

MISSISSIPPI  
BOARD OF TRUSTEES  
OF STATE  
INSTITUTIONS OF HIGHER LEARNING



FINAL BOARD BOOK  
May 18, 2017



# **FINAL BOARD BOOK OUTLINE**

## **IHL Board Meeting**

May 18, 2017, 9:00 a.m.

IHL Board Room

3825 Ridgewood Road

Jackson, MS 39211

## **CALL TO ORDER**

## **PRAYER**

Trustee Alfred McNair

## **INTRODUCTION OF GUESTS**

## **MINUTES**

April 19, 2017 Jackson State University Search Committee Special Called Meeting

April 20, 2017 Jackson State University Search Committee Special Called Meeting

April 20, 2017 Regular Board Meeting Minutes

May 8, 2017 Special Called Board Meeting

## **CONSENT AGENDAS**

Trustee CD Smith

### **FINANCE**

1. MSU- Approval to Enter into a Service Agreement with Anthony Travel, LLC.....1
2. UM – Approval to Enter into a Charter Air Services Agreement with  
STM Charters, Inc.....2
3. UMMC – Approval to Amend an Agreement with Clinical Drug Information, Inc .....3
4. UMMC – Approval to Amend a Customer Agreement with Mobile Medic Ambulance  
Service, Inc. d/b/a American Medical Response .....6
5. UMMC - Approval to Enter into an Agreement with Boston Scientific Corporation.....10
6. UMMC - Approval to Enter into an In-Hospital Dialysis Services Agreement with Bio-  
Medical Applications of Mississippi, Inc. ....11
7. UMMC - Approval to Enter into an Integrated Delivery Network Agreement with DePuy  
Synthes Sales, Inc. ....14
8. UMMC - Approval of Amendment 15 with Epic Systems Corporation .....16
9. UMMC - Approval to Enter into Service Agreement with Epic Systems Corporation.....20
10. USM - Approval to Enter into an Air Charter Agreement with Air Planning, LLC .....22
11. USM - Approval to Enter into a License and Distribution Agreement with Conscious  
Content Media, Inc.....24
12. USM - Approval to Enter into an Agreement with Oceaneering International, Inc. ....26
13. USM - Approval to Enter into an Enrollment Management Support Services Agreement  
with Royall & Company .....27
14. USM - Approval to Enter into an Agreement with Tony’s King of Steaks, Inc.....29
15. USM - Approval to Enter into an Agreement with United Healthcare Insurance  
Company .....31
16. USM - Approval of Cooperative Agreement with the University of Rhode Island .....32
17. MSU - Mississippi Information Technology Services Amendment to Supplement to  
Master Agreement with Ellucian Company L.P. ....34

### **REAL ESTATE**

#### **Approval of Initiations of Projects/Appointments of Professionals**

##### ***Bureau of Building Projects***

1. DSU – GS 102-264 – PrePlan New President’s Home – Proposed Design Professional –  
Eley Barkley Engineering & Architecture .....2
2. MSU – GS 105-357 – PrePlan Music Building – Proposed Design Professional – Allred  
Architectural Group, P.A. ....4
3. UMMC – GS 109-223 – Clinical Research Unit – Proposed Design Professional – Foil  
Wyatt Architects .....5

*IHL Projects*

4. UM – IHL 207-435 – Guyton Drive Modifications – Proposed Design Professional – A2H, PLLC .....6

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

*Bureau of Building Projects*

5. MUW – GS 104-189 – Physical Plant Warehouse / Office Facility – Proposed Design Professional – Major Design Studio, PLLC .....7

**PERSONNEL**

1. Employment (UM).....1
2. Change of Status (MSU, USM) .....1
3. Tenure (ASU, DSU, MUW, UM, UMMC, USM) .....1
4. Promotions (UM, UMMC) .....5
5. Emerita/Emeritus Status (USM) .....13
6. Other Actions (UM).....13

**REGULAR AGENDAS**

**ACADEMIC AFFAIRS**

Trustee Tom Duff

1. STATE – Approval of Proposed Revisions to the Mississippi Nursing Degree Programs Accreditation Standards .....1
2. STATE – 2017 Approval of Accreditation of the Mississippi Nursing Degree Programs .....2

**FINANCE**

Trustee Christy Pickering

1. SYSTEM – Approval to Purchase Cyber Insurance with Beazley .....1
2. SYSTEM – Approval to Renew Property Insurance with Affiliated FM Insurance Company and Axis Surplus Insurance Company .....2
3. ASU – Request to Institute Student Activities Fee (First Read).....4
4. JSU - Approval of a Bond Resolution to Issue Educational Building Corporation Revenue Bonds in an Amount not to Exceed Thirty-Four Million (\$34,000,000), in Toto, in Order to Refund Certain Bond Obligations (Series 2010-A-1), and to Review Financial Advisor's Report, and for Approval of Other Bond Documents and to Approve Bond Counsel, Financial Advisor, and Underwriter .....5

5. MSU - Request to Initiate Bond Process for the Mississippi State University Educational Building Corporation not to Exceed \$9.55 Million to Construct Parking Facility, to Review Financial Advisor's Report, and to Approve Bond Counsel, Financial Advisor, and Underwriters .....	7
6. UM – Approval of a Bond Resolution for \$39.835 Million for the University of Mississippi Educational Building Corporation for the Purpose of Refunding Series 2009a, 2009c, and 2011 Bonds to Achieve Net Present Value Savings, to Review the Financial Advisor's Report, and to Approve Bond Counsel, Financial Advisor and Underwriter .....	9
7. UMMC – Approval to Enter into a Purchase Agreement with Zimmer Us, Inc. and Biomet, Inc. ....	11
8. UMMC – Approval to Enter into an Integrated Delivery Network Agreement with DePuy Synthes Sales, Inc. ....	13
9. UMMC – Approval to Enter into an Agreement with Smith & Nephew, Inc. ....	15
10. UMMC - Approval to Modify Agreement with Executive Revenue Cycle Partners, LLC d/b/a Ensemble Health Partners .....	17
11. UMMC – Approval to Amend Agreement with MED-EL Corporation.....	18
12. UMMC – Approval to Enter into an Agreement with Medical Solutions, LLC .....	20
13. UMMC – Approval to Enter into a Service Agreement with RevClaims, LLC .....	23
14. USM – Approval to Amend an Agreement with Barnes & Noble College Booksellers, LLC .....	26

**REAL ESTATE**  
Trustee Hal Parker

Approval of Initiations of Projects/Appointments of Professionals

*IHL Projects*

1. MSU – IHL 205-287 – MSU Parking Garage North – Proposed Design Professional – McCarty Architects .....	2
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Approval of Budget Increases and/or Changes of Scope/Change of Funding Source

*Bureau of Building Projects*

2. MSU – GS 113-141 – ADS & Poultry Complex, Phase II – Proposed Design Professional – McCarty Architects .....	4
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*IHL Projects*

3. UM – IHL 207-376 – STEM Building – Proposed Design Professional – McCarty Architects .....	6
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#### Approval of Other Real Estate Requests

4. UMMC – Approval of Contract for Construction Manager at Risk (CMAR) Services with Brasfield & Gorrie, LLC for the Purpose of Evaluating Construction Plans for a New Children’s of Mississippi Expansion Project .....7

#### **LEGAL**

Trustee Alan Perry

1. UMMC – Approval to Settle Tort Claim No. 3047 .....1
2. UMMC – Approval to Settle Tort Claim No. 3085 .....1
3. UMMC – Approval to Settle IHL Self-Insured Workers’ Compensation Claim No. 55-34267-1 .....1
4. SYSTEM – Approval for Final Adoption of Modification to Board Policy 301.01 Officers of the Board .....1
5. SYSTEM – Approval for First Reading of New Policy 201.0104 Removal of Board Members .....2
6. SYSTEM – Approval of Extension of Affiliation Agreements .....3

#### **ADMINISTRATION/POLICY**

Commissioner Glenn Boyce

1. System – Approval for First Reading of Proposed Amendments to Board Bylaw 301.0802 Institutional Executive Officer Assessment/Evaluation .....1

#### **INFORMATION AGENDAS**

Commissioner Glenn F. Boyce

#### **FINANCE**

1. UMMC - Notice of Product Replacement Under Contract with Beckman Coulter, Inc. ....1

#### **REAL ESTATE**

SYSTEM – Real Estate Items Approved Subsequent to the April 20, 2017 Board Meeting

- |   |   |
|---|---|
| Delta State University .....              | 2 |
| Mississippi State University .....        | 2 |
| Mississippi University for Women.....     | 3 |
| Mississippi Valley State University ..... | 4 |

University of Mississippi.....	5
University of Mississippi Medical Center.....	9
University of Southern Mississippi .....	12

## **LEGAL**

1. SYSTEM – Report of Payments to Outside Counsel .....	1
2. SYSTEM – Emergency Approval to Contract with Hirschler Fleischer, Attorneys at Law, as Outside Counsel.....	3
3. SYSTEM – Emergency Approval to Contract with Mayo Mallette, PLLC as Outside Counsel .....	4

## **ADMINISTRATION/POLICY**

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

### **OTHER BUSINESS/ANNOUNCEMENTS**

### **EXECUTIVE SESSION IF DETERMINED NECESSARY**

### **ADJOURNMENT**

MISSISSIPPI  
BOARD OF TRUSTEES  
OF STATE  
INSTITUTIONS OF HIGHER LEARNING



MINUTES FOR:

April 19, 2017 JSU Search Committee Special Called Meeting  
April 20, 2017 JSU Search Committee Special Called Meeting  
April 20, 2017 Regular Board Meeting Minutes  
May 8, 2017 Special Called Board Meeting



**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
April 19, 2017**

**BE IT REMEMBERED**, That the Jackson State University Board Search Committee met in a special session at the Norman C. Nelson Student Union at the University of Mississippi Medical Center in Jackson, Mississippi, at 8:00 a.m., and pursuant to notice in writing, to each and every member of said Committee. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, 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 Mr. C.D. Smith, Chair of the Board Search Committee.

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Dye, with Trustees Duff, McNair, and Morgan absent and not voting, 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, with Trustees Duff, McNair, and Morgan absent and not voting, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of a state university personnel matter.

**The Committee recessed for lunch at 11:50 a.m.**

**The Committee reconvened the meeting at 1:40 p.m.**

**During Executive Session, the Committee discussed a personnel matter at Jackson State University. 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.**

**ADJOURNMENT**

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

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
April 20, 2017**

**BE IT REMEMBERED**, That the Jackson State University Board Search Committee met in a special session at the Norman C. Nelson Student Union at the University of Mississippi Medical Center in Jackson, Mississippi, at 12:45 p.m., and pursuant to notice in writing, to each and every member of said Committee. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, 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 Mr. C.D. Smith, Chair of the Board Search Committee.

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Dye, 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 Dye, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of a state university personnel matter.

**During Executive Session, the Committee discussed a personnel matter at Jackson State University. No action was taken.**

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

**ADJOURNMENT**

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

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
April 20, 2017**

**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 the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2016, to each and every member of said Board, said date being at least five days prior to this April 20, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. Ms. Christine Pickering was absent. The meeting was called to order by Dr. Doug Rouse, President, and opened with prayer by Trustee Christy Pickering.

**INTRODUCTION OF GUESTS**

- President Rouse welcomed the Student Government Association officers: Patrick Herbert, incoming SGA President at Alcorn State University; Allie Rose Parker, outgoing SGA President at Delta State University; Ashley Griffin, incoming SGA President at Delta State University; Alexis Moore, incoming SGA President at Jackson State University; Tyler McMurray, incoming SGA President at Mississippi State University; Dion Kevin, incoming SGA President at The University of Mississippi; Brock Banks, outgoing SGA President at the University of Mississippi Medical Center; William Thomas, incoming SGA President at the University of Mississippi Medical Center; Caroline Bradley, outgoing SGA President at the University of Southern Mississippi; and Cameron Clouds, incoming SGA President at the University of Southern Mississippi.

**APPROVAL OF THE MINUTES**

On motion by Trustee McNair, seconded by Trustee Pickering, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on March 16, 2017 and April 7, 2017.

**CONSENT AGENDA**

On the request of Trustee Perry, agenda item #3 on the Academic Affairs Consent Agenda was moved to the Academic Affairs Regular Agenda for consideration. On motion by Trustee Pickering, seconded by Trustee Star, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda, as amended.

**ACADEMIC AFFAIRS**

1. **ASU** – Approved a new academic program - Master of Liberal Arts degree. Per a study conducted by Mississippi Employment Development Security (2010), projected that there will be a 6.8% percent employment growth in the State of Mississippi from 2012-2020. Prospective learners will be aspiring and current teachers, community college instructors, administrators, law enforcement administrators, analysts, and consultants. A local survey administered during the 2015-16

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academic year revealed that 93% of the 125 respondents expressed interest the Master of Liberal Arts degree.

2. **SYSTEM** – Approved the following new academic units:

**Divisions**

- a. **UM** – Division of Diversity and Community Engagement. The new unit will support the efforts and activities of the recently hired Vice Chancellor for Diversity and Community Engagement. The division will assist in educating and inspiring a diverse student body committed to life-long learning and global responsibility; and will coordinate meaningful engagement between communities and the faculty, staff, and students. Existing resources from the Center for Inclusion, the McLean Institute, and the William Winter Institute will provide funding for the new division.

**Centers and Institutes**

- b. **UM** – Center for Clinical and Translational Science. The University of Mississippi School of Pharmacy (UMSOP) in collaboration with the University of Mississippi Medical Center (UMMC) plans for implementation of a Center for Clinical and Translational Science. With a presence on the UM main campus in Oxford and at UMMC in Jackson, UMSOP is uniquely positioned to facilitate translational research through its extensive network of pharmaceutical researchers and clinical pharmacists. The addition of the Center for Clinical and Translation Science (CCTS) will create the infrastructure, not currently available in Mississippi, to transition drug discoveries to clinical trials, then to practice and community settings. In addition, the CCTS will bridge research on the UM campus in Oxford and the UMMC campus in Jackson and will assist in the commercialization of new discoveries. This new Center will enable UMSOP to develop a progressive infrastructure and additional core competencies in Oxford and Jackson to support the expansion of clinical and translational research at both sites. In the first two years of the development of the CCTS we will build upon existing programs and clinical/community expertise utilizing existing faculty and researchers within the School of Pharmacy and UMMC. This effort will be provided as in-kind support due to the overlap of effort with existing duties. Subsequent years will see the addition of 6 Research Scientists and 8 support staff in the areas of regulatory affairs, business development, and financial/administrative support. It is anticipated that beginning in year three, new research and staff positions will be externally funded through federal grants and contracts such as NIH and CDC, state support as available, pharmaceutical industry research agreements, and other support generated through federal, state, and private fundraising endeavors.

3. **SYSTEM** – Request approval of academic unit modifications as follows:

**Reorganization**

- a. **UM** – Reorganize two separate divisions: Center for Inclusion and Cross Cultural Engagement and McLean Institute for Public Service and Community Engagement and William Winter Institute for Racial Reconciliation to the Division of Diversity and Community Engagement. The proposed unit will support academic partners interested in effective outreach, recruitment and retention strategies for faculty from under-represented groups; develop and coordinate programs to increase student awareness of local, regional, national and global contexts that shape their world; support initiatives and services that enhance and increase access and affordability to under-represented students; and, work

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with campus partners to monitor and/or alter the campus culture to ensure that diverse students feel supported and welcomed. The unit will support and help develop strong collaborations with the Oxford-Lafayette community. Existing resources from the Center for Inclusion, the McLean Institute, and the William Winter Institute will provide funding for the new division.

- b. **UMMC** – Reorganize the Department of Dental Hygiene by moving the department from the UMMC School of Health Related Professions to the UMMC School of Dentistry. The dental hygiene program (DH) has been a part of the UMMC School of Health Related Professions (SHRP) since its inception in 1970. The School of Dentistry's (SOD) doctor of dental medical (DMD) program began in 1975. Since 1995, the DH program has utilized clinical and pre-clinic laboratory space in the SOD facility while maintaining a fully independent program. Both programs have experienced prolonged success in graduation rates and successful passage of licensure board examinations as independent programs; however, patient care has been separate. DH programs at the Academic Health Science Center in the SOC will maximize education opportunities for DH and DMD students and will provide optimum patient care. They will provide opportunities for both academic programs to work together to improve the oral health of citizens throughout the state and will raise the level of education for both the DMD and DH students. The budget for the dental hygiene program will remain within UMMC; therefore, this reorganization anticipates minimal financial impact.

**Rename**

- c. **DSU** – Rename the College of Business the College of Business and Aviation. The College of Business Administrative Leadership Team (COBALT) proposes an expanded name for the College that more accurately reflects the range of preparation available to candidates enrolled in the varied programs within the College. The cost of implementation will be minimal to cover signage.
- d. **JSU** – Rename the W.E.B. DuBois Honors College to the W.E.B. DuBois and Maria Luisa Alvarez Harvey Honors College. JSU submits this request to honor Dr. Harvey's legacy, the 50 years of academic contributions to the University, and the infinite vision, devotion and determination used to build JSU's honors program. Through Dr. Harvey's efforts more than 2600 students have been enrolled in the W.E.B. DuBois Honors College since its inception. There is tremendous faculty, staff, and student support for this proposed change. The cost of the renaming will be minimal (signage, stationary) and will be covered with current resources.
- e. **UMMC** – Rename the MIND Research Center the Gertrude C. Ford MIND Research Center. The Gertrude C. Ford Foundation provided the MIND Center at UMMC with an unrestricted monetary gift of \$10,000,000.00 to support its research efforts. In recognition of their gift, it is proposed that the MIND Research Center's name will be changed to the Gertrude C. Ford MIND Research Center. The cost of implementation will be minimal to cover signage.
- f. **UMMC** – Rename the UMMC School of Population Health the John D. Bower School of Population Health at UMMC. The request is being made to honor John D. Bower, MD, a noted nephrologist and UMMC professor emeritus of medicine with a distinguished record of patient care advocacy in Mississippi. The naming of the School is in recognition of the

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pioneering efforts and accomplishments of Dr. Bower as an early pioneer of population health management in clinical practice. The cost of implementation will be \$500.00 for printing and branding changes.

**Delete**

- g. **MUW** – Delete the College of Education and Human Sciences. The departments within the College of Education and Human Sciences will remain intact but will be relocated to other colleges. The Department of Education and the Department of Psychology and Family Studies will move to the College of Arts and Sciences. The Department of Health and Kinesiology will move to the College of Nursing and Speech-Language Pathology. The General Studies programs will move from the Department of Health and Kinesiology to the Department of Business in the College of Business and Professional Studies. This will not affect the mission of the institution or the role of the academic programs in fulfilling the mission of the institution.
- h. **UMMC** – Delete the Department of Dental Hygiene (DH). The School of Health Related Professions (SHRP) at UMMC is requesting the deletion of the Department of Dental Hygiene. The decision to relocate the department to the School of Dentistry was based on the need to promote collaboration between the Dental Hygiene and the School of Dentistry.

**(THIS ITEM WAS MOVED TO THE REGULAR ACADEMIC AFFAIRS AGENDA FOR CONSIDERATION.)**

4. **SYSTEM** – Approval of the following academic program modifications:

**Rename**

- a. **ASU** – Rename the Bachelor of Science in Nutrition and Dietetics (CIP 19.0706) degree the Bachelor of Science in Food, Nutrition, and Community Health Sciences (CIP 19.0706) degree. The proposed name change will clarify the program's mission and is based on the national trends, job descriptions, and future educational needs. Additionally, the name change is anticipated to increase student interest and research opportunities and collaborations with other institutions and community partners. Minimal costs will come from existing resources to cover signage.
- b. **MSU** – Rename the Master of Science in School Administration (CIP 13.0408) degree the Master of Science in Educational Leadership (CIP 13.0401) degree. The proposed name change will clarify the program's mission and draw increased enrollment from prospective students who are interested in the value-added outcomes of a leadership (vs. an administration) degree that could impact long-term career advancement. Additionally, the broader umbrella of educational leadership will help faculty and students explore the possibility of collaborative research, teaching, and service ventures focused on special subpopulations and topics such as women's leadership in education, rural educational leadership, educational leadership across the P-20 education pipeline, diversity leadership in education, and innovative educational leadership. Minimal costs will come from existing resources to cover signage.
- c. **MUW** – Rename the Master of Science in Health Education (CIP 13.1307) degree the Master of Public Health (CIP 51.2207) degree. The proposed name change more accurately reflects the curriculum as well as the program's purposes. The modified title also provides students the opportunity to pursue a degree with a title easily recognized by potential employers. The MPH degree is the gold standard for those seeking to work in the

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Public Health field. Since the program's curriculum will remain focused on Public Health Education, the Department of Health and Kinesiology currently has the appropriate number of credentialed faculty and available resources to support the proposed MPH program. Minimal costs will come from existing resources to cover signage.

- d. **USM** – Rename the Bachelor of Science/Bachelor of Arts in Tourism (CIP 52.0999) degree the Bachelor of Science/Bachelor of Arts in Hospitality and Tourism Management (HTM) (CIP 52.0999) degree. The name change has the potential to strengthen the identity of the program in the College of Business and among peer institutions. It highlights HTM faculty's specialized discipline, enabling a network of cohorts beyond the department, the college, and the university. We anticipate budget savings on hiring adjunct faculty teaching courses that was previously required in the Tourism BSBA degree program. Minimal costs will come from existing resources to cover signage.
- e. **USM** – Rename the Master of Education in School Counseling and Guidance Services (CIP 13.1101) degree the Master of Education in School Counseling (CIP 13.1101) degree. The current School Counseling and Guidance Program at USM is a 36-hour program which does not meet the hourly requirements and course offerings of the other School Counseling programs offered in Mississippi with whom graduates compete for jobs and with whom we compete with for students. It is expected that the changes will allow USM to be more competitive in attracting high quality students. As the program moves to accreditation, additional faculty resources will be needed but the increase in enrollment will justify the additional resources. As this is a graduate program, it is expected that faculty and students will engage in scholarly activities that produce research. It is expected that there will be increased revenue to the institution as the program has doubled its enrollment this past year. Minimal costs will come from existing resources to cover signage.
- f. **USM** – Rename the Doctor of Musical Arts in Performance and Pedagogy (CIP 50.0903) degree the Doctor of Musical Arts in Performance (CIP 50.0903) degree. The name change is being requested because of the national accreditation visit last year. NASM made us aware that we had misnamed our current program as Performance and Pedagogy. Our degree fit the guidelines for Performance degrees. Minimal costs will come from existing resources to cover signage.

**Suspend**

- g. **MUW** – Suspend the Bachelor of Fine Arts (BFA) in Art Education (CIP 13.1302) degree. The Art Education program has faced difficult challenges in recent years. Stricter teacher education admission requirements and the revised Praxis exams have negatively impacted enrollment and completion rates. Faculty recruitment efforts have not achieved their intended goals. Faculty of the Department of Art and Design admit that the IHL program standard of 18 graduates in three years cannot be met in the near future. The department unanimously recommends suspending admission to the BFA in Art Education program until all currently-enrolled students have completed their programs. The program will then be deleted.

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- h. **MUW** – Suspend the Bachelor of Art/Bachelor of Science in Social Sciences (CIP 45.0101) degree. The Social Sciences program originally provided for an interdisciplinary degree for MUW students, as well as a program that was closely tied to teacher licensure in Social Studies. Since the inception of the program, MUW has significantly reduced or eliminated courses that supported the program, especially in geography, anthropology, and sociology. Also, other paths to interdisciplinary programs have been added, including Interdisciplinary Studies, Women’s Studies, and General Studies. The IHL program standard of 18 graduates in three years cannot be met in the near future, and we choose to focus recruitment efforts in more favorable directions. After departmental discussions with the Dean, the faculty unanimously recommend suspending admission to the Social Sciences degrees until all currently-enrolled students have completed their programs. The program will then be deleted.
- i. **USM** – Suspend the Bachelor of Science in Hotel, Restaurant, and Tourism Management (CIP 54.0904) degree. The current degree plan is designed to develop students’ skill set in the areas of hotel, restaurant, and tourism, and doesn’t cover all aspects of hospitality and tourism fields. The education they receive from the B.S. degree only provides the capability for careers in specific industry segments at entry-level positions. By providing additional leadership and analytical skills, which can apply to the hospitality and tourism industry, graduates with a degree in Hospitality and Tourism Management will be more competitive with skill-sets required to pursue a management career in the industry.
- j. **USM** – Suspend the Bachelor of Science in Instructional Technology (CIP 13.1303) degree. Due to declining enrollment, the Department of Curriculum, Instruction, and Special Education seeks approval to suspend admission to the Instructional Technology (Business Technology Education) B.S. effective Spring 2017. Once students currently enrolled in the program have completed their program, the plan is to delete the degree. Deletion of the program will not affect the institution’s role or mission.
- k. **USM** – Suspend the Bachelor of Arts in Religion (CIP 38.0201) degree. In the last several years, the number of Religion majors has dropped to less than half of historical levels, which is not enough to sustain the program. Changes to the Bachelor of Arts in Philosophy degree to offer the option of an informal concentration in religion under the philosophy major. If in the future there is evidence of a resurgence of interest in religious studies, the program can be reactivated.

**Delete**

- l. **USM** – Delete the Bachelor of Arts in American Studies (CIP 05.0102) degree. The program has seen declining enrollments for the past 8 years. There have only been two students in the program in the past two years. For this reason, we are asking that the program be deleted.
5. **SYSTEM** – Approved the following degrees to be conferred in Spring 2017 provided each candidate has met all requirements for the degree.



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Institution		Degree to be Conferred	Number	Subtotal	Total	
<b>Alcorn State University</b>						
	<i>Undergraduate</i>					
		Associate of Science in Nursing	8			
		Bachelor of Science	241			
		Bachelor of Music	5			
		Bachelor of Science in Nursing	17			
		Bachelor of Arts	115			
		Bachelor of Arts in Music	2			
		Bachelor of Social Work	14			
				<b>402</b>		
	<i>Graduate</i>					
		Educational Specialist	4			
		Master of Science in Applied Science	32			
		Master of Arts in Teaching	2			
		Master of Business Administration	13			
		Master of Science in Agriculture	15			
		Master of Science in Biology	3			
		Master of Science in Biotechnology	2			
		Master of Science in Computer and Information Science	9			
		Master of Science in Elementary Education	4			
		Master of Science in Secondary Education	29			
		Master of Science in Nursing	17			
		Master of Science in Workforce Education Leadership	22			
				<b>152</b>		
					<b>554</b>	
<b>Delta State University</b>						
	<i>College of Arts and Sciences</i>					
		Bachelor of Arts	21			
		Bachelor of Fine Arts	7			
		Bachelor of Music	1			
		Bachelor of Music Education	3			
		Bachelor of Science	48			
		Bachelor of Science in Education	3			
		Bachelor of Science in Social Justice and Criminology	3			
		Bachelor of Science in Interdisciplinary Studies	1			
		Bachelor of Social Work	31			
				<b>118</b>		
	<i>College of Business</i>					
		Bachelor of Business Administration	52			
		Bachelor of Commercial Aviation	9			
				<b>61</b>		

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Institution		Degree to be Conferred	Number	Subtotal	Total	
	<b><i>College of Education</i></b>					
		Bachelor of Arts	11			
		Bachelor of Science	45			
		Bachelor of Science in Education	24			
				<b>80</b>		
	<b><i>School of Nursing</i></b>					
		Bachelor of Science in Nursing	23			
				<b>23</b>		
	<b><i>School of Graduate Studies</i></b>					
		Master of Business Administration	16			
		Master of Commercial Aviation	2			
		Master of Education	14			
		Master of Arts in Teaching	4			
		Master of Arts in Liberal Studies	1			
		Master of Professional Accountancy	3			
		Master of Science in Social Justice and Criminology	2			
		Master of Science in Sport and Human Performance	11			
		Master of Science in Nursing	6			
		Education Specialist	29			
		Doctor of Education	6			
		Doctor of Nursing Practice	3			
				<b>97</b>		
					<b>379</b>	
<b>Jackson State University</b>						
	<b><i>Undergraduate</i></b>					
		Bachelor of Arts	57			
		Bachelor of Business Administration	86			
		Bachelor of Music	1			
		Bachelor of Music Education	4			
		Bachelor of Science	469			
		Bachelor of Science Education	13			
		Bachelor of Social Work	53			
				<b>683</b>		
	<b><i>Graduate</i></b>					
		Doctor of Education	3			
		Doctor of Philosophy	32			
		Doctor of Public Health	4			
		Specialist in Education	16			
		Master of Arts	13			
		Master of Arts in Teaching	10			
		Master of Business Administration	7			
		Master of Music Education	1			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Master of Professional Accountancy	4			
		Master of Public Health	10			
		Master of Public Policy and Administration	9			
		Master of Science	68			
		Master of Science in Education	39			
		Master of Social Work	71			
				<b>287</b>		
					<b>970</b>	
<b>Mississippi State University</b>						
	<i>College of Agriculture and Life Sciences</i>					
		Bachelor of Landscape Architecture	6			
		Bachelor of Science	284			
		Master of Agribusiness Management	3			
		Master of Landscape Architecture	2			
		Master of Science	27			
		Doctor of Philosophy	7			
				<b>329</b>		
	<i>College of Architecture, Art, and Design</i>					
		Bachelor of Architecture	27			
		Bachelor of Fine Arts	32			
		Bachelor of Science	22			
				<b>81</b>		
	<i>College of Arts and Sciences</i>					
		Bachelor of Arts	303			
		Bachelor of Science	417			
		Bachelor of Social Work	28			
		Bachelor of Applied Technology	2			
		Master of Arts	23			
		Master of Public Policy and Administration	7			
		Master of Science	24			
		Doctor of Philosophy	11			
				<b>815</b>		
	<i>College of Business</i>					
		Bachelor of Business Administration	303			
		Master of Business Administration	42			
		Master of Science Information Systems	5			
		Master of Arts	1			
		Doctor of Philosophy	2			
				<b>353</b>		
	<i>College of Education</i>					
		Bachelor of Science	410			
		Bachelor of Music Education	6			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Master of Arts in Teaching	9			
		Master of Arts in Teaching Middle	7			
		Master of Arts in Teaching Secondary	7			
		Master of Arts in Teaching Special	1			
		Master of Science	52			
		Master of Science Instructional Technology	33			
		Educational Specialist	9			
		Doctor of Education	1			
		Doctor of Philosophy	28			
				<b>533</b>		
	<b><i>College of Engineering</i></b>					
		Bachelor of Science	339			
		Master of Science	40			
		Master of Engineering	2			
		Doctor of Philosophy	11			
				<b>392</b>		
	<b><i>College of Forest Resources</i></b>					
		Bachelor of Science	61			
		Master of Science	9			
		Doctor of Philosophy	4			
				<b>74</b>		
	<b><i>College of Veterinary Medicine</i></b>					
		Bachelor of Science	18			
		Master of Science	3			
		Doctor of Philosophy	5			
		Doctor of Veterinary Medicine	81			
				<b>107</b>		
	<b><i>School of Accountancy</i></b>					
		Bachelor of Accountancy	104			
		Master of Professional Accountancy	22			
		Master of Taxation	4			
				<b>130</b>		
					<b>2814</b>	
<b>Mississippi University for Women</b>						
	<b><i>Undergraduate</i></b>					
		Associate of Science in Nursing	45			
		Bachelor of Art	27			
		Bachelor of Fine Art	9			
		Bachelor of Applied Science	13			
		Bachelor of Music	3			
		Bachelor of Science	172			
		Bachelor of Science in Nursing	79			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
				<b>348</b>		
	<i>Graduate</i>					
		Master of Art	1			
		Master of Business Administration	3			
		Master of Education	6			
		Master of Fine Art	3			
		Master of Science	25			
		Doctor of Nursing Practice	6			
				<b>44</b>		
					<b>392</b>	
<b>Mississippi Valley State University</b>						
	<i>Undergraduate</i>					
		Bachelor of Arts	26			
		Bachelor of Arts in Mass Communication	15			
		Bachelor of Music	7			
		Bachelor of Secondary Education	4			
		Bachelor of Science	205			
		Bachelor of Social Work	44			
	<i>Graduate</i>			<b>301</b>		
		Master of Science	22			
		Master of Arts	3			
		Master of Arts in Teaching	7			
		Master of Social Work	32			
		Master of Business Administration	22			
				<b>86</b>		
					<b>387</b>	
<b>University of Mississippi</b>						
	<i>College of Liberal Arts</i>					
		Bachelor of Arts	485			
		Bachelor of Science	76			
		Bachelor of Fine Arts	12			
		Bachelor of Music	20			
				<b>593</b>		
	<i>School of Engineering</i>					
		Bachelor of Science in Chemical Engineering	37			
		Bachelor of Science in Civil Engineering	17			
		Bachelor of Science in Computer Science	30			
		Bachelor of Science in Electrical Engineering	20			
		Bachelor of Science in Mechanical Engineering	60			
		Bachelor of Science in Geological Engineering	15			
		Bachelor of Engineering	6			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Bachelor of Science in Geology	8			
				<b>193</b>		
	<i>School of Education</i>					
		Bachelor of Arts in Education	250			
				<b>250</b>		
	<i>School of Pharmacy</i>					
		Doctor of Pharmacy	118			
				<b>118</b>		
	<i>School of Business</i>					
		Bachelor of Business Administration	487			
				<b>487</b>		
	<i>School of Accountancy</i>					
		Bachelor of Accountancy	107			
				<b>107</b>		
	<i>School of Applied Sciences</i>					
		Bachelor of Science in Criminal Justice	98			
		Bachelor of Science in Exercise Science	87			
		Bachelor of Science	167			
		Bachelor of Social Work	32			
		Bachelor of Arts in Parks and Recreation Administration	3			
		Bachelor of Paralegal Studies	8			
				<b>395</b>		
	<i>School of Journalism and New Media</i>					
		Bachelor of Arts in Journalism	76			
		Bachelor of Science (IMC)	142			
				<b>218</b>		
	<i>General Studies</i>					
		Bachelor of General Studies	146			
				<b>146</b>		
	<i>Graduate School</i>					
		Master of Arts	124			
		Master of Criminal Justice	18			
		Master of Science	80			
		Master of Science in Exercise Science	5			
		Master of Fine Arts	8			
		Master of Accountancy	33			
		Master of Business Administration	35			
		Master of Taxation	15			
		Master of Education	38			
		Master of Music	6			
		Specialist in Education	2			
		Doctor of Education	3			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Doctor of Philosophy	58			
				<b>423</b>		
	<i>Law School</i>					
		Juris Doctor	97			
		Master of Laws	3			
				<b>100</b>		
					<b>3030</b>	
<b>University of Mississippi Medical Center</b>						
	<i>Undergraduate</i>					
		Bachelor of Science in Nursing	143			
		Bachelor of Science in Dental Hygiene	20			
		Bachelor of Science in Health Informatics and Information Management	5			
		Bachelor of Science in Health Sciences	21			
		Bachelor of Science in Medical Laboratory Science	19			
		Bachelor of Science in Radiologic Sciences	42			
				<b>250</b>		
	<i>Graduate/Professional</i>					
		Master of Science	57			
		Master of Occupational Therapy	33			
		Master of Science in Nuclear Medicine Technology	5			
		Master of Science in Magnetic Resonance Imaging	5			
		Master of Science in Nursing	113			
		Master of Health Science	10			
		Master of Occupational Therapy	33			
		Master of Health Informatics and Information Mgmt.	1			
		Doctor of Medicine	136			
		Doctor of Dental Medicine	36			
		Doctor of Philosophy	27			
		Doctor of Nursing Practice	10			
		Doctor of Physical Therapy	51			
		Doctor of Health Administration	10	<b>494</b>		
					<b>744</b>	
<b>University of Southern Mississippi</b>						
	<i>College of Arts and Letters</i>					
		Bachelor of Arts	193			
		Bachelor of Fine Arts	19			
		Bachelor of Interdisciplinary Studies	12			
		Bachelor of Liberal Studies	41			
		Bachelor of Music	16			
		Bachelor of Music Education	18			
		Bachelor of Science	36			
		Master of Arts	12			
		Master of the Arts in Teaching of Language	10			
		Master of Fine Arts	8			

