

MISSISSIPPI  
BOARD OF TRUSTEES  
OF STATE  
INSTITUTIONS OF HIGHER LEARNING



FINAL BOARD BOOK  
January 21, 2015



# **FINAL BOARD BOOK OUTLINE**

## **IHL Board Meeting**

January 21, 2016 8:30 a.m.

IHL Boardroom Universities Center

3825 Ridgewood Road

Jackson, MS 39211

## **CALL TO ORDER**

## **PRAYER**

Trustee Karen Cummins

## **INTRODUCTION OF GUESTS**

## **MINUTES**

December 17, 2015 Teleconference Meeting

## **PRESENTATION**

Mississippi Business Engagement Network

Paul Sumrall, Director of Business and University Relations

**CONSENT AGENDAS**

Trustee Alan Perry

**FINANCE**

1. JSU – Approval to Enter into a Lease Agreement with Berney Office Solutions, A Xerox Company .....	1
2. MSU – Approval to Enter into a Services Agreement with Key Solutions, Inc.....	3
3. MSU – Approval to Amend a Subscription Agreement with Wiley Subscription Services, Inc. ....	5
4. UM – Approval to Enter into a Services Agreement with Gameday Management Services, LLC .....	6
5. UM – Approval to Enter into a Services Agreement with Metrolaser, Inc. ....	7
6. UM – Approval to Enter into a Services Agreement with Nolan, Inc. ....	9
7. UM – Approval to Enter into a Contractual Services Lease Agreement with Ole Miss Athletics Foundation, Inc. ....	11
8. UMMC – Approval to Enter into a Services Agreement with Baxter Healthcare Corporation .....	12
9. UMMC – Approval to Enter into an Agreement with CHG Companies, Inc. d/b/a CompHealth .....	15
10. UMMC – Approval to Enter into an Agreement with Executive Revenue Cycle Partners, LLC d/b/a/Ensemble Health Partners .....	17
11. UMMC – Approval to Amend a Services Agreement with GE Medical Systems Information Technology, Inc. d/b/a/ GE Healthcare .....	19
12. UMMC – Approval to Enter into a Services Agreement with MC AnalyTXs, Inc.....	21
13. UMMC – Approval to Enter into a Services Agreement with McCann Erickson USA, Inc. d/b/a MRM/McCann.....	24
14. UMMC – Approval to Enter into a Services Agreement with Medical Legal Resources, LLC .....	27
15. UMMC – Approval to Amend a Services Agreement with Press Ganey Associates, Inc. ....	30
16. UMMC – Approval to Enter into a Rental Agreement with Robert J. Young Company, Inc. ....	31

**REAL ESTATE**

Approval of Initiations of Projects/Appointments of Professionals

*Bureau of Building Projects*

- 1. USM – GS 110-097 – Campus Repairs and Renovations, Design Professional –Allred Architectural Group .....4

*IHL Projects*

- 2. MSU – IHL 205-280 – Pre-Planning for Starkville Oktibbeha Consolidated School District Partnership Middle School, Design Professional – JH&H Architects.....5
- 3. MSU – IHL 205-282 – MSU Library Exhibit Space, Design Professional – Healy Kohler Design, Inc. ....6

Approval of Budget Increases/Change of Scopes/Change of Funding Source(s)

*Bureau of Building Projects*

- 4. ASU – GS 101-297 – Technology Classroom Building, Design Professional – Allred Architectural Group .....7

*IHL Projects*

- 5. USM – IHL 210-245 – Toxicology Building, Cedar Point, Design Professional – Allred Architectural Group .....9

Approval of Other Real Estate Requests

- 6. MSU – Delete from Inventory – Building #1566 and #1577 .....10
- 7. UM – IHL 207-392 – North Parking Structure – Approval of the Exterior Design, Design Professional – Eley Guild Hardy Architects, P.A. ....11
- 8. SYSTEM – Approval of Modification of Facility Needs Request for the 2016 Legislative Session .....12

**LEGAL**

- 1. MSU – Approval to Modify Contract with Jones Walker LLP as Outside Counsel .....1
- 2. UMMC – Approval to Modify Contract with Watkins and Eager, PLLC as Outside Counsel .....1

**PERSONNEL**

- 1. Employment (DSU) .....1
- 2. Sabbatical (MSU Revision) .....1
- 3. Emeritus Status (USM).....1

**REGULAR AGENDAS**

**ACADEMIC AFFAIRS**

Trustee Ford Dye

- 1. SYSTEM – Final Approval of Proposed Amendments to Board Policy Section 600 – Student Affairs and Admissions: Subsection 608 Intermediate Courses.....1
- 2. SYSTEM – Final Approval of Proposed Amendments to Board Policy Section 600 – Students Affairs and Admissions: Subsection 610 Residency Requirements (E) Residency Petitions.....2

**LEGAL**

Trustee Hal Parker

- 1. UMMC – Approval to Settle Tort Claim No. 2060 .....1

**INFORMATION AGENDAS**

Commissioner Glenn Boyce

**FINANCE**

- 1. USM – Update on Refunding of Educational Building Corporation Bonds Not to Exceed \$140,000,000 Approved by the Board in February 2015 .....1

**REAL ESTATE**

- 1. SYSTEM – Real Estate Items Approved Subsequent to the November 19, 2015 Board Meeting
  - Delta State University .....2
  - Jackson State University .....2
  - Mississippi State University .....4
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University of Mississippi Medical Center .....	20
University of Southern Mississippi.....	21
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**LEGAL**

1. SYSTEM – Report of Payments to Outside Counsel .....	1
2. MSU – Emergency Approval to Contract with Morrison Mahoney, LLP as Outside Counsel .....	6
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**ADMINISTRATION/POLICY**

1. SYSTEM – Commissioner’s Notification of Approval.....	1
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**ADDITIONAL AGENDA ITEMS IF NECESSARY**

**OTHER BUSINESS/ANNOUNCEMENTS**

**EXECUTIVE SESSION IF DETERMINED NECESSARY**

**ADJOURNMENT**

MISSISSIPPI  
BOARD OF TRUSTEES  
OF STATE  
INSTITUTIONS OF HIGHER LEARNING



MINUTES FOR:

December 17, 2015 Teleconference Board Meeting

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
December 17, 2015**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a teleconference meeting at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 24, 2014, to each and every member of said Board, said date being at least five days prior to this December 17, 2015 meeting. At the above-named place there were present the following members to wit: Mrs. Karen L. Cummins (by phone), Mr. Tom Duff (by phone), Dr. Ford Dye (by phone), Mr. Shane Hooper (by phone), Dr. Alfred E. McNair, Jr. (by phone), Mr. Chip Morgan (by phone), Mr. Hal Parker (by phone), Mr. Alan Perry, Ms. Christine Pickering (by phone), Dr. Douglas Rouse (by phone), Mr. C.D. Smith (by phone) and Dr. J. Walt Starr (by phone). The meeting was called to order by Mr. Alan Perry, President.

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss regular monthly items submitted by the public universities for approval by the Board.**

**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Pickering, with Trustees Duff and Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on November 19, 2015.

**CONSENT AGENDA**

On motion by Trustee Smith, seconded by Trustee McNair, with Trustees Duff and Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

**FINANCE**

1. **UM** – Approved the request to amend the October 15, 2015 Board minutes to correct a clerical error as it relates to the ground and operating leases with the Ole Miss Athletics Foundation. Specifically, item number 4 on the Finance Regular Agenda misstated the amount of the outstanding principal of the Ole Miss Athletics Foundation as obligated to the University of Mississippi through the ground and operating leases approved by the Board. The original agenda item stated as follows:

*Contract Amount: We anticipate paying principal of \$1.5 million at the time of refinancing which should equate to future monthly lease payments of approximately \$95,000 over the term of the lease.*

This language intended to state that the university would reduce the then outstanding principal of \$15 million by making a one-time \$1.5 million payment. The minutes as approved appear to limit the authorized outstanding principal to \$1.5 million rather than the originally authorized amount not to exceed \$15 million.

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The proposed corrections to the item in the October 15, 2015 Board minutes are shown below:

UM – Approved the request to enter into new ground and operating leases with the Ole Miss Athletics Foundation for the parking garage. On November 26, 2013, the Mississippi Business Finance Corporation (MBFC) issued Series 2013A Bonds (Bonds), the proceeds of which were used by the Ole Miss Athletics Foundation (Foundation) to construct an approximate 820 stall parking garage on the main university campus in Oxford, Mississippi (Project Site). In conjunction with the issuance of the Bonds, a Ground Lease dated November 1, 2013 was entered into between the University and the Foundation, whereby the Project Site was leased to the Foundation. In addition, a Lease dated November 1, 2013 was entered into between the university and the Foundation (Lease), whereby the university leased the Parking Facilities Project from the Foundation. The original maturity of the Bonds is December 1, 2016. Regions Capital Advantage, Inc., the original purchaser of the Bonds (Bank), has offered to extend the maturity of the Bonds and adjust the interest rate on the Bonds to 30 day LIBOR, plus 100 basis points (if determined as an indicative rate on 9/1/15, the rate would be 1.20%). In order to take advantage of the Bank's proposal, the 2013A Bonds need to be refunded with new bonds. Upon the issuance of the new bonds and the subsequent refunding of the 2013A bonds, the underlying Lease and Ground Lease will be terminated. Therefore, it is necessary to enter into a new lease and ground lease as it relates to the new bonds. The leases will commence upon approval and continue through the term of the underlying financing. ~~The estimated principal is \$1.5 million at the time of refinancing which should equate to future monthly lease payments of approximately \$95,000 over the term of the lease.~~ The Foundation anticipates making a principal payment of \$1.5 million at the time of refinancing. Therefore, the refinanced principal amount is expected to be in an amount not to exceed \$13.5 million which should equate to future monthly lease payments of approximately \$95,000 over the term of the lease. The Board originally authorized an outstanding principal amount of not to exceed \$15 million in Fall 2013. Funds are available from parking and transportation revenues and reserves. The agreements which have been reviewed and approved by the Attorney General's Office are on file in the Board Office.

**REAL ESTATE**

2. **DSU** – Approved the appointment of Cooke Douglass Farr Lemons Architects as the design professional for **GS 102-258, Pre-Plan Sillers Coliseum Renovations**. DSU used the Request for Qualifications (RFQ) method to select the design professional. The university initiated the project for design fees only in October 2014. The university anticipates the project will exceed \$1,000,000 and will bring the project back to the Board at a later date to increase the project budget once the project scope and budget have been better defined. The project will consist of pre-planning and design for structural repairs and improvements such as ADA compliance, bathroom renovation, and energy efficiency lighting improvements to the Walter Sillers Coliseum. The estimated project budget is \$350,000. Funds are available from HB 787, Laws of 2014 (\$350,000).
3. **DSU** – Approved the appointment of Architecture South as the design professional for **GS 102-260, Pre-Plan Zeigal Hall Renovations**. DSU used the Request for Qualifications (RFQ) method to select the design professional. The university initiated the project for design fees only in October 2014. The university anticipates the project will exceed

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- \$1,000,000 and will bring the project back to the Board at a later date to increase the project budget once the project scope and budget have been better defined. The project will improve and upgrade Zeigal Music Hall. The project will consist of pre-planning and design for improvements such as ADA compliance, bathroom renovation, energy efficiency, new HVAC mechanical equipment, and interior renovation. The estimated project budget is \$350,000. Funds are available from HB 787, Laws of 2014 (\$350,000).
4. **DSU** – Approved the appointment of Burriss Wagnon Architects as the design professional for **GS 102-262, Pre-Plan Young Mauldin Renovations**. DSU used the Request for Qualifications (RFQ) process to select the design professional. The project will consist of pre-planning, design, and construction for improvements to Young Mauldin Cafeteria such as ADA compliance, bathroom renovation, energy efficiency lighting, new HVAC mechanical equipment, and updates to the interior of the building. The estimated project budget is \$5,350,000. Funds are available from HB 787, Laws of 2014 (\$5,350,000).
  5. **UM** – Approved the initiation of **IHL 207-413, Greek Village Preliminary Lot Grading**, and the appointment of Precision Engineers Corporation as the design professional. Preliminary grading is required to provide temporary parking on footprint of conceptual Greek Village project. The estimated project budget is \$1,933,636. Funds are available from Internal R&R (\$1,933,636).
  6. **USM** – Approved the request to modify the scope of **GS 108-281, Green and Chain Renovations**, and to approve the exterior design of the proposed addition to Greene Hall. The Department of Medical Laboratory Science will remain at the Chain Technology Building rather than move into Greene Hall as originally defined. The renovation buildout for the School of Criminal Justice that was to occur in Chain Technology was relocated to Greene Hall in what would have been the Medical Laboratory's space. In doing so, the renovation of Chain Technology has been removed from the project scope. The project will now only involve the renovation of Greene Hall in the newly defined project scope. The proposed work on Greene Hall includes interior plan reconfigurations to allow for repurposing of existing space for use by the College of Health and the College of Science and Technology. The proposed new one story addition to Greene Hall will house new academic space (commercial food labs) for the Department of Nutrition and Food Science. A copy of the rendering of the proposed addition to Greene Hall is included in the bound *December 17, 2015 Board Working File*. The estimated project budget is \$7 million. Funds are available from HB 787, Laws of 2014 (\$5,000,000); SB 3100, Laws of 2011 (\$1,933,100); and HB 1641, Laws of 2008 (\$66,900).
  7. **UM** – Approved the request to increase the budget for **IHL 207-382, South Campus New Storm Water Drainage Phase I**, from \$1,800,000 to \$2,200,000, an increase of \$400,000. This is the second budget escalation by UM for this project. The proposed change would include a retaining wall, curb and gutter as well as asphalt paving, and would yield 30-40 additional parking spaces. Funds are available from Internal R&R Funds (\$2,200,000).
  8. **UM** – Approved the request to increase the budget for **IHL 207-392, North Parking Structure**, from \$2,000,000 to \$34,550,000, an increase of \$32,550,000. This is the first budget escalation by UM for this project. The increase is necessary to establish an updated accurate project budget now that the scope of the project has been finalized. The previous project budget was for design fees only. The university intends to construct a new seven-level parking structure in the north housing district on campus. The parking structure will

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- provide approximately 1,500 additional parking spaces in this district. Funds are available from Internal R&R Funds (\$34,550,000).
9. **MSU** – Approved the request to name the new softball and tennis facility “Nusz Park”. The facility is currently under construction and scheduled to open in February 2016. The softball and tennis complex includes, but does not replace or rename, the A. J. Pitts Tennis Centre. The two athletics venues are connected by a courtyard and pedestrian walkway. The proposed naming is in recognition of Tommy and Terri Nusz of Houston, Texas, who in 2013 contributed \$3.3 million to advance and support women’s Olympic sports at Mississippi State. The gift helped make possible the new softball and tennis facility as well as improvements to other athletics facilities. Total contributions to MSU athletics by the Nusz family exceed \$5.9 million, and contributions to the university exceed \$12 million.
  10. **MSU** – Approved the request to grant easements to Cooley Center, LLC, Cooley Center Hotel, LLC, and Russell Street Development, LLC to access property MSU owns surrounding the Cooley Building and hotel in order for these entities to operate the conference center and hotel. Additionally, MSU will obtain an easement from these entities for access to the Mill’s parking lot off Mill Street. The property descriptions are included in the bound *December 17, 2015 Board Working File*. A copy of the legal description of the access easement is on file with the IHL Office of Real Estate and Facilities. The Attorney General’s Office has reviewed and approved this item.
  11. **MSU** – Approved the request to amend the Access and Maintenance easement entered into in March 2014 with the City of Starkville. This amended easement allows the City of Starkville access to maintain the roadway and corrects the property descriptions in the easement to match the as built descriptions. The terms of the access and maintenance easement are for two perpetual non-exclusive easements for the benefit of Lot 1 of the subdivision (the “Tract 2-A Easement Area” and the “Tract 2-B Easement Area”) and one perpetual non-exclusive easement for the benefit of Lot 2 of the subdivision (the Tract 2-C Easement Area”). The amended property descriptions are included in the bound *December 17, 2015 Board Working File*. A copy of the legal description of the access easement is on file with the IHL Office of Real Estate and Facilities. The Attorney General’s Office has reviewed and approved this item.
  12. **MVSU** – Approved the request to accept donated property located at 227 Delta Drive, Itta Bena, Mississippi from Claude G. Perkins. The property is a one-story residence which is adjacent to the MVSU campus has approximately 3,162 square feet and consists of 3 bedrooms and 3 bathrooms. The site area of the property consists of 26,500 square feet. The property appraised for \$140,000 but the university is receiving the property at no cost to the university as part of a donation. The property description is included in the bound *December 17, 2015 Board Working File*. The closing shall be held at a location mutually agreeable to the parties on or before November 16, 2015 or upon such earlier or later date and time per agreement by the parties. The sale price will be \$201,250. A Phase I Environmental Site Assessment (ESA) has been conducted on the property listed above. 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.

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13. **MVSU** – Approved the request to name the donated residence located at 227 Delta Drive, Itta Bena, Mississippi as “The Dr. Olympia Parkye Lowe and Mrs. Henri Etta Walker Lowe Guest House”. This property is the former home of two distinguished MVSU professors. After their passing, the property was willed to their godson Dr. Claude G. Perkins, an alumnus who gifted it to the university. Both Dr. and Mrs. Lowe were dedicated and sincerely committed to the well-being of students, their minds, and hearts.
14. **UMMC** – Approved the request to sell the building and property of the former Byram Courthouse located at 136 Byram Parkway South, Byram, Hinds County, Mississippi to William H. Myers II in the amount of \$805,000. UMMC is selling the facility based on the recommendation of Power Wellness Management, LLC, the outside management firm. The property description is included in the bound *December 17, 2015 Board Working File*. The University received two independent property appraisals. The first appraisal was in the amount of \$810,000. The second appraisal was in the amount of \$800,000. The university is selling the property for \$805,000 which is the average of the property’s two appraised values. The closing date is on or before December 31, 2015. A Phase I Environmental Assessment (ESA) is not required for sale of property. The Attorney General’s Office has reviewed and approved this item. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities.

**LEGAL**

15. **SYSTEM** – Approved the request to grant permission for a six-month extension of any affiliation agreements between the state universities and their affiliated foundations or alumni associations that will expire within the next 90 days, to allow more time for possible improvements to the Board policy on affiliated entities (301.0806 University Foundation/Affiliated Entity Activities), which may impact the required provisions for new affiliation agreements.

**PERSONNEL REPORT**

16. **CHANGE OF STATUS**

**Mississippi State University**

Julia E. Hodges; *from* Professor and Associate Vice President for Academic Affairs; salary of \$202,000 per annum, pro rata; E&G Funds; *to* Interim Provost and Executive Vice President for Academic Affairs; salary of \$270,000 per annum, pro rata; E&G funds; effective January 1, 2016

Allison W. Pearson; *from* Professor and Endowed Professor, Management and Information Systems; salary of \$163,267 ( nine-month contract); E&G Funds; *to* Interim Associate Vice President for Academic Affairs and Professor and Endowed Professor, Management and Information Systems; salary of \$220,000 per annum, pro rata; E&G funds; effective January 1, 2016

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**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Hooper, seconded by Trustee Pickering, with Trustee Duff absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda items #1 - #3 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve agenda item #4.

1. **SYSTEM** – Approved for final reading the proposed increases in resident and non-resident tuition rates at all institutions and for certain professional schools at Mississippi State University, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi effective for fiscal year 2017 and 2018. As required by Board Policy 702.04 (C) Consideration of Requests, the Board reviewed the requested increases for 30 days prior to the final vote. **(See Composite Exhibit 1.)**
2. **SYSTEM** – Approved for final reading the multi-year increases in room rates at Jackson State University, Mississippi State University, Mississippi Valley State University, the University of Mississippi, and the University of Southern Mississippi effective for fiscal years 2016, 2017 and 2018. As required by Board Policy 702.04 (C) Consideration of Requests, the Board reviewed the requested increases for 30 days before the final vote. **(See Exhibit 2.)**
3. **SYSTEM** – Approved for final reading the multi-year increases in board rates at Mississippi Valley State University and the University of Mississippi effective for fiscal years 2017 and 2018. As required by Board Policy 702.04 (C) Consideration of Requests, the Board reviewed the requested increases for 30 days before the final vote. **(See Exhibit 3.)**
4. **System** – Approved the request to enter into a contract with Willis of Mississippi, Incorporated (Willis) for property insurance brokerage and consulting services to service the system’s property and casualty insurance needs. The term of the contract will be January 1, 2016 through December 31, 2020. The contract will be for a guaranteed fixed price of \$215,000 per year, which over the five-year term will total \$1,075,000. Each university and the Board Office are directly billed for their respective share of this contract cost at the time when system-wide insurance is purchased. This contract will result in a reduction to the contractor’s customary fee in the amount of \$35,000 per year. A copy of the contract is on file in the Board Office.

**LEGAL AGENDA**

Presented by Trustee Hal Parker, Chair

1. **MSU** – The Board received a report from Dr. Mark Keenum, President of Mississippi State University, regarding the plans to partner with the Starkville Oktibbeha County School District regarding a “Partnership School” to create a leading academic and research center for rural education development near the MSU main campus.

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**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Glenn F. Boyce

On motion by Trustee Rouse, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Administration/Policy Agenda.

1. **UMMC** – Approved the request to put two additional helicopters in service as provided under UMMC’s current agreement with PHI Air Medical, LLC (PHI). The current agreement with PHI was approved by the IHL Board on June 18, 2015, and it provides for air ambulance operation, maintenance, and insurance of the UMMC-owned helicopter, as well as the operation, maintenance, and insurance of up to three (3) PHI owned helicopters. The Board approved the operation of one helicopter and required UMMC to return to the Board for authority to put the two additional helicopters into service along with a report to be made in six months. The Board received the requested operational and financial report on the UMMC helicopter transport program. The Board also approved the request to pay the flat monthly fees in advance for the following month in accordance with Board Policy 707.03 Approval for Prepayment for Goods or Services. The contract was approved for a five (5) year term extending from July 1, 2015, through June 30, 2020. The total cost of the contract approved by the IHL Board in June, is \$54,535,443.39 over the five (5) year term. There will be no increase in cost related to the current request, as the cost previously approved included two (2) optional helicopters. A breakdown of the costs is included in the bound *December 17, 2015 Board Working File*. The flat monthly rates for operational fees include personnel, insurance, maintenance, and lease costs (for the leased aircraft). The flat monthly rates will be invoiced and due in advance for the following month. The flight hour fees are a variable cost, with an assumed calculation of 70 flight hours per month per aircraft, based upon historic monthly flight hours. The flight hour fees will be invoiced and due in arrears after the month’s services have been performed. Beginning in Year 2, all fees are subject to a three percent (3%) annual price increase. The agreement will be funded by hospital patient revenues.

**OTHER BUSINESS**

By consensus, the Board approved the amendment to Real Estate Consent Agenda item #14 (shown above) related to the sale of the Byram Courthouse Facility located at 136 Byram Parkway South, Byram, Hinds County, Mississippi. The university is selling the property for \$805,000 which is the average of the two property appraisals plus \$20,000 for the equipment in the facility for a total of \$825,000.

