FINAL BOARD BOOK OUTLINE

IHL Board Meeting
October 20, 2016, 9:00 a.m.
IHL Board Room
3825 Ridgewood Road
Jackson, MS 39211

CALL TO ORDER

PRAYER
Trustee Alan Perry

INTRODUCTION OF GUESTS

MINUTES
September 15, 2016 Regular Board Meeting Minutes
ACADEMIC AFFAIRS

1. SYSTEM – Approval of New Academic Units ................................................................. 1
   Centers and Institutes
   a. MSU – Center for Student Success

2. SYSTEM – Approval of Academic Unit Modifications ..................................................... 2
   Rename
   a. ASU – Agriculture, Research, Extension and Applied Sciences

   Reorganize
   b. ASU – Cora S. Balmat School of Nursing
   c. USM – Department of Human Capital Development

   Reorganize and Rename
   d. USM – Department of Educational Leadership and School of Counseling and Guidance

3. SYSTEM – Approval of Academic Program Modifications ............................................. 3
   Rename
   a. MSU – Ph.D. in Elementary, Middle, and Secondary Education Administration
   b. UM – B.A. in Recreation Administration
   c. UM – Bachelor of Science
   d. UM – Master of Arts in Curriculum and Instruction ..................................................... 4
   e. UM – B.S. in Sport Management
   f. USM – Paralegal Studies (Pre-Law), BA Paralegal Studies

   Suspend
   g. UM – Master of Healthcare Administration ................................................................. 5

   Delete
   h. MSU – BBA Management of Construction and Land Development
   i. MUW – Master of Education in Differentiated Instruction
   j. MUW – Bachelor of Science in Microbiology
   k. UMMC – Bachelor of Science in Cytotechnology
FINANCE

1. SYSTEM – Request Escalation of Ayers Endowment Budget ........................................1
2. JSU – Request to Enter a General Service Agreement with E and H Holdings, LLC. .... 2
3. UMMC – Request for Approval to Amend the Consignment Agreement and the Pricing Agreement with Edwards Lifesciences, LLC .................................................................4
4. UMMC – Request for Approval to Amend Agreement with Integrated Medical Systems International, Inc................................................................. 5
5. UMMC – Request for Approval to Amend Exhibit H to Master Lease with Jackson Medical Mall Foundation.............................................................................7
6. UMMC – Request for Approval to Enter into a Product Schedule with Roche Diagnostic Corporation ........................................................................................................10
7. UMMC – Request for Approval to Amend the Exhibit A in Agreement with Vital Records Control of Mississippi, LLC .................................................................................12
8. UMMC – Request for Approval to Enter into a Contractual Services Agreement with Vocera Communications, Inc. .................................................................15
9. UMMC – Request for Approval to Amend an Agreement with Wolters Kluwer Health, Inc. .....................................................................................................................17

REAL ESTATE

Approval of Initiations of Projects/Appointments of Professionals

IHL Projects

1. ASU – IHL 201-253 – Animal Science Facility – Proposed Design Professional – Durrell Design Group, LLC ................................................................................... 3

Approval of Budget Increases and/or Changes of Scope/Changes of Funding Source

Bureau of Building Projects

5. DSU – GS 102-260 – Zeigel Hall Renovations – Proposed Design Professional – Architecture South ........................................................................................................ 8
Approvals of Other Real Estate Requests

8. DSU – Delete from Inventory and Demolish – President’s Home ........................................13

LEGAL

1. MSU – Approval to Modify Contract with Butler Snow LLP as Outside Counsel ..........1
2. MSU – Approval to Modify Contract with Perry & Winfield, P.A. as Outside Counsel ...1
3. MSU – Approval to Modify Contract with Valauskas Corder LLC as Outside Counsel 1
4. UMMC – Approval to Contract with Baker, Donelson, Bearman, Caldwell and Berkowitz, PC as Outside Counsel ........................................................................2
5. UMMC – Approval to Contract with Butler Snow LLP as Outside Counsel ..............2
6. UMMC – Approval to Contract with Jones Walker LLP as Outside Counsel ..........3
7. UMMC – Approval to Contract with Stites and Harbison, PLLC as Outside Counsel ....3
8. UMMC – Approval to Contract with Walker & Ungo, LLC as Outside Counsel .......3
9. UMMC – Approval to Contract with Ware│Immigration as Outside Counsel ..........4
10. UMMC – Approval to Contract with The Whitfield Law Group, PLLC as Outside Counsel ........................................................................................................5
11. ASU – Approval of Dr. Alfred Rankins, Jr. as Legislative Liaison ..........................5
12. ASU – Approval of Marcus Ward as Legislative Liaison ..........................................5
13. DSU – Approval of Dr. Michelle Roberts as Legislative Liaison ...............................5
14. JSU – Approval of Dr. William McHenry as Legislative Liaison ..............................6
15. MU – Approval of Lee Weiskopf as Legislative Liaison .........................................6
16. MUW – Approval of Nora Miller as Legislative Liaison .........................................6
17. MVSU – Approval of Dr. William B. Bynum, Jr. as Legislative Liaison .....................6
18. MVSU – Approval of La Shon F. Brooks as Legislative Liaison ...............................6
19. UM – Approval of Perry Sansing as Legislative Liaison .........................................6
20. UMMC – Approval of Tara Mounger as Legislative Liaison ....................................7
21. UMMC – Approval of Wesley Clay as Legislative Liaison .......................................7
22. UMMC – Approval of Rachel J. Gressett as Legislative Liaison ..............................7
23. UMMC – Approval of Dr. Claude Brunson as Legislative Liaison ............................7
24. USM – Approval of Chad Driskell as Legislative Liaison .........................................7
25. SYSTEM – Approval of Kim Gallaspy as Legislative Liaison ..................................7

PERSONNEL

1. Change of Status (UM, USM) .........................................................................................1
2. Emeritus Status (ASU, USM) .........................................................................................1
ADMINISTRATION/POLICY

1. ASU – Approval to Award One Honorary Degree ................................................................. 1
2. USM – Approval to Award One Honorary Degree ................................................................. 1

REGULAR AGENDAS

ACADEMIC AFFAIRS
Trustee Tom Duff

1. MSU – Approval of New Academic Program ............................................................................. 1
2. SYSTEM – Approval of Academic Program Productivity Reviews ............................................ 2

FINANCE
Trustee Christy Pickering

1. SYSTEM – Request for Approval of Tuition Rates ................................................................. 1
2. SYSTEM – Request Approval to Waive the Requirement for First Reading of Proposed
   Revision to Board Policy Section 701.07 Depository Policy and to Grant Final Approval ................................................................. 1
3. JSU – Request for Approval of Memorandum of Understanding with LJM Holdings, LLC ............................................................................. 2
4. MSU – Request for Approval to Enter into a Lease Agreement with the BF Smith
   Foundation ............................................................................................................................ 4
5. MSU – Request for Approval to Refund Bonds at an Aggregate Principal Amount of
   $90 Million and to Achieve Net Present Value Savings .................................................. 5
6. MUW – Request for Approval to Enter into a Service Agreement with GCA Education
   Services, Inc .......................................................................................................................... 7
7. UMMC – Request for Approval to Amend Agreement with TEKsystems, Inc............ 9
LEGAL
Trustee Alan Perry

1. UMMC – Approval to Renew Contract with Bradley Arant Boult Cummings, LLP as Outside Counsel
2. UMMC – Approval to Settle Tort Claim No. 3041

INFORMATION AGENDAS
Commissioner Glenn F. Boyce

FINANCE

1. SYSTEM – Ayers Accountability Manual
2. SYSTEM – Ayers Investment Report
3. ASU – Lease and License Agreement with Alcorn State University Foundation Development, LLC For Construction of a Scoreboard

REAL ESTATE

SYSTEM – Real Estate Items Approved Subsequent to the September 15, 2016 Board Meeting

   Alcorn State University
   Delta State University
   Mississippi State University
   Mississippi University for Women
   Mississippi Valley State University
   University of Mississippi
   University of Mississippi Medical Center
   University of Southern Mississippi
   Education and Research Center

LEGAL

1. SYSTEM – Report of Payments to Outside Counsel
ADMINISTRATION/POLICY

1. SYSTEM – Commissioner’s Notification of Approval…………………………………………….. 1

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:

September 15, 2016 Regular Board Meeting
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 15, 2016

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

APPROVAL OF THE MINUTES

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

CONSENT AGENDAS

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

FINANCE

1. UM – Approved the request to amend the agreement with Total Production Services, LLC to provide production of video board broadcasts and/or production/engineering of internet streaming broadcast of Ole Miss Athletics home games. The initial term of the agreement is from September 16, 2016 through June 30, 2019 with an option to renew for an additional term of three (3) years upon either party giving notice one hundred and twenty (120) days prior to the termination date. The Board approved the renewal option with a contract end date of June 30, 2022. The contract amount is estimated to be $498,205 per year; however, the parties agree to negotiate a mutually acceptable cost adjustment based on actual team schedules and personnel requirements. The agreement will be funded by the University of Mississippi Athletics Department’s operating funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.

2. UMMC – Approved the request to enter into two (2) letters of agreement with Genzyme Corporation for the purchase of the drug Lemtrada, a drug utilized to treat relapsing, remitting Multiple Sclerosis (MS) in patients that have failed two or more other MS therapies. The first letter of agreement would provide Lemtrada at WAC pricing and the second, which contains the same terms other than pricing, provides the drug at 340-B pricing. WAC is the standard pricing method for the pharmacy industry. 340-B pricing is provided through the Health Resource and Services Administration (HRSA), a division of the United States Department of Health and Human Services. Under this program the federal government has required drug manufacturers to provide outpatient drugs to eligible healthcare facilities at significantly reduced pricing. Participation in the 340-B pricing allows hospitals to pass along cost saving to its outpatients. The initial term of
the agreement will commence within one (1) business day after Genzyme receives the signed letters of agreement, which is expected to be no later than October 1, 2016, and will run through December 31, 2018. Thereafter, the agreement may be renewed for no more than two (2) additional one (1) year periods upon mutual written agreement. The Board approved the initial term and potential renewal terms. The estimated cost of the agreement over the entire term is expected to be $15,000,000. This cost is based on the number of MS patients that could immediately take advantage of this drug, the current drug pricing (WAC and 340-B), potential increases in drug pricing and increased patient volume. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.

3. **UMMC** – Approved the request to enter into a service agreement with Mississippi Children’s Home Services, Inc. (MCHS) to provide behavioral health and care coordination services in support of the Children’s Collaborative Pilot Project, which is a coordinated collaborative effort between the MS Department of Medicaid and UMMC. The term of the agreement is for one (1) year, beginning October 1, 2016 and ending September 30, 2017. The amount of this amendment shall not exceed the total approved cost of the agreement of $1,995,301. This agreement is funded by grant funds. The agreement was approved by the Personal Service Contract Review Board at its meeting on September 13, 2016. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.

4. **USM** – Approved the request to enter into a contractual services agreement with the CPA firm Topp McWhorter Harvey, PLLC to conduct the annual audit for the University Affiliated Entity for fiscal year 2016 as required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities, subsection D. General Requirements of Affiliation Agreements (9).

**REAL ESTATE**

5. **UM** – Approved the initiation of **IHL 207-425, Crosby Hall Boiler Replacement**, and the appointment of Corbett Legge & Associates, PLLC as the design professional. The project will remove the 45+ year old boilers, pumps and associated piping from the basement of Crosby Hall, seal and close the existing exhaust system, and construct a new boiler room (approximately 15’ x 35’) in close proximity to house a new boiler, pumps and controls. The new high efficiency boiler will require the installation of domestic water, sanitary sewer, heating water and natural gas piping to the new boiler room. Additionally, the project will connect two existing potable water storage tanks, double wall plate and frame heat exchangers and pumps to the new boiler system. The estimated project budget is $1.1 million. Funds are available from Student Housing R&R funds ($1,100,000).

6. **UMMC** – Approved the request to grant a twelve (12) foot traffic utility right-of-way easement to Meridian at Fondren, LLC (Grantee) for the purpose of constructing a traffic signal and establishing a utility easement near the intersection of Peachtree Street and Lakeland Drive on the main campus at Jackson. This right of way and easement is needed to put in the signals required by the City of Jackson prior to residents moving into the new Meridian at Fondren development. A property description is included in the bound September 15, 2016 Board Working File. Grantor grants to Grantee a right-of-way, servitude and easement 12 feet in width for the location, relocation, improvements, repair, construction, reconstruction, operation, inspection, patrol, replacement, removal and maintenance of a traffic signal and utility easement to be used for the construction of traffic signal arms, supporting infrastructure, controller and power service panels,
pedestrian signal poles, and other equipment. structures, material and appurtenances, now or hereafter used, useful or desired in connection therewith by Grantee over, across, under or on that land of Grantor in the City of Jackson, County of Hinds, State of Mississippi. Grantee shall have the full and continuing right, without further compensation, to clear and keep clear vegetation within or growing in said right of way and the further right to remove or modify from time to time trees and/or limbs which Grantee considers a hazard to any of Grantee's facilities. As used in this paragraph, "hazard" includes any trees, limbs, and/or vegetation within the right of way that Grantee determines are tall enough that if they fell may strike, hit, or come in contact with any of Grantee's facilities. Payment for the first cutting of trees, limbs, and other vegetation outside of the right of way is included in the initial consideration paid to Grantor. Grantee shall pay to Grantor, or Grantor's successor in title, the reasonable market value, as timber, of such trees when removed in the future outside of the said right of way. Grantee shall pay Grantor for physical damages to Grantor's buildings or other structures located outside said right of way and to Grantor's roads, bridges, fences, sidewalks or other structures caused by the construction and maintenance of Grantee's facilities as contemplated herein. Grantor retains the right to use for Grantor's own purposes the land covered by the said right of way so long as such use does not interfere with Grantee's use of said right of way and other rights herein granted. This Right of Way may be executed in multiple parts where there are multiple owners, each of which such multiple parts shall be binding on the party or parties so executing. Grantee does hereby agree to defend, indemnify and hold harmless Grantor from any loss, expense, damage or injury resulting from the construction or use of Grantee's facilities. The Attorney General's Office has reviewed and approved this item contingent upon approval by the Governor of Mississippi. As required by Miss. Code Ann. §29-1-1(3), the Mississippi Secretary of State’s Office has reviewed this easement.

PERSONNEL REPORT

7. EMPLOYMENT

Mississippi Valley State University
(Rehired retirees making more than $20,000 who are on contract during FY 2017.)
- Edgar Holman; former position: Principal, Sunflower County School District; re-employment position: Instructor; re-employment period – August 15, 2016 – May 15, 2017; salary of $28,439

8. CHANGE OF STATUS

Mississippi State University
- Allison W. Pearson; from Professor and Endowed Professor, Management and Information Systems; salary of $168,279 per annum, pro rata; E&G Funds; to Interim Associate Vice President for Academic Affairs, Professor and Endowed Professor, Management and Information Systems; salary of $220,000 per annum, pro rata; E&G Funds; effective August 9, 2016
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 15, 2016

9. **SABBATICAL**

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

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

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

10. **EMERITUS STATUS**

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

**FINANCE AGENDA**
Presented by Trustee Christy Pickering, Chair

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

1. **SYSTEM** – Approved for first reading the proposed tuition rate increase for non-resident students for the University for Southern Mississippi effective for fiscal year 2018. In compliance with Board Policy 702.04 Approval Process Subsection C Consideration of Request, the Board will have a thirty-day review prior to final approval of the tuition rates. *(See Exhibit 1.)*

2. **UM** – Approved a resolution authorizing the University to enter a ground lease with the Ole Miss Athletics Foundation (OMAF) to facilitate the financing and construction of an indoor tennis facility, to enter into an operating lease under which the University will lease the completed facility from OMAF, and to execute related documents. The facility will be located south of the Olivia and Archie Manning Athletics Performance Center and southeast of the Track and Field complex on the University’s main campus. The construction will be financed by Renasant Bank through a
promissory note to OMAF. After construction, OMAF will lease the facility back to the University for its use and OMAF will assign its interest in the leases to the University of Mississippi Educational Building Corporation (UMEBC). Following completion of the facility, UMEBC will become the obligor or a co-obligor on the promissory note. Upon full repayment of the promissory note, the leases will terminate and the property and all improvements will revert to the University. Both leases will have a primary term that is concurrent with the Renasant promissory note. The OMAF/UMEBC promissory note will not exceed $8 million and will be repaid over a ten-year period after an initial construction period. OMAF/UMEBC will pay 2.745% interest on the promissory note. After completion of construction, annual debt service by OMAF/UMEBC is estimated to be approximately $775,988 per year for ten years. Under the operating lease to the University, the University is obligated to pay rent to OMAF/UMEBC in an amount sufficient to service the OMAF/UMEBC promissory note if there is an event of default for OMAF/EBC for failure to pay the note. However, it is intended that private donations to OMAF will be used to repay all debt service under the promissory note. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.

3. UMMC – Approved the request to enter into a lease agreement with Mississippi Baptist Medical Center, Inc. (Baptist). Pursuant to the lease, UMMC will occupy 15,011 square feet of space on the second floor of property located at 1421 North State Street in Jackson, MS, commonly referred to as the Watkins Building. This space will be clinical space for outpatient digestive disease services (non-procedural). This lease is contingent upon approval for UMMC to purchase the Radiology Building (RAD), which is owned by Baptist and located next to the Watkins Building. A coinciding agenda item (#4 below) for the purchase of RAD has been submitted for consideration. In accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board also approved the request to allow advanced payment of rent payments as required in the agreement. The primary term of the lease will be five (5) years, from the commencement date, with the option for renewal for two (2) five (5) year terms. The commencement date is defined in the contract as the earlier of (i) the date that is thirty (30) days after the date of substantial completion of renovations to the premises, as set forth in a work letter and as further evidenced by the execution of a Commencement Date Certificate, or (ii) the date on which UMMC opens for business in the premises. If the commencement date is a date other than the first day of a calendar month, then the rent due for such month shall be prorated according to the number of days remaining in such month, and, for purposes of determining the end of the first lease year and the end of the primary term only, the commencement date shall be deemed to occur on the first day of the calendar month following the commencement date. The cost over the primary five (5) year term is estimated to be $2,085,741.28. This includes the basic lease costs of $1,885,741.28, and the optional charge for improvements, that, if set aside, would be $200,000 for the primary term. Both costs factors are as further described within in the bound September 15, 2016 Board Working File. If elected, UMMC may set aside $200,000 over the primary term of the agreement and, thereafter for any subsequent renewal terms, which shall be held by Baptist in an account from which funds may be spent only at the direction of UMMC. These funds will be utilized, by Baptist, only to facilitate the freshening up of the premises and making improvements as UMMC may determine it desires from time to time. Finally, the space has previously been used as a GI clinic and is configured for this type of practice. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
4. **UMMC** – Approved the request to enter into a purchase agreement with Mississippi Baptist Health Systems, Inc. (Baptist) for the purchase of a building and land currently owned by Baptist located at 1405 North State Street in Jackson, MS, which is best known as the Radiology (RAD) Building. The purchase price is $3,950,000 which is the average of two independent appraisals. The first appraisal was in the amount of $3,900,000. The second appraisal was in the amount of $4,000,000. The Board also granted Baptist a temporary easement to allow Baptist to remove certain fiber and information technology equipment located on the property both inside and outside of the RAD Building. The removal is expected to be complete by December 1, 2016. The subject building is physically located at the northwest corner of N. State and Webster Streets. Its municipal address is 1405 N. State Street in Jackson, Hinds County, Mississippi. The Radiology medical office building consists of approximately 29,190 square feet of rentable area located on approximately 1.04 acres of land. The closing date shall be on or before September 30, 2016. If the purchase price is confirmed at less than $3,950,000, then the Seller shall have the right to terminate this Agreement at any time prior to the Closing, without cause, penalty or fee, by the giving of written notice thereof to the Purchaser, and neither party shall have any further rights or obligations. A Phase I Environmental Site Assessment has been conducted on the property. Based on site inspection, current and past land use history, adjacent property inspections and record review, no recognized environmental conditions are evident at the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.

**LEGAL AGENDA**
Presented by Trustee Alan Perry, Chair

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

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

    **801.13 WITHHOLDING OF PAY**

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

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

These limitations are necessary in order to limit the work load and costs incurred by the payroll-computer services facilities of the institution.
2. **SYSTEM** – Approved for final reading the proposed amendments to Board Policy 301.0513 Presentations and Appearances Before the Board to clarify the current policy and practice of the Board. *(See Exhibit 2.)*

3. **JSU** – Settlement of Tort Claim No. 65-1125-1. *(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)*

### INFORMATION AGENDA
Presented by Commissioner Glenn F. Boyce

### FINANCE
1. **ASU** – The Board received documentation representing approval by the Mississippi Department of Information Technology Services (MS-ITS) Board of the continuation of a contractual agreement with Blackboard, Inc. for the acquisition of software and services for a learning management system hosted by Blackboard for Alcorn State University (ASU). The Attorney General’s staff assigned to the MS-ITS will review the agreement prior to its execution. The resulting agreement will be between Blackboard, Inc. and MS-ITS on behalf of ASU. The documentation is included in the bound *September 15, 2016 Board Working File.*

2. **USM** – The agreement between USM and Oceaneering approved by the Board in August 2016, was for the use of the R/V Sea Scout (or a comparable vessel) for a research cruise that is to start on Saturday, September 17, 2016. However, due to Hurricane Hermine, the R/V Sea Scout was delayed in returning to port and could not return in time to be properly outfitted for the research cruise prior to the departure date. Oceaneering has changed the vessel to the DSV Ocean Inspector and has assured USM that the substitution of vessels will not affect the deliverables of Oceaneering under the contract. The specifications of the DSV Ocean Inspector are included in the bound *September 15, 2016 Board Working File.*

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

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

### ANNOUNCEMENTS
- President Rouse announced the next Board meeting will be held October 20, 2016 in Jackson, MS.
FIRST EXECUTIVE SESSION

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

Discussion of strategic business plans for a public hospital.