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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Master of Music	19			
		Master of Science	3			
		Doctor of Musical Arts	7			
		Doctor of Philosophy	10			
				<b>406</b>		
	<i>College of Business</i>					
		Bachelor of Science	22			
		Bachelor of Science in Business Administration	220			
		Master of Business Administration	26			
		Master of Professional Accountancy	12			
		Master of Science	11			
				<b>298</b>		
	<i>College of Education and Psychology</i>					
		Bachelor of Arts	16			
		Bachelor of Science	210			
		Master of Arts	9			
		Master of Arts in Teaching	2			
		Master of Education	20			
		Master of Library and Information Science	16			
		Master of Science	10			
		Specialist in Education	5			
		Doctor of Philosophy	19			
				<b>307</b>		
	<i>College of Health</i>					
		Bachelor of Arts	30			
		Bachelor of Science	126			
		Bachelor of Social Work	41			
		Master of Public Health	25			
		Master of Science	26			
		Master of Social Work	62			
		Doctor of Audiology	8			
		Doctor of Philosophy	1			
				<b>319</b>		
	<i>College of Nursing</i>					
		Bachelor of Science in Nursing	108			
		Master of Science in Nursing	44			
		Doctor of Nursing Practice	3			
		Doctor of Philosophy	3			
				<b>158</b>		
	<i>College of Science and Technology</i>					
		Bachelor of Arts	31			
		Bachelor of Science	261			



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Institution		Degree to be Conferred	Number	Subtotal	Total	
		Master of Science	32			
		Doctor of Philosophy	35			
				359		
					1847	
<b>System Total</b>						<b>*10867</b>

\*The System total for Spring 2017 represents an increase of 182 graduates from Spring 2016. Spring 2017=10685

**FINANCE**

6. **IHL EXECUTIVE OFFICE** – Approved the request to enter an agreement with Leon Consulting, LLC d/b/a LK Marketing Services for the program management, marketing and system services for Mississippi's Complete 2 Compete initiative. The purpose of the agreement is to provide direct marketing, customer service, interactive website design and development, data systems and data analysis services. The term of the agreement is for two (2) years with an option to renew for an additional one (1) year -- beginning April 21, 2017, and ending April 20, 2020-- at the discretion of IHL upon written notice to contractor at least (60) days prior to the contract anniversary date. At the time of the renew, proposal prices and scope may be revised as needed for changes in project. The total number of years permitted shall not exceed three (3). The total estimated cost of the agreement is \$1,334,182 for the full three years, which includes the additional year renewal. Funds are available from the Mississippi Department of Human Services MOA for Complete 2 Compete. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
7. **IHL EXECUTIVE OFFICE** – Approved the request to amend an agreement with Matthews, Cutrer and Lindsay, P.A. for accounting analytical services to assist Jackson State University in reviewing its current financial condition and to provide cost saving proposals for the fiscal year ending June 30, 2017. The term of the agreement began October 3, 2016, and ends June 30, 2017. This second amendment will become effective upon signature. The amended amount is \$115,000 bringing the total contract amount to \$363,500. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
8. **MSU** – Approved the First Amendment to Lease Agreement with Medical Development Properties, LLC (MDP) at the Imaging Center for Excellence facility in Starkville, MS. The First Amendment will make the following substantive changes to the original Lease Agreement with MDP:
  - a. The amount of lease space is reduced from 12,791 square feet to 5,760 square feet. This reduction in space, which results in a significant cost saving to MSU, was precipitated by a reduced need for space by one of the MSU research units utilizing the facility and additional space being available in an alternative facility at a reduced cost.
  - b. Under the original Lease Agreement, MSU is responsible for reimbursing MDP for MSU's proportional share of amounts paid by MDP for tax and utility costs that exceed the amount paid by MDP for taxes and utilities in Year 1 of the Lease Agreement. Due to a significant increase in tax and utility costs at the facility after Year 1 of the lease term, MSU's reimbursement obligation has been significant. Under the First Amendment, a new

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baseline for taxes and utilities is established based on the average of tax and utility costs over the previous 5-years (2011-2016). MSU will only be responsible for reimbursing MDP for tax and utility costs that exceed the newly established baseline amounts. This change will significantly decrease MSU's annual reimbursement payments as tax and utility costs have normalized over the past five years of the lease.

- c. The rental rate for MSU's reduced lease space will increase by \$2.50 per square foot.
- d. The term of the lease is extended an additional year, with the new lease term ending on May 31, 2022.

These changes will result in significant cost savings for MSU. The term of the contract is June 1, 2017 through May 31, 2022. The estimated total contract amount over the five (5) year term is \$936,000, plus excess tax and utility, if any. MSU will pay MDP \$187,200 annually for the lease of the space in addition to any excess tax and utility costs. On average, MSU has paid over \$5.00/square foot annually for tax and utility overages. At MSU's request, the Lessor worked with MSU to reduce this burden by a) adjusting the baseline calculation for tax and utility costs to the previous five-year average of such costs, and b) increasing the base rent by \$2.50/square foot. This re-negotiated amount will result in annual savings to MSU of over \$2/square foot, in addition to the savings realized by decreasing the amount of space being leased. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

- 9. **MSU** – Approved the request to enter into a new contract with TeamDynamix Solutions, LLC (TDX) to provide Information Technology Service Management (ITSM) software, services, and maintenance. This new software system is needed as the current ITSM system, Service Desk Express, will reach the end of its life on June 30, 2017. Replacing the current ITSM software system will enable MSU to utilize up-to-date software architectures and efficiencies while also implementing software that incorporates IT Infrastructure Library best practices. The term of the contract is for five (5) years beginning on or about July 1, 2017 ending June 30, 2022. The contract amount is \$332,765. Funds are available from MSU general funds specified for such use. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
- 10. **UM** – Approved the request to escalate its On-Campus Budget for FY 2017. The escalation is requested to revise major objects, functional categories, and revenue sources for state appropriation budget cuts, scholarship expenses, and fringe benefit estimates.

University of Mississippi FY 2017 On-Campus Budget by Major Object			
Category	Original FY 2017 Operating Budget	Revision/Escalation	Revised FY 2017 Operating Budget
Salaries, Wages, and Fringe Benefits	\$215,384,880	\$622,412	\$216,007,292
Travel and Subsistence	2,248,841	-	2,248,841
Contractual Services	102,959,550	3,720,000	106,679,550
Commodities	6,558,124	(1,297,602)	5,260,522
Capital Outlay: Non-Equipment	4,695,477	-	4,695,477
Capital Outlay: Equipment	3,135,129	(1,100,000)	2,035,129
Mandatory Transfers	1,160,907	-	1,160,907

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<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Non-Mandatory Transfers	7,481,010	(566,704)	6,914,306
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$343,623,918</b>	<b>\$1,378,106</b>	<b>\$345,002,024</b>

<b>University of Mississippi FY 2017 On-Campus Budget by Functional Category</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Instruction	\$150,726,932	\$(1,623,676)	\$149,103,256
Research	8,003,893	(17,304)	7,986,589
Public Service	879,094	(25,566)	853,528
Academic Support	33,300,815	(364,469)	32,936,346
Student Services	13,531,020	(105,636)	13,425,384
Institutional Support	25,472,350	1,088,295	26,560,645
Operation and Maintenance	34,747,279	(394,608)	34,352,671
Scholarships and Fellowships	73,173,478	3,387,774	76,561,252
Mandatory Transfers	1,160,907	-	1,160,907
Non-Mandatory Transfers	2,628,150	(566,704)	2,061,446
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$343,623,918</b>	<b>\$1,378,106</b>	<b>\$345,002,024</b>

<b>University of Mississippi FY 2017 On-Campus Budget by Revenue Source</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Student Fees	\$250,328,292	\$5,448,912	\$255,777,204
Governmental Appropriations	82,929,826	(4,070,806)	78,859,020
Grants and Contracts	1,250,000	-	1,250,000
Sales and Services	1,208,095	-	1,208,095
Other	5,407,705	-	5,407,705
Increase in Fund Balance	2,500,000	-	2,500,000
<b>Total</b>	<b>\$343,623,918</b>	<b>\$1,378,106</b>	<b>\$345,002,024</b>

11. **UM** – Approved the request to escalate its Auxiliary Enterprises Budget for FY 2017. The escalation is requested to align spending authority with actual revenues generated. Most expenditures will be used to cover debt services related to the transfer of ownership of the Pavillion at Ole Miss from the Ole Miss Athletic Foundation to UM Athletics and to fund capital reserves. Additional expenditures will cover costs associated with other, non-athletic auxiliary operations. The revenue source will be self-generated funds.

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<b>University of Mississippi FY 2017 Auxiliary Enterprises Budget by Major Object</b>			
<b>Category</b>	<b>Original FY 2017 Operating Budget</b>	<b>Revision/Escalation</b>	<b>Revised FY 2017 Operating Budget</b>
Salaries, Wages, and Fringe Benefits	\$43,172,845	\$(79,143)	\$43,093,702
Travel and Subsistence	8,999,008	(131,075)	8,867,933
Contractual Services	45,913,427	(944,714)	44,968,713
Commodities	15,892,013	184,851	16,076,864
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	2,618,975	(106,900)	2,512,075
Mandatory Transfers	15,682,635	3,950,000	19,632,635
Non-Mandatory Transfers	11,483,565	2,229,000	13,712,565
Increase in Fund Balance	-	-	-
<b>Total</b>	<b>\$143,762,468</b>	<b>\$5,102,019</b>	<b>\$148,864,487</b>

12. **UMMC** – Pending receipt from UMMC of a copy of P-1 certification of sole source from the Department of Finance and Administration PPRB, the Board approved the request to enter into an agreement with Phadia US, Inc. for the purchase of testing equipment, accessories, consumables and service. In accordance with Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board also approved the request to allow advanced payment for the annual service fee for years 3 through 5. The purpose of the agreement is to purchase a Phadia® 250 Immunoassay analyzer, along with its associated accessories, consumables, and service. The Phadia® 250 is an automated immunoassay system for allergy and autoimmune testing that will allow higher sample throughput, decreased hands-on time, decreased calibration costs, and allow UMMC to test for Celiac Disease and other disease markers that are currently sent to outside reference laboratories. UMMC has previously contracted with Phadia for the use of the Phadia® 100. However, this model does not support UMMC’s current workload volume and is not designed to allow Celiac testing on the platform. The term of the agreement is for five (5) years- May 4, 2017 through May 3, 2022. The total estimated cost for the five (5) year term is \$664,000 including the purchase of the Phadia® 250 Immunoassay analyzer, freight for the equipment, the associated accessories and consumables, and service plan. The Phadia® 250 analyzer costs \$101,000. The service plan for Years 3-5, plus any needed repair parts and price increase, total approximately \$32,680.63. UMMC has calculated the potential cost of the accessories and consumables to be up to \$523,775, including a 15% annual volume increase and 5% potential annual price increase. The agreement will be funded by patient revenues. The agreement has been reviewed by the Attorney General’s Office and approval is pending receipt from UMMC of a copy of P-1 certification of sole source from the Department of Finance and Administration.
13. **UMMC** – Approved the amendment to the current Lease with Soul City Hospitality, LLC for the space known as Store #4 at the Farmer’s Market. The purpose of this amendment is to adjust the rent rate paid to UMMC based on the value of the improvements made to the property by Soul City. This will be a triple-net lease. The improvements initiated by the Soul City were necessary to make the building rentable by UMMC. The term of the agreement remains ten (10) years, February 1, 2017 through January 31, 2027. Beginning May 1, 2017, the monthly rental rate to be paid to UMMC will be reduced from \$3,000 to \$488.31 thereby reducing the total revenue

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generated from leasing the space over the ten (10) year term from \$360,000 to \$66,132.27. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

14. **UMMC** – Approved the request to enter into a service contract for Elevator/Escalator Maintenance (Vertical Transportation) with Kone, Inc. on all its campuses. The purpose will be to ensure safe and efficient operation of vertical transportation on campus and provide consistent routine and preventative maintenance on these assets. The contract term will be for two (2) years beginning from the effective date of the agreement, which is contemplated to be May 1, 2017. The University shall have the option to renew the agreement, at its sole discretion, for up to three (3) additional one (1) year terms by written notice from USM to Contractor, with the first option exercisable on or before sixty (60) days from the end of the initial term and subsequent options exercisable on or before sixty (60) days from the end of any extended one year term, not to exceed three (3) renewals beyond the initial term. The initial two years' fixed maintenance cost will be \$26,995.00 monthly. In the event that renewals are exercised, the costs are estimated to be as follows if the maximum increase is submitted (4 percent per year): First one year renewal term - \$28,074.80 monthly; Second one year renewal term - \$29,197.80 monthly; and Third one year renewal term - \$30,365.70 monthly. The total estimated contract amount if all renewals are executed would be \$1,699,539.55. Payment will be issued based upon receipt of an approved invoice for actual services rendered. General funds shall cover the cost of this service. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

**REAL ESTATE**

15. **ASU** – Approved the initiation of **GS 101-310, New Faculty and Staff Housing**, and the appointment of Architecture South, P.A., as the design professional. The project provides for the planning and construction of approximately 50 units of new faculty and staff housing and related facilities and parking. The initial concept is for housing to consist of approximately 14 townhome structures to be located on undeveloped campus property toward the entry of campus. Consideration will be given to various types of construction; however, the goal of the project will be for an efficient, cost-effective, low maintenance, long-term solution to house faculty and staff on the Lorman campus. The estimated project budget is \$10 million. Funds are available from HB 1729, Laws of 2016 (\$10,000,000).
16. **MSU** – Approved the initiation of **IHL 205-288, New Sound System for Davis Wade Stadium**, and the appointment of Cooke Douglass Farr Lemons Architects, as the design professional. The project will design and contract for a new sound system located in Davis Wade Stadium on the MSU campus. The distance from one end of the stadium to the other causes a delay in the reception of the sound and an echo. The delayed sound is not in sync with the image shown on the video board and therefore needs to be upgraded. The design professional will evaluate the current sound system and determine if any of the current sound system can be reused. The proposed project budget is \$2 million. Funds are available from University Athletic Funds (\$2,000,000).
17. **UM** – Approved the initiation of **IHL 207-433, UM Master Plan – Utilities**. This is an extension of the Master Plan and dovetails with it, but will be carried out by a different design firm with different areas of expertise. All utilities and plant buildings will be considered, where they should be placed, where they are deficient, and how improvements should be made. The results of the plan will form a road map for long-term growth. The planning firm will not be permitted to submit

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for any of the design work that results from the planning effort. The University began its Master Plan in 2009 using the services of Sasaki, Inc. Recently, a comprehensive 5-year update of the original plan was completed. The estimated project budget is \$850,000. Funds are available from Internal R&R (\$850,000).

18. **UM** – Approved the initiation of **IHL 207-434, Chucky Mullins Drive Roundabout**, and the appointment of Buehrt Horn, Inc., as the design professional. The project will include the construction of a roundabout at the intersection of Hathorn Road, Hill Drive, and Chucky Mullins Drive. All four roads leading to the intersection will be cut back 200 feet from the center of the current intersection, all hardscape will be removed, new elevations will be sculpted, and the roundabout will be constructed in this 400' circle. Also, 100 additional feet on each approach will be milled and paved to ease all transition points to existing surfaces. The estimated project budget is \$2.5 million. Funds are available from Internal R&R (\$2,000,085) and MDOT [Federal Aid Project No. STP-0036-00(017) LPA/106379-801000] (\$499,915).
19. **USM** – Approved the appointment of Unabridged Architecture, PLLC + Eskew, Dumez, Ripple, APC, a Joint Venture as the design professionals for **IHL 214-023, Gulf Park Student Resource Center**. The scope of the project will consist of pre-planning for a new Student Resource Center for the USM Gulf Park Campus. The University will return to the Board at a later date to define the scope of the project and raise the budget to reflect more accurate project costs. The estimated project budget is \$300,000. Funds are available from SB 2924, Laws of 2016 (\$300,000) – Budget Contingency Fund.
20. **USM** – Approved the request to modify the funding source for **GS 108-279, Lucas Administration Building Terra Cotta Repairs**, to include the addition of SB 2906, Laws of 2015, in the amount of \$978,155.08. The project budget will not increase. The University is replacing \$837,249.54 of institutional funds and \$140,905.54 of university designated funds in the project with state bond funds. The project is currently in the construction phase. Legislative bond funds from SB 2906, Laws of 2015, are being transferred into the project so the institutional funds that were originally provided into the project can be returned to the university. The project consists of terra cotta repairs, roof repairs, brick repairs and the replacement of HVAC equipment in the Lucas Administration Building. Funds are available from [New Funding Source]-SB 2906, Laws of 2015 (\$978,155.08); SB 3100, Laws of 2011 (\$1,570,788.65); HB 1701, Laws of 2010 (\$38,375.72); HB 1722, Laws of 2009 (\$465,763.85); HB 1641, Laws of 2008 (\$66,267.99); IHL 2007 R&R (\$21,554.25); and University Designated Funds (\$159,094.46).
21. **ASU** – Approved the request to delete from inventory and demolish Mable Henry Lott Apartment Buildings B & C. Buildings B & C, which were constructed in 1961, have been vacant for many years and are now considered to be in a state of disrepair. Removal of these two structures will allow the university to further develop this zone of the campus and make the area aesthetically pleasing to students and campus visitors. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
22. **UMMC** – Approved the request to obtain a temporary construction easement from Resolute Burgers, LLC (Back Yard Burgers) so the contractor on the North State Street crosswalk upgrade project can access the construction area. Resolute Burgers, LLC leases the site from UMMC. This is a six (6) foot wide temporary construction easement situated in the Southwest 1/4 of Section 26, Township 6 North, Range 1 East, City of Jackson, Hinds County, Mississippi. A detailed property description is included in the bound *April 20, 2017 Board Working File*. Grantee shall have the

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full and continuing right, without further compensation, to clear and keep clear vegetation within or growing in the Easement Area 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 (to the extent extending into the Easement Area). As used in this paragraph, "hazard" includes any trees, limbs, and/or vegetation within the Easement Area that Grantee determines are tall enough that if they fell may strike, hit, or come in contact with any of Grantee's facilities. Grantee shall pay Grantor for physical damages to Grantor's buildings, other structures and improvements located inside or outside of the Easement Area and to Grantor's roads, bridges, fences, sidewalks or other structures caused by the construction and maintenance of Grantee's facilities as contemplated. Grantor retains the right to use for Grantor's own purposes the Easement Area, but will use reasonable efforts not to interfere with Grantee's use of said Easement Area and other rights granted. The parties acknowledge that Grantor does not own fee simple title to the Easement Property, and Grantor makes no representations or warranties with respect to the Easement Property. This Easement 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. Notwithstanding anything to the contrary contained in the easement agreement, (i) EMI does hereby agree to reimburse Grantor from any loss, expense, damage or injury resulting from the construction or use of Grantee's facilities and/or Grantee's activities in the Easement Area; (ii) UMMC does hereby agree to reimburse Grantor for any damage or injury resulting from the negligence of UMMC (or its contractors and agents) relating to the construction or use of Grantee's facilities and/or otherwise related to any activities in the Easement Area. (iii) Grantee shall not damage or modify any improvements outside of the Easement Area; (iv) Grantee shall, prior to the expiration or termination of this Easement, restore all improvements inside of the Easement Area to good, usable condition; and (v) Grantee shall not, at any time, block or impede access to Grantor's property to and/or from North State Street and Grantee shall not interfere with businesses located near the Easement Area except in cases of construction necessity which activities will only take place during non-business hours and only upon 48 hours' notice to Grantor. This Easement shall automatically terminate when the construction is completed or no later than on December 31, 2018, but Grantee's obligations hereunder shall survive such termination. This Easement may be assigned so long as said use is for the purposes set forth in easement agreement, in which event the assignee shall, with Grantee, be jointly-and-severally responsible for the obligations of Grantee hereunder. The easement will automatically terminate when construction is completed or no later than December 31, 2018. The easement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

23. **UMMC** – Approved the request to obtain a permanent easement from Resolute Burgers, LLC (Back Yard Burgers) so the contractor on the North State Street crosswalk upgrade project can install a traffic signal pole. Resolute Burgers, LLC leases the site from UMMC. This is a permanent easement for the location, improvements, repair, construction, reconstruction, operation, inspection, patrol, replacement, removal and maintenance of a traffic signal, traffic signal arms, supporting infrastructure, controller and a power service panels, pedestrian signal poles, and other equipment, structures, material, and appurtenances over, across, under or on an eight (8) foot wide tract of land located in the southeast corner of the land leased by Grantor in the City of Jackson, County of Hinds, State of Mississippi and described as follows, to wit (the "Easement Area"). The permanent easement is situated in the Southwest 1/4 of Section 26, Township 6 North, Range 1 East, City of Jackson, Hinds County, Mississippi. A detailed property

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description is included in the bound *April 20, 2017 Board Working File*. Grantee shall have the full and continuing right, without further compensation, to clear and keep clear vegetation within or growing in the Easement Area 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 (to the extent extending into the Easement Area). As used in this paragraph, "hazard" includes any trees, limbs, and/or vegetation within the Easement Area that Grantee determines are tall enough that if they fell may strike, hit, or come in contact with any of Grantee's facilities. Grantee shall pay Grantor for physical damages to Grantor's buildings, other structures and improvements located inside or outside of the Easement Area and to Grantor's roads, bridges, fences, sidewalks or other structures caused by the construction and maintenance of Grantee's facilities as contemplated. Grantor retains the right to use for Grantor's own purposes the Easement Area, but will use reasonable efforts not to interfere with Grantee's use of said Easement Area and other rights granted. The parties acknowledge that Grantor does not own fee simple title to the Easement Property, and Grantor makes no representations or warranties with respect to the Easement Property. This Easement 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. Notwithstanding anything to the contrary contained in the easement agreement, (i) Grantee does agree to reimburse Grantor from any loss, expense, damage or injury resulting from the construction or use of Grantee's facilities and/or Grantee's activities in the Easement Area; (ii) Grantee shall not damage or modify any improvements outside of the Easement Area; (iii) Grantee shall, no later than December 31, 2018, restore all improvements inside of the Easement Area to good, usable condition; and (iv) Grantee shall not, at any time, block or impede access to Grantor's property to and/or from North State Street, except in cases of construction necessity which activities will only take place during non-business hours and only upon 48 hours' notice to Grantor, and Grantee shall not interfere with businesses located near the Easement Area. This Easement may be assigned so long as said use is for the purposes set forth in easement agreement, in which event the assignee shall, with Grantee, be jointly-and-severally responsible for the obligations of Grantee hereunder. The Lease with Resolute Burgers, LLC is scheduled to terminate May 15, 2022. Following the end of the lease, the easement will merge with UMMC's title. The easement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

24. **USM** – Approved the request to delete from inventory and demolish Building #853, a residential house located at 217 N35th Avenue, Hattiesburg, MS. The house is no longer in use and is in disrepair. The vacant lot where the house will be demolished will be used by the university for parking and/or future expansion. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.

**LEGAL**

25. **MSU** – Approved the request to modify a contract with Brown & Langston, formerly Julie W. Brown, to provide legal services necessary in assisting the University with real estate matters. This Modification #5 will extend the term of the contract for one (1) year or through May 16, 2018. The hourly rate under the contract shall remain \$165 per hour with the total amount payable during the extension period not to exceed \$10,000. All other provisions of the Agreement for Legal



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Services dated May 17, 2012, shall remain in effect. The Modification has been reviewed and approved by the Office of the Attorney General.

26. **MSU** – Pending approval by the Attorney General’s Office, the Board approved the request to enter into a legal services contract with Gian Franco Borio, of Via Finlandia 20, 50126 – Florence, Italy, to provide services necessary in registration with the Italian Ministry of Education to allow the University to conduct educational programs throughout Italy. The cost for services provided will be \$8,992.00, to be billed in three stages, as specifically set out in the contract for legal services, in addition to reimbursable expenses not to exceed \$8,500.00. The total amount payable under the contract shall not exceed \$17,492.00. The term of this contract shall be one (1) year upon approval by the Board.
27. **MSU** – Approved the request to modify a contract with Mendelsohn Dunleavy, P.C., to perform legal services necessary in the practice area of intellectual property and specifically concerning the filing and prosecution of patent applications. Modification #1 will extend the term of the contract for one (1) year from the current termination date of April 30, 2017, until April 30, 2018. The firm will continue to provide legal representation at hourly rates ranging from \$195 to \$325 for attorneys and \$100 per hour for paralegals with a maximum amount payable under this extension period of \$75,000.00. All other provisions of the Contractual Agreement for Legal Services effective May 1, 2016, shall remain in effect. This Modification has been reviewed and approved by the Office of Attorney General.

**PERSONNEL REPORT**

28. **EMPLOYMENT**

**Alcorn State University**

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

- Dr. Josephine Posey; former position: Vice President for Academic Affairs; re-employment position: ASU History Research Associate; re-employment period: July 1, 2016 to June 30, 2017; Title III Funds; salary of \$62,500 per annum, pro rata;
- Jimmy Smith; former position: Registrar; re-employment position: Banner Consultant; re-employment period: April 1, 2017 to September 30, 2017; Title III Funds; salary of \$30,000 per annum, pro rata

**Mississippi State University**

- Eric Moyer, Associate Professor and Head, Educational Leadership, salary of \$125,000 per annum, pro rata, E&G Funds; 12 month, **hired with tenure**, effective July 1, 2017

29. **TENURE**

**Mississippi State University**

*[Tenure and Promotions (where noted) – For nine-month contracts, effective August 16, 2017 and for twelve-month contracts, effective July 1, 2017]*

- Derek Anderson, Assistant Professor promoted to Associate Professor with Tenure, Department of Electrical and Computer Engineering

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- Joanne Beriswill, Assistant Professor promoted to Associate Professor with Tenure, Department of Instructional Systems & Workforce Development
- Cindy Bethel, Associate Professor granted Tenure, Department of Computer Science & Engineering
- Marion Evans, Professor granted Tenure, Department of Food Science Nutrition and Health Promotion (12-month contract)
- Nicholas Fitzkee, Assistant Professor promoted to Associate Professor with Tenure, Department of Chemistry
- Alison Greene, Assistant Professor promoted to Associate Professor with Tenure, Department of History
- Wendy Herd, Assistant Professor promoted to Associate Professor with Tenure, Department of English
- Federico G. Hoffman, Assistant Professor promoted to Associate Professor with Tenure, Department of Biochemistry, Molecular Biology, Entomology & Plant Pathology
- Chuo Li, Assistant Professor promoted to Associate Professor with Tenure, Department of Landscape Architecture
- Dominic Lippillo, Assistant Professor promoted to Associate Professor with Tenure, Department of Art
- Florencia Meyer, Assistant Professor promoted to Associate Professor with Tenure, Department of Biochemistry, Molecular Biology and Plant Pathology
- Timothy Morgan, Associate Professor promoted to Professor with Tenure, Department of Pathobiology and Population Medicine (12-month contract)
- Julia Osman, Associate Professor granted Tenure, Department of History
- William Riehm, Assistant Professor promoted to Associate Professor with Tenure, Department of Interior Design
- Mohammad Sepehrifar, Assistant Professor promoted to Associate professor with Tenure, Department of Math & Statistics
- Andrea Spain, Assistant Professor promoted to Associate Professor with Tenure, Department of English
- William P. Spurlin, Assistant Professor promoted to Associate Professor with Tenure, Meridian Campus Division of Business
- Tonya Stone, Assistant Professor promoted to Associate Professor with Tenure, Department of Mechanical Engineering
- Angelle Tanner, Assistant Professor promoted to Associate Professor with Tenure, Department of Physics & Astronomy
- Justin Thornton, Assistant Professor promoted to Associate Professor with Tenure, Department of Biological Sciences
- Bradley Trinkle, Assistant Professor promoted to Associate Professor with Tenure, School of Accountancy
- Penny Wallin, Assistant Professor promoted to Associate Professor with Tenure, Meridian Campus Division of Education
- Byron J. Williams, Assistant Professor promoted to Associate Professor with Tenure, Department of Computer Science & Engineering

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- Joseph Witt, Assistant Professor promoted to Associate Professor with Tenure, Department of Philosophy & Religion
- Jonathan Woody, Assistant Professor promoted to Associate Professor with Tenure, Department of Math & Statistics
- Molly Zuckerman, Associate Professor granted Tenure, Department of Anthropology & Middle Eastern Cultures

**Mississippi Valley State University**

- Dr. Jinglong Ye, *promotion* to Associate Professor, Department of Mathematics, Computer, and Information Science; nine-month contract; effective August 14, 2017

30. **EMERITA/EMERITUS STATUS**

**Delta State University**

- Ms. Patsy Burchfield, Assistant Emeritus to the Provost, Office of Academic Affairs; effective May 6, 2017
- Ms. Marcia Lishman, Coordinator Emeritus of Computer Services and Transcript Clerk Emeritus, Office of the Registrar; effective May 6, 2017
- Mr. Ronald Koehler, Chair Emeritus for Department of Art and Professor Emeritus of Art, Department of Art; effective May 6, 2017
- Dr. Dorothy Louise Seals, Associate Professor Emeritus of Nursing, Robert E. Smith School of Nursing; effective May 6, 2017

**Jackson State University**

- Dr. Maria Luisa Alvarez Harvey, Professor Emerita of English and Modern Foreign Languages; effective May 1, 2017

**ACADEMIC AFFAIRS**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee McNair, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **STATE** – Approved for first reading the proposed revisions to the Mississippi Nursing Degree Programs Accreditation Standards as follows:

**STANDARD IV: CURRICULUM**

The curriculum prepares students to achieve the expected outcomes of the nursing program, facilitates nursing practice that reflects the needs of the community of interest and is consistent with safe practice and contemporary healthcare environments.

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1. National Standards
  - a. ACEN  
Standard 4: Curriculum
  - b. CCNE  
Standard II: Program Quality: Institutional Commitment and Resources  
Standard III: Program Quality: Curriculum and Teaching-Learning Practices
1. State Specific Requirements
  - a. Undergraduate student-to-faculty ratios must be:
    1. No more than 15 to 1 for total enrollment.
    2. No more than 10 to 1 for clinical laboratory courses that require direct supervision.
    3. No more than 15 to 1 for those courses that do not require direct supervision (i.e. precepted experiences).
  - b. Graduate student-to-faculty ratios must be:
    1. No more than 15 to 1 for total enrollment.
    2. No more than 15 to 1 in graduate clinical courses.
    3. No more than 2 to 1 for advanced practice clinical courses that require direct supervision.
    4. No more than 6 to 1 for advanced practice clinical courses that do not require direct supervision (i.e. precepted experiences).
  - c. Undergraduate Simulation Clinical Hours:
    1. 25% or less of traditional clinical hours substituted with simulation clinical hours in each individual clinical course does not require approval.
    2. 26% up to 50% of traditional clinical hours substituted with simulation clinical hours in each individual clinical course requires approval.
    3. No more than 50% of traditional clinical hours can be substituted with simulation clinical hours in each individual clinical course.
2. **SYSTEM** – Approved the academic unit modifications as follows:  
**Reorganization**
  - a. **UM** – Reorganize two separate divisions: Center for Inclusion and Cross Cultural Engagement and McLean Institute for Public Service and Community Engagement and William Winter Institute for Racial Reconciliation to the Division of Diversity and Community Engagement. The proposed unit will support academic partners interested in effective outreach, recruitment and retention strategies for faculty from under-represented groups; develop and coordinate programs to increase student awareness of local, regional, national and global contexts that shape their world; support initiatives and services that enhance and increase access and affordability to under-represented students; and, work with campus partners to monitor and/or alter the campus culture to ensure that diverse students feel supported and welcomed. The unit will support and help develop strong collaborations with the Oxford-Lafayette community. Existing resources from the Center for Inclusion, the McLean Institute, and the William Winter Institute will provide funding for the new division.
  - b. **UMMC** – Reorganize the Department of Dental Hygiene by moving the department from the UMMC School of Health Related Professions to the UMMC School of Dentistry. The dental hygiene program (DH) has been a part of the UMMC School of Health Related Professions (SHRP) since its inception in 1970. The School of Dentistry's (SOD) doctor of dental medical (DMD) program began in 1975. Since 1995, the DH program has utilized clinical and pre-clinic laboratory space in the SOD facility while maintaining a fully independent program. Both programs have experienced prolonged success in graduation

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rates and successful passage of licensure board examinations as independent programs; however, patient care has been separate. DH programs at the Academic Health Science Center in the SOC will maximize education opportunities for DH and DMD students and will provide optimum patient care. They will provide opportunities for both academic programs to work together to improve the oral health of citizens throughout the state and will raise the level of education for both the DMD and DH students. The budget for the dental hygiene program will remain within UMMC; therefore, this reorganization anticipates minimal financial impact.