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**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**FINANCE**

1. **System** – In accordance with the *JAKE AYERS, JR. ET AL. and United States of America v RONNIE MUSGROVE, GOVERNOR, STATE OF MISSISSIPPI, ET AL.* Settlement Agreement, publicly and privately funded endowments were created for the benefit of Alcorn State University, Jackson State University and Mississippi Valley State University. The endowments were to “remain under the control of the Board until such time as the historically black university attains a total headcount other-race enrollment of 10% and sustains such a 10% other-race enrollment for a period of three consecutive years.” (See Section IV “Endowment” of the Settlement Agreement.) Per notice by the IHL Office of Strategic Research, JSU has met the other-race threshold of the Settlement Agreement and has maintained a 10% other-race enrollment for three (3) consecutive years: Academic Year 2012-2013 (10.7%), Academic Year 2013-2014 (10.2%), and Academic Year 2015-2015 (10.3%). Therefore, the Board, in accordance with the Settlement Agreement shall transfer to JSU its pro rata share of 43.4% of the existing public endowment principal as of FY 2016 or \$23,870,000. Subsequent funding of the endowment will be provided to JSU each fiscal year through FY 2019. Also in accordance with the Settlement Agreement, the Board shall transfer to JSU’s private foundation, JSU’s pro rata share of 43.4% of the existing private endowment principal as of FY 2016 or \$449,450.40. Any subsequent donations will be made to JSU’s private foundation.

	<b>Public Endowment</b>	<b>Private Endowment</b>	<b>Total</b>
Principal Balace as of FY2016	\$ 55,000,000.00	\$ 1,035,600.00	\$ 56,035,600.00
JSU Pro rata share 43.4%	\$ 23,870,000.00	\$ 449,450.40	\$ 24,319,450.40

Pursuant to the provisions of the Settlement Agreement, the principal of the endowments shall never be invaded. Upon transfer of the endowment principal, JSU shall have the discretion to direct the investment of the public endowment principal and expend the income while JSU’s foundation shall have the discretion to direct the investment of the private endowment principal and expend the income. The investment income may only be expended for sound academic purposes such as faculty compensation, academic program enhancements and student scholarships upon submission to and the approval of the Board of Trustees of an annual budget for these funds.

**LEGAL**

2. **JSU** - Trustee Hal Parker, as Board Legal Committee Chair, on behalf of the Board, has approved Jackson State University’s emergency request to contract with the law firm of Butler Snow for legal services to assist the university in the evaluation of bids received in late November in response to its Invitation to Negotiate for the proposed residential housing

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development. The approved hourly rate for attorney Lucien Bourgeois is \$290 per hour and the maximum amount payable under the contract is \$13,500 in fees and \$750 in expenses.

3. **UM** - Trustee Hal Parker, as Board Legal Committee Chair, on behalf of the Board, has approved the University of Mississippi's emergency request to contract with the law firm of Jones Walker for legal services related to a currently ongoing trademark dispute and to work on other similar matters including advice, counsel and legal services on intellectual property issues that may arise including, but not limited to, trademark and other intellectual property disputes. The approved hourly rate will be a blended rate of \$245 per hour and the maximum amount payable under the contract is \$30,000.

**ADMINISTRATION/POLICY**

4. **System** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **MVSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On December 1, 2015, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with Toyota Motor Sales, U.S.A., Inc., for a 2014 Toyota Prius to be used by designated employees of MVSU's Athletic Department for recruitment and/or business travel. This is a one-year lease beginning on the date signed. The Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

**EXECUTIVE SESSION**

On motion by Trustee Hooper, seconded by Trustee Smith, 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 McNair, seconded by Trustee Hooper, 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 a personnel matter at a public university.

**During Executive Session, the following matter was discussed and/or voted upon:**

On motion by Trustee Parker, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve increasing the state salary for Dr. Mark Keenum, President of Mississippi State University, from \$227,370 to \$300,000 and the MSU Foundation supplement from \$227,370 to \$300,000 and to amend the contract accordingly using the latest form IEO contract terms, effective January 1, 2016.

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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
December 17, 2015**

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Morgan, seconded by Trustee Cummins, 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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
December 17, 2015**

**EXHIBITS**

- Composite Exhibit 1 Final reading of the proposed increases in resident and non-resident tuition rates at all institutions and for certain professional schools at Mississippi State University, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi effective for fiscal year 2017 and 2018.
- Exhibit 2 Final reading of the multi-year increases in room rates at Jackson State University, Mississippi State University, Mississippi Valley State University, the University of Mississippi, and the University of Southern Mississippi effective for fiscal year 2016, 2017 and 2018.
- Exhibit 3 Final reading of the multi-year increases in board rates at Mississippi Valley State University and the University of Mississippi effective for fiscal year 2017 and 2018.

# COMPOSITE EXHIBIT 1



## Proposed Resident Tuition Rates FY 2017 & FY 2018

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Requested	Change	Percent	Requested	Change	Percent
ASU	\$ 6,386	\$ 6,546	\$ 160	2.5%	\$ 6,710	\$ 164	2.5%
DSU	\$ 6,012	\$ 6,298	\$ 286	4.8%	\$ 6,298	\$ -	0.0%
JSU	\$ 6,866	\$ 7,141	\$ 275	4.0%	\$ 7,427	\$ 286	4.0%
MSU	\$ 7,392	\$ 7,670	\$ 278	3.8%	\$ 7,960	\$ 290	3.8%
MUW	\$ 5,681	\$ 5,965	\$ 284	5.0%	\$ 6,263	\$ 298	5.0%
MVSU	\$ 5,916	\$ 6,096	\$ 180	3.0%	\$ 6,228	\$ 132	2.2%
UM	\$ 7,344	\$ 7,644	\$ 300	4.1%	\$ 7,950	\$ 306	4.0%
USM	\$ 7,224	\$ 7,549	\$ 325	4.5%	\$ 7,853	\$ 304	4.0%
<b>SYSTEM AVERAGE</b>	<b>\$ 6,603</b>	<b>\$ 6,864</b>	<b>\$ 261</b>	<b>4.0%</b>	<b>\$ 7,086</b>	<b>\$ 223</b>	<b>3.2%</b>

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Requested	Change	Percent	Requested	Change	Percent
UMMC	\$ 7,344	\$ 7,644	\$ 300	4.1%	\$ 7,950	\$ 306	4.0%

Notes:

Mississippi Tuition rates do not include the following Capital Improvement Fees and Student Activity Fees:

**Capital Improvement Fees:** DSU, JSU, MSU, MUW and UM charge an additional \$100 annually; USM charges an additional \$70 annually.

DSU is requesting to increase the Capital Improvement Fee to \$120 annually in FY 2017.

**Student Activity Fees:** USM charges an additional \$40 annually, JSU and MVSU charge an additional \$20 annually and MSU and UM charge an additional \$10 annually.

# COMPOSITE EXHIBIT 1



## Proposed Non-Resident Tuition Rates FY 2017 & FY 2018

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Requested	Change	Percent	Requested	Change	Percent
ASU*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DSU*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
JSU	\$ 16,821	\$ 17,494	\$ 673	4.0%	\$ 18,194	\$ 700	4.0%
MSU	\$ 20,032	\$ 20,790	\$ 758	3.8%	\$ 21,580	\$ 790	3.8%
MUW	\$ 15,747	\$ 16,534	\$ 787	5.0%	\$ 17,361	\$ 827	5.0%
MVSU*	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UM	\$ 20,574	\$ 21,912	\$ 1,338	6.5%	\$ 23,334	\$ 1,422	6.5%
USM**	\$ 16,094	\$ 16,419	\$ 325	2.0%	N/A	N/A	N/A
<b>SYSTEM AVERAGE</b>	<b>\$ 17,854</b>	<b>\$ 18,630</b>	<b>\$ 776</b>	<b>4.3%</b>	<b>\$ 20,117</b>	<b>\$ 935</b>	<b>4.8%</b>

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Requested	Change	Percent	Requested	Change	Percent
UMMC	\$ 20,574	\$ 21,912	\$ 1,338	6.5%	\$ 23,334	\$ 1,422	6.5%

Notes:

\*ASU, DSU and MVSU have single flat rate tuition

\*\*USM not requesting FY 2018 rate at this time

Mississippi Tuition rates do not include the following Capital Improvement Fees and Student Activity Fees:

**Capital Improvement Fees:** DSU, JSU, MSU, MUW and UM charge an additional \$100 annually; USM charges an additional \$70 annually.

DSU is requesting to increase the Capital Improvement Fee to \$120 annually in FY 2017.

**Student Activity Fees:** USM charges an additional \$40 annually, JSU and MVSU charge an additional \$20 annually and MSU and UM charge an additional \$10 annually.

# COMPOSITE EXHIBIT 1

## Proposed Professional School Resident Tuition Rates Mississippi State University & University of Mississippi FY 2017 & FY 2018



Institution	FY 2016	FY 2017			FY 2018		
	Approved	Requested	Change	Percent	Requested	Change	Percent
<b>MSU</b>							
Veterinary Medicine**	\$ 20,099	\$ 23,099	\$ 3,000	14.9%	\$ 26,099	\$ 3,000	13.0%

MSU charges an additional Capital Fee of \$100 and Student Activity Fees of \$10 annually.

\*\*FY2017 Professional School rates were previously approved by the IHL Board, but in light of new Legislation granting waivers of the Non-Resident surcharge above Federal standards, the College must request an increase to meet budget requirements.

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Approved	Change	Percent	Requested	Change	Percent
<b>UM</b>							
School of Law (JD)	\$ 15,036	\$ 15,336	\$ 300	2.0%	\$ 15,642	\$ 306	2.0%
Master of Laws Program in Air and Space Law	\$ 21,260	\$ 21,560	\$ 300	1.4%	\$ 21,866	\$ 306	1.4%
MBA	\$ 10,710	\$ 12,049	\$ 1,339	12.5%	\$ 13,254	\$ 1,205	10.0%
School of Pharmacy Pre Pharm. EE1, EE2 & EE3	\$ 11,139	\$ 11,863	\$ 724	6.5%	\$ 12,634	\$ 771	6.5%
School of Pharmacy P1 & P2	\$ 20,640	\$ 21,982	\$ 1,342	6.5%	\$ 23,411	\$ 1,429	6.5%
School of Pharmacy P3 & P4	\$ 22,286	\$ 23,735	\$ 1,449	6.5%	\$ 25,278	\$ 1,543	6.5%

UM charges an additional Capital Fee of \$100 and Student Activity Fees of \$10 annually.

FY2017 UM Professional School rates were previously approved by the IHL Board.

# COMPOSITE EXHIBIT 1



## Proposed Professional School Resident Tuition Rates University of Mississippi Medical Center University of Southern Mississippi FY 2017 & FY 2018 (Cont.)

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Approved	Change	Percent	Requested	Change	Percent
<b>UMMC</b>							
School of Dentistry*	\$ 25,525	\$ 26,800	\$ 1,275	5.0%	\$ 28,408	\$ 1,608	6.0%
School of Medicine*	\$ 25,649	\$ 26,949	\$ 1,300	5.1%	\$ 28,431	\$ 1,482	5.5%
School of Physical Therapy*	\$ 15,631	\$ 17,507	\$ 1,876	12.0%	\$ 18,571	\$ 1,064	6.1%
Doctor of Occupation Therapy	n/a	\$ 12,338	n/a	n/a	\$ 13,819	\$ 1,481	12.0%
Doctor of Health Administration	n/a	\$ 12,338	n/a	n/a	\$ 13,819	\$ 1,481	12.0%

\*FY2017 Professional School rates were previously approved by the IHL Board.

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Approved	Change	Percent	Requested	Change	Percent
<b>USM</b>							
Certified Reg. Nurse Anesthesia	\$ 21,000	\$ 21,945	\$ 945	4.5%	\$ 22,830	\$ 885	4.0%

USM charges an additional Capital Fee of \$70 and Student Activity Fees of \$40 annually.

FY2017 Professional School rates were previously approved by the IHL Board.

# COMPOSITE EXHIBIT 1



## Proposed Professional School Non-Resident Tuition Rates FY 2017 & FY 2018

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Approved	Change	Percent	Requested	Change	Percent
<b>MSU</b>							
Veterinary Medicine**	\$ 45,299	\$ 46,299	\$ 1,000	2.2%	\$ 47,299	\$ 1,000	2.2%

MSU charges an additional Capital Fee of \$100 and Student Activity Fees of \$10 annually.

\*\*FY2017 Professional School rates were previously approved by the IHL Board, but in light of new Legislation granting waivers of the Non-Resident surcharge above Federal standards, the College must request an increase to meet budget requirements.

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Approved	Change	Percent	Requested	Change	Percent
<b>UM</b>							
School of Law (JD)	\$ 32,374	\$ 33,712	\$ 1,338	4.1%	\$ 35,134	\$ 1,422	4.2%
MBA	\$ 26,291	\$ 29,577	\$ 3,286	12.5%	\$ 31,943	\$ 2,366	8.0%
School of Pharmacy Pre Pharm. EE1, EE2 & EE3	\$ 26,454	\$ 27,792	\$ 1,338	5.1%	\$ 29,214	\$ 1,422	5.1%
School of Pharmacy P1 & P2	\$ 44,781	\$ 46,119	\$ 1,338	3.0%	\$ 47,541	\$ 1,422	3.1%
School of Pharmacy P3 & P4	\$ 48,640	\$ 49,978	\$ 1,338	2.8%	\$ 51,400	\$ 1,422	2.8%

UM charges an additional Capital Fee of \$100 and Student Activity Fees of \$10 annually.

FY2017 Professional School rates were previously approved by the IHL Board.

# COMPOSITE EXHIBIT 1



## Proposed Professional School Non-Resident Tuition Rates FY 2017 & FY 2018

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Approved	Change	Percent	Requested	Change	Percent
<b>UMMC</b>							
School of Dentistry*	\$ 59,475	\$ 62,450	\$ 2,975	5.0%	\$ 66,759	\$ 4,309	6.9%
School of Medicine*	\$ 58,114	\$ 62,881	\$ 4,767	8.2%	\$ 66,968	\$ 4,087	6.5%
School of Physical Therapy*	\$ 34,945	\$ 36,821	\$ 1,876	5.4%	\$ 39,214	\$ 2,393	6.5%
Doctor of Occupation Therapy	n/a	\$ 34,564	n/a	n/a	\$ 38,712	\$ 4,148	12.0%
Doctor of Health Administration	n/a	\$ 34,564	n/a	n/a	\$ 38,712	\$ 4,148	12.0%

\*FY2017 Professional School rates were previously approved by the IHL Board.

Institution	FY 2016	FY 2017			FY 2018		
	Approved	Approved	Change	Percent	Requested	Change	Percent
<b>USM</b>							
Certified Reg. Nurse Anesthesia	\$ 27,000	\$ 27,945	\$ 945	3.5%	\$ 28,830	\$ 885	3.2%

USM charges an additional Capital Fee of \$70 and Student Activity Fees of \$40 annually.

FY2017 Professional School rates were previously approved by the IHL Board.

# EXHIBIT 2



## Proposed Average Annual Double Occupancy Adjusted Student Room Rates FY 2017 & FY 2018

Institution	FY 2017 Previously Approved	Proposed FY 2017 Charge	Average	Percent	FY 2018 Previously Approved	Proposed FY 2018 Charge	Average	Percent
ASU	\$5,695	\$5,695	\$0	0.00%	\$5,922	\$5,922	\$0	0.00%
DSU	\$4,314	\$4,314	\$0	0.00%	\$4,414	\$4,414	\$0	0.00%
JSU*	\$5,337	\$5,337	\$0	0.00%	\$5,444	\$5,563	\$119	2.19%
MSU*	\$5,872	\$5,969	\$97	1.65%	\$6,107	\$6,207	\$100	1.64%
MUW	\$4,018	\$4,018	\$0	0.00%	\$4,159	\$4,159	\$0	0.00%
MVSU*	\$4,153	\$4,320	\$167	4.02%	\$4,153	\$4,408	\$255	6.14%
UM*	\$5,399	\$5,399	\$0	0.00%	\$5,561	\$5,561	\$0	0.00%
USM*	\$5,135	\$5,156	\$21	0.41%	\$5,289	\$5,338	\$49	0.93%
<b>AVERAGE</b>	<b>\$4,990</b>	<b>\$5,026</b>	<b>\$36</b>	<b>0.71%</b>	<b>\$5,131</b>	<b>\$5,197</b>	<b>\$65</b>	<b>1.27%</b>

\*proposed new rates for FY2017 and FY 2018

# EXHIBIT 3



## Proposed Annual Student Board Rates FY 2017 & FY 2018

Most expensive meal plan options offered by institution are reflected

Institution	FY 2017 Previously Approved	Proposed FY 2017 Change	Average	Percent	FY 2018 Previously Approved	Proposed FY 2018 Change	Average	Percent
ASU	\$2,972	\$2,972	\$0	0.00%	\$3,091	\$3,091	\$0	0.00%
DSU	\$3,060	\$3,060	\$0	0.00%	\$3,170	\$3,170	\$0	0.00%
JSU	\$3,451	\$3,451	\$0	0.00%	\$3,589	\$3,589	\$0	0.00%
MSU	\$3,601	\$3,601	\$0	0.00%	\$3,781	\$3,781	\$0	0.00%
MUW	\$2,884	\$2,884	\$0	0.00%	\$2,971	\$2,971	\$0	0.00%
MVSU*	\$3,241	\$3,339	\$98	3.02%	\$3,241	\$3,406	\$165	5.09%
UM*	\$4,238	\$3,700	-\$538	-12.69%	\$4,492	\$3,922	-\$570	-12.69%
USM	\$4,050	\$4,050	\$0	0.00%	\$4,310	\$4,310	\$0	0.00%
<b>Average</b>	<b>\$3,437</b>	<b>\$3,382</b>	<b>-\$55</b>	<b>-1.60%</b>	<b>\$3,581</b>	<b>\$3,530</b>	<b>-\$51</b>	<b>-1.41%</b>

\*proposed new rates for FY2017 and FY 2018

# CONSENT AGENDAS

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
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**1. JSU-REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH BERNEY OFFICE SOLUTIONS, A XEROX COMPANY**

**Agenda Item Request:** Jackson State University requests approval to enter into a lease agreement with **Berney Office Solutions, A Xerox Company (Xerox)**, for the lease of 152 multifunctional copier devices.

**Contractor's Legal Name:** **Berney Office Solutions, A Xerox Company**

**History of Contract:** This is a new lease agreement. The existing lease agreement with Ricoh Copier Services expires on February 28, 2016. JSU requested approval by the Department of Information Technology Services (ITS) of an exemption to lease the equipment from the Mississippi Department of Finance and Administration, Office of Purchasing, Travel and Fleet Management State Contract. Said exemption was approved by the ITS Board on December 15, 2015.

**Specific Type of Contract:** Lease Agreement

**Purpose:** JSU seeks approval to establish a new copier lease agreement with the vendor, Berney Office Solutions, a Xerox company, through DFA negotiated contract number 8200017752. The use of this DFA negotiated contract will allow the university to replenish its current multifunctional equipment and services. This procurement will assist departments at JSU by allowing them to continue effective and efficient delivery of education services. This acquisition is aimed at lowering our multifunctional equipment costs along with improving customer service and vendor communication.

**Scope of Work:** To provide copying, printing, and scanning services to all JSU campuses. JSU's proposed solution consists of 152 multifunctional devices that include: Xerox secure access, HID card readers, Xerox smart document travel software, server fax kits for Right Fax integration, on-site maintenance, toner, supplies, and services. All multifunctional devices are equipped with network print, copy, color scan, server fax, 4x paper trays, 2/3 hole-punch, and staple. The Xerox will provide JSU with a total solution across all campuses. We will have the ability to accurately monitor and measure the daily usage of the multifunctional devices, create rule based printing to increase productivity, have full on-site maintenance with helpdesk capabilities and regularly scheduled reviews to ensure all initiatives are completed.

**Term of Contract:** The agreement will become effective March 1, 2016 and terminate on February 28, 2021.

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**Termination Options:** The contract may be terminated under the following conditions:

- Mutual agreement
- Upon default of a term by either party and failure to cure within thirty (30) days
- For non-appropriation of funds by the Mississippi Legislature

**Contract Amount:** PROJECT COST / RESOURCE ESTIMATE SUMMARY. Five year pricing with the start date of March 1, 2016 through the end date February 28, 2021.

<u>Fiscal Year</u>	<u>Cost</u>
2016	\$505,236.00
2017	\$505,236.00
2018	\$505,236.00
2019	\$505,236.00
2020	\$505,236.00
Total	\$2,526,180.00

This rate includes 152 multifunctional devices, Xerox secure access, HID card reader, Xerox smart document travel software, server-fax kits for Right fax integration, on-site maintenance, toner, supplies, and services.

**Funding Source for Contract:** Education and General

**Contractor Selection Process:** JSU established a Campus-wide Copier Committee to evaluate current and future requirements. Several copier companies on the DFA negotiated contract list were contacted and invited to do presentations on the campus with representatives from the JSU Division of Information Technology. The list was narrowed down to 6 companies including the existing vendor, Ricoh, to provide more detailed presentations on their solutions to the Campus-wide committee. The committee ranked the companies based on their technical solutions. JSU then solicited cost proposals from the top 4 companies. JSU received three (3) responses. The proposal with the lowest and best solution was selected.

**STAFF RECOMMENDATION:** Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item

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**2. MSU-REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH KEY SOLUTIONS, INC.**

**Agenda Item Request:** Mississippi State University (MSU) requests permission to enter a services agreement with **Key Solutions, Inc.** to install and maintain software to manage compliance with federal regulations concerning research on animal and human subjects.  
**Contractor's Legal Name: Key Solutions, Inc. (Key Solutions)**

**History of Contract:** New Agreement

**Specific Type of Contract:** Services Agreement for Software

**Purpose:** The purpose of the agreement is to purchase software to manage compliance with federal regulations concerning research on animal and human subjects. Specifically, the software will be used by divisions within MSU's Office of Research Compliance – the Institutional Review Board, the Institutional Animal Care and Use Committee, and the Laboratory Animal Resource Division.

Researchers will use the software to submit and manage compliance protocols whereas staff will use the software to maintain records and generate reports. Federal regulations mandate that compliance protocols must be approved and followed by all individuals using animal and human subjects in order to receive federal funding. This includes externally-funded research projects as well as departmentally-funded research projects that are part of academic coursework.

The software will replace a patch-work of products that are outdated, have technical glitches, do not communicate with each other, and require redundant data entry just to minimally maintain the records required to remain in good standing with accrediting agencies, funding partners, and regulatory bodies. MSU's current processes are cumbersome and do not easily allow for routing, making revisions, tracking changes, or managing approved projects.

**Scope of Work:** The agreement provides for software licenses for the Institutional Review Board, the Institutional Animal Care and Use Committee, and the Laboratory Animal Resource Division; one-time installation and configuration fees; LDAP integration; 16 hours of training per module; and annual maintenance.

**Term of Contract:** The term of the agreement is five years effective as of the date of the last signature.

**Termination Options:** Either party can terminate the agreement upon default by the other party if such default is not cured within thirty days of written notice.

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**Contract Amount:** The total cost of the five-year agreement is \$388,350.00.

The cost for Year 1 is \$235,750.00 and includes software license fees, installation and configuration fees, training, and annual maintenance. The cost for Year 2 to Year 5 is \$38,150.00 per year and includes annual maintenance.

**Funding Source for Contract:** General Funds

**Contractor Selection Process:** MSU received five proposals to RFP 15-62 issued on July 28, 2015. The top two proposals were iMedRIS (\$210,000.00) and Key Solutions (\$388,350.00). Although Key Solutions was not the lowest proposal, it was selected as the best proposal since its software provides substantially more flexibility and ease of use. Specific strengths and weaknesses used to make the selection include:

Strengths of Key Solutions:

- an end-user interface that offers a simple, streamlined, and intuitive way to navigate through all modules;
- a smart form management engine that allows for the development of new forms and the revision of existing forms by MSU staff;
- ease of workflow configuration;
- a single sign-on service (users can login with MSU netId and password);
- rapid ad-hoc/custom report development in multiple formats (e.g., PDF, Excel, Word, and HTML).