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

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

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

OTHER BUSINESS

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

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

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

OTHER BUSINESS

(Continued)

- The Board discussed initiatives for the Mississippi Institutions of Higher Learning. No action was taken.
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 15, 2016

SECOND EXECUTIVE SESSION

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

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

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

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

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

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

ADJOURNMENT

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

_____________________________________________________________
 President, Board of Trustees of State Institutions of Higher Learning

_____________________________________________________________
 Commissioner, Board of Trustees of State Institutions of Higher Learning
EXHIBITS

Exhibit 1  Proposed tuition rate increase for non-resident students for the University for Southern Mississippi effective for fiscal year 2018 for first reading.

Exhibit 2  Proposed amendments to Board Policy 301.0513 Presentations and Appearances Before the Board for final approval.

Exhibit 3  Real Estate items that were approved by the IHL Board staff subsequent to the August 18, 2016 Board meeting.

Exhibit 4  Report of the payment of legal fees to outside counsel.
<table>
<thead>
<tr>
<th>Non-Resident Tuition*</th>
<th>Approved FY 2017</th>
<th>Requested Incr/Decr FY 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$ 16,419</td>
<td>(6,565)</td>
</tr>
<tr>
<td>Capital Improvements Fee</td>
<td>$ 70</td>
<td>0.0%</td>
</tr>
<tr>
<td>Student Activity Fee</td>
<td>$ 40</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Total Non-Resident Tuition and Required Fees</strong></td>
<td><strong>16,529</strong></td>
<td><strong>(6,565)</strong></td>
</tr>
</tbody>
</table>

**Analysis**

<table>
<thead>
<tr>
<th>FY 2016 Appropriations Budgeted*</th>
<th>Total – All Units</th>
<th>On/Off Campus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Headcount – Fall 2015</td>
<td>14,551</td>
<td>14,507**</td>
</tr>
<tr>
<td>FTE – Fall 2015</td>
<td>12,666</td>
<td>12,590</td>
</tr>
</tbody>
</table>

Average cost from appropriated funds – HC $6,444 $5,785
Average cost from appropriated funds – FTE $7,402 $6,665

*Proposed total tuition/fees for Non-resident student $9,964 $9,964

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

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

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

Other appearances before the Board are not a matter of right, and will only be considered if the request is material and relevant to any matters then pending before the Board. Any person who desires to be placed on the agenda to address the Board shall submit such request, including justification, in writing to the Commissioner. The request should be at least three weeks prior to the designated Board meeting at which the person desires to appear and set forth the purpose of such appearance. The three-week period is necessary to permit referral to the President or appropriate Board committee to rule on such request.
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE AUGUST 18, 2016 BOARD MEETING SUBMISSION DEADLINE

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

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

JACKSON STATE UNIVERSITY

1. **JSU– GS 103-277 – Library Envelope Repairs Phase II**
   - NOTE: This is a Bureau of Building project
   - UNAPPROVAL REQUEST #1: Award of Construction Contract
     Board staff did not approve the Award of Contract in the amount of $3,301,000.00 to the apparent low bidder, Mid State Construction Company, Inc.
     Approval Status & Date: NOT APPROVED, June 28, 2016
   - Approval Request #2: Change Order #1
     Board staff approved Change Order #1 in the amount of $8,068.80 and zero (0) additional days to the contract of Mid State Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.
     Approval Status & Date: APPROVED, July 6, 2016
   - Change Order Description: Change Order #1 includes the following items: to install a high wind screen; to anchor the existing windows & their perimeter blocking; and to level 70’ of existing concrete masonry unit parapet with self-leveling non-shrink grout bed.
   - Change Order Justification: The Using Agency requested the installation of the high wind screen and the other changes were due to latent job site conditions.
   - Total Project Change Orders and Amount: One (1) change order for a total amount of $8,068.80.
   - Project Initiation Date: February 20, 2014
   - Design Professional: Burris/Wagnon Architects, P.A.
   - General Contractor: Mid State Construction Company, Inc.
   - Phased Project Budget: $1,550,000.00
   - Total Project Budget: $4,550,000.00

2. **JSU- GS 103-281 – Alexander Center Renovation Phase III**
   - NOTE: This is a Bureau of Building project
   - Approval Request #1: Award of Construction Contract
Board staff approved the Award of Contract in the amount of $1,396,000.00 to the apparent low bidder, Sullivan Enterprises, Inc.
Approval Status & Date: APPROVED, June 27, 2016
Project Initiation Date: February 18, 2016
Design Professional: Foil Wyatt Architects & Planners, PLLC
General Contractor: Sullivan Enterprises, Inc.
Total Project Budget: $2,018,827.06

3. **JSU – GS 103-276 – Campus Master Plan**
   NOTE: This is a Bureau of Building project
   Approval Request #1: Master Plan 10-Year Update
   Board staff approved the Campus Master Plan in the amount of $458,800.00
   Approval Status & Date: APPROVED, July 15, 2016
   Project Initiation Date: June 20, 2016
   Design Professional: Dale Partners Architects, P.A.
   General Contractor: N/A
   Total Project Budget: $458,800.00

MISSISSIPPI STATE UNIVERSITY

4. **MSU – IHL 205-262-A – Aiken Village Day Care Relocation**
   Approval Request #1: Contract Documents
   Board staff approved Contract Documents as submitted by Pryor Morrow Architects and Engineers
   Approval Status & Date: APPROVED, August 2, 2016
   Approval Request #2: Advertise
   Board staff approved request to advertise for receipt of bids.
   Approval Status & Date: APPROVED, August 2, 2016
   Project Initiation Date: October 20, 2011
   Design Professional: Pryor Morrow Architects and Engineers
   General Contractor: TBD
   Phased Project Budget: $1,263,584.38
   Total Project Budget: $5,000,000.00

5. **MSU – IHL 205-278 – MSU NSPARC Data Center**
   Approval Request #1: Award of Construction Contract
   Board staff approved the Award of Contract in the amount of $2,590,000.00 to the apparent low bidder, Burks-Mordecai Builders, Inc.
   Approval Status & Date: APPROVED, July 22, 2016
   Project Initiation Date: November 20, 2014
   Design Professional: Dale partners Architects, P.A.
   General Contractor: Burks-Mordecai Builders, Inc.
   Total Project Budget: $4,650,000.00
6. **MSU– IHL 205-279 – Addition and Renovation to Dudy Noble Field-Polk Dement Stadium**
   Approval Request #1: Approval of Design Development Documents
   Board staff approved the Design Development Documents as submitted by Wier Boerner Allin Architecture.
   **Approval Status & Date:** APPROVED, July 18, 2016
   **Project Initiation Date:** May 21, 2015
   **Design Professional:** Wier Boerner Allin Architecture
   **General Contractor:** TBD
   **Project Budget:** $55,000,000.00

7. **MUW– GS 104-184 – Fant Library Renovation, PH III**
   NOTE: This is a Bureau of Building project
   Approval Request #1: Contract Documents
   Board staff approved Contract Documents as submitted by Burris/Wagnon Architects
   **Approval Status & Date:** APPROVED, June 23, 2016
   Approval Request #2: Advertise
   Board staff approved request to advertise for receipt of bids.
   **Approval Status & Date:** APPROVED, June 23, 2016
   **Project Initiation Date:** January 22, 2015
   **Design Professional:** Burris/Wagnon Architects
   **General Contractor:** TBD
   **Total Project Budget:** $7,511,444.00

8. **UM– GS 107-308.1 – Union Addition & Renovation – Primary Electric at Grove**
   NOTE: This is a Bureau of Building project
   Approval Request #1: Contract Documents
   Board staff approved Contract Documents as submitted by Eley Guild hardy Architects and Engineers
   **Approval Status & Date:** APPROVED, July 12, 2016
   Approval Request #2: Advertise
   Board staff approved request to advertise for receipt of bids.
   **Approval Status & Date:** APPROVED, July 12, 2016
   **Project Initiation Date:** November 15, 2012
   **Design Professional:** Eley Guild Hardy Architects and Engineers
   **General Contractor:** TBD
   **Phased Project Budget:** $118,574.00
   **Total Project Budget:** $58,900,000.00

9. **UM– GS 107-308 – Union Addition & Renovation**
   NOTE: This is a Bureau of Building project
   Approval Request #1: Change Order #2
Board staff approved Change Order #2 in the amount of $46,277.00 and zero (0) additional days to the contract of Roy Anderson Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 1, 2016
Change Order Description: Change Order #2 includes the following items: to install a temporary wall at the existing loading dock; and installing 12” insert valves to the east of the tees shown on the mechanical site plan.
Change Order Justification: These changes will fully prevent access to the existing Phase 2 jobsite from occupied areas of the existing union building and the installation of 12” insert valves in the existing lines will prevent shutting the chilled water loop down to make the tie-in with the new CWS and CWR lines.
Total Project Change Orders and Amount: Two (2) change orders for a total amount of $257,616.00.
Project Initiation Date: August 18, 2011
Design Professional: Eley Guild Hardy Architects and Engineers
General Contractor: Roy Anderson Corporation
Phased Project Budget: $58,781,426.00
Total Project Budget: $58,900,000.00

10. UM– IHL 207-353 – Coulter Hall Additions & Renovations
Approval Request #1: Change Order #16
Board staff approved Change Order #16 in the amount of $108,073.00 and zero (0) additional days to the contract of Barlow Eddy Jenkins + Cooke Douglas Farr Lemons, P.A.

Approval Status & Date: APPROVED, July 14, 2016
Change Order Description: Change Order #16 includes the following items: replace p-traps to bottle traps at the lab sinks; and stainless steel duct transitions for exhaust/supply manifolds to 8’ fume hoods.
Change Order Justification: These changes were due to errors and omissions in the plans and specifications; and user/owner requested modifications.
Total Project Change Orders and Amount: Sixteen (16) change orders for a total amount of $523,320.00.
Project Initiation Date: February 16, 2012
Design Professional: Barlow Eddy Jenkins + Cooke Douglas Farr Lemons, P.A.
General Contractor: Carothers Construction, Inc.
Project Budget: $18,000,000.00

11. UM – IHL 207-372.1 – South Campus Recreation Facility & Transportation Hub DEMO
Approval Request #1: Award of Construction Contract
Board staff approved the Award of Contract in the amount of $1,076,500.00 to the apparent low bidder, Century Construction and Realty, Inc.

Approval Status & Date: APPROVED, June 22, 2016
Approval Request #2: Change Order #1
Board staff approved Change Order #1 in the amount of $29,875.00 and zero (0) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, July 18, 2016

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

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

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

Project Initiation Date: August 21, 2014
Design Professional: JBHM Architects, P.A.
General Contractor: Century Construction & Realty, Inc.
Phased Project Budget: $1,334,786.48
Project Budget: $32,000,000.00

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

Approval Request #1: Change Order #7

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

Approval Status & Date: APPROVED, August 12, 2016

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

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

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

Project Initiation Date: November 21, 2013
Design Professional: The McCarty Company – Design Group, P.A.
General Contractor: B.L. Harbert International, LLC
Total Project Budget: $40,000,000.00

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

Approval Request #1: Change Order #2

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

Approval Status & Date: APPROVED, June 22, 2016
EXHIBIT 3
September 15, 2016

Change Order Description: Change Order #2 includes the following items: install temporary fencing across the parking lot; install additional fencing and gates; additional asphalt/rock removal; additional concrete removal & backfill; and forty-seven (47) days to the contract.
Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.
Total Project Change Orders and Amount: Two (2) change orders for a total amount of $62,346.00.
Project Initiation Date: January 16, 2014
Design Professional: McCarty Architects, P.A.
General Contractor: Virginia Wrecking Company, Inc.
Phased Project Budget: $970,094.19
Total Project Budget: $8,700,000.00

14. UM – IHL 207-385R.1 – Manning – Practice Fields Enlargement REBID
Approval Request #1: Change Order #1R
Board staff approved Change Order #1R in the amount of $17,919.26 and zero (0) additional days to the contract of Sports Turf Company, Inc.
Approval Status & Date: APPROVED, July 27, 2016
Change Order Description: Change Order #1R includes the following items: install sanitary manhole and thicken a portion of the concrete walk at the cooling tower.
Change Order Justification: These changes were requested by the user/owner to allow for future crane and maintenance access.

Approval Request #2: Change Order #2
Board staff approved Change Order #2 in the amount of $18,607.59 and zero (0) additional days to the contract of Sports Turf Company, Inc.
Approval Status & Date: APPROVED, August 10, 2016
Change Order Description: Change Order #2 includes the following items: add a concrete collar around the storm line; eliminate the fence along the east side of field #2 and tie the proposed into the existing fence at each end; add drainage stone to the field; add two risers to the steps from the indoor facility on the east side of field #2; add two (2) irrigation station valves in the common area north of field #1; and replace/lower two (2) 4” diameter conduits across Stadium Field.
Change Order Justification: These changes were due to a storm line encountered during wall installation west of practice field #1; drainage stone was required to extend the field; risers were added due to a rise in elevation of the field due to a survey conflict; valves were added as requested by the user/owner for future use; and conduits were replaced/lowered as discovered during excavation.

Approval Request #3: Change Order #3
Board staff approved Change Order #3 in the amount of $141,675.63 and zero (0) additional days to the contract of Sports Turf Company, Inc.
Approval Status & Date: APPROVED, August 17, 2016
Change Order Description: Change Order #3 includes the following items: raise valve sleeves in the synthetic turf & cover with blue synthetic turf on the east side of practice field #1; thicken the 14’ concrete walk along the north side of practice field #1; add two
(2) drain inlets at the cooling tower; omit plugging the drain inlets along the east side of practice field #2; eliminate the concrete flume with short nap synthetic turf on the north & south ends of the stadium field; eliminate the catch basin in the northeast corner of the stadium field; cap the existing inlets on the south end of the stadium field with filter fabric and stone; install a concrete curb for the synthetic turf attachment at the stadium field; install a stone base and green infill synthetic turf at each end of the stadium field to match the existing blue on the sidelines; lower/reset the north stadium field goal post to the proper height & install access frames at both goal posts; add 4” diameter line herringbone on the stadium field and replace with a panel drain; add filter fabric to the subgrade below the drainage stone on the stadium field; and replace ‘Big Heads’ and quick couplers on the stadium field with turf VAH rotors.

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

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

Project Initiation Date: June 19, 2014
Design Professional: Holcombe Norton Partners, Inc.
General Contractor: Sports Turf Company, Inc.
Phased Project Budget: $4,782,530.00
Project Budget: $5,351,030.00

15. UM–IHL 207-387 – Track Facility Restoration
Approval Request #1: Change Order #2
Board staff approved Change Order #2 in the amount of $55,919.60 and fifty-four (54) additional days to the contract of Xcavators, Inc.
Approval Status & Date: APPROVED, July 15, 2016
Change Order Description: Change Order #2 includes the following items: install spray applied Hobart Texture on the red surface areas of the track; and fifty-four (54) days to the contract.
Change Order Justification: These changes were necessary in order to create a consistent texture on all surface areas of the track as requested by the user/owner; and additional days for work as indicated herein.

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

Project Initiation Date: January 16, 2014
Design Professional: CHA Consulting, Inc.
General Contractor: Xcavators, Inc.
Total Project Budget: $7,900,000.00

16. UM–IHL 207-391 – Jackson Avenue Center Phase II Renovation
Approval Request #1: Change Order #2
Board staff approved Change Order #2 in the amount of $15,366.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.
Approval Status & Date: APPROVED, July 18, 2016
EXHIBIT 3  
September 15, 2016

Change Order Description: Change Order #2 includes the following items: repairs to the electrical service & plumbing for two (2) rooms; repair the white pvc conduit under the slab; re-pull the wiring from the junction box to the parking lot pole light; relocate the existing heating water lines around column line 6 and column line 6.2 for installation of a skylight; add six (6) dedicated receptacles and three (3) data outlets stubbed above the ceiling for the vending machines in existing hallways as described by the university.  
Change Order Justification: These changes were due to latent job site conditions and user/owner requested modifications.  
Total Project Change Orders and Amount: Two (2) change orders for a total amount of $81,273.00.  
Project Initiation Date: August 21, 2014  
Design Professional: Shafer & Associates, PLLC  
General Contractor: Murphy & Sons, Inc.  
Project Budget: $8,835,000.00

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

Approval Request #1: Change Order #1  
Board staff approved Change Order #1 in the amount of $13,924.00 and zero (0) additional days to the contract of Hemphill Construction Company, Inc.  
Approval Status & Date: APPROVED, June 22, 2016  
Change Order Description: Change Order #1 includes the following items: undercut the EQ basin to approximately 3’ depth; haul out bad dirt; import select fill; and place & compact dirt to the appropriate density.  
Change Order Justification: These changes were necessary due to the discovery of unsuitable soil at this location.  
Total Project Change Orders and Amount: One (1) change order for a total amount of $523,320.00.  
Project Initiation Date: February 16, 2012  
Design Professional: Engineering Solutions, Inc.  
General Contractor: Hemphill Construction Company, Inc.  
Project Budget: $9,900,000.00

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

Approval Request #1: Contract Documents  
Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons, LTD.  
Approval Status & Date: APPROVED, July 18, 2016  
Approval Request #2: Advertise  
Board staff approved request to advertise for receipt of bids.  
Approval Status & Date: APPROVED, July 18, 2016  
Project Initiation Date: October 15, 2015  
Design Professional: Cooke Douglas Farr Lemons, LTD  
General Contractor: TBD  
Project Budget: $5,000,000.00
19. UM– IHL 207-413 – Greek Village Pre.iminary Lot Grading (Revised)
   Approval Request #1: Change Order #1
   Board staff approved Change Order #1 in the amount of $8,930.00 and zero (0) additional days to the contract of Michael Pittman Construction Company, Inc.
   Approval Status & Date: APPROVED, July 12, 2016
   Change Order Description: Change Order #1 includes the following items: install advanced warning signs along the reverse turn of the relocated portion of Chucky Mullins Drive; the addition of two (2) each reverse curve signs with advisory speed plaques indicating an advisory speed of 15 mph for the reverse curve; installation of Chevron alignment signs (20 each) for additional emphasis & guidance for the change in horizontal alignment for the reverse turn to be placed along both curves & shall be spaced approximately 40 feet apart; installation of temporary traffic barricades placed in accordance with recommended spacing along the Whirlpool Building and truck dock side of the relocated portion of Chucky Mullins Drive; installation of a water service line for the proposed guard shack; installation of a water service tap to the existing 8-inch ductile iron fire protection line that is onsite; the setting of a residential meter box; placement of a pvc service line; provide water service to the proposed guard booth location to include payment of the applicable water service connection fee to the City of Oxford Public Works Department; a deduction in the project costs pertaining to the adjustment of plan quantities based on the site plan modifications associated with the relocation of the proposed guard booth and as-built quantities of work performed during the relocation of Chucky Mullins Drive.
   Change Order Justification: These changes were due to user/owner requested modifications.
   Total Project Change Orders and Amount: One (1) change order for a total amount of $8,930.00.
   Project Initiation Date: December 17, 2015
   Design Professional: Precision Engineers Corporation
   General Contractor: Michael Pittman Construction Company, Inc.
   Project Budget: $1,933,636.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

20. UMMC – IHL 209-552 – School of Medicine Infrastructure-Contract 2
   Approval Request #1: Change Order #2
   Board staff approved Change Order #2 in the amount of $23,649.00 and zero (0) additional days to the contract of Cooke Douglas Farr Lemons Architects & Engineers.
   Approval Status & Date: APPROVED, August 2, 2016
   Change Order Description: Change Order #2 includes the following items: relocate the gate at Ronald McDonald House; lower the existing 3” steel gas main at the roadway; remove & replace 86 lf of curb and gutter; lower the existing oxygen line; and remove & replace 15 square yards of 4” concrete.
EXHIBIT 3
September 15, 2016

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

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

Project Initiation Date: March 19, 2015
Design Professional: Cooke Douglass Farr Lemons Architects & Engineers
General Contractor: Hemphill Construction Company, Inc.
Project Budget: $2,087,108.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

21. USM – GS 108-261 – School of Nursing
NOTE: This is a Bureau of Building project
Approval Request #1: Change Order #7
Board staff approved Change Order #7 in the credit amount of $7,305.36 and zero (0) additional days to the contract of Hanco Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.
Approval Status & Date: APPROVED, June 29, 2016
Change Order Description: Change Order #7 includes the following items: delete testing of 276 fixed seating; add a sink cabinet to the home health room and replace unsuitable soil with select fill in the east parking area.
Change Order Justification: These changes were due to latent job site conditions and user/owner requested modifications.
Total Project Change Orders and Amount: Seven (7) change orders for a total credit amount of $1,282,061.48.
Project Initiation Date: September 17, 2009
Design Professional: Studio South Architects, PLL and Eley Associates/Architects
General Contractor: Hanco Corporation
Total Project Budget: $30,000,000.00

22. USM– GS 110-097 – Campus Repairs and Renovations – USM-GCRL
NOTE: This is a Bureau of Building project
Approval Request #1: Approval of Schematic Design Documents
Board staff approved the Schematic Design Documents as submitted by Allred Architecture.
Approval Status & Date: APPROVED, August 2, 2016
Project Initiation Date: October 15, 2015
Design Professional: Allred Architecture
General Contractor: TBD
Total Project Budget: $2,000,000.00
23. ERC– GS 111-052 – Structural & Subsurface Repair

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2 Rev2

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

Approval Status & Date: APPROVED, July 29, 2016

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

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

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

Project Initiation Date: November 21, 2013

Design Professional: JBHM

General Contractor: Gregory Construction Services, Inc.