**Rename**

- c. **DSU** – Rename the College of Business the College of Business and Aviation. The College of Business Administrative Leadership Team (COBALT) proposes an expanded name for the College that more accurately reflects the range of preparation available to candidates enrolled in the varied programs within the College. The cost of implementation will be minimal to cover signage.
- d. **JSU** – Rename the W.E.B. DuBois Honors College to the W.E.B. DuBois and Maria Luisa Alvarez Harvey Honors College. JSU submits this request to honor Dr. Harvey's legacy, the 50 years of academic contributions to the University, and the infinite vision, devotion and determination used to build JSU's honors program. Through Dr. Harvey's efforts more than 2600 students have been enrolled in the W.E.B. DuBois Honors College since its inception. There is tremendous faculty, staff, and student support for this proposed change. The cost of the renaming will be minimal (signage, stationary) and will be covered with current resources.
- e. **UMMC** – Rename the MIND Research Center the Gertrude C. Ford MIND Research Center. The Gertrude C. Ford Foundation provided the MIND Center at UMMC with an unrestricted monetary gift of \$10,000,000.00 to support its research efforts. In recognition of their gift, it is proposed that the MIND Research Center's name will be changed to the Gertrude C. Ford MIND Research Center. The cost of implementation will be minimal to cover signage.
- f. **UMMC** – Rename the UMMC School of Population Health the John D. Bower School of Population Health at UMMC. The request is being made to honor John D. Bower, MD, a noted nephrologist and UMMC professor emeritus of medicine with a distinguished record of patient care advocacy in Mississippi. The naming of the School is in recognition of the pioneering efforts and accomplishments of Dr. Bower as an early pioneer of population health management in clinical practice. The cost of implementation will be \$500.00 for printing and branding changes.

**Delete**

- g. **MUW** – Delete the College of Education and Human Sciences. The departments within the College of Education and Human Sciences will remain intact but will be relocated to other colleges. The Department of Education and the Department of Psychology and Family Studies will move to the College of Arts and Sciences. The Department of Health and Kinesiology will move to the College of Nursing and Speech-Language Pathology. The General Studies programs will move from the Department of Health and Kinesiology to the Department of Business in the College of Business and Professional Studies. This

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will not affect the mission of the institution or the role of the academic programs in fulfilling the mission of the institution.

- h. **UMMC** – Delete the Department of Dental Hygiene (DH). The School of Health Related Professions (SHRP) at UMMC is requesting the deletion of the Department of Dental Hygiene. The decision to relocate the department to the School of Dentistry was based on the need to promote collaboration between the Dental Hygiene and the School of Dentistry. **(THIS ITEM WAS MOVED FROM THE ACADEMIC AFFAIRS CONSENT AGENDA.)**

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Regular 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 item #3. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #4. On motion by Trustee Pickering, seconded by Trustee Star, all Trustees legally present and participating voted unanimously to approve agenda item #5. On motion by Trustee Pickering, seconded by Trustee Star, all Trustees legally present and participating voted unanimously to approve agenda item #6. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #7. On motion by Trustee Pickering, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #8.

1. **SYSTEM** - Approved for final reading the proposed new Board Policy Section 713 Institutional Financial Sustainability. **(See Exhibit 1.)**
2. **SYSTEM** – Approved the overview of the FY 2018 appropriations from the Legislature and the final allocation of Education & General Support appropriations to the eight universities along with Legislative earmarks, subsidiary programs, agricultural units, and the University of Mississippi Medical Center. **(See Composite Exhibit 2.)**
3. **SYSTEM** – Approved for final reading of the proposed increases in resident and non-resident tuition rates at all institutions and for certain professional schools at Mississippi State University, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi effective for fiscal year 2018. **(See Composite Exhibit 3.)** The Board approval the final reading of the proposed increases in room and board rates for Alcorn State University and Mississippi Valley State University. **(See Exhibit 4.)** The Board waived the requirement of Board Policy 702.04 (C) Consideration of Requests, for a 30-day review of the requested increases in tuition, room and board rates before a final vote is taken at a subsequent meeting.
4. **SYSTEM** – Approved the request that any FY 2018 salary increases should be based on one or more of the following: 1) meritorious performance, 2) market or equity adjustments, and 3) faculty/staff promotions. Salary increase decisions may be made at the discretion of the Commissioner (for the Executive Office) or the Institutional Executive Officer (for the campuses).

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These salary guidelines will apply to all university employees regardless of funding source or types of increases awarded.

5. **MSU** – Approved the bond resolution authorizing the issuance of bonds, through the Mississippi State University Building Corporation (MSUEBC), not to exceed \$32 million. The loan term will not exceed 30 years. Funds will be used to help finance the Addition and Renovation to Dudy Noble Field-Polk DeMent Stadium. Total project funding is \$55 million (\$30 million from MSUEBC and \$25 million from MSU Foundation/Athletics/Bulldog Club). The following professionals have been approved: First Southwest, financial advisor; Jones Walker, LLP, bond counsel; and Morgan Stanley & Company, LLC and Raymond James & Associates, Inc, underwriters. Bond counsel will be compensated at \$1.15 per \$1,000. MSU is expecting to issue up to a maximum of \$32,000,000 par value in fixed rate bonds. Proceeds from the bond issue will support the project fund (\$30 million), capitalized interest, cost of issuance and the underwriter's discount. Based on the Financial Advisor's report dated January 10, 2017, the proposed debt amortization will have an average annual debt payment of \$2,132,232 at an expected true interest cost of 5.05 percent. Taxable and tax-exempt options will both be considered. Funds are available from various Athletic revenues, including annual seat donations, capital gift agreements, philanthropic Athletic gifts, and other internally generated Athletic revenues. The bond resolution and form of bond documents have been reviewed and approved by the Attorney General's office prior to the Board's approval of this item.
6. **MUW** – Approved the amendment of an existing professional services agreement with Sodexo Management, Inc. (Sodexo) to provide dining and catering management services for its food service operations and to manage and operate vending operations for MUW's students, faculty, staff, and guests. This is a five (5) year contract beginning June 1, 2017 through May 31, 2022. The contract is subject to renewal for an additional five (5) year term upon mutual agreement of the parties and subject to IHL Board approval. This revenue contract is projected to provide a total of \$527,265 over the five (5) year life of the agreement. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.
7. **UMMC** – Approved the request to enter into an agreement with Stryker Craniomaxillofacial, a division of Stryker Sales Corporation, for the purchase of maxillofacial implants, instrumentation and supplies used in adult and pediatric surgical procedures. This agreement will allow UMMC to purchase and consign maxillofacial (midface and mandible) implants, instrumentation, and supplies used in trauma and elective surgical procedures for adult and pediatric patients. The consignment option under the Agreement will allow for the maxillofacial implant systems to be available at all times to UMMC surgeons, ensuring immediate treatment for trauma patients, without cost to UMMC until the implant systems are used. In addition, UMMC will receive discounted pricing on the products purchased under this agreement by using Stryker and no more than one (1) additional vendor to provide the maxillofacial Fixation products (Purchase Commitment). The term of the agreement is for three (3) years beginning on or about May 1, 2017 through April 30, 2020. The estimated total contract amount over the three (3) year term is \$4,320,070.55, based upon historical spend on maxillofacial implants, instrumentation, and supplies. UMMC has calculated a twenty percent (20%) annual increase in patient volume each year. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General's Office prior to the Board's approval of this item, is on file in the Board Office.

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8. **UMMC** – Approved the request to enter into an agreement with Zimmer Biomet CMF & Thoracic, LLC for the purchase of craniomaxillofacial implants, instrumentation and supplies used in adult and pediatric surgical procedures. The agreement will allow UMMC to purchase and consign craniomaxillofacial implants, instrumentation, and supplies used in trauma and elective surgical procedures for adult and pediatric patients. The consignment option under the Agreement will allow for the craniomaxillofacial implant systems to be available at all times to UMMC surgeons, ensuring immediate treatment for trauma patients, without cost to UMMC until the implant systems are used. In addition, UMMC will receive discounted pricing on the products purchased under this agreement by submitting a quarterly written statement confirming Zimmer Biomet as one of two vendors to provide maxillofacial devices and as one of two vendors to provide neuro devices (Dual Vendor Award). The term of the agreement is for three (3) years beginning on or about May 1, 2017 and ending April 30, 2020. The estimated total contract amount over the three (3) year term is \$7,200,117.55, based upon historical spend on craniomaxillofacial implants, instrumentation, and supplies. UMMC has calculated a twenty percent (20%) annual increase in patient volume each year. The agreement will be funded by patient revenues. The agreement, which was reviewed and approved by the Attorney General’s Office prior to the Board’s approval of this item, is on file in the Board Office.

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

By consensus, agenda items #1 and #2 were moved to the Executive Session Agenda for consideration. On motion by Trustee Perry, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve agenda item #3.

1. **UMMC** – Settlement of Tort Claim No. 1903. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION.)**
2. **UMMC** – Settlement of Tort Claim No. 3081. **(THIS ITEM WAS MOVED TO EXECUTIVE SESSION.)**
3. **SYSTEM** – Approved for first reading of the modifications to Board Policy 301.01 Officers of the Board. **(See Exhibit 5.)**

**ADMINISTRATION/POLICY**

Presented by Commissioner Glenn F. Boyce

On motion by Trustee McNair, seconded by Trustee Smith, all Trustees legally present and participating voted unanimously to approve agenda item #1. On motion by Trustee McNair, seconded by Trustee Perry, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **UMMC** – Approved the revised patent and invention policies and procedures. A copy of this document is included in the bound *April 20, 2017 Board Working File*.
2. **SYSTEM** – Approved the re-appointment of Dr. Al Rankins, President of Alcorn State University, to the Postsecondary Educational Financial Assistance Board as the institutional



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representative for the IHL Board of Trustees to serve a four-year term beginning July 2, 2017 and ending June 30, 2021.

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**FINANCE**

1. **UMMC** – In January 2017, the Board of Trustees conditionally approved a Master Agreement between UMMC and Abbott Molecular, Inc. contingent on UMMC's receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General's Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General's Office.
2. **UMMC** – In January 2017, the Board of Trustees conditionally approved a Chronic Outpatient Therapy Agreement between UMMC and NxStage Medical, Inc. contingent on UMMC's receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General's Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General's Office.
3. **UMMC** – In January 2017, the Board of Trustees conditionally approved a Sales Agreement between UMMC and One Lambda, Inc. contingent on UMMC's receipt of a P-1 from the Department of Finance and Administration (DFA) and provision of copies of the P-1 to the IHL and the Attorney General's Office. UMMC has satisfied the contingency for IHL Board approval of the agreement by its receipt of a P-1 from the DFA and by providing copies of the P-1 to the IHL and the Attorney General's Office.

**REAL ESTATE**

4. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the March 16, 2017 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 6.)

**LEGAL**

5. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 7.)

**ADMINISTRATION/POLICY**

6. **SYSTEM** – 2017 Spring Commencement Schedules

**Alcorn State University**

Time/Date:	8:30 a.m., Saturday, May 6, 2017
Location:	Davey L. Whitney Health and Physical Education Complex
Speaker:	Mr. Alton "Jay" Harris, ESPN <i>SportsCenter</i> Anchor

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**Delta State University**

Time/Date: 10:00 a.m. and 2:00 p.m., Saturday, May 6, 2017  
Location: Bologna Performing Arts Center  
Speaker: Mrs. Ann Lamar, Mississippi Board of Trustees of State Institutions of Higher Learning  
and former state Supreme Court Justice

**Jackson State University**

*Graduate Commencement Exercises*

Time/Date: 6:00 p.m., Friday, April 28, 2017  
Location: Lee E. Williams Athletics and Assembly Center  
Speaker: Mr. Mike Espy, Secretary Mike Espy, Attorney Shareholder in Morgan & Morgan PA,  
and Principal of Mike Espy PLLC, and AE Agritrade, Inc.

*Undergraduate Commencement Exercises*

Time/Date: 8:00 a.m., Saturday, April 29, 2017  
Location: Mississippi Veterans Memorial Stadium  
Speaker: Mr. DeMarco Morgan, CBS News Correspondent

**Mississippi State University**

*Meridian Campus*

Time/Date: 11:00 a.m., Friday, May 5, 2017  
Location: Riley Center  
Speaker: Dr. Andrea Mayfield, Executive Director, Mississippi Community College Board

*Starkville Campus*

*Bagley College of Engineering; College of Veterinary Medicine; College of Agriculture and Life Sciences; College of Forest Resources; College of Education*

Time/Date: 7:00 p.m., Friday, May 5, 2017  
Location: Humphrey Coliseum  
Speaker: Dr. LouAnn Woodward, Vice Chancellor for Health Affairs, University of Mississippi  
Medical Center

*College of Arts and Sciences; College of Business; College of Architecture, Art and Design*

Time/Date: 10:00 a.m., Saturday, May 6, 2017  
Location: Humphrey Coliseum  
Speaker: Dr. LouAnn Woodward, Vice Chancellor for Health Affairs, University of Mississippi  
Medical Center

**Mississippi University for Women**

Time/Date: 10:00 a.m., Saturday, May 13, 2017  
Location: Rent Auditorium, Whitfield Hall  
Speaker: The Honorable Tate Reeves, Lieutenant Governor, State of Mississippi

Time/Date: 2:00 p.m., Saturday, May 13, 2017  
Location: Rent Auditorium, Whitfield Hall  
Speaker: The Honorable Sally Doty, Mississippi State Senate

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**Mississippi Valley State University**

Time/Date: 8:00 a.m. and 11:00 a.m., Saturday, May 6, 2017  
Location: R. W. Harrison Health, Physical Education, and Recreation (HPER) Complex  
Speaker: Dr. Claude G. Perkins, President, Virginia Union University

**The University of Mississippi**

Time/Date: 9:00 a.m., Saturday, May 13, 2017  
Location: The Grove  
Speaker: Mr. Jon Meacham, Pulitzer Prize-Winning Author and Renowned Presidential Historian

**The University of Mississippi Medical Center**

Time/Date: 10:00 a.m., Friday, May 26, 2017  
Location: Mississippi Coliseum  
Speaker: No Speaker

**The University of Southern Mississippi**

Time/Date: 9:00 a.m. and 3:00 p.m., Friday, May 12, 2017  
Location: Reed Green Coliseum, Hattiesburg, MS  
Speaker: Mr. James S. Franks, Senior Research Scientist, Gulf Coast Research Laboratory

Time/Date: 10:00 a.m., Saturday, May 13, 2017  
Location: Mississippi Coast Coliseum, Biloxi, MS  
Speaker: Mr. James S. Franks, Senior Research Scientist, Gulf Coast Research Laboratory

7. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
- a. **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 March 8, 2017, Commissioner Glenn F. Boyce approved the lease agreement with the East Mississippi Center for Educational Development for approximately 552 square feet of combined office space at MSU – Meridian College Park Campus. The initial term of the lease was for one year—July 1, 2016 through June 30, 2017—with an option to renew annually for up to five years with a 4% per annum increase payable on July 1 of each subsequent year. The term of the current renewal period is one year beginning July 1, 2017 at the 4% increased annual rate of \$7,117 to be prepaid on July 1. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

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- 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.” On April 4, 2017, Commissioner Glenn F. Boyce approved the second amendment to the lease agreement with the Gamma Upsilon House Corporation and Gamma Upsilon Chapter of Sigma Chi Fraternity in order to amend the property description. All other provisions of the existing lease agreement and its first amendment remain unchanged. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- c. **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 March 24, 2017, Commissioner Glenn F. Boyce approved the lease addendum to the lease agreement between the University of Mississippi/Board of Trustees of State Institutions of Higher Learning and the Mississippi Alpha Phi House Corporation of Alpha Phi International Fraternity, Inc. The addendum modifies the property description. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- d. **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 March 8, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with Camellia Pharmacy Services, LLC d/b/a Infusion Plus to lease a Computerized Ambulatory Drug Delivery IV pump(s) and to prepay same in accordance with the lease terms. The term of the contract is three years beginning on the commencement date of the first treatment period, which is anticipated to begin March 5, 2017, and will expire on June 31, 2020, at a total cost of \$5,041.08. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- e. **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 March 8, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with Taylor Holdings, Inc. for the lease of approximately 2,475

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square feet of temporary clinic space located at 313 Court Avenue, Louisville, Winston County, MS for use by the UMMC Department of Dermatology and to prepay same in accordance with the lease terms. The initial term for the lease is for one year beginning March 1, 2017 at a cost of \$2,500 per month. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- f. **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 March 24, 2017, Commissioner Glenn F. Boyce approved the lease agreement with the Mississippi Fair Commission for the lease of the Mississippi Coliseum in which to hold UMMC’s 2017 commencement ceremony. The term of the lease is for three days from May 24, 2017 through May 26, 2017 at a cost of \$7,500 for the facility, including ancillary table/chair costs. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- g. **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 March 24, 2017, Commissioner Glenn F. Boyce approved the lease agreement with INSLAW Properties, LLC for approximately 550 square feet of office space at a cost of \$700 per month to be prepaid on or before the 15<sup>th</sup> day of each month. The term of the lease is one year beginning April 1, 2017 with the option for two consecutive one-year extension periods. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- h. **USM** – In 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 March 8, 2017, Commissioner Glenn F. Boyce approved the lease agreement with BioSoil Enhancers, Inc. for approximately 456 square feet of laboratory and office space within USM’s Innovation and Commercialization Accelerator building. The rent to be paid to USM is \$11,400 annually to be paid in quarterly installments and the initial term of the lease is for one year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- i. **SYSTEM** – On March 2, 2017, Commissioner Glenn F. Boyce reviewed and approved the Quarterly Employment Reports which list all hires and all separations for the period beginning October 1, 2016 and ending December 31, 2016. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive

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Office financial staff has reviewed and approved the institutions' FY17 Q2 submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.

**ANNOUNCEMENTS**

- President Rouse announced the next Board meeting will be held May 18, 2017 at the IHL Board Office.
- President Doug Rouse passed the gavel to President-Elect C.D. Smith. Trustee Smith will begin his term as president on May 8, 2017. Trustee Smith presented a plaque to President Rouse in appreciation for his service as Board President.

**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, April 19, 2017**

The meeting was called to order by Chairman Ford Dye at approximately 12:00 p.m. in the Board Room of the Norman C. Nelson Student Union at the University of Mississippi Medical Center. The following items were discussed.

1. Communication – The Committee discussed how information is communicated to the trustees by the University of Mississippi Medical Center.
2. Future Wellness Presentation – In the near future, UMMC will provide a presentation on the status of the wellness centers.
3. Epic Community Connect - UMMC reported on upcoming contacts related to the Epic software which handles the electronic health records system.
4. CMAR – The Committee discussed a request to enter into an agreement with Brasfield & Gorrie, L.L.C. for the provision of construction manager at risk (CMAR) services for the Children's of Mississippi Expansion Project. **No action was taken.**

**5. Executive Session**

On motion by Trustee Pickering, with Trustee Morgan absent and not voting, all Committee Members legally present and participating voted unanimously to close the meeting to determine whether or not is should declare an Executive Session. On motion by Trustee McNair, seconded by Trustee Perry, with Trustee Morgan absent and not voting, all Committee Members legally present and participating voted unanimously **to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of two prospective leases of real property, a prospective litigation matter; and strategic plans of a public hospital.

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**During Executive Session, the following matters were discussed:**

The Committee discussed a prospective litigation matter. **No action was taken.**

The Committee discussed a prospective lease of real property. **No action was taken.**

The Committee discussed strategic plans of a public hospital. **No action was taken.**

The Committee discussed a prospective lease of real property. **No action was taken.**

**On motion by Trustee Pickering, seconded by Trustee Smith, with Trustee Morgan absent and not voting, all Committee Members legally present and participating voted unanimously to return to Open Session.**

6. Adjournment – On motion by Trustee Parker, seconded by Trustee McNair, with Trustee Morgan absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper, Ms. Ann H. Lamar, Dr. Alfred McNair, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr. Mr. Chip Morgan was absent.

**EXECUTIVE SESSION**

On motion by Trustee McNair, seconded by Trustee Hooper, 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 Smith, seconded by Trustee Star, 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:

Discussion of a two prospective litigation matters at a state university.

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

On motion by Trustee McNair, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 1903 styled as *Sherun Hill vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Hooper, seconded by Trustee McNair, all Trustees legally present and participating deliberated over and then voted unanimously to approve the settlement of Tort Claim No. 3081 styled as *Leah N. Ledford vs. UMMC, et al.*, as recommended by counsel.

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

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**ADJOURNMENT**

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

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning



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**EXHIBITS**

- Exhibit 1      Proposed amendments to Board Policy 713 Institutional Financial Sustainability for final reading.
- Composite Exhibit 2   FY 2018 appropriations and final appropriation allocation.
- Composite Exhibit 3   Final approval of the proposed increases in resident and non-resident tuition rates at all institutions and for certain professional schools at Mississippi State University, the University of Mississippi, the University of Mississippi Medical Center, and the University of Southern Mississippi effective for fiscal year 2018.
- Exhibit 4      Proposed increases to the Room and Board rates for Alcorn State University and Mississippi Valley State University for final approval.
- Exhibit 5      Proposed amendments to Board Policy 301.01 Officers of the Board for first reading.
- Exhibit 6      Real Estate items that were approved by the IHL Board staff subsequent to the March 16, 2017 Board meeting.
- Exhibit 7      Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

April 20, 2017

## **SYSTEM – REQUEST APPROVAL FOR FINAL READING OF PROPOSED NEW BOARD POLICY SECTION 713 – INSTITUTIONAL FINANCIAL SUSTAINABILITY**

### **713.01 – STATEMENT OF PURPOSE FOR INSTITUTIONAL FINANCIAL SUSTAINABILITY**

The mission of the Board of Trustees includes the fiscal management of the institutions of higher learning in Mississippi in order to see that the mission of the IHL System is accomplished. The Board of Trustees finds that this includes providing financial guidance and oversight so that the core functions of instruction, public service, and research can be accomplished in a financially sustainable manner for the long term benefit of Mississippi. Furthermore, while the Board has authority to manage institutional resources across institutions, the Board finds that it is in the best interest for each institution to operate within the resources available at the institution per Board Policy 301.0801(B). While many new opportunities to serve students, citizens, and patients arise from time to time, the Board wishes to ensure that each institution engages these opportunities from positions of financial sustainability. Therefore, the Board outlines in this section general guidelines for financial policy to be carried out by the Commissioner in coordination with Institutional Executive Officers to ensure that sustainable institutions continue to serve the state of Mississippi.

### **713.02 – ANNUAL BUDGET PLANNING**

The Board of Trustees approves the Annual Operating Budget for each institution annually along with related escalations. Prior to the Board approving the Annual Operating Budget, the Institutional Executive Officer shall review the financial condition of the institution based on the most recent version of the Institutions of Higher Learning Financial Ratios. Upon review of an institution's financial condition, the Commissioner of Higher Education shall arrange a meeting with Institutional Executive Officers to obtain a basis to recommend approval of an institution's budget to the Board of Trustees in accordance with financially sustainable objectives. The Commissioner of Higher Education may recommend financial targets that take into account the size, mission, and current financial condition of the institution. These recommendations should be appropriate to the current financial capacity of the institution. Management of the institution for financial sustainability, including possible recommendations by the Commissioner of Higher Education, shall be a component of the Institutional Executive Officer's evaluation by the Commissioner and Board of Trustees as set out in Board Policy 301.0802.

# EXHIBIT 1

April 20, 2017

## 713.03 – MINIMUM CRITERIA FOR INSTITUTIONAL FINANCIAL SUSTAINABILITY

The minimum criteria for institutional financial sustainability shall cover the following areas: adequate financial reserves, adequate liquidity, and adequate coverage of annual debt payments. These ratios shall be prepared using annually audited accounting statements prepared under Governmental Accounting Standards Board guidelines and calculated in the manner prescribed in the most recent version of the Institutions of Higher Learning Financial Ratios. During Annual Budget Planning, the Commissioner of Higher Education may recommend target ratios to Institutional Executive Officers that address the current financial condition of institutions.

## 713.04 – MAJOR PROJECTS AND ENCUMBRANCES AND INSTITUTIONAL FINANCIAL SUSTAINABILITY

Because the Board of Trustees must maintain financially sustainable institutions, the Board may elect to postpone consideration of projects or activities that involve major commitments of expenditures or debt burden when an institution fails to meet the minimum criteria for institutional sustainability.

# COMPOSITE EXHIBIT 2



## FY 2018 Education & General (Campus Funds)

Institution	FY 2017	FY 2018	Difference	Percent
Alcorn State University	\$20,560,479	\$18,486,046	(\$2,074,433)	-10.09%
Delta State University	\$22,059,891	\$19,904,002	(2,155,889)	-9.77%
Jackson State University	\$39,624,655	\$35,692,729	(3,931,926)	-9.92%
Mississippi State University	\$96,299,366	\$86,997,453	(9,301,913)	-9.66%
Mississippi University for Women	\$16,539,577	\$14,870,323	(1,669,254)	-10.09%
Mississippi Valley State University	\$14,198,138	\$12,749,433	(1,448,705)	-10.20%
University of Mississippi	\$85,327,731	\$76,956,978	(8,370,753)	-9.81%
University of Southern Mississippi	\$81,365,387	\$73,408,511	(7,956,876)	-9.78%
Subtotal	\$375,975,224	\$339,065,475	(\$36,909,749)	-9.82%

# COMPOSITE EXHIBIT 2



## FY 2018 Separately Budgeted Units

	<b>FY 2017</b>	<b>FY2018</b>	<b>Change</b>	<b>Percent</b>
Student Financial Aid	\$38,752,077	\$37,661,346	(\$1,090,731)	-2.81%
University of Mississippi Medical Center	180,777,700	157,860,985	(22,916,715)	-12.68%

# COMPOSITE EXHIBIT 2



## FY 2018 Agricultural Programs

Program	FY 2017	FY 2018	Change	Percent
ASU Agricultural	\$6,682,990	\$6,190,694	(\$492,296)	-7.37%
Agricultural & Forestry Experiment Station	24,445,782	22,568,946	(1,876,836)	-7.68%
Mississippi Cooperative Extension	31,567,507	29,198,086	(2,369,421)	-7.51%
Forest & Wildlife Research Center	6,486,314	5,608,385	(877,929)	-13.54%
College of Veterinary Medicine	18,776,769	17,216,407	(1,560,362)	-8.31%
Agricultural Total	\$87,959,362	\$80,782,518	(\$7,176,844)	-8.16%

# COMPOSITE EXHIBIT 2



## FY 2018 Subsidiary Programs

Inst.	Subsidiary	FY 2017	FY 2018	Change	Percent
Board	Executive Office	\$6,911,873	\$6,693,640	(\$218,233)	-3.16%
JSU	Urban Research Center	473,100	448,580	(24,520)	-5.18%
MSU	Advanced Vehicular Studies	4,764,455	4,426,458	(337,997)	-7.09%
MSU	State Chemical Laboratory	2,137,932	1,601,638	(536,294)	-25.08%
MSU	Water Resources Research Institute	382,118	357,031	(25,087)	-6.57%
MSU	Stennis Institute	834,586	750,929	(83,657)	-10.02%
UM	Law Research Institute	836,238	778,882	(57,356)	-6.86%
UM	Mineral Resources Institute	366,033	336,795	(29,238)	-7.99%
UM	Research Inst. of Pharmaceutical Sciences	3,271,893	3,058,808	(213,085)	-6.51%
UM	Supercomputer	680,430	631,560	(48,870)	-7.18%
UM	Small Business Center	270,696	245,641	(25,055)	-9.26%
UM	Center for Manufacturing Excellence	2,689,905	2,567,961	(121,944)	-4.53%
UM	State Court Education Program	1141065	1,574,512	433,447	37.99%
USM	Mississippi Polymer Institute	637,113	587,625	(49,488)	-7.77%
USM	Gulf Coast Research Laboratory	8,526,028	7,720,791	(805,237)	-9.44%
USM	Stennis Center	333,306	311,564	(21,742)	-6.52%
External (Non-IHL)	Volunteer Commission	750,000	662,657	(87,343)	-11.65%
	Total	<b>\$35,006,771</b>	<b>\$32,755,072</b>	<b>\$ (2,251,699)</b>	<b>-6.43%</b>

# COMPOSITE EXHIBIT 2



## FY 2018 Capital Expense Funds

Budget	FY 2017	FY 2018	Change	Percent
ASU	\$484,443	\$ -	(\$484,443)	-100%
DSU	458,006	-	(458,006)	-100%
JSU	1,800,000	-	(1,800,000)	-100%
MSU	2,594,557	-	(2,594,557)	-100%
MUW	375,879	-	(375,879)	-100%
MVSU	382,974	-	(382,974)	-100%
UM	3,159,302	-	(3,159,302)	-100%
USM	1744839	-	(1,744,839)	-100%
Total	\$11,000,000	\$ -	(\$11,000,000)	-100%



# COMPOSITE EXHIBIT 3



## FY 2018 Resident Tuition Revised Request

Institution	Approved	Revision Requested	
	FY 2018	FY 2018	Change
ASU	\$6,710	\$6,878	\$168
DSU	6,613	6,739	126
JSU	7,427	7,501	74
MSU	7,960	8,208	248
MUW	6,263	6,514	251
MVSU	6,228	6,402	174
UM	7,950	8,190	240
USM	7,853	8,108	255
<b>SYSTEM AVERAGE</b>	<hr/> \$7,126	<hr/> \$7,318	<hr/> \$192
UMMC	\$7,950	\$8,268	\$318

# COMPOSITE EXHIBIT 3



## FY 2018 Non-Resident Tuition Revised Request

Institution	Approved	Revision Requested	
	FY 2018	FY 2018	Change
ASU	\$6,710	\$6,878	\$168
DSU	6,613	6,739	126
JSU	18,194	18,194	-
MSU	21,580	22,248	668
MUW	17,361	18,055	694
MVSU	6,228	6,402	174
UM	23,334	23,454	120
USM	9,854	10,108	254
<b>SYSTEM AVERAGE</b>	<b>\$13,734</b>	<b>\$14,010</b>	<b>\$276</b>
UMMC	\$23,334	\$24,246	\$912

# COMPOSITE EXHIBIT 3



## FY 2018 Resident Professional Schools Tuition Revised Request

	Approved		Revision Requested		
	FY 2018		FY 2018	Change	
MSU					
Veterinary Medicine	\$	26,099	\$	26,099	\$ -
UM					
School of Law (JD)	\$	15,642	\$	15,882	\$ 240
Masters of Laws Program Air & Space Law	\$	21,866	\$	22,110	\$ 244
MBA	\$	13,254	\$	13,500	\$ 246
School of Pharmacy: Pre-Pharm, EE1, EE2, & EE3	\$	12,634	\$	12,870	\$ 236
School of Pharmacy: P1 & P2	\$	23,411	\$	23,652	\$ 241
School of Pharmacy: P3 & P4	\$	25,278	\$	25,518	\$ 240
Accountancy Graduate Programs <sup>(2)</sup>	\$	7,950	\$	8,694	\$ 744
USM					
Certified Reg. Nurse Anesthesia <sup>(3)</sup>	\$	22,830	\$	22,830	\$ -

# COMPOSITE EXHIBIT 3



## FY 2018 Resident Professional Schools Tuition Continued Revised Request

	Approved		Revision Requested	
	FY 2018		FY 2018	Change
UMMC				
School of Graduate Studies in the Health Sciences	\$	7,950	\$ 8,268	\$ 318
School of Dentistry	\$	28,408	\$ 29,523	\$ 1,115
School of Medicine	\$	28,431	\$ 29,552	\$ 1,121
School of Physical Therapy	\$	18,571	\$ 19,299	\$ 728
Doctor of Occupation Therapy	\$	13,819	\$ 14,332	\$ 513
Doctor of Health Administration	\$	13,819	\$ 14,332	\$ 513

# COMPOSITE EXHIBIT 3



## FY 2018 Non-Resident Professional Schools Tuition Revised Request

	Approved FY 2018	Revision Requested FY 2018	Change
<b>MSU</b>			
Veterinary Medicine	\$ 47,299	\$ 47,299	\$ -
<b>UM</b>			
School of Law (JD)	\$ 35,134	\$ 35,254	\$ 120
Masters of Laws Program Air & Space Law	\$ 21,866	\$ 21,990	\$ 124
MBA	\$ 31,943	\$ 32,067	\$ 124
School of Pharmacy: Pre-Pharm, EE1, EE2, & EE3	\$ 29,214	\$ 29,334	\$ 120
School of Pharmacy: P1 & P2	\$ 47,541	\$ 47,664	\$ 123
School of Pharmacy: P3 & P4	\$ 51,400	\$ 51,522	\$ 122
Accountancy Graduate Programs <sup>(2)</sup>	\$ 23,334	\$ 23,958	\$ 624
<b>USM</b>			
Certified Reg. Nurse Anesthesia <sup>(3)</sup>	\$ 28,830	\$ 28,830	\$ -

# COMPOSITE EXHIBIT 3



## FY 2018 Non-Resident Professional Schools Tuition Continued Revised Request

	Approved		Revision Requested			
	FY 2018		FY 2018	Change		
UMMC						
School of Graduate Studies in the Health Sciences	\$	23,334	\$	24,246	\$	912
School of Dentistry	\$	66,759	\$	69,357	\$	2,598
School of Medicine	\$	66,968	\$	69,584	\$	2,616
School of Physical Therapy	\$	39,214	\$	40,746	\$	1,532
Doctor of Occupation Therapy	\$	38,712	\$	40,150	\$	1,438
Doctor of Health Administration	\$	38,712	\$	40,150	\$	1,438

# EXHIBIT 4



## FY 2018 Room & Board Requested Revisions

<b>Alcorn State University</b>	<b>Approved FY 2018</b>	<b>Revised FY 2018</b>	<b>Change</b>
Average Double Occupancy	\$ 5,922	\$ 6,070	\$ 148
Average Meal Plan	3,091	3,168	77

<b>Mississippi Valley State University</b>	<b>Approved FY 2018</b>	<b>Revised FY 2018</b>	<b>Change</b>
Average Double Occupancy	\$ 4,408	\$ 4,537	\$ 129
Meal Plan	3,406	3,506	100

# EXHIBIT 5

April 20, 2017

Approval for the first reading the modifications to Board Policy 301.01 Officers of the Board.

