandwidth-Based Methodology for Controlling and Optimally Designing a Hybrid Power System” - \$2,026.25 and “MSU- ‘Car of the Future’ Service Mark” - \$937.50, respectively.)

**TOTAL DUE.....\$ 30,727.57**

Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 6/23/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Live Attenuated Edwardsiella Ictaluri Vaccine and Method for Delivery” - \$83.50.)

**TOTAL DUE.....\$ 83.50**

# EXHIBIT 4

September 15, 2016

Payment of legal fees for professional services rendered by Valauskas|Corder (statement dated 7/14/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Blue Stain System” - \$105.00.)

**TOTAL DUE.....\$ 105.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/26/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$168.00, \$2,503.00, \$256.00, \$783.50, \$582.00, \$368.00, \$203.50, \$976.00, \$972.50, \$132.50, \$3, 872.00 and \$529.50, represent services and expenses in connection with intellectual property/patents.)

**TOTAL DUE.....\$ 11,346.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/28/16 and 7/31/16) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Trademark Application for the Centennial Anniversary” - \$628.00 and “Urban -Covalent Attachment of Bacteriophages to Polymeric Surfaces” - \$201.87, respectively.)

**TOTAL DUE.....\$ 829.87**

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 2/5/16, 7/18/16, 7/18/16, 7/18/16, 7/18/16, 7/18/16, 7/19/16, 7/19/16, 7/19/16, 7/19/16, 7/19/16 and 7/19/16) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “FFC-IP Matter” - \$878.75; “Compositions for Protection of Skin Against Thermal” - \$1,095.00; “Glycerol Ester-Free Functionalized Vegetable Oil Derivatives and Their Latex Compounds” - \$408.75; “USM/FFC IP Matter” - \$736.25; “Preparation of High Molecular Weight Polyacrylonitrile” - \$47.50; “Sonication Enhanced Propagation of Amyloid-B” - \$231.25; “Continuous High Shear Reactor Processing Method to Synthesize Benzoxazine Monomers and Prepolymers” - \$47.50; “Continuous High Shear Reactor Processing Method to Synthesize Benzoxazine Monomers and Prepolymers” - \$47.50; “Diamine Curatives for High Crosslink Density Epoxy Networks and Compositions Thereof” - \$1,401.25; “Aryletherketone Epoxies as a Distortional Modifier for High Crosslink Density” - \$1,733.75; “Narrow Band Gap Conjugated Polymers Employing Cross Conjugated” - \$641.25; “Method for Matching Stereo Vision” - \$440.00 and “Soy Protein Based Adhesive Containing a Vegetable Oil Derivative” - \$1,850.00, respectively.)

**TOTAL DUE.....\$ 9,558.75**