Total Project Budget: $3,563,570.87

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

NOTE: This is a Bureau of Building project

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

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

Approval Request #2: Schematic Design Documents

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

Approval Status & Date: APPROVED, June 30, 2016

Approval Request #3: Waiver of Design Development Documents
Board staff approved the Waiver of Design Development Documents as submitted by Atherton Consulting Engineers, Inc.

Approval Status & Date: APPROVED, June 30, 2016

Project Initiation Date: September 17, 2015

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: TBD

Total Project Budget: $2,000,000.00
SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

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

TOTAL DUE…………………………………………………………$ 2,243.88

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

TOTAL DUE…………………………………………………………$ 28,446.30

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

TOTAL DUE…………………………………………………………$ 110,557.15

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

TOTAL DUE…………………………………………………………$ 32,334.61

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

TOTAL DUE…………………………………………………………$ 1,932.00
Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 8/5/16) from the funds of the University of Southern Mississippi. (This statement, in the amount of $5,908.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE…………………………………………………………$ 5,908.50

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

TOTAL DUE…………………………………………………………$ 3,552.00

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

TOTAL DUE…………………………………………………………$ 9,593.92

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

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

TOTAL DUE…………………………………………………………$ 8,686.47

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/21/16, 7/22/16, 7/22/16, 7/22/16, 7/22/16, 7/22/16, 7/22/16, 7/22/16, 7/22/16, 7/22/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16, 7/26/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Generation of Imazapic Resistance Switchgrass Population” - $71.25; “Using Biochar, A Byproduct from Thermal Chemical Conversion of Biomass” - $1,278.75; “MSU-Occidiofungin, A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans-Europe”
EXHIBIT 4
September 15, 2016

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

TOTAL DUE.........................................................................................$ 30,727.57

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

TOTAL DUE.........................................................................................$ 83.50
Payment of legal fees for professional services rendered by Valauskas|Corder (statement dated 7/14/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Blue Stain System” - $105.00.)

TOTAL DUE.........................................................................................$ 105.00

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

TOTAL DUE.........................................................................................$ 11,346.50

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

TOTAL DUE.........................................................................................$ 829.87

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

TOTAL DUE.........................................................................................$ 9,558.75
CONSENT
AGENDAS
1. **SYSTEM – APPROVAL OF NEW ACADEMIC UNITS**

   Board Policy 502: New Academic Programs and Units states: “Requests to establish new degree programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers.”

   In accordance with Board policy, approval is requested for establishing the following academic units.

   **CENTERS AND INSTITUTES**

   a. **Mississippi State University** requests approval of **Center for Student Success**. Student Success is an integral part of the university’s efforts to retain students and guide them toward graduation. Focusing primarily on freshman students, the Center for Student Success conducts programs which aim to get resources to the students who need them. The Center works to identify at risk students early, and get them to the campus resources that can help them avoid problems. The Center for Student Success works with units across campus to try to help students avoid any problems which hinder their progress toward graduation. Historically, the university’s student success efforts have been highly decentralized – perhaps unorganized, disjointed, and without focus. The Center aims to bring the coordination and oversight that will transform these efforts into a targeted set of programs that work together for the good of the student and of the university.

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

2. **SYSTEM – APPROVAL OF ACADEMIC UNIT MODIFICATIONS**

   Board Policy 502: New Academic Programs and Units states: “Requests to establish new degree programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers.”

   In accordance with Board policy, approval is requested for the following academic unit modifications.

   **RENAME**

   a. **Alcorn State University** requests permission to rename **Agriculture, Research, Extension and Applied Sciences** to the title of **Agriculture and Applied Sciences**.
Renaming the School of Agriculture, Research, Extension and Applied Sciences will promote greater brand recognition by internal and external stakeholders and will align with legislative terminologies and current terminologies. No new funding is requested as the existing unit budgets will provide adequate support.

REORGANIZE

b. Alcorn State University requests permission to reorganize the Cora S. Balmat School of Nursing. This change is being requested as an effort to improve the overall operations of the School of Nursing. With a reduction in enrollment and the recent loss of 33% of undergraduate faculty members, having two subunits in the School of Nursing, as opposed to three separate departments, will facilitate more efficient use of faculty expertise across programs, as well as provide for a more equitable distribution of workload. The proposed change will not require any additional cost for the unit as the existing unit budgets will provide adequate support.

c. University of Southern Mississippi requests permission to reorganize the Department of Human Capital Development to include the Applied Technology B.S. Program. Currently, the Applied Technology degree program is not aligned with a single academic unit. The proposed reorganization represents the best fit possible for growth and development of the program. The strategic alignment will give an improved opportunity to define curricular linkages with other academic program and associated interdisciplinary connection to include specific courses and resources. No additional funds are requested as the existing unit budgets will provide adequate support.

REORGANIZE AND RENAME

d. University of Southern Mississippi requests permission to reorganize the Department of Educational Leadership and School of Counseling and Guidance and to rename the unit the Department of Child and Family Studies. The College of Education and Psychology initiated the change that School Counseling and Guidance Program, M.Ed. would be a better fit with the Department of Child and Family Studies (CFS). The School Counseling Program is a clinical training program that prepares students to be school-based mental health professionals. Because CFS has another clinical training program (Marriage and Family Therapy) and our other master’s program (Child and Family Studies) is focused on education and prevention with children and families, the School Counseling program has much in common with our mission and goals. The proposed change will not require any additional cost for the unit as the existing unit budgets will provide adequate support.

STAFF RECOMMENDATION: Board staff recommends approval of Items a-d.

3. SYSTEM – APPROVAL OF ACADEMIC PROGRAM MODIFICATIONS
Board Policy 503: Program Modifications states: “As part of its broad constitutional authority to govern the universities, the Board shall exercise its authority to modify programs offered by the universities generally or at various units of the universities.”

In accordance with Board policy, approval is requested for the following academic program modifications.

**RENAME**

a. **Mississippi State University** requests permission to rename the Ph.D. in Elementary, Middle, and Secondary Education Administration to the Ph.D. in Educational Leadership. The program for the Doctor of Philosophy (Ph.D.) degree in Educational Leadership is designed for experienced professional educators. Candidates learn executive skills, theory, ethical decision making, organizational structure and function, systems analysis, strategic planning, curriculum assessment, human resource management, law and finance, facility design and public relations. The program merges staff of the former Ph.D. in Elementary, Middle and Secondary Education and Ph.D. in Higher Education under one umbrella, Ph.D. in Educational Leadership with two concentrations, one in P-12 and the other in Higher Education. Minimal additional costs will be incurred by the modification of this program and will come from the existing unit budgets.

b. **University of Mississippi** requests permission to rename the B.A. in Recreation Administration to the B.A. in Sport and Recreation Administration. The Department of Health, Exercise Science, and Recreation Management already offers a BA in Recreation Administration. This proposal is to change this degree program to become a BA in Sports and Recreation Administration, with two separate emphases: one in Sports Administration and one in Recreation Administration. Students will graduate from an accredited program with knowledge, aptitude, and vocational experience that prepares graduates to take certification examinations and become competitive young professionals within the fast growing leisure, recreation, sport and tourism industries. Minimal additional costs will be incurred by the modification of this program and will come from the existing unit budgets.

c. **University of Mississippi** requests permission to rename the Bachelor of Science to the B.S. in Geology. In keeping with the universities mission of effective communication, the request better communicates the nature of this degree in the School of Engineering. Geological engineering students receive diplomas that read “Bachelor of Science in Geological Engineering.” All other programs in the School of Engineering follow the same pattern except geology. The geology emphasis is a specialized degree in the same way that civil engineering or geological engineering is, and should be named consistently on the diploma.
d. **University of Mississippi** requests permission to rename the *Master of Arts in Curriculum and Instruction* to the *Master of Arts in Teaching*. The Master of Arts in Curriculum and Instruction (MACI) is a 36-hour alternate certification program for candidates who currently hold a bachelor’s degree in a field other than education. MAT (Masters of Arts in Teaching) better reflects the purpose of the program. We are training participants to be teachers; curriculum and instruction are parts of the program, but the current name doesn’t reflect the entirety of the program. The name change fits with the rebranding that is occurring with the program. Minimal additional costs will be incurred by the modification of this program and will come from the existing unit budgets.

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e. **University of Southern Mississippi** requests permission to rename the *B.S. in Sport Management* to *Sport Management B.S. B. A.* The Sport Management B.S. has been located in the College of Health and School of Human Performance & Recreation for many years. The Sport Management degree program has had a Business Administration minor and a total of 33 credit hours of Business classes built into the degree requirements for many years. The Sport Management major was moved to the College of Business in Summer 2015. The title, curricular changes, and degree reflect national trends and the Business accreditation (AACSB) demands of the move to the College of Business. The modifications will enhance the program by utilizing more business resources and allow curriculum revisions in order to update and reflect current industry needs. Faculty will be able to collaborate with Business faculty within our department by working with Economic Development issues as well as Tourism and Economic Impact studies. Minimal additional costs will be incurred by the modification of this program and will come from the existing unit budgets.

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f. **University of Southern Mississippi** requests permission to rename the *Paralegal Studies (Pre-Law), BA Paralegal Studies, BA to Legal Studies (Pre-Law), BA Legal Studies (Paralegal), BA*. The proposed change will encourage intellectual development and creativity by opening doors for both students and faculty. There is already an option at the Associate’s Degree level for a major in Paralegal Studies. Thus, by limiting the degree options in the Program to a Bachelor’s of Art in Paralegal Studies, there is a repetitive implication of the work done at the state’s two-year institutions. Offering a Bachelor’s of Arts in Legal Studies will give students having already achieved an Associate’s Degree in Paralegal Studies a clear expectation and delivery of a higher level of thinking and development, that will then be indicated on their academic record and resume. For students in the Program with the intent of pursuing a higher level of study, this change will provide a more standard and attractive degree to prospective law schools and other graduate programs. Faculty will also have more opportunities available to them as they enter the growing discipline of Legal Studies to increase collaboration both on campus and with other institutions, which will increase their breadth of knowledge, skills, and professional network to bring back into the classroom. Minimal additional costs will be incurred by the modification of this program and will come from the existing unit budgets.
SUSPEND

g. *University of Mississippi* requests permission to suspend the *Master of Healthcare Administration* degree. (CIP 51.0701). The School of Business Administration and the Graduate School at the University of Mississippi offered a joint program in Healthcare Administration composed of 48 hours of online course work from the MBA program and the School of Health Related Professions at UMMC. Faculty in the UM School of Business Administration taught the MBA courses and faculty at UMMC taught the healthcare courses. Despite ongoing marketing and promotion of the program, student demand was insufficient to maintain a critical mass of students and sustain the quality of the program. The School of Health Related Professions at UMMC offers a 36-hour online Master of Health Sciences degree with a similar curriculum and admission requirements that will be appropriate for students seeking advanced study in healthcare.

DELETE

h. *Mississippi State University* requests permission to delete the *BBA Management of Construction and Land Development* degree. (CIP 52.2001). The BBA major in Management of Construction and Land Development (MCL) program was replaced by the Building Construction Science major in the School of Architecture at MSU. All students that were in the MCL program have either graduated or changed to another major. No students are currently enrolled in the MCL major.

i. *Mississippi University for Women* requests permission to delete the *Master of Education in Differentiated Instruction* degree. (CIP 13.0301). Differentiated Instruction was started as a generalist degree that led to an AA license. This program has been reevaluated due to its continued low enrollment and is no longer considered an essential program. Admission to this program was suspended in February 2015, and all students enrolled in the program have completed the degree. We are now requesting that the program be deleted.

j. *Mississippi University for Women* requests permission to delete the *Bachelor of Science in Microbiology* degree. (CIP 26.0503). Admission to the BA and BS degrees in Microbiology was suspended in 2008 to permit students in the program to complete their degrees. The BA degree was deleted by IHL in November 2012. The request to delete B.S. is the result of declining interest in the major. The Biology major has grown, and MUW has moved resources from Microbiology to support the Biology degree.

k. *University of Mississippi Medical Center* requests permission to delete the *Bachelor of Science in Cytotechnology* degree. (CIP 51.1002). The last class enrolled in the Cytotechnology Program graduated on May 27, 2016. The decision to close the program was based on declining enrollment, high operating cost per student, declining job market in the state of MS, reassignment of inventory and space, and unsatisfactory licensure pass rates. In addition, the two cytotechnology part-time faculty teaching the majority of
courses in the program are retiring June 30, 2016. The one remaining full-time faculty member already has primary assignments elsewhere in SHRP. The program has completed all teach-out requirements and fulfilled the voluntary notification withdrawal of accreditation with CAAHEP and SACSCOC.

STAFF RECOMMENDATION: Board staff recommends approval Items a-k.
1. **SYSTEM- REQUEST ESCALATION OF AYERS ENDOWMENT BUDGET**

**Agenda Item Request:** Jackson State University (JSU) and Mississippi Valley State University (MVSU) request a budget escalation within their Ayers Endowment Diversity Program budget. These escalations are needed to cover increased costs associated with program operating costs. The original budgets were approved at the June 2016 Board meeting. At that time, estimates of available funding were used to build the budget for these programs. Actual funding is now known and the institutions have requested to revise their budgets to equal actual sources as shown.

### Jackson State University

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<th>Object of Expenditure</th>
<th>Current Budget FY 2017</th>
<th>Budget Revision</th>
<th>Revised Budget FY 2017</th>
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Funding Source for Budget Escalation: All funds budgeted within these programs were generated from annual interest earnings of the Ayers Public and Private Endowment investments.

Staff Recommendation: Based on Board Policy 701.06, Budget Escalations and Revisions, all escalations of the several institutions and separately budgeted units must be submitted through the Commissioner to the Board of Trustees for approval prior to implementation. Board Staff recommends approval of this item.

2. JSU- REQUEST TO ENTER A GENERAL SERVICE AGREEMENT WITH E AND H HOLDINGS, LLC

Agenda Item Request: Jackson State University (JSU) requests permission to enter an agreement with E and H Holdings, LLC for the provision of security services at JSU’s three off-campus residential housing facilities.

Contractor’s Legal Name: E and H Holdings, LLC

History of Contract: JSU currently maintains a short term contract for security services with E&H. The maximum cost of that agreement is under $150,000 over the term of the contract, which is August 13, 2016 to October 31, 2016. JSU has determined E&H to be a suitable security provider and would like to continue their services beyond October 2016.

Specific Type of Contract: General Service Agreement

Purpose: The purpose of the agreement is to provide armed security personnel (off-duty certified law enforcement officers) at JSU’s three off-campus residential housing facilities on a 24-hour basis. The three residential housing facilities are Tiger Plaza, Tiger Pointe, and University Pointe.

Scope of Work: E & H Holdings, LLC will:

- patrol, secure, and protect the premises and the residents of Tiger Plaza, Tiger Pointe, and University Pointe;
- provide a complete incident report on a daily basis;
- enforce the curfew and the rules adopted by JSU and provide such to the tenants;
- provide a telephone number that tenants can call to report problems;
- provide appropriately trained security personnel;
- provide radios and equipment for use by security personnel; and
- maintain shift logs, employee files, and other related records.
E and H Holdings, LLC will also provide other services on which both parties may agree as it pertains to the safety and the security of the premises and the residents.

**Term of Contract:** The term of the agreement is for seven months starting on November 1, 2016 and ending on May 31, 2017. The term of the agreement can be extended by mutual written agreement of both parties.

**Termination Options:** The agreement can be terminated as follows: by either party upon a thirty days’ written notice; by either party in the event of a Force Majeure event; by JSU in the event of a reduction of funds; and by JSU in the event that E and H Holdings, LLC fails to comply with the E-Verify Program.

**Contract Amount:** The estimated cost for the seven-month agreement is $508,800.

The estimated cost is based on a rate of $25.00 per hour per security personnel. There will be one security personnel at Tiger Plaza, one security personnel at Tiger Pointe, and two security personnel at University Pointe. All four security personnel will be used 24 hours per day, 7 days per week on a rotating schedule.

**Funding Source for Contract:** Auxiliary Funds

**Contractor Selection Process:** To ensure the security and safety of JSU’s students and property, JSU’s Department of Public Safety selected E&H Holdings, LLC to provide additional security services for JSU’s off campus residential buildings. After review the services of other outside security services companies, it was determined the E & H Holding, LLC offered the best value services at the most cost efficient rate. Unlike other services considered, E& H Holding, LLC offers twenty-four hours seven days a week of additional security coverage that include uniformed armed certified officers at a fraction of the cost of other services. In fact, the prior service provider utilized by JSU were more expensive than E & H Holdings, LLC and did not provide armed certified officers.

**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.
3. **UMMC-REQUEST FOR APPROVAL TO AMEND THE CONSIGNMENT AGREEMENT AND THE PRICING AGREEMENT WITH EDWARDS LIFESCIENCES, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to amendment both the Consignment Agreement and the Pricing Agreement that it currently has in place with Edwards Lifesciences, LLC (Edwards).

**Contractor’s Legal Name:** Edwards Lifesciences, LLC (Edwards)

**History of Contract:** On November 20, 2014, the IHL Board approved UMMC to enter into a consignment agreement and a pricing agreement for the purchase of transcatheter aortic valves systems. The term of the agreements were two (2) years beginning on December 1, 2014, and ending November 30, 2016. The total approved cost was $1,625,000.00. The heart valves included in these agreements allow physicians to utilize a transfemoral or a transapical approach for placement, which utilizes a specialized catheter to place the valve versus traditional open heart valve replacement. As such, the physicians are able to replace valves in patients who are too sick to undergo traditional open heart valve replacement procedures.

On August 20, 2015, the IHL Board approved UMMC to enter into an amendment that increased the consignment inventory or par level of the transcather aortic valve replacement products kept on site. In addition, UMMC was approved for additional funds on the agreement. The total approved estimated cost of the agreement is $2,112,500.00.

**Specific Type of Contract:** Amendments to the Consignment and Pricing Agreements.

**Purpose:** The purpose is to extend the contract terms of both the Consignment Agreement and the Pricing Agreement for an additional three (3) years.

**Scope of Work:** Under the consignment agreement, Edwards will maintain a readily available inventory of transcatheter aortic replacement valves on site for use by UMMC’s cardiovascular surgeons and interventional cardiologists on appropriate patients as the need arises. As valves and other accessories are used from the consignment inventory, UMMC will be charged according to the pricing agreement between UMMC and Edwards.

**Term of Contract:** The term of this amendment will be for three (3) years thereby extending the ending date of the agreement to November 30, 2019. The total term of the agreement will be five (5) years, beginning December 1, 2014 and ending November 30, 2019.

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

- by either party at any time upon thirty (30) days written notice,
- 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,
• reduction of funds,
• for a Force Majeure event which rendered the affected party unable to perform, and
• failure by Edwards to comply with the federal E-Verify Program.

**Contract Amount:** The total cost of this amendment is $4,875,000.00. The cost per system is a flat fee of $32,500.00. The systems will not be purchased unless used. This will bring the total estimated cost of the pricing agreement to $6,987,500.00.

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

**Contractor Selection Process:** Edwards is an approved vendor contracted with Novation, UMMC’s primary group purchasing organization (GPO) pursuant to Miss. Code Ann. § 31-7-13(m)(x).

**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.

4. **UMMC-REQUEST FOR APPROVAL TO AMEND AGREEMENT WITH INTEGRATED MEDICAL SYSTEMS INTERNATIONAL, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to amend its agreement with Integrated Medical Systems International, Inc. to extend the term of the agreement one (1) year.

**Contractor’s Legal Name:** Integrated Medical Systems International, Inc. (IMS)

**History of Contract:** On September 19, 2013, the IHL Board of Trustees approved a three (3) year agreement with IMS which expires November 15, 2016. UMMC wishes to extend the agreement for one (1) additional year.

**Specific Type of Contract:** Amendment to an On-Location Surgical Instrument Lab Service Agreement

**Purpose:** The purpose of the amendment is to extend the agreement one (1) additional year. The purpose of the agreement is to provide on-location surgical instrument repair service along with the personnel and equipment needed to make these repairs. An on-location repair service allows for surgical instruments to be repaired and put back into circulation within hours, which helps decrease immediate use sterilization and delays due to lack of
instrumentation. Without this type of agreement, UMMC would need to mail out instruments for repair, which significantly lengthens the process and results in surgeons being without instruments for several days or weeks. The purpose of this agreement is also to have personnel on-location to focus on proactive maintenance in order to reduce the need for major repair.

**Scope of Work:** Under the agreement, IMS is responsible for:

- repairing general stainless surgical instruments, instrument containers, and laparoscopic instruments (levels 1-3),
- providing counter space, trained technical staff, equipment, and operations management necessary to provide the service, and
- the on-location technician’s salary, benefits, training, and management.

UMMC is responsible for providing a clean, ventilated, open room dedicated for instrument repair with sufficient floor space, sink with running water, lighting adequate for proper instrument inspection, and electrical service.