## 301.01 Officers of the Board

### A. PRESIDENT:

There shall be a president elected by the Board from its membership. ~~It is expected that each member of a class of Trustees shall be elected to serve as President, unless a Trustee elects not to serve.~~ A class of Trustees shall consist of those Trustees who take office on the same date, or those whose terms as trustees end on the same date. ~~Each member of the class of Trustees that took office as of May 2004 shall serve eleven months as president, unless he/she elects not to serve. The first Trustee elected as President from the class of Trustees that took office in 2004 shall begin his/her presidential term on May 1, 2011. Each member of the class of Trustees that took office as of May 2008 shall serve ten months as president, unless he/she elects not to serve. Each member of the class of Trustees that shall take office as of May 2012, as well as the members of all subsequent classes, shall serve nine months as president, unless he/she elects not to serve. If a member of a class of Trustees elects not to serve, another~~ A member of the a class may serve more than one term, if elected. The length of a term shall be one year. The president of the Board may not immediately succeed himself/herself as president after having served a full term. The president of the Board shall preside at all meetings of the Board; he or she shall be an ex officio member of all standing and special committees; he or she shall, with the Commissioner, execute such instruments and contracts as may be ordered by the Board; he or she shall perform such duties as usually pertain to this office and such other duties as may be assigned by the Board; and he or she shall be governed in his action by the usual parliamentary procedure. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie. ~~The president of the Board may not immediately succeed himself/herself as president after having served a full term.~~



# EXHIBIT 6

April 20, 2017

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE March 16, 2017 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.

## **ALCORN STATE UNIVERSITY**

### **1. ASU- GS 101-294 – Utility Infrastructure**

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

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

Board staff approved Change Order #2 in the amount of \$10,185.60 and zero (0) additional days to the contract of Metro Mechanical, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 1, 2017

Change Order Description: Change Order #2 includes the following items: furnish & install fencing with post and gates and sight proof slates around the new chiller area; and install galvanized fencing with a double gate around the grinder station.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$52,208.20.

Project Initiation Date: March 21, 2013

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Metro Mechanical, Inc.

Phased Project Budget: \$2,645,702.43

Total Project Budget: \$3,846,615.33

### **2. ASU- GS 101-297 – Technology Classroom Building**

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Allred Architectural Group

Approval Status & Date: APPROVED, February 15, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 15, 2017

# EXHIBIT 6

April 20, 2017

Project Initiation Date: June 20, 2013

Design Professional: Allred Architectural Group

General Contractor: TBD

Total Project Budget: \$16,500,000.00

## JACKSON STATE UNIVERSITY

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

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

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

Board staff approved Change Order #5 in the credit amount of \$52,848.57 and twenty-eight (28) additional days to the contract of Flagstar Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, February 17, 2017

Change Order Description: Change Order #5 includes the following items: additional countertop supports for forty (40) counters in the community bathrooms; replace four (4) existing deteriorated hollow metal doors & hardware from the penthouse onto the roof; repainting of the existing panels under the lobby windows; replace two (2) existing water heater flues for the proper vent of new water heaters; replace the missing exit door hardware on the north stairway exterior doors; delete the refurbishing of two (2) existing elevator cabs and the doors and frames in the five (5) elevator lobbies; delete some of the site-related items in the lay-down area; delete the installation of plumbing wall cleanouts on three (3) floors in the north and south wings of the building; and twenty-eight (28) days to the contract.

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$83,344.62.

Project Initiation Date: October 17, 2013

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Flagstar Construction Company, Inc.

Total Project Budget: \$8,310,000.00

## MISSISSIPPI STATE UNIVERSITY

### 4. MSU– IHL 205-262 – Aiken Village Demolition

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

Board staff approved Change Order #1 in the credit amount of \$41,000.00 and zero (0) additional days to the contract of M&M Services, Inc.

Approval Status & Date: APPROVED, February 24, 2017

# EXHIBIT 6

April 20, 2017

Change Order Description: Change Order #1 includes the following items: credit to delete demolition of the day care from the contract.

Change Order Justification: This change was due to user/owner requested modification.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$41,000.00.

Project Initiation Date: October 20, 2011

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: M&M Services, Inc.

Phased Project Budget: \$2,031,380.02

Total Project Budget: \$5,000,000.00

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Wier Boerner Allin Architecture.

Approval Status & Date: APPROVED, February 20, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 20, 2017

Project Initiation Date: May 21, 2015

Design Professional: Wier Boerner Allin Architecture

General Contractor: TBD

Total Project Budget: \$55,000,000.00

## MISSISSIPPI UNIVERSITY FOR WOMEN

6. **MUW– GS 104-188 – Culinary Arts Pre-Plan**

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

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

Board staff approved the Design Development Documents as submitted by JBHM.

Approval Status & Date: APPROVED, March 8, 2017

Project Initiation Date: June 18, 2015

Design Professional: JBHM

General Contractor: TBD

Total Project Budget: \$282,507.00

## MISSISSIPPI VALLEY STATE UNIVERSITY

7. **MVSU – GS 106-237 – Harrison Renovation Improvements**

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

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

# EXHIBIT 6

April 20, 2017

Board staff did NOT approve the Award of Contract in the amount of \$795,860.00 to the apparent low bidder, Scott & Sons Construction and Mechanical Services, Inc.

Approval Status & Date: NOT APPROVED, March 6, 2017

Project Initiation Date: January 20, 2011

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: Scott & Sons Construction and Mechanical Services, Inc.

Phased Project Budget: \$876,771.91

Total Project Budget: \$20,025,000.00

## 8. **MVSU – GS 106-237 – Harrison Renovation Improvements**

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

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

Board staff approved Change Order #1 in the amount of \$34,865.04 and zero (0) additional days to the contract of Scott & Sons Construction and mechanical Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 6, 2107

Change Order Description: Change Order #1 includes the following items: add custom lockers in the locker room for the volley ball team.

Change Order Justification: This change was due to user/owner requested modification.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$34,865.04.

Project Initiation Date: January 20, 2011

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: Scott & Sons Construction and Mechanical Services, Inc.

Phased Project Budget: \$876,771.91

Total Project Budget: \$20,025,000.00

## 9. **MVSU- GS 106-257 – Edna Horton Renovation**

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Shafer & Associates

Approval Status & Date: APPROVED, March 9, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, March 9, 2017

Project Initiation Date: June 16, 2016

Design Professional: Shafer & Associates

General Contractor: TBD

Total Project Budget: \$8,700,000.00

# EXHIBIT 6

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## UNIVERSITY OF MISSISSIPPI

### 10. UM– GS 107-308 – Union Addition & Renovation

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

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

Board staff approved Change Order #6 in the amount of \$455,833.00 and six (6) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, February 24, 2017

Change Order Description: Change Order #6 includes the following items: controls and instrumentation for the new chiller; adding a catering kitchen trough; access & security control for three (3) elevators in phase II; column revisions to the Grove side of the new porch; upgraded toilet partitions & color selection; potholing services; and six (6) days to the contract.

Change Order Justification: This change was due to latent job site conditions; 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 \$891,469.00.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects and Engineers, P.A.

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$58,883,109.72

Total Project Budget: \$58,900,000.00

### 11. UM – GS 107-308.2 – Union Addition & Renovation – C101 Qdoba Buildout

**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 \$120,000.00 to the apparent low bidder, Roy Anderson Corporation.

Approval Status & Date: APPROVED, February 20, 2017

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects & Engineers, P.A.

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$138,727.66

Total Project Budget: \$58,900,000.00

### 12. UM– GS 107-314 (formerly IHL 207-355) – Garland Hedleston Mayes Renovation

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

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

Board staff approved Change Order #1 in the amount of \$147,076.00 and thirty (30) additional days to the contract of Century Construction & Realty, P.A.

Approval Status & Date: APPROVED, February 20, 2017

Change Order Description: Change Order #1 includes the following items: change the underground pre-insulated chilled water piping from pvc to ductile iron; demolish additional latent piping that contains asbestos; demolish & remove plaster ceilings in the restroom areas; install 4” pvc irrigation sleeves underneath all paving and walks; reroute

# EXHIBIT 6

April 20, 2017

underground gas piping; relocate the site security fencing; and thirty (30) days to the contract.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$147,076.00.

Project Initiation Date: January 19, 2012

Design Professional: JH&H Architects/Planners/Interiors, P.A.

General Contractor: Century Construction & Realty, P.A.

Total Project Budget: \$23,500,000.00

## 13. **UM– IHL 207-372 – South Campus Recreation Facility & Transportation Hub**

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

Board staff approved Change Order #1 in the amount of \$144,481.43 and zero (0) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, February 24, 2017

Change Order Description: Change Order #1 includes the following items: to purchase OCIP and Builder's Risk Insurance.

Change Order Justification: This change was a user/owner requested modification for the purchase of OCIP & Builder's Risk Insurance by the contractor. The change from owner procured to contractor procured policies was discussed & agreed by all parties involved.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$144,481.43.

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: Zellner Construction Services, LLC

Phased Project Budget: \$29,169,248.15

Total Project Budget: \$32,000,000.00

## 14. **UM – IHL 207-392 – North Parking Structure**

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

Board staff approved Change Order #4 in the amount of \$54,186.00 and zero (0) additional days to the contract of B.L. Harbert International, LLC.

Approval Status & Date: APPROVED, February 20, 2017

Change Order Description: Change Order #4 includes the following items: excavation of unsuitable soils and backfill with compacted acceptable material; photocell controls added to six (6) existing light poles on the access road; elevator cab finishes were changed from specified plastic laminate panels to stainless steel; and an existing gas line was relocated.

Change Order Justification: This change was due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$461,181.61.

Project Initiation Date: September 26, 2014

# EXHIBIT 6

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

General Contractor: B.L. Harbert International, LLC

Phased Project Budget: \$33,750,000.00

Total Project Budget: \$34,550,000.00

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

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

Board staff approved Change Order #2 in the amount of \$26,461.35 and zero (0) additional days to the contract of Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, February 24, 2017

Change Order Description: Change Order #2 includes the following items: relocation of the new communication entrance into the stadium; to clean up the water damage from a burst water main; and to provide temporary area drains for site work prior to the start-up of phase two.

Change Order Justification: These changes are 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 \$96,932.76.

Project Initiation Date: October 15, 2015

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

General Contractor: Upchurch Plumbing, Inc.

Phased Project Budget: \$1,233,528.93

Total Project Budget: \$18,975,750.00

16. **UM – IHL 207-424 – Faser Hall First Floor Modifications**

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

Board staff approved the Schematic Design Documents as submitted by Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

Approval Status & Date: APPROVED, March 9, 2017

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

Board staff approved the Waiver of Design Development Documents as submitted by Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

Approval Status & Date: APPROVED, March 9, 2017

Project Initiation Date: August 18, 2016

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

General Contractor: TBD

Total Project Budget: \$983,500.00

# EXHIBIT 6

April 20, 2017

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

### 17. UMMC– IHL 209-539 – Lexington Hospital Renovations

#### **Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$29,018.88 and zero (0) additional days to the contract of Flagstar Construction Company, Inc.

Approval Status & Date: APPROVED, February 24, 2017

Change Order Description: Change Order #9 includes the following items: Changes to the HVAC – fan, grills, fire dampers, and duct work material.

Change Order Justification: These changes were due to the discovery of significant air leakage once the new equipment was installed.

Total Project Change Orders and Amount: Nine (9) change orders for a total credit amount of \$181,477.07.

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

### 18. UMMC – IHL 209-555 – Children’s of Mississippi Expansion

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

Board staff approved the Schematic Design Documents as submitted by HDR Architecture, Inc.

Approval Status & Date: APPROVED, March 8, 2017

Project Initiation Date: August 20, 2015

Design Professional: HDR Architecture, Inc.

General Contractor: TBD

Total Project Budget: \$180,000,000.00

## UNIVERSITY OF SOUTHERN MISSISSIPPI

### 19. USM– IHL 208-334 – Cochran Center Theatre

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

Board staff approved the Award of Contract in the amount of \$1,875,000.00 to the apparent low bidder, Hanco Corporation.

Approval Status & Date: APPROVED, March 6, 2017

Project Initiation Date: November 19, 2015

Design Professional: Albert & Associates Architects

General Contractor: Hanco Corporation

Project Budget: \$2,400,000.00

### 20. USM – IHL 210-245 – Toxicology Building Replacement

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

Board staff approved Change Order #3 in the amount of \$144,605.00 and twenty-six (26) additional days to the contract of Dan Hensarling, Inc.



# EXHIBIT 6

April 20, 2017

Approval Status & Date: APPROVED, March 6, 2017

Change Order Description: Change Order #3 includes the following items: aqua equipment changes; trench revisions; add mullions at five (5) door access locations; coring of concrete masonry unit walls; paving revisions; piping revisions & labels; floor & wall epoxy paint changes; changes to experiment chamber services & shelves; additional utilities to the exterior concrete slab; add sod around the building; credit for unsuitable soil allowance; and twenty-six (26) days to the contract.

Change Order Justification: These changes are due to user/owner requested modifications; and twenty-six (26) additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$152,512.00.

Project Initiation Date: August 21, 2008

Design Professional: Allred Architectural Group, P.A.

General Contractor: Dan Hensarling, Inc.

Project Budget: \$4,900,000.00

# EXHIBIT 7

April 20, 2017

## 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 3/21/17) from the funds of Mississippi State University. (This statement, in the amount of \$1,210.35, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 1,210.35**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 3/1/17) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00 and \$2,500.00, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 5,000.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 2/9/17) from the funds of the University of Mississippi. (This statement, in the amount of \$10,717.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 10,717.50**

Payment of legal fees for professional services rendered by Bradley|Arant (statements dated 2/14/17 and 2/28/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$11,736.00 and \$220.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 11,956.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/9/17, 2/14/17, 2/14/17 and 2/28/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$318.50, \$1,568.00, \$367.50 and \$2,670.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 4,924.50**

Payment of legal fees for professional services rendered by Hogan Lovell (statement dated 1/31/17) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$18,912.10, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 18,912.10**

# EXHIBIT 7

April 20, 2017

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/15/17, 2/27/17, 2/27/17, 2/27/17, 2/27/17, 2/27/17, 2/27/17 and 2/27/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$412.50, \$2,867.80, \$412.50, \$288.75, \$3,547.50, \$1,287.00, \$4,750.87, \$1,165.20, \$1,295.25, \$1,551.00, \$1,221.00, \$825.00, \$5,898.75, \$3,126.75, \$15,947.11, \$1,468.50, \$5,131.95, \$4,199.25 and \$1,485.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 56,881.68**

Payment of legal fees for professional services rendered by the Whitfield Law Group (statements dated 2/7/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$769.50 and \$807.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,576.50**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 2/28/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$7,839.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 7,839.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 2/13/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$360.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 360.0**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 3/3/17) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$198.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 198.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 3/1/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$29.98 and \$29.98, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 59.96**

# EXHIBIT 7

April 20, 2017

## 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 2/27/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Live Attenuated Catfish Vaccine” - \$400.00; “Elusieve Processing CIP Application” - \$400.00; “Listeria and Salmonella Assay Methods and Kits” - \$518.00; “Effective Oximes Patent Prosecution” - \$120.00; “Live Attenuated Catfish Vaccine and Method of Making” - \$1,076.00 and “Detection of Antigenic Variants” - \$268.50.)

**TOTAL DUE.....\$ 2,782.50**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/25/17, 1/25/17, 1/25/17 and 2/27/17) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Synthesizing Graphene Materials” - \$2,482.00; “Methods of Synthesizing Graphene from a Lignin Source” - \$66.50; “Methods of Synthesizing Graphene from a Lignin Source” - \$4,887.50 and “Methods of Synthesizing Graphene from a Lignin Source” - \$38.00, respectively.)

**TOTAL DUE.....\$ 7,474.00**

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statements dated 1/27/17, 1/27/17, 2/28/17 and 3/6/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Systems and Methods for Detecting Transient Acoustic Signals” - \$107.10; “Systems and Methods for Detecting Transient Acoustic Signals” - \$245.84; “Systems and Methods for Detecting Transient Acoustic Signals” - \$105.00 and “Systems and Methods for Detecting Transient Acoustic Signals” - \$87.50, respectively.)

**TOTAL DUE.....\$ 545.44**

Payment of legal fees for professional services rendered by HersHKovitz & Associates (statements dated 1/25/17, 2/7/17, 2/13/17, 2/13/17, 2/14/17 and 2/23/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Preparation of Pre-Coated RP Rotors and Universal Chromatorotors” - \$3,086.30; “Biologically Active Cannabidiol Analogs” - \$12,240.40; “Highly Selective Sigma Receptor Radioligands” - \$1,598.75; “Highly Selective Sigma Receptor Radioligands” - \$4,709.10; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,090.37 and “Compositions containing Delta-9-THC-Amino Acid Esters” - \$1,000.00, respectively.)

**TOTAL DUE.....\$ 23,724.92**

# EXHIBIT 7

April 20, 2017

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/24/17, 1/24/17, 1/24/17, 1/24/17, 2/23/17 and 2/23/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions containing Highly Purified Amphotericin-B” - \$430.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,162.81; “Stabilized Formulation of Triamcinolone Acetonide” - \$774.00; “Novel Tools for Assessing the Skin Sensitization Potential of Chemicals” - \$1,541.00; “Stabilized Formulation of Triamcinolone” - \$2,975.24 and “Indolizine-Based Donors as Organic Sensitizer Components” - \$1,434.00, respectively.)

<b>TOTAL DUE.....</b>	<b>\$</b>	<b>8,317.05</b>
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Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/24/17, 1/24/17, 2/23/17 and 2/23/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$630.00, \$2,202.50, \$38.00 and \$124.00, respectively, represent services and expenses in connection with intellectual property patents.)

<b>TOTAL DUE.....</b>	<b>\$</b>	<b>2,994.50</b>
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**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
May 8, 2017**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning met in a special session at the Norman C. Nelson Student Union at the University of Mississippi Medical Center in Jackson, Mississippi, at 10:00 p.m., and pursuant to notice in writing, to each and every member of said Board. At the above-named place there were present the following members to wit: Mr. Shane Hooper, Ms. Ann H. Lamar, 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. Mr. Tom Duff and Dr. Ford Dye were absent. The meeting was called to order by Mr. C.D. Smith, President and Chair of the Board Search Committee.

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Duff, Dye, Rouse, and Star absent and not voting, 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 Hooper, seconded by Trustee McNair, with Trustees Duff, Dye, Rouse, and Star absent and not voting, 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: Discussion of a state university personnel matter.

**During Executive Session, the Board discussed a personnel matter at Jackson State University. No action was taken.**

**On motion by Trustee Perry, seconded by Trustee Starr, with Trustees Duff and Dye absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.**

**ADJOURNMENT**

There being no further business to come before the Committee, on motion by Trustee Hooper, seconded by Trustee McNair, with Trustees Duff and Dye absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

# CONSENT AGENDAS

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
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**1. MSU- REQUEST FOR APPROVAL TO ENTER INTO A SERVICE AGREEMENT WITH ANTHONY TRAVEL, LLC**

**Agenda Item Request:** MSU requests approval to enter into a contract with **Anthony Travel, LLC** to provide comprehensive Travel Agency Services for MSU's Athletic Department. It is understood that Mississippi Code 25-3-41 (9)(a) requires both IHL approval and DFA approval for this agreement. MSU is seeking both approvals at the same time and will not sign a contract until both approvals have been received. MSU will submit a copy of the DFA approval as soon as it is obtained.

**Contractor's Legal Name:** Anthony Travel, LLC

**History of Contract:** MSU has used Travel Leaders, a state contract travel agency, for all travel services on campus. Due to the additional needs associated with team travel, recruiting, etc. the Athletic Department began to look at other options that could save money as well as enhance the efficiencies associated with Athletics travel needs. They determined that there are other University Athletic Departments that are taking advantage of enhanced travel services which include such benefits as: on site travel account manager; preferred hotel programs and negotiation of better rates for hotels, airfare, and ground transportation; free after hour services; enhanced reporting capabilities, assistance in negotiation of contract terms and conditions, etc. In addition, rather than paying a per transaction fee, some of these schools are receiving a flat rate which can save additional money.

**Specific Type of Contract:** This is a service contract to provide enhanced travel agency services.

**Purpose:** To provide travel agency services for the Athletics Department only.

**Scope of Work:** Provide all travel agency services for the Athletics Department.

**Term of Contract:** The contract will begin when signed by both parties and will be for a term of two years with an option to renew for, up to, five additional two-year periods. Therefore, the maximum term under this contract could be up to 12 years total.

**Termination Options:** In the event either party materially breaches the contract, the non-breaching party may terminate the contract upon thirty (30) days written notice to the breaching party.

MSU may terminate the Contract for Contractor's failure to comply with the Mississippi Employment Protection Act.

The Contract may be terminated by either party upon the occasion of a Force Majeure event.



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**Contract Amount:** \$91,500 per year. This will increase at a rate of 3% annually during the term of the agreement. If the contract were to run for the full 2 years with option to renew for up to 5 additional 2 year terms, the total would be \$1,298,570.70. However, this amount may vary if additional services or savings are determined during the term.

**Funding Source for Contract:** Athletics Funds

**Contractor Selection Process:** An RFP was conducted. Only one proposal was received. It was determined Anthony Travel met or exceeded all expectations and the prices proposed will provide savings to the university.

**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. This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

**2. UM – REQUEST FOR APPROVAL TO ENTER INTO A CHARTER AIR SERVICES AGREEMENT WITH STM CHARTERS, INC.**

**Agenda Item Request:** The University of Mississippi Athletics Department requests approval to enter into a contract with STM Charters, Inc. for passenger charter air transportation and related services.

**Contractor's Legal Name:** STM Charters, Inc.

**History of Contract:** This contract is a new contract for the 2017 football season.

**Specific Type of Contract:** The agreement is for passenger charter air transportation and related services.

**Purpose:** The purpose of the contract is to provide passenger charter air transportation and related services for the 2017 football season.

**Scope of Work:** STM Charters, Inc. will provide passenger charter air transportation and related services for the 2017 football season.

**Term of Contract:** The contract will begin on September 14, 2017 and end on November 4, 2017.

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**Termination Options:** Either party may terminate the Agreement, upon ten (10) days written notice, without further liability to any other party in the event Force Majeure causes the continued performance of this Agreement to be impractical, inadvisable or unprofitable.

**Contract Amount:** The contract amount is \$432,800 which is billed in two installments.

**Funding Source for Contract:** The funding source for this contract is the Athletics Department Operating Funds.

**Contractor Selection Process:** The Contractor was selected through invited proposals. Four airline companies offered proposals through STM Charters, Inc.: National Airlines, Xtra Airways, Omni and Elite Airways. Miami Air also offered a proposal. STM Charters, Inc. was selected with air charter services provided by National Airlines based on proposal price and charter plane availability.

**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. This 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 AN AGREEMENT WITH CLINICAL DRUG INFORMATION, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) is requesting the approval to enter into an amendment with **Clinical Drug Information, LLC** (successor -in-interest to 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. The amendment will provide for a one year extension to the term and an increase in licenses volume in order to provide Epic Community Connect (ECC) to our ECC clients, the first of which will be the Mississippi Department of Health (MSDH).

**Contractor's Legal Name:** Clinical Drug Information, LLC (CDI)

**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,

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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 by UMMC Contracts Administration it was determined that, even though it was purchased as part of the Epic package in 2010, 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.

On October 20, 2016, the Board approved the second amendment to the contract to extend the term of the current license to May 31, 2017, and increase the volume licenses. The cost of the amendment was \$98,342, which brought the total cost of the license agreement to \$408,712.

**Specific Type of Contract:** This is the third amendment to the current Standard 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 application and it increases the license volume for the products, which is needed to allow third party use for Epic Community Connect clients, the first of which is MSDH.

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

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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:** CDI will continue to provide access to the Medi-Span databases used within Epic system for both UMMC and UMMC's ECC clients.

**Term of Contract:** The term of this amendment will be twelve (12) months beginning on June 1, 2017 and ending May 31, 2018. The total term of this agreement will be five (6) years beginning June 1, 2012 and ending May 31, 2018.

**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 \$102,292, further described in the breakdown below. This third amendment will bring the total estimated cost of this agreement to \$511,004.00 over its term.

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**License Period June 1, 2017 - May 31, 2018**

<i>Volume Product</i>	<i>Core</i>	<i>IV Check</i>	<i>AHFS</i>	<i>Rx Norm</i>	<i>Drug Allergy File</i>	<i>ICD-10 File</i>	<i>Control Substance File</i>	<i>Total</i>
EpicCare® Ambulatory EMR or Epic Web for EpicCare® Ambulatory based on Ambulatory Visits*	\$8,451.50	N/A	\$1,557.00	\$609.00	\$609.00	\$560.00	\$945.50	\$12,732.00
EpicCare® Inpatient Clinical System or EpicWeb* for EpicCare® Inpatient *	\$29,080.00	\$1,070.00	\$5,358.00	\$2,094.00	\$2,094.00	\$1,891.00	\$3,193.00	\$44,780.00
EpicRx Inpatient Pharmacy Dispensing Application Annual Inpatient Days*	\$29,080.00	\$1,070.00	\$5,358.00	\$2,094.00	\$2,094.00	\$1,891.00	\$3,193.00	\$44,780.00
*Ambulatory Cost is at 50% discount based on discount applying to whichever cost is lower between Ambulatory and Inpatient.								<b>\$102,292.00</b>

**Funding Source of Contract:** Funding of this agreement will include patient revenue to the extent the licensed products are used by UMMC providers. For licenses provided to our ECC clients, the first of which MSDH, the funding will be derived from the client who will reimburse UMMC for the 100% of the associated costs of the licenses.

**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 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 A CUSTOMER AGREEMENT WITH MOBILE MEDIC AMBULANCE SERVICE, INC. D/B/A AMERICAN MEDICAL RESPONSE**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests permission to amend its current Customer Agreement with **Mobile Medic Ambulance Service, Inc. d/b/a American Medical Response** to reduce the number of vehicles provided by AMR and the monthly pricing for the remaining vehicles accordingly.

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**Contractor's Legal Name:** Mobile Medic Ambulance Service, Inc. d/b/a American Medical Response (AMR)

**History of Contract:** The Board of Trustees approved the current Agreement on August 15, 2013, for a three (3) year term beginning September 1, 2013, and ending August 31, 2016. Pursuant to Board Policy 707.01, on August 15, 2016, the Commissioner approved a renewal to extend the term of the Agreement for three (3) years through August 31, 2019, for a total term of six (6) years under the same terms and conditions. This First Amendment will reduce the number of ambulances from three (3) dedicated vehicles to two (2) dedicated vehicles in order to lower the flat monthly fee for the vehicles accordingly. The First Amendment will reduce the total estimated cost of the six (6) year Agreement to \$2,182,991.23, for an overall savings of \$437,485.99.

**Specific Type of Contract:** First Amendment to the Customer Agreement

**Purpose:** The purpose of the Agreement is for AMR to provide transportation services for critically ill pediatric and neonatal patients from across Mississippi to the only children's hospital in the state and a higher level of care. The purpose of the First Amendment is to reduce the number of vehicles provided by AMR and the monthly pricing for the remaining vehicles accordingly.

**Scope of Work:** Under the amended Agreement, AMR will provide:

- One (1) primary transport vehicle specifically designed and outfitted for the transportation of pediatric and neonatal patients;
- One (1) transport vehicle to serve as a backup if the primary vehicle is unavailable;
- Drivers and maintenance required for the specialized ground transportation; and
- Allow UMMC to display institution-specific designs and logos on the transport vehicles' exteriors.

**Term of Contract:** The total term of the Agreement is six (6) years, from September 1, 2013, and ending on August 31, 2019. The First Amendment will be effective June 1, 2017, and continue through the Agreement expiration on August 31, 2019.

**Termination Options:**

- By either party upon ninety (90) days written notice;
- By either party upon material breach by the other party if such breach is not cured within thirty (30) days of written notice;
- By either party upon notice following the loss or suspension of licensure or insurance coverage;

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- By AMR upon default in the payment of monies due if such breach is not cured within ten (10) days of notice;
- By UMMC upon repeated failure of AMR to respond to requests for the provision of services if such failure is not cured within ten (10) days of notice;
- By UMMC in the event of a reduction in funds; and
- By UMMC if AMR fails to comply with applicable e-Verify provisions.

**Contract Amount:** The original cost of the Agreement was \$1,257,679.22. At the time the Agreement was renewed in August 2016, the estimated cost of the six (6) year Agreement was \$2,620,477.23. The First Amendment will reduce the total estimated cost of the six (6) year Agreement to \$2,182,991.23, for an overall savings of \$437,485.99.

The fee schedule under the amended Agreement is as follows:

- Monthly fee of \$4,725.00 for the use of one (1) transport vehicle and the assurance of one (1) backup vehicle if the primary vehicle is unavailable;
- Base rate of \$210.00 to be assessed on every trip;
- Charge of \$15.25 per fifteen-minute interval starting after the first fifteen-minute interval following arrival at the site from which the patient will be transported; and
- Charge of \$61.00 per hour for making a transport vehicle and driver available for marketing and public relations events.

The Agreement provides for an increase in the above rates and fees on January 1 of each year. This increase will be equal to the percentage increase in the Consumer Price Index (CPI) during the most recent twelve-month period for which published figures are available from the U.S. Department of Labor. To date, AMR has not increased pricing under the Agreement.

To determine the estimated cost of the Agreement, UMMC increased the above rates and fees by 7% per year to account for the potential increases, including CPI increases, volume increases, and adjustments for changed circumstances (increased fuel costs, new regulatory requirements, new clinical standards).

A breakdown of the total of estimated cost of the agreement is shown in the table below:

	Monthly Fee	Base Rate**	Charge per 15-minute Interval***	Charge per Hour for Events*^	Total cost per Calendar Year
2016 Fee Schedule	6,300.00	210.00	15.25	61.00	
2016 Estimated Cost (4 months)	25,200.00	54,600.00	30,195.00	488.00	110,483.00

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Jan - May 2017 Fee Schedule <sup>^</sup>	6,300.00	210.00	15.25	61.00	
June - Dec 2017 Fee Schedule <sup>^</sup>	4,725.00	210.00	15.25	61.00	
Jan - May 2017 Estimated Cost (5 months)	31,500.00	52,500.00	41,937.50	732.00	126,669.50
June - Dec 2017 Estimated Cost (7 months)	33,075.00	73,500.00	58,712.50	732.00	166,019.50
2018 Fee Schedule*	5,055.75	224.70	16.32	65.27	
2018 Estimated Cost (12 months)	60,669.00	134,820.00	107,695.50	1,566.48	304,750.98
2019 Fee Schedule*	5,409.65	240.43	17.46	69.84	
2019 Estimated Cost (8 months)	43,277.22	96,171.60	76,822.79	1,117.42	217,389.03
Subtotal amendment	160,646.22	338,091.60	256,650.79	3,903.90	925,312.01
Subtotal original contract + renewal					1,257,679.22
Total new contract cost					\$ 2,182,991.23

- <sup>^</sup> To date, AMR has not increased pricing under the Agreement.
- \* Includes an annual 7% increase to cover all cost and volume variables.
- \*\* Includes 50 transports per month, which is based upon actual and projected transports during contract term.
- \*\*\* Based upon an historical average transport of 3 hours, or 11 15-minute intervals after the initial 15-minute interval.
- \*<sup>^</sup> Includes an average of six (6) four-hour events per year.

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

**Contractor Selection Process:** UMMC is currently contracted with AMR for the provision of pediatric and neonatal transport 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*



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*more than \$250,000. This 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 ENTER INTO AN AGREEMENT WITH BOSTON SCIENTIFIC CORPORATION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an Interventional Cardiology Agreement with **Boston Scientific Corporation (BSX)** to purchase various consumable commodities and equipment for the use during interventional cardiovascular procedures. The commodities and equipment include drug-eluting stents, catheters, and guidewires.

**Contractor's Legal Name:** **Boston Scientific Corporation (BSX)**

**History of Contract:** To date, UMMC has purchased interventional cardiology products on an as-needed basis through its group purchase organizations (GPO) from various vendors, including Boston Scientific and Abbott Laboratories. In exchange for a commitment to purchase at least ninety percent (90%) of UMMC's purchases of interventional cardiology products from BSX, UMMC will receive additional discounts and rebates on its purchases.

**Specific Type of Contract:** This is an Interventional Cardiology Agreement.

**Purpose:** The purpose of this Agreement is to secure pricing from BSX for consumable commodities and equipment used specifically during Interventional Cardiovascular procedures.

**Scope of Work:** Under the Agreement:

- UMMC will utilize BSX as its primary vendor for drug-eluting stents and coronary balloon catheters, with a minimum commitment of 90% of total purchases of these products;
- BSX will provide discounted pricing on all items listed in the agreement;
- BSX will pay UMMC a semi-annual rebate on each drug-eluting stent purchased during the contract term, so long as UMMC purchases in excess of a minimum volume of stents and balloon catheters;
- Both parties will meet quarterly to assess UMMC's compliance of the 90% commitment; and
- BSX will provide training on the safe and effective use of the products and pay for modest and reasonable travel, lodging, and meals for UMMC physicians attending training.

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**Term of Contract:** This contract will be for a period of twenty-four (24) months from June 1, 2017, through May 31, 2019.

**Termination Options:** Termination options include the following:

- By UMMC in the event of a reduction in funds;
- By BSX upon thirty (30) days' written notice for UMMC's failure to meet its purchase commitments;
- By either party upon thirty (30) days' written notice;
- Immediately upon BSX's ineligibility to participate in any federal or state healthcare programs; and
- Failure of BSX to comply with the federal e-Verify program.

**Contract Amount:** The total estimated cost over the term of the Agreement is \$3,000,000.00. The actual contract cost will vary upon the number of interventional cardiovascular procedures performed on applicable patients.