Weaknesses of iMedRIS:

- an end-user interface that is cluttered and confusing;
- a complicated forms designer and workflow engines tool;
- ad-hoc/custom reports require connectivity by a third-party reporting tool (Crystal Reports) to support information access and analysis;
- integration with Banner system would require extra work/development.

One feature that iMedRIS offers that Key Solutions does not is the ability to compare two documents and highlight any changes; however, MSU did not feel that this feature outweighed iMedRIS's other weaknesses. Additionally, MSU has made a request to Key Solutions to have this feature added and the company's programmer feels optimistic that it can be done easily.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

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**3. MSU- REQUEST FOR APPROVAL TO AMEND A SUBSCRIPTION AGREEMENT WITH WILEY SUBSCRIPTION SERVICES, INC.**

**Agenda Item Request:** Mississippi State University (MSU) requests permission to amend a subscription agreement with **Wiley Subscription Services, Inc.** for access to electronic journals for education and research purposes.

**Contractor's Legal Name: Wiley Subscription Services, Inc. (Wiley)**

**History of Contract:** MSU entered a subscription agreement with Wiley for a one-year term that ended on December 31, 2012.

The agreement has been amended three times. Each amendment extended the term, adjusted the journals in the subscription, and updated the cost. The first amendment extended the term for one year to December 31, 2013 and cost \$449,832.37. The second amendment extended the term for one year to December 31, 2014 and cost \$476,282.21. The third amendment extended the term for two years to December 31, 2016 and cost \$942,050.96 (Year 1 – \$466,361.86; Year 2 – \$475,689.10). Provided that there were no changes to the subscription, the cost for Year 2 was capped at a 2% increase over the cost for Year 1.

**Specific Type of Contract:** Amendment to Subscription Agreement

**Purpose:** The purpose of the amendment is to adjust the journals in the subscription and to update the cost for Year 2.

As noted in the Agenda Item Write-Up for the third amendment that was approved by the Board at its November 2014 meeting, any adjustments to the core collection of subscribed titles have the potential to change the cost for Year 2. Due to transfers to and from the core collection, the cost for Year 2 will exceed the 2% increase by \$4,405.61. Therefore, the cost for Year 2 will be \$480,094.71.

**Scope of Work:** Wiley will grant a license that allows authorized users to access information published by Wiley through its online delivery platform. This information consists of 156 journals that authorized users can access for education and research purposes.

**Term of Contract:** The amendment does not change the term of the agreement. The agreement will end on December 31, 2016.

**Termination Options:** The amendment does not change the termination options of the agreement. Either party can terminate the agreement upon default by the other party if such default is not cured within sixty days of written notice.

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**Contract Amount:** The amendment increases the cost for Year 2 of the agreement by \$4,405.61 from \$475,689.10 to \$480,094.71. Therefore, the amendment increases the total cost for the two-year agreement from \$942,050.96 to \$946,456.57.

**Funding Source for Contract:** General Funds

**Contractor Selection Process:** The electronic journals to which authorized users will have access are published only by Wiley. Other vendors do not publish these electronic journals.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of contracts for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

**4. UM-REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH GAMEDAY MANAGEMENT SERVICES, LLC**

**Agenda Item Request:** The University of Mississippi Athletics Department requests approval to enter into an agreement with **Gameday Management Services, LLC** for cleaning services in all venues prior to, during, and after events.

**Contractor's Legal Name:** **Gameday Management Services, LLC**

**History of Contract:** Gameday Management Services secured the RFP for event cleaning at all University of Mississippi Athletics Department venues except for events at Tad Smith Coliseum in July 2014. With the addition of the Pavilion at Ole Miss and additional premium areas at Vaught-Hemingway Stadium, the decision was made to send out a Request for Proposal this year to include all venues.

**Specific Type of Contract:** This will be a service contract based on RFP 548 for event cleaning of all University of Mississippi Athletics Department events.

**Purpose:** The purpose of this agreement is to establish a continuing relationship that is cooperative in nature and to help provide the University of Mississippi Athletics Department with staffing for cleaning positions as deemed necessary by the Athletics Department for event management. These duties could include but are not limited to cleaning the seating areas, premium areas, hauling trash to off-site dumpsters, restroom attendants, and recycling.

**Scope of Work:** The scope of work will provide the University of Mississippi Athletics Department with staffing for cleaning positions as deemed necessary by the Athletics Department for all athletic events.

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**Term of Contract:** This will be a one (1) year service agreement that can be renewed for additional one (1) year periods up to five (5) years in total.

**Termination Options:** The University of Mississippi may terminate the contract for non-performance of services at any time. In the event of termination of the contract for non-performance, the Contractor may be expected to continue to provide professional services through the transition to another source and/or the University may have to procure the services from other sources and hold the Contractor responsible for any excess cost incurred thereby having to procure those services. The University of Mississippi and the Contractor may terminate the contract by mutual agreement with a ninety (90) day notice of termination. This contract also includes force majeure and non-availability of funds clauses.

**Contract Amount:** The cost of this agreement is billed on a rate structure for all scheduled events worked by Gameday Management Services. The estimated yearly cost based on an estimated amount of athletic events would be approximately \$475,000 per year for a total of \$2,375,000 if all five years are extended.

**Funding Source of Contract:** This contract will be funded by the University of Mississippi Athletics Department operating funds.

**Contractor Selection Process:** The selection of Gameday Management Services was based on RFP 548 that was evaluated by the Athletics Department utilizing criteria listed in the RFP.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

**5. UM-REQUEST FOR APPROVAL TO TO ENTER INTO A SERVICES AGREEMENT WITH METROLASER, INC.**

**Agenda Item Request:** The University of Mississippi (UM) National Center for Physical Acoustics Department requests approval to enter into a contract with **Metrolaser, Inc. (MI)** This contract will include prepayments required by the company to build this custom equipment.

**Contractor's Legal Name: Metrolaser, Inc (MI)**

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**History of Contract:** The Department of Defense through the Army Research Office (ARO), the Office of Naval Research (ONR), and the Air Force Office of Scientific Research (AFOSR) issued a Program Announcement Number PA-AFOSR-2014-0001 titled “Fiscal Year 2015 Defense University Research Instrumentation Program (DURIP)”. The purpose of DURIP is to provide funds to procure equipment only. When a proposal is submitted, the University must specify in the proposal the company that will provide the equipment and include the company quote in the proposal. If awarded, the University must purchase that equipment from the company specified in the proposal. UM Principal Investigator Dr. Vyacheslav Aranchuk, responded to the announcement on November 17, 2014 with a proposal titled “Pulsed Laser Shearography System for Defense Research and Education” which included the Metrolaser, Inc. quote for \$570,521. Dr. Aranchuk’s proposal was awarded October 5, 2015 for \$570,521 based on the Metrolaser, Inc. specifications and quote. This is the only pulsed laser shearography system available that will allow recording of phase map shearograms using pulsed lasers. The system is based on unique technology patented by Metrolaser, Inc. This is the only system that will meet the requirements for work stated in Office of Naval Research contract # N00014-15-1-2894 (UM acct 350210226A). The purpose of this contractual agreement is to specify the terms of the procurement relationship between UM and Metrolaser, Inc. to fulfill UM requirements as specified in ONR contract # N00014-15-1-2894 (UM acct 350210226A).

**Specific Type of Contract:** This contract is a Purchase Agreement.

**Purpose:** The purpose of this purchase agreement is to specify the terms of the procurement relationship between UM and Metrolaser, Inc. to fulfill UM requirements as specified in ONR contract #N00014-15-12894 (UM acct 350210226A).

**Scope of Work:** UM will procure from Metrolaser one (1) custom double pulse shearography system with pixelated, instantaneous phase shifting interferometry.

The main components of the system are:

- Quantel Q-smart 850, 532 Twins SLM +2W module with dual seeder tuned for the same line on a 1200x300 mm breadboard, or equivalent;
- One (1) Pulse Delay Generator, BNC Model 575, with 8 channels, or equivalent;
- One (1) Shearography Head based on Michelson or Mach-Zehnder interferometer;
- One (1) 4D Technologies MPix Pixelated Micropolarizing Camera and Software, or equivalent;
- One (1) High Performance PC, operating under Windows 7 Professional, or later;
- Miscellaneous Optics (lenses, polarization, mirrors);
- Miscellaneous Optics Mounts (custom and COTS); and
- Custom Built Housing.

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**Term of Contract:** The period of performance for this work is January 21, 2016 through July 31, 2016. The confidentiality obligations will remain in effect during the Period of Performance and for a period of five (5) years thereafter.

**Termination Options:** Performance under this Agreement may be terminated by either party upon thirty (30) days written notice. Upon termination, UM shall pay Contractor for all deliverables made and non-cancelable commitments incurred in the performance of the purchase, such payment not to exceed the total estimated project costs.

**Contract Amount:** The cost of the procurement of the custom double pulse shearography system with pixelated, instantaneous phase shifting interferometry is \$570,520.

**Funding Source of Contract:** Funding is provided by The University of Mississippi Office of Naval Research contract #N00014-15-1-2894 (UM acct 350210226A).

**Contractor Selection Process:** After surveying commercial providers of shearography systems, UM (Principal Investigator: Dr. Aranchuk) determined none of them could provide a pulsed shearography system with the required sensitivity and flexibility needed for this research program; consequently, UM (Principal Investigator: Dr. Aranchuk) requests permission to enter into a contract to purchase a custom system which is the only system that will meet the Office of Naval Research contract # N00014-15-1-2894 requirements. MetroLaser, Inc. has tremendous expertise in development and building whole field interferometric sensors based on its patented instantaneous phase-shift interferometry. Metrolaser, Inc. has agreed to design and build a pulsed shearography system specifically for UM (Principal Investigator: Dr. Aranchuk) Office of Naval Research contract # N00014-15-1-2894 applications.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Based on Board Policy 707.03, Approval of Prepayment for Goods or Services, Board may permit prepayment for goods or services not yet received. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

**6. UM-REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH NOLAN, INC.**

**Agenda Item Request:** The University of Mississippi (UM) University and Public Events Department requests approval to enter into a contract with **Nolan, Inc. (Nolan)**.

**Contractor's Legal Name:** Nolan, Inc. (Nolan)

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**History of Contract:** Audio visual, lighting, sound, and live streaming services have been outsourced for major strategic events such as Fall Convocation, Athletics Signature Events (Signing Day, Award Celebrations, etc.), Investitures, Foundation Events and Commencement frequently and consistently since 2010 and sporadically prior to 2010. We have seen an increase in requests for services and in an effort to manage the expenditure and quality of services, we identified the need to initiate a Request for Proposal and establish a contract.

**Specific Type of Contract:** This is a contract for audio visual, lighting, sound, and live streaming services.

**Purpose:** The objective is to establish a contract for audio visual, lighting, sound, and live streaming services for the UM Department of University & Public Events. Services are needed for several events throughout the year. Events include but are not limited to: Convocation, Commencement, Athletics Signature Events, Investitures, and Foundation Event. Venues include but are not limited to: The Pavilion, Coliseum, The Grove, Center for Manufacturing Excellence, Ford Center, Museum, Memory House, Manning Center, Coliseum, The Inn at Ole Miss, and the Lyceum.

**Scope of Work:** The scope of work will include providing services for large scale and strategic events requiring enhanced audio visual, lighting, sound, live streaming capabilities and associated personnel that are not available on campus and or exceed the capacity of what is available on campus.

**Term of Contract:** The one (1) year contract will be renewable annually, if both parties are in agreement, not to exceed sixty (60) months in total.

**Termination Options:** UM may terminate the contract for nonperformance of services at any time. In the event of termination of the contract for nonperformance, the Contractor may be expected to continue to provide professional services through the transition to another source and/or the University may have to procure the services from other sources and hold the Contractor responsible for any excess cost incurred thereby having to procure those services. UM and the Contractor may terminate the contract by mutual agreement with a ninety (90) day notice of termination. The contract also has force majeure and non-availability of funds termination clauses.

**Contract Amount:** Based on previously incurred expenses for these type services, we anticipate spending approximately \$200,000 per year under this contract. If all renewal terms are accepted, the contract amount would be approximately \$1,000,000.

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**Funding Source of Contract:** The funding source for this contract will be educational and general funds.

**Contractor Selection Process:** The contractor was selected through RFP #549 process conducted by UM.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

**7. UM-REQUEST FOR APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES LEASE AGREEMENT WITH OLE MISS ATHLETICS FOUNDATION, INC.**

**Agenda Item Request:** The University of Mississippi requests approval to enter into a lease agreement with the **Ole Miss Athletics Foundation**.

**Contractor's Legal Name:** Ole Miss Athletics Foundation, Inc.

**History of Contract:** N/A

**Specific Type of Contract:** Lease.

**Purpose:** An area of approximately 1.315 acres north of Vaught-Hemingway Stadium on the University of Mississippi campus ("the Premises") will be renovated by the Ole Miss Athletics Foundation to include a Bell Tower, Plaza, and Letter Winners' Walk ("the Bell Tower Project").

Improvements to the Premises were originally to be included in the Vaught-Hemingway Stadium North End Zone project ("the North End Zone Project") and were included in the North End Zone Project as alternates. In the meantime, major changes were made to the plans for the Premises portion of the North End Zone Project. Making these modifications by change order would be time consuming and would not be cost effective. Therefore, the Ole Miss Athletics Foundation will complete the Bell Tower Project separately from the North End Zone Project. This will allow for competitive pricing. Accordingly, the University is now requesting approval to lease the Premises to the Ole Miss Athletics Foundation to begin the Bell Tower Project. The lease, including a legal description of the Premises is attached hereto.

**Scope of Work:** N/A

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**Term of Contract:** The lease will commence upon approval and end upon completion and acceptance of the Bell Tower Project and with the title reverting to the University with all improvements thereon.

**Termination Options:** If damage occurs that is substantial and to such an extent as to the Facilities untenable, then Lessee will have the option to rebuild and restore the Facilities or to clear the wreckage and debris from the Premises and terminate this Lease, by giving written notice to Lessor within ninety (90) days of such damage. If Lessee should default in its performance of any of the covenants, conditions, agreements or undertakings herein contained to be kept and observed by Lessee and such default continue for thirty (30) days, or if Lessee should vacate or abandon the leased Premises, it will be lawful for Lessor, at its option, to exercise any rights or remedies it may have at law or in equity against Lessee, including the right to remove and put out Lessee and all persons occupying all or any part of the leased Premises, using such reasonable force as may be necessary in so doing, and Lessor shall be entitled to terminate the Lease. In the event that Lessee has not begun construction of the Facilities in accord with plans and specifications approved by the University's Facilities Planning Department by the last day of January, 2017, this Lease Agreement will be terminated and thereafter considered null and void.

**Contract Amount:** \$1per year

**Funding Source for Contract:** N/A

**Contractor Selection Process:** N/A

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approval by the Attorney General's Office. Board staff recommends approval of this item.*

**8. UMMC-REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH BAXTER HEALTHCARE CORPORATION**

**Agenda Item Request:** The University of Mississippi Medical Center requests approval to enter into an agreement with **Baxter Healthcare Corporation** for the rental of dialyzer equipment used by patients on peritoneal dialysis (PD) as well as for the purchase of associated commodities.

**Contractor's Legal Name:** **Baxter Healthcare Corporation (Baxter)**

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**History of Contract:** In May of 2007, the Board approved UMMC to enter into a rental agreement for the PD equipment and purchases of associated commodities. The term of this agreement was for three (3) years beginning December 1, 2007 and ending November 30, 2011. The total approved cost of this agreement was \$1,300,000.00.

On November 17, 2011 the Board approved UMMC to enter into a rental agreement with Baxter for the PD equipment and purchases of associated commodities. The term of this agreement was for three (3) years beginning December 1, 2011 and ending November 30, 2014. The total approved cost of this agreement was \$1,800,000.00. Since the end of the contract we have operated on a month-to-month invoice basis.

**Specific Type of Contract:** This is a new agreement for the rental of PD equipment and the purchase of associated dialysis supplies.

**Purpose:** The purpose of the contract is to provide PD equipment and supplies to patients utilizing home therapy. The agreement also includes a provision for loaner equipment and supplies for patient and staff education purposes. PD is a form of dialysis used to treat patients with severe chronic kidney disease in which the patient's peritoneum, located in the patients abdomen, is used as a membrane across which fluids and dissolved substances are exchanged from the blood.

**Scope of Work:** Baxter will provide the following:

- Sell to UMMC the associated disposables and commodities for use in the PD equipment;
- Provide the dialyzer for use in PD dialysis to patients home;
- Provide a reasonable amount (not to exceed a five (5) day supply) of supplies at no charge for patients and staff education purposes; and
- Will provide two (2) loaner peritoneal dialysis systems for in-center patient education at no charge.

UMMC agrees to the following:

- To purchase ninety percent (90%) of its total utilization of PD products during each twelve (12) month period from Baxter; and
- To return any PD equipment upon discontinued use.

**Term of Contract:** The term of the contract is two (2) years and ten (10) months beginning February 1, 2016 through November 30, 2018.

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**Termination Options:** The agreement may be terminated for the following:

- If either party asserts that the other party committed a material breach of this Agreement, then the non-breaching party must notify the breaching party in writing of the specific breach and request that it be cured. If the breaching party does not cure the breach within sixty (60) calendar days after receiving written notice, then the non-breaching party may terminate this Agreement without penalty by sending written notice to the breaching party;
- UMMC may terminate the agreement and the underlying business relationship in the event that Baxter, acting as a business associate, as defined by the Health Insurance Accountability and Portability Act (HIPAA), improperly uses or discloses protected health information in breach of the business associate agreement (BAA);
- UMMC may terminate if it makes the determination that a material condition of performance by Baxter, acting as a business associate, as defined by the HIPAA, has changed or the business associate has breached a material term of BAA; and
- In the event of any reduction in available funds to UMMC, the contract may be terminated without penalty to UMMC.

**Contract Amount:** The estimated cost of this agreement is \$5,280,807.02 over the two (2) years and ten (10) month term. A breakdown is provided below.

	Description	Cost	Number of Units	Total
Year One				
	Cycler Carrying Case	\$ 103.18	3	\$3,714.48
	Cycler Rental	\$120.60	65	\$94,068.00
	Supplies*			\$1,141,176.92
Year Two**				
	Cycler Carrying Case	\$107.31	3	\$3,863.06
	Cycler Rental	\$125.42	67	\$100,840.90
	Supplies			\$1,186,824.00
Year Three**				
	Cycler Carrying Case	\$111.60	3	\$4,017.58
	Cycler Rental	\$130.44	69	\$108,005.11
	Supplies			\$1,234,296.96
Freight (over the term)				\$1,404,000.00
Contract Total				\$5,280,807.02

*\*The cost of supplies for year one was based on historical cost. The cost of supplies for years two (2) and three (3) were calculated by compounding the year one (1) cost by twenty five*

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*percent (25%). This was to allow for an increase in the cost of supplies and any potential increase in patient volume.*

*\*\*The cost of the cyclor carrying case and the rental of the cyclor for years two (2) and three (3) were compounded by four percent (4%) over the year one (1) cost to account for any price escalations.*

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** Under Section 31.7.13(1)(ii) of the MS Code of 1972 (as amended), contracts for the lease of hospital equipment necessary for patient care are exempt from bid requirements. UMMC chose Baxter Healthcare for use of the cyclers as they meet the needs of its patient population. The commodities are sole source because no other vendor manufactures or distributes these as they are solely made to fit the Baxter HomeChoice dialysis cyclor cartridges. In October 2015, UMMC advertised its intent to purchase the commodities as sole source in accordance with DFA regulations and received no objections.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Board staff recommends approval of this item pending approval of the Attorney General's Office.*

**9. UMMC-REQUEST FOR APPROVAL TO ENTER INTO AGREEMENT WITH CHG COMPANIES, INC. D/B/A/COMPHEALTH**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **CHG Companies, Inc. d/b/a CompHealth** for temporary physician coverage for UMMC's main campus. In addition, UMMC is requesting retroactive approval of its current agreement with the company.

**Contractor's Legal Name:** **CHG Companies, Inc. d/b/a CompHealth (CompHealth)**

**History of Contract:** UMMC entered into a one year agreement with CH to provide temporary coverage for physicians on an as needed basis. The agreement began June 17, 2015 and is set to end June 16, 2017. Based on the need of coverage for a highly specialized anesthesiology physician UMMC reach board limits and has spent \$382,748.91. UMMC in now requesting approval for a new superseding agreement that will provide locums physician coverage for all areas on an as needed basis.

**Specific Type of Contract:** New services agreement.

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**Purpose:** The purpose of this agreement is to secure temporary physician coverage for UMMC's main campus on an as needed basis.

*Additionally, this agreement will allow UMMC to offer work to the physicians serving in a locum tenens role, so long as UMMC pays a buyout fee that will not exceed twenty-five percent (25%) of the physician's first year's salary. UMMC finds this an acceptable provision, as it allows us to hire physicians who may otherwise be difficult to recruit and it provides an avenue for UMMC to hire physicians that have shown competency in their field.*

**Scope of Work:** Under the agreement, CompHealth will:

- present physicians to UMMC for consideration for temporary coverage,
- provide confirmations that include the name of physician, specialty of physician, the dates and location of the assignment, the fees associated with the assignment, and any applicable physician buyout fee,
- provide compensation directly to the physician assigned to UMMC, and
- ensure that temporary physicians are appropriately licensed.

UMMC will:

- provide a practice description for the assignment being requested,
- maintain facilities, equipment, practice methods and environment, protocols, staffing levels, privileging and related matters,
- provide each physician with reasonably maintained, usual and customary equipment and supplies, as well as a suitable practice environment prior to physician's assigned start date,
- comply with all applicable Joint Commission standards, OHSA, federal, state, local and other professional standards, laws, rules and regulation related to patient care and work environment, and
- cooperate with CompHealth's reasonable risk management and quality assurance activities

**Term of Contract:** The term of the agreement is for three (3) years – February 1, 2016 through January 31, 2019.

**Termination Options:** The agreement may be terminated for the following:

- at any time upon thirty (30) days written notice,
- reduction of funds, and
- failure by CompHealth to comply with the federal E-Verify Program.

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**Contract Amount:** UMMC is requesting the approval of costs up to \$3,000,000.00. This amount will be based on fees for the varying specialties that may require coverage. UMMC will be issued a rate charge confirmation prior to each assignment for physician coverage.

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** CompHealth is the current provider of services to UMMC's main campus.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

**10. UMMC-REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH EXECUTIVE REVENUE CYLCE PARTNERS, LLC D/B/A ENSEMBLE HEALTH PARTNERS**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Executive Revenue Cycle Partners, LLC d/b/a Ensemble Health Partners** to perform a review of all third party non-governmental payors to identify underpayments and recover funds.

**Contractor's Legal Name:** **Executive Revenue Cycle Partners, LLC d/b/a Ensemble Health Partners (Ensemble)**

**History of Contract:** This is a new agreement

**Specific Type of Contract:** New services agreement.

**Purpose:** The purpose of this agreement is to identify all non-governmental third party underpayments, determine issues for underpayment and provide education and supporting documentation for the changes and recover funds from denied or underpaid accounts.

**Scope of Work:** Under the agreement, Ensemble will:

- identify all potential underpayments for non-governmental payors, such as Commercial Managed Care, Managed Medicare and Medicaid HMO's,
- determine the root cause of the underpayment,
- perform work for and prepare appeals for contractual variances,

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- work with the chargemaster staff for identified changes that are needed,
- rebill accounts in which underpayment was a result of chargemaster structure,
- report monthly on progress of recovery efforts,
- partner with staff to ensure proper charging and billing for identified claims,
- manage the follow-up on and collection of identified accounts until resolved,
- maintain confidentiality on all matters in conformance with the policies and procedures of UMMC, and
- prepare a final report that includes recommendations for improving the charge process.