**Term of Contract:** The original term of the agreement is from November 16, 2013 through November 15, 2016. The amendment extends the original end date through November 15, 2017.

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

- by either party at any time upon thirty (30) days written notice,
- reduction of funds,
- should IMS be debarred or excluded from participating in federal health care programs, and
- failure by IMS to comply with the federal E-Verify program.

**Contract Amount:** The total cost of the amended agreement is $720,000.00. The annual cost is $180,000.00 ($15,000.00 per month). Payment will be issued on a monthly basis upon receipt of an invoice.

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

**Contractor Selection Process:** Integrated Medical Systems International, Inc. is an approved vendor contracted with Vizient, UMMC’s primary group purchasing organization (GPO) pursuant to Miss. Code Ann. § 31-7-13(m)(x).

**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. **UMMC-REQUEST FOR APPROVAL TO AMENDMENT OF EXHIBIT H TO MASTER LEASE AGREEMENT WITH JACKSON MEDICAL MALL FOUNDATION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to amend Exhibit H to the Master Lease agreement between UMMC and the Jackson Medical Mall Foundation (JMMF). UMMC also requests approval to amend Exhibit H pursuant to the Master Lease as needed for construction allowances, rent rate adjustments, or the addition of space without prior Board approval up to the previously approved total lease cost.

**Contractor’s Legal Name: Jackson Medical Mall Foundation (JMMF)**

**History of Contract:** The IHL Board of Trustees approved the Master Lease between the Jackson Medical Mall Foundation (JMMF) and the University of Mississippi Medical Center (UMMC) on November 18, 2010. The Lease covers over 455,000 square feet.

Section 7.3, Alterations by Tenant, of the Master Lease provides, in part:

> 7.3 Alterations by Tenant. Tenant will not make or allow to be made any alterations to the Premises which are visible from outside the Premises, without first obtaining the written consent of Landlord in each such instance, which consent will not be unreasonable withheld, conditioned, or delayed. Any and all such alterations, physical additions or improvements, when made to the Premises by Tenant, shall be at Tenant’s ultimate cost and expense, subject to the terms and conditions as set forth herein. The cost of said alterations, physical additions or improvements shall be paid first by Landlord, and Tenant shall reimburse Landlord for same by adding a factor, or component to the Per Square Foot Rental Amount as necessary, with amendment of Exhibit “H,” to enable Landlord to service its related debt incurred for such purposes, payable in equal monthly installments over the remaining life of the Lease Term or such shorter period as the parties may agree or as is necessary to amortize fully the costs so incurred by Landlord, with interest on such amount at Landlord’s true cost of borrowing incurred for such purposes.

Exhibit H previously was amended March 5, 2013. The current request is the second amended Exhibit H.
Specific Type of Contract: Amended Exhibit to Master Lease

Purpose: The purpose of the amendment is to renovate spaces in the three (3) parcels in the Jackson Medical Mall and to increase temporarily the monthly rent to cover renovation costs of leased space.

Scope of Work: JMMF will perform renovations in three (3) parcels: Parcels four (4), thirteen (13) and fourteen (14). Work on renovation projects are to be completed within 90 calendar days.

Term of Contract: The Master Lease was effective January 1, 2011, and extends through December 31, 2031. Exhibit H is coterminous with the Master Lease.

Termination Options: The amendment does not affect the termination options of the Master Lease, which include:
- Upon six (6) months’ advance notice for spaces containing 25,000 square feet or less and payment of any fees then due;
- Upon one (1) year’s advance notice for spaces containing in excess of 25,000 square feet and payment of any fees then due;
- In the event of casualty damage or destruction of premises;
- In the event of a whole or substantial taking of the building by condemnation, eminent domain, or for other public or quasi-public use;
- By either party in the event of default of a material term of the lease by the other; and
- In the event funds are not available.

Contract Amount: The total cost of the Master Lease as approved by the IHL in 2010 included annual rental rates based on current, estimated low, and estimated high variable rates. The estimated high for the 20-year lease term was $155,710,809. Variables under the agreement include:
- Federal interest rate, which results in an agreed-upon amount between UMMC and JMMF’s lender, JPMorgan Chase Bank, N.A. Based on the term sheet, refinancing and new debt will be with variable rate demand obligations with a synthetic fixed rate through an interest rate swap;
- Annual CPI increase; and
- True-up for actual costs of gas, water, and electrical service.
The original rental cost per square foot was $15.48. The current rental cost per square foot is $16.00 after federal interest rate fluctuations, or $7,270,173.87 annually. An estimated annual breakdown is provided below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Sq. FT.</th>
<th>Cost Per Sq. Ft.</th>
<th>Variable*</th>
<th>Annual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>455,810</td>
<td>$16.00</td>
<td>10.00%</td>
<td>$8,022,256</td>
</tr>
<tr>
<td>2</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>3</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>4</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>5</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>6</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>7</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>8</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>9</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>10</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>11</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>12</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>13</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>14</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
<tr>
<td>15</td>
<td>455,810</td>
<td>16.00</td>
<td>10.00%</td>
<td>8,022,256</td>
</tr>
</tbody>
</table>

*Variables include those bulleted above

UMMC has spent $41,267,897.13 to date. The renovations in the three (3) parcels are estimated to cost $1,391,466.70. The original approved lease amount of $155,710,809 is sufficient to cover the additional rent amounts included in the amended Exhibit H.

**Funding Source of Contract:** The lease will be funded by patient revenue.

**Contractor Selection Process:** The Jackson Medical Mall Foundation is the existing landlord.

**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.
6. UMMC-REQUEST FOR APPROVAL TO ENTER INTO A PRODUCT SCHEDULE WITH ROCHE DIAGNOSTIC CORPORATION

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Product Schedule with Roche Diagnostic Corporation for the purchase of immunohistochemistry (IHC) reagents and ancillary products used in tissue staining.

Contractor’s Legal Name: Roche Diagnostic Corporation (Roche)

History of Contract: On August 20, 2009, the IHL Board of Trustees approved a reagent rental agreement with Ventana Medical Systems, an affiliate of Roche. The reagent rental agreement provided for the lease of equipment lease through a commitment of product purchases of immunohistochemistry (IHC) reagents. Upon the expiration of that agreement on August 23, 2013, the equipment title vested with UMMC. Thereafter, UMMC continued to make purchases of the IHC reagents and ancillary products on an as-needed basis.

In October 2012, the Board approved a Master Agreement between UMMC and Roche under which UMMC could negotiate future Statements of Work and/or Product Schedules. In exchange for a volume commitment of the IHC reagents and ancillary products, Roche has agreed to extend discounted pricing to UMMC at this time, leading to the need for a contract between the parties.

Specific type of contract: New Product Schedule

Purpose: The purpose of the Schedule is to purchase immunohistochemistry (IHC) reagents and ancillary products at discounted pricing in exchange for a volume commitment of purchases. IHC reagents are used in tissue staining. These studies help differentiate and classify types of cancers and/or conditions. The results of the IHC test aid clinicians in the proper course of treatment for patients.

Scope of Work: Under the agreement, UMMC will purchase immunohistochemistry (IHC) reagents and ancillary products at discounted pricing in exchange for a volume commitment of purchases.

Term of Contract: The term of the schedule is five (5) years, November 1, 2016 through October 31, 2021.

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

- default by either party under the Master Agreement,
• for a breach by Roche of any representations and warranties to UMMC as specified in the Standard Terms and Conditions Addendum,
• 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,
• reduction of funds, and
• failure by Roche to comply with the federal E-Verify program.

**Contract Amount:** The total projected cost of the Schedule over the five (5) year term is $9,466,188.32. Beginning in year two (2), pricing is subject to a price increase equal to the CPI-U increase once each year of the Schedule. See annual breakdown below.

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$1,527,718.45</td>
</tr>
<tr>
<td>2</td>
<td>$1,691,871.80</td>
</tr>
<tr>
<td>3</td>
<td>$1,873,663.42</td>
</tr>
<tr>
<td>4</td>
<td>$2,074,988.56</td>
</tr>
<tr>
<td>5</td>
<td>$2,297,946.08</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$9,466,188.32</strong></td>
</tr>
</tbody>
</table>

UMMC expects to purchase immunohistochemistry (IHC) reagents and ancillary products in excess of the volume commitments in the Schedule. While the volume of products UMMC commits to purchase does not change, the spend amount will vary according to product choice, product price and need. It is anticipated that the annual committed spend will range from $159,236 to $214,361.

<table>
<thead>
<tr>
<th>Product Category</th>
<th>Product Category or P/N-Description</th>
<th>Product Commitment</th>
<th>Committed Spend</th>
</tr>
</thead>
<tbody>
<tr>
<td>IHC</td>
<td>ultraVIEW Detection Kits</td>
<td>20,000 IHC Slides Committed</td>
<td>$ 116,000 - $ 126,000</td>
</tr>
<tr>
<td>IHC</td>
<td>iVIEW Detection Kits</td>
<td>1,350 IHC Breast Slides Committed</td>
<td>$ 15,016 - $ 53,841</td>
</tr>
<tr>
<td>IHC</td>
<td>optiVIEW Detection Kits</td>
<td>500 iView Blue+ Slides Committed</td>
<td>$ 5,720 - $ 5,720</td>
</tr>
<tr>
<td>IHC</td>
<td>Primary Antibodies – Breast</td>
<td>4,500 Special Stains Slides Committed</td>
<td>$ 22,500 - $ 28,800</td>
</tr>
<tr>
<td>Special Stains</td>
<td>Simple Kits (40 &amp; 75 tests)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Stains</td>
<td>Complex Kits (40 &amp; 75 tests)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Funding Source for Contract:** The agreement will be funded by hospital patient revenue.
Contractor Selection Process: The immunohistochemistry (IHC) reagents and ancillary products are the only detection reagents compatible with the equipment owned by UMMC and currently in use. In September 2016, 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. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

7. UMMC-REQUEST FOR APPROVAL TO AMEND THE EXHIBIT A IN AGREEMENT WITH VITAL RECORDS CONTROL OF MISSISSIPPI, LLC

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend the Exhibit A to its agreement with Vital Records Control of Mississippi, LLC (VRC). Amending Exhibit A will allow UMMC to adjust the storage limits and services included in its flat monthly rate without change to the monthly rate.

Contractor’s Legal Name: Vital Records Control of Mississippi, LLC (VRC)

History of Contract: On June 18, 2015, the IHL Board of Trustees approved the agreement with Vital Records Control of Mississippi, LLC (VRC) for a five (5) year term. Exhibit A to the agreement specifies the amount of storage space and services that are included in a flat monthly rate. It also states that UMMC’s actual usage would be assessed each year and charged for any overages. Upon the first anniversary, VRC assessed UMMC’s actual usage of storage and services for the previous year. UMMC exceeded the allowed storage amount, but was far below the allowed amount of services. VRC has agreed to amend Exhibit A to better reflect UMMC’s actual usage without changing the existing flat monthly rate or charging overages.

Specific Type of Contract: This is an amendment.

Purpose: The purpose of the agreement is to provide off-site storage of UMMC’s records, media, and pathology slides. VRC’s services also include indexing and archiving of records, retrieval services, transportation of items to and from UMMC, and expedited request process. The purpose of the amendment is to adjust the amounts of storage limits and services included in its flat monthly rate without change to the monthly rate as follows:
<table>
<thead>
<tr>
<th>Original Exhibit A</th>
<th>Amended Exhibit A</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>$15,950/month</td>
<td>$15,950/month</td>
<td></td>
</tr>
<tr>
<td>VitalRF® Bar-code labels</td>
<td>VitalRF® Bar-code labels</td>
<td>No change</td>
</tr>
<tr>
<td>Monthly box storage of up to 25,000 cubic feet</td>
<td>Monthly box storage of up to 30,000 cubic feet</td>
<td>Increased by 5,000 cubic feet</td>
</tr>
<tr>
<td>Monthly vault storage of up to 14,500 tapes and 100 cases</td>
<td>Monthly vault storage of up to 10,000 tapes and 250 cases</td>
<td>Decreased by 4,500 tapes; Increased by 150 cases</td>
</tr>
<tr>
<td>Monthly pathology storage of approximately 225 square feet of storage (one room)</td>
<td>Monthly pathology storage of approximately 450 square feet of storage (one room)</td>
<td>Increased by 225 square feet</td>
</tr>
<tr>
<td>Deliveries and pickups of up to 1,000 per year</td>
<td>Deliveries and pickups of up to 360 per year</td>
<td>Decreased by 640</td>
</tr>
<tr>
<td>Accesses (box handling) of up to 6,000 per year</td>
<td>Accesses (box handling) of up to 5,000 per year</td>
<td>Decreased by 1,000</td>
</tr>
<tr>
<td>Inductions (new storage processing) of up to 6,000 per year</td>
<td>Inductions (new storage processing) of up to 5,000 per year</td>
<td>Decreased by 1,000</td>
</tr>
<tr>
<td>Flat boxes (new empties for storage) of up to 1,200 per year</td>
<td>Flat boxes (new empties for storage) of up to 1,000 per year</td>
<td>Decreased by 200</td>
</tr>
<tr>
<td>Reasonable administrative users and standard users for the VitalWeb® On-line System</td>
<td>Reasonable administrative users and standard users for the VitalWeb® On-line System</td>
<td>No change</td>
</tr>
</tbody>
</table>

**Scope of Work:** Under the agreement VRC provides:
- Off-site storage of records and media;
- Special climate-controlled off-site storage of pathology slides;
pick-up and delivery of items to and from UMMC;
retrieval and delivery of archived records;
priority deliveries for expedited requests;
provision of supplies for indexing and archiving of records;
box repacking for records;
indexing and re-indexing of items;
scanning/faxing records on demand; and
scanning records for electronic archiving on request.

**Term of Contract:** The term of the agreement is five (5) years, effective July 1, 2015, through June 30, 2020. The amendment will be effective November 1, 2016, and continue through the original contract expiration date of June 30, 2020.

**Termination Options:** Termination options include the following:
- by either at the expiration of the initial term or any successive term;
- by either party at any time upon a thirty (30) day written notice;
- in the event of any reduction in available funds to UMMC, the contract may be terminated without penalty to UMMC;
- upon 30 days’ written notice in the event a change in law results in adverse consequences and the parties cannot agree upon renegotiated terms;
- failure by VRC to comply with the federal E-Verify Program; and
- in the event VRC improperly uses or discloses protected health information in breach of the agreement.

**Contract Amount:** The amendment will not affect the original estimated contract cost. The total estimated cost of the contract is $1,519,070.98 for five (5) years.

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

**Contractor Selection Process:** UMMC currently contracts with VRC for storage and retrieval 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.
8. **UMMC-REQUEST FOR APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES AGREEMENT WITH VECORA COMMUNICATIONS, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with Vocera Communications, Inc. for the purchase of software, licensing, badges and technical services for the Vocera Enterprise Collaboration Suite, including the secure messaging component of the system. In addition, UMMC requests the Board’s approval of a waiver to allow advanced payment, pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services. The agreement calls for payment of the badge warranties in advance.

**Contractor’s Legal Name:** Vocera Communications, Inc. (Vocera)

**History of Contract:** The Vocera communication system was originally acquired by the UMMC in 2007 and is hosted in the UMMC Data Center. Previously, UMMC purchased products on an as-needed basis until 2009, at which time UMMC entered into an agreement with Vocera. As that agreement reached a five (5) year term, in 2015, UMMC sought and obtained a new master agreement. Initially, the purchases estimated under the new master agreement totaled $171,912.50. As the Vocera badges are utilized in the mission critical mobile environments throughout UMMC, additional purchases of the products and services are needed to maximize the cohesion of the health system. UMMC obtained approval from the Mississippi Department of Information Technology Services (ITS) for purchases up to $3,886,075.82. We are requesting approval for a new Consolidated Master Purchase Agreement, which supersedes the 2015 agreement. This new agreement will be coterminous with the purchase authority granted by ITS.

**Specific Type of Contract:** Consolidated Master Purchase Agreement

**Purpose:** The purpose of the agreement is to provide for licensing, support, and maintenance of the Vocera Enterprise Collaboration Suite, including the secure messaging component of the system. In addition, UMMC will purchase badges, along with badge warranties and accessories.

The Vocera badge is a wearable, voice controlled, hands-free, lightweight communication device that enables one-to-one or one-to-many communication using intuitive simple commands. The software is what operates the devices/system.

As mentioned in the history, UMMC has been utilizing Vocera products and services for some time. These products and services are integrated with UMMC’s Amcom (Spok) and Avaya telecommunications systems. In addition, Vocera provides real-time communications using technology with operational compatibility on smartphones. UMMC anticipates expanding the use of the technology on smartphones, so that in the future, UMMC can
reduce the quantity of Vocera badges purchased. Reducing the number of badges we purchase will also reduce the number of extended warranties and accessories we purchase, thereby reducing what we spend for these communication products/services.

**Scope of Work:** Under the agreement, UMMC can purchase the following from Vocera on an as needed basis:

- licenses for the Enterprise Vocera Enterprise Collaboration Suite with secure messaging,
- software support/maintenance services,
- badges,
- warranties for badges, and
- hardware/accessories for the badges.

**Term of Contract:** The term of the agreement is for three (3) years, nine (9) months - November 1, 2016 through July 31, 2020.

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

- **Termination by Vocera for Cause** – In general, Vocera may terminate the agreement if UMMC, 1) fails to pay any monies due and payable within fifteen (15) days after written notice of non-payment; 2) commits a material breach of its obligations, within thirty (30) days after Vocera provides written notice setting forth the alleged default; 3) UMMC breaches any terms of any other agreement between UMMC and Vocera and does not cure the breach within applicable cure period.
- **Termination by Vocera of end user license** – regarding the end user license agreement (EULA) for software, Vocera has the right to terminate the EULA immediately without notice from Vocera if UMMC fails to cure a material breach of this EULA within 30 days following UMMC’s receipt of written notice of the breach.
- **Termination of software maintenance and technical support** - Vocera shall not be obligated to deliver services where (a) there is an arrears of 30 days or more on payments owing to Vocera in respect to products or services purchased by UMMC, or (b) the amount of the Purchase Order plus outstanding payments owing to Vocera or a Reseller in respect of Products and Services purchased by End User exceeds the applicable credit limit established by Vocera or (c) where End User is otherwise in breach of these Support Terms.
- **Termination by UMMC for Cause** – UMMC, may terminate the agreement if Vocera has materially defaulted in the performance of the duties and obligation and UMMC has provided to Vocera, written notice setting forth the alleged default(s) and Vocera shall been provided thirty (30) days’ within which to cure such default(s).
- **Termination for Convenience** – Either party may terminate the agreement for convenience at any time upon thirty (30) days’ prior written notice to the other party so long as no subscription term remains in effect at the time of termination.
• Termination based on availability of funding - Continuance of any UMMC contract is based upon the availability of funds. Should there be no funds available for any succeeding funding period, the contract will be cancelled as of the end of the funding period with no further obligation on the part of UMMC.
• Terminating due to failure to adhere to Mississippi Employment Protection Act – UMMC may cancel the agreement should Vocera fail to adhere to the Mississippi Employment Protection Act.

Contract Amount: The total estimated cost of this agreement is $3,866,075.82 for the purchase of the products on an as needed basis.

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

Contractor Selection Process: Vocera is the sole source provider of the products. Proper sole source procedures were conducted through the Department of Information Technology 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. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

9. UMMC-REQUEST FOR APPROVAL TO AMEND AN AGREEMENT WITH WOLTERS KLUWER HEALTH, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) is requesting the approval to enter into an amendment with Wolters Kluwer Health, Inc., for the software licenses needed for the ongoing use of Medi-Span drug databases. Many of these databases are necessary to meet the meaningful use requirements for electronic health records.

Contractor’s Legal Name: Wolters Kluwer Health, Inc. (Wolters Kluwer)

History of Contract: On August 19, 2010 the Board approved UMMC to purchase the Epic Enterprise System. As part of that initial Epic contract there was a trial agreement with Wolters Kluwer for the Medi-Span licenses. UMMC entered into the initial trial licenses agreement in October of 2010 with a trial period of up to twenty four (24) months. Also, in October 2010, UMMC decided to convert to the Standard License agreement. As such,
UMMC executed the Standard License agreement, but the effective date of the agreement was not until UMMC’s first live use of the products which was June 1, 2012. Additionally, UMMC did not incur costs for the products until June 1, 2012. The initial term of the Standard License Agreement was for three (3) years and during this term, in 2014, there was one amendment to the contract that provided additional database access. The total cost of the initial term, including the amendment, was $310,370. At the time, UMMC’s DIS department was under the assumption that the contract with Wolters Kluwer did not require further board approval as it fell under the overall Epic budget. However, upon further review, UMMC Contracts Administration it was determined that, since the Medi-Span software is provided by Wolters Kluwer under a separate license agreement from that which we have with Epic, it requires Board approval.

**Specific Type of Contract:** This is an amendment to the current license agreement.

**Purpose:** The purpose of this agreement is to extend the term of the current license which will allow UMMC to continue the use of the Medi-Span Knowledge databases used within the Epic Enterprise clinical applications. This amendment also increases the license volume for the inpatient licenses as UMMC patient volume has increased. The Knowledge databases included the following:

- **Core Package of Knowledge databases:**
  - Medi-Span Electronic Drug File
  - Dose-Chek
  - Drug Therapy Monitoring System (DTMS)
  - Duplicate Therapy Database
  - Adverse Drug Effects Database
  - Drug Indications Database
  - Medical Conditions Master Database
  - Master Parameters Database
  - Drug Lab Conflict Database
  - Drug Dosing & Administration Database
  - Precautions Database
  - Standard Drug Identifier

- **Options Add-ons:**
  - IV Chek
  - AHFS Classification Supplemental File
  - RX Norm Cross Reference File
  - Drug Allergy Cross-Reference File
  - ICD-10-CM/PCS Disease Code Mapping File
  - Controlled Substances File
Scope of Work: Wolters Kluwer will continue to provide access to the Medi-Span databases used within Epic system.