**Funding Source of Contract:** This Agreement will be funded by hospital patient revenue.

**Contractor Selection Process:** BSX is an approved vendor contracted with Vizient, one of UMMC's group purchasing organizations (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. This 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 AN IN-HOSPITAL DIALYSIS SERVICES AGREEMENT WITH BIO-MEDICAL APPLICATIONS OF MISSISSIPPI, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an In-Hospital Dialysis Services Agreement with Bio-Medical Applications of Mississippi, Inc., which is an affiliate of Fresenius Medical Care Holdings, Inc. d/b/a Fresenius Medical Care North America (collectively, "Fresenius"). In addition, UMMC is requesting retroactive approval for \$295,694.08 expended between July 1, 2014 and December 31, 2016. Under the In-Hospital Services Agreement, Fresenius will provide inpatient hemodialysis to patients at UMMC Grenada as required and ordered by a medical provider.

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**Contractor's Legal Name: Bio-Medical Applications of Mississippi, Inc.**

**History of Contract:** Grenada Lake Medical Center contracted with Fresenius for inpatient dialysis services prior to UMMC assuming management and operation of the facility. On July 1, 2014, UMMC entered into an agreement with RCG Mississippi, Inc. (a Fresenius affiliate) for inpatient dialysis services for a term of two (2) years, expiring on June 30, 2016. The cost of the original agreement was estimated to be less than \$250,000, and therefore did not require IHL approval. On April 1, 2015, the parties amended the agreement to change the name of the vendor's contracting entity to Bio-Medical Applications of Mississippi, Inc. (also a Fresenius affiliate). On November 23, 2015, the parties entered into a Second Amendment to renegotiate the pricing applicable under the agreement. This Second Amendment also included automatic renewals for four (4) years after the original expiration date on June 30, 2016. In December 2016, UMMC discovered that the cost of the amended agreement would exceed \$250,000 and require IHL approval, and it began working on a new agreement to submit to the IHL for approval. To date, UMMC has spent \$295,694.08 under the existing agreement.

**Specific Type of Contract:** In-Hospital Dialysis Services Agreement.

**Purpose:** Under the In-Hospital Services Agreement, Fresenius will provide inpatient hemodialysis to patients at UMMC's Grenada facility as required and ordered by a medical provider.

**Scope of Work:** Under the Agreement,

Fresenius will:

- provide inpatient hemodialysis services 24 hours per day, seven (7) days per week;
- provide equipment and dialysis-specific supplies necessary to render dialysis and services;
- employ duly licensed and qualified nurses or qualified technicians trained in extracorporeal therapy, including dialysis and treatment for the particular services;
- provide policies, procedures, and techniques pertaining to the methods by which the services are rendered;
- maintain current competency records and training for its staff providing services;
- provide a part-time manager to perform administration functions such as scheduling treatments and overseeing Fresenius staff;
- maintain an ongoing Quality Management Program;
- present annually to UMMC's Performance Improvement Committee or other leadership regarding topics including business, operations, and quality; and
- provide insurance or self-insurance for the services.

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UMMC will:

- provide general supplies and all medications;
- provide sufficient and safe space, a computer, internet access, utilities, maintenance, security, pharmacy, and other necessary support;
- ensure an approved physician is consulted to examine the relevant patients and prescribe the appropriate treatment and procedural direction; and
- warrant that all physicians prescribing and directing the inpatient dialysis services are on UMMC's duly credentialed medical staff, remain licensed and in good standing with the State, have appropriate privileges at UMMC Grenada, and shall render direction of services in a competent, professional, and ethical manner.

**Term of Contract:** The term of the Agreement is three (3) years, from June 1, 2017, through May 31, 2020.

**Termination Options:** Termination options include the following:

- by Fresenius for failure of UMMC to pay amounts when due;
- by either party upon material breach of the other party that remains uncured for thirty (30) days following written notice;
- in the event either party initiates bankruptcy proceedings;
- by either party at any time upon ninety (90) days' written notice;
- in the event a material provision of the Agreement becomes invalid or unenforceable, and the parties fail to resolve the situation through negotiation and amendment;
- failure by Fresenius to comply with the federal E-Verify Program; and
- immediately upon Fresenius' ineligibility to participate in any federal or state healthcare programs.

**Contract Amount:** The total estimated cost of the three (3) year Agreement is \$625,000.00. The total cost includes a monthly flat fee and hourly service charges, as well as variables including services provided outside of regular business hours or on holidays, cancelled procedures, additional disinfection, additional UMMC-required education, patient volume increases, and an annual three percent (3%) price increase.

**Funding Source for Contract:** The Agreement will be funded by hospital patient revenue.

**Contractor Selection Process:** Fresenius is the only vendor that provides this service in the Grenada vicinity.

**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*

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*more than \$250,000. This 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 ENTER INTO AN INTEGRATED DELIVERY NETWORK AGREEMENT WITH DEPUY SYNTHES SALES, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an Integrated Delivery Network (IDN) Agreement with **DePuy Synthes Sales, Inc.** for the purchase and consignment of neurosurgical (cranial) implants, instrumentation and supplies used in adult and pediatric surgical procedures.

**Contractor's Legal Name: DePuy Synthes Sales, Inc. (DePuy)**

**History of Contract:** UMMC purchases craniomaxillofacial, which means collectively neurosurgical (cranial) and maxillofacial (midface and mandible) surgical implants for both its adult and pediatric patient population. In 2013, UMMC entered into a one (1) year agreement with Biomet Microfixation, LLC for the consignment and purchase of neurosurgical (cranial) implants, instrumentation, and supplies. This allowed UMMC's surgeons to evaluate the products' usefulness in treating the needs of UMMC's patients. Due to the success of the neurosurgical products, UMMC entered into a three (3) year agreement to include the maxillofacial (midface and mandible) implants, instrumentation and supplies, which was approved by the Board of Trustees on April 24, 2014. The three (3) year agreement will expire April 30, 2017. During this time, UMMC also used Stryker Sales Corporation for craniomaxillofacial implants on an as-needed basis via Novation (now Vizient), UMMC's group purchasing organization. Over the course of the past three (3) years, UMMC's spend on craniomaxillofacial implants increased by 50%. In an effort to find further cost savings, in late 2016, UMMC conducted an informal bid for price-testing among Vizient vendors in order to obtain best pricing for the craniomaxillofacial implants, instrumentation, and supplies. UMMC has selected (1) Biomet for all craniomaxillofacial (both cranial and midface/mandible) implants, instrumentation, and supplies; (2) Stryker Sales Corporation for only maxillofacial (midface and mandible) implants, instrumentation, and supplies; and (3) Depuy Synthes Sales, Inc. for only neurosurgical (cranial) implants, instrumentation, and supplies.

**Specific Type of Contract:** IDN Agreement and Schedule C Consignment Agreement

**Purpose:** The purpose of the Agreement is to allow UMMC to purchase and consign neurosurgical (cranial) implants, instrumentation, and supplies used in trauma and elective surgical procedures for adult and pediatric patients. The consignment option under the Agreement will allow for the neurosurgical implant systems to be available at all times to UMMC surgeons, ensuring immediate treatment for trauma patients, without cost to UMMC until the implant systems are used. The savings in year one of this agreement ranges from

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\$123,000 to \$148,000. In addition, UMMC will receive discounted pricing on the products purchased under this agreement by using DePuy and no more than one (1) additional vendor for neurosurgical implants.

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

- provide UMMC with implants, instrumentation and supplies at discounted pricing,
- provide standard instrumentation necessary to perform a neurosurgical implant case,
- supply all consigned implants, instrumentation and supplies to adult and pediatric operating rooms,
- retain title to all consigned implants, instrumentation and supplies until item(s) are used and therefore considered as purchased by UMMC, and
- maintain an inventory of all products on the premises for UMMC physicians to have a readily available supply for immediate use.

UMMC will:

- submit a Purchase Order to DePuy within thirty (30) days after use of a consigned product by UMMC.

**Term of Contract:** The term of the agreement is for three (3) years beginning on or about May 1, 2017 through April 30, 2020.

**Termination Options:** The IDN Agreement may be terminated for the following:

- at any time upon thirty (30) days written notice,
- reduction of funds,
- failure by DePuy to comply with the federal E-Verify Program, and
- for a breach by DePuy of any representations or warranties to UMMC as specified in the agreement.

The Schedule C Consignment Agreement may be terminated at any time upon thirty (30) days written notice.

**Contract Amount:** The estimated total contract amount over the three (3) year term is \$2,880,047, based upon historical spend on maxillofacial implants, instrumentation, and supplies. UMMC has calculated a twenty percent (20%) annual increase in patient volume each year.

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

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**Contractor Selection Process:** The products offered under the agreement qualify as items for resale, which are excluded from the definition of “commodities” under Miss. Code Ann. §31-7-1(e) and exempted from procurement requirements under §31-7-13, as clarified by the Mississippi Attorney General (*see* MS AG Op., Boyce (May 15, 2015)).

**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 AMENDMENT 15 WITH EPIC SYSTEMS CORPORATION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval of Amendment 15 to its current license and support agreement with **Epic Systems Corporation**.

**Contractor’s Legal Name:** Epic Systems Corporation (Epic)

**History of Contract:** UMMC entered into a contract with Epic in August 2010 to replace its then current hospital information system which did not allow for the creation of integrated electronic medical records. The software license and support agreement was approved by the Board for projected cost of \$36,852,370. The agreement was subsequently amended in July 2011 in order to add and/or delete various Epic interfaces that had been offered as part of the 2010 agreement. There was no additional cost to the contract as a result of the amendment.

In August 2013, the Board approved an amendment to add and/or delete various Epic interfaces and to add various Epic interfaces (new/special request interfaces) that were not part of the 2010 agreement. In addition, the amendment provided for the implementation of three (3) Epic modules that were purchased in 2010 and that had reached the implementation stage. The amendment also added contract language that gave UMMC the option to license, access and use certain items of software at its discretion. The total cost associated with the 2013 amendment was estimated to be \$1,151,032 and increased the overall cost to \$38,003,402.

In August 2014, the Board approved two (2) amendments to the Epic agreement - Amendment 3 for the conversion of the non-exclusive license to a perpetual license and the extension of support services; and, Amendment 4 which allowed for the addition of new Epic

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modules and interfaces. The combined cost of the amendments increased the total cost of the Epic agreement to \$60,630,030.01.

On April 16, 2015 the Board approved UMMC's request to enter into a change order to Amendment Four (4), Amendment Five (5), and Amendment Six (6). The change order to Amendment Four (4) allowed UMMC to delete one of the Incoming Patient Administration Interfaces – HL7 that was originally added via Amendment 4. Amendment Five (5) allowed UMMC to implement the Healthy Planet component, which was purchased as part of the original selection, as well as add the Point of Sale (POS) interface licenses within the Epic enterprise. Healthy Planet is the population management system within Epic that allows UMMC to deliver better care for its patient population through the use of reports, dashboards and workflows helping it comply with Accountable Care Organization (ACO) standards established by the Affordable Healthcare Act. The POS interface also allows UMMC to enable on-line patient payments within Epic. Amendment Six (6) allowed UMMC to add the BestPractice Advisory Web services functionality to the Epic system. This allowed UMMC's Epic DIS team the ability to create a data transmission to a third party system to exchange CDA (clinical document architecture) documents. The total approved cost for the agreement after these amendments was \$60,777,030.01.

The Board approved Amendment 7 to the Epic agreement at the August 2015 Board meeting. The amendment provided for additional Epic licenses; additional InterSystems Cache licenses for concurrent users; the implementation of Epic Beaker in the Anatomic Pathology department; and, the implementation of clinical case management within Epic. The total estimated cost for this amendment was \$2,167,068 which increased the total estimated cost of the agreement to \$62,944,098.01.

In September 2015, the Board approved an Implementation Service Request to purchase implementation advisory services for implementing Epic at UMMC-Grenada for an estimated cost of \$211,000. The cost for the services increased the total estimated cost of the agreement to \$63,155,098.01.

On March 17, 2016 the board approved UMMC to enter into Amendment eight (8), Amendment nine (9), Amendment ten (10), and a Service Request Order. Amendment eight (8) allowed UMMC to reduce the volume licenses from 260,000 annual inpatient days back to 250,000 annual inpatient days as well as allowed UMMC to participate in the Boost Program. Amendment nine (9) allowed UMMC to add Push Notifications to the licensed program property which allows for the transmission and receipt of information to and from



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other organizations. Amendment ten (10) allowed UMMC to modify its licensing structure by deleting two of the Incoming Clinical Flowsheet Data-HL7 (copy), deleting the Imaging Decision Support Functionality Enabler, deleting Incoming Financial Transaction- HL7, and adding bundled interfaces. The Service Request order allowed UMMC to utilize the EPIC EDI resources to covert datasets at Grenada. These amendments and the service request brought the total approved cost for the Epic agreement to \$65,513,148.01.

On January 19, 2017, the board approved UMMC to enter into Amendments eleven (11), twelve (12), thirteen (13) fourteen (14) and an Epic Service Request. Amendment eleven (11), allowed an update to the pricing previous indicated in Amendment ten (10), due to UMMC having gone live with one or more interfaces between the time Amendment ten (10) was prepared for UMMC and the time that the Amendment was executed. Amendment twelve (12), added Carequality Exchange functionality to the currently licensed Care Everywhere program property. Carequality Exchange allows the exchange of patient data with other healthcare providers using the Exchange product. Amendment thirteen (13) increased the annual volume of ambulatory licenses visits to 800,000. Amendment fourteen (14) increased the annual volume inpatient license to 260,000 annual inpatient visits. This amendment effectively voided provision 1, “Volume Adjustment” of Amendment 8. The Epic Service Request provided for Epic assistance in implementation of previously licensed outgoing address verification query interface. The total cost of the four amendments and the Epic Service Requests was \$713,317.00, which brings the total cost for the Epic agreement to \$66,264,465.01.

In addition to this request, UMMC has submitted a Service Request related to the EPIC agreement for consideration at the May 18, 2017 meeting.

**Specific Type of Contract:** Amendment 15 to the current Epic agreement.

**Purpose:** The purpose of the amendment is to allow UMMC to increase the volume of inpatient and ambulatory licenses “as needed” for Epic Community Client (ECC) client, Mississippi Department of Health (MSDH). In addition, the amendment changes the payment terms related to the fees for such increased volume licenses, to allow UMMC to pay the fees when the increase is needed, so long as the option is taken by September 30, 2017.

**Scope of Work:** Under the amendment, the number of Epic licenses can increase from 800,000 to 1,000,000 annual Ambulatory Visits and from 260,000 to 320,000 annual Inpatient Days. UMMC will reimburse Epic as appropriate.

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**Term of Contract:** The term of amendment 15 will begin on or about June 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019.

**Termination Options:** Pursuant to the existing contract with Epic, the request may be terminated for the following:

- by either party upon ninety (90) days notice prior to the end of an annual term,
- by UMMC for an operational system failure upon forty-five (45) days notice in which to cure such failure,
- by Epic upon notice of an infringement claim in which Epic is unable to modify or provide an appropriate program replacement,
- in the event either party becomes the subject of bankruptcy, and
- by either party for a breach of a material term of the agreement and failure to cure upon sixty (60) days written notice.

The original contract associated with the proposed amendment contains the following Non-Solicitation Provision:

*21 g. – Restriction on Offers of Employment. Epic and You will not during, or within twelve (12) months of the termination of, an employee's employment with the other party, solicit, discuss the terms of prospective employment with, or hire (directly as employees or indirectly as contractors or subcontractors, or in any other capacity) any employee of the other party who has worked on the development, installation or maintenance of Epic software, unless the hiring party has the prior written consent of the other part. Epic may choose not to work with or provide training for any former Epic employee employed by You or working with You as an employee of a consultant hired by You if such employee is hired less than 12 months after the date of the termination of such former employee's employment with Epic.*

UMMC has offered the following justification for including the provision:

Due to the expense incurred by UMMC to train our information technology (IT) personnel on Epic and the highly competitive IT job market, it is in UMMC's best interest to include in this contract a non-solicitation provision. Such provision is meant to deter the vendor for actively soliciting UMMC employees away from UMMC. Additionally, it is important to note that this provision was contained in the original agreement which is standard language in EPIC contracts, which is vitally important to EPIC (as well as other IT vendors) due to the

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competitive nature of the IT job market and the in-depth skills training that EPIC provides to its employees.

**Contract Amount:** The estimated cost of the amendment will depend on the number of licenses UMMC needs for MSDH. At this time, the estimated cost is \$804,408 out of a maximum potential cost of \$3,099,347.

**Funding Source of Contract:** The amendment cost will be paid by MSDH.

**Contractor Selection Process:** UMMC is currently under contract with Epic.

**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.*

**9. UMMC- REQUEST FOR APPROVAL TO ENTER INTO SERVICE AGREEMENT WITH EPIC SYSTEMS CORPORATION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval of a Service Request with **Epic Systems Corporation** to provide for implementation services, annual maintenance, project team training services and post-live services for the Epic Wisdom General Dentistry (Wisdom) application.

**Contractor's Legal Name:** Epic Systems Corporation (Epic)

**History of Contract:** Please refer to the Agenda Item write up for Epic Amendment 15 for a complete history of UMMC's current agreement with Epic.

**Specific Type of Contract:** Implementation Service Request for the current Epic agreement.

**Purpose:** UMMC originally purchased the Wisdom application in 2014, pursuant to Amendment four (4) to the Epic Agreement. UMMC has implemented Wisdom at its Batson Pediatric Dental Clinic and it is being utilized by Oral Maxiofacial specialist; however, the UMMC School of Dentistry is now ready to implement the application for use in its on-campus dental clinics and its clinic located at the Jackson Medical Mall. As a result of the expanded use of the application, UMMC is initiating this Epic Service Request to take advantage of Epic implementation services, pay maintenance of the application on an annual

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basis, and purchase project team training services. Additionally, as post-live services will be needed, UMMC will prepay for post-live activities in order to receive a discount on such services.

**Scope of Work:** Under this service request, Epic will provide implementation services, maintenance of the application, project team training services and post-live services for Wisdom.

**Term of Contract:** The term of the service request will begin on or about June 1, 2017, and continue through implementation. Estimated implementation time is expected to last ten (10) months, with the post-live support that will include but not be limited to, post-live trips by Epic at two (2), four (4) and eight (8) months post-live use of the application. Annual services will began after first live use and will be coterminous with the current Epic License and Support Agreement, which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019.

**Termination Options:** Pursuant to the existing contract with Epic, the request may be terminated for the following:

- by either party upon ninety (90) days notice prior to the end of an annual term,
- by UMMC for an operational system failure upon forty-five (45) days notice in which to cure such failure,
- by Epic upon notice of an infringement claim in which Epic is unable to modify or provide an appropriate program replacement,
- in the event either party becomes the subject of bankruptcy, and
- by either party for a breach of a material term of the agreement and failure to cure upon sixty (60) days written notice.

The original contract associated with the proposed amendment contains the following Non-Solicitation Provision:

*21 g. – Restriction on Offers of Employment. Epic and You will not during, or within twelve (12) months of the termination of, an employee's employment with the other party, solicit, discuss the terms of prospective employment with, or hire (directly as employees or indirectly as contractors or subcontractors, or in any other capacity) any employee of the other party who has worked on the development, installation or maintenance of Epic software, unless the hiring party has the prior written consent of the other part. Epic may choose not to work with or provide training for any former Epic employee employed by You or working with You as an employee of a consultant hired by You if such employee is hired less than 12 months after the date of the termination of such former employee's employment with Epic.*

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UMMC has offered the following justification for including the provision:

Due to the expense incurred by UMMC to train our information technology (IT) personnel on Epic and the highly competitive IT job market, it is in UMMC's best interest to include in this contract a non-solicitation provision. Such provision is meant to deter the vendor for actively soliciting UMMC employees away from UMMC. Additionally, it is important to note that this provision was contained in the original agreement which is standard language in EPIC contracts, which is vitally important to EPIC (as well as other IT vendors) due to the competitive nature of the IT job market and the in-depth skills training that EPIC provides to its employees.

**Contract Amount:** The costs associated with this Epic Service Request is \$290,916.00, which brings the total estimated cost of the Epic Agreement to \$67,359,789.01.

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

**Contractor Selection Process:** UMMC is currently under contract with Epic.

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

**10. USM- REQUEST FOR APPROVAL TO ENTER INTO AN AIR CHARTER AGREEMENT WITH AIR PLANNING, LLC**

**Agenda Item Request:** The University of Southern Mississippi requests approval of a contract for Air Charter service for the University's football team during the 2017 Season. This agreement is for **Air Planning, LLC** to arrange for the University's air charters with Sun Country for four away games this season. This agreement calls for flights from the Hattiesburg-Laurel Regional Airport, Hattiesburg, MS to San Antonio, TX, Knoxville, TN, Houston, TX, and Huntington, WV. Additionally, in accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services, USM requests the Board's approval to make payment in advance in accordance with the terms of the agreement.

**Contractor's Legal Name:** Air Planning, LLC

**History of Contract:** This will be the sixth air charter contract between the University of Southern Mississippi and Air Planning, LLC. The first contract was in the amount of \$381,742 and was approved by the Board at its June 2012 meeting. The second contract was in the amount of \$463,598 and was approved by the Board at its March 2013 meeting. The

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third contract was in the amount of \$388,090 and approved by the Board at its April 2014 meeting. The fourth contract was in the amount of \$495,708 and approved by the Board at its May 2015 meeting. The fifth contract was in the amount of \$457,700 and approved by the Board at its May 2016 meeting.

**Specific Type of Contract:** Air Charter Agreement

**Purpose:** The purpose of this contract is to schedule air charter service for the University's football team for the 2017 season.

**Scope of Work:** Air Planning will make arrangements with Sun Country to charter planes for the University's football team to travel to games against UTSA, Tennessee, Rice, and Marshall. The Sun Country aircraft will transport the football team and bring them back at the conclusion of each game to the Hattiesburg-Laurel airport (PIB).

**Term of Contract:** The term of this agreement will commence upon execution by both parties after approval by the IHL Board. The term will conclude at the end of the last scheduled flight on November 25, 2017.

**Termination Options:** Both Parties can terminate after giving 30 days written notice to the other with or without cause. Also, if the Contractor fails to remain compliant with the Mississippi Employment Protection Act (E-Verify), USM can terminate the contract. Finally, under force majeure, if an event continues uninterrupted for a period exceeding six (6) calendar months, either party may elect to terminate this Agreement upon notice to the other, but such right of termination, if not exercised, shall expire immediately upon the discontinuance of the event of force majeure. Cancellation of the flights by the University after the dates shown in the Agreement can result in cancellation charges to the University. Cancellation of the Agreement after execution, but before July 8, 2017, results in a 25% cancellation charge; cancellation on or after July 8, 2017 and before August 22, 2017 results in a 50% cancellation charge; cancellation on or after August 22, 2017 results in a 100% cancellation charge.

**Contract Amount:** For this service, the University will pay Air Planning, LLC the sum of \$296,500 plus any fuel surcharges that result from market fuel prices. The fuel surcharges are currently estimated at \$10,000 for a total contract amount of \$306,500. The fuel base for flights operated under this agreement is \$2.50 per gallon.

**Funding Source for Contract:** Auxiliary Funds from the University's Department of Athletics.

**Contractor Selection Process:** The University has previously worked with Air Planning, LLC for its five previous air charter contracts with satisfactory results. Sun Country works

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with Air Planning and the University received excellent service and reliability from Sun Country last season. Along with the Sun Country quote Air Planning also received quotes from Miami Air, Xtra Airways, Allegiant, Eastern, Ameristar, and National. The University believes that Sun Country offers the overall best value for the price they have quoted. The University previously used Allegiant for its trip to the Conference USA Football Championship and had an unsatisfactory experience. Xtra Airways was not chosen because their schedule was very restrictive and would force the football team to leave before 9 A.M. or after 3 P.M. The others were overall more expensive. The University would also like to continue using Air Planning as the broker because the service provided in the past years has far exceeded expectations.

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

**11. USM- REQUEST FOR APPROVAL TO ENTER INTO A LICENSE AND DISTRIBUTION AGREEMENT WITH CONSCIOUS CONTENT MEDIA, INC.**

**Agenda Item Request:** The University of Southern Mississippi requests approval to enter into a license and distribution agreement with **Conscious Content Media, Inc.** to co-develop and co-produce several educational and interactive "digital stories" to be used to educate children between the ages of two (2) and eight (8). The University of Southern Mississippi also requests approval from the IHL Board for prepayment of the services in accordance with Section 707.03(2) of the IHL Policies and Bylaws.

**Contractor's Legal Name:** **Conscious Content Media, Inc. ("CCM")**

**History of Contract:** This is the first contract with CCM to be brought before IHL from the University of Southern Mississippi.

**Specific Type of Contract:** This is a new license and distribution agreement for digital content for educational instruction which will include, but is not limited to, video, images, music, graphics, text and other media content.

**Purpose:** The purpose of this contract is for the parties to co-develop and co-produce "digital stories" and distribute the CCM applications to school systems by which the digital stories will be delivered.

**Scope of Work:** The agreement provides for the purchase of subscriptions of the CCM application based on a discounted price schedule that will be distributed to sub-licensees and subscribers.

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**Term of Contract:** The initial term of the contract will start June 1, 2017 and have a term of three (3) years ending on May 31,2020. The parties may agree in writing to extend the initial term.

**Termination Options:** Either party may terminate this Agreement upon breach by the other party which continues and is not cured after thirty (30) days' notice. Either party may terminate this Agreement effective immediately upon written notice should the other party become insolvent, files bankruptcy or is placed under a trustee's control of the party's property and assets. This Agreement may be terminated if CCM violates the Mississippi Employment Protection Act (E-verify).

**Contract Amount:** The amount of the contract will not exceed \$309,000. Payment will be in accordance with the following schedule:

Payment 1: \$154,500 upon execution of the agreement

Payment 2: \$77,250 due upon completion of the first anniversary of the agreement

Payment 3: \$77,250 due upon completion of the second anniversary of the agreement

**Funding Source for Contract:** This contract is being funded through a grant from the W.K. Kellogg Foundation executed in December 2016.

**Contractor Selection Process:** USM selected Conscious Content Media, Inc. (CCM) due to its industry experience and professional staff experience. Speakaboos, a CCM application, is a library of educational, interactive stories that motivate young children 2 – 6 years to *love to read* that is distributed via Web, Mobile and Tablet to parents at home and educators in schools and libraries. Homer, another CCM leading reading application for young learners. Dr. Alice Wilder will be assisting USM as a creative partner if this contract is approved. Wilder is one of the world's leading experts on learning through media. She was one of the original developers at Blues Clues and also does programming for Amazon and PBS Kids. Speakaboos is an industry leader, and Wilder is perhaps the best creative partner for this work nationally. Combining Cwikla's (PI) National Science Foundation research findings with Dr. Wilder's creative team will produce e-stories hosted by Speakaboos provided to children all over the world. The University of Southern Mississippi name and logo will be displayed on each story, and millions of readers will have access to interdisciplinary math stories.

**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*



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

**12. USM-REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH OCEANEERING INTERNATIONAL, INC.**

**Agenda Item Request:** The University of Southern Mississippi (USM) requests approval of an agreement for the use of the *R/V Ocean Intervention II* for a research cruise to take place from 12 June 2017 through 22 June 2017.

**Contractor's Legal Name:** Oceaneering International, Inc.

**History of Contract:** This is a new contract with an entity previously used to provide its research vessel for use by the Ecosystem Impacts of Oil and Gas Inputs to the Gulf (ECOGIG) consortium.

**Specific Type of Contract:** Cooperative Services Agreement. This contract is for services which include use of the ship's time, equipment, including its Remotely Operated Vessel (ROV), and the ship's technical support crew in support of Gulf research.

**Purpose:** The purpose of this agreement is for the ECOGIG Consortia's use of the vessel, *R/V Ocean Intervention II*, which is owned by Oceaneering International, Inc., to conduct ongoing research.

**Scope of Work:** Under this agreement, Oceaneering will provide use of the vessel, *R/V Ocean Intervention II* (ship time), Global Explorer ROV (equipment), and its crew (marine tech support) to facilitate USM's participation in the ECOGIG marine research program.

**Term of Contract:** The term of this agreement will be for 14 days total. The cruise will begin 12 June 2017 and continue through 22 June 2017. There will be two (2) days for mobilization (10-11 June) and one (1) day for demobilization (23 June). The dates are flexible in the event delays occur with Mob/Demob, transit, *force majeure*, etc.

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

- ROV, Section 3 for any reason by either party upon thirty (30) days' written notice,
- ROV, Section 5.2 USM for failure by Oceaneering to provide conforming equipment,
- USM Mandatory Addendum, Section 12 for failure of Contractor to comply with E-verify program requirements

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- USM Mandatory Addendum, Section 11 for non-availability of funds

**Contract Amount:** The total cost is estimated at \$600,000. The cost is lump sum payment for vessel time, project management and engineering, ROV System Mob/Demob, and offshore project execution costs. The cost for vessel time may be adjusted for actual fuel costs and overall vessel utilization. If there are extra work days added, the extra work rate/standby rate is \$40,356 per day. There is also the potential of additional costs for unforeseen circumstances such as (a) downtime associated with a weather system, which later becomes a named storm, (b) delays resulting from changes in the Maritime Security Level imposed by U.S. regulatory bodies, and (c) disembarkation prior to project completion pursuant to U.S. Coast Guard Regulation (Title 19 of the U.S. Code, Part 1433); however, there is no practical way to estimate these costs. Payment will be issued based upon receipt of an approved invoice for actual serviced rendered.

**Funding Source of Contract:** The agreement will be funded by an external grant ECOGIG, grant number GR05251.

**Contractor Selection Process:** N/A

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

**13. USM- REQUEST FOR APPROVAL TO ENTER INTO AN ENROLLMENT MANAGEMENT SUPPORT SERVICES AGREEMENT WITH ROYALL & COMPANY**

**Agenda Item Request:** The University of Southern Mississippi requests Board approval of an enrollment management support services agreement with **Royall & Company** for its undergraduate enrollment and admissions department. Also, in accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services, USM requests the Board's approval to make a partial payment in advance in accordance with the terms of the agreement.

**Contractor's Legal Name:** **Royall & Company**

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**History of Contract:** This is a new contract. Royall & Company was previously used on a limited basis during the past.

**Specific Type of Contract:** This is a service agreement to provide enrollment management support services.

**Purpose:** The purpose of the contract is to provide enrollment management support services in the form of direct marketing via paper, email, and online communication channels.

**Scope of Work:** The scope of work involves various services. In summary, the following will be provided using Royall's proprietary methods and systems:

- Targeting recommendations for optimal results (including, as applicable, list recommendations and list order
- Creative development: copy and design, including multiple versions, electronic and paper
- Production of printed materials
- Development and hosting of program response sites
- Exchange of data via secure FTP
- Mailing and mail tracking
- Email deployment and delivery tracking
- Interim and final analyses

**Term of Contract:** The term of the Agreement is three (3) years, from July 1, 2017 through June 30, 2020.

**Termination Options:** USM can terminate after giving 30 days written notice to Royall with or without cause. Also, if the Royall fails to remain compliant with the Mississippi Employment Protection Act (E-Verify), if applicable, USM can terminate the contract. Under force majeure, if an event continues uninterrupted for a period exceeding six (6) calendar months, either party may elect to terminate this contract upon notice to the other, but such right of termination, if not exercised, shall expire immediately upon the discontinuance of the event of force majeure. Additionally, either party may terminate the contract immediately upon written notice in the event that the other party materially breaches the contract and thereafter fails to cure the breach within thirty (30) days after receiving written notice thereof. Finally, in the event any past due invoice remains unpaid by USM for thirty (30) days or more, Royall reserves the right to terminate the agreement, or suspend the provision of any Services until the account is brought current.

**Contract Amount:** The total estimated cost of the contract with Royall & Company over the three-year term is \$1,385,419. The *list costs* will be billed directly by list source providers over the three-year term and are estimated to be \$175,470. The *digital media costs* over the three-year term are estimated to be \$39,076. The *postage costs* over the three-year term are

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estimated to be \$102,853. Any surplus digital media and postage monies not used by Facebook/Google and the Postal Service, respectively, will be returned to USM as a credit. The chart below summarizes the contract's estimated costs.

Programing Cost	Year 1	Year 2	Year 3	Total
Applic & Inquiry Generation	\$365,600	\$430,080	\$447,810	\$1,243,490
Postage Estimate	\$31,485	\$34,617	\$36,751	\$102,853
Digital Media Estimate	\$12,246	\$13,176	\$13,654	\$39,076
List Cost Estimate	\$56,770	\$58,473	\$60,227	\$175,470
Yearly Totals	\$466,101	\$536,346	\$558,442	\$1,560,889
Total without list costs				\$1,385,419

\* Though these costs are associated with this service, they will be invoiced directly by, and will be paid directly to, the list providers (ACT, College Board, NRCCUA, and CBSS)

**Funding Source for Contract:** The cost of these services will be paid using E & G funds.

**Contractor Selection Process:** A Request for Proposals #17-27 was issued in February 2017. Four proposals were received. Proposals were evaluated for the following criteria: Qualifications and Experience, Project Work Plan, Approach and Methodology, Financial Proposal, and their Written Proposal. Two did not meet all the requested requirements, but two did, RNL and Royall & Company. Royall & Company was the lowest and scored higher overall than RNL. It was determined that Royall & Company was the best overall proposal, as the firm has had significantly more experience in the field with regard to their project work plan, as well as with their approach and methodology to enrollment support 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. This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

**14. USM– REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH TONY'S KING OF STEAKS, INC.**

**Agenda Item Request:** The University of Southern Mississippi (USM) requests Board approval of a Food Services agreement for its Gulf Coast Research Laboratory (GCRL) facility.

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**Contractor's Legal Name:** Tony's King of Steaks, Inc.

**History of Contract:** This is a new contract. The contractor had been previously used on a short-term, trial basis to evaluate for satisfactory performance and consistency, and the overall feasibility of outsourcing this operation.

**Specific Type of Contract:** This contract is a food service provider contract for the constituents of GCRL.

**Purpose:** The primary purpose of the contract is for the contractor to supply meals for students attending USM's Summer Field Program (SFP) and Coastal Sciences Camps (CSC), as well as serving as the sole provider of food services for all catered events with more than 20 participants while at GCRL during the period of the contract. The contractor will be allowed to prepare and serve additional items to visiting students and USM program participants while at GCRL. The short-order walk-in business will be managed and operated solely at the discretion of the Contractor.