**Term of Contract:** The term of the agreement is for three (3) years – February 1, 2016 through January 31, 2019.

**Termination Options:** The agreement may be terminated for the following:

- at any time upon thirty (30) days written notice,
- failure by Ensemble to perform under the contract upon ten (10) days notice of opportunity to cure,
- reduction of funds,
- an inability to agree to renegotiated contract terms in the event a change in law occurs that materially restricts or prohibits the rights of either party or otherwise makes it desirable for the parties to renegotiate the agreement,
- failure by Ensemble to comply with the federal E-Verify Program , and
- for a breach by Ensemble of the Business Associate Agreement.

**Contract Amount:** The contract will be performed under a contingency fee structure. Payments to Ensemble are estimated at \$600,000 assuming that Ensemble collects 1% of current commercial revenue levels.

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** UMMC conducted an RFQ in 2015 to identify professional services firms, who could perform professional services, on an as needed basis. As part of the RFQ process, UMMC provided the RFQ to fifteen (15) firms who have the capacity to perform services for UMMC. After receiving proposals, the UMMC selection committee selected a total of seven (7) firms with whom UMMC entered into a Master Indefinite Delivery Indefinite Quantity Services Agreement (IDIQ). Three of the seven firms had demonstrated capabilities in this technical area, Ensemble, Dixon Hughes Goodman and MedAssets. Proposals were received from all three firms. Ensemble was selected based on their documented approach and track record. Ensemble's fees are a flat 25% of amounts recovered. MedAssets proposal was a staggered rate of 35% and 45%, with a \$17,500

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deposit. Dixon Hughes was also a staggered rate ranging from 15% to 20%. This SOW is governed by the IDIQ with Ensemble.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

**11. UMMC-REQUEST FOR APPROVAL TO AMEND A SERVICES AGREEMENT WITH GE MEDICAL SYSTEMS INFORMATION TECHNOLOGIES, INC. D/B/A/ GE HEALTHCARE**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) is requesting approval to enter into an addendum to the existing service agreement with **GE Medical Systems Information Technologies, Inc. d/b/a GE Healthcare** to remove a piece of equipment receiving corrective and preventative maintenance services.

**Contractor's Legal Name:** **GE Medical Systems Information Technologies, Inc. d/b/a GE Healthcare (GE)**

**History of Contract:** On October 16, 2014 the Board approved UMMC to enter into an agreement with GE to provide preventative and corrective maintenance for the diagnostic imaging equipment and biomedical equipment at the Grenada and Holmes county facilities for a term of five (5) years beginning November 1, 2014 and ending October 31, 2019. The total approved cost of the agreement was \$6,412,588.49.

**Specific Type of Contract:** Contract Amendment

**Purpose:** The purpose of this addendum is to remove one (1) piece of equipment, the Lorad MV XR, from the schedule of corrective and preventative maintenance services and product support coverage is no longer needed.

**Scope of Work:** GE will remove and no longer provide UMMC with services for the Lorad MV XR located at its Holmes County facility.

**Term of Contract:** The term of this addendum is three (3) years and nine (9) months. The effective date of the amendment will be February 1, 2016 and be co-terminus with the agreement, which ends October 31, 2019.

**Termination Options:** The agreement may be terminated for the following:

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- After the first year of this agreement and at UMMC's request, GE Healthcare and UMMC will meet annually at times mutually agreed to by the parties to analyze each party's performance under this agreement through a business review. Such review may include but not be limited to service program performance metrics, pricing, and productivity analysis. GE Healthcare and UMMC agree to discuss in good faith recommendations for improvements to the service program for the remainder of the term, including but not limited to cost adjustments (both potential increases and decreases) for the remainder of the term. If UMMC is not satisfied with the resolution of such good faith discussions, UMMC may, at UMMC's sole discretion, terminate this agreement without cause; provided however that written notice is provided to GE Healthcare at least ninety (90) days prior to termination. Upon termination, neither party shall have any further obligations under this agreement except for (i) payment obligations arising prior to the date of termination and (ii) obligations, promises or covenants contained in this agreement which by their terms must extend beyond the termination date;
- In the event of breach of a material term of the agreement by either party, unless such breach is remedied within the sixty (60) day period between notification of termination and the effective date of the termination;
- Failure by GE to comply with the federal E-Verify Program; and
- Lack of available funding to UMMC.
- UMMC may terminate the agreement and the underlying business relationship in the event that GE, acting as a business associate, as defined by the Health Insurance Accountability and Portability Act (HIPAA), improperly uses or discloses protected health information in breach of the business associate agreement (BAA);
- UMMC may terminate if it makes the determination that a material condition of performance by GE, acting as a business associate, as defined by the HIPAA, has changed or the business associate has breached a material term of BAA

**Contract Amount:** This addendum will reduce the cost of the agreement by \$33,750.00. The total estimated cost of the agreement is now \$7,274,010.69

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** GE is the vendor UMMC is currently contracted with to provide these services.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

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**12. UMMC-REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH MC ANALYTXS, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center requests approval to enter into a multi-year contract with **MC AnalyTXs, Inc.** for the use of its proprietary payor contract management system software and associated support for the software. In addition, UMMC is requesting approval for an additional scope of work (SOW) to be performed for audit service which will help identify unpaid or underpaid insurance claims.

**Contractor's Legal Name: MC AnalyTXs, Inc. (MCA)**

**History of Contract:** UMMC has utilized a software application designed to monitor and evaluate its contractual arrangements with each of its third party payors. The system not only ensures accurate calculation of expected reimbursement and identifies recovery opportunities, but also plays a key part in UMMC's impact analysis and managed care contract modeling process.

In June of 2007, UMMC entered a one year agreement with MCA with effective dates from June 1, 2007 through May 30, 2008. This agreement was automatically extended through December 31, 2008. Thereafter, UMMC entered into three successive one year agreements beginning in January 1, 2009.

In April of 2011, UMMC issued Request for Proposal (RFP) No. 1153 for a payor contract management system. UMMC received two responses to the RFP; MCA and Medical Present Value (MPV). Once the proposals were reviewed UMMC awarded MCA the RFP for the contract management system as they scored higher than MPV.

Originally UMMC planned to seek IHL approval for a four (4) year agreement with MCA to begin March 1, 2012 and run through April 30, 2016. During this same time, however, UMMC was implementing, EPIC, whose go-live date was slated for June 1, 2012. One of the many modules available in the system was a contract management tool. The leadership at the time made the decision instead to enter into a one year agreement with MCA beginning March 1, 2012 and ending February 28, 2013. UMMC's intention was to be able to utilize the contract management functionality within EPIC at the end of the term. Due to the length of time required to finalize the agreement, MCA was paid outside of an active contract for services provided during January and February of 2012.

Shortly before the EPIC go-live, it was determined that the version of EPIC UMMC purchased could not support the contract management function that was needed. The newer version of EPIC was slated to go into place in March of 2014. Once again, the decision was made to continue the relationship with MCA on a limited basis by means of two, one year agreements so that the upgraded version of EPIC could be implemented and the contract tool

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could be loaded, customized and tested. The first of these two agreements began March 1, 2013 through February 28, 2013 and the second began March 1, 2014 through February 28, 2014.

The upgrade to EPIC occurred on schedule. The months of customized build and testing of the contract tool that followed proved to be unsuccessful in meeting the needs of UMMC. Knowing that a RFP needed to be performed, UMMC requested an exemption to perform an RFP from the Mississippi Department of Information Technology Services (ITS). The exemption was approved and issued by ITS on March 4, 2015. Continuation of a functional system was critical to upcoming payor contracting negotiations, UMMC entered into two (2) individual, four (4) month agreements with MCA after the previous agreement expired. The terms of these agreements were March 1, 2015 through June 30, 2015 and July 1, 2015 through October 31, 2015. This allowed time for UMMC to prepare, advertise, receive and review proposals under RFP 1207 Healthcare Contract Management System. On November 1, 2015 UMMC entered into a third individual four (4) month agreement to allow for submission of the new long term agreement to the board.

**Specific Type of Contract:** This is a new software and support agreement with an addition statement of work for audit services.

**Purpose:** The purpose of this agreement is for UMMC to license the AllPayor contract management system software and associated support from MCA. Additionally the SOW will provide auditing services to help identify unpaid or underpaid claims.

**Scope of Work:** MCA will provide the following related to the software:

- License of the proprietary AllPayor software;
- Any support and assistance required for initial contract set-up;
- Monitor contract changes throughout the life of the agreement;
- Provide a comprehensive list of rules for generating contractual terms and allow flexibility in the rules engine in order to guarantee the ability to write rules without the need of major configuration or programming of the System;
- Guarantee seamless integration between contract modeling module and UMMC's decision support system;
- Support UMMC as needed in creating and adding additional filters to the contracting/reporting module;
- Provide reporting to include, but not limited to summary and detail data for contracts managed, identified claim changes, contract issues addressing conflicting information, trends report for underpayments, overpayments and any other relevant data that may be required; and

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- Inform UMMC’s team of any new processes or technology that may improve efficiency, reduce cost and provide any additional value to UMMC throughout the life of the contract.

MCA will provide the following audit services:

- Review the UMMC’s claim payment data for those patients with service dates to be determined by UMMC to identify the claims which appear to be unpaid or underpaid;
- Use AllPayor to calculate the plan benefit, compare this plan benefit to the actual combined insurance carrier and patient responsibility amounts on remittance advices and compute claim payment deficiencies. Such review shall be based on the contract terms either negotiated or published for each payer. Nothing in this review will involve changes to the DRG coding, the applicable ICD sequencing, HCPCS codes, bundling or unbundling of services or other changes or adjustments to the characterization of the services provided to plan beneficiaries;
- Research claim payment deficiencies and determine those claims for which additional payments may be obtained from the insurance carriers;
- Prepare such appropriate claim documentation and supporting data as necessary for submission to the insurance carriers. The insurance carriers will pay any additional payments resulting from MCA’s efforts directly to UMMC. MCA will make no attempt to collect unpaid or underpaid amounts due from UMMC individual patients;
- Assist the UMMC (at the UMMC’s option) by performing collection follow-up with the appropriate insurance carriers when continued nonpayment of amounts due persist; and
- Report to UMMC all potential overpayments identified by MCA during the course of this engagement.

**Term of Contract:** The term of this agreement is four (4) years and ten (10) months beginning February 1, 2016 and ending November 30, 2020.

**Termination Options:** The agreement may be terminated for the following:

- By either party with or without cause with a 90 day written notice; and
- MCA may terminate this upon ninety (90) days written notice to UMMC if UMMC fails to comply with the obligations of the agreement.

**Contract Amount:** The estimated cost of this agreement is \$1,432,500.00 with a breakdown provided below.

AllPayor System	Feb.–Dec. 2016	Jan.–Dec. 2017	Jan.–Dec. 2018	Jan.–Dec. 2019	Jan.–Nov. 2020	Total
Hospital	\$150,000	\$150,000	\$150,000	\$150,000	\$137,500	\$737,500

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Physician	\$60,000	\$60,000	\$60,000	\$60,000	\$55,000	\$295,000
Audit Services	<i>Performed as needed. Fee equal to 20% of recouped payments</i>					\$400,000

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** UMMC issued RFP# 1207, Healthcare Contract Management on May 4, 2015 with proposals due June 9, 2015. UMMC received three (3) proposals in response to the request: Experian Health, Mc AnalyTXs, and SSI Group. Of the three bidders, the UMMC selection committee scored MC AnalyTXs the highest based upon the RFP evaluation criteria.

	RFP Score	Cost
MC AnalyTXs	88.02	\$1,050,000.00
Experian Health	84.23	\$1,115,000.00
SSI Group	72.81	\$1,349,208.48

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.*

**13. UMMC-REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH MCCANN ERICKSON USA, INC D/B/A/MRM/MCCANN**

**Agenda Item Request:** The University of Mississippi Medical Center is requesting approval to enter into a service contract with **McCann Erickson USA, Inc. d/b/a MRM/McCann** for the provision of campaign production and advertising services. Additionally, in accordance with the IHL policy 707.03, UMMC is requesting permission to pay in advance to McCann, any payments which are customarily paid in advance for marketing services, such as reservation for space in various marketing venues (billboards, magazines, etc.).

**Contractor’s Legal Name: McCann Erickson USA, Inc. d/b/a MRM/McCann (McCann)**

**History of Contract:** This is new contract with McCann; UMMC currently has a contract with The Ramey Agency, LLC (Ramey) for the provision of some advertising services. UMMC’s intention is to maintain the relationship with The Ramey Agency for appropriately sized projects, and to create a relationship with McCann for the Children’s of Mississippi campaign. However, it is important to note the Children’s of Mississippi Campaign is

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already budgeted and the contract merely represents the transfer of agency oversight for this campaign from Ramey to McCann.

**Specific Type of Contract:** Marketing services agreement.

**Purpose:** The purpose of this contract is to provide advertising services for the introduction of UMMC | Children's of Mississippi brand. This includes strategy support/account management, creative processes, campaign production, and media strategies including the purchase and auditing of placed media.

**Scope of Work:** Under the agreement McCann will provide customary services rendered by an advertising agency including:

- The review of Children's of Mississippi's market and strategic plans;
- Creating and executing strategies including market and overall campaign planning;
- creative concepting and implementation;
- media planning,
- purchasing and monitoring media placements;
- ordering and overseeing the space, time, talent and materials necessary to execute the Children's of Mississippi Campaign; and
- oversight of the payment of invoices to suppliers hired by McCann on behalf of the Client.

UMMC will:

- require written approval of any expenditure/estimate or commitments made on UMMC's behalf by McCann, prior to purchase and/or implementation.
- pay the amounts as agreed in the proposal and contract.

**Term of Contract:** The contract will be for a term of fourteen months, January 22, 2016 – March 21, 2017.

**Termination Options:** The agreement may be terminated for the following:

- By either party for any reason upon ninety (90) days written notice given to the other party
- Either party can immediately terminate the agreement in the event a party becomes insolvent or is subject to the direct control of a temporary or permanent liquidator, receiver, trustee or custodian for all or a substantial part of its assets or business; a party makes an assignment for the benefit of creditors; or a party files a bankruptcy petition or a petition to take advantage of any insolvency laws.

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Non-Solicitation Clause: The agreement does contain a non-solicitation clause, as follows:

*(a) Non-Solicitation of Employees. Each Party agrees that it will not, during the term of this Agreement or for one (1) year after expiration or termination, solicit, employ, contract or otherwise use in any way any person who was an employee of the other party while this Agreement was in effect.*

UMMC attempted to negotiate out of the agreement, but the vendor would not agree to the deletion of the said clause. The section applies mutually to both parties, which serves to protect

UMMC from having its employees recruited away by the vendor.

**Contract Amount:** The cost of the contract will not exceed \$1,000,000 for the term of the agreement. The charges include:

- Media Costs – All media costs that are incurred as a result of services performed by a third party, will be passed through to UMMC at gross. From this, 15% commission for media placement and oversight will be included as payment to McCann, as is industry standard. However, there will be no other agency markup on the cost of media.
- Production costs will be passed-through from McCann to UMMC with no markup.
- Out-of-pocket Expenses - All out-of-pocket expenses will be passed through from McCann to UMMC with no mark up.
- Agency Fees - Agency fees will be paid to McCann for professional services performed by the firm as documented in McCann's proposal.

**Funding Source of Contract:** The agreement will be funded by self-generated funds.

**Contractor Selection Process:** We have continued to find cost effective and creative ways to accomplish UMMC's growing marketing work within a neutral marketing budget. As UMMC has grown, we have divided the increased number of projects between a shared external agency and in-house staff model, and/or a total in-house staff.

The McCann contract allows us to efficiently and effectively produce the Children's of Mississippi campaign, while remaining budget neutral as has been the case for Marketing expenditures throughout the past five plus years.

An RFQ was issued to three advertising agencies. Since most appropriately staffed and experienced Mississippi agencies represent UMMC's health competitors and/or have a

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conflict of interest, and have no academic health science experience, we reached outside of Mississippi for the agencies included in the request for qualifications (RFQ):

- blr|further in Birmingham, Ala
- Lewis Communications in Birmingham and Mobile, Ala and Nashville, Tennessee
- MRM/McCann in Salt Lake City, Utah, has 32 offices in 22 countries

These agencies were chosen as RFQ participants based upon their experience with Academic Medical Centers, creative work product, reputations, size, commitment and depth of staffing, team processes, no competitive clientele, and long term hiring philosophy.

The RFQ ceiling was \$1,000,000 for a Children's of Mississippi campaign. RFQ criteria were extensive and detailed. In addition to specific criteria, each agency had the option of contributing creative proposals, market research, and a site visit.

McCann was the only agency that exceeded all required criteria. However, McCann was selected based upon their work with other national Academic Medical Centers; their international work and reputation; large service and product based clientele—particularly service based accounts, as is UMMC's; and a detailed and methodical strategic, media and creative proposal. Of equal importance was the confidence UMMC placed in the long-term agency team members who would oversee our account for this campaign. Of utmost importance was the ability and proven commitment of the ad agency to have the depth and internal talent to handle a large account. For example, McCann had six creative teams submit to their creative director different creative concepts for the proposed campaign. Of these, three concepts were selected by McCann leadership to present during the RFQ process. Conversely, many agencies do not have this depth and may draw from less extensive and experienced creative teams, or, choose not to invest in more than one creative team per account.

McCann also has a *McCann Health Division*, totally devoted to health care clients.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

**14. UMMC-REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH MEDICAL LEGAL RESOURCES, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Medical Legal Resources, LLC** for an Interim Chief Nursing Officer (CNO) at UMMC's Grenada facility.

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**Contractor's Legal Name: Medical Legal Resources, LLC (MLR)**

**History of Contract:** UMMC originally contracted with a staffing firm, HCT Executive Interim Management & Consulting, in September 2014 for 13 weeks for a temporary contract worker for the Interim CNO position in Grenada while UMMC Grenada began a search for a permanent employee. HCT sent Rhonda Duncan to UMMC Grenada to fill the interim position. In December 2014, the agreement was extended as the position still had not been filled. In March 2015, the contract with HCT was again amended to extend it another week and to “buy out” Rhonda Duncan from HCT so that UMMC could contract with her directly in order to keep her at UMMC Grenada rather than risk her reassignment, since she had become familiar with UMMC Grenada and its nursing operations. UMMC then contracted with MLR in March 2015 for an eight (8) month term (through early November 2015) at \$224,000. In summer of 2015, UMMC Grenada hired a permanent employee for the CNO position. A few short months later, that employee left UMMC Grenada, and again it was left without this leadership role. Since MLR had not provided services for the entire eight (8) month contract, UMMC amended the agreement through January 2016 at no additional cost, in order to allow time to work on a new agreement for IHL approval. UMMC Grenada continues to seek a permanent employee, at which time it will terminate the MLR contract for the interim CNO.

**Specific Type of Contract:** Nursing Management Services Agreement.

**Purpose:** The purpose of the agreement is to provide an Interim Chief Nursing Officer for UMMC Grenada to ensure daily quality nursing care for patients.

**Scope of Work:** Under the agreement, MLR will perform the responsibilities of Interim Chief Nursing Officer, which includes, but is not limited to, the following goals:

- Assessment of clinical areas as related to best practice standards;
- Implementation of processes to assist UMMC Grenada in obtaining compliance to meet best practice, federal, and state quality standards;
- Assist UMMC Grenada to meet financial stability specific to clinical nursing;
- Decrease readmission rate;
- Decrease overall Length of Stay (LOS); and
- Evaluation and development of currently clinical leadership.

MLR will also:

- Provide direction and mentoring, as well as analysis and implementation of systematic changes in response to identified opportunities for, of, and within the

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Nursing Department of UMMC Grenada as appropriate to the position and in accordance with the direction of UMMC Grenada; and

- Be responsible for ensuring that it and its employees perform its duties under the agreement, possess the requisite qualifications to perform in such positions, and comply with all applicable laws in the performance of his/her duties under the agreement, including, but not limited to, the appropriate professional licenses to practice and authority to transact business of the State of Mississippi.

**Term of Contract:** The term of the agreement is for one (1) year – February 1, 2016 through January 31, 2017.

**Termination Options:** The agreement may be terminated for the following:

- By either party without cause by giving 30 days prior written notice;
- Immediately by UMMC if MLR is in breach of the agreement;
- Failure by MLR to comply with the federal E-Verify Program;
- Failure by MLR to disclose ineligibility or is under investigation to determine ineligibility to participate in any federal or state healthcare programs;
- In the event of UMMC's nonavailability of funds; and
- In the event MLR improperly uses or discloses protected health information in breach of the agreement.

**Contract Amount:** The total cost of the agreement is \$336,000.00. MLR's nursing management fees are \$28,000 per month, payable in \$14,000 bi-monthly installments. All expenses incurred in performing duties pursuant to the agreement, including travel and housing, are the responsibility of MLR and will not be charged to UMMC.

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** MLR is the current provider of services to UMMC's Grenada facility.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

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**15. UMMC-REQUEST FOR APPROVAL TO AMEND A SERVICES AGREEMENT WITH PRESS GANEY ASSOCIATES, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (“UMMC”) requests approval to enter into an amendment to the Master Services Agreement with **Press Ganey Associates, Inc.** (“PG”) to facilitate the measurement of the hospital and ambulatory clinics’ patient satisfaction as required by The Joint Commission and the Centers for Medicare and Medicaid Services (“CMS”). The amendment is to add behavioral health surveys at no additional cost; bulk surveys for these services will be carved out of the existing pool of included surveys.

**Contractor’s Legal Name: Press Ganey Associates, Inc. (“PG”)**

**History of Contract:** On August 20, 2015, the IHL Board of Trustees approved the Master Services Agreement between UMMC and PG for facilitation of the measurement of the hospital and ambulatory clinics’ patient satisfaction as required by The Joint Commission and the CMS. The amendment is to add inpatient and outpatient behavioral health surveys for UMMC. In the original contract, PG inadvertently omitted these surveys, although the requirement for this type of surveys was included in UMMC’s Request for Proposal (RFP) for Patient Satisfaction Surveys.

**Specific Type of Contract:** This is the first amendment to the Master Services Agreement.

**Purpose:** The purpose of the amendment is to add Behavioral Health Inpatient and Behavioral Health Outpatient patient surveys at UMMC. These services will run concurrently with the existing Agreement.

**Scope of Work:**

Under the amendment, PG will:

- Provide surveys and accompanying cover letters for each contracted patient survey service;
- Provide surveys and a return, business reply envelope with each bulk shipment;
- Mail the bulk shipment to the facility within ten (10) business days of the survey order;
- Scan returned and completed surveys into the Press Ganey database within three (3) business days of receipt;
- Provide real time access to the survey information via the PG Application; and
- Transcribe all survey comments made in English upon survey receipt, if Client has contracted for Press Ganey’s “Comments Service.”

**Term of Contract:** The amendment will begin February 1, 2016, and end coterminous with the original agreement. The original agreement is for a period of five (5) years, beginning October 1, 2015, and continuing until September 30, 2020.

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**Termination Options:**

- Press Ganey may terminate the agreement for past due payment;
- After three (3) years, either party may terminate the agreement upon sixty (60) days' written notice to the other party;
- Either party may immediately terminate the agreement in the event of a material breach by the other party that has not been cured within 45 days;
- Failure by Press Ganey to comply with the federal E-Verify Program;
- In the event of a reduction in available funds to UMMC; and
- UMMC may terminate the agreement in the event Press Ganey improperly uses or discloses protected health information in breach of the agreement.

**Contract Amount:** There is no cost associated with this amendment to add behavioral health surveys. The total estimated cost of the contract over five (5) years remains \$2,599,643.81.