Term of Contract: The term of this amendment will be seven (7) months beginning on November 1, 2016 and ending May 31, 2017. The total term of this agreement will be five (5) years beginning June 1, 2012 and ending May 31, 2017

Termination Options: This agreement may be terminated as follows:

- Either party may give written notice of non-renewal in its sole and absolute discretion, without cause and without stating any reason therefor, provided that such notice is given at least thirty (30) days prior to the end of the term then in effect.
- Either party may terminate this license on thirty (30) days written notice, if the other party has materially breached any provision of this agreement, and such breach has not been cured within such thirty (30) day period.

Contract Amount: The estimated cost of this amendment is $98,342. The total cost of this agreement is $408,712.

Funding Source of Contract: This agreement is paid for by hospital patient revenue.

Contractor Selection Process: UMMC is currently contracted with this vendor as it was selected as part of the original Epic contract.

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 was reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.
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 §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 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.

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

IHL PROJECTS .......................................................... ..........................................................

1. **ASU – IHL 201-253 – Animal Science Facility**

   **Project Request:** Alcorn State University requests approval to initiate a project, Animal Science Facility, and to appoint Durrell Design Group, PLLC as the design professional.

   **Proposed Design Professional:** Durrell Design Group, PLLC

   **Selection Method:** The project budget is anticipated to exceed $3M so the university used the RFQ method for the selection of the design professional.

   **Purpose:** The university is seeking to construct a new $5.5 million Animal Science Facility on the Lorman campus utilizing USDA funds.

   **Project Scope:** The project will include a modern animal science facility containing 26,300 GSF of classroom space, office space, veterinary space, and demonstration arenas and corrals for animal specialties, including beef cattle and small ruminants. The project will include parking and walkways, covered connection canopies, retaining walls, incinerator, site lighting, lab equipment, casework, and furniture.
Alcorn State University is seeking to initiate the project 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 20, 2016

**Date of Original Construction:** New Building

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

**Proposed Project Budget:** *(Design Fees Only)*

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**Total Project Budget:** $5,500,000.00

**Proposed Funding Source(s):** USDA Funds ($5,500,000)

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

2. **MSU – IHL 213-142 – NWARC Roof Replacement**

**Project Request:** Mississippi State University requests approval to initiate a project, National Warmwater Aquaculture Research Center (NWARC) Roof Replacement, and to appoint PryorMorrow PC as the design professional.

**Proposed Design Professional:** PryorMorrow PC

**Selection Method:** Mississippi State University used the RFQ method for the selection of the design professional.

**Purpose:** This project will replace the roof on building #1586 in Stoneville, Ms.

**Project Scope:** The project will replace the roof material and provide a new flashing and waterproofing at the parapet walls.
Mississippi State University is seeking to initiate the project 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 20, 2016

Date of Original Construction: N/A – New Roof

Date of Last Renovation: N/A

Proposed Project Budget:

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Proposed Funding Source(s): DAFVM Designated Funds ($1,600,000)

Staff Recommendation: Board staff recommends approval of this item.


Project Request: The University of Mississippi requests approval to initiate a project, University-Oxford Airport (UOX), and to retain Barge, Waggoner, Sumner & Cannon, Inc. as the design professional.

Proposed Design Professional: Barge, Waggoner, Sumner & Cannon, Inc.

Selection Method: Because of continuity and consistency needed for these airport projects it is in the best interest of the University of Mississippi to keep the design professional in place prior to any potential federal funding being awarded. Funding is totally at the discretion of the Federal Aviation Administration (FAA) and can come within just a few days after a U.S. Congressional decision and notification is made.
Therefore, it is important to the university to retain Barge, Waggoner, Sumner & Cannon, Inc. as the design professional in order to be able to act quickly upon notice of any federal funds being made available through FAA.

**Purpose:** The University of Mississippi is seeking to initiate the project and appoint the design professional in order to allow for improvements to the University-Oxford Airport should federal funds become available for such improvements. There is no set funding or any guarantee of funding for any airport projects associated with this process as each year the university fills out an Application for Federal Assistance with the help of a selected consultant and submits its request through MDOT Aeronautics to the Federal Aviation Administration in Jackson, MS.

**Project Scope:** At this time the scope of the work is unknown. However, the project scope may include runway rehabilitation, taxiway expansion/strengthening, airfield lighting improvements, navigational aids, fueling facilities, runway extension studies, apron expansions, pavement maintenance and rehabilitation, pavement study, environmental assessments, land acquisition reimbursements, airfield equipment procurement and other needs that may be identified over the next four years.

The University of Mississippi is seeking to initiate the project 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:** September 15, 2016

**Date of Original Construction:** 1972

**Date of Last Renovation:** Airport Ramp improvements Summer/Fall of 2016
Proposed Project Budget: *(Design Fees Only)*

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**Total Project Budget** $ 500,000.00

**Proposed Funding Source(s):** Airport Operating Revenues and Airport R&R reserves ($500,000)

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

4. **USM – IHL 214-023 – Student Resource Center**

**Project Request:** The University of Southern Mississippi requests approval to initiate a new project, Student Resource Center at the Gulf Park Campus, and to select the design professional using the Request for Qualifications (RFQ) method.

**Proposed Design Professional:** TBD through RFQ method

**Selection Method:** The project budget is anticipated to exceed $3M so the university is seeking to use the RFQ method for the selection of the design professional.

**Purpose:** The University of Southern Mississippi is seeking to initiate the project and select the design professional in order to allow for the pre-planning of a new Student Resource Center on the Gulf Park campus.

**Project Scope:** The detailed project scope will be established by the university and the design professional and submitted at a later date.

The University of Southern Mississippi is seeking to initiate the project 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: September 15, 2016

Date of Original Construction: New Building

Date of Last Renovation: N/A

Proposed Project Budget: (Design Fees Only)  

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Total Project Budget $ 300,000.00

Proposed Funding Source(s): SB 2924, Laws of 2016 ($300,000)

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 ..............................................................

5. DSU – GS 102-260 – Zeigel Hall Renovations

Project Request: Delta State University requests approval to increase the budget for the Zeigel Hall Renovation project. The budget will increase from $350,000.00 to $6,292,500.00, for an increase of $5,942,500.00. The university also requests approval to add HB 1729, L’16 as a funding source for the project in the amount of $5,942,500 to allow for the budget increase.

Project Phase: Design Phase

Design Professional: Architecture South

General Contractor: TBD
Purpose/Justification: The project is currently in the design phase. The project was initiated with the Board on December 17, 2015 with a pre-plan budget of $350,000. This is the first budget escalation request made for this project by the university. The university is requesting to increase the project budget in order to include the additional state bond funds approved by the Legislature in the 2016 Legislative Session. These additional funds will fully fund the project and allow the university to establish a more accurate project budget with the Board.

Project Scope: The project will involve the pre-planning, design, and renovation of Zeigel Hall to include such improvements as ADA compliance issues, bathroom renovations, new energy efficient lighting, new HVAC mechanical equipment, and new interiors for the building.

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

Project Initiation Date: December 17, 2015

Proposed Project Budget:

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Proposed Funding Source(s): HB 787, Laws of 2014 ($350,000); HB 1729, Laws of 2016 ($5,942,500)

Staff Recommendation: Board staff recommends approval of this item.
6. **DSU – GS 102-262 – Young Mauldin Renovations**

**Project Request:** Delta State University requests approval to increase the budget for the Young Mauldin Renovation project. The budget will increase from $5,350,000.00 to $9,180,791.00, for an increase of $3,830,791.00. The university also requests approval to add HB 1729, L’16 in the amount of $2,000,000 to the project. HB 787, L’14 is already a Board approved funding source but the university is seeking to increase the amount of funds from HB 787, L’14 in the project by $1,830,791. The new funding source plus the additional funds added to the existing funding source equal $3,830,791 which allows for the budget increase.

**Project Phase:** Design Phase

**Design Professional:** Burris Wagnon Architects

**General Contractor:** TBD

**Purpose/Justification:** The project is currently in the design phase. The project was initiated with the Board on October 16, 2014 with a project budget of $5,350,000. This is the first budget escalation request made for this project by the university. The university is requesting to increase the project budget in order to define a more accurate cost estimate with the Board for this project.

**Project Scope:** 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.

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

**Project Initiation Date:** October 16, 2014
Proposed Project Budget:

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Proposed Funding Source(s): HB 787, Laws of 2014 ($7,180,791); HB 1729, Laws of 2016 ($2,000,000)

Staff Recommendation: Board staff recommends approval of this item.

7. MVSU – GS 106-257 – Edna Horton Renovations

Project Request: Mississippi Valley State University requests approval to increase the budget for the Edna Horton Renovations project. The budget will increase from $8,476,079.55 to $8,700,000.00, for an increase of $223,920.55. The university will increase the funding from SB 2844, Laws of 2015 to allow for the budget increase. No new funding sources are added to the project.

Project Phase: Design Phase

Design Professional: Shafer & Associates, PLLC

General Contractor: TBD

Purpose/Justification: The project is currently in the design phase. The project was initiated with the Board on October 15, 2015. The university is requesting to increase
the project budget based on the design professional’s latest design development updated cost estimates. The current budget was an estimate of the project costs and has since been updated to reflect more accurate market costs.

**Project Scope:** The project will address the replacement of all the interior and exterior walls, HVAC, plumbing system, life safety components, and some interior millwork and finishes. Asbestos, lead base paint and mold issues will be abated if necessary. All critical brick repair and replacement will be included in this project which will allow the university to address all structural concerns with the building. The university will replace the exterior envelope which includes all windows, doors, brick veneer, and full roof replacement.

**History of Project:** The building was constructed in 1968 and totals 56,614 gross square feet. The building served as one of the female residence housing units with 286 beds at full capacity. Edna Horton was partially renovated in 2010 with the 1st and 2nd floor lighting upgrades, bathroom upgrades with new wardrobes in all rooms. In May 2013, the building experienced brick veneer failure on the exterior of the building. A large section of the brick veneer fell off the rear exterior wall causing structural concerns. The building was vacated due to the structural concerns and life safety issues. A structural examination determined that the building was unsafe for students and must be repaired before reoccupying the building was allowed. The renovation of this building would maximize space for student housing by increasing the on campus bed count and allowing for more on campus housing opportunities for students.

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

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

<table>
<thead>
<tr>
<th></th>
<th>Current Budget</th>
<th>Proposed Budget</th>
<th>Amount (+/-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Costs</td>
<td>$2,476,079.55</td>
<td>$6,476,079.55</td>
<td>$4,000,000.00</td>
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<tr>
<td>Architectural and</td>
<td>$595,225.57</td>
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<td>Engineering Fees</td>
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<tr>
<td>Miscellaneous Project Costs</td>
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<tr>
<td>Furniture &amp; Equipment Costs</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Contingency</td>
<td>$1,404,774.43</td>
<td>$1,628,694.88</td>
<td>$223,920.45</td>
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<tr>
<td>Total Project Budget</td>
<td>$8,476,079.55</td>
<td>$8,700,000.00</td>
<td>$223,920.45</td>
</tr>
</tbody>
</table>

Proposed Funding Source(s): SB 2844, Laws of 2015 ($1,200,000); HB 1729, Laws of 2016 ($7,500,000)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF OTHER REAL ESTATE REQUESTS

8. DSU – Delete from Inventory and Demolish – President’s Home

Project Request: Delta State University requests approval to delete from inventory and demolish the current President’s Home

Justification: The existing President’s home was built in 1958 and is now in very poor condition. The current home no longer serves the mission of Delta State University. The current conditions of the home are a result of age, mold, and foundation damage to the house. The goal of the university is to demolish the existing home and clear the lot so that a new President’s home can be constructed on the existing lot.

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. Delta 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.


**Project Request:** The University of Mississippi requests approval of the exterior design of Oxford-University Stadium (Swayze Field) Addition & Renovation. *(See Rendering on Page 15)*

**Design Professional:** Cooke Douglass Farr Lemons Architects & Engineers P.A.

**General Contractor:** Upchurch Plumbing, Inc.

**Purpose:** The University of Mississippi is seeking approval of the exterior design of the additions and renovations made to Oxford-University Stadium (Swayze Field).

**Project Scope:** The Oxford-University Stadium has undergone many changes since its original opening date in 1989. The scope of this project includes a two-story, roughly 45,000 GSF addition. The exterior design continues the design vocabulary established in the 2013 expansion.

The University of Mississippi is seeking approval of the exterior design of the building 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:** March 16, 2016

**Date of Original Construction:** 1989

**Date of Last Renovation:** 2013
Project Budget:

<table>
<thead>
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<th>Item</th>
<th>Estimated</th>
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</thead>
<tbody>
<tr>
<td>Construction Cost:</td>
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<tr>
<td>Architectural and Engineering Fees:</td>
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<td>Misc. Project Costs:</td>
<td>254,461.00</td>
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<td>Furniture &amp; Equipment Costs:</td>
<td>295,000.00</td>
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<tr>
<td>Contingency:</td>
<td>604,300.00</td>
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</table>

Total Project Budget  $5,000,000.00

Funding Source(s): Self-Generated Athletic Revenues ($5,000,000)

Staff Recommendation: Board staff recommends approval of this item.

Rendering: New Addition to Oxford-University Stadium (Swayze Field)
1. **MSU – APPROVAL TO MODIFY CONTRACT WITH BUTLER SNOW LLP AS OUTSIDE COUNSEL**

Mississippi State University requests approval to modify a contract with Butler Snow LLP to provide services necessary in the practice areas of intellectual property and commercial matters. This representation does not and is not intended to include any representation by law firm for or on behalf of the University as bond counsel or in any related role in connection with any financing transaction undertaken by or for the University, including other matters which may concern advice in connection with indebtedness of the University. The initial contract entered into on October 17, 2013 was modified by Modifications #1 and #2, extending the term of the contract for one (1) year or through October 16, 2015 and October 16, 2016, respectively. Modification #3 would extend the contract through October 16, 2017, and the total amount payable during this extension period shall not exceed $75,000, with the single blended hourly rate remaining at $240. All other provisions of the Agreement for Legal Services dated October 17, 2013 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.

2. **MSU – APPROVAL TO MODIFY CONTRACT WITH PERRY & WINFIELD, P.A. AS OUTSIDE COUNSEL**

Mississippi State University requests approval to modify a contract with Perry & Winfield, P.A. to provide services necessary in assisting the University with a property line dispute regarding the University’s property located adjacent to the Cotton Mill / Cooley Building development. The initial contract entered into on November 14, 2014 was modified with Modification #1, extending the term of the contract for one (1) year or through November 13, 2016. Modification #2 will extend the term of the contract for an additional one (1) year, or until November 13, 2017. The total amount payable during the extension period shall not exceed $25,000, with the hourly rate remaining at $165. All other provisions of the Agreement for Legal Services dated November 14, 2014 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.

3. **MSU – APPROVAL TO MODIFY CONTRACT WITH VALAUSKAS CORDER LLC AS OUTSIDE COUNSEL**

Mississippi State University requests approval to modify a contract with the firm of Valauskas Corder LLC to provide services necessary in assisting the University with
various patent applications, identification and forensic analysis of intellectual property, 
prosecution of patent applications, trademark registration applications, copyright 
registration applications, preparing and negotiating agreements and other related 
intellectual property and commercialization issues. The initial contract entered into on 
November 17, 2011 was modified by Modifications 1 through 4 extending the contract 
term for one (1) year each. Modification #5 will extend the term until November 16,
2017. Current attorneys providing services are Charles Valauskas, Allison Corder, and 
Paul K. Judd. All other provisions of the Agreement for Legal Services dated November 
17, 2011 shall remain in effect, with hourly rates ranging from $225 to $425, and the total 
amount payable under this extension shall not exceed $100,000. The Modification has 
been approved by the Office of the Attorney General.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. UMMC – APPROVAL TO CONTRACT WITH BAKER, DONELSON, 
BEARMAN, CALDWELL AND BERKOWITZ, PC AS OUTSIDE COUNSEL

The University of Mississippi Medical Center requests approval to enter into a contract 
with Baker, Donelson, Bearman, Caldwell and Berkowitz, PC as outside counsel for the 
provision of legal services and advice on environmental related issues. The term of the 
contract begins November 1, 2016 through June 30, 2017. The rate is $210 per hour with 
a maximum amount payable under this contract of $100,000. The Attorney General has 
approved this contract.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

5. UMMC- APPROVAL TO CONTRACT WITH BUTLER SNOW LLP AS 
OUTSIDE COUNSEL

The University of Mississippi Medical Center requests approval to enter into a contract 
with Butler Snow LLP as outside counsel for the provision of legal services and advice 
on intellectual property matters, healthcare regulatory and compliance matters, healthcare 
administrative hearings, human resource issues and commercial and general matters. The 
term of the contract begins November 1, 2016 through June 30, 2017. The rates under 
this contract range from $225 to $245 per hour with a maximum amount payable under 
this contract term of $650,000. The Attorney General has approved this contract.

STAFF RECOMMENDATION: Board staff recommends approval of this item.
6. **UMMC – APPROVAL TO CONTRACT WITH JONES WALKER LLP AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests approval to contract with Jones Walker LLP as outside counsel to advise the Medical Center Educational Building Corporation (EBC) on legal issues concerning bond financing and compliance with IRS regulations regarding tax-exempt bonds and other related matters. The term of the contract begins November 1, 2016 through June 30, 2017. The hourly rate is $225 for partners, $165 for special counsel and $60 for paralegal services with a maximum amount payable under this contract of $50,000. The Attorney General has approved this contract.

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

7. **UMMC – APPROVAL TO CONTRACT WITH STITES AND HARBISON, PLLC AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests approval to contract with Stites and Harbison, PLLC as outside counsel to perform services necessary for obtaining patents for designs, processes, products and other patentable materials developed in connection with UMMC. The term of the contract will begin November 1, 2016 through June 30, 2017. The hourly rates range from $320 to $195, and are specifically set out in the contract, with a maximum amount payable under the contract of $100,000. The Attorney General has approved this contract.

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

8. **UMMC – APPROVAL TO CONTRACT WITH WALKER & UNGO, LLC AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests approval to contract with Walker & Ungo, LLC as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. The term of the contract will begin November 1, 2016 through June 30, 2017. The rates are set out in the Schedule of Fees below. The maximum amount payable under the contract is $50,000.

**Labor Certification Fees**

**Walker & Ungo**
PERM

Initial fee: $2500
I-140 $2000
I-485 $2000
Family members: $500 per family member

EB-1 (Outside professor/researcher, extraordinary ability) and Special Handling Labor Certification

Initial Fee: $2000
On approval of I-140 or special handling $2000
I-485 $2000
Family members: $500 per family member

The Attorney General has approved this contract.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

9. UMMC – APPROVAL TO CONTRACT WITH WARE | IMMIGRATION AS OUTSIDE COUNSEL

The University of Mississippi Medical Center requests approval to contract with Ware | Immigration as outside counsel to provide services as needed in preparation labor certification applications on behalf of the university for its employees who seek permanent residence status. The term of the contract will begin October 1, 2016 through June 30, 2017. The rates are set out in the schedule of fees below. The maximum amount payable under the contract is $50,000.

<table>
<thead>
<tr>
<th>Labor Certification Fees</th>
<th>David Ware &amp; Associates</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2000 – special handling labor certification, no readvertisement required</td>
<td></td>
</tr>
<tr>
<td>$2500 – special handling labor certification, readvertisement required</td>
<td></td>
</tr>
<tr>
<td>$3000 – non teaching labor certification</td>
<td></td>
</tr>
<tr>
<td>Advertisement for special handling will be about $500; for regular about $1000</td>
<td></td>
</tr>
</tbody>
</table>

EB1 is $4500 for the petition plus $475 filing fee. Adjustment of status is $1500 for the principal and $750 for each dependent. Exclusive of filing and fees and medical which for one adult would be approximately $1485 plus $150.

The Attorney General has approved this contract.
STAFF RECOMMENDATION: Board staff recommends approval of this item.

10. **UMMC - APPROVAL TO CONTRACT WITH THE WHITFIELD LAW GROUP, PLLC AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests approval to contract with the Whitfield Law Group, PLLC, formerly known as Kitchens, Hardwick & Whitfield, PLLC, to provide legal services related to personnel matters. The term of the contract is for one year beginning July 1, 2016 through June 30, 2017. The hourly rate is $165 with a maximum amount payable under this contract of $225,000. The Attorney General has approved this contract.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

**APPROVAL OF LEGISLATIVE LIAISONS**

The following requests for Board approval of various university/system employees as legislative liaisons are made in order to comply with Board Policy 201.0506 Political Activity:

11. **ASU – APPROVAL OF DR. ALFRED RANKINS, JR. AS LEGISLATIVE LIAISON**

Alcorn State University requests approval of Dr. Alfred Rankins, Jr. as one of its legislative liaisons.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

12. **ASU – APPROVAL OF MARCUS WARD AS LEGISLATIVE LIAISON**

Alcorn State University requests approval of Marcus Ward as one of its legislative liaisons.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

13. **DSU – APPROVAL OF DR. MICHELLE ROBERTS AS LEGISLATIVE LIAISON**

Delta State University requests approval of Dr. Michelle Roberts as its legislative liaison.