**Scope of Work:** The scope of work for this contract is the provision of food service, in compliance with all appropriate State health certification and food safety regulations, to students attending the USM programs, specifically in the summer, but also, at the contractor's discretion, to other constituents such as faculty, staff, and visitors.

**Term of Contract:** The term of this contract will be from May 18, 2017, through December 1, 2019, with the option to renew for three (3) additional one-year periods.

**Termination Options:** USM can terminate after giving 60 days' written notice to the contractor with or without cause. Also, if the Contractor fails to remain compliant with the Mississippi Employment Protection Act (E-Verify), USM can terminate the contract. Under force majeure, if an event continues uninterrupted for a period exceeding six (6) calendar months, either party may elect to terminate this Agreement upon notice to the other, but such right of termination, if not exercised, shall expire immediately upon the discontinuance of the event of force majeure. Additionally, either party can terminate immediately upon issuance of written notice if the other party fails to perform the obligations under this agreement, but the terminating party may allow 60 days within which the other party may attempt to cure the failure to fulfill its obligations, but such 60-day cure time is not required.

**Contract Amount:** The total contract amount is estimated at \$450,000, but this is dependent upon student enrollment and other unknown factors such as demand outside of students. The unit pricing of the meals per SFP student, per day, will be \$24.45. USM will be invoiced for the number of students served under the SFP Meal Plan at the end of each month. Additionally, USM will pay the Contractor for individual meals provided to SFP instructors, Teaching Assistants (TAs), or SFP program personnel and for individual meals reserved

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under the Marine Education Center (MEC's) CSC programs at the following rates: Breakfast \$6.95, Lunch \$8.25 and Dinner \$9.25.

**Funding Source of Contract:** This contract will be funded by revenue generated from college students, public school groups, various program participants, and other campus activities requiring meals.

**Contractor Selection Process:** On September 29, 2016, USM's GCRL procurement office issued a request for proposals and received two responses. These were reviewed by employees from the Summer Field Program, Marine Education Center, and the administration. It was determined that Tony's King of Steaks, Inc. would be the best fit to meet all the needs of our requirements and maintain sustainability of this operation. This vendor's proven ability to provide service on a variety of levels, coupled with their pricing, made them the best overall value.

**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 is pending review and approval by the Attorney General's Office. Board staff recommends approval of this item.*

**15. USM-REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH UNITED HEALTHCARE INSURANCE COMPANY**

**Agenda Item Request:** The University of Southern Mississippi (USM) requests approval to contract with **United Healthcare Insurance Company** for health insurance for graduate and resident assistants, international students and domestic undergraduate students.

**Contractor's Legal Name:** **United Healthcare Insurance Company**

**History of Contract:** This is a new contract for the group health insurance option which USM has provided for a number of years for students who are employed as graduate assistants, residence assistants and for international students who are required by federal law to have health and repatriation insurance. Total premium payments for, FY 2017, was approximately \$1,600,000 with USM paying approximately \$547,742 and students paying the remainder.

**Specific Type of Contract:** This is a group rate student health insurance contract.

**Purpose:** The purpose of this group insurance plan is to allow students who need affordable health insurance coverage to have access to comprehensive coverage at a reasonable cost which is lower than rates available to them on an individual basis.

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**Scope of Work:** United Healthcare will provide health insurance to approximately 580 graduate assistants, 100 residence assistants and 300 international students (both graduate and undergraduate) per year.

**Term of Contract:** The contract will be annual, from on or about August 15, 2017, to August 17, 2018 with an option to renew annually.

**Termination Options:** USM will be able to terminate the arrangement at the end of each year. Premium rates are locked in place by a signed application on an annual basis.

**Contract Amount:** The contract amount varies depending upon the number of students who elect to purchase the insurance. Total premium payments in FY 2017 were approximately \$1,600,000 with USM paying approximately \$547,742 and students paying the remainder.

**Funding Source of Contract:** This insurance program is funded by direct bursar billings to students; fringe benefit charges build into externally funded contracts and grants; auxiliary funds; and, institutional funds.

**Contractor Selection Process:** United Healthcare, the lowest bidder in a 2017 open competitive bid process, was selected as the vendor.

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

**16. USM – REQUEST FOR APPROVAL OF COOPERATIVE AGREEMENT WITH THE UNIVERSITY OF RHODE ISLAND**

**Agenda Item Request:** The University of Southern Mississippi (USM) requests approval to enter into an agreement with **The University of Rhode Island** for the use of the vessel, *R/V Endeavor*, to conduct a research cruise.

**Contractor's Legal Name:** The University of Rhode Island (URI)

**History of Contract:** While this is a new agreement, USM has previously worked with URI in securing the use of the *R/V Endeavor* for ship time and support of USM's continuing marine research in association with the University-National Oceanographic Laboratory System (UNOLS) consortium.

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The Board approved similar agreements in August 2012, May 2013, April 2015, and April 2016 associated with this grant. The cost of the most recent agreement approved by the Board in April 2016 was \$850,566.50 and included 33 days of ship time at a daily rate of \$20,912.00 for vessel time, a total of \$142,493.00 for marine technology support, and equipment rental/transportation cost of \$17,977.50.

**Specific Type of Contract:** New Cooperative Agreement

**Purpose:** The purpose of this agreement is for USM's use of the vessel, *R/V Endeavor*, which is owned by the National Science Foundation and is operated and managed by URI for marine research.

**Scope of Work:** Under this agreement, URI/UNOLS will provide the use of the vessel *R/V Endeavor* (ship time) and its crew (marine tech support) to facilitate USM's participation in the Ecosystem Impacts of Oil and Gas Inputs to the Gulf (ECOGIG) marine research program.

**Term of Contract:** The term of the agreement is 32 days starting on May 29, 2017 and ending on June 29, 2017.

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

- For any reason by either party upon thirty (30) days' written notice,
- for a material breach or for failure to perform by either party its obligations under the agreement,
- for failure by either party to maintain required insurance coverage as specified in the agreement,
- in the event of *force majeure* continues uninterrupted for a period exceeding six (6) calendar months, either party may elect to terminate this Agreement upon notice to the other,
- for reduction of funds, or
- for failure by URI to comply with the federal E-Verify Program.

**Contract Amount:** The total estimated cost of this agreement is \$869,851.70. The cost is based on a daily rate of \$21,862 for vessel time and a total of \$151,791 for marine technology support. (One marine tech will be on board all the time, including the transit from North Carolina, while a second tech will join the ship in Gulfport.) Other costs include a lab van rental and transport costs of approximately \$15,824.10, and rental of a winch for \$2,652.60. The cost for vessel time may be adjusted for actual fuel costs and overall vessel



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utilization. Payment will be issued based upon receipt of an approved invoice for actual services rendered.

**Funding Source of Contract:** The agreement will be funded by an external grant EOGIG-2, grant number GR05251.

**Contractor Selection Process:** N/A. Vessel selection is based on availability and type of equipment.

**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.

**17. MSU – MISSISSIPPI INFORMATION TECHNOLOGY SERVICES AMENDMENT TO SUPPLEMENT TO MASTER AGREEMENT WITH ELLUCIAN COMPANY L.P.**

The following document represents the approval of MS-ITS to extend Ellucian Technical Currency and support services for the Ellucian software suite of products for Mississippi State University (MSU). The Attorney General's staff assigned to the MS-ITS reviewed this amendment prior to its execution. The supplement to the Master Agreement for software and services is between Ellucian Company, L.P. and MS-ITS behalf of MSU.

See next page.

**PROJECT NUMBER 42958  
AMENDMENT # 4 TO  
SUPPLEMENT TO MASTER SOFTWARE LICENSE AND SERVICE AGREEMENT  
BETWEEN  
ELLUCIAN COMPANY L.P.  
(SUCCESSOR BY ASSIGNMENT TO SUNGARD HIGHER EDUCATION, INC.  
AND ALSO FORMERLY KNOWN AS SUNGARD SCT SOFTWARE AND  
SCT SOFTWARE & RESOURCE MANAGEMENT CORPORATION)  
AND  
MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES  
AS CONTRACTING AGENT FOR  
MISSISSIPPI STATE UNIVERSITY  
(ORIGINAL PROJECT NUMBER 38890)**

This document (hereinafter referred to as "Amendment Number 4") shall serve to amend and is made subject to the terms and conditions of the original Supplement to Master Software License and Service Agreement executed on February 23, 2011 and amended on December 19, 2014, June 4, 2015, and May 10, 2016 (hereinafter referred to as "Supplement"), between Ellucian Company L.P., having its principal place of business at 4 Country View Road, Malvern, Pennsylvania 19355 (hereinafter referred to as "Licensor" and/or "Ellucian"), and the Mississippi Department of Information Technology Services having its principal place of business at 3771 Eastwood Drive, Jackson, Mississippi 39211 (hereinafter referred to as "ITS"), as contracting agent for Mississippi State University located at 175 President's Circle, Mississippi State, Mississippi 39762 (hereinafter referred to as "Licensee" and/or "MSU"). ITS and Licensee are sometimes collectively referred to herein as "State".

**WHEREAS**, MSU desires to renew Technical Currency maintenance services for its Ellucian software products;

**NOW THEREFORE**, ITS, MSU, and Ellucian, by entering into this Amendment Number 4, mutually agree that the following provisions shall modify the aforementioned Supplement:

In order to renew Technical Currency maintenance services for the Ellucian software products, the parties agree that Exhibit A, Exhibit A-1, and Exhibit A-2 in the Supplement shall be and hereby are, as of the date of the last signature below, modified by the addition of the new Exhibit A-3, which is attached to this Amendment Number 4 and incorporated herein by reference. As a result of this Amendment Number 4, Licensor agrees to provide the additional Technical Currency maintenance services listed in the attached Exhibit A-3 at the pricing therein stated not to exceed an additional \$3,857,491.00."


Any conflict between this Amendment Number 4 and the Supplement will be resolved in favor of this Amendment Number 4. Except as expressly modified by this Amendment Number 4, all other terms and conditions of the Supplement executed on February 23, 2011 and amended on December 19, 2014, June 4, 2015, and May 10, 2016, shall remain unchanged and in full force and effect.

*Signature Page to Follow*

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound, have executed this Amendment Number 4 as of the last signature date herein below.

State of Mississippi, Department of  
Information Technology Services, on  
behalf of Mississippi State University

Ellucian Company L.P.

By: Craig P. Orgeron  
Authorized Signature 

By:   
Authorized Signature

Printed Name: Craig P. Orgeron, Ph.D.

Printed Name: Mike Cleary  
VP Customer Support

Title: Executive Director

Title: \_\_\_\_\_

Date: 04/05/2017

Date: 3/30/2017

**EXHIBIT A-3**

Time Period:	July 1, 2017 to June 30, 2018	July 1, 2018 to June 30, 2019	July 1, 2019 to June 30, 2020	July 1, 2020 to June 30, 2021	July 1, 2021 to June 30, 2022	July 1, 2022 to June 30, 2023	July 1, 2023 to June 30, 2024
<b>Maintenance Paid in Arrears</b>							
Banner Document Mgmt Suite	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ApplicationXtender Capture Pkg	\$364.00	\$379.00	\$394.00	\$409.00	\$426.00	\$443.00	\$461.00
Elucian Intelligent Learning Plat (ILP)	\$15,296.00	\$15,908.00	\$16,544.00	\$17,206.00	\$17,895.00	\$18,610.00	\$19,355.00
Elucian Mobile Platform Edition	\$13,027.00	\$13,548.00	\$14,090.00	\$14,654.00	\$15,240.00	\$15,849.00	\$16,483.00
Banner Advancement	\$19,507.00	\$20,288.00	\$21,099.00	\$21,943.00	\$22,821.00	\$23,734.00	\$24,683.00
Banner Advancement Self-Service	\$11,705.00	\$12,173.00	\$12,660.00	\$13,167.00	\$13,693.00	\$14,241.00	\$14,811.00
Banner Doc Mgmt Int Comp	\$5,154.00	\$5,360.00	\$5,575.00	\$5,798.00	\$6,030.00	\$6,271.00	\$6,522.00
Banner Employee Self-Service	\$13,724.00	\$14,273.00	\$14,844.00	\$15,437.00	\$16,055.00	\$16,697.00	\$17,365.00
Banner Faculty Self-Service	\$13,724.00	\$14,273.00	\$14,844.00	\$15,437.00	\$16,055.00	\$16,697.00	\$17,365.00
Banner Finance	\$46,848.00	\$48,722.00	\$50,671.00	\$52,697.00	\$54,805.00	\$56,998.00	\$59,277.00
Banner Finance Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Financial Aid	\$45,111.00	\$46,915.00	\$48,792.00	\$50,744.00	\$52,774.00	\$54,884.00	\$57,080.00
Banner Financial Aid Self-Service	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Human Resources	\$43,374.00	\$45,109.00	\$46,914.00	\$48,790.00	\$50,742.00	\$52,771.00	\$54,882.00
Banner Integration Technologies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Banner Student	\$60,718.00	\$63,147.00	\$65,673.00	\$68,300.00	\$71,032.00	\$73,873.00	\$76,828.00

Time Period:	July 1, 2017 to June 30, 2018	July 1, 2018 to June 30, 2019	July 1, 2019 to June 30, 2020	July 1, 2020 to June 30, 2021	July 1, 2021 to June 30, 2022	July 1, 2022 to June 30, 2023	July 1, 2023 to June 30, 2024
Banner Student Self-Service	\$17,151.00	\$17,837.00	\$18,550.00	\$19,292.00	\$20,084.00	\$20,866.00	\$21,701.00
Banner Workflow	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Recruiter BCM Bundle	\$49,625.00	\$51,610.00	\$53,674.00	\$55,821.00	\$58,054.00	\$60,376.00	\$62,791.00
Recr Add'l Address Cleanses Maint	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Recr Additional Emails Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Recruiter Base License	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Recruiter Payment Gateway	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Advantage Plus Fees 1	\$19,858.00	\$20,652.00	\$21,478.00	\$22,337.00	\$23,231.00	\$24,160.00	\$25,126.00
Ellucian eCRM Platform	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ellucian eCRM Premium User	\$3,439.00	\$3,577.00	\$3,720.00	\$3,869.00	\$4,023.00	\$4,184.00	\$4,352.00
Ellucian eCRM Standard User	\$7,911.00	\$8,228.00	\$8,557.00	\$8,899.00	\$9,255.00	\$9,625.00	\$10,010.00
Ellucian Int'l Scholar Dossier	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Ellucian Int'l Student and Scholar Mgmt	\$9,402.00	\$9,778.00	\$10,169.00	\$10,576.00	\$10,999.00	\$11,438.00	\$11,896.00
Banner Doc Mgmt Suite	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ApplicationXtender Desktop	\$9,129.00	\$9,494.00	\$9,874.00	\$10,269.00	\$10,680.00	\$11,107.00	\$11,551.00
AppX Rpts Mgmt AFP Pmt Stream Opt	\$1,909.00	\$1,986.00	\$2,065.00	\$2,148.00	\$2,234.00	\$2,323.00	\$2,416.00
AppXtender Reports Mgmt Svr	\$7,158.00	\$7,445.00	\$7,742.00	\$8,052.00	\$8,374.00	\$8,709.00	\$9,058.00
AppXtender Reports Mgmt Svr 2	\$954.00	\$992.00	\$1,032.00	\$1,073.00	\$1,116.00	\$1,160.00	\$1,207.00

Time Period:	July 1, 2017 to June 30, 2018	July 1, 2018 to June 30, 2019	July 1, 2019 to June 30, 2020	July 1, 2020 to June 30, 2021	July 1, 2021 to June 30, 2022	July 1, 2022 to June 30, 2023	July 1, 2023 to June 30, 2024
ApplicationXtender Test Bundle	\$1,369.00	\$1,423.00	\$1,480.00	\$1,540.00	\$1,601.00	\$1,665.00	\$1,732.00
AppXtender Web Access .NET	\$11,930.00	\$12,407.00	\$12,903.00	\$13,419.00	\$13,956.00	\$14,514.00	\$15,095.00
ApplicationXtender Web Services	\$5,431.00	\$5,648.00	\$5,874.00	\$6,109.00	\$6,353.00	\$6,607.00	\$6,872.00
DiskXtender Windows File System Mgr Svr	\$572.00	\$595.00	\$619.00	\$643.00	\$669.00	\$696.00	\$724.00
QuickScan Pro for AppXtender	\$1,886.00	\$1,961.00	\$2,039.00	\$2,121.00	\$2,206.00	\$2,294.00	\$2,386.00
Advantage Plus Fees for BDMS	\$2,420.00	\$2,517.00	\$2,618.00	\$2,722.00	\$2,831.00	\$2,945.00	\$3,062.00
Advantage Plus Fees for BDMS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Luminis Basic	\$49,700.00	\$51,688.00	\$53,755.00	\$55,905.00	\$58,141.00	\$60,467.00	\$62,886.00
<b>Grand Total:</b>	<b>\$488,396.00</b>	<b>\$507,933.00</b>	<b>\$528,249.00</b>	<b>\$549,377.00</b>	<b>\$571,355.00</b>	<b>\$594,204.00</b>	<b>\$617,977.00</b>
<b>Total Maintenance Cost:</b>							<b>\$3,857,491.00</b>

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

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

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

**Board Policy §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.*

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*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.*

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

**BUREAU OF BUILDING PROJECTS .....**

**1. DSU – GS 102-264 – PrePlan New President's House**

**Project Request:** Delta State University requests approval to initiate a project, PrePlan New President's House, and to appoint Eley Barkley Engineering & Architecture, as the design professional.

**Proposed Design Professional:** Eley Barkley Engineering & Architecture

**Selection Method:** The project budget is not anticipated to exceed \$3M so the university was not required to use the RFQ method for the selection of the design professional.



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**Purpose:** Delta State University is seeking to initiate the project and appoint the design professional. This project will allow the university to proceed with preplanning & design of the project.

**Project Scope:** Delta State University plans to use the site of the demolished old President's House to eventually build a new President's House

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

**Project Initiation Date:** May 18, 2017

**Date of Original Construction:** New Construction

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

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

		<u><i>Estimated</i></u>
Construction Cost:	\$	0.00
Architectural and Engineering Fees:		85,000.00
Misc. Project Costs:		0.00
Furniture & Equipment Costs:		0.00
Contingency:		<u>0.00</u>
<b>Total Project Budget</b>	<b>\$</b>	<b>85,000.00</b>

**Proposed Funding Source(s):** General Funds Transferred to the Bureau of Building (\$85,000)

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

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**2. MSU – GS 105-357 – PrePlan Music Building**

**Project Request:** Mississippi State University requests approval to initiate a project, PrePlan Music Building, and to appoint Allred Architectural Group, P.A., as the design professional.

**Proposed Design Professional:** Allred Architectural Group, P.A.

**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:** Mississippi State University is seeking to initiate the project and appoint the design professional after concluding the RFQ process for the project. This project will allow the university to begin the preplanning stage of the project.

**Project Scope:** The scope of the project is to preplan a new music facility consisting of approximately 30,000 square feet on the MSU campus. The project will include architectural, structural, mechanical, plumbing, electrical, and required furnishings.

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

**Project Initiation Date:** May 18, 2017

**Date of Original Construction:** New Construction

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

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

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

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**Proposed Funding Source(s):** HB 1729, Laws of 2016 (\$700,000)

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

**3. UMMC – GS 109-223 – Clinical Research Unit**

**Project Request:** The University of Mississippi Medical Center requests approval to appoint Foil Wyatt Architects as the design professional for the Clinical Research Unit project.

**Proposed Design Professional:** Foil Wyatt Architects

**Selection Method:** The project budget exceeds \$3M so the university used the RFQ method for the selection of the design professional.

**Purpose:** The University of Mississippi Medical Center is seeking to appoint the design professional with the Board after concluding the RFQ process for the project. With this project being funded with state bond funds, the Bureau of Building executed the contract with the design professional before UMMC could get this request to the Board for approval. This project will allow the university to begin the preplanning stage of the project.

**Project Scope:** The Adult Hospital currently has shelled floors on the 6th and 7th floors. This project will build out approximately one half of the 6th floor. The build-out will contain patient beds and support spaces that will allow patients to be treated through innovative research techniques.

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

**Project Initiation Date:** November 17, 2016

**Date of Original Construction:** 2006

**Date of Last Renovation:** No Major Renovations to 6th or 7th floors

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**Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 5,300,000.00
Architectural and Engineering Fees:	398,824.00
Misc. Project Costs:	1,119,500.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>681,676.00</u>
<b>Total Project Budget</b>	<b>\$ 7,500,000.00</b>

**Funding Source(s):** HB 1729, Laws of 2016 (\$7,500,000)

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

**IHL PROJECTS .....**

**4. UM – IHL 207-435 – Guyton Drive Modifications**

**Project Request:** The University of Mississippi requests approval to initiate a project, Guyton Drive Modifications, and to appoint A2H, PLLC as the design professional.

**Proposed Design Professional:** A2H, PLLC

**Selection Method:** The project budget is not anticipated to exceed \$3M so the university is not required to use the RFQ method for the selection of the design professional.

**Purpose:** This University of Mississippi is seeking to initiate the project and appoint the design professional in order to allow for the design and construction of a sufficient and safe road in front of Guyton Hall as well as a proper entrance to Guyton Hall. Currently the steps to the building terminate at the road. The project will also remove the closed road that leads to Fraternity Row and will instead provide a safe stairway/connection up the hill and to Guyton Hall.

**Project Scope:** The project consists of reworking the round-a-bout in front of Guyton Hall to align with Guyton Place and Magnolia Drive (Chapel Bell Tower), which coincides with the university master plan.

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

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

**Project Initiation Date:** May 18, 2017

**Date of Original Construction:** NA

**Date of Last Renovation:** NA

**Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 905,000.00
Architectural and Engineering Fees:	79,000.00
Misc. Project Costs:	89,400.00
Furniture & Equipment Costs:	20,000.00
Contingency:	<u>164,000.00</u>
<b>Total Project Budget</b>	<b>\$ 1,257,400.00</b>

**Funding Source(s):** Internal R&R (\$1,257,400)

*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. MUW – GS 104-189 – Physical Plant Warehouse / Office Facility**

**Project Request:** Mississippi University for Women requests approval to increase the budget for the Physical Plant Warehouse / Office Facility project. The budget will increase from \$1,000,000.00 to \$1,059,550.00, for an increase of \$59,550.00.

**Project Phase:** Design Phase

**Design Professional:** Major Design Studio, PLLC

**General Contractor:** TBD

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**Purpose/Justification:** MUW requests approval to increase the project budget in order to allow the university to be able to award the project with the lowest bidder + alternates 1 and 2.

**Project Scope:** The project consists of the complete construction of a 6,477 square foot warehouse building / office facility near the mini-storage units. The building will replace the current warehouse that is in deteriorating condition.

Mississippi University for Women 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:** June 18, 2015

**Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 875,000.00	\$ 900,000.00	\$ 25,000.00
Architectural and Engineering Fees	\$ 62,000.00	\$ 76,950.00	\$ 14,950.00
Miscellaneous Project Costs	\$ 30,700.00	\$ 32,600.00	\$ 1,900.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 32,300.00	\$ 50,000.00	\$ 17,700.00
<b>Total Project Budget</b>	<b>\$ 1,000,000.00</b>	<b>\$ 1,059,550.00</b>	<b>\$ 59,550.00</b>

**Proposed Funding Source(s):** SB 2906, Laws of 2015 (\$1,059,550.00)

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

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**APPROVAL OF PERSONNEL ACTION REQUESTS**

**1. Employment**

**University of Mississippi**

Susan Duncan; Dean and Professor of Law; J.D.; \$340,000 per annum, pro rata; E&G Funds; effective August 1, 2017 to June 30, 2018, tenure granted upon appointment (*12 month contract*)

Aimee Nezhukumatathil; Professor of English and Creative Writing; M.F.A.; \$82,000 per annum, pro rata; E&G Funds; August 17, 2017 to May 12, 2018; tenure granted upon appointment (*9 month contract*)

**2. Change of Status**

**Mississippi State University**

Rickey L. Travis, *from* Interim Dean and Professor, Academic Affairs - College of Arts and Sciences; salary of \$180,000 per annum, pro rata; E&G Funds; 12 month; *to* Dean and Professor, Academic Affairs – College of Arts and Sciences; salary of \$220,000 per annum, pro rata; E&G Funds; 12 month, effective May 1, 2017.

**University of Southern Mississippi**

Allyson Easterwood; *from* Associate Vice President for Financial Affairs; salary of \$140,000 per annum, pro rata; E&G Funds; *to* Interim Vice President for Finance and Administration; salary of \$175,000 per annum, pro rata; E&G Funds; effective April 25, 2017

Douglas H. Vinzant; *from* Vice President for Finance and Administration; salary of \$220,000 per annum, pro rata; E&G Funds; *to* Special Assistant to the President; salary of \$90,000 per annum, pro rata; E&G Funds; effective April 25, 2017

**3. Tenure (and Promotions where noted)**

**Alcorn State University**

Byron Johnson; *promotion* to Associate Professor, Department of Fine Arts, School of Arts and Sciences; effective August 15, 2017 (*9 month contract*)

Renardo Murray; *promotion* to Associate Professor, Department of Fine Arts, School of Arts and Sciences; effective July 1, 2017 (*12 month contract*)

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Chunquan Zhang; *promotion* to Associate Professor, Department of Agriculture, School of Agriculture; effective August 15, 2017 (*9 month contract*)

**Delta State University**

Mistie Barnes, Associate Professor of Counselor Education, Division of Counselor Education and Psychology, College of Education and Human Sciences; effective August 21, 2017 (*9 month contract*)

Brian Becker, Associate Professor of History, Division of Social Sciences and History, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)

Leslie Green-Pimentel, Associate Professor of Community Development, Division of Social Sciences and History, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)

Séverine Groh, Associate Professor of Biology, Department of Biological Sciences, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)

Thomas Laub, Associate Professor of History, Division of Social Sciences and History, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)

Lekeitha Morris, Associate Professor of Speech and Hearing Sciences, Department of Speech and Hearing Sciences, College of Arts and Sciences; effective August 21, 2017 (*12 month contract*)

A. H. M. Reza, Associate Professor of Biology, Department of Biological Sciences, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)

Clint Tibbs, Associate Professor of Philosophy, Division of Languages and Literature, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)

Yongqin Zhang, Associate Professor of Geospatial Technologies, Department of Biological Sciences, College of Arts and Sciences; effective August 21, 2017 (*9 month contract*)

**Mississippi University for Women**

Ian Childers; *promotion* to Associate Professor of Art, College of Arts and Sciences; effective May 2017 (*9 month contract*)

Lee Crouse; *promotion* to Associate Professor of Theatre, College of Arts and Sciences; effective May 2017 (*9 month contract*)



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Brenda Dickey; *promotion* to Associate Professor of Education, College of Education and Human Sciences; effective May 2017 (*9 month contract*)

Amber Handy; *promotion* to Associate Professor of History, College of Arts and Sciences; effective May 2017 (*12 month employee*)

Jonathon Hooks; *promotion* to Associate Professor of History, College of Arts and Sciences; effective May 2017 (*9 month contract*)

Melissa Smith; *promotion* to Associate Professor of Communication, College of Arts and Sciences; effective May 2017 (*9 month contract*)

**University of Mississippi**

Joel C. Amidon, *promotion* to Associate Professor of Secondary Education, School of Education; effective August 17, 2017 (*9 month contract*)

Matthew R. Bondurant, *promotion* to Associate Professor of English, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Javier F. Boyas, Associate Professor of Social Work, School of Applied Sciences; effective August 17, 2017 (*9 month contract*)

Tracy A. Brooks, *promotion* to Associate Professor of Pharmacology and Research Associate Professor in the Research Institute of Pharmaceutical Sciences, School of Pharmacy; effective July 1, 2017 (*12 month contract*))

W. Tucker Carrington, Director of the Innocence Project and Associate Professor of Law, School of Law; effective July 1, 2017 (*12 month contract*)

Jeffery Carter, *promotion* to Associate Professor of Political Science, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Cristin E. Ellis, *promotion* to Associate Professor of English, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Stephen Fier, *promotion* to Associate Professor of Finance, School of Business Administration; effective August 17, 2017 (*9 month contract*)

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Maria Gondo, *promotion* to Associate Professor of Management, School of Business Administration; effective August 17, 2017 (*9 month contract*)

Joshua Robert Hendrickson, *promotion* to Associate Professor of Economics, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Cynthia Joyce, *promotion* to Associate Professor of Journalism, Meek School of Journalism and New Media; effective August 17, 2017 (*9 month contract*)

Burhanettin Keskin, Associate Professor of Early Childhood Education, School of Education; effective August 17, 2017 (*9 month contract*)

Paul D. Loprinzi, *promotion* to Associate Professor of Health, Exercise Science and Recreation Management, School of Applied Sciences; effective August 17, 2017 (*9 month contract*)

Jos E. Milton, *promotion* to Associate Professor of Music, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Mark Jason Ortwein, *promotion* to Associate Professor of Curriculum and Instruction, School of Education; effective August 17, 2017 (*9 month contract*)

Jodi Skipper, *promotion* to Associate Professor of Anthropology, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Roy J. Thurston, *promotion* to Associate Professor of Special Education, School of Education; effective August 17, 2017 (*9 month contract*)

**University of Mississippi Medical Center**

Nicole Borges, Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Alan Jones, Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Ji Li, Associate Professor of Physiology and Biophysics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Kandy Smith, Professor of Nursing, School of Nursing; effective July 1, 2017 (*12 month contract*)

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Rebecca Sugg, Associate Professor of Neurology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Xinchun Zhou, *promotion to* Associate Professor of Pathology, School of Medicine; effective July 1, 2017 (*12 month contract*)

**University of Southern Mississippi**

Fengwei Bai, *promotion to* Associate Professor, Department of Biological Sciences, College of Science and Technology; effective August 14, 2017 (*9 month contract*)

Jacob W. Breland, *promotion to* Associate Professor, Department of Management and International Business, College of Business; effective August 14, 2017 (*9 month contract*)

Holly Huye, *promotion to* Associate Professor, Department of Nutrition and Food Systems, College of Health; effective August 14, 2017 (*9 month contract*)

Sungsoo Kim, *promotion to* Associate Professor, Department of Economic Development, Tourism and Sport Management, College of Business; effective August 14, 2017 (*9 month contract*)

Maria A. Leach, Associate Professor, School of Accountancy, College of Business; effective August 14, 2017 (*9 month contract*)

Alisa Lowrey, Associate Professor, Department of Curriculum, Instruction and Special Education, College of Education and Psychology; effective August 14, 2017 (*9 month contract*)

Mark C. Rigsby, *promotion to* Associate Professor, Department of Art and Design, College of Arts and Letters; effective August 14, 2017 (*9 month contract*)

Amanda Lynn Schlegel, *promotion to* Associate Professor, School of Music, College of Arts and Letters; effective August 14, 2017 (*9 month contract*)

**4. Promotions**

**University of Mississippi**

Zulfiqar Ali, *promotion to* Senior Research Scientist, NCNPR, School of Pharmacy; effective July 1, 2017 (*12 month contract*)

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Tiffany A. Bensen, *promotion* to Lecturer of Biology, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Luca Bombelli, *promotion* to Professor of Physics and Astronomy, College of Liberal Arts; effective July 1, 2017 (*12 month contract*)

Paul Keith Boran, *promotion* to Lecturer of Writing & Rhetoric, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Meagan Brown, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy; effective July 1, 2017 (*12 month contract*)

Daphne S. Cain, *promotion* to Professor of Social Work, School of Applied Sciences; effective July 1, 2017 (*12 month contract*)

Marco Cavaglia, *promotion* to Professor of Physics and Astronomy, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Narayan Das Chaurasiya, *promotion* to Research Scientist, NCNPR, School of Pharmacy; effective July 1, 2017 (*12 month contract*)

Yixin Chen, *promotion* to Professor of Computer and Information Science, School of Engineering; effective August 17, 2017 (*9 month contract*)

Courtney Strong Davis, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy; effective July 1, 2017 (*12 month contract*)

Gordon Huey Dunkin, *promotion* to Lecturer of Writing & Rhetoric, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Lorena Ribeiro De Carvalho Fonseca, *promotion* to Senior Lecturer of French, College of Liberal Arts; effective August 17, 2017 (*9 month contract*)

Mary Allison Ford-Wade, *promotion* to Professor of Health, Exercise Science and Recreation Management, School of Applied Sciences; effective August 17, 2017 (*9 month contract*)

Wendy Denise Goldberg, *promotion* to Lecturer of Composition & Rhetoric, College of Liberal Arts; effective July 1, 2017 (*12 month contract*)

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Denis Charles Goulet, *promotion* to Senior Lecturer of Biology, College of Liberal Arts; effective August 17, 2017 (9 month contract)

Shari Hodges Holt, *promotion* to Instructional Associate Professor of English, College of Liberal Arts; effective August 17, 2017 (9 month contract)

Neil A. Manson, *promotion* to Professor of Philosophy, College of Liberal Arts; effective August 17, 2017 (9 month contract)

Lucile M. McCook, *promotion* to Senior Lecturer of Biology, College of Liberal Arts; effective August 17, 2017 (9 month contract)

Jerilou J. Moore, *promotion* to Professor of Curriculum and Instruction, School of Education; effective August 17, 2017 (9 month contract)

Gene Breese Quinn, *promotion* to Professor of Physics, College of Liberal Arts; effective August 17, 2017 (9 month contract)

Mohamed Mahmoud Radwan, *promotion* to Senior Research Scientist, NCNPR, School of Pharmacy; effective July 1, 2017 (12 month contract)

Margaret Jeanine Rauch, *promotion* to Lecturer of Writing & Rhetoric, College of Liberal Arts; effective July 1, 2017 (12 month contract)

Krista Dale Riche, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy; effective July 1, 2017 (12 month contract)

Mary G. Roseman, *promotion* to Professor of Nutrition and Hospitality Management, School of Applied Sciences; effective August 17, 2017 (9 month contract)

Angela Sykes Rutherford, *promotion* to Professor of Teacher Education, School of Education; effective July 1, 2017 (12 month contract)

Denise A. Soares, *promotion* to Associate Professor of Special Education, School of Education; effective August 17, 2017 (9 month contract)