**Funding Source of Contract:** The contract will be funded by self-generated funds.

**Contractor Selection Process:** UMMC is currently contracted with Press Ganey for these services.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

**16. UMMC-REQUEST FOR APPROVAL TO ENTER INTO A RENTAL AGREEMENT WITH ROBERT J. YOUNG COMPANY, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a rental agreement with **Robert J. Young Company, Inc.** (RJ Young), for the lease of multi-function devices (MFD) and networking copiers. RJ Young is an authorized reseller/distributor for the contract between the Department of Finance and Administration (DFA) and Canon U.S.A., Inc. (Canon) for use by all state agencies for this equipment. This will serve as a temporary solution for UMMC's MFD and copier needs while the MS Department of Information Technology Services conducts a Request for Proposal and enters into a new contract for leased MFDs and networking copiers for UMMC.

**Contractor's Legal Name: Robert J Young Company Inc. (RJ Young)**

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**History of Contract:** UMMC first entered into an agreement with RJ Young in June 2008 to establish a Facilities Management Project that was customizable to UMMC. This agreement covered only copiers at that time. Pursuant to the agreement, UMMC would lease copiers from RJ Young, and RJ Young would provide supplies and services for those copiers. The services would include one RJ Young employee to be located at UMMC to help with daily maintenance needs of UMMC. The RJ Young copiers would replace all current owned and leased copiers on campus for which it could provide a comparable product. The purpose of the agreement was to reduce copier costs and to have one vendor responsible for the majority of the copiers on campus. The term of the agreement was three years.

UMMC entered into a second agreement with RJ Young in April 2010. This agreement, combined with the June 2008, brought together all multi-functional devices (MFD) (with scanning, faxing, and printing capabilities) and the existing leased copiers into one agreement. The intent was to find additional cost savings. This agreement was for a term of three years.

As the previous agreements showed considerable savings to the institution, UMMC conducted a Request for Proposals (RFP) in June 2011 for a combined services agreement. The resulting award was to RJ Young. The agreement was taken to the IHL in February 2012 for approval; however, the IHL staff did not accept the selection and thought it unsupportable. UMMC withdrew the agreement from further consideration.

Beginning March 2012, UMMC asked ITS to conduct a RFP on UMMC's behalf, but ultimately UMMC canceled the RFP twice. UMMC has paid monthly for the copiers/MFDs that are already on campus, but there is no written agreement.

Currently, ITS is drafting another RFP on UMMC's behalf for its MFD and copier needs. This two (2) year lease is submitted as a temporary solution while ITS conducts the RFP and enters into a new contract for leased MFDs and networking copiers for UMMC.

**Specific Type of Contract:** This is a Rental Agreement for Use by Mississippi Departments and Vendors, as negotiated by DFA.

**Purpose:** The purpose of the agreement is to allow UMMC to lease multi-function devices (MFD) and networking copiers. This will serve as a temporary solution for UMMC's MFD and copier needs while the MS Department of Information Technology Services conducts a Request for Proposal and enters into a new contract for leased MFDs and networking copiers for UMMC.

**Scope of Work:** Under the agreement, RJ Young will lease multi-function devices (MFD) and networking copiers to UMMC on an as-needed basis as an authorized dealer/distributor

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for Canon. RJ Young will also provide applicable software and services to render the equipment continually operational during the contract term.

**Term of Contract:** The term of the agreement is two (2) years, from February 4, 2016, through February 3, 2018.

**Termination Options:** Termination options include:

- if UMMC makes an alteration, attaches a device, or utilizes a supply item that increases the cost of services and does not remedy the action within five (5) days of receiving a request to do so, RJ Young may terminate the contract;
- if extraordinary circumstances, such as acts of God, are not resolved within a reasonable period of time, the non-defaulting party may terminate upon prior written notice;
- mutual agreement by both parties;
- if either party fails to comply with the terms and conditions of the agreement and the breach continues for thirty (30) days after the defaulting party receives notice from the other, the non-defaulting party may terminate;
- in the event of nonavailability of funds of UMMC; and
- in the event of failure by RJ Young to comply with the federal E-Verify Program

**Contract Amount:** The total estimated amount of the agreement over the two (2) year term is \$600,000.

**Funding Source of Contract:** The agreement will be funded by general funds.

**Contractor Selection Process:** RJ Young was selected based on its status as an authorized reseller/distributor for the DFA contract between DFA and Canon U.S.A., Inc. (State Contract No. 8200017716) for use by all state agencies.

**Staff Recommendation:** *Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

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**Note:** Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

**Board Policy §902, Initiation of Construction Projects**

*The Board must approve the initiation of a project for the construction of new facilities, repairs and renovations to existing facilities and requests for a capital outlay with a total project budget exceeding \$1,000,000 regardless of how the projects are financed. It is the intent of the Board that its appropriate staff under the direction of the Commissioner shall be involved in all phases of building projects requiring approval by the Board. All construction, repairs, and renovation projects with a total budget of \$1,000,000 or less may be approved by the Institutional Executive Officer. However, all projects utilizing any state bond funds, including Ayers funds, must be initiated with STAFF approval from the Office of Real Estate and Facilities. No further approvals are required by IHL staff for projects of \$1,000,000 or less unless the budget changes. All budget changes for these projects must be reported to the Office of Real Estate and Facilities.*

**Board Policy §903(B), Legislative Funding Requests**

*The Commissioner, after consultation with the Institutional Executive Officers, shall prepare and submit an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature. These requests shall be submitted for Board approval in May of each year. In developing the list of requests, the Commissioner shall consider institutional priorities, missions, enrollment, campus square footage, building conditions, comparative funding and other appropriate criteria. The Board shall then approve and furnish to the Legislature each year a priority list of the capital improvements and repair and renovation projects for all institutions under its control. Projects which are not approved by the Board shall not be submitted to the Legislature by any institution. In addition, priorities and requests of the individual institutions may not be presented or communicated to any individual legislators without the prior approval of the Board.*

*The Board approved priority lists of capital improvement and repair and renovation projects will be submitted to the Governor's Office of General Services and the Bureau of Building, Grounds and Real Property Management through the Board's Real Estate and Facilities Office.*

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**Board Policy §904(A), Board Approval**

*When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.*

*After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:*

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

*If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.*

*Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution's property even if the land is leased to an institution's affiliated entity or a private developer.*

**Board Policy §905(A), Real Estate Management**

*Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price. Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Request for approval of land contracts shall include property descriptions, terms of purchase, lease, or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be*

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*acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.*

**Board Policy §905(B), Real Estate Management**

*Prior to Board consideration of the purchase or acceptance of real estate from any source, a Phase I or more detail Environmental Report shall be completed by qualified personnel and submitted to the Board's Real Estate and Facilities Office. In the event hazardous substances are confirmed as having existed in the past or as presently existing, the Board reserves the right to cancel the transaction without liability, or to permit the other party or parties to remove the hazardous substances at its or their expense in a manner sufficient to receive a "no further action" letter from the State's Department of Environmental Quality.*

**Board Policy §917, Naming of Buildings and Facilities**

*Board approval must be obtained prior to naming or re-naming any institutional building or facility. However, assigning generic names which are descriptive of the functions served by a building – such as "University Athletic Training Facility" or "Chemistry Building"— does not require Board approval, unless the building has an existing non-generic name which is to be changed or modified. Board approval must also be obtained prior to naming or re-naming any building or facility built on university property leased to a university affiliated entity, a private developer or any other individual or entity.*

**Board Policy §919, Pre-requisites for Building Modification or Demolition**

*Prior to scheduling a building on an institution's property for restoration, improvement, construction, repair, renovation, rehabilitation, demolition or similar work, the institution shall secure an inspection and approval from the Mississippi Department of Environmental Quality and a permit or written permission from the Mississippi Department of Archives and History authorizing the requested building action. After obtaining approval from these two agencies, a request for the building modification or demolition shall be submitted to the Board for approval. The request to the Board must include documentation evidencing approval by the Department of Environmental Quality and the Department of Archives and History.*

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**APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS**

**BUREAU OF BUILDING PROJECTS**

**1. USM– GS 110-097 – Campus Repairs and Renovations**

**Project Request:** The University of Southern Mississippi requests approval to appoint Allred Architectural Group as the design professional. The university used the “Request for Qualifications” (RFQ) selection process.

**Proposed Design Professional: Allred Architectural Group**

**Purpose:** The University of Southern Mississippi is requesting approval to appoint the design professional for campus repairs and renovations at the Gulf Coast Research Lab in Ocean Springs. The university initiated the project in October 2015 and requested use the “RFQ” selection process to select the design professional for the project. The campus repairs in the project will include, but are not limited to, roofing, HVAC, and electrical upgrades and improvements.

The University of Southern Mississippi is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** October 15, 2015

**Date of Original Construction:** N/A

**Date of Last Renovation:** N/A

**Proposed Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 1,660,000.00
Architectural and Engineering Fees:	140,000.00
Misc. Project Costs:	0.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>200,000.00</u>
<b>Total Project Budget</b>	<b>\$ 2,000,000.00</b>

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**Proposed Funding Source(s):** HB 787, Laws of 2014 (\$1,000,000); SB 2845, Laws of 2015 (\$1,000,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**IHL PROJECTS**

**2. MSU– IHL 205-280 – Pre-Planning for Starkville Oktibbeha Consolidated School District Partnership Middle School**

**Project Request:** Mississippi State University requests approval to initiate a project, Pre-Planning for Starkville Oktibbeha Consolidated School District Partnership Middle School, and to appoint JH&H Architects as the design professional. The university used the “Request for Qualifications” (RFQ) selection process.

**Proposed Design Professional: JH&H Architects**

**Purpose:** Mississippi State requests approval to initiate preplanning for IHL #205-280, Preplanning for Starkville-Oktibbeha Consolidated School District Partnership Middle School, with a total preplanning project budget of \$200,000. This facility is a joint effort by Mississippi State University, MSU Foundation, and the Starkville Oktibbeha Consolidated School District, to be located on MSU property referred to as the Longest property.

With the consolidation of the Starkville School District and the Oktibbeha County School District a new middle school for 6<sup>th</sup> and 7<sup>th</sup> grade students is needed. Mississippi State University desires to partner with the new school district to provide teaching opportunities for the university’s College of Education teacher training programs. This project is to pre-plan the new facility and to incorporate designed space that will accommodate the needs of the university for its education majors.

The new Partnership Middle School will house approximately 900 students and shall consist of approximately 125,000 square feet. The new facility must incorporate sustainable design requirements and adhere to the MSU Campus Master Plan and MSU Design and Construction standards. The total budget for the project is \$200,000.

Mississippi State University is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires

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each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** January 21, 2016

**Date of Original Construction:** N/A

**Date of Last Renovation:** N/A

**Proposed Project Budget:**

		<i>Estimated</i>
Construction Cost:	\$	0.00
Architectural and Engineering Fees:		200,000.00
Misc. Project Costs:		0.00
Furniture & Equipment Costs:		0.00
Contingency:		<u>0.00</u>
<b>Total Project Budget</b>	<b>\$</b>	<b>200,000.00</b>

**Proposed Funding Source(s):** MSU Foundation Funds (\$200,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**3. MSU– IHL 205-282 – MSU Library Exhibit Space**

**Project Request:** Mississippi State University requests approval to initiate a project, MSU Library Exhibit Space, and to appoint Healy Kohler Design, Inc. as the design professional.

**Proposed Design Professional:** Healy Kohler Design, Inc.

**Purpose:** Mississippi State requests approval to initiate Library Exhibit Space project. This project will furnish the exhibit spaces created in GS #105-352 Library Expansion. The exhibit spaces were included as conceptual concept in GS #105-352 so that the walls and electrical outlets were constructed in the correct locations for future exhibits. Healy Kohler Design was hired as a consultant by the design professional on the Library Expansion project. MSU is desiring to move forward with Healy Kohler Design Inc. as the exhibit designer now for the Library Exhibit Space project.

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Mississippi State University is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** January 21, 2016

**Date of Original Construction:** N/A

**Date of Last Renovation:** N/A

**Proposed Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 2,300,000.00
Architectural and Engineering Fees:	185,450.00
Misc. Project Costs:	100,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>114,550.00</u>
<b>Total Project Budget</b>	<b>\$ 2,700,000.00</b>

**Proposed Funding Source(s):** EBC Bond funds (\$1,300,000); SB 2844, Laws of 2015 CEF (\$479,296); MSU Foundation Funds (\$185,450); University Library Funds (\$735,254)

**Staff Recommendation:** Board staff recommends approval of this item.

**APPROVAL OF BUDGET INCREASES AND/OR CHANGES OF SCOPE/FUNDING SOURCE(S)**

**BUREAU OF BUILDING PROJECTS**

**4. ASU – GS 101-297 – Technology Classroom Building**

**Project Request:** Alcorn State University requests approval appoint the Allred Architectural Group as the design professional and to increase the budget for the Technology Classroom Building project. The budget will increase from \$400,000.00 to \$ 16,500,000.00, for an increase of \$16,100,000.00. In addition, Alcorn State

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University requests approval to add HB 787, L'14, bond funds and SB 2906, L'15, bond funds as funding sources to the project to allow for the budget increase.

**Project Phase:** Project was pre-planned under GS #101-295.

**Proposed Design Professional:** Allred Architectural Group

**General Contractor:** TBD

**Purpose/Justification:** The project is currently in the pre-planning phase. The purpose of this project is to provide Alcorn State University with modern classroom space to address future needs and provide additional office and support spaces. The Bureau of Building conducted an RFQ for the project and The Allred Architectural Group was selected as the preferred professional. The funding increase will allow us to proceed with the design and construction of the building.

Alcorn State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project changes of scope, funding source and budget increases to the Board for approval.

**Project Initiation Date:** June 20, 2013

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 0.00	\$ 13,050,000.00	\$ 13,050,000.00
Architectural and Engineering Fees	\$ 400,000.00	\$ 770,250.00	\$ 370,250.00
Miscellaneous Project Costs	\$ 0.00	\$ 245,750.00	\$ 245,750.00
Furniture & Equipment Costs	\$ 0.00	\$ 1,540,000.00	\$ 1,540,000.00
Contingency	\$ 0.00	\$ 894,000.00	\$ 894,000.00
<b>Total Project Budget</b>	<b>\$ 400,000.00</b>	<b>\$ 16,500,000.00</b>	<b>\$ 16,100,000.00</b>

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**Proposed Funding Source(s):** SB 2913, Laws of 2013 GO Bonds (\$400,000); HB 787, Laws of 2014 GO Bonds (\$9,000,000.00); SB 2906, Laws of 2015 GO Bonds (\$7,100,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**IHL PROJECTS**

**5. USM – IHL 210-245 – Toxicology Building, Cedar Point**

**Project Request:** The University of Southern Mississippi requests approval to modify the funding source for this project to include Gulf Coast Research Lab internal funds.

**Project Phase:** Design Phase

**Design Professional:** Allred Architectural Group

**General Contractor:** TBD

**Purpose/Justification:** The project is currently in the design phase. The project was initiated with the Board on August 21, 2008. The University of Southern Mississippi requests approval of a change in funding source for the Toxicology Building project at Gulf Coast Research Lab in order to add internal funds to the project to offset the reduced FEMA funds received for the project. The project budget was approved at \$4.9 million. Final FEMA funding was negotiated at \$3,678,305 which resulted in the university incurring a construction shortage of \$1,221,695. The USM Gulf Coast Research Lab will cover the remaining shortage in project expenses from institutional operating funds set aside for this purpose.

The project is for the replacement of the Toxicology Building that was located on the Halstead Road site prior to Hurricane Katrina. The original facility was completely destroyed by the hurricane. Due to the location of the original site being in a Velocity Zone, the university plans to build a new facility at the Cedar Point site in Ocean Springs, Mississippi. The replacement facility will be approximately 11,000 square feet and will include offices and laboratories. The University of Southern Mississippi is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project changes of scope, funding source and budget increases to the Board for approval.

**Project Initiation Date:** August 21, 2008

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**Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 3,333,500.00
Architectural and Engineering Fees:	544,805.00
Misc. Project Costs:	629,324.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>392,371.00</u>
<b>Total Project Budget</b>	<b>\$ 4,900,000.00</b>

**Proposed Funding Source(s):** FEMA Funds (\$3,678,305); USM GCRL Internal Funds (\$1,221,695)

**Staff Recommendation:** Board staff recommends approval of this item.

**APPROVAL OF OTHER REAL ESTATE REQUESTS**

**6. MSU – Delete from Inventory –Buildings #1566 and #1577**

**Project Request:** Mississippi State University requests approval to delete from inventory Buildings #1566 and #1577.

**Purpose:** Buildings #1566 and #1577 are in poor condition and no longer serve the mission of the Experiment Station. These buildings are located at the Delta Branch Station in Stoneville, MS.

The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

**Staff Recommendation:** Board staff recommends approval of this item.

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**7. UM – IHL 207-392 – North Parking Structure – Approval of Exterior Design**

**Project Request:** The University of Mississippi requests approval of the exterior design of the proposed North Parking Structure. (*See Rendering of Parking Structure on Page 12*)

**Project Phase:** Design Phase

**Design Professional:** Eley Guild Hardy Architects, P.A.

**General Contractor:** TBD

**Purpose/Justification:** The University of Mississippi must provide additional parking on campus to satisfy the demand. The university intends to construct a new seven-level parking structure in the north housing district on campus. The parking structure will provide approximately 1,500 additional parking spaces in this district.

The University of Mississippi is seeking approval of the exterior design of the parking structure in accordance with Board Policy §904(A), Board Approval, that requires the Board to approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project.

**Project Initiation Date:** September 27, 2014

**Project Budget:**

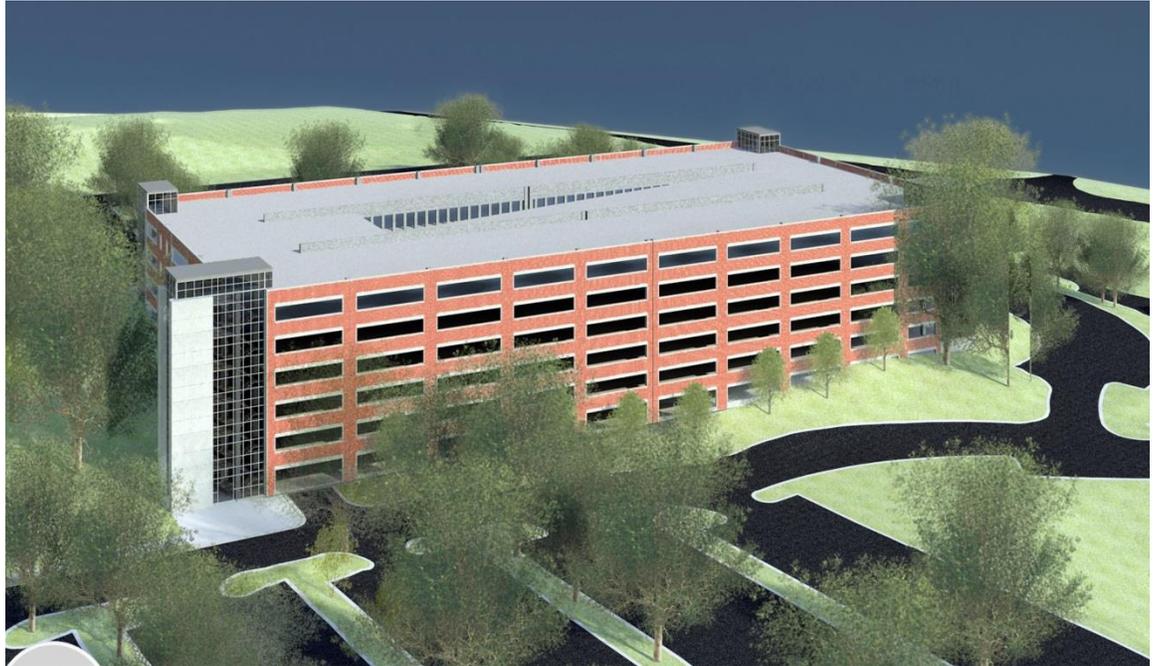
	<i>Estimated</i>
Construction Cost:	\$ 29,100,000.00
Architectural and Engineering Fees:	1,732,204.34
Misc. Project Costs:	494,160.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>3,173,635.66</u>
<b>Total Project Budget</b>	<b>\$ 34,550,000.00</b>

**Proposed Funding Source(s):** Internal R&R Funds (\$34,550,000)

**Staff Recommendation:** Board staff recommends approval of this item.

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**Rendering1: Proposed North Parking Structure:**



**8. SYSTEM – Approval of Modification of Facility Needs Request for the 2016 Legislative Session**

**Request:** Board approval is requested for the revised prioritized lists of proposed funding needs for the 2016 Legislative Session as prepared by each individual institution. Delta State University, Mississippi Valley State University, The University of Mississippi, and the University of Mississippi Medical Center revised their priorities from the Board approved priority list in August of 2015. A copy of the revised prioritized funding needs along with project descriptions are located on page(s) 13-21. IHL is seeking approval in accordance with Board Policy §903(B), Legislative Funding Requests, which requires the preparation and submittal of an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature. **(Note: All revisions appear below in Yellow)**

**Staff Recommendation: Board staff recommends approval of this item.**

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**Revised Facilities Needs Requests for FY 2017  
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University	University Priority	Project Description	Original Project Request	New Request	Total By University
DSU	1	<b>President's Home</b> (New Item Added)		\$1,750,000	
	2	Zeigel Hall Renovations and Additions (formerly #1)	\$7,942,500		
	3	Walter Sillers Coliseum (formerly #2)	\$6,242,500		
	3	<b>Campus Roof Repairs</b> (included in #4)	\$1,702,500		
	4	<del>Court of Governors Renovations Phase</del> (Changed to #5)	\$8,287,500		
	4	<b>Campus Repairs</b> (includes Roofs Repairs and MDAH Bldgs.)		*\$6,029,500	
	5	<b>Preservation of MDAH Buildings</b> (included in #4)	\$3,532,500		
	5	Court of Governors Renovations Phase I (formerly #4)	\$8,287,500		
					\$30,252,000
MVSU	1	Fire Suppression System Upgrades	\$2,270,000		
	2	Edna Horton Residence Hall Renovation	\$7,000,000	*\$7,500,000	
	3	Leflore Residence Hall Renovation	\$9,080,000	*\$10,000,000	
	4	Student Union Complex Renovation and Expansion	\$16,844,260		
	5	Ratcliff Hall	\$9,591,855		
					\$46,206,115
UM	<del>1</del>	<del>Wastewater Treatment Facility</del> (Deleted – Built with University Funds)	<del>\$10,000,000</del>		
	1	New Science Building (formerly #2)	\$40,000,000		
	2	Data Center Renovation (formerly #3)	\$17,000,000		
	3	Northwest Campus Mechanical Plant (formerly #4)	\$15,000,000		
	4	South Campus Recreation Facility and Transportation Hub (formerly #5)	\$20,000,000		
	5	<b>Office Building</b> (New Item Added)		\$20,000,000	
					\$112,000,000
	<del>1</del>	<del>LED Lighting Upgrade</del> (Changed to #5)	<del>\$3,405,000</del>		
UMMC	1	<b>Clinical Trials Unit</b> (New Item Added)		\$10,000,000	
	2	<del>AHU#1 (OR) Replacement</del> (deleted)	<del>\$2,837,500</del>		
	2	<b>Children's Hospital Expansion</b> (New Item Added)		\$30,000,000	
	3	Emergency Generator Replacement	\$5,675,000		
	4	New Boiler for Main Boiler Plant	\$2,837,500		
	5	LED Lighting Upgrade (formerly #1)	\$3,405,000		
					\$51,917,500

**Note 1: Asterisk (\*) represents a budget revision to the project.**

**Note 2: See Descriptions and Justifications for university projects below.**

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**Delta State University**

**1. President's Home**

**\$1,750,000**

Project Purpose: Delta State University's current home for the president will be demolished (using current university resources) and the new home will be constructed on the same site. Private funds were used to develop an initial rendering of the new home, which takes into account living arrangements needed based on the lifestyle of various types of presidents (from those with young children to a single person). The estimated size of the new home is 5,500 square feet (living space) and 1,500 sq. ft. for other spaces (garage, patio, porch, etc.). The building will be a two-story Italianate Cottage style home to match current campus structures. While the primary purpose of the facility will be housing for the university president (and family), it will also be used extensively as a facility for hosting various campus events and receptions.