STAFF RECOMMENDATION: Board staff recommends approval of this item.
14. **JSU – APPROVAL OF DR. WILLIAM McHENRY AS LEGISLATIVE LIAISON**

Jackson State University requests approval of Dr. William McHenry as Legislative Liaison.

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

15. **MSU – APPROVAL OF LEE WEISKOPF AS LEGISLATIVE LIAISON**

Mississippi State University requests approval of Lee Weiskopf as its legislative liaison.

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

16. **MUW – APPROVAL OF NORA MILLER AS LEGISLATIVE LIAISON**

Mississippi University for Women requests approval of Nora Miller as a legislative liaison.

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

17. **MVSU – APPROVAL OF DR. WILLIAM B. BYNUM, JR. AS LEGISLATIVE LIAISON**

Mississippi Valley State University requests approval of Dr. William B. Bynum, Jr. as one of its legislative liaisons.

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

18. **MVSU – APPROVAL OF LA SHON F. BROOKS AS LEGISLATIVE LIAISON**

Mississippi Valley State University requests approval of La Shon F. Brooks as one of its legislative liaisons.

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

19. **UM – APPROVAL OF PERRY SANSING AS LEGISLATIVE LIAISON**

The University of Mississippi seeks approval of Mr. Perry Sansing, as its legislative liaison.

**STAFF RECOMMENDATION:** Board staff recommends approval of this item.
20. **UMMC - APPROVAL OF TARA MOUNGER AS LEGISLATIVE LIAISON**

   The University of Mississippi Medical Center requests approval of Tara Mounger as one of its legislative liaisons.

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

21. **UMMC - APPROVAL OF WESLEY CLAY AS LEGISLATIVE LIAISON**

   The University of Mississippi Medical Center requests approval of Wesley Clay as one of its legislative liaisons.

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

22. **UMMC - APPROVAL OF RACHEL J. GRESSETT AS LEGISLATIVE LIAISON**

   The University of Mississippi Medical Center requests approval of Rachel J. Gressett as one of its legislative liaisons.

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

23. **UMMC - APPROVAL OF DR. CLAUDE BRUNSON AS LEGISLATIVE LIAISON**

   The University of Mississippi Medical Center requests approval of Dr. Claude Brunson as one of its legislative liaisons.

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

24. **USM – APPROVAL OF CHAD DRISKELL AS LEGISLATIVE LIAISON**

   The University of Southern Mississippi requests approval of Chad Driskell as its legislative liaison.

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

25. **SYSTEM – APPROVAL OF KIM GALLASPY AS LEGISLATIVE LIAISON**

   The Executive Office requests approval of Kim Gallaspy as its legislative liaison.

   **STAFF RECOMMENDATION:** Board Staff recommends approval of this item.
APPROVAL OF PERSONNEL ACTION REQUESTS

1. **Change of Status**

   **UM**
   
   Ross Bjork; *from* Athletic Director; salary of $775,000 per annum, Athletic funds; *to* Vice Chancellor for Intercollegiate Athletics; no salary change; effective July 1, 2016

   **USM**
   
   Thomas H. Burke; *from* Interim Vice President for Student Affairs; salary of $195,000 per annum, pro rata; E&G Funds; *to* Vice President for Student Affairs and Vice Provost; no salary change; effective September 1, 2016

2. **Emeritus Status**

   **ASU**
   
   Ella Anderson; Professor Emerita of Business; effective August 15, 2016

   **USM**
   
   John C. House; Professor Emeritus of Art and Design; effective September 1, 2016
1. **ASU – APPROVAL TO AWARD ONE HONORARY DEGREE**

   The university requests approval to bestow one honorary degree at its December 9, 2016 commencement ceremony. Supporting documents are on file at the Board Office.

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

2. **USM – APPROVAL TO AWARD ONE HONORARY DEGREE**

   The university requests approval to bestow one honorary degree at its December 2016 commencement ceremony. Supporting documents are on file at the Board Office.

   **Staff Recommendation:** Board staff recommends approval of this item.
REGULAR AGENDAS
1. **MSU – APPROVAL OF NEW ACADEMIC PROGRAM**

In accordance with Board Policy 501: Academic Programs and Units “All new curricula, departments, programs of study, organized research or services being proposed by any or all of the institutions must be submitted to the Board and must be approved by the Board before being initiated,” Board approval is requested for establishing three new academic programs.

a. **Mississippi State University** requests permission to offer the **Bachelor of Science** in **Biomedical Engineering** degree.

  - **CIP**: 14.0501
  - **Hours to Degree**: 128 credit hours
  - **State Need**: In the current employment market for biomedical engineers, the demand outpaces the supply. Graduates obtain multiple job offers at highly competitive salaries. Majoring in Biomedical Engineering is excellent preparation for medical school, as evidenced by the many students in our Biomedical Engineering concentration who have been accepted to medical school. We expect that increased name recognition of the Biomedical Engineering degree will attract even more prospective pre-med students.
  - **Employment**: The U.S. Bureau of Labor and Statistics (U.S. BLS) states that the present number of available positions in biomedical engineering on the national level as of May 2016 is 22,100, with an anticipated growth rate of 23%. According to the U.S. BLS, the average annual income of biomedical engineers as (2014) was $91,760.
  - **Funding**: The estimated costs include salaries and fringe benefits for one new faculty member beginning in Year Three at $120,000 per year. Funding for this position will come from internal funds. Resources, including facilities, laboratories, etc. are already in place and will be utilized for this program.
  - **Enrollment**: An estimate of 732 students are projected to enroll over a six-year period, with a total of 282 students expected to graduate within the first six years.
  - **Duplication**: JSU offers a Bachelor of Science in Biomedical Engineering degree.

**STAFF RECOMMENDATION**: Board staff recommends approval of this item.
2. SYSTEM – APPROVAL OF ACADEMIC PROGRAM PRODUCTIVITY REVIEWS

Academic productivity reviews are triggered when cumulative graduates over the past 3 academic years for a single degree program are $< 15$ for baccalaureate-level degrees, $< 9$ for master-level degrees, and $< 5$ for doctorate and specialist-level degrees. Twenty-eight academic programs were evaluated to assess need, potential to grow enrollment, productivity potential, and unnecessary duplication. Based on institution-prepared proposals and subsequent review by the Office of Academic and Student Affairs (OASA), the following recommendation is presented for Board approval.

a. **SUSPENSION**
   ASU – Master of Science in Secondary Education: Physical Education

b. **CONTINUE WITH STIPULATION** the following **12** academic programs (these programs will be subjected to additional review by OASA for two years to assess progress toward future productivity):
   - ASU – Bachelor of Science in Computer Networking and Information Technology (CIP 11.1002)
   - DSU – Master of Education in Health, Physical Education and Recreation (CIP 13.1314)
   - MSU – Bachelor of Science in Medical Technology (CIP 51.1005)
   - MSU – Doctor of Philosophy in Applied Economics (CIP 52.0601)
   - MVSU – Bachelor of Arts in Sociology (CIP 45.1101)
   - MVSU – Master of Science in Elementary Education (CIP 13.1202)
   - MUW – Master of Arts in Teaching (CIP 13.1205)
   - UM – Religious Studies (CIP 38.0201)
   - UM – Economics (CIP 45.0601)
   - UMMC – Medical Laboratory Science (CIP 51.1005)
   - USM – Bachelor of Science in Allied Health (CIP 51.000)
   - USM – Bachelor of Science in Electronics Engineering Technology (CIP 15.0303)

**STAFF RECOMMENDATION:** Board staff recommends approval of items a and b.
1. SYSTEM – REQUEST FOR APPROVAL OF TUITION RATES

**Agenda Item Request:** University of Southern Mississippi request approval for the change in non-resident tuition rates effective FY 2018.

<table>
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<th>Approved FY 2017</th>
<th>Requested Incr/Decr</th>
<th>Requested FY 2018</th>
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<td>Non-Resident Tuition</td>
<td>$16,419</td>
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<td>$9,854</td>
</tr>
<tr>
<td>Capital Improvements Fee</td>
<td>$70</td>
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<tr>
<td>Student Activity Fee</td>
<td>$40</td>
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<tr>
<td><strong>Total Non-Resident Tuition and Required Fees</strong></td>
<td><strong>$16,529</strong></td>
<td><strong>$(6,565)</strong></td>
<td><strong>$9,964</strong></td>
</tr>
</tbody>
</table>

**Staff Recommendation:** Based on Board Policy 702.04C – *Consideration of Requests:* *Requests to establish tuition, and room and board charges shall not be considered until at least thirty days after they have been submitted to provide an opportunity for review by the Board and the Commissioner. The Board reserves the right to waive the thirty-day review requirement during periods of extreme time constraint.*

Staff recommends Board final approval of the proposed FY2018 tuition rates.

2. SYSTEM – REQUEST APPROVAL SYSTEM – REQUEST FOR APPROVAL TO WAIVE THE REQUIREMENT FOR FIRST READING OF PROPOSED REVISION TO BOARD POLICY SECTION 701.07 DEPOSITORY POLICY AND TO GRANT FINAL APPROVAL

The Board is requested to vote to waive the requirement for a first reading of the below proposed change to Board Policy 701.07 Depository Policy and to grant final approval with implementation of the policy change taking effect immediately. This revision is proposed in order to make the policy consistent with applicable state law, as set out within Miss. Code Ann., §7-9-43 (1972), as amended.

#### 701.07 DEPOSITORY POLICY

The state institutions of higher learning and the State Department of Public Welfare, after receiving the written approval of the State Fiscal Officer as provided in §7-9-41, shall select and make a contract with some bank to serve as depository for institutional funds. The contract shall be for two and one-half five years.

Miss. Code Ann., §7-9-43, as amended

If the depository is not a participant in the state collateral pool, the institution shall monitor the collateralization of deposits by the depository to ensure compliance with state statutes.
3. **JSU- REQUEST FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH LJM HOLDINGS, LLC**

**Agenda Item Request:** Jackson State University requests approval to enter into a Memorandum of Understanding (MOU) with LJM Holdings, LLC (“LJM”) the successful bidding developer for Invitation to Negotiate (ITN) #16-03.

The MOU does not create any obligation on the part of JSU and LJM. If approved by the Board of Trustees, neither Party shall have any obligation under the MOU until the Parties enter into a definitive written agreement with terms acceptable to the Board of Trustees and the Parties. According to the Terms of ITN #16-03, JSU and the successful bidder must present a MOU to the Board of Trustees for approval, prior to initiating any services:

*After reviewing the Responses to this ITN, JSU and the successful Developer will prepare an MOU which will identify the basis terms, conditions, delivery process, and approvals for the financing and delivery of the proposed project. This MOU will be between the Developer and JSU.*

*In addition to the key points identified below, the MOU will include provisions stating that the successful Developer will obtain all necessary financing and bear all costs associated with the facility.*

*The MOU will state that JSU intends to enter into a land lease with the successful Developer which shall finance and construct the residential facility subject to the determination that they are feasible and acceptable to JSU. The management of the facility will be the responsibility of JSU. Proposals must reflect how management of the facility will be included in the financial terms.*

*Key points to be included in the MOU include:*  
  - Description of proposed project;  
  - Due diligence phase;  
  - Definition of responsibilities;  
  - Selected development team;  
  - Private Investment Capital; and  
  - Legal structure for delivering project.*

*Before proceeding with the services as defined in the MOU, it must be approved by the Board of Trustees of State Institutions of Higher Learning.*

**Contractor’s Legal Name:** LJM Holdings, LLC
History of Contract: This is a new MOU prepared in accordance with Invitation to Negotiate New and/or Renovated Residential Construction #16-03.

Specific Type of Contract: This is a MOU.

Purpose: Pursuant to ITN #16-03, the MOU will identify the basic terms, conditions, delivery process, and approvals for the financing and delivery of the proposed project.

Scope of Work: The successful developer will obtain all necessary financing and bear all costs associated with the facility. The management of the facility will be the responsibility of JSU.

Term of Contract: The term of the MOU shall commence upon the date of execution and shall continue until terminated or upon the execution of a definitive written agreement.

Termination Options: The MOU may be terminated under the following conditions:

- By either party upon notice of termination;
- By Jackson State University for failure of the legislature to appropriate funds

Contract Amount: The MOU creates no financial obligation of the Parties.

Funding Source for Contract: The MOU creates no financial obligation of the Parties.

Contractor Selection Process: JSU published Invitation to Negotiate New and/or Renovated Residential Construction #16-03 in October, 2015. ITN #16-03 sought competitive sealed bids for the development of residential student housing. Proposals were submitted by six (6) respondents (Century Campus Development, Doty Realty Development, LLC, Education Realty Operating Partnership, LP, American Campus Communities, LJM Holdings, LLC and Balfour Beatty Campus Solutions) to JSU’s evaluation team. The evaluation team determined that all respondents needed to provide additional information to supplement their initial reports. JSU set the deadline for the supplemental information for January, 11, 2016. JSU’s evaluation team received in-person presentations from the respondents on January 14, 2016. Balfour Beatty Campus Solutions withdrew its proposal prior to the presentations. Century Campus Development did not appear for its presentation.

JSU’s evaluation team completed score sheets based on the criteria set forth in ITN #16-03, including: general experience, development, management and consultant experience, organization and key personnel, and financial capacity.
After scoring and deliberation, JSU’s evaluation team determined that LJM’s proposal was the most responsive to the University’s needs, in the best interest of the University, and should be accepted as the preferred developer for the project.

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 Attorney General’s Office has reviewed the MOU and determined that it substantially complies with JSU’s Invitation to Negotiate and Senate Bill No. 2629. Board staff approval of this item is pending. (As the Board is being asked to provide approval of a non-binding MOU, no additional approval by the Attorney General’s Office is required.)

4. MSU – REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH THE BF SMITH FOUNDATION

**Agenda Item Request:** Mississippi State University seeks approval to enter into a lease agreement with the BF Smith Foundation for certain real property located in Washington County, Mississippi, for the use and benefit of the Mississippi Agriculture and Forestry Experiment Station (“MAFES”). MSU will lease 138 acres, more or less, of cropland and various structures located on the lease premises. Pursuant to Board policy 707.03, MSU also seeks approval for prepayment of rent under the lease agreement.

**Contractor’s Legal Name:** The BF Smith Foundation

**History of Contract:** MSU is entering into a new lease agreement with the BF Smith Foundation. The leased premises were recently acquired by the BF Smith Foundation from the Monsanto Company. The cropland and structures were part of Monsanto’s agronomy research facility in Washington County, MS.

**Specific Type of Contract:** Lease of cropland and buildings.

**Purpose:** MSU is requesting approval to enter into this lease agreement on behalf of MAFES to expand the research operation of MAFES at MSU’s Delta Research and Extension Center. MAFES will utilize these facilities to conduct crop sciences research, especially in rice, cotton and soybeans, and also expand MAFES research related to water management, water security, and irrigation practices in the Delta. The lease premises consist of 138 acres, more or less, of cropland and nine different structures, including an office building and 3 state-of-the-art research quality greenhouses.

**Scope of Work:** N/A

**Term of Contract:** The duration of the lease agreement will be for 10 years.
Termination Options: The lease may be terminated for the follows:

- MSU will have the right to terminate the lease upon 30 days written notice in the event comparable State-owned property becomes available;
- The lease may be terminated for convenience at any time by either party upon 90 days written notice;
- In the event property is totally or substantially destroyed by fire, the elements or otherwise that renders the property untenable;
- Failure to pay rent upon 30 days written notice of opportunity to cure;
- Breach of contract upon 30 days written notice of opportunity to cure
- Failure by BF Smith Foundation to comply with federal E-Verify Program;
- A Force Majeure event that continues for longer than twelve months.

Contract Amount: MSU will pay annual rent of $136,000. The total estimated cost over the ten year term is $1,360,000.

Funding Source of Contract: Lease will be funded by MAFES general, designated, and other funds as they become available.

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 leases in an amount greater than $100,000. Based on Board Policy 707.03, Approval of Prepayment of Goods and Services, Board approval of prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. The agreement was reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

5. **MSU- REQUEST FOR APPROVAL TO REFUND BONDS AT AN AGGREGATE PRINCIPAL AMOUNT OF $90 MILLION AND TO ACHIEVE NET PRESENT VALUE SAVINGS**

Agenda Item Request: Mississippi State University requests approval for a resolution authorizing the MSU Educational Building Corporation to issue up to a maximum aggregate principal amount of $90,000,000 of Bonds at fixed rates. The Bonds will be issued for the purpose of providing funds to finance (a) the refunding of all or a portion of the Prior Bonds, and (b) the costs of financing such refunding and of the issuance of the Bonds. FirstSouthwest, a division of Hilltop Securities Inc., will serve as financial advisor for the issue and Jones Walker, LLP, will serve as bond counsel. FirstSouthwest has recommended the refunding of all or a portion of the Prior Bonds with fixed rate bonds to achieve debt service savings.
Raymond James & Associates, Inc., Morgan Stanley & Co. LLC and such other underwriters as are named in the Bond Purchase Agreement, will serve as underwriters for the bonds.


**History of Contract:** This Board has previously approved the issuance of the Mississippi State University Educational Building Corporation Revenue Bonds for the following purposes:

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<tbody>
<tr>
<td>Original Issue</td>
<td>$6,110,000</td>
<td>$29,615,000</td>
<td>$17,105,000</td>
<td>$54,370,000</td>
</tr>
<tr>
<td>Proposed Refunded Par Amount</td>
<td>$3,735,000</td>
<td>$23,685,000</td>
<td>$8,260,000</td>
<td>$38,265,000</td>
</tr>
</tbody>
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**Purpose:** The purpose to approve documents necessary to refund all or a portion of the Refunded Bonds in one or more taxable and/or tax-exempt series at a par value not to exceed $90,000,000 in order to achieve net present value savings. According to the Financial Advisor’s report dated August 9, 2016, the following savings are projected:

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<tbody>
<tr>
<td>Refunded Par Amount</td>
<td>$3,735,000</td>
<td>$23,685,000</td>
<td>$8,260,000</td>
<td>$38,265,000</td>
<td>$73,945,000</td>
</tr>
<tr>
<td>Old Debt Service</td>
<td>$4,842,900</td>
<td>$40,647,759</td>
<td>$10,029,375</td>
<td>$68,500,578</td>
<td>$124,020,612</td>
</tr>
<tr>
<td>New Debt Service</td>
<td>$4,346,933</td>
<td>$37,120,567</td>
<td>$9,834,075</td>
<td>$67,161,317</td>
<td>$118,462,892</td>
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<tr>
<td>Gross Savings</td>
<td>$495,967</td>
<td>$3,527,193</td>
<td>$195,300</td>
<td>$1,339,262</td>
<td>$5,557,722</td>
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<tr>
<td>Net Present Value Savings</td>
<td>$442,793</td>
<td>$2,524,535</td>
<td>$184,866</td>
<td>$888,426</td>
<td>$4,040,620</td>
</tr>
<tr>
<td>Net Present Value Percent</td>
<td>11.855%</td>
<td>10.659%</td>
<td>2.238%</td>
<td>2.322%</td>
<td>5.464%</td>
</tr>
</tbody>
</table>

**Specific Type of Contract:** Long-term bonds

**Scope of Work:** The bond issue includes funds for the cost of refunding bonds.

**Term of Contract:** Long-term bonds in one or more taxable or tax-exempt series will be issued with maturities not to exceed thirty (30) years.
Termination Options: The bond issue documents contain redemption provisions which can be used in case of market changes.

Funding Source for Contract: Debt payments will be serviced by revenues that secure the Refunded Bonds.

Board Staff Recommendation: Board Policy 906 states “Refinancing or Defeasing of Outstanding Debt. Outstanding debt of the educational building corporation may be refinanced in accordance with the provisions of this policy. Prior to Board consideration of an institution’s request to issue debt of the educational building corporation to refinance outstanding debt of the institution or the educational building corporation, the financial advisor must provide the Board with an independent analysis showing potential net present value (NPV) savings based on current market conditions. The institution’s request must include naming the bond counsel and senior underwriter(s) selected by the board of the educational building corporation. After consideration of the financial advisor’s analysis and other factors that the Board deems material, the Board may approve the issuance of debt by the educational building corporation, in the discretion of the authorized representatives of the educational building corporation to refinance outstanding debt of the institution or the educational building corporation, which authorization may be conditioned on the specific level of NPV savings being achieved. Refinancing or defeasing of debt does not require a subsequent meeting of the Board of Trustees provided the financial advisor has provided a report demonstrating adequate net present value savings and the bond resolution and form of bond documents have been presented to and approved by the Board.”

The institution is presenting the Financial Advisor’s report for the Board’s review along with the intent, justification, and project professionals. In addition, the institution is also requesting approval of the bond resolution and form of bond documents.

The bond resolution and form of bond documents are approved by the Attorney General’s Office. Board staff recommends approval of this item.

6. MUW—REQUEST FOR APPROVAL TO ENTER INTO A SERVICE AGREEMENT WITH GCA EDUCATION SERVICES, INC.

Agenda Item Request: Mississippi University for Women requests approval to accept the proposal provided by GCA Education Services, Inc., for professional facilities management, maintenance, grounds, special events support, and custodial services.

Contractor’s Legal Name: GCA Education Services, Inc. (GCA)

History of Contract: This is a new agreement.
Specific Type of Contract: This service will provide staff and management for facilities maintenance, grounds, special events, and custodial services.