Maribeth Stolzenburg, *promotion* to Research Professor of Physics and Astronomy, College of Liberal Arts; effective July 1, 2017 (12 month contract)

Mary F. Thurlkill, *promotion* to Professor of Religion, College of Liberal Arts; effective August 17, 2017 (9 month contract)

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**University of Mississippi Medical Center**

Israh Akhtar, *promotion* to Professor of Pathology, School of Medicine; effective July 1, 2017 (12 month contract)

Svenja Albrecht, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)

Janorkar Amol, *promotion* to Professor of Biomedical Materials Sciences, School of Dentistry; effective July 1, 2017 (12 month contract)

Andrew Anderson, *promotion* to Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (12 month contract)

Ayman Asfour, *promotion* to Professor of Pathology, School of Medicine; effective July 1, 2017 (12 month contract)

Rosanna Bahadur, *promotion* to Associate Professor of Ophthalmology, School of Medicine; effective July 1, 2017 (12 month contract)

Jennifer Bain, *promotion* to Associate Professor of Periodontics and Preventive Sciences, School of Dentistry; effective July 1, 2017 (12 month contract)

Patrick Bergin, *promotion* to Associate Professor of Orthopedic Surgery and Rehabilitation, School of Medicine; effective July 1, 2017 (12 month contract)

John Bethea, *promotion* to Associate Professor of Anesthesiology, School of Medicine; effective July 1, 2017 (12 month contract)

Josie Bidwell, *promotion* to Associate Professor of Nursing, School of Nursing; effective July 1, 2017 (12 month contract)

Brian Borg, *promotion* to Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)

Kenneth Butler, *promotion* to Professor of Medicine, School of Medicine; effective July 1, 2017 (12 month contract)

Arthur Calimaran, *promotion* to Professor of Anesthesiology, School of Medicine; effective July 1, 2017 (12 month contract)

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William Campbell, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Susan Clark, *promotion* to Professor of Academic Information Services, Administration; effective July 1, 2017 (*12 month contract*)

Linda Croff-Poole, *promotion* to Associate Professor of Health Sciences, School of Health Related Professions; effective July 1, 2017 (*12 month contract*)

Dongmei Cui, *promotion* to Associate Professor of Neurobiology and Anatomical Sciences, School of Medicine; effective July 1, 2017 (*12 month contract*)

Ninabahen Dave, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Pierre DeDelva, *promotion* to Associate Professor of Surgery, School of Medicine; effective July 1, 2017 (*12 month contract*)

Erin Dehon, *promotion* to Associate Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Sadhana Dharmapuri, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Heather Drummond, *promotion* to Professor of Physiology and Biophysics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Seena “Shazowee” Edgerton, *promotion* to Associate Professor of Radiologic Sciences, School of Health Related Professions; effective July 1, 2017 (*12 month contract*)

Rana El Feghaly, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Ingrid Espinoza, *promotion* to Associate Professor of Preventive Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Robert Eubanks, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Kevin Freeman, *promotion* to Associate Professor of Psychiatry and Human Behavior, School of Medicine; effective July 1, 2017 (*12 month contract*)

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Natalie Gaughf, *promotion* to Professor of Family Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Matthew Graves, *promotion* to Professor of Orthopedic Surgery and Rehabilitation; effective July 1, 2017 (*12 month contract*)

Cameron Guild, *promotion* to Professor of Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Michael Hall, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Craig Hallstrom, *promotion* to Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Carrie Henderson, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Jennifer Hong, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

John Ingram, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Jeremy Jackson, *promotion* to Associate Professor of Dermatology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Jon Jackson, *promotion* to Associate Professor of Psychiatry and Human Behavior, School of Medicine; effective July 1, 2017 (*12 month contract*)

Mary Johnson, *promotion* to Associate Professor of Otolaryngology and Communicative Sciences, School of Medicine; effective July 1, 2017 (*12 month contract*)

Ellen Jones, *promotion* to Associate Professor of Health Administration, School of Health Related Professions; effective July 1, 2017 (*12 month contract*)

Jonathan Jones, *promotion* to Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

David Josey, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)



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Denise Krause, *promotion* to Professor of Biomedical Materials Sciences, School of Dentistry; effective July 1, 2017 (*12 month contract*)

Andrea Lewis, *promotion* to Associate Professor of Otolaryngology and Communicative Sciences, School of Medicine; effective July 1, 2017 (*12 month contract*)

Kyle Lewis, *promotion* to Associate Professor of Ophthalmology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Xiu Liu, *promotion* to Professor of Pathology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Robert Long, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Suvankar Majumdar, *promotion* to Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Leslie McKenzie, *promotion* to Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Angela Morey, *promotion* to Associate Professor of Health Informatics and Information Management, School of Health Related Professions; effective July 1, 2017 (*12 month contract*)

Nils Mungan, *promotion* to Professor of Ophthalmology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Todd Nichols, *promotion* to Associate Professor of Radiology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Sarah Novotny, *promotion* to Associate Professor of Obstetrics and Gynecology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Jeffrey Orledge, *promotion* to Professor of Emergency Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Michelle Owens, *promotion* to Professor of Obstetrics and Gynecology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Yi Pang, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

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Jaimin Patel, *promotion* to Associate Professor of Pediatrics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Janet Ricks, *promotion* to Professor of Family Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Brian Rutledge, *promotion* to Associate Professor of Health Administration, School of Health Related Professions; effective July 1, 2017 (*12 month contract*)

Jennifer Sasser, *promotion* to Associate Professor of Pharmacology and Toxicology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Madhankumar Sathyamoorthy, *promotion* to Associate Professor of Anesthesiology, School of Medicine; effective July 1, 2017 (*12 month contract*)

David Sawaya, *promotion* to Professor of Surgery, School of Medicine; effective July 1, 2017 (*12 month contract*)

James Shaffery, *promotion* to Professor of Psychiatry and Human Behavior, School of Medicine; effective July 1, 2017 (*12 month contract*)

Mario Sims, *promotion* to Professor of Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

David Stec, *promotion* to Professor of Physiology and Biophysics, School of Medicine; effective July 1, 2017 (*12 month contract*)

Samuel Thigpen, *promotion* to Associate Professor of Medicine, School of Medicine; effective July 1, 2017 (*12 month contract*)

Laura Vick, *promotion* to Associate Professor of Surgery, School of Medicine; effective July 1, 2017 (*12 month contract*)

Junming Wang, *promotion* to Professor of Pathology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Kimberley Ward, *promotion* to Professor of Dermatology, School of Medicine; effective July 1, 2017 (*12 month contract*)

Amanda Witt, *promotion* to Associate Professor of Neurology, School of Medicine; effective July 1, 2017 (*12 month contract*)

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**5. Emeritus Status**

**University of Southern Mississippi**

William C. “Bill” Smith, Assistant Professor Emeritus of Marketing and Economic Development; effective April 1, 2017

**6. Other Actions**

**University of Mississippi**

*(Corrections to sabbatical dates approved February 16, 2017)*

FROM: Dr. Bradley L. Cook; Associate Professor of Classics; *from* salary of \$66,883 per annum, pro rata; E&G Funds; *to* salary of \$33,442 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.

TO: Dr. Bradley L. Cook; Associate Professor of Classics; *from* salary of \$66,883 per annum, pro rata; E&G Funds; *to* salary of \$33,442 per annum, pro rata for sabbatical period; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.

FROM: Dr. Judson D. Watson III, Professor of English; *from* \$114,456 per annum, pro rata; E&G Funds; *to* \$57,228 per annum, pro rata; E&G Funds; effective August 17, 2017 to May 12, 2018; professional development.

TO: Dr. Judson D. Watson III, Professor of English; *from* \$114,456 per annum, pro rata; E&G Funds; *to* \$57,228 per annum, pro rata; E&G Funds; effective August 17, 2017 to December 31, 2017; professional development.

# REGULAR AGENDAS

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**1. STATE – APPROVAL FOR PROPOSED REVISIONS TO THE MISSISSIPPI  
NURSING DEGREE PROGRAMS ACCREDITATION STANDARDS**

**STANDARD IV: CURRICULUM**

**The curriculum prepares students to achieve the expected outcomes of the nursing program, facilitates nursing practice that reflects the needs of the community of interest and is consistent with safe practice and contemporary healthcare environments.**

1. National Standards
  - a. ACEN  
Standard 4: Curriculum
  - b. CCNE  
Standard II: Program Quality: Institutional Commitment and Resources  
Standard III: Program Quality: Curriculum and Teaching-Learning Practices

1. State Specific Requirements
  - a. Undergraduate student-to-faculty ratios must be:
    1. No more than 15 to 1 for total enrollment.
    2. No more than 10 to 1 for clinical laboratory courses that require direct supervision.
    3. No more than 15 to 1 for those courses that do not require direct supervision (i.e. precepted experiences).
  - b. Graduate student-to-faculty ratios must be:
    1. No more than 15 to 1 for total enrollment.
    2. No more than 15 to 1 in graduate clinical courses.
    3. No more than 2 to 1 for advanced practice clinical courses that require direct supervision.
    4. No more than 6 to 1 for advanced practice clinical courses that do not require direct supervision (i.e. precepted experiences).
  - c. Undergraduate Simulation Clinical Hours:
    1. 25% or less of traditional clinical hours substituted with simulation clinical hours in each individual clinical course does not require approval.
    2. 26% up to 50% of traditional clinical hours substituted with simulation clinical hours in each individual clinical course requires approval.
    3. No more than 50% of traditional clinical hours can be substituted with simulation clinical hours in each individual clinical course.

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

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**2. STATE – 2017 APPROVAL OF ACCREDITATION OF MISSISSIPPI NURSING DEGREE PROGRAMS**

Pursuant to Miss. Code Ann. §37-129-1, based on the evaluation of annual reports documenting compliance with the state nursing accreditation standards, Board approval is requested for the accreditation of Mississippi Nursing Degree Programs as indicated below.

<b>SCHOOL OF NURSING</b>	<b>PROGRAM TYPE</b>	<b>ACCREDITATION STATUS</b>
Alcorn State University	ADN BSN MSN	<b>Continuing Accreditation with Warning<sup>1</sup></b> Continuing Accreditation Continuing Accreditation
Belhaven University	BSN	Continuing Accreditation
Coahoma Community College	ADN	Continuing Accreditation
Copiah-Lincoln Community College	ADN	Continuing Accreditation
Delta State University	BSN MSN DNP	Continuing Accreditation Continuing Accreditation Full Accreditation
East Central Community College	ADN	Continuing Accreditation
East Mississippi Community College	ADN	<b>Continuing Accreditation with Conditions<sup>2</sup></b>
Hinds Community College	ADN	Continuing Accreditation
Holmes Community College	ADN	Continuing Accreditation
Itawamba Community College	ADN	Continuing Accreditation
Jones County Junior College	ADN	Continuing Accreditation
Meridian Community College	ADN	<b>Continuing Accreditation with Conditions<sup>3</sup></b>
Mississippi College	BSN	Continuing Accreditation
Mississippi Delta Community College	ADN	Continuing Accreditation
Mississippi Gulf Coast Community College	ADN	Continuing Accreditation
Mississippi University for Women	ADN BSN MSN DNP	Continuing Accreditation Continuing Accreditation Continuing Accreditation Full Accreditation
Northeast Mississippi Community College	ADN	Continuing Accreditation
Northwest Mississippi Community College	ADN	Continuing Accreditation
Pearl River Community College	ADN	Continuing Accreditation
Southwest Mississippi Community College	ADN	Continuing Accreditation
University of Mississippi Medical Center	BSN MSN DNP	Continuing Accreditation Continuing Accreditation Full Accreditation
University of Southern Mississippi	BSN MSN DNP	Continuing Accreditation Continuing Accreditation <b>Full Accreditation with Conditions<sup>4</sup></b>
William Carey University	BSN MSN	Continuing Accreditation Continuing Accreditation

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**<sup>1</sup>Alcorn State University**

- **REASON:** ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. a. NCLEX-RN® Pass Rate **80% or above** required over a three-year period; ADN program pass rate for three-year period **58.00%** (2014 – 52.27%; 2015 – 41.94%; 2016 – 88.00%).  
**CONDITION: must submit a final Performance Improvement Plan Report September 1, 2017 that addresses the recommendations made by the state site visit team.**
- **REASON:** ADN program non-compliant with three out of six ACEN Standards: Standard 2. Faculty and Staff; Standard 4. Curriculum; Standard 6. Outcomes.  
**CONDITION: must submit a follow-up report to ACEN Fall 2017 and Focused Site Visit Fall 2017.**

**<sup>2</sup>East Mississippi Community College**

- **REASON:** ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. a. NCLEX-RN® Pass Rate **80% or above** required over a three-year period; ADN program pass rate for three-year period **79.66%** (2014 – 92.86%; 2015 – 62.50%; 2016 – 90.48%).
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/17.**

**<sup>3</sup>Meridian Community College**

- **REASON:** program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2.b. Degree Completion Rate **63.33% or above** over a three-year period; ADN program degree completion rate for three-year period **58.50%** (2013/14 – 53.00%; 2014/15 – 60.15%; 2015/16 – 63.95%).
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan progress report by 6/30/17.**

**<sup>4</sup>University of Southern Mississippi**

- **REASON:** DNP program non-compliant with IHL Standard II. Faculty and Staff. State Specific Requirements 2. b. All nursing faculty (full-time, part-time, and adjunct) must hold an unencumbered license to practice in Mississippi.
- **CONDITION: must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/17.**

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

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**1. SYSTEM – REQUEST FOR APPROVAL TO PURCHASE CYBER INSURANCE WITH BEAZLEY**

**Agenda Item Request:** The Mississippi Institutions of Higher Learning’s Executive Office (IHL) requests approval to purchase cyber liability and incident response insurance coverage with **Beazley**.

**Contractor’s Legal Name:** **Lloyds of London – Beazley Syndicate (Beazley)**. Beazley will provide the cyber coverage and breach response services for the system. Beazley has an A.M. Best Rating of A XV.

**History of Contract:** This is a new insurance program for IHL.

**Specific Type of Contract:** This is a policy of insurance coverage. Cyber liability insurance will cover various cyber-related losses, including third party liability, first party liability, costs related to investigation and mitigation, and costs related to providing legally required notifications to persons potentially affected by a cyber event. Purchase of the insurance also includes expert assistance from the insurers breach response team. The purchased policy will be primary to other insurance so that it will protect the IHL Self-Insured Tort Plan in the instances where coverages overlap. The recommended quote includes the ability to “buy-up” our limits during the term at a pre-negotiated price.

**Purpose:** The purpose of the contract is to protect the IHL system from cyber liability risks through transferring some of that risk to an insurer.

**Scope of Work:** The insurer will provide cyber liability insurance coverage during the policy year in exchange for the payment of premiums.

**Term of Contract:** The contract is a one-year insurance policy beginning May 31, 2017, and terminating June 1, 2018.

**Termination Options:** IHL may cancel the policy with a 60-day notice. The insurer may cancel the policy by providing a 60-day written notice, except that only 10 days of advance written notice is required in the event of nonpayment of premium. Upon cancellation by either party, the insurer will return premium on a pro rata basis.

**Contract Amount:** The premium is approximately \$316,495 for the one-year policy. If IHL elects to expand its aggregate limits, then the additional premium will bring the total to \$376,448.

**Funding Source for Contract:** The IHL Self-Insured Tort Plan will pay the premium and allocate an appropriate premium share to each policy participant. The share for each



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participant other than UMMC will be built into the annual assessment of the Tort Plan. The Tort Plan will invoice UMMC for its share.

**Contractor Selection Process:** A competitive RFP process was utilized. The RFP was advertised in *The Clarion-Ledger* and by direct mail. A committee of IHL and University staff members selected an insurance broker, Alliant Insurance Services. Alliant approached insurance markets. Two insurers submitted multiple quotes, and others declined to quote. Feedback from IHL's chief financial officers resulted in an additional option being quoted from the best and lowest insurer so that some of the larger universities were quoted higher coverage options to include sublimits of \$4.5 million each and 600,000 notifications. Additionally, IHL hired a coverage attorney with cyber experience to evaluate the proposed policy. The following reflects the recommended quote.

	Premium and University Sublimits	Aggregate Coverage
Beazley: Recommended Higher Limit System Option	\$ 316,495 Buy-Up Option adds \$5M more to the Policy Aggregate for \$59,953 more in additional Premium (to total a cost of \$376,448 if IHL elects to Buy-Up)	\$12.5 Million Aggregate Limits (\$17.5 Million Buy-Up Option); 2 Million notifications; SIRs vary by institution \$50K to \$250K; plus response services

The chief financial officers support the purchase of this insurance policy.

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

**2. SYSTEM – REQUEST FOR APPROVAL TO RENEW PROPERTY INSURANCE WITH AFFILIATED FM INSURANCE COMPANY AND AXIS SURPLUS INSURANCE COMPANY**

**Agenda Item Request:** The Mississippi Institutions of Higher Learning's Executive Office (IHL) requests approval to renew its property insurance coverage with **Affiliated FM Insurance Company (AFM)** and **Axis Surplus Insurance Company (Axis)**.

**Contractor's Legal Name:** **Affiliated FM Insurance Company** and **Axis Surplus Insurance Company**. AFM will provide the property coverage for the system, except for the Gulf Coast wind coverage. That coverage is provided through a difference in conditions wind and storm surge policy of which Axis provides the largest percentage of coverage.

**History of Contract:** In 2009, the Board approved a system-wide approach to insuring the system's property. AFM has provided the primary property coverage for this program, which from 2009 through this renewal, is estimated to have saved \$66,049,503 in premiums while improving coverage for 2017-2018.

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The system increased its insured values by 4.24% (\$440,328,885), and dropped the premium rate by 1% for the AFM coverage and by 4.61% for the USM wind and storm surge coverage. The total property premium for 2017-2018 will be approximately \$5,469,649, which is an increase of approximately 3.6% (\$189,247) from the 2016-2017 premiums. Despite improved pricing, the overall premium increased due to insuring more values. Favorable coverage terms, which were negotiated in prior years, remain a part of this renewal policy. Some new coverage improvements were also achieved.

**Specific Type of Contract:** This is a renewal of property insurance coverage.

**Purpose:** The purpose of the contract is to insure the system's properties in the most cost effective manner while meeting each university's individual coverage needs.

**Scope of Work:** The insurer will provide property insurance coverage during the policy year in exchange for the payment of premiums by the universities and IHL.

**Term of Contract:** The contract is for a two-year insurance policy beginning May 31, 2017, and terminating May 31, 2019. The portion of coverage related to coastal wind and storm surge is for one year whereas the AFM premium rate is guaranteed for two years.

**Termination Options:** IHL may cancel the policy at any time. Upon cancellation by IHL, the insurer will return unearned premium at 90% of the pro-rata basis. The insurer may cancel the policy by providing a 60-day written notice, except that only 10 days of advance written notice is required in the event of nonpayment of premium. If terminated by the insurer, the pro-rata basis of any unearned premium is returned.

**Contract Amount:** The premium is approximately \$5,469,649 for 2017-2018, but may increase or decrease through the term of the policy as universities add or decrease their insured values. The 2018-2019 premium is expected to be approximately \$5.5 million.

**Funding Source for Contract:** Each university and the Board Office pays its respective share of the premium which is billed and paid directly between the insurance company and the insured.

**Contractor Selection Process:** A competitive process was utilized. IHL's approved Broker, Willis Towers Watson, approached insurance markets to determine interest and ability to offer a competitive quote. The program was extensively marketed last year, and insurers indicated pricing would not be more competitive this year. Substantial rate reductions were realized in the two most recent renewals from AFM (11% and 10%), and this renewal further reduces the rate from AFM by another 1%. Pricing for USM's wind and storm coverage did see a rate reduction of 4.61%. The combined all risk rate for the system, including the wind coverage, is being reduced 4% compared to the current policy. IHL will

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retain the same favorable policy terms and engineering services as the current policy, and the quote is reflected as follows:

	Premium	Coverage	Engineering
AFM and Axis	\$5,469,649 per year	\$600 Million per Insured per year	\$160,614 Value Included per year

The chief financial officers support the renewal of this insurance policy.

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

**3. ASU – REQUEST TO INSTITUTE STUDENT ACTIVITIES FEE (FIRST READ)**

**Agenda Item Request:** Alcorn State University (ASU) requests approval to institute a Student Activities Fee to provide an independent source of funding for the Student Government Association to host events such as concerts, educational speakers and other lyceum attractions.

Specifically, ASU requests approval to institute a \$15.00 per semester Student Activities Fee applicable to all full-time students during the fall and spring semesters. Students will not be charged the fee during the summer semesters. The fee will be assessed for fall and spring semesters only beginning with FY 18.

The AY 2017 budget for student activities is \$36,100.00. However, this budget and previous budgets have been insufficient for monetary needs of the Student Government Association on campus. A Student Activities Fee will provide supplemental funding for this budget and will be administered by the Student Assessment Board to ensure that the money is spent on events specifically for the student body.

**Estimated Revenue:** Based on current enrollment, ASU projects this fee to generate approximately \$94,000.00 of new revenue annually.

**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.* Board staff recommends Board approval for the first reading of this item.

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**4. JSU - REQUEST FOR APPROVAL A BOND RESOLUTION TO ISSUE EDUCATIONAL BUILDING CORPORATION REVENUE BONDS IN AN AMOUNT NOT TO EXCEED THIRTY-FOUR MILLION (\$34,000,000), IN TOTO, IN ORDER TO REFUND CERTAIN BOND OBLIGATIONS (SERIES 2010-A-1), AND TO REVIEW FINANCIAL ADVISOR'S REPORT, AND FOR APPROVAL OF OTHER BOND DOCUMENTS AND TO APPROVE BOND COUNSEL, FINANCIAL ADVISOR, AND UNDERWRITER**

**Agenda Item Request:** Board approval is requested for a Resolution authorizing Jackson State University Educational Building Corporation ("Jackson State University EBC") to issue up to a maximum aggregate principal amount of \$34,000,000 of debt obligations (however denominated) (the "Debt Obligations") for the purpose of refunding the Jackson State University EBC Revenue Bonds, Series 2010-A-1 (collectively,). It is anticipated that the Debt Obligations for the refunding portion of the transaction (and possibly the entire financing) will be privately placed through the U.S. Department of Education's Historically Black College and University (HBCU) Capital Financing Program. Alternatively, all or a portion of the Debt Obligations may be sold through an underwriter in a public offering or privately placed with institutional investors.

**Contractor's Legal Name:** First Southwest, a division of Hilltop Securities, Inc., will serve as the financial advisor. Jones Walker LLP will serve as bond counsel, in accordance with the terms of the Contractual Agreement for Legal Services approved by the Office of the Attorney General. Raymond James & Associates, Inc. will serve as underwriter and/or as placement agent, depending on the manner in which the Debt Obligations are sold.

Bond counsel will be compensated at \$1.15 per \$1,000.

**History of Contract:** New contract.

**Specific Type of Contract:** Debt Obligations (however denominated).

**Purpose:** The purpose of the refunding of the Series 2010-A-1 Bonds is debt service savings. The financial advisor will provide an independent analysis showing potential net present value (NPV) savings based on current market conditions.

**Scope of Work:** Bond documentation, obtaining rating from rating agencies, and private placement of the Debt Obligations, through the HBCU loan program or with institutional investors, or the public sale of the Debt Obligations.

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**Term of Contract:** The Debt Obligations will mature no longer than 30 years from the dated date.

**Termination Options:** The Bond issue documents will contain redemption provisions which can be used in case of market changes.

**Contract Amount:** Maximum aggregate principal amount of \$34,000,000.

**Funding Source for Contract:** Existing cash flow from the projects refinanced with the Debt Obligations.

**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 **PENDING** approval by the Attorney General’s Office. Board staff recommendation recommends that the Board delegate final approval to Finance committee chair contingent upon receipt and review of financial advisor’s report, a minimum of 3 percent of net present value savings and recommendation from the Attorney General’s Office.

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**5. MSU-REQUEST TO INITIATE BOND PROCESS FOR THE MISSISSIPPI STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION NOT TO EXCEED \$9.55 MILLION TO CONSTRUCT PARKING FACILITY, TO REVIEW FINANCIAL ADVISOR'S REPORT, AND TO APPROVE BOND COUNSEL, FINANCIAL ADVISOR, AND UNDERWRITERS**

Mississippi State University requests approval to borrow funds, not to exceed \$9.55 million, through the Mississippi State University Educational Building Corporation (MSUEBC). The loan term will not exceed 30 years. Funds will be used to help finance the design and construction of a parking facility. Total project funding is \$9 million.

MSU also requests that the Board review and approve the financial advisor's report provided by First Southwest.

**Following are the professionals:**

- Financial Advisor – First Southwest
- Bond Counsel – Jones Walker, LLP
- Underwriters – Morgan Stanley & Company, LLC and Raymond James & Associates, Inc.

Bond counsel will be compensated at \$1.15 per \$1,000.

**History:** Mississippi State University has closely monitored its parking capacity and demand over the last several years. In 2010, Tim Haas and Associates was hired to conduct a parking demand and capacity evaluation and this study found that we had enough parking stock to last several years. In 2015, Tim Haas was hired to update the study and, due to growth in our overall campus population since the first study and the projected trends in population that were supplied by the Office of the Provost and Student Affairs, it was determined that by fiscal year 2020 we would be deficient in our parking capacity when related to demand. Tim Haas was also retained to lead Mississippi State in a study to evaluate possible solutions to meet the demand and shortage. Through this facilitated process, it was determined to construct a 500-space garage on the north side of campus that not only added needed parking capacity but would allow traffic to be shifted from the south side of campus to the north side of campus. The south side of campus is currently experiencing significant traffic congestion.

The parking garage project was presented to the Mississippi State University Master Plan Advisory Committee and was unanimously approved. In addition to the project being vetted by the Master Plan Advisory Committee, the permit pricing increases that are needed to help cover the debt service of this project were presented to the Mississippi State University Parking and Traffic Committee and unanimously approved. The members of this committee are:

- Director of Parking and Transit Services,

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- Executive Director of Campus Services,
- Chief of Police,
- Dean of Students,
- President of Faculty Senate,
- President of the Student Association,
- President of Staff Council,
- Campus Master Planner, and
- A representative from the College of Veterinary Medicine.

Approval to initiate the project is also being requested at this time (May 2017).

**Purpose:** As Mississippi State University expands and increases student population, parking issues continue to increase. MSU will construct a parking facility to help alleviate some of the parking issues on campus, thus promoting a more pedestrian friendly campus.

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

**Scope of Work:** The bond issue includes funds for construction of a new, multi-story parking garage. The garage will contain approximately 500 spaces. It will be a poured in place concrete structure located on the north side of campus, east of Howell Hall. First Southwest is the financial advisor. Bond Counsel is Jones, Walker, LLP, and the Underwriters are Morgan Stanley & Company LLC and Raymond James & Associates, Inc.

**Term of Contract:** Long-term bonds will be issued with maturities up to 30 years.

**Contract Amount:** MSU is expecting to issue up to a maximum of \$9,550,000 par value in fixed rate bonds. Proceeds from the bond issue will support the project fund (\$9 million), capitalized interest, cost of issuance and the underwriter's discount. Based on the Financial Advisor's report dated April 3, 2017, the proposed debt amortization will have an average annual debt payment of \$661,321 at an expected true interest cost of 5.34 percent. Taxable and tax-exempt options will both be considered.

**Funding Source for Contract:** Various Parking Services revenue sources will be used to support costs of the project. Specifically, decal prices will be increased for faculty, staff, and students, and the new Classroom Building garage and North Garage will generate new sources of revenue.

**STAFF RECOMMENDATION:** Based on Board Policy 906 –

*“The institution shall submit the report of the financial advisor(s) and the request for a project initiation to the Board for approval. The request must state the institution's intent, justify the need for the project and give an estimate of the total construction budget. The*

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*request must also include naming the design professionals, bond counsel and senior underwriter(s) selected by the board of the educational building corporation.*

*Following the Board's approval of the project initiation, the institution shall return to the Board at a subsequent meeting and present a resolution for Board approval granting permission for issuing bonds or other forms of debt obligations for the specific project."*

MSU has provided a financial advisor's report and named project professionals. A bond resolution and form of bond documents must be submitted for approval at a subsequent meeting.

Board staff recommends approval of initiation of bond process.

**6. UM – REQUEST TO APPROVE A BOND RESOLUTION FOR \$39.835 MILLION FOR THE UNIVERSITY OF MISSISSIPPI EDUCATIONAL BUILDING CORPORATION FOR THE PURPOSE OF REFUNDING SERIES 2009A, 2009C, AND 2011 BONDS TO ACHIEVE NET PRESENT VALUE SAVINGS, TO REVIEW THE FINANCIAL ADVISOR'S REPORT, AND TO APPROVE BOND COUNSEL, FINANCIAL ADVISOR AND UNDERWRITER**

**Agenda Item Request:** The University of Mississippi requests authorization to issue through the University of Mississippi Educational Building Corporation (UMEBC) revenue refunding bonds in one or more taxable and/or tax-exempt series to finance the costs of the current and/or advance refunding and defeasance of all or a portion of 1) The UMEBC revenue bonds, Series 2009A, issued in the original principal amount of \$19,870,000; 2) The UMEBC revenue bonds, Series 2009C, issued in the original principal amount of \$14,770,000; and 3) The UMEBC revenue bonds, Series 2011, issued in the original principal amount of \$27,995,000; to pay the costs of issuance, sale, and delivery of the bonds; and approval of other necessary bond documents.

**Bond Counsel:** Butler, Snow LLP

**Underwriter:** Raymond James & Associates, Inc.

**Financial Advisor:** First Southwest

Fees for bond counsel is \$1.90 per thousand dollars of bonds issued for the first \$25,000,000 in bonds issued, and \$1.15 per thousand for any amounts in excess of \$25,000,000, plus expenses.

**History:** UMEBC previously issued Series 2009A, 2009C, and 2011 bonds for a variety of projects including construction of a new law school and residential facilities.



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Series	2009A	2009C	2011
Original Purpose	Constructing New Law School	Constructing New Residential Facility	Constructing New Residential Facility
Original Issue	\$19,870,000	\$14,770,000	\$27,995,000
Proposed Refunded Par Amount	\$11,010,000	\$10,130,000	\$18,695,000

**Purpose:** The proceeds from this new issue will be used to current or advance refund and refinance all or a portion of the outstanding UMEBC Series 2009A, 2009C, and 2011 coupons where possible and when achieving an overall net present value savings threshold of 3%. First Southwest, financial advisor, estimates a net present value savings of \$2 million, or 5.005% in a report dated April 20, 2017.

Series	2009A	2009C	2011	Blended
Refunded Par Amount	\$11,010,000	\$10,130,000	\$18,695,000	\$39,835,000
Old Debt Service	\$15,980,975	\$15,933,231	\$28,559,290	\$60,473,496
New Debt Service	\$15,204,980	\$15,034,392	\$27,552,552	\$57,791,924
Gross Savings	\$775,995	\$898,839	\$1,006,738	\$2,681,572
Net Present Value Savings	\$642,882	\$665,899	\$788,211	\$2,096,992
Net Present Value Percent	5.46%	6.34%	4.02%	5.01%

**Specific Type of Contract:** These bonds will be issued at fixed rates with a term that will closely mirror the existing remaining amortization schedules.

**Scope of Work:** All proceeds will be used to extinguish outstanding coupons of UMEBC Series 2009A, 2009C, and 2011, and pay issuance costs.

**Term of Contract:** The term of the new bonds will closely match the term of the existing debt which is being refinanced.

**Termination Options:** NA.

**Contract Amount:** UMEBC expects to issue up to \$39,835,000 par value in fixed rate bonds to support this current and/or advance refunding and refinancing.

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**Funding Source for Contract:** Revenue streams as currently being utilized to fund the debt service obligations of the existing UMEBC bonds that will be refinanced. These revenue streams include private gifts and student room rents.

**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.

**7. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH ZIMMER US, INC. AND BIOMET, INC. AGREEMENT**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Zimmer US, Inc. and Biomet, Inc.** for the purchase of lower extremity joint components that are used to perform knee and hip repair and replacement procedures. UMMC also requests approval to add or remove components from the agreement’s exhibits without requiring submission to the Board as long as there is adequate funding available.

**Contractor’s Legal Name:** Zimmer US, Inc. and Biomet, Inc. (Zimmer Biomet)

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**History of Contract:** In November 2013, the Board approved total knee and hip component purchase agreements with both Depuy Synthes Sales, Inc. and Zimmer US, Inc. The agreements expired on November 30, 2016. Since the expiration of the agreements, UMMC has purchased these items on an as-needed basis. Also during this time, UMMC also used Stryker Sales Corporation (Stryker) and Smith & Nephew components on an as-needed basis but did not contract with either vendor for the smaller volume purchases. In late 2016, UMMC conducted an informal bid for price-testing among this vendor market in order to obtain best pricing for the total knee and hip replacement and revision components. UMMC then selected Depuy Synthes, Smith & Nephew, and Zimmer Inc. and Biomet, Inc. (f/k/a Zimmer US, Inc.) for the award of contracts.

**Specific Type of Contract:** Product Purchase agreement.

**Purpose:** The purpose of the Agreement is to allow UMMC to purchase the component parts used specifically in the replacement or revision of hip and knee joints. The savings in year one of this Agreement total approximately \$10,000.00.

**Scope of Work:** Under the agreement, Zimmer Biomet will extend discounted pricing to UMMC for total knee and hip replacement or revision components. UMMC will submit a purchase order to Zimmer Biomet within 10 days but not more than 30 days after receipt of the delivery documents for a replacement or revision case.

**Term of Contract:** The term of the agreement is for three (3) years beginning on or about June 1, 2017 through May 31, 2020. The agreement will become effective on the date of final signature.

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

- by UMMC upon sixty (60) days written notice,
- reduction of funds,
- immediately upon either party's ineligibility to participate in any federal or state healthcare programs,
- immediately for breach by vendor of requirement that it have appropriate safeguards implemented to ensure the confidentiality of patient health information and/or other related representation and warranties, and
- failure by Zimmer Biomet to comply with the federal E-Verify program.

**Contract Amount:** The total estimated cost for the three (3) year agreement is \$11,181,032.03 and is based on the historical spend on total knee and hip replacement and revision components. UMMC has calculated a 20% annual increase in patient volume each year of the agreement.