Project Justification: IHL requires the presidents of the universities to live on campus. Delta State's President is temporarily living in the university's original home for the president, which was built in 1927. It is a small (1,500 sq. ft.) and inadequate two-bedroom home that is in great need of repair (leaks, mold issues, etc.). The newer home for the president was built in 1957 (5,154 gross square feet); however, it is in worse condition (leaks, mold, etc.) than the 1927 home. Delta State needs a home for its President that is suitable in size and decor for living purposes as well as for hosting university events, donor receptions, etc. Because the facility is considered a public building, it will have to follow Bureau of Buildings construction specifications and will have to be outfitted as a public facility (sprinkler system, fire alarms, etc.) which drives up the cost of the project.

**2. Zeigel Hall Renovations**

**\$7,942,500**

Project Purpose: This project will renovate Zeigel Hall, an 18,000 sq. ft., two story academic building on the University's Quad. This building was completed in 1961, and houses the Music Department. This project is intended to completely renovate the building. All the furnishings and equipment to support the renovation are included within this project.

Project Justification: Zeigel Hall is one of the major buildings on the University's campus located directly on the Quad. The renovated facility will be used for the music department, providing much needed academic support areas. The renovation will remove asbestos, update infrastructure and HVAC systems, provide fire suppression, new lighting, and will address code issues as well as ADA and life safety requirements.

**3. Walter Sillers Coliseum**

**\$6,242,500**

Project Purpose: The project will perform necessary structural repairs to the Sillers Coliseum. Foundations on the building built in 1961 have shifted causing separation in the structure and concrete masonry unit walls. Project will include major repairs to foundations, walls, structural concrete repairs, from the roofline to the lower level bathrooms. Renovations for ADA compliance, lighting upgrades, and safety will also be addressed.

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Project Justification: Foundations in the 53 year old building have shifted causing separation between the steel structure and the concrete masonry unit walls, and brick veneer on the outside of the building. The shifting foundations have caused severe cracking in the walls along the South portion of the building. The 46,973 square foot facility is home to all Delta State Basketball, graduations, and a host of community events throughout the year. The movement of falling blocks causes a great safety risk to the public. The building is in need of meeting several ADA access requirements. The project is a new addition to the Legislative Facilities Needs Request. Preplanning is being performed with 2014 Legislative Funds.

**4. Campus Repairs**

**\$6,029,500**

Project Purpose:

1) Campus Roof Repair - Replace roof systems on Ward Halls, The Hugh Cam Smith Facilities Management Building, Cain -Tatum and Fugler- Hammett Residence halls. Repair to roofing systems on Lawler-Hawkins Residence Hall, Bailey Hall need to be addressed. All of the Buildings listed experience substantial leaks every time it rains.

2) Preservation of MDAH Buildings - The project is to preserve the outside appearance of many of the buildings on Delta State University that are listed on the register of the Mississippi Department of Archives and History; such as Cleveland Hall, Ward Hall, Wright Art Building, Broom Hall, Sillers Chapel, Delta Music Institute (Whitfield Gym). Items such as doors and windows to be replaced with approved energy efficient equals. This will preserve the past and beauty of these building on Delta State Campus.

3) Roberts LaForge Library Envelope Repairs - Project would include repairing and replacing windows that have failed and that are leaking.

Project Justification:

1) Campus Roof Repair - Ward Hall 2nd Floor is Modified Bitumen installed over 30 years ago the was coated with spray polyurethane foam roof in 1985. The 3rd Floors are asphalt shingle roofs. The Facilities Management Building was a foam roof applied in 1987 over the original 1974 built-up roof. The Cain -Tatum and Fugler Hammett Residence Halls have poured concrete roof with sprayed foam coating. The roof system on both are to be designed with a hip shingle roof to match and blend with those currently on campus. Several other buildings listed above on campus leak during substantial rain events. IHL performed a roof study in 2011, GS 503-016IHL/CJC, of all buildings on campus. It list many buildings that do not meet required grading. To meet the 20 year warranty life cycle, DSU would need to replace the roof on two buildings every year form hereon.

2) Preservation of MDAH Buildings - The doors and windows in these buildings are constructed of wood, which the elements over time have weathered and caused to rot. Replacing with approved equals requires working with the MDAH to ensure that proper time period features are consistent with the building. The newer doors and windows not only preserve the building but lower utility cost to the university.

3) Roberts LaForge Library Envelope Repairs - Delta State had an Architect perform a study on the windows in 2013 to determine the cause of the leaking and the failures. Results show old seals, insulated glass windows that have had leaks, etc.

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**5. Court of Governors Hall Phase I** **\$8,287,500**

Project Purpose: Court of Governors, a three-floor men's residence hall, located at 1300 Maple Street, was completed in 1970, with a GSF of 48,764. The Court of Governors is comprised of four halls: Brewer Hall, Clark Hall, Longino Hall and Noel Hall; and a pavilion. This dormitory is a block and brick construction. Court of Governors was renovated in 2000 with window, roof, and carpet upgrades. The project would need to be constructed and phased in sets of two buildings at a time due to limited places on campus.

Project Justification: The four main buildings that make up the Court of Governors Residence Hall, constructed in 1970, have 44 years of wear on them. Student retention is key to the university and a comfortable living space to reside in for students makes for a better environment. Upgrades in ADA compliance issues will be made in bathrooms, and other areas of the dorms.

## **Mississippi Valley State University**

**1. Fire Suppression System Upgrades** **\$2,270,000**

Project Purpose: This project proposes to install fire suppression systems within the campus residence halls. This will eliminate the current life safety issues.

Project Justification: This project was funded in the amount of approximately \$1,000,000.00 from the previous 2009 appropriation. Currently \$250,000.00 is in place planning for the upcoming phase with four of the nine occupied residence halls currently operating with new sprinkler systems. The current funding request would complete the second phase of this project. The third phase will address E&G facilities.

**2. Edna Horton Residence Hall Renovation** **\$7,500,000**

Project Purpose: This project proposes to complete the second phase renovation of the existing Edna Horton residence hall. Renovation will include comprehensive redesign and renovation of the existing interior and exterior envelop of the building as well as a new roof. The scope of this project proposes to renovate the interior, exterior building envelop, upgrade the mechanical systems, address life safety issues, upgrade the existing elevator, install new security system and address ADA compliance issues. The exterior envelop of Edna Horton will be completely replaced due to brick veneer failure in 2013.

Project Justification: The requested renovation would be a continuation of a phased project. Under current conditions, the building was closed due to brick veneer failure in 2013 that caused a need to be replaced. Renovation of this building would maximize space for student housing by increasing the bed count and student housing assignment in an effort to offset the increase in student housing rates.

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**3. Leflore Hall Residence Hall Renovation \$10,000,000**

Project Purpose: This project proposes to renovate the existing Leflore Residence Hall. Renovation will include comprehensive redesign and renovation of the existing interior and exterior envelop of the building. The scope of this project proposes to renovate the interior, exterior building envelop, upgrade the mechanical systems, address life safety issues, upgrade the existing elevator, install new security system and address ADA compliance issues. The exterior envelop of Leflore Hall will be completely replaced due to brick veneer failure discovered in 2013.

Project Justification: The requested renovation would be a complete renovation project. Under current conditions, the building was closed due to brick veneer failure, life safety issues as well as ADA compliance issues. Renovation of this building would maximize space for student housing by increasing the bed count and student housing assignment in an effort to offset the increase in student housing rates.

**4. Student Union Complex Renovation and Expansion \$16,844,260**

Project Purpose: This project proposes to renovate and expand the existing Student Union Facility. The proposed scope will include construction of an adjacent expansion to house student service activities, large scale meeting room functions and student recreational activities with adequate seating capacity for attending audiences. Renovations will also include complete renovation of existing Jacob Arron Facility to house expanded student support spaces, post office, print shop and University Bookstore. Project will also address the remediation of existing roof and structure, replacement of existing mechanical systems, and the renovation of the interior and address all life safety issues and ADA compliance.

Project Justification: Current facilities do not completely satisfy the most current life safety and ADA requirements. Because of the condition of outdated facilities, Student support areas have historically struggled to meet student expectations for minimum basic services and have had an effect on student recruitment and retention. Completion of this project would satisfy several components of the university's mission as it relates to serving the regionalized Delta by augmenting recruitment and retention.

**5. Ratcliff Hall \$9,591,855**

Project Purpose: This project proposes to complete the second phase renovation of the existing Mapluma Ratcliff residence hall. Renovation will include comprehensive redesign and renovation of the existing interior and exterior envelop of the building. The scope of this project proposes to renovate the interior, exterior building envelop, upgrade the mechanical systems, address life safety issues, upgrade the existing elevator, install new security system and address ADA compliance issues.

Project Justification: The requested renovation would be a continuation of a phased project. The facility has been offline for a number of consecutive years. The renovation of this building would

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maximize space for student housing by increasing the bed count and student housing assignment in effort to offset the increase in student housing rates.

## **University of Mississippi**

### **1. New Science Building**

**\$40,000,000**

Project Purpose: This new building will be located on the North side of All American Drive opposite the Starnes Center and the Vaught-Hemingway Stadium. It is bounded by Shoemaker Hall to the North, Anderson Hall to the West, and the Thad Cochran Center for Natural Products to the East. This will be a teaching building containing undergraduate science teaching labs and classrooms in the areas of Science, Technology, Engineering and Mathematics. This building is anticipated to be in the range of 200,000 gross square feet to be four or five stories high. It will be concrete or steel frame with a brick and cast-stone facade.

Project Justification: Because of significant increase in enrollment over the last five years, the university has experienced a critical shortage of undergraduate labs. For example, chemistry and Bio-chemistry teaches 1,400 students in courses and labs in 59 laboratory sections. Every one of these teaching labs is full. Capacity for growth is minimal and enrollment continues to increase. Seventeen programs on campus require freshman general chemistry. Interest by the top students in the state of Mississippi for pre-health and pre-pharmacy courses continues to grow. The University of Mississippi needs to be sure we have even the basic facilities to teach these students. Similar issues affect other STEM subjects which have helped us conclude that the need for an undergraduate lab and classroom building is vital as the university advances its educational mission. The location for the building follows the direction outlined in the UM Master Plan. This placed the building in the heart of the science core.

### **2. Data Center Renovation**

**\$17,000,000**

Project Purpose: The Data Center Building is located in the northwest quadrant of the campus on Rebel Drive adjacent to Guyton Hall. The building is on one level and will be completely renovated and upgraded. A small addition will be added for offices. The work will take place around the existing equipment.

Project Justification: The Data Center building was constructed in 1948 and served until 1990 as the University laundry. It then housed Printing Services before becoming the Computer Center and ultimately a comprehensive Data Center serving as the core central nervous system of the entire campus. This 15,710 gross square foot building currently houses the University's main computer systems and data (SAP, Blackboard, and all e-mails) as well as some student data for UMMC. A building evaluation was conducted by an architect and an electrical/data systems engineer. The building is a basic metal building with EIFS on its public facade. Its envelope was found to be in significant need of repair and was deemed too fragile to protect such valuable equipment and information. Because of the complex nature and the amount of in-ground infrastructure, we have been advised to renovate the building in its current location. No substantial work has occurred on this building since 1991.

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**3. Northwest Campus Mechanical Plant** **\$15,000,000**

Project Purpose: The site for this building is in the northwest quadrant of campus adjacent to the North side of Kinard Hall. This project is for a new mechanical plant building of approximately 15,000 gross square feet and in-ground utilities to serve the Northwest quadrant of the UM Oxford Campus. It will provide a building to house boilers and chillers enabling production of hot and chilled water to supply the campus loop.

Project Justification: Enrollment has been increasing rapidly over the past five years. The new buildings in this area have increased the need for hot and chilled water to serve the campus central loop. Currently this quadrant of the campus is underserved. It will be adjacent to the residential zone where several new large buildings have recently been built. A new plant building will allow us to keep pace with demand and, critically, will enable us to move away from less efficient stand alone-systems in the buildings themselves.

**4. South Campus Recreation Facility and Transportation Hub** **\$20,000,000**

Project Purpose: This project is a major transformation of a former manufacturing plant into a university recreation facility and transportation hub. The University of Mississippi recently acquired a 500,000 square foot manufacturing plant on a 68 acre site near the Southwest edge of campus on the South side of Highway 6. Several of the existing production-line buildings will be demolished to make way for all-weather sports fields. The remaining long-span buildings will be transformed into an indoor recreation facility. The exterior space will be used for parking and an outlying transportation hub.

Project Justification: Master planning analysis suggests that a recreational facility at this location will provide long-term benefit for the following reasons: The current recreation building, the Turner Center, is used past its reasonable capacity and its location in the center of campus contributes to traffic congestion. Using the manufacturing plant site for outdoor sports fields will enable other academic and research buildings to be built at the current sports fields on Intramural Road. Future buildings could be built on the north side of Highway 6 postponing the need for a connector bridge across this busy highway. Combining sports activities, administrative space, parking, and transportation on one site reduces the number of private vehicles in the campus core and provides destination-based parking with frequent mass-transit service to and from the center of campus.

**5. Office Building** **\$20,000,000**

Project Purpose: This project is for a new office building to serve the University's needs for new faculty, staff, and support offices. As the University has experienced unprecedented growth over the last five years, so has the pressure on office space. The point has been reached where there are no offices for new faculty and staff. This building would be an office building specifically designed to meet these needs. We anticipate 250 offices along with necessary support space. It

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would be constructed in the center of campus in a space determined in conjunction with the Master Plan.

Project Justification: The current inventory of office space across the university is assigned and the remaining offices (fewer than 30) are in buildings that are not handicapped accessible which significantly limit their utilization. As a result, there are not any ADA compliant offices available for assignment in our inventory. Even the building that was being used as swing space to accommodate emergent situations such as floods, HVAC issues, etc. is fully occupied. As a result, any growth in faculty and staff numbers will require additional office space. Based on assumptions about enrolment growth and changing student/faculty (s/f) ratios, it is predicted that we will need 176 faculty offices by 2018 if our s/f ratio is at 19:1 and 228 offices at 18:1. This number does not include staff offices. This number takes into consideration that non-tenure track faculty will share offices and the ratio of tenured/tenure-track to non-tenure-track will be 67%/33% (current ratio is 63%/37%).

## **University of Mississippi Medical Center**

**1. Clinical Trials Unit \$10,000,000**

Project Purpose: To plan, design, construct and equip a Clinical Trials Unit at the University of Mississippi Medical Center for the purpose of providing researchers needed space and resources to conduct clinical trials. The clinical trials will allow for advanced treatment options to be brought to Mississippi, rather than Mississippians being forced to travel out-of-state for these services.

Project Justification: Provide clinical research to improve patient diagnostics and outcomes. This will support the UMMC strategic initiative of growing clinical research and is part of the Mayo Clinic collaboration. UMMC's participation in clinical trials also produce direct and indirect economic benefits for the state.

**2. Children's Hospital Expansion \$30,000,000**

Project Purpose: 1) To plan, design, construct and equip a new bed tower of expansion space needed for the Children's Hospital to include Neonatal Intensive Care Unit (NICU) and Pediatric Intensive Care Unit (PICU) at the University of Mississippi Medical Center. This will also include updating the existing NICU and PICU Units and expanding the Emergency Department, Surgery, Cath Labs and Cancer Center. 2) To plan, design, construct and equip an outpatient ambulatory building needed for specialty pediatric clinics, including outpatient imaging and procedures. The project may also include a pediatric urgent care.

Project Justification: UMMC is seeking philanthropic donors through a strategic campaign as well as planning a bond issuance to raise the balance of funds needed for the project.

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**3. Emergency Generator Replacement** **\$5,675,000**

Project Purpose: Replace old existing generators located in the hospital subbasement with newer, more energy efficient ones.

Project Justification: Replacing the aging generators will provide the hospital with increased reliability of emergency power in critical patient care areas. The new generators are more efficient which would reduce fuel costs. The existing generators do not operate well with the mandated use of ultra-low diesel fuel. Additives have to be added to the fuel for the generators to run properly. The new generators are designed to operate on the ultra-low diesel fuel.

**4. New Boiler for Main Boiler Plant** **\$2,837,500**

Project Purpose: Install an additional boiler in the boiler plant.

Project Justification: The load on the boiler plant has increased over the past several years. At one time, the three existing boilers had enough capacity to provide steam to the hospital complex and also to provide redundancy. Due to the increased load, there is no longer redundancy on the heating system in the boiler plant. An additional boiler will provide the redundancy needed for serving the hospital.

**5. LED Lighting Upgrade** **\$3,405,000**

Project Purpose: Upgrade/Replace existing T-12 fluorescent, T-8 fluorescent and metal halide lighting to LED lighting in various buildings on campus.

Project Justification: T12 and incandescent bulbs are no longer being manufactured and the remaining bulb supply is shrinking. Replacing these bulbs with LEDs will eliminate the need to find replacement bulbs while simultaneously reducing energy consumption and costs. T8 bulbs are likely to be the next generation of bulbs to cease manufacturing and replacing them with LEDs will circumvent this forthcoming bulb supply shortage. LEDs operate more efficiently and provide a better quality of light. UMMC will expect to realize a significant energy savings once this project is complete.

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**1. MSU – APPROVAL TO MODIFY CONTRACT WITH JONES WALKER LLP AS OUTSIDE COUNSEL**

Mississippi State University requests approval to modify a contract with Jones Walker LLP to provide services necessary in assisting and advising the University on legal issues concerning review of strategic financing options, tax exempt bond arbitrage, and rebate compliance and the use of bond financed building and other matters relating to bond issues. This Modification #1 will extend the term of the contract for one year through February 17, 2017. The hourly rate will remain unchanged at \$165.00 for Special Counsel, \$225.00 for Partner, and \$60.00 for paralegals. The total amount payable during the extension period shall not exceed \$50,000. All other provisions of the Contractual Agreement for Legal Services dated February 18, 2015 shall remain in effect. This Modification has been approved by the Office of the Attorney General.

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

**2. UMMC – APPROVAL TO MODIFY CONTRACT WITH WATKINS AND EAGER, PLLC AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests approval to modify its contract with Watkins and Eager, PLLC, as outside counsel, for the provision of legal services as necessary in real estate matters. The previously approved maximum amount payable under contract is \$350,000 and UMMC now seeks approval to increase that spending cap by \$150,000 for a total do not exceed amount of \$500,000. The hourly rate will remain unchanged at \$165 per hour for attorney William C. Smith, III and \$80 per hour for paralegal services. All other provisions of the contract Agreement for Legal Services shall remain in effect. The Modification has been approved by the Office of the Attorney General.

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

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**APPROVAL OF PERSONNEL ACTION REQUESTS**

**1. Employment**

**DSU**

**Rehired retirees making more than \$20,000 who are on contract during FY 2016**

Dr. E.E. “Butch” Caston; *former position*: Interim Vice President for Academic Affairs; *re-employment position*; Interim Vice President for Student Affairs; re-employment period – January 1, 2016 – June 30, 2016; salary of \$58,812

**2. Sabbatical**

**MSU *Revision to date approved June 2015***

**From:**

Haitham El Kadiri; Assistant Professor, Mechanical Engineering; *from* salary of \$93,317 per annum, pro rata; E&G Funds; *to* salary of \$46,659 for sabbatical period; E&G Funds; effective August 16, 2015 to May 15, 2016; professional development.

**To:**

Haitham El Kadiri; Assistant Professor, Mechanical Engineering; *from* salary of \$93,317 per annum, pro rata; E&G Funds; *to* salary of \$46,659 for sabbatical period; E&G Funds; effective August 16, 2015 to December 31, 2015; professional development.

**3. Emeritus Status**

**USM**

James G. Flanagan; Professor Emeritus of Anthropology; effective December 2015

Dorothy Elizabeth Haynes; Associate Professor Emeritus of Library and Information Science; effective December 2015

# REGULAR AGENDAS

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**1. SYSTEM – FINAL APPROVAL OF PROPOSED AMENDMENTS TO BOARD POLICY SECTION 600 – STUDENT AFFAIRS AND ADMISSIONS: SUBSECTION 608**

Board approval for first reading is requested for proposed amendments to Board Policy §608 Intermediate Courses as indicated below. The proposed amendments will allow students who complete the high school SREB Math Ready or SREB Literacy Ready courses with a grade of “80” or higher to be eligible to enroll directly in a college-level algebra or English course without the need for remediation regardless of ACT subtest scores.

**608 INTERMEDIATE COURSES**

- A. All entering freshmen enrolled at an IHL university with an ACT Mathematics subtest score of 16 or less will be required to take Intermediate Algebra during their first semester of enrollment. At the discretion of the admitting IHL institution, students whose Mathematics subtest score is 17, 18, or 19 may be required to take Intermediate Algebra. Students who have completed the SREB Math Ready course with a grade of “80” or higher regardless of ACT Mathematics subtest score will not be required to take Intermediate Algebra and should be enrolled in a college-level mathematics course during their first semester of enrollment.
  
- B. All entering freshmen enrolled at an IHL university with an ACT English subtest score of 16 or less will be required to take Intermediate English during their first semester of enrollment. At the discretion of the admitting IHL institution, students whose English subtest score is 17, 18, or 19 may be required to take Intermediate English. Students who have completed the SREB Literacy Ready course with a grade of “80” or higher regardless of ACT English subtest score will not be required to take Intermediate English and should be enrolled in a college-level English course during their first semester of enrollment.
  
- C. All entering freshmen enrolled at an IHL university with an ACT Reading subtest score of 16 or less will be required to take Intermediate Reading during their first semester of enrollment. At the discretion of the admitting IHL institution, students whose Reading subtest score is 17, 18, or 19 may be required to take Intermediate Reading. Students taking Intermediate Reading should not be permitted to take reading-intensive courses, such as History. Students who have completed the SREB Literacy Ready course with a grade of “80” or higher regardless of ACT Reading subtest score will not be required to take Intermediate Reading.

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- D. Students taking two or more intermediate courses must enroll in the year-long Academic Support Program or some other IHL-recognized intervention strategy to promote success in the courses in which they are not fully prepared, according to ACT subtest scores and will not be permitted to take more than 17 hours, ~~including intermediate courses and the Academic Support Program.~~

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

**2. SYSTEM – FINAL APPROVAL OF PROPOSED AMENDMENTS TO BOARD POLICY SECTION 600 – STUDENT AFFAIRS AND ADMISSIONS: SUBSECTION 610.E**

Board approval for first reading is requested for proposed amendments to Board Policy §610.E Residency Requirements – Residency Petitions as indicated below. The proposed amendments changes “and” to “or.”