Purpose: The purpose of this agreement is to continuously improve campus by using the industry’s best and most current professional facilities management systems and technology. Professional facilities management includes all labor, materials, supplies, tools, equipment, computerized maintenance management system, energy management, professional management, and anything else necessary for proper operation, maintenance and repair of our buildings, roads, grounds, utilities systems, special event support, energy management, and custodial services.

Scope of Work: The contract will provide services as described in the Request for Proposal (RFP).

Term of Contract: The term of this Agreement is sixty (60) months and shall commence on the 1st day of January, 2017 and shall continue until December 31, 2021 (“Initial Term”), with an option to renew on an annual basis, unless terminated as provided in the contract.

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

- In the event of any increases in wages for GCS’s employees providing the Services as a result of any collective bargaining that MUW does not agree to, upon 30 day written notice to GCA,
- GCA may terminate in the event of MUW is delinquent on payments after giving 7 days prior written notice,
- For service deficiencies upon 30 day written notice by MUW (“Cure Period”) and further written notice of sixty (60) days from end of Cure Period if service deficiencies have not been corrected,
- For material change in financial condition of either party through bankruptcy or insolvency; and
- For convenience with or without cause by either party upon 60 day written notice.

Contract Amount: The annual contract amount is $2,645,787 for the initial term of the contract. The contract allows for an annual CPI adjustment not to exceed 5% in any twelve month period. The total estimated cost for the five year term is $14,619,643.33.
Funding Source of Contract: This agreement will be funded through general, auxiliary and restricted funds.

Contractor Selection Process: MUW received two proposals in response to the RFP. The evaluation team determined that GCA’s Proposal was preferred over Sodexo’s from both a technical and a cost perspective.

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. UMMC-REQUEST FOR APPROVAL TO AMEND AGREEMENT WITH TEKsystems, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into an amendment to the current agreement with TEKsystems, Inc. (TEK) for information technology (IT) staff augmentation.

Contractor’s Legal Name: TEKsystems, Inc. (TEK)

History of Contract: On January 22, 2015, the Board approved UMMC to enter into an agreement with TEKsystems, to provide IT staff to UMMC’s Department of Information Systems (DIS) to lend support necessary in areas where we currently lack adequate IT staffing. The term of the agreement is for a period of three (3) years beginning February 2, 2015 and ending February 1, 2018. The total approved cost was $3,000,000.00.

On April 21, 2016 the Board approved UMMC’s request to add additional funding to the existing agreement with TEKsystems in the amount of $2,000,000.00. The total approved cost for the agreement is $5,000,000.00
The staffing services provide DIS with a pool of IT professionals, which they can utilize to supplement staffing in areas that are under staffed. These IT professionals assist with various IT initiatives, such as, infrastructure planning and project management services. The services are utilized on an as needed basis rather than a strict timeline.

**Specific Type of Contract:** This is an amendment to the existing agreement.

**Purpose:** This is an amendment to the existing agreement to clarify the travel language of the agreement. Section 4.3 is deleted in its entirety and is replaced with the following:

4.3 **Expenses:** *Client shall reimburse TEKsystems for all reasonable and necessary travel and living expenses incurred by TEKsystems in the performance of any Services, upon receipt of documentation for such expenses, provided that such expenses comply with Client’s travel and expense policies.*

**Scope of Work:** This agreement will provide professional IT staff to augment UMMC’s current staff on an as needed basis.

**Term of Contract:** This agreement is for a term of three (3) years beginning on February 2, 2015 through February 1, 2018.

**Termination Options:** The Agreement may be terminated by the following:
- Either party upon thirty (30) days prior written notice;
- Lack of available funding to UMMC;
- Failure of TEKsystems to comply with E-Verify;
- In the event of a force majeure event which would render the affected party unable to perform;
- In the event of a change in law resulting in an adverse consequence;
- UMMC may terminate the agreement and the underlying business relationship in the event that TEKsystems, 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); and
- UMMC may terminate if it makes the determination that a material condition of performance by TEKsystems, 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:** There are no additional cost associated with this amendment. The total approved cost of the agreement is $5,000,000.00.

**Funding Source of Contract:** The agreement will be funded by patient revenue.
Contractor Selection Process: TEKSystems is already contracted with UMMC.

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.
1. **UMMC – APPROVAL TO RENEW CONTRACT WITH BRADLEY ARANT BOULT CUMMINGS, LLP AS OUTSIDE COUNSEL**

   The University of Mississippi Medical Center requests approval to renew a contract with Bradley Arant Boult Cummings, LLP as outside counsel for the provision of legal services and advice on healthcare regulatory and compliance matters, healthcare administrative hearings and general healthcare related matters. The term of the contract begins October 1, 2016 through June 30, 2017. The approved rate is $245 per hour with a maximum amount payable under this contract of $175,000. The Attorney General has approved this contract.

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

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

   The University of Mississippi Medical Center is seeking Board approval for settlement of Tort Claim No. 3041.
INFORMATION
AGENDAS
1. **SYSTEM----** In accordance with the *Jake Ayers, Jr. et al. v Ronnie Musgrove, Governor, State of Mississippi, et al.* Settlement (aka: *Ayers Settlement Agreement*), the Board, through its counsel, shall provide to lead counsel for the private plaintiffs and counsel for the United States an annual disclosure report reflecting specified line-item information. This document is due October 1 of each year and has been presented to the Court.

2. **SYSTEM-AYERS INVESTMENT REPORT**

As part of the *Ayers 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 attached *Ayers Investment Report* summarizes the activity in the endowment accounts for FY 2016.

Under separate cover

3. **ASU – LEASE AND LICENSE AGREEMENT WITH ALCORN STATE UNIVERSITY FOUNDATION DEVELOPMENT, LLC FOR CONSTRUCTION OF A SCOREBOARD**

On April 21, 2016, the IHL Board of Trustees voted to delegate to Commissioner Glenn Boyce the authority to approve the final agreement for construction of a new video scoreboard within the Spinks-Casem Football Stadium on the Lorman Campus of ASU. Approval will be contingent upon the Attorney General’s approval of the final contract. Under this authority, on April 29, 2016 Commissioner Boyce approved the agreement with Alcorn State University Foundation Development, LLC for construction of the new scoreboard. Pursuant to the agreement, the Foundation will contract with Capturion Network, LLC for the construction, installation and maintenance of the scoreboard at an estimated total cost of $841,320. In addition, Capturion will assist the Foundation in procuring advertising sponsors for ad display on the scoreboard, and, will assist with ad content creation and content management. The initial term of the agreement is for five (5) years beginning upon execution of the agreement and continuing through April 30, 2021. The agreement may be renewed for two (2) additional five (5) year periods upon notice of at least ninety (90) days prior to the end of the then current term. Should ASU opt to extend the agreement, ASU will submit its request to the Board for approval. For the length of the contract term, ASU will receive a fee of $1.00 per year. Upon expiration of the agreement, the Foundation will surrender to ASU the leased premises and Improved Facilities. The final agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE September 15, 2016 BOARD MEETING SUBMISSION DEADLINE

NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL 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.
A L C O R N   S T A T E   U N I V E R S I T Y

1. ASU– GS 101-297 – Technology Classroom Building

NOTE: This is a Bureau of Building project

Approval Request #1: Approval of Schematic Design Documents

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

Approval Status & Date: August 30, 2016

Approval Request #2: Approval of Design Development Documents

Board staff approved the Design Development Documents as submitted by Allred Architectural Group.

Approval Status & Date: APPROVED, August 30, 2016

Project Initiation Date: June 20, 2013
Design Professional: Allred Architectural Group
General Contractor: TBD
Total Project Budget: $16,500,000.00

D E L T A   S T A T E   U N I V E R S I T Y

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

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of $18,505.20 and fifty-five (55) additional days to the contract of Sullivan Enterprises, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 15, 2016

Change Order Description: Change Order #2 includes the following items: install a new wood door & frame, three (3) headers (2”) for hollow metal frames; structural repairs at
the existing mechanical pad & floor openings; an additional structure to support the lintel above a door; framing for the wall from the top of the concrete masonry unit to the deck on the 2nd floor east walls and the material will consist of metal studs, sound batt insulation and gypsum on each side; two (2) illuminated exit signs above the doors; and fifty-five (55) days to the contract.

**Change Order Justification:** These changes were due to latent job site conditions; errors & omissions in the plans & specifications; and additional days for work as indicated herein.

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

Board staff approved Change Order #3 in the amount of $30,784.32 and forty (40) additional days to the contract of Sullivan Enterprises, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

**Approval Status & Date: APPROVED, September 15, 2016**

**Change Order Description:** Change Order #3 includes the following items: install door hardware; removal of existing concrete masonry unit block that revealed missing structural steel at the existing auditorium doors; additional materials & installation needed at the elevator; replacement of gypsum board ceiling at the roof leak above the south stairwell & elevator; and forty (40) days to the contract.

**Change Order Justification:** These changes were due to changes in requirements or recommendation by governmental agencies; latent job site conditions; and additional days for work as indicated herein.

**Approval Status & Date: APPROVED, September 15, 2016**

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of $62,354.64.

**Project Initiation Date:** August 19, 2010  
**Design Professional:** Architecture South, P.A.  
**General Contractor:** Sullivan Enterprises, Inc.  
**Total Project Budget:** $1,261,847.63
3. DSU – GS 102-255 – Central Mechanical Plant Phase II

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #3R1

Board staff approved Change Order #3R1 in the amount of $125,463.26 and one hundred twenty (120) additional days to the contract of Acey Mechanical, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 15, 2016

Change Order Description: Change Order #3R1 includes the following items: repair the chillers and one hundred twenty (120) days to the contract.

Change Order Justification: This change was a user/owner requested modification and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $225,099.61.

Project Initiation Date: August 15, 2013
Design Professional: Engineering Resource Group, Inc.
General Contractor: Acey Mechanical, LLC.
Total Project Budget: $2,000,000.00

4. DSU – GS 102-259 – Campus Paving

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 $56,052.31 and one hundred sixty (160) additional days to the contract of APAC-MS. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 15, 2016
Change Order Description: Change Order #3 includes the following items: unused hot mix asphalt patching; unused crushed limestone; and one hundred sixty days to the contract.
Change Order Justification: This change was due to unused materials; and additional weather delays as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $225,099.61.

Project Initiation Date: September 18, 2014
Design Professional: Civil Solutions Services, Inc.
General Contractor: APAC-MS
Total Project Budget: $2,350,000.00

M I S S I S S I P P I   S T A T E   U N I V E R S I T Y

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

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of $71,196.00 and thirty-nine (39) 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, August 24, 2016

Change Order Description: Change Order #5 includes the following items: controls allowance credit; projection screen credit; stair tread credit at the parking level stairwells; underground conduit provisions/installation for a future YMCA generator; audio visual infrastructure upgrades; hardware modifications for class room security; spray insulation at the ceiling of P2 parking; roofing labor, material & equipment substitution/credit; and thirty-nine (39) days to the contract.

Change Order Justification: These changes/credits were due to errors & omissions in the plans & specifications; latent job site conditions, weather related delays; user/owner requested modifications and additional days for work as indicated herein.

Approval Request #2: Change Order #6
Board staff approved Change Order #6 in the amount of $258,061.00 and two hundred one (201) 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, September 24, 2016

Change Order Description: Change Order #6 includes the following items: light gauge framing revisions at the north & south pitched roofing areas and associated trade revisions including steel fireproofing for the new steel bracing & patching, new lateral steel bracing and temporary roofing for the related area; mechanical steel penetration additional framing; elevator software for card access; new waterline to service the YMCA building, door hardware review days only and two hundred one (201) days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans & specifications; latent job site conditions; weather delays; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of $661,372.60.

Project Initiation Date: August 19, 2010
Design Professional: Belinda Stewart Architects, P.A.
General Contractor: Evan Johnson & Sons Construction, Inc.
Phased Project Budget: $36,232,589.00
Total Project Budget: $41,314,339.00

6. MSU–GS 105-351 – YMCA Renovation

NOTE: This is a Bureau of Building project

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of $7,129,500.00 to the apparent low bidder, Gregory Construction Services, Inc.

Approval Status & Date: APPROVED, September 15, 2016
Project Initiation Date: August 15, 2013
Design Professional: Belinda Stewart Architects, P.A.
General Contractor: Gregory Construction Services, Inc.
Total Project Budget: $9,800,000.00

MISSISSIPPI UNIVERSITY FOR WOMEN

7. MUW– GS 104-184 – Fant Library Renovation, PH III (Buildout)

NOTE: This is a Bureau of Building project

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, Interim Chair Approval was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on August 22, 2016 to approve the budget increase from $7,380,000.00 to $8,249,000.00, an increase of $869,000.00.

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of $4,372,758.00 to the apparent low bidder, Amason & Associates, Inc.

Approval Status & Date: APPROVED, August 24, 2016

Project Initiation Date: January 22, 2015
Design Professional: Burris/Wagnon Architects, P.A.
General Contractor: Amason & Associates, Inc.
Total Project Budget: $8,249,000.00

8. MUW– GS 104-184 – Fant Library Renovation, PH III (ASRS)

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the credit amount of $27,497.49 and zero (0) additional days to the contract of Anchor Construction, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 13, 2016
Change Order Description: Change Order #1 includes the following items: credit for removal of one (1) bay from the ASRS; credit for reduction of two (2) end-of-aisle work stations and related wiring & electrical hardware.

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

Total Project Change Orders and Amount: One (1) change order for a total credit amount of $27,497.49.

Project Initiation Date: January 22, 2015
Design Professional: Burris/Wagnon Architects, P.A.
General Contractor: Anchor Construction, LLC
Phased Project Budget: $1,539,272.51
Total Project Budget: $8,249,000.00

9. MUW – GS 104-188 – Culinary Arts Pre-Plan

NOTE: This is a Bureau of Building project

Approval Request #1: Approval of Schematic Design Documents

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

Approval Status & Date: APPROVED, August 25, 2016

Project Initiation Date: June 18, 2015
Design Professional: JBHM Architects, P.A.
General Contractor: TBD
Total Project Budget: $282,507.00

M I S S I S S I P P I   V A L L E Y   S T A T E   U N I V E R S I T Y

1. MVSU – GS 106-257 – Edna Horton Renovation

NOTE: This is a Bureau of Building project

Approval Request #1: Approval of Schematic Design Documents
Board staff approved the Schematic Design Documents as submitted by Shafer & Associates Architects

Approval Status & Date: APPROVED, August 25, 2016

Project Initiation Date: June 16, 2016
Design Professional: Shafer & Associates Architects
General Contractor: TBD
Total Project Budget: $8,476,079.55

UNIVERSITY OF MISSISSIPPI

2. UM– GS 107-308 – Union Addition & Renovation

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of $29,345.00 and zero (0) additional days to the contract of Roy Anderson Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 25, 2016

Change Order Description: Change Order #3 includes the following items: all work associated with the drainage at the east areaway; re-routing the water line at Student Union Drive; and adding structural foam at the existing wall.

Change Order Justification: These changes are due to errors and omissions in the plans & specifications; and latent job site conditions.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $286,961.00.

Project Initiation Date: August 18, 2011
Design Professional: Eley Guild Hardy Architects and Engineers
General Contractor: Roy Anderson Corporation
Phased Project Budget: $58,781,426.00
Total Project Budget: $58,900,000.00
3. **UM– GS 107-308.1 – Union Addition & Renovation – Primary Electric at Grove**

   NOTE: This is a Bureau of Building project

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

   Board staff approved the Award of Contract in the amount of $180,000.00 to the apparent low bidder, Total Electric, LLC.

   **Approval Status & Date:** APPROVED, September 1, 2016

   **Project Initiation Date:** August 18, 2011
   **Design Professional:** Eley Guild Hardy Architects and Engineers
   **General Contractor:** Total Electric, LLC
   **Phased Project Budget:** $215,968.20
   **Total Project Budget:** $58,900,000.00

4. **UM– GS 107-317 – Johnson Commons East Renovations**

   NOTE: This is a Bureau of Building project

   **Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on September 12, 2016 to approve the budget increase from $7,600,000.00 to $8,300,000.00, an increase of $700,000.00.

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

   Board staff approved the Award of Contract in the amount of $6,620,951.00 to the apparent low bidder, Legacy Construction Services.

   **Approval Status & Date:** APPROVED, September 15, 2016

   **Project Initiation Date:** November 15, 2012
   **Design Professional:** Belinda Stewart Architects, P.A.
   **General Contractor:** Legacy Construction Services
   **Total Project Budget:** $8,300,000.00
5. UM – IHL 207-372.1 – South Campus Recreation Facility & Transportation Hub

DEMO

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of $8,800.00 and eleven (11) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, August 25, 2016

Change Order Description: Change Order #2 includes the following items: running primary lines up the side of the concrete primary pole and stopping; racking & providing fuses for the primary lines on the concrete pole as well as running new cable to the primary meter on another pole; and eleven (11) days to the contract.

Change Order Justification: This change was necessary in order to get power to the site; and additional days for work as indicated herein.

Approval Request #2: Change Order #3

Board staff approved Change Order #3 in the amount of $5,730.00 and zero (0) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, September 1, 2016

Change Order Description: Change Order #3 includes the following items: cutting, capping, and installing valve boxes on additional sprinkler lines and removing old lines.

Change Order Justification: These changes were due to the discovery of additional rises at the existing site.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $44,405.00.

Project Initiation Date: June 20, 2013
Design Professional: JBHM Architects, P.A.
General Contractor: Century Construction & Realty, Inc.
Phased Project Budget: $1,320,463.90
Project Budget: $32,000,000.00

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

Board staff approved Change Order #1 in the amount of $13,856.32 and zero (0) additional days to the contract of Zellner Construction Services, LLC.

**Approval Status & Date:** APPROVED, August 17, 2016

**Change Order Description:** Change Order #1 includes the following items: install utilities to the owner supplied mobile trailers to serve the soccer fields.

**Change Order Justification:** This was a user/owner requested modification.

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

Board staff approved Change Order #2 in the credit amount of $4,807.61 and zero (0) additional days to the contract of Zellner Construction Services, LLC.

**Approval Status & Date:** APPROVED, September 1, 2016

**Change Order Description:** Change Order #2 includes the following items: install new floor sleeves for the volleyball net; remove and re-install plumbing floor drains; credit to remove the specified roof insulation system and install an equal long tab insulation system; shot blast and anodize all bleacher tread surfaces; omit the anodizing of the seat planks; and credit for balance of the controls allowance.

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

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of $9,048.71.

**Project Initiation Date:** June 19, 2014

**Design Professional:** Pryor & Morrow Architects and Engineers

**General Contractor:** Zellner Construction Services, LLC

**Project Budget:** $13,800,000.00
7. UM–IHL 207-387 – Track Facility Restoration

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of $123,334.32 and fifty-four (54) additional days to the contract of Xcavators, Inc.

Approval Status & Date: APPROVED, August 30, 2016

Change Order Description: Change Order #3 includes the following items: concrete revisions; sports lighting revisions; improved access to the scoreboard; speaker poles to be repaired & painted; new conduit & feeder wire installed at the appropriate depth to concessions & storage; installation of a new water meter for the irrigation system; new conduit & feeder wire were installed at the appropriate depth for sports lighting; electrical timing revisions; the athletic logo to be screen-printed on the sand pit mesh covers; relocation of the timing box for the shot put events; and fifty-four (54) days to the contract.

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

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $211,883.94.

Project Initiation Date: August 21, 2014
Design Professional: CHA Consulting, Inc.
General Contractor: Xcavators, Inc.
Total Project Budget: $7,900,000.00

8. UM – IHL 207-389 – Vaught-Hemingway Stadium North End Zone

Approval Request #1: Change Order #7

Board staff approved Change Order #7 in the amount of $429,382.01 and ten (10) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, August 17, 2016

Change Order Description: Change Order #7 includes the following items: relocate smokers at the south end zone; added pile cap & grade beam; boiler room re-work; fire pump discharge modifications; add thickened slabs; duct bank removal & gas line
relocation; north plaza reconciliation; added steel tubes; tie-in existing 8” storm drain at the northwest corner; add trench drain at the south end zone kitchen; traffic-rated concrete paving; relocate conduits at the south end zone ceiling; new kitchen slab transition; relocate conduits at the scoreboard; add boiler exhaust; install wayfinding signage; and ten (10) days to the contract.

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

Approval Request #2: Change Order #8

Board staff approved Change Order #8 in the amount of $171,469.65 and eight (8) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, September 1, 2016

Change Order Description: Change Order #8 includes the following items: added railings; the existing concrete columns at the entry to the south field club to be clad with a metal panel; removal of unsuitable soil & replace with acceptable soils; relocate the storm drain box to the designed location & extend the existing storm lines to this location; added conduit, rough-in and pull string for added security camera locations; installation of a concrete masonry unit wall at the Starnes Building; added flashing at the south club suboof; alternate light fixtures; existing lines were relocated & lowered; signage changes; and eight (8) days to the contract.

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

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of $1,632,833.54.

Project Initiation Date: August 21, 2014
Design Professional: AECOM
General Contractor: Roy Anderson Corporation
Project Budget: $30,593,713.00

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

   Board staff approved Change Order #2 in the amount of $14,190.00 and zero (0) additional days to the contract of Barnes & Brower, Inc.

   **Approval Status & Date:** APPROVED, September 15, 2016

   **Change Order Description:** Change Order #2 includes the following items: divide one large room into two offices to include a partition, added door and revised frames, door hardware, revised lighting, add HVAC unit and revise the fire protection layout; add sidelights to two (2) other doors; revise the millwork details in two (2) rooms; and credit for microwave ovens.