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

**Contractor Selection Process:** The products offered under the agreement qualify as items for resale, which are excluded from the definition of “commodities” under Miss. Code Ann. §31-7-1(e) and exempted from procurement requirements under §31-7-13, as clarified by the Mississippi Attorney General (*see* MS AG Op., Boyce (May 15, 2015)).

**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 AN INTEGRATED DELIVERY NETWORK AGREEMENT WITH DEPUY SYNTHES SALES, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an Integrated Delivery Network (IDN) Agreement with **DePuy Synthes Sales, Inc.** for the purchase and consignment of lower extremity joint components that are used to perform knee and hip repair and replacement procedures. UMMC also requests approval to add or remove components from the agreement’s schedules without requiring submission to the Board as long as there is adequate funding available.

**Contractor’s Legal Name:** DePuy Synthes Sales, Inc. (DePuy)

**History of Contract:** In November 2013, the Board approved total knee and hip component purchase agreements with both Depuy Synthes Sales, Inc. and Zimmer US, Inc. The agreements expired on November 30, 2016. Since the expiration of the agreements, UMMC has purchased these items on an as-needed basis. Also during this time, UMMC also used Stryker Sales Corporation (Stryker) and Smith & Nephew components on an as-needed basis but did not contract with either vendor for the smaller volume purchases. In late 2016, UMMC conducted an informal bid for price-testing among this vendor market in order to obtain best pricing for the total knee and hip replacement and revision components. UMMC then selected Depuy Synthes, Smith & Nephew, and Zimmer Inc. and Biomet, Inc. (f/k/a Zimmer US, Inc.) for the award of contracts.

**Specific Type of Contract:** IDN Agreement and Schedule C Consignment Agreement

**Purpose:** The purpose of the Agreement is to allow UMMC to purchase the component parts used specifically in the replacement or revision of hip and knee joints. The consignment agreement will allow for a selection of sizes and types of component parts to be available to

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the surgeons during surgery. The savings in year one of this Agreement total approximately \$236,000.00.

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

- extend discounted pricing to UMMC for total knee and hip replacement or revision components,
- retain title to all consigned component product(s) are used and therefore considered as purchased by UMMC,
- place total knee and hip replacement or revision components at UMMC on consignment to be used in the operating rooms, and
- replenish components as they are used to maintain the needed products available for total knee and hip replacement or revision procedures.

UMMC will submit a purchase order to DePuy no later than 30 days following the use of a consigned product.

**Term of Contract:** The term of the agreement is for three (3) years beginning on or about June 1, 2017 through May 31, 2020. The agreement will become effective on the date of final signature.

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

- by either party upon thirty (30) days written notice,
- reduction of funds,
- in the event either party becomes ineligible to participate in any federal or state healthcare program, and
- failure by DePuy to comply with the federal E-Verify program.

The Schedule C Consignment Agreement may be terminated by either party at any time.

**Contract Amount:** The total estimated cost for the three (3) year agreement is \$11,181,032.03 and is based on the historical spend on total knee and hip replacement and revision components. UMMC has calculated a 20% annual increase in patient volume each year of the agreement.

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

**Contractor Selection Process:** The products offered under the agreement qualify as items for resale, which are excluded from the definition of “commodities” under Miss. Code Ann. §31-7-1(e) and exempted from procurement requirements under §31-7-13, as clarified by the Mississippi Attorney General (*see* MS AG Op., Boyce (May 15, 2015)).

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**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.

**9. UMMC – REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH SMITH & NEPHEW, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Smith & Nephew, Inc.** for the purchase and consignment of lower extremity joint components that are used to perform knee and hip repair and replacement procedures. UMMC also requests approval to add or remove components from the agreement's exhibits without requiring submission to the Board as long as there is adequate funding available.

**Contractor's Legal Name:** Smith & Nephew, Inc. (Smith & Nephew)

**History of Contract:** In November 2013, the Board approved total knee and hip component purchase agreements with both Depuy Synthes Sales, Inc. and Zimmer US, Inc. The agreements expired on November 30, 2016. Since the expiration of the agreements, UMMC has purchased these items on an as-needed basis. Also during this time, UMMC also used Stryker Sales Corporation (Stryker) and Smith & Nephew components on an as-needed basis but did not contract with either vendor for the smaller volume purchases. In late 2016, UMMC conducted an informal bid for price-testing among this vendor market in order to obtain best pricing for the total knee and hip replacement and revision components. UMMC then selected Depuy Synthes, Smith & Nephew, and Zimmer Inc. and Biomet, Inc. (f/k/a Zimmer US, Inc.) for the award of contracts.

**Specific Type of Contract:** Product Pricing and Consignment Agreement

**Purpose:** The purpose of the Agreement is to allow UMMC to purchase the component parts used specifically in the replacement or revision of hip and knee joints. The consignment agreement will allow for a selection of sizes and types of component parts to be available to the surgeons during surgery. The savings in year one of this Agreement total approximately \$68,800.00.

**Scope of Work:** Under the agreement, Smith & Nephew will:

- extend discounted pricing to UMMC for total knee and hip replacement or revision components,

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- retain title to all consigned component product(s) are used and therefore considered as purchased by UMMC,
- place total knee and hip replacement or revision components at UMMC on consignment to be used in the operating rooms,
- replenish components as they are used to maintain the needed products available for total knee and hip replacement or revision procedures, and
- provide a \$500 rebate annually for each procedure performed by UMMC when using eligible products.

UMMC will submit a purchase order to Smith & Nephew no later than 30 days after the receipt of the delivery documents for a replacement or revision case.

**Term of Contract:** The term of the agreement is for three (3) years beginning on or about June 1, 2017 through May 31, 2020. The agreement will become effective on the date of final signature.

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

- by either party for a material breach of the agreement upon thirty (30) days' notice of opportunity to cure,
- by either party at any time upon thirty (30) days' written notice,
- reduction of funds, and
- failure by Smith & Nephew to comply with the federal E-Verify program.

**Contract Amount:** The total estimated cost for the three (3) year agreement is \$11,181,032.03 and is based on the historical spend on total knee and hip replacement and revision components. UMMC has calculated a 20% annual increase in patient volume each year of the agreement.

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

**Contractor Selection Process:** The products offered under the agreement qualify as items for resale, which are excluded from the definition of "commodities" under Miss. Code Ann. §31-7-1(e) and exempted from procurement requirements under §31-7-13, as clarified by the Mississippi Attorney General (*see* MS AG Op., Boyce (May 15, 2015)).

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

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**10. UMMC- REQUEST FOR APPROVAL TO MODIFY AGREEMENT WITH EXECUTIVE REVENUE CYCLE PARTNERS, LLC D/B/A ENSEMBLE HEALTH PARTNERS**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to modify the total expenditure amount applicable to its agreement with **Executive Revenue Cycle Partners, LLC d/b/a Ensemble Health Partners**.

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

**History of Contract:** In January 2016, the Board approved a three (3) year agreement between UMMC and Ensemble for the purpose of identifying all non-governmental third party underpayments, determining issues for underpayment and providing education and supporting documentation for the changes and recovering funds from denied or underpaid accounts. The total approved cost was \$600,000.00

**Specific Type of Contract:** Services Agreement

**Purpose:** The purpose of this request is to increase the total expenditure amount applicable to the current services agreement. To date, Ensemble has identified a potential \$3,000,000 in underpayments to recover from third party non-governmental payors, which is more than UMMC originally anticipated. Under the agreement, Ensemble will invoice 25% of the amount it recovers for UMMC, or \$750,000 for the already identified underpayments.

**Scope of Work:** The terms of the original agreement remain the same and include:

- identify all potential underpayments for non-governmental payors, such as Commercial Managed Care, Managed Medicare and Medicaid HMO's,
- determine the root cause of the underpayment,
- perform work for and prepare appeals for contractual variances,
- work with the chargemaster staff for identified changes that are needed,
- rebill accounts in which underpayment was a result of chargemaster structure,
- report monthly on progress of recovery efforts,
- partner with staff to ensure proper charging and billing for identified claims,
- manage the follow-up on and collection of identified accounts until resolved,
- maintain confidentiality on all matters in conformance with the policies and procedures of UMMC, and
- prepare a final report that includes recommendations for improving the charge process.



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

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

- by either party upon thirty (30) days written notice,
- reduction of funds,
- failure by Ensemble to comply with the federal E-Verify program,
- failure by Ensemble to perform under the contract upon ten (10) days notice of opportunity to cure,
- for a breach by Ensemble of any representations or warranties to UMMC as specified in the agreement.
- 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, and
- for a violation by Ensemble of the Business Associate Agreement (BAA).

**Contract Amount:** The total estimated cost of the original contract was \$600,000. UMMC is requesting to add an additional \$750,000 to the contract to pay for the recovery of the identified underpayments. The new total estimated cost for the agreement is \$1,350,000. The agreement is performed under a contingency fee structure with Ensemble's fees being a flat 25% of amounts recovered on behalf of UMMC.

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

**Contractor Selection Process:** N/A. This is a modification to an existing agreement.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property and Service Contracts*, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Board staff recommends approval of this item. Board staff recommends approval of this item. (As the Board is being asked to provide approval to modify the total expenditure amount of the agreement, no additional approval by the Attorney General's Office is required.)

**11. UMMC – REQUEST FOR APPROVAL TO AMEND AGREEMENT WITH MED-EL CORPORATION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to amend its agreement with **MED-EL Corporation (MED-EL)** to remove obsolete products from the product listing and lower pricing on remaining products.

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**Contractor's Legal Name:** MED-EL Corporation (MED-EL)

**History of Contract:** On August 18, 2016, the Board of Trustees approved the pricing and purchase agreement between UMMC and MED-EL for the purchase of otolaryngology auditory devices and ancillary products to be used in surgical procedures at a discounted rate.

**Specific Type of Contract:** First Amendment to pricing and purchase agreement

**Purpose:** The purpose of the Amendment is to remove obsolete products from the product listing and lower pricing on remaining products. The Agreement allows UMMC to purchase otolaryngology auditory devices from MED-EL including, but not limited to, cochlear implants, bone conduction systems and ancillary products at a discounted rate; devices are used in the treatment of pediatric and adult patients. For those patients with hearing impairments, the implant replaces the function of the damaged inner ear to provide sound signals to the brain. The savings for Year 1 of this Amendment total approximately \$51,880.90; however, UMMC's requested spend authority will remain \$10,000,000 as the use of the MED-EL products is ultimately dependent upon which implant the physician and patient determines will best meet the patient's need.

**Scope of Work:** MED-EL will provide the following:

- Discounted pricing for five (5) years;
- Deliver within three (3) to five (5) business days of receipt of UMMC's purchase order;
- Provide for rectification of sterility, at no charge, if any of these devices should expire while in shelf stock; and
- Provide product training and onsite education upon request.

**Term of Contract:** The Agreement term remains unchanged. The term is five (5) years, beginning October 1, 2016, and ending September 30, 2021.

**Termination Options:** Termination options include the following:

- By either party at any time upon a thirty (30) day written notice;
- In the event of a reduction of funds available to UMMC;
- In the event MED-EL breaches its representations and warranties regarding eligibility to participate in a federal or state healthcare program;
- In the event of a change in law resulting in an adverse consequence; and
- Failure by MED-EL to comply with the federal e-Verify Program.

**Contract Amount:** The total estimated contract amount remains \$10,000,000.00. The purchases will be made on an as-needed basis dependent upon patient need.

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

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**Contractor Selection Process:** The products offered under the agreement qualify as items for resale, which are excluded from the definition of “commodities” under Miss. Code Ann. §31-7-1(e) and exempted from procurement requirements under §31-7-13, as clarified by the Mississippi Attorney General (*see* MS AG Op., Boyce (May 15, 2015)).

**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. This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.*

**12. UMMC - REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH MEDICAL SOLUTIONS, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Medical Solutions, LLC** to provide temporary nursing staff for the Grenada facility on an as-needed basis.

**Contractor’s Legal Name:** Medical Solutions, LLC (Medical Solutions)

**History of Contract:** UMMC’s Grenada facility previously contracted with Medical Solutions to provide nursing staff in a one (1) year agreement for less than \$250,000. Medical Solutions’ services have been vital to allowing UMMC’s Grenada facility to function at full bed capacity and offer a consistent level of service to the surrounding community. This contract would address Grenada’s staffing needs while a more permanent staffing plan is put into place.

**Specific Type of Contract:** Contract Service Agreement

**Purpose:** This is a contract to supplement the nursing staff at UMMC’s Grenada facility that meets specific unit requirements on an as needed basis. This contract will allow continued and consistent access to quality nursing work force while UMMC’s Grenada facility adopts and implements multiple strategies for recruiting and retaining full-time nursing staff from the surrounding areas.

**Scope of Work:** Under the agreement, Medical Solutions will:

- Provide supplemental nursing staff that meets specific unit requirements on an as needed basis;
- Review, interview, and screen each applicant for appropriateness to assignment;

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- Provide employment and education verification, background check, and past evaluations on all applicants;
- Provide pre-employment drug screening, immunization records, confirmation of licensing or certification on all applicants; and
- Maintain general and professional liability insurance.

UMMC will:

- Pay invoices timely according to rates outlined in each work order;
- Pay associated travel costs according UMMC Travel Policy;
- Conduct phone interview of pre-screened applicant presented by Medical Solutions;
- Provide training and orientation to selected applicants;
- Review, approve and submit timesheets to Medical Solutions by 3:00PM CST each Monday;
- Provide identification badges to selected applicants; and
- Conduct performance evaluation of placed applicants when requested by Medical Solutions.

**Term of Contract:** The term of the agreement is for three (3) years beginning on or about June 1, 2017 through May 31, 2020.

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

- at any time upon thirty (30) days written notice,
- reduction of funds,
- failure by Medical Solutions to comply with the federal E-Verify Program,
- by either party for a material breach of the agreement, and
- a violation of the HIPAA Regulations that remains uncured following ten (10) days written notice or immediately if cure is not possible or there has been a breach of Protected Health Information.

The proposed agreement contains the following Non-Solicitation Provision:

***19. Non-Solicitation*** Each party agrees that, during the term of the Agreement and for a period of one year after termination, it will not solicit the employment of any employee or contractor of the other party without such other party's prior written consent thereto (other than through general solicitations not targeted at such persons).

UMMC has offered the following justification for including the provision:

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As it is difficult, especially in rural areas, to sustain nursing staff, UMMC has determined that since the non-solicitation provision is mutual, it is in our best interest allow the clause to remain.

In addition, the proposed agreement contains the following Non-Compete Provision:

**20. Non-Compete** *The practice of “flipping” a traveler on contract with CLIENT to another agency is strictly prohibited. Consistent with this restriction, during the term of this Agreement or Work Order and for a period of 3 months thereafter, CLIENT agrees:*

- A. Not to knowingly enter into any staffing agreement with another staffing agency to utilize a traveler currently on contract with CLIENT.*
- B. Not to knowingly enter into any staffing agreement with another staffing agency that utilizes any healthcare provider submitted by COMPANY to CLIENT for an assignment at CLIENT facility.*

*CLIENT understands and agrees that any violation of this Section may cause COMPANY injury and damage, the actual amount of which is difficult to ascertain.*

UMMC has offered the following justification for including the provision:

These types of clauses are industry standard with placement companies and UMMC does not make a practice of flipping travelers as there is little incentive for doing so.

**Contract Amount:** The total estimated contract amount will be \$3,000,000. This amount is designated as a not-to-exceed amount and UMMC will only reimburse Medical Solutions for actual temporary staffing placed.

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

**Contractor Selection Process:** In addition to Medical Solutions, UMMC has previously utilized other vendors. Medical Solutions has consistently provided qualified candidates to UMMC. Based on previous experience with this vendor, UMMC is requesting to enter into a long term agreement with Medical Solutions.

**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 consideration of this item.**

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**13. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A SERVICE AGREEMENT WITH REVCLAIMS, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) is requesting approval to enter into a new service agreement with **RevClaims, LLC** to provide collection services on third party legal liability and workers' compensation accounts. In addition, UMMC requests approval of \$337,900.33 spent for a large placement of Workers' Compensation accounts that were collected and paid out under a short term agreement that began December 1, 2016 and ended February 28, 2017.

**Contractor's Legal Name:** RevClaims, LLC (RevClaims)

**History of Contract:** On November 17, 2011 the Board approved UMMC to enter into an agreement with MedPay, now RevClaims, to provide for collection services on third party legal liability and workers' compensation accounts. The term of this agreement was for four (4) years beginning December 1, 2011 and ending November 30, 2015. The total approved cost was \$5,427,000.00.

On October 15, 2015, the Board approved UMMC to extend the term agreement by one (1) year for a total term of five (5) years ending November 30, 2016. The amendment did not require additional funds. The total approved cost remained \$5,427,000.00.

Upon expiration of the previous agreement UMMC entered into two (2) separate short term agreements to allow RevClaims to continue providing services while their new agreement with Vizient, UMMC's primary Group Purchasing Organization (GPO), was finalized. The first agreement began December 1, 2016 and ended February 28, 2017. UMMC spent \$337,900.33 on the first agreement due to a large placement of Workers' Compensation accounts that were collected and paid out during this time. The second short term agreement began March 1, 2017 and will end May 31, 2017. To date UMMC has expended \$62,745.69 on the second agreement.

**Specific Type of Contract:** This is a new services agreement to provide collection services on third party legal liability and workers' compensation accounts.

**Purpose:** The purpose of this agreement is to establish a contingency fee based agreement whereby RevClaims will provide collection services for third party legal liability and workers' compensation accounts.

**Scope of Work:** RevClaims will provide the following services for both third party legal liability and workers' compensation accounts.

- Will review UMMC's applicable medical files and take other reasonable steps to determine if there is a possibility of recovery of Medical Fees for Accident Claims.

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- Will seek reimbursement of Medical Fees from third parties based on RevClaims' analysis of the respective Accident Claims.
- Will provide onsite financial counselors to meet with patients and review in-house medical files.
- Will provide lien enforcement, Interpleader, and estate actions though counsel only when requested by UMMC and in cooperation with hospital counsel.
- Employees will adhere to all UMMC's security, compliance and Code of Conduct requirements. RevClaims will handle all of UMMC's patients with the highest level of respect and dignity in providing the services defined in this contract. RevClaims acknowledges that failure to comply with these requirements may warrant the immediate termination of this contract.
- Will acknowledge receipt/acceptance of all new accounts on a daily basis. This acknowledgement will include the volume and gross dollar amounts of each day's upload.
- Will immediately notify UMMC when a payment greater than \$75K has been made direct to RevClaims and coordinate delivery to the UMMC Revenue Cycle Management office for handling.
- Will immediately notify UMMC when it has been determined that liability or workers' compensation is not involved in a case. This will ensure the timely and accurate handling of the account. Determination of potential liability should be made within 30 days of receiving the account. UMMC should receive a monthly close and return notification report.
- Will provide proof of all subrogation and exhaust letters sent to UMMC and document accounts appropriately.
- Will clearly state the reason that accounts are being closed when subrogation is sought. Revclaims will document where the subrogation form is sent, how the form was sent to the facility (fax, mail, etc.) and on what day the form was sent.
- Will conduct a monthly reconciliation with Client to validate the accounts in their inventory.
- Will provide UMMC with client portal access which will provide UMMC with real-time access to all active accounts being pursued and clearly reflect all activity performed on the account. The client portal will also include a PDF copy of all correspondence and/or legal documentation related to each account.
- Will meet with UMMC at a minimum on a monthly basis to discuss the prior month's collection performance. RevClaims will present a performance report reflecting each month's placement amount, the amount RevClaims collected, Revclaims' fee, the UMMC's net collections for each month's placement, and the UMMC's cumulative net collections. RevClaims will present any significant collection efforts during the prior month and pro forma projections of potential accounts that may impact future collections.

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UMMC will:

- Submit to RevClaims all accident claims in a reasonably timely and systematic manner.
- Provide access to all patient billing and collection records necessary to provide the services herein.
- Promptly respond to requests for additional information including, but not limited to, requests for medical records and contractual agreements with third parties. UMMC is solely responsible for compliance with any managed care contracts or health insurance carrier network agreements to which RevClaims is not a party.
- Will notify RevClaims of any filing deadlines for all primary or secondary health insurance or government programs including, but not limited to, Medicare, Medicaid and VA benefits and client is responsible for timely filing all such claims. Based upon the timely filing information provided, RevClaims will take commercially reasonable steps to notify UMMC of all upcoming timely filing deadlines on claims on RevClaims' Claims List. However, RevClaims does not file health or governmental claims and, therefore, RevClaims assumes no responsibility for timely filing of any such claims.

**Term of Contract:** The term of this agreement will be for five (5) years beginning June 1, 2017 and ending May 31, 2022.

**Termination Options:** This agreement may be terminated as follows:

- In the event of termination of the GPO agreement this agreement shall terminate;
- Services may be terminated at any time upon mutual written agreement between RevClaims and UMMC;
- Either party may terminate the services agreement immediately upon written notice to the other party in the event of such other party's breach of a material provision of the agreement that is not cured within a period of thirty (30) days after receipt by the breaching party of written notice describing the breach;
- UMMC may cancel this agreement without cause provided one hundred twenty (120) days prior written notice is given to RevClaims;
- By UMMC for non-availability of funds;
- UMMC may terminate the agreement and the underlying business relationship in the event that RevClaims, 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 RevClaims, 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:** The estimated total cost of this agreement is \$6,727,500.00. The cost of the agreement is billed at twelve and one half percent (12.5%) of the amount collected for Third Party Liability Claims and eight and a quarter percent (8.25%) of the amount collected



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for Workers' Compensation Claims. UMMC utilized a historic average of the past agreement to calculate a monthly average cost of approximately \$56,000.00. This amount was increased by fifty percent (50%) to account for an increases in volume and to account for any outstanding Workers' Compensation claims.

**Funding Source for Contract:** This agreement will be funded through hospital patient revenue.

**Contractor Selection Process:** RevClaims is a contract vendor with Vizient, UMMC's primary GPO.

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

**14. USM– REQUEST FOR APPROVAL TO AMEND AN AGREEMENT WITH  
BARNES & NOBLE COLLEGE BOOKSELLERS, LLC**

**Agenda Item Request:** The University of Southern Mississippi (USM) requests approval of a contract amendment that will amend its existing bookstore services agreement with Barnes & Noble College Booksellers, LLC, (Barnes & Noble).

**Contractor's Legal Name:** Barnes & Noble College Booksellers, LLC, (Barnes & Noble).

**History of Contract:** USM and Barnes & Noble entered into an IHL Board approved 10-year contract in July of 2004, to operate and provide bookstore services at USM's campuses. That contract was subsequently amended effective July 1, 2011, to extend the agreement by five years from the original termination date of June 30, 2014, and create additional revenue funds. The current agreement will expire on June 30, 2019.

**Specific Type of Contract:** Amendment to Bookstore Management Services Revenue Contract

**Purpose:** The purpose of the contract is to operate and provide services for the bookstore at the University of Southern Mississippi. This amendment addresses a contractual clause currently in effect that, based on USM's reported FTE numbers, triggers a reduction in commission payments when the university's FTE enrollment falls by 5 percent or more below the Fall 2010 term's baseline of 13,584. The clause, if left in place, would significantly decrease USM's annual revenue from the contract. This amendment is a result of mutual

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agreement by USM and Barnes & Noble to reduce the annual guarantee and increase the sales-based commission percentage. The amendment does not alter the current contractual termination date June 2019.

**Scope of Work:** Under the amended agreement, USM and Barnes & Noble will make the following changes:

**1. Section 3.A (Services to Barnes & Noble) -**

The separate annual payment of twenty thousand dollars labeled as “Utilities Payment” will be discontinued and considered as part of the increase in commission percentage.

**2. Section 8.C (Management and Staff) -**

Remove the five-thousand-dollar annual payment from Barnes & Noble labeled “Education Assistance Fund.” USM will continue this fund through the commission revenue received.

**3. Section 18 (Guaranteed Payment/Percentage of Sales) -**

Revise the sales commission structure as follows:

**Current Commission Percentage Payment**

11% of all gross sales up to \$10,000,000  
13% of all gross sales from \$10,000,000 to \$12,500,000  
14% of all gross sales over \$12,500,000  
OR  
Minimum Annual Guarantee  
\$1,200,000

**New Commission Percentage Payment**

14.2% of all gross sales excluding Digital Course Materials  
7% of all gross sales of Digital Course Materials  
OR  
Minimum Annual Guarantee  
\$700,000

**4. Section 30 (Other Payments by Barnes & Noble) -**

The fifty thousand dollar “Annual Student Retention Payment” currently paid by Barnes & Noble will be discontinued in consideration of the higher percentage commission.

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The thirteen thousand dollar “Marketing & Promotions Payment” currently paid to USM by Barnes & Noble will be discontinued and Barnes & Noble will directly pay for its own marketing initiatives.

The ten thousand dollar “Alumni Affinity Program Payment” and the two thousand five hundred dollar “Foundation Fund Payment” will continue to be paid by Barnes & Noble.

**5. Section 33 (Payment Card Industry Data Security Standard - PCI DSS) -**

Inserting language where Barnes & Noble agrees to maintain compliance with the Payment Card Industry Data Security Standard (PCI DSS) in relation to all credit/debit card transactions.

**6. Other Terms and Conditions -**

All other terms and condition conveyed in the original agreement executed July 1, 2004, and subsequent amendments/addendums remain in effect.

**Term of Contract:** The effective date of this amendment will be June 1, 2017 with no change to the expiration date of June 30, 2019.

**Termination Options:** Either party has the right to terminate the Agreement without cause by providing the other party one hundred twenty (120) days written notice. If this Agreement is terminated by USM without cause prior to the Facility Investment, and signing bonus being fully depreciated, then USM shall reimburse B&N for any portion of the approved Facility Investment and signing bonus, all that is not yet depreciated, and the Facility Investment and the Renovation shall remain the property of USM. If this Agreement is terminated by B&N without cause prior to the Facility Investment and signing bonus being fully depreciated, then USM shall not reimburse B&N for any portion of the approved Facility Investment and signing bonus not yet depreciated, and the Facility Investment and the Renovation shall remain the property of USM.

The University may also terminate the Agreement if Barnes & Noble fails to remain compliant with the E-Verify clause (Section 32) and may terminate without penalty in the event Barnes & Noble fails to maintain compliance with the PCI DSS or fails to maintain the confidentiality of any cardholder data (Section 33).

**Contract Amount:** This is a revenue producing contract to USM. This amendment will reduce the impact of lower enrollment on USM. The schedule of revenue for the current contract term shows actual and projected revenues per original contract, with and without this FTE clause amendment as outlined below:

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<b>Fiscal Year</b>	<b>Contracted Revenue</b>	<b>Revenue with Current FTE Clause</b>	<b>Revenue with Amended FTE Clause</b>
<b>2012</b>	\$ 1,300,500.00	\$ 1,300,500.00	\$ 1,300,500.00
<b>2013</b>	\$ 1,300,500.00	\$ 1,300,500.00	\$ 1,300,500.00
<b>2014</b>	\$ 1,300,500.00	\$ 1,300,500.00	\$ 1,300,500.00
<b>2015</b>	\$ 1,300,500.00	\$ 1,300,500.00	\$ 1,300,500.00
<b>2016</b>	\$ 1,300,500.00	\$ 881,907.00	\$ 1,300,500.00
<b>2017</b>	\$ 1,300,500.00	\$ 874,093.00	\$ 1,011,138.00
<b>2018</b>	\$ 1,300,500.00	\$ 881,828.00	\$ 1,021,124.00
<b>2019</b>	\$ 1,300,500.00	\$ 889,642.00	\$ 1,031,210.00
<b>Total</b>	\$ 10,404,000.00	\$ 8,729,470.00	\$ 9,565,972.00

**Funding Source of Contract:** This is a revenue contract funded by Barnes & Noble's bookstore operations.

**Contractor Selection Process:** An Intent to Negotiate (ITN) was issued during fiscal year 2003. Three proposals were received. The top three proposals were Barnes & Noble, Follett, and Valadis/Greater Nebraska. The institution selected Barnes & Noble based on the best proposal received. An amendment negotiated between USM and Barnes & Noble in 2011 included greater financial incentives and a 5-year extension added to the original agreement's end date. The University believes that Barnes & Noble has offered an acceptable proposal that is more favorable than the original contractual clause that would have greatly reduced the annual revenue of the contract for the remainder of the term.

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

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

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

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

**Board Policy §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.*

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*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.*

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

**IHL PROJECTS .....**

**1. MSU – IHL 205-287 – MSU Parking Garage North**

**Project Request:** Mississippi State University requests approval to initiate a project, MSU Parking Garage North, and to appoint McCarty Architects as the design professional.

**Proposed Design Professional:** McCarty Architects

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

**Purpose:** As Mississippi State University expands and increases student population, parking issues continue to increase. Mississippi State University is requesting approval to design and construct a parking facility to help alleviate some of the parking issues on the north side of campus to continue promoting a more pedestrian friendly campus.

**Project Scope:** The scope will include providing design documents, contract documents and construction administration for a new multistory parking garage located on the campus of Mississippi State University. The new facility shall be a poured in place concrete structure. The exterior skin of the facility shall comply with the Architectural Design Standards of Mississippi State University. The new facility will be located on the north side of campus east of Howell Hall, and contain approximately 500 parking spaces. In addition, the facility shall be designed to expand upward for future parking levels.

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**History:** Approval of bond counsel, underwriter, financial advisor, and financial advisors report to borrow funds, not to exceed \$9.55 million, through the Mississippi State University Educational Building Corporation (MSUEBC) is also being requested at this time (May 2017) on the Finance Agenda as Item #.....

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

**Project Initiation Date:** May 18, 2017

**Date of Original Construction:** New Construction

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

**Proposed Project Budget:**

	<i><u>Estimated</u></i>
Construction Cost:	\$ 7,800,000.00
Architectural and Engineering Fees:	396,106.00
Misc. Project Costs:	413,894.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>390,000.00</u>
<b>Total Project Budget</b>	<b>\$ 9,000,000.00</b>

**Proposed Funding Source(s):** EBC Bonds (\$9,000,000)

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

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**APPROVAL OF BUDGET MODIFICATIONS AND/OR CHANGES OF  
SCOPE/FUNDING SOURCE(S) / APPROVAL OF EXTERIOR DESIGN**

**BUREAU OF BUILDING PROJECTS .....**

**2. MSU – GS 113-141 – ADS & Poultry Complex, Phase II**

**Project Request:** Mississippi State University requests approval to establish the project budget for the ADS & Poultry Complex Phase II project. The budget will be \$13,000,000 for Phase II of the project. Mississippi State University also requests approval of the exterior design for Phase II of the project.

**Project Phase:** Construction Phase (Phase I); Bid Phase (Phase II)

**Design Professional:** McCarty Architects

**General Contractor:** TBD

**Purpose:** This project was originally initiated as a Preplan project. Phase I of the project is currently under construction. Funding has been allocated for Phase II of this project that will construct a new building for the Poultry Science Department. The university is seeking approval to establish the project budget for Phase II.

**Project Scope:** project will construct a new building for the Poultry Science Department. The building will include office space, classroom space, and lab space.

**History:** The project was initiated as a preplan in April of 2015. Phase I and Phase II combined budget will be set at \$27,500,000. Phase I budget will be lowered to \$14,500,000 from \$16,500,000 and Phase II will be established at \$13,000,000.

Mississippi State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases and modifications to the Board for approval. Mississippi State University is also acting 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:** April 16, 2015



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**Proposed Project Budget:**

	<u>Estimated</u>
Construction Cost:	\$ 10,000,000.00
Architectural and Engineering Fees:	800,000.00
Misc. Project Costs:	1,200,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>1,000,000.00</u>
<b>Total Project Budget</b>	<b>\$ 13,000,000.00</b>

**Proposed Funding Source(s):** HB 1729, Laws of 2016 (\$1,000,000); HB 1729, Section 2, Laws of 2016 (\$12,000,000)

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

**Rendering:** *Phase II of ADS & Poultry Complex*



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**IHL PROJECTS .....**

**3. UM – IHL 207-376 – STEM Building**

**Project Request:** The University of Mississippi requests approval to increase the budget for the STEM Building project. The budget will increase from \$8,700,000.00 to \$14,000,000.00, for an increase of \$5,300,000.00.

**Project Phase:** Design Phase

**Design Professional:** McCarty Architects

**General Contractor:** TBD

**Purpose/Justification:** The University of Mississippi is requesting permission to increase the project budget in order to account for the completion of the utility project that is currently underway and for design fees to complete the project through Construction Documents only.

**Project Scope:** As student enrollment increases, the demand for Science, Technology, Engineering & Mathematics (STEM) facilities follows. The University of Mississippi must provide additional STEM facilities on campus to satisfy the demand. The university intends to construct a new 5-story STEM Building in the Science District on campus. The building has currently been programmed at approximately 207,000 gross square feet. Due to the extreme size of this project, the university would like to progress with the document production of the project in order to more accurately identify the anticipated construction cost.

In an effort to advance the project, the University of Mississippi requests the budget increase to be approved in order to proceed with Construction Documents. Subsequent staff approvals of other project phases will follow upon approval of this board item. The project will not move beyond the Construction Documents stage of the STEM Building until the University of Mississippi returns to the IHL Board of Trustees for approval to issue UMEBC bonds for the full cost of the project.

The University of Mississippi 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:** January 16, 2015

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**Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 4,259,029.00	\$ 5,750,000.00	\$1,490,971.00
Architectural and Engineering Fees	\$ 3,200,000.00	\$ 6,000,000.00	\$2,800,000.00
Miscellaneous Project Costs	\$ 135,500.00	\$ 1,000,000.00	\$ 864,500.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 1,105,471.00	\$ 1,250,000.00	\$ 144,529.00
<b>Total Project Budget</b>	<b>\$ 8,700,000.00</b>	<b>\$ 14,000,000.00</b>	<b>\$ 5,300,000.00</b>

**Proposed Funding Source(s):** Internal R&R (\$14,000,000.00)

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

**APPROVAL OF OTHER REAL ESTATE REQUESTS**

**4. UMMC – Request To Approve Contract for Construction Manager at Risk (CMAR) Services With Brasfield & Gorrie, LLC for the Purpose of Evaluating Construction Plans for a