**610 RESIDENCY REQUIREMENTS**

**A. RESIDENCE OF A MINOR**

For purposes of determining of whether a minor pays out-of-state or in-state tuition for attendance at universities and community and junior colleges, the residence of a person less than 21 years of age is that of the father, the mother or a general guardian duly appointed by a proper court in Mississippi. If a court has granted custody of the minor to one parent, the residence of the minor is that of the parent who was granted custody by the court. If both parents are dead, the residence of the minor is that of the last surviving parent at the time of that parent's death, unless the minor lives with a general guardian duly appointed by a proper court of Mississippi, in which case his/her residence becomes that of the guardian. A minor student who, upon registration at a Mississippi institution of higher learning or community college, presents a transcript demonstrating graduation from a Mississippi secondary school and who has been a secondary school student in Mississippi for not less than the final four years of secondary school attendance shall not be required to pay out-of-state tuition. This policy shall not apply to the residence of a person as it relates to residency for voter registration or voting.

Miss. Code Ann., §37-103-7, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009; 3/2010)

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**B. RESIDENCE OF AN ADULT**

The residence of an adult is that place where he/she is domiciled, that is, the place where he/she actually physically resides with the intention of remaining there indefinitely or of returning there permanently when temporarily absent.

Miss. Code Ann., §37-103-13, as amended.  
(BT Minutes, 9/90; 1/98; 2/2009; 3/2010)

**C. REMOVAL OF PARENTS FROM MISSISSIPPI**

If the parents of a minor who is enrolled as a student in a community/junior college or in an institution of higher learning move their legal residence from the State of Mississippi, the minor shall be immediately classified as a nonresident student; such a change in classification shall not affect the tuition to be charged upon completion of the semester in which the move takes place.

Miss. Code Ann., §37-103-11, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009; 3/2010)

**D. RESIDENCE REQUIRED**

No student may be admitted to any community/junior college or institution of higher learning as a resident of Mississippi unless his/her residence has been in the State of Mississippi preceding his/her admission. Residence shall be as defined in Sections 37-103-7 and 37-103-13 unless excepted in Miss. Code Ann., §§ 37-103-1 through 37-103-29.

Miss. Code Ann., §37-103-3, as amended.  
(BT Minutes, 9/90; 1/98; 2/2009; 3/2010)

**E. RESIDENCY PETITIONS**

Nonresidents may petition the institutions for a change of residency classification. A person who enters the state of Mississippi from another state and enters a system institution is considered a nonresident, unless the person meets the residency requirements set out in subsections A ~~and~~ or B above. Provided, however, that any person who has attained 21 years of age and has thereafter actually established residency as defined within subsection A above and resided within the state of Mississippi for 12 consecutive months after attaining 21 years of age upon sworn affidavit and other representation, may petition the particular institution for a change in residency classification for the purposes of fees and tuition assessment. The institution may make reasonable inquiry into the validity

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of the petitioner's claim. Such petition for change of residency must be made on or before the last day a student may register at the particular institution without penalty.

(BT Minutes, 9/90; 1/98; 2/2009; 3/2010)

**F. LEGAL RESIDENCE OF A MARRIED PERSON**

A married person may claim the residence status of his or her spouse, or he or she may claim independent residence status under the same regulations set forth in Section 37-103-13 as any other adult.

Miss. Code Ann., §37-103-15, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009; 3/2010)

**G. CHILDREN OF FACULTY OR STAFF**

Children of parents who are members of the faculty or staff of any institution under the jurisdiction of the board of trustees of any community/junior college in this state or the Board of Trustees of State Institutions of Higher Learning may be classified as residents for the purpose of attendance at the institution where their parents are faculty or staff members.

Miss. Code Ann., §37-103-9, as amended.  
(BT Minutes, 9/90; 1/98; 12/2005; 2/2009; 3/2010)

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

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**1. UMMC - APPROVAL TO SETTLE TORT CLAIM**

The University of Mississippi Medical Center is seeking Board approval for settlement of Tort Claim No. 2060.

# **INFORMATION AGENDAS**

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**FINANCE**

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**1. USM – UPDATE ON REFUNDING OF EDUCATIONAL BUILDING CORPORATION BONDS NOT TO EXCEED \$140,000,000 APPROVED BY THE BOARD IN FEBRUARY 2015**

At the February 2015 Board meeting, the Board approved a resolution for the University of Southern Mississippi to issue, through the S.M. Educational Building Corporation (EBC), a maximum of \$140,000,000 revenue refunding bonds in one or more taxable and/or tax-exempt series for the purpose of advance refunding and defeasing all or a portion of the EBC's

(a) S.M. Educational Building Corporation Revenue Refunding Bonds, Series 2006A, issued in the original principal amount of \$24,855,000 (the "2006A Bonds");

(b) S.M. Educational Building Corporation Revenue Bonds, Series 2006B (Village Project), issued in the or principal amount of \$18,725,000 (the "2006B Bonds");

(c) S.M. Educational Building Corporation Revenue Bonds, Series 2007 (Athletics Facilities Improvements Project), issued in the original principal amount of \$27,190,000 (the "2007 Bonds"); and

(d) S.M. Educational Building Corporation Revenue Bonds, Series 2009 (Campus Facilities Improvements Project), issued in the original principal amount of \$49,900,000 (the "2009 Bonds");

(e) Certificates Of Participation (University of Southern Mississippi Parking Facilities Construction Project), Series 2009, issued in the original principal amount of \$15,520,000 (the "2009 COPs," and together with the 2006A Bonds, 2006B Bonds, 2007 Bonds, 2009 Bonds, and the 2009 COPS, the "Refunded Bonds") by the University of Southern Mississippi (the "University") and the University of Southern Mississippi Real Estate Foundation, Inc. (the "Foundation"), to finance the construction and financing of a parking garage; acquiring from the Foundation that certain parking facility financed with the 2009 COPs; approving various documents related to the proposed bond issue and paying the issuance costs of the Bonds.

In 2015, USM sold bonds to refund Series 2006A, Series 2006B, and Series 2007. USM expects to sell bonds to refund and defease Series 2009 and 2009 Certificates of Participation in January or February 2016. For the Series 2009 and 2009 Certificates of Participation still outstanding, First Southwest, USM's financial advisor, anticipates a net present value savings of \$5,664, 902, or 9.22% in a report dated January 6, 2016.

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE  
November 19, 2015 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 WHICH STATES:**

**Board Policy §904(A), Board Approval**

*When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.*

*After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:*

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

*If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.*

**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.**

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**DELTA STATE UNIVERSITY**

**1. DSU– GS 102-237 – Caylor White Walters Phase IV Auditorium**

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

**Approval Request #1: Change Order #5**

Board staff approved Change Order #5 in the amount of \$14,713.60 and forty-seven (47) additional days to the contract of Architecture South, P.A.

Approval Status & Date: APPROVED, October 26, 2015

Change Order Description: Change Order #5 includes the following items: Add fur-downs; a credit; add 208V service; add water and drain for Leibert unit; add VAV box; removal of asbestos pipe insulation; add pipe insulation.

Change Order Justification: All items listed herein are due to unforeseen latent conditions, credit for repair to sidewalks damaged by the contractor and forty-seven additional days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$268,006.66.

Project Initiation Date: August 19, 2010

Design Professional: Architecture South, P.A.

General Contractor: Merit Construction, Inc.

Phased Project Budget: \$1,261,847.63

Total Project Budget: \$8,221,161.78

**JACKSON STATE UNIVERSITY**

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

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

**Approval Request #1: Contract Documents**

Board staff approved the Contract Documents as submitted by Burris/Wagnon Architects, P.A.

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Approval Status & Date: APPROVED, November 2, 2015

**Approval Request #2: Advertise**

Board staff approved the request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 2, 2015

Project Initiation Date: February 20, 2014

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

General Contractor: Coleman Hammons Construction Company, Inc.

Phased Project Budget: \$1,550,000.00

Total Project Budget: \$4,550,000.00

**3. JSU– GS 103-281 – Alexander Center Renovation Phase II**

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

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

Board staff approved Change Order #1 in the amount of \$22,147.00 and zero (0) additional days to the contract of Flagstar Construction Company, Inc.

Approval Status & Date: APPROVED, November 6, 2015

Change Order Description: Change Order #1 includes the following items: Abatement & disposal of exterior blue panels; removal & replacement of gas piping in the mechanical rooms.

Change Order Justification: During demolition it was discovered that the existing metal clad window panels had some asbestos containing material that needed to be removed & disposed. The existing 6" low pressure gas line rising from the first floor up to the penthouse had deteriorated and needed to be replaced.

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

Board staff approved Change Order #2 in the amount of \$7,836.00 and zero (0) additional days to the contract of Flagstar Construction Company, Inc.

Approval Status & Date: APPROVED, November 16, 2015

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Change Order Description: Change Order #2 includes the following items: relocate the existing storm pipe around the elevator pit foundation.

Change Order Justification: During excavation for the elevator pit an existing underground 8" storm drain pipe was found running east to west through the pit foundation and it had to be relocated.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$29,983.00.

Project Initiation Date: October 17, 2013

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Flagstar Construction Company, Inc.

Project Budget: \$8,310,000.00

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### 4. MSU- GS 105-345 (GC 001) – MSU Classroom Building with Parking

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

#### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$45,475.00 and twenty-six (26) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, November 5, 2015

Change Order Description: Change Order #3 includes the following items: add elevator back-up power for elevators; add acoustic floor treatment and door bottoms; add a drain for ground water buildup; and twenty-six additional days added to the contract.

Change Order Justification: items listed are due to errors and omissions, latent job site conditions, user agency requested modifications, and twenty-six additional days due to weather delays.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$247,658.60.

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Project Initiation Date: August 19, 2010  
Design Professional: Belinda Stewart Architects, P.A.  
General Contractor: Evan Johnson & Sons Construction, Inc.  
Project Budget: \$36,232,689.00

**5. MSU– GS 113-134 – Wise Center Classroom Addition**

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

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the credit amount of \$35,500.00 and one hundred one (101) additional days to the contract of Tyler Construction Group Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, November 5, 2015

Change Order Description: Change Order #3 includes the following items: reconciliation of controls allowance; ninety-four additional days added to the contract; and liquidated damages.

Change Order Justification: Items listed are due to latent conditions, thirty-two additional days due to weather delays, and contractor delay of sixty-two days.

Total Project Change Orders and Amount: Three (3) change orders for a total credit amount of \$8,071.29.

Project Initiation Date: November 17, 2011  
Design Professional: Pryor & Morrow Architects and Engineers, P.A.  
General Contractor: Tyler Construction Group Corporation  
Project Budget: \$3,776,077.33

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**6. MSU– IHL 205-260 – Expansion & Renovation to Davis Wade Stadium**

**Approval Request #1: Change Order #6**

Board staff approved Change Order #6 in the amount of \$740,392.15 and zero (0) additional days to the contract of Harrell Contracting Group, LLC.

Approval Status & Date: APPROVED, October 23, 2015

Change Order Description: Change Order #6 includes the following items: Omit the hospital emergency service of elevators; replace Dyson hand dryers; change stainless steel toilet compartments to solid plastic; extend the existing east stadium unknown drain; relocate the baby changing station; add temporary fencing at Aiken Village; revisions to the main electrical room; relocate MEP's to shell space; omit metal lockers; revisions to field level duct; modifications to scoreboard terrace; relocate dry pipe riser; revisions to loge area; add boiler room access; add landing drains to two elevators; installation of mezzanine guardrails; omit loading dock vehicle restraints; add operable glass system steel header framing; add a finish to the radial trench drain; add continuous diffusers in lieu of slot diffusers; install a pouring room; install electrical & mechanical connections to commissary kitchen & pantry; additional elevator divider beams; add a club level spandrel knee wall; revision of electrical; add roof hatch framing for stairs; add spray fireproofing to elevator lobby area; add scoreboard club graphics wall substrate; add scoreboard level exposed duct insulation; additional concrete at the far east side; add main concourse expansion joint at elevators; add elevator lobby & mechanical room sprinkler; relocate main level east concession hood; add NW canopy soffit framing; paint concrete masonry brick at scoreboard club terraces & super vomitories; add a Knox Box for the shell space; add power to HVAC equipment & control panels; add waterproofing at existing NW ramp & field level; add hood exhaust pan; add ADA showers in the locker rooms; re-design for heating water supply; add power for under-counter refrigerator receptacles in suites; add sub roof at VOM 11; add expansion joint drain piping for main concourse; relocate the play clock; add club suite knee wall moisture protection; add drywall to elevator machine room; miscellaneous painting; revisions to play clock; extras to commissary kitchen; add a finish on sheathing near elevators; changes to wall base & repairs to stairs; add lockers at scoreboard club & field level; repairs to existing east stadium field level conditions; modifications to loge ceiling; revisions to landscape by NW entry gates/grand stair entrance; omit tile base in the concession areas; change to wood species; change buffet glass to wood; omit the NW canopy flagpole; change specs for the terrazzo marble; revise the terrazzo crack membrane; add drains to camera well curbs; field drain to be videoed for blockage; add downspouts to scoreboard roof; add insulation at chilled water exchangers; add electrical power to unit heaters; reconcile control allowance; reconcile cylinder allowance; add wall supports for the arched curtain wall; add make-up air for commissary kitchen exhaust

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hood; change north concession lighting switches; add miscellaneous electrical to meet code; additional masonry changes in main electrical room; add electrical receptacles & light fixtures; miscellaneous credit adjustments; and repair to existing damaged east stadium paving.

Change Order Justification: All items of this change order were due to changes in requirements or recommendations by governmental agencies to include revisions in building codes, safety or health regulations, controls on materials specified, etc., errors & omissions, latent job site conditions, and user agency requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$3,506,125.27.

Project Initiation Date: May 19, 2011

Design Professional: LPK Architects, P.A.

General Contractor: Harrell Contracting Group, LLC

Project Budget: \$78,555,762.88

**7. MSU – IHL 205-262 – Aiken Village Demolition**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. C. D. Smith, Chair of the Real Estate and Facilities Committee on November 11, 2015 to approve the change in scope.

Interim Approval Status & Date: APPROVED, November 11, 2015

**Approval Request #2: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,892,480.00 to the apparent low bidder, M & M Services, Inc.

Approval Status & Date: APPROVED, December 14, 2015

Project Initiation Date: October 20, 2011

Design Professional: Pryor & Morrow Architects and Engineers

General Contractor: TBD

Project Budget: \$5,000,000.00

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**8. MSU– IHL 205-278 – MSU nSPARC Data Center**

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

Board staff approved the Schematic Design Documents as submitted by Dale Partners Architects, P.A.

Approval Status & Date: APPROVED, October 19, 2015

Project Initiation Date: November 20, 2014

Design Professional: Dale Partners Architects, P.A.

General Contractor: TBD

Project Budget: \$4,650,000.00

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

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

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

Approval Status & Date: APPROVED, October 23, 2015

Project Initiation Date: May 21, 2015

Design Professional: Wier Boerner Allin Architecture

General Contractor: TBD

Project Budget: \$40,000,000.00

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**10. UM– GS 107-311 (formerly IHL 207-366)– Music Hall West Wing Renovation**

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

**Approval Request #1: Change Order #4**

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Board staff approved Change Order #4 in the amount of \$4,111.00 and zero (0) additional days to the contract of D. Carroll Construction, LLC.

Approval Status & Date: APPROVED, November 24, 2015

Change Order Description: Change Order #4 includes the following items: to reroute the domestic water line; repair the board on an existing airflow measuring station; and relocate an electrical panel in the attic.

Change Order Justification: This change order was due to unknown existing problems.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$59,752.00.

Project Initiation Date: November 15, 2012

Design Professional: Shafer & Associates, PLLC

General Contractor: D. Carroll Construction, LLC

Project Budget: \$3,400,000.00

**11. UM – GS 107-317 (formerly IHL 207-368) – Johnson Commons East Renovation**

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

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

Board staff approved the Design Development Documents as submitted by Belinda Stewart Architects, P.A.

Approval Status & Date: APPROVED, October 28, 2015

Project Initiation Date: March 19, 2015

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: TBD

Project Budget: \$7,600,000.00

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

**Approval Request #1: Change Order #12R**

Board staff approved Change Order #12R in the amount of \$39,767.00 and zero (0) additional days to the contract of Carothers Construction, Inc.

Approval Status & Date: APPROVED, October 19, 2015

Change Order Description: Change Order #12R includes the following items: revisions to the door hardware; additional shelving for built-in storage cabinets; revisions to gas closets; additional electrical; addition of acoustical ceiling in the elevator machine room; to install doors at opening 276.3; to repaint doors and frames; addition of light switches and occupancy sensors; to raise the height of paper towel dispensers; addition of wire management grommets in the counter tops; and to hoist the beam caster mount.

Change Order Justification: All items of this change order were due to errors & omissions, latent job site conditions, and user agency requested modifications. No fees are paid to design professional for correction of errors and omissions in the contract documents.

**Approval Request #2: Change Order 13R2**

Board staff approved Change Order #13R2 in the amount of \$87,109.00 and twenty-four (24) additional days to the contract of Carothers Construction, Inc.

Change Order Description: Change Order #13R2 includes the following items: revision to painting scope of existing fume hoods in lab 402; time extension of twenty-four days; sidewalk revision; changing out supply filters to HEPA supply filters; addition of lab gas vents; additional power in the third floor labs; handrails replacement and added guardrails at the new north entrance; additional masking for painting of overhead mechanical components; and additional items not included in the original documents.

Change Order Justification: All items of this change order were a result of user requested changes, errors and omissions in the contract documents. No fees are paid to design professional for correction of errors and omissions in the contract documents. Twenty-four calendar days were added to the contract time due to multiple issues that impacted the critical path of the construction schedule.

Approval Status & Date: APPROVED, November 20, 2015

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Total Project Change Orders and Amount: Thirteen (13) change orders for a total amount of \$364,771.00.

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

**13. UM – IHL 207-354 – Honors College Renovation and Addition**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$21,448.90 and fifty (50) additional days to the contract of Hooker Construction, Inc.

Approval Status & Date: APPROVED, October 19, 2015

Change Order Description: Change Order #4 includes the following items: relocation of the elevator closet; addition of elevator sump pump; and fifty additional days added to the contract.

Change Order Justification: items of this change order were due to errors & omissions. No fees are paid to design professional for correction of errors and omissions in the contract documents. Additional fifty calendar days were added to the contract time due to weather delays.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$503,827.03.

Project Initiation Date: November 17, 2011

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

General Contractor: Hooker construction, Inc.

Project Budget: \$6,600,000.00

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

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

Board staff approved the Schematic Design Documents as submitted by McCarty Architects, P.A.

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Approval Status & Date: APPROVED, October 26, 2015

**Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, October 26, 2015

**Approval Request #3: Contract Documents**

Board staff approved Contract Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, November 5, 2015

**Approval Request #4: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 5, 2015

Project Initiation Date: January 16, 2014

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$970,094.00

Total Project Budget: \$8,700,000.00

**15. UM – IHL 207-381 – Kennon Observatory Bus Stop and Plaza**

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

Board staff approved Change Order #2 in the amount of \$82,019.00 and forty-eight (48) additional days to the contract of Murphy and Sons, Inc.

Approval Status & Date: APPROVED, October 23, 2015

Change Order Description: Change Order #2 includes the following items: removing a boxed-in crawl space made out of concrete & rebar in front of the Kennon stoop; installing concrete masonry unit brick; removing the slabs underneath the sidewalks, removing top portions of the concrete encasement, adding high density polyethylene

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pipe; removing the existing pipe bollards & chain in the sidewalk on All American Drive; installing pipe from a drain inlet to another inlet; demolition; new concrete; new masonry; new handrail; grade work at Lewis Hall entrance; remove & install the existing light pole base; install a header curb in front of the CME building adjacent to the new widened sidewalk at All American Drive; remove sonotube forms that were installed for electrical pole base and reinstall 24" bases; modifying 16 bases that were already formed & roughed in with electrical for the 19" forms; and adjusting conduit for the new 24" bases; remove & modify two existing 18" pole bases; and forty-eight additional days added to the contract.

Change Order Justification: All items of this change order were due to latent unforeseen site conditions, errors & omissions, and user agency requested modifications. No fees are paid to the design professional for correction of errors and omissions in the contract documents. Nineteen additional days were added for work as indicated herein, and twenty-nine additional days due to weather delays.

**Approval Request #2: Change Order #3**

Board staff approved Change Order #3 in the amount of \$0.00 and fourteen (14) additional days to the contract of Murphy and Sons, Inc.

Approval Status & Date: APPROVED, November 5, 2015

Change Order Description: Change Order #3 includes the following items: fourteen additional days added to the contract.

Change Order Justification: The additional fourteen days were added due to delays in the approval of a finish color for the east and west bus stop structures.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$90,950.00.

Project Initiation Date: November 5, 2015

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, P.A.

General Contractor: Murphy and Sons, Inc.

Project Budget: \$1,500,000.00

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**16. UM– IHL 207-383 – Gillom Sports Center – New Additions and Renovations**

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

Board staff approved Design Development Documents as submitted by Pryor & Morrow Architects and Engineers.

Approval Status & Date: APPROVED, November 5, 2015

Project Initiation Date: June 19, 2014

Design Professional: Pryor & Morrow Architects and Engineers

General Contractor: TBD

Project Budget: \$13,800,000.00

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Holcombe Norton Partners, Inc.

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 6, 2015

Project Initiation Date: June 19, 2014

Design Professional: Holcombe Norton Partners, Inc.

General Contractor: TBD

Project Budget: \$4,760,413.00

**18. UM– IHL 207-390R – Vaught-Hemingway Stadium - South End Zone - REBID**

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

Board staff approved Change Order #7 in the credit amount of \$12,666.16 and seven (7) additional days to the contract of Century Construction and Realty, Inc.

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Approval Status & Date: APPROVED, October 16, 2015

Change Order Description: Change Order #7 includes the following items: install aluminum reveals at low wall in suites; delete the vinyl graphics at the elevator; add insulation at the existing ducts; add fire suppression per the STATE Fire Marshall; delete the mill and overlay of asphalt at entry drive; delete galvanizing of rails at over pour; add pro audio upgrade at television suites; and seven additional days added to the contract.

Change Order Justification: Items of this change order were due to errors and omissions, latent job site conditions and user agency requested modifications. No fees are paid to the design professional for correction of errors and omissions in the contract documents. Seven additional days were added for work as indicated herein.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$899,249.47.

Project Initiation Date: August 21, 2014

Design Professional: AECOM

General Contractor: Century Construction and Realty, Inc.

Phased Project Budget: \$11,510,224.00

Total Project Budget: \$14,922,273.00

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

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

Board staff approved Design Development Documents as submitted by Shafer & Associates, PLLC.

Approval Status & Date: APPROVED, November 5, 2015

Project Initiation Date: August 21, 2014

Design Professional: Shafer & Associates, PLLC

General Contractor: TBD

Project Budget: \$8,835,000.00

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**20. UM– IHL 207-395 – Turner Center New Roof**

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

Board staff approved Change Order #2 in the amount of \$0.00 and sixty-one (61) additional days to the contract of Mandal's, Inc.

Approval Status & Date: APPROVED, November 9, 2015

Change Order Description: Change Order #2 includes the following items: add sixty-one additional days to the contract.

Change Order Justification: Sixty-one additional days were added due to weather delays.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$637,234.00.

Project Initiation Date: October 16, 2014

Design Professional: Shafer and Associates, PLLC

General Contractor: Mandal's, Inc.

Project Budget: \$1,600,000.00

**21. UM– IHL 207-398 – John W. White Facilities Management Building West Wing Addition**

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

Board staff approved the Award of Contract in the amount of \$1,717,693.00 to the apparent low bidder, Barnes & Brower, Inc.

Approval Status & Date: APPROVED, November 5, 2015

Project Initiation Date: January 22, 2015

Design Professional: Foil Wyatt Architects

General Contractor: Barnes & Brower, Inc.