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

   **Total Project Change Orders and Amount:** Two (2) change orders for a total amount of $43,014.00.

   **Project Initiation Date:** January 22, 2015  
   **Design Professional:** Foil-Wyatt Architects & Planners, PLLC  
   **General Contractor:** Barnes & Brower, Inc.  
   **Project Budget:** $2,394,739.00

10. **UM–IHL 207-409 – Croft Institute**

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

   Board staff approved Change Order #4 in the amount of $1,262.70 and zero (0) additional days to the contract of Barnes & Brower, Inc.

   **Approval Status & Date:** APPROVED, August 24, 2016

   **Change Order Description:** Change Order #4 includes the following item: rental of a boom lift.
Change Order Justification: This change order was necessary to inspect the new façade and the condition of the lettering, which was in poor condition and was replaced with new lettering.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of $469,825.38.

Project Initiation Date: October 15, 2015
Design Professional: Belinda Stewart Architects, P.A.
General Contractor: Barnes & Brower, Inc.
Total Project Budget: $1,250,000.00

11. UM–IHL 207-411R – Oxford-University Stadium (Swayze Field) Addition & Renovation - REBID

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of $969,000.00 to the apparent low bidder, Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, September 2, 2016

Project Initiation Date: October 15, 2015
Design Professional: Cooke Douglas Farr Lemons, LTD
General Contractor: Upchurch Plumbing, Inc.
Project Budget: $5,000,000.00

12. UM–IHL 207-423 – Jackson Avenue Center Phase III

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, Interim Chair Approval was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on September 2, 2016 to approve the initiation and appointment of Shafer & Associates as the design professional. The total project budget is $3,800,000.00 and funding is provided through Internal R&R funds ($3,800,000.00).

Project Initiation Date: September 2, 2016
Design Professional: Shafer & Associates Architects
General Contractor: TBD
Project Budget: $3,800,000.00
13. UMMC–IHL 209-534C – Contract III-Parking-Roadways (Garage C Package B)

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the credit amount of $24,203.48 and zero (0) additional days to the contract of Hemphill Construction.

Approval Status & Date: APPROVED, August 30, 2016

Change Order Description: Change Order #1 includes the following item: adjustments to miscellaneous/various pay items to account for actual quantities used vs. original design quantities.

Change Order Justification: This change order was necessary in preparation for the final project closeout.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of $24,203.48.

Project Initiation Date: April 15, 2010
Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, P.A.
General Contractor: Hemphill Construction
Phased Project Budget: $6,067,365.95
Total Project Budget: $13,750,000.00


Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of $12,766.00 and twenty-one (21) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, August 30, 2016

Change Order Description: Change Order #2 includes the following items: revised striping layout; omit heat tape in the utility tunnel; rough-in raceway for access control; credit for topping slab rebar; remove a section of a new box culvert; BMS power & controls; entry pier rebar; catch basin revisions; additional undercut in the east parking
lot; additional CCTV rough-in; additional hardscaping; blue light phone mount; omit the fire main replacement; and twenty-one (21) days to the contract.

**Change Order Justification:** This change order was due to errors and omissions in the plans & specifications; latent job site conditions; user/owner requested modifications; and additional days for work as indicated herein.

**Total Project Change Orders and Amount:** Two (2) change orders for a total amount of $61,368.00.

**Project Initiation Date:** August 19, 2010  
**Design Professional:** Cooke Douglas Farr Lemons Architects & Engineers, P.A.  
**General Contractor:** Roy Anderson Corporation  
**Total Project Budget:** $20,000,000.00

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

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

Board staff approved Change Order #6 in the amount of $22,381.20 and sixty (60) additional days to the contract of Flagstar Construction Company, Inc.

**Approval Status & Date:** APPROVED, September 2, 2016

**Change Order Description:** Change Order #6 includes the following items: remove & replace the existing ceiling grid & acoustical tile in a corridor; install integramount exam light mount in lieu of the job-fabricated steel support; install three (3) new exhaust fans; install four (4) Durcon undermount sinks; modification of the existing knee wall at the new millwork; install two (2) sliding windows at the pass through window at Gross Clean; install four (4) new touchless faucets in the lab; and sixty (60) days to the contract.

**Change Order Justification:** These changes are due to errors and omissions in the plans & specifications; latent job site conditions; and additional days for work as indicated herein.

**Total Project Change Orders and Amount:** Six (6) change orders for a total credit amount of $171,553.95

**Project Initiation Date:** January 20, 2011  
**Design Professional:** McCarty Architects, P.A.  
**General Contractor:** Flagstar Construction Company, Inc.  
**Total Project Budget:** $4,479,107.00
16. UMMC IHL 209-551 – Main Pharmacy Renovations 2014

Approval Request #1: Approval of Design Development Documents

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

Approval Status & Date: APPROVED, August 30, 2016

Project Initiation Date: January 22, 2015
Design Professional: The McCarty Company
General Contractor: TBD
Total Project Budget: $3,848,518.00

17. UMMC – IHL 209-552 – School of Medicine Infrastructure-Contract 2

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of $14,822.75 and zero (0) additional days to the contract of Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, September 1, 2016

Change Order Description: Change Order #3 includes the following items: delete the existing sidewall (purple) at the Translational Research Building; and add a new sidewalk (orange) to the west side of Alumni Drive.

Change Order Justification: This change was requested by the user/owner.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $349,561.75.

Project Initiation Date: March 19, 2015
Design Professional: Cooke Douglass Farr Lemons Architects & Engineers, P.A.
General Contractor: Hemphill Construction Company, Inc.
Project Budget: $2,087,108.00
18. UMMC IHL 209-553 – Interventional Radiology Renovation

Approval Request #1: Approval of Schematic Design Documents

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

Approval Status & Date: APPROVED, August 30, 2016

Project Initiation Date: August 20, 2015
Design Professional: JBHM Architects, P.A.
General Contractor: TBD
Total Project Budget: $7,759,186.00

19. USM – GS 108-261 – School of Nursing

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #8

Board staff approved Change Order #8 in the amount of $121,426.54 and eight (8) additional days to the contract of Hanco Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 1, 2016

Change Order Description: Change Order #8 includes the following items: add connections for emergency power & fire alarm system to six (6) fire dampers; add acoustic wall panels to all flat classrooms; add clear gloss dry erase coating to classrooms; reverse the door swings of various communication rooms to swing out and towards the direction of egress; delete all masonry sealer from the project; revise the power & data scope and design to accommodate the using agency’s furnished testing stations; and eight (8) days to the contract.

Change Order Justification: These changes were due to latent job site conditions and user/owner requested modifications.
Total Project Change Orders and Amount: Eight (8) change orders for a total credit amount of $1,160,634.94.

Project Initiation Date: September 17, 2009
Design Professional: Studio South Architects, PLL and Eley Associates/Architects
General Contractor: Hanco Corporation
Total Project Budget: $30,000,000.00


Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the credit amount of $120,640.00 and zero (0) additional days to the contract of Finlo Construction Company, Inc.

Approval Status & Date: APPROVED, August 17, 2016

Change Order Description: Change Order #1 includes the following items: credit for terra cotta, carbon fiber, deduction of urns and entablature work associated with the column capitols; steel soffit repairs, terra cotta patches, glaze repairs, seven (7) column capitol replacements, and foundation helical piles associated with the column capitols.

Change Order Justification: This change was due to latent job site conditions.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of $120,640.00.

Project Initiation Date: March 21, 2013
Design Professional: Albert and Associates Architects, P.A.
General Contractor: Finlo construction Company, Inc.
Project Budget: $3,300,000.00
EDUCATION AND RESEARCH CENTER

21. ERC– GS 111-053 – Primary Electrical Replacement

NOTE: This is a Bureau of Building project

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Atherton Consulting Engineers, Inc.

Approval Status & Date: APPROVED, September 12, 2016

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 12, 2016

Project Initiation Date: September 17, 2015
Design Professional: Atherton Consulting Engineers, Inc.
General Contractor: TBD
Total Project Budget: $2,000,000.00
SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 8/23/16) from the funds of Mississippi State University. (This statement, in the amount of $900.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE............................................................................$ 900.00

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 8/1/16, 9/1/16, 9/1/16, 9/1/16 and 9/13/16) from the funds of the University of Mississippi. (These statements, in the amounts of $22.46, $2,474.84, $10.80, $2,000.00 and $90.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE............................................................................$ 4,598.10

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/10/16, 8/16/16, 8/17/16, 8/18/16, 8/18/16, 8/29/16 and 8/29/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $5,782.50, $1,666.00, $367.50, $1,519.00, $22,664.45, $1,372.00, $2,401.00 and $6,042.24, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE............................................................................$ 41,814.69

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 9/1/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $43.57, $19.60, $28.37 and $15.30, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE............................................................................$ 106.84

Correction of legal fees approved for payment to outside counsel in relation to litigation and other matters reported on the September Board agenda:

Payment of legal fees for professional services rendered by Ware Immigration, (statement date 9/1/16, invoice # 148109) from the funds of the University of Southern Mississippi, previously reported on the September agenda in the amount of $862.50, has been recalculated to correct the hourly rate for attorney Duncan Fulton. The corrected statement amount is $465.00.

TOTAL DUE............................................................................$ 465.00
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 7/31/16, 7/31/16, 7/31/16, 8/16/16, 8/16/16, and 8/16/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Live Attenuated Catfish Vaccine” - $480.00; “Continuation - Occidiofungin Patent Applications” - $100.00; “Molecular Design and Chemical Synthesis of Pharmaceutical – Ligands and Analogs” - $85.50; “Continuation - Occidiofungin Patent Applications” - $1,084.50; “Occidiofungin Patent Applications” - $65.00 and “Occidiofungin” - $828.00, respectively.)

TOTAL DUE…………………………………………………$ 2,643.00

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statements dated 7/26/16, 7/26/16, 7/26/16, 8/15/16, 8/15/16, 8/15/16, 9/7/16, 9/7/16, and 9/7/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Multi-Beam Differential Laser Interferometric Vibration Sensor” - $35.00; “Systems and Methods for Detecting Transient Acoustic Signals” - $1,979.41; “Systems and Methods for Detecting Transient Acoustic Signals” - $479.92; “Multi-Beam Differential Laser Interferometric Vibration Sensor” - $5,390.64; “Multi-Beam Differential Laser Interferometric Vibration Sensor” - $89.74; “Methods for Detecting Transient Acoustic Signals” - $276.26; “Methods for Detecting Transient Acoustic Signals” - $627.68; “Methods for Detecting Transient Acoustic Signals” - $100.00 and “Methods for Detecting Transient Acoustic Signals” - $109.90, respectively.)

TOTAL DUE…………………………………………………$ 9,088.55

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 6/14/16, 7/31/16, and 8/31/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Wireless Encryption” - $1,728.00; “Wireless Encryption” - $1,260.00 and “Wireless Encryption” - $432.00, respectively.)

TOTAL DUE…………………………………………………$ 3,420.00

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 7/12/16, 7/19/16, 7/19/16, 7/21/16, 7/21/16, 7/22/16, 7/23/16, 8/10/16, 8/23/16, 9/9/16, 9/9/16, 9/9/16, 9/13/16 and 9/13/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Highly Selective Sigma Receptor Ligands” - $747.55; “Highly Selective Sigma Receptor Ligands” - $3,938.20; “Potent Immunostimulants from Microalgae” - $1,938.39; “Highly Selective Sigma Receptor Ligands” - $3,528.55; “Highly Selective Sigma Receptor...
Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/26/16, 7/26/16, 7/28/16, 8/19/16, 9/14/16, 9/14/16 and 9/14/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stabilized Formulation of Triamcinolone Acetonide” - $15,437.50; “Longitudinal Gait Velocity Monitoring of Older Population Using Ultrasonic Technology” - $2,236.00; “Stabilized Formulation of Triamcinolone” - $1,039.50; “Corrugated and Ported Prism Engine Nozzle for Reduction of Supersonic Jet Exhaust Noise” - $2,132.50; “Gas Separating Membranes” - $4,784.00; “Stabilized Formulation of Triamcinolone Acetonide” - $128.00 and “Methods for Detecting Humans” - $156.89, respectively.)

TOTAL DUE……………………………….…….………………$ 26,469.14

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/16/16, 8/19/16, 8/19/16, 8/19/16, 8/19/16, 8/19/16 and 8/19/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $530.00, $160.00, $38.00, $38.00, $503.50, $53.00, $3,358.42, $733.00 and $1,706.00, respectively, represent services and expenses in connection with intellectual property/patents.)

TOTAL DUE……………………………….…….………………$ 7,119.92
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. **MSU** – 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 August 1, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement with Mississippi State University Bulldog Club to install a new video board at Dudy Noble Field on land owned by the University. The term of the lease will be for up to nine (9) months or until completion of the improvements, beginning August 15, 2016, for the consideration of The Bulldog Club making improvements to the MSU baseball facility. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

   b. **MSU** – 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.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On August 12, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University and the Jackson Medical Mall Foundation for the lease of 1,374 square feet of office space for use by The Early Years Network at a cost of $687 per month base rent, $377.85 monthly maintenance fee, and $114.50 monthly electricity fee, for a total cost of $14,152.30 for the year with a one-time security deposit in the amount of $687 due before occupancy. This is a one-year lease beginning September 1, 2016 through August 31, 2017. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

   c. **MSU** – 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 or less than $100,000.” On August 25, 2016, Commissioner Glenn F. Boyce approved the Ground Lease Agreement between Mississippi State University and MSU Delta Chi Building Corporation for lot #10 of Sorority Hill Subdivision at Mississippi State University. This is a
fifty (50) year lease beginning August 15, 2016. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

d. **MSU**- 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 August 12, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University and The Mississippi State University Foundation to allow for the construction of the Carsie Clark and Diane Worthington Young Wetland Education Theater. The term of the lease will be for up to two years or until the completion of such construction, whichever comes first, beginning September 1, 2016. As consideration, the MSU Foundation will make improvements at no cost to the University with the result that all improvements made to and on the premises will be owned “free and clear” by the University upon the termination of the lease. The IHL Associate Commissioner for legal Affairs has reviewed and approved the contract documents.

e. **MSU**- 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 August 19, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement and Lease Amendment between Mississippi State University and the US Department of Agriculture Forest Service for 698 square feet of office space and 1,502 square feet of laboratory space for use by the Forest Service Personnel. As compensation for the lease of this space, the Forest Service agrees to collaborate with MSU faculty on projects of mutual interest. The original five-year lease term began October 1, 2011 with an optional five-year renewal now being exercised extending the term of the Lease Agreement through September 30, 2021. Further amendments include the removal of space included in this lease described as “... approximately 560 square feet of 324 (portion adjacent to Rm. 320))”, and a change in the Lessor’s address. All other provisions of the original Lease Agreement remain unchanged. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

f. **MSU**- 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.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of
the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On August 19, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University and Drew Enterprises, Incorporated for approximately 4,000 square feet of office space located at Lots 25 and 26, Block 4 of the Original Town of Drew, MS, Sunflower County, for use by The Early Years Network. The term of the lease is one year from September 1, 2016 through August 31, 2017, a monthly cost of $1,000 with a security deposit in the amount of $2,000 payable on or before occupancy by Lessee. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

g. MSU- 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.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On August 19, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University and Crumley Properties, LLC for 4,600 square feet of office space in the Grand Old Post Office building in Canton, MS for use by The Early Years Network. The office space is currently being leased by MSU and occupied by The Early Years Network, but the property management company has changed resulting in the need for a new Agreement. The term of the lease is one year from August 1, 2016 through July 31, 2017, a monthly cost of $4,100 with a security deposit of one month’s rent payable upon execution of the Agreement, for a total cost $49,200 over the term of the contract. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

h. MSU- 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 August 29, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University and the USDA, Animal and Plant Health Inspection Service, Wildlife Services for approximately 1,064 square feet of office space in
Thompson Hall on the MSU Campus in exchange for collaboration with Mississippi State University Wildlife, Fisheries and Aquaculture faculty on research projects as opportunities arise. The term of the lease is for five years beginning upon approval and execution of the agreement through June 30, 2021 with an option to renew for five years. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

i. **MSU**- 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 September 22, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University and the USDA, Agricultural Research Service for approximately 46.05 acres of land in the North Mississippi Branch Station in Marshall County, MS to be used for government agricultural research purposes. The amendment to the existing lease is for the purpose of updating building numbers of three buildings included on the leased property. The existing term of the Lease is from August 1, 2015 through July 31, 2020. No other provisions of the original lease agreement have been changed. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

j. **MSU**- 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 September 22, 2016, Commissioner Glenn F. Boyce approved the proposed short-term lease No. 57-6402-0-015 between Mississippi State University and the USDA, Agricultural Research Service for approximately 4,164 square feet of greenhouse space at the Delta Branch Experiment Station in Stoneville, Washington County, MS. This is the renewal of an existing lease that originated on August 5, 2010 and has been renewed annually for the last six years and may be renewed annually through August 31, 2021. No other provisions of the original lease agreement have been changed. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

k. **MSU**- 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 September 22, 2016, Commissioner Glenn F. Boyce approved the proposed Revocable Permit No. 57-6062-16-095 between Mississippi State University and the USDA, Agricultural Research Service (ARS), Southeast Area, for use of the
buildings and land associated with the ARS Poplarville, MS location described specifically therein. The term of the Revocable Permit is from October 1, 2016 through September 30, 2021. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

1. **MSU**- 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 September 22, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University and the Epsilon Epsilon of A.T.O. House Corporation, Inc. The original Lease Agreement is being amended to reflect a revised legal description in light of a recent re-platting of Fraternity Hill Subdivision. The amendment also corrects the legal name of the fraternity’s house corporation. All other provisions of the original 50-year term Lease Agreement remain unchanged. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

m. **MSU**- 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 September 22, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University and the MSU Research and Technology Corporation (MSU-RTC) for 352 square feet of office space located in the MSU-RTC Incubator Building in Starkville, MS. This is the renewal of an existing lease to begin October 1, 2016 through September 30, 2017 at the same annual cost of $5,280 to be divided and invoiced on a monthly basis. There are no changes to the original Lease Agreement. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

n. **UM** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 11, 2016, Commissioner Glenn F. Boyce approved the revisions to the On Campus Budget, the Off Campus Budget, the Mississippi Mineral Resources Institute Budget, the Research Institute of Pharmaceutical Sciences Budget, the Super Computer Budget, the Small Business Development Center Budget, the Center for Manufacturing Excellence Budget, and the State Court Education Program Budget for Fiscal Year 2016. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather
reallocations among individual expense categories. A copy of the documents are included in the October 20, 2016 Board Working File.

**o. UM-** 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.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/ waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On August 25, 2016, Commissioner Glenn Boyce approved the Lease Agreement the University of Mississippi and The Innovation Center for office space to be used by the UM Small Business Development Center. The lease term is for one year effective October 1, 2016 through September 30, 2017, at a total cost of $2,400 to be prepaid on October 1, 2016. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

**p. UM-** 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 August 25, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between the University of Mississippi and Oxford Conference Center to reserve a space in which to hold the Teach Mississippi Institute Fall Orientation on August 27, 2016 at a total cost of $5,112.63. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

**q. UM-** 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 September 9, 2016, Commissioner Glenn F. Boyce approved the Amendment to the Concession License between the University of Mississippi and Boston Concessions Group, Inc. d/b/a Centerplate dealing with an athletics concession revenue contract renewal resulting in additional revenue to the University. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

**r. UMMC –** In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 1, 2016, Commissioner
Glenn F. Boyce approved the revisions to the Consolidated Budget and the University Hospital Budget for Fiscal Year 2016. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents are included in the *October 20, 2016 Board Working File*.

**s. 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.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On August 1, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between the University of Mississippi Medical Center and Singing River Health System for 739 square feet of clinic space and furnishings to be used one day a week by the UMMC Department of Pediatric Cardiology in which to see and treat patients. The lease is for a term of five years beginning August 1, 2016 with a total cost over a five-year term of $18,365.28. Rental payments will be due at the beginning of each month at the rates specifically set out in the agreement. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

**t. 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 August 15, 2016, Commissioner Glenn F. Boyce approved the Customer Agreement between the University of Mississippi Medical Center and Mobile Medic Ambulance Service, Inc. d/b/a American Medical Response (AMR). This is a 3-year renewal of an existing Customer Agreement and will extend the term of that agreement from September 1, 2016 through August 31, 2019. The schedule of fees is set out in the agreement and is unchanged from the original agreement. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

**u. 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.” Pursuant to
Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On August 24, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between the University of Southern Mississippi and INSLAW Properties, LLC for approximately 2200 square feet of office space located at 301 West Pine Street in Hattiesburg, MS to accommodate the new Cooperative Agreement 1ZOCMS331519 with the US Department of Health and Human Services. The term of the agreement is one year beginning September 1, 2016 through August 31, 2017 at a cost of $1,300 per month, payable at the beginning of each month, for a total of $15,600 for the first year with an option to renew for 2 consecutive one-year periods. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

v. USM – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On August 12, 2016, Commissioner Glenn F. Boyce approved the 2016-2017 Traffic and Parking Regulations for the University of Southern Mississippi. A copy of the document is on file at the Board Office.

w. USM – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 6, 2016, Commissioner Glenn F. Boyce approved the revisions to the On Campus Budget (Hattiesburg Campus), its Off Campus Budget (Gulf Coast Campus), the Stennis Center for Higher Learning Budget, the Mississippi Polymer Institute Budget, and the Gulf Coast Research Laboratory Budget for Fiscal Year 2016. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents are included in the October 20, 2016 Board Working File.