Project Budget: \$2,394,739.00

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**22. UM– IHL 207-399 – University Avenue Bridge Renovation**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Buchart Horn, Inc. /BASCO Associates

Approval Status & Date: APPROVED, October 19, 2015

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 19, 2015

Project Initiation Date: January 22, 2015

Design Professional: Buchart Horn, Inc. / BASCO Associates

General Contractor: TBD

Project Budget: \$1,750,000.00

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

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

Board staff approved Design Development Documents as submitted by Engineering Solutions, Inc.

Approval Status & Date: APPROVED, November 3, 2015

Project Initiation Date: February 18, 2015

Design Professional: Engineering Solutions, Inc.

General Contractor: TBD

Project Budget: \$9,900,000.00

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**24. UM– IHL 207-402 – All American Drive Electrical Relocation**

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

Board staff approved Change Order #1 in the amount of \$5,111.17 and fifteen (15) additional days to the contract of Southern Electric Corporation of MS.

Approval Status & Date: APPROVED, November 5, 2015

Change Order Description: Change Order #1 includes the following items: install one box pad for sectionalizing cabinet; install two box pads for padmount switches; and fifteen additional days added to the contract.

Change Order Justification: These changes orders were requested by the using agency and fifteen days for work as indicated herein.

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

Board staff approved Change Order #2 in the amount of \$58,179.73 and seven (7) additional days to the contract of Southern Electric Corporation of MS.

Approval Status & Date: APPROVED, December 1, 2015

Change Order Description: Change Order #2 includes the following items: install two additional 6" bored conduits; and seven additional days added to the contract.

Change Order Justification: This change order was requested by the using agency to eliminate above ground electrical service and seven additional days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$63,290.90.

Project Initiation Date: April 16, 2015

Design Professional: Midsouth Utility Consultants

General Contractor: Southern Electric Corporation of MS.

Project Budget: \$1,600,000.00

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**25. UM – IHL 207-406 – All American Drive Drainage Corrections**

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

Board staff approved the Schematic Design Documents as submitted by Engineering Solutions, Inc.

Approval Status & Date: APPROVED, October 28, 2015

**Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by Engineering Solutions, Inc.

Approval Status & Date: APPROVED, October 28, 2015

**Approval Request #3: Contract Documents**

Board staff approved Contract Documents as submitted by Engineering Solutions, Inc.

Approval Status & Date: APPROVED, November 17, 2015

**Approval Request #4: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 17, 2015

Project Initiation Date: October 15, 2015

Design Professional: Engineering Solutions, Inc.

General Contractor: TBD

Project Budget: \$1,600,000.00

**26. UM – IHL 207-407 – University-Oxford Airport East Ramp**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. C. D. Smith, Chair of the Real Estate and Facilities Committee on October 20, 2015 to approve the budget increase.

Interim Approval Status & Date: APPROVED, October 20, 2015

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Project Initiation Date: September 17, 2015

Design Professional: Barge Waggoner Sumner and Cannon, Inc.

General Contractor: Xcavators, Inc.

Project Budget: \$8,700,000.00

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**27. UMMC – IHL 209-539 – Lexington Hospital Renovations**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$25,362.14 and thirty-one (31) additional days to the contract of Flagstar Construction Company, Inc.

Approval Status & Date: APPROVED, November 5, 2015

Change Order Description: Change Order #4 includes the following items: change the carpet to VCT in various rooms; replace the existing VCT and base in other rooms; replace the existing gypsum board at the exterior wall of phase 2; add blinds in the storefront window adjacent to the front entry; reroute electrical CT feeds; install a plastic laminate writing counter; and fourteen days added to the contract.

Change Order Justification: This change order will provide a more durable floor in these rooms than what was originally specified, gypsum board had to be replaced due to mold and water damage discovered during demolition, the roller shade will provide solar control and privacy at the front entry window, support was needed for the existing conduit & wiring discovered during demolition, the laminate counter will provide a needed area in the temporary ER for patient documentation purposed and thirty-one additional days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total credit amount of \$221,980.83.

Project Initiation Date: January 20, 2011

Design Professional: McCarty Architects, P.A.

General Contractor: Flagstar Construction Company, Inc.

Project Budget: \$4,479,107.00

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**UNIVERSITY OF SOUTHERN MISSISSIPPI**

**28. USM– GS 108-261 – School of Nursing**

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

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the credit amount of \$1,685,839.18 and zero (0) additional days to the contract of Hanco Corporation.

Approval Status & Date: APPROVED, November 2, 2015

Change Order Description: Change Order #4 includes the following items: delete the allowance for the A/V system components.

Change Order Justification: The A/V system allowance was removed to comply with the legal procurement regulations governing the purchase of the A/V equipment.

Total Project Change Orders and Amount: Four (4) change orders for a total credit amount of \$1,599,439.27.

Project Initiation Date: September 17, 2009

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

General Contractor: Hanco Corporation

Project Budget: \$30,000,000.00

**29. USM – GS 114-022 – Business and Health Building**

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

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

Board staff approved the Schematic Design Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, October 19, 2015

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

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Board staff approved Design Development Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, December 8, 2015

Project Initiation Date: March 19, 2015

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Project Budget: \$7,000,000.00

**30. USM – IHL 208-297 Dorm Replacement Phase II - Century Park South**

**Approval Request #1: Change Order #4**

Board staff approved Change Order #4 in the amount of \$40,358.00 and zero (0) additional days to the contract of Harrell Contracting Group.

Approval Status & Date: APPROVED, October 26, 2015

Change Order Description: Change Order #4 includes the following items: modifying the wall composition; installation of additional traffic control signage; installing aluminum trim at the curtain wall sills; adding five fire extinguishers in the central plant; adding a kitchen stove exhaust hood & fire suppression system in the staff lounge; change a light fixture type in a room; replace smoke detectors with combination CO2/smoke detectors in rooms; adding domestic cold water, compressed air piping and vacuum piping to a wall-mounted delivery unit; integrate the roller shade controls with the AV system using a low voltage converter controller; installing a vent on the dental vacuum pump in the health clinic; installing mini blinds on the curtain wall windows in the bed rooms; installation & extension of a manhole cover on site electrical junction box as well as a credit for a segmental stone retaining wall; changing the pre-finished aluminum fascia cornice; changing gutters & downspouts to copper on the police kiosk; changing paint colors in the health clinic; inspection & permit fees for the elevator in building A; removing the triage desk after installation; edge banding the kiosk privacy walls; modifying the access control hardware on the data room door in the health clinic; reconciling the signage allowance; add CKT for the air handling unit; add a switch for the garbage disposals; add two relays for the sprinkler solenoid valve; add a smoke detector; add A?V device the Lucky Day lobby, add FA smoke in a lab, in a dental area and two other rooms; program microphones in rooms for manual use; adding two dryer vents in the laundry room of building A; omitting sound walls in the mechanical rooms of building A; light relocation in housekeeping; access control hardware changed from off

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line/wireless to hard wired card reader & electric strike; installing conduit wall boxes & pull cords; additional fiber from building C to a panel for cable tv & data drops to elevators; additional 20 amp outlet to serve UPS and two redundant power cords for the data served in Bond Hall; adding a data outlet in the electrical room; changing the smoke/heat detector to CO/smoke/heat detector in two rooms; omit recessed can light fixture and add a type 8-alternate light fixture in a room; add three fire alarm smoke detectors in a room in the building; Omitting shower curtains; adding access control hardware to the health clinic data room door; adding security cameras in the pharmacy in the health clinic; adding walls in the Lucky Day lobby stairwell; and omitting a toilet in the Bond Hall portion of the central plant.

Change Order Justification: All items of this change order were due to changes in requirements or recommendation governmental agencies to include revisions in building codes, safety or health regulations, controls on materials specified, etc., errors & omissions, and user agency requested modifications. No fees are paid to the design professional for correction of errors and omissions in the contract documents.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$282,626.00.

Project Initiation Date: April 15, 2010  
Design Professional: McCarty Architects, P.A.  
General Contractor: Harrell Contracting Group  
Project Budget: \$55,600,000.00

**31. USM – IHL 208-328 – Walker Science Building Mechanical System Repairs**

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

Board staff approved Change Order #1 in the amount of \$71,762.00 and thirty (30) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, November 3, 2015

Change Order Description: Change Order #1 includes the following items: controls allowance reconciliation; tab allowance reconciliation; modifying mechanical piping, ductwork, electrical conduits & ceilings; installing mechanical insulation on existing make-up air ductwork; repairing mechanical insulation on existing piping; installation of condensate drains; modifying existing condensate drains in the lab service corridors; installation of gypsum chases; replace existing FCU service switches with keyed

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switches; install OSHA compliant handrails around the stair openings in the two new penthouses; installing a new temperature sensor and providing programming; and thirty days added to the contract.

Change Order Justification: all items of this change order are due to changes in requirements or recommendations by governmental agencies to include revisions in building codes, safety or health regulations, controls on materials specified, etc., errors and omissions, latent job site conditions and user agency requested modifications. No fees are paid to the design professional for correction of errors and omissions in the contract documents. Thirty days were added for work as indicated herein

Total Project Change Orders and Amount: One (1) change order for a total amount of \$71,762.00.

Project Initiation Date: October 22, 2014

Design Professional: Corbett Legge and Associates

General Contractor: Fountain Construction Company, Inc.

Project Budget: \$2,729,925.00

**32. USM– IHL 210-245 – Toxicology Building, Cedar Point**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Allred Architectural Group

Approval Status & Date: APPROVED, November 3, 2015

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 3, 2015

Project Initiation Date: August 21, 2008

Design Professional: Allred Architectural Group

General Contractor: TBD

Project Budget: \$4,900,000.00

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**E D U C A T I O N   A N D   R E S E A R C H   C E N T E R**

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

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

Board staff approved Change Order #1 in the amount of \$150,000.00 and thirty (30) additional days to the contract of Gregory Construction Services.

Approval Status & Date: APPROVED, November 12, 2015

Change Order Description: Change Order #1 includes the following items: provide two electric sump pumps.

Change Order Justification: This change order was necessary as the gravity drainage system could not be installed due to failure to bore through the sub surface building support system.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$150,000.00.

Project Initiation Date: November 21, 2013

Design Professional: JBHM

General Contractor: Gregory Construction Services

Project Budget: \$3,463,570.87

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**1. 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 (statements dated 10/20/15 and 11/9/15) from the funds of Mississippi State University. (These statements, in the amounts of \$5,367.99 and \$1,550.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 6,917.99**

Payment of legal fees for professional services rendered by Evans Petree (statements dated 10/6/15, 10/6/15, 11/6/15 and 11/12/15) from the funds of the University of Mississippi. (These statements, in the amounts of \$3,466.25, \$9,366.25, \$454.20 and \$516.25, respectively, represent services and expenses in connection with legal advice - general construction matters.)

**TOTAL DUE.....\$ 13,802.95**

Payment of legal fees for professional services rendered by Jones Walker (statement dated 12/9/15) from the funds of the University of Mississippi. (This statement, in the amount of \$2,180.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,180.50**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 11/1/15, 11/1/15, 11/1/15, 11/18/15, 12/1/15, 12/1/15 and 12/1/15) from the funds of the University of Mississippi. (These statements, in the amounts of \$18.62, \$4,000.00, \$416.92, \$445.68, \$11.38, \$24.31 and \$24.31, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 4,941.22**

Payment of legal fees for professional services rendered by Bradley Arant (statements dated 9/29/15 and 9/30/15) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$22,536.52 and \$9,481.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 32,018.02**



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Payment of legal fees for professional services rendered by Bryan Nelson (statement dated 11/6/15) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,600.15, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,600.15**

Payment of legal fees for professional services rendered by Butler Snow (statements dated 1/27/15, 11/10/15 and 12/2/15) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,006.40, \$816.00 and \$792.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,614.40**

Payment of legal fees for professional services rendered by Lightfoot, Franklin & White (statement dated 11/11/15) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$19,001.85, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 19,001.85**

Payment of legal fees for professional services rendered by Mayo Mallette (statements dated 11/6/15 and 12/8/15) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$429.00 and \$635.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 1,064.00**

Payment of legal fees for professional services rendered by Richard & Thomas (statement dated 10/1/15) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$275.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 275.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 4/1/15, 6/1/15, 8/1/15, 10/1/15, 10/1/15, 10/1/15, 10/1/15, 10/1/15, 10/29/15, 10/30/15, 11/1/15, 11/1/15, 11/1/15, 11/1/15, 11/4/15, 11/16/15 and 11/18/15) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$25.73, \$21.20, \$9.75, \$1,500.00, \$23.28, \$16.12, \$16.12, \$27.96, \$2,050.00, \$2,050.00, \$1,500.00, \$23.05, \$11.50, \$37.19, \$2,050.00, \$90.00 and \$435.44, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 9,887.34**

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**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 8/21/15, 9/25/15, 10/26/15, 10/27/15, 10/27/15 and 10/29/15) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Steele-Penmetsa -Water Repellant Solids” - \$872.50; “Effective Oximes Patent Prosecution” - \$633.00; “Steele-Non-Provisional Upgrading of Bio-Oil using Synthesis Gas” - \$168.00; “Occidiofungin Patent” - \$2,216.00; “Occidiofungin Patent” - \$5,018.00 and “Engineering the Production of a Conformational Variant of Occidiofungin” - \$384.00, respectively.)

**TOTAL DUE.....\$ 9,291.50**

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 10/12/15) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Functional Enhancement of Antimicrobials” - \$1,332.50; “Occidiofungin, A Unique Glycopeptide PCT Application” - \$166.25; “Generation of Imazapic Resistance Switchgrass Population” - \$47.50; “Using Biochar, a Byproduct from Thermal Chemical Conversion of Biomass as Container Substrate” - \$1,742.50; “MSU National Patent Application -Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminants” - \$2,870.00; “MSU National Patent Application -Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminants” - \$71.25; “Molecular Design and Chemical Synthesis of Pharmaceutical-Ligands and Pharmaceutical Analogs with Multiple Mechanisms of Action” - \$736.25; “Improving Rice Nutrition and Taste via Disruption of Grain Starch Crystalline, Fortification Treatment and Recrystallization” - \$95.00; “Neshoba Crapemyrtle Trademark Registration Application” - \$23.75; “Pascagoula Crapemyrtle Trademark Registration Application” - \$23.75; “Sequoyah Crapemyrtle Trademark Registration Application” - \$23.75; “Shumaka Crapemyrtle Trademark Registration Application” - \$23.75; “Tishomingo Crapemyrtle Trademark Registration Application” - \$23.75; “MSU-Method and System for Estimating Age of an Animal” - \$1,852.50; “Inhomogeneous Computer Interconnects for Classical and Quantum Computers” - \$261.25; “Method for Obtaining Unit Transmission in Nanodevice Electrol Propagation” - \$760.00; “Shockwave Mitigating Helmets” - \$716.25; “Helmets with Facemask Gaskets” - \$1,202.50; “Personal Protective Equipment Liner” - \$1,221.25; “Heat Pipe Thermoelectric Generator” - \$611.25; “An Engine Speed Controller” - \$400.00; “Utility Application- System for Stabilizing Gas Hydrates at Low Pressure” - \$400.00; “Bandwidth- Based Methodology” - \$200.00 and “MSU-‘Therabot’ Trademark/Service Mark Service Application” - \$118.75.)

**TOTAL DUE.....\$ 14,923.75**

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Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 9/29/15, 9/29/15, 9/29/15, 9/29/15,10/20/15, 11/23/15 and 11/23/15) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Methods and Kits for Detecting Antigenic Drifts” - \$935.00; “Methods of Synthesizing Graphene from a Lignin Source” - \$576.00; “Process & Catalyst for Converting Biomass/Municipal Solid Wastes (MSW)” - \$623.50; “Live Attenuated Edwardsiella Ictaluri Vaccine and Method for Delivery” - \$872.50; “Live Attenuated Edwardsiella Ictaluri Vaccine and Method for Delivery” - \$665.00; “Methods and Kits for Detecting Antigenic Drifts” - \$220.00 and “Process and Catalyst for Converting Biomass/Municipal Solid Wastes (MSW)” - \$2,000.50, respectively.)

**TOTAL DUE.....\$ 5,892.50**

Payment of legal fees for professional services rendered by Valauskas Corder (statements dated 10/15/15, 10/15/15 and 11/11/15) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Bio-Oil Treatment” - \$426.25; “Blue Stain System” - \$1,782.50 and “Blue Stain System” - \$145.00, respectively.)

**TOTAL DUE.....\$ 2,353.75**

Payment of legal fees for professional services rendered by Butler Snow (statements dated 10/23/15, 10/26/15, 11/2/15, 11/19/15 and 11/19/15) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stuttering Inhibition Device” - \$840.00; “Complexes and Compounds for Light Emitting Applications” - \$192.00; “Microalgae Commercialization” - \$551.25; “Stuttering Inhibition Device” - \$576.00 and “Microalgae Commercialization” - \$769.50, respectively.)

**TOTAL DUE.....\$ 2,928.75**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 10/6/15, 10/9/15, 10/9/15, 10/9/15, 10/9/15, 10/9/15, 10/11/15, 10/15/15, 10/15/15, 10/19/15, 10/19/15, 10/19/15, 10/19/15, 10/19/15, 10/19/15, 12/3/15, 12/3/15, 12/5/15, 12/8/15 and 12/9/15) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “For Potent Immunostimulants from Microalgae” - \$976.25; “For Potent Immunostimulants from Microalgae” - \$998.25; “For Potent Immunostimulants from Microalgae” - \$947.25; “For Potent Immunostimulants from Microalgae” - \$1,015.25; “For Potent Immunostimulants from Microalgae” - \$1,193.25; “For Potent Immunostimulants from Microalgae” - \$962.25; “Compositions Containing Delta 9-THC-Amino-Acid Esters” - \$561.70; “Method for Preparing Delta-9 Tetrahydrocannabinol” - \$534.92; “Method for Preparing Delta-9 Tetrahydrocannabinol” - \$688.63; “For Potent Immunostimulants from Microalgae” - \$1,902.40; “For Potent Immunostimulants from Microalgae” - \$1,923.66; “For Potent Immunostimulants from Microalgae” - \$1,392.25; “For

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Potent Immunostimulants from Microalgae” - \$1,359.19; “For Potent Immunostimulants from Microalgae” - \$1,722.90; “Highly Selective Sigma Receptor Ligands and Radioligands” - \$904.75; “Highly Selective Sigma Receptor Ligands and Radioligands” - \$904.75; “Novel Selective Inhibitors of Polycarboxypeptidase” - \$364.10; “Compositions Containing Delta-9-THC-Amino-Acid-Esters and Process” - \$1,351.10 and “Compositions Containing Delta-9-THC-Amino-Acid-Esters and Process” - \$264.50, respectively.)

**TOTAL DUE.....\$ 19,967.44**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/30/15, 10/30/15, 10/30/15, 10/30/15, 10/30/15, 10/30/15, 10/30/15, 10/30/15, 11/23/15, 11/23/15, 11/23/15, 11/23/15, 11/23/15, 11/23/15, 11/23/15 and 11/23/15) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Highly Purified Amphotericin B” - \$682.00; “Highly Purified Amphotericin B” - \$604.00; “Highly Purified Amphotericin B” - \$1,220.00; “Highly Purified Amphotericin B” - \$721.00; “Highly Purified Amphotericin B” - \$714.00; “Highly Purified Amphotericin B” - \$642.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$3,168.00; “Ophthalmic Compositions Comprising Pegylated Lipid Nanoparticles” - \$1,196.00; “Delivery of Medicaments to the Nail” - \$558.50; “Stabilized Formulation of Triamcinolone” - \$943.50; “Highly Purified Amphotericin-B” - \$864.00; “Gas Separating Membranes” - \$3,657.00; “Solubilization and Deposal of Radioactive Scale and Sludge” - \$2,132.50; “Methods for Detecting and Categorizing Skin Sensitizers” - \$479.00; “Methods for Inhibiting Cellular Responses to Hypoxia” - \$2,132.50 and “Indolizine-Based Donors as Organic Sensitizers Components for Dye-Sensitized Solar Cel” - \$123.50, respectively. )

**TOTAL DUE.....\$ 19,837.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 9/28/15, 9/28/15, 9/28/15, 9/28/15, 9/28/15, 10/30/15, 10/30/15 and 10/30/15) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$38.00, \$128.00, \$624.00, \$47.50, \$318.00, \$989.20, \$252.50 and \$799.50, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 3,196.70**

**2. MSU – EMERGENCY APPROVAL TO CONTRACT WITH MORRISON MAHONEY, LLP AS OUTSIDE COUNSEL**

Trustee Hal Parker, as Board Legal Committee Chair, on behalf of the Board, has approved Mississippi State University’s emergency request to contract with the law firm of Morrison Mahoney, LLP for legal services to assist the University in an ongoing employment litigation matter in the US District Court for the Northern District of Massachusetts. The approved hourly rate for attorney Joe Seckler is \$200 per hour and

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the approved hourly rate for attorney Erin Boucher is \$180 per hour. The maximum amount payable under the contract is \$100,000.

**3. UM – EMERGENCY APPROVAL TO CONTRACT WITH MAYO MALLETTE, PLLC AS OUTSIDE COUNSEL**

Trustee Hal Parker, as Board Legal Committee Chair, on behalf of the Board, has approved the University of Mississippi's emergency request to contract with the law firm of Mayo Mallette, PLLC for legal services to assist the University in an ongoing estate matter in which the University is a defendant. The approved hourly rate is \$165 per hour. The maximum amount payable under the contract is \$40,000.00.

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**1. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL**

The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.

- a. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On December 15, 2015, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with North Mississippi Medical Center, Inc. (NMMC) for the provision of clinic space to be used to perform echocardiograms. This is a sublease of 139 square feet of clinic space at the UMMC Tupelo clinic to NMMC d/b/a NMMC-Women’s Hospital located at 830 South Gloster Street, Tupelo, MS 38801. The term of the agreement shall be for a period of one (1) year commencing on or about December 15, 2015 and shall thereafter renew for three (3) consecutive terms of one (1) year each, unless terminated earlier by either party providing the other with at least a sixty (60) day written advance notice. The estimate revenue generated from this agreement is \$11,676 over the total four (4) year term. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- b. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On December 9, 2015, Commissioner Glenn F. Boyce approved the request enter into a lease agreement with Corn Board Manufacturing, Inc., a Texas corporation registered in Mississippi. The lease is for approximately 150 square feet of office and lab space, Space No./s 203 in USM’s Accelerator Building for annual rent in the amount of \$3,000. The initial lease term is for one year and may be renewed for up to four consecutive one-year terms. The rent during the initial term and renewal terms shall be \$3,000 per year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- c. **SYSTEM** – In accordance with Board Policy 401.0103 Salaries and Compensation, each institution is required to submit an annual report of the additional compensation paid to selected employees. Additional compensation includes any institutional pay outside of an employee’s regular contract rate. This could include additional pay for items such as teaching overloads, performing additional duties, athletic camp service, etc. On December 18, 2015, Commissioner Glenn F. Boyce approved the Additional Compensation Report (Fiscal Year 2015). The Executive Office financial staff has reviewed and

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approved the institutions' submissions. A copy of the report will be maintained in the IHL Department of Finance and Administration for review.

- d. **System** – In accordance with Board Policy 702.03 Approval of Tuition, Fees, and Other Student Charges, each institution is required to submit a report of their annual participation/optional fees to the Board through guidelines established by the Commissioner's Office. Participation/Optional Fees are defined in Board Policy 702.02 Definitions as assessments for "supplies, activities, or services made available to students or as fines for misconduct, violation of institutional policy, or violation of contractual agreements". The fees became effective July 1, 2015 and remain in effect throughout the 2015-16 fiscal year. On December 18, Commissioner Glenn F. Boyce approved the FY 2016 – Participation and Optional Fees Report. The Executive Office financial staff has reviewed and approved the institutions' submissions. A copy of this report will be maintained in the IHL Department of Finance and Administration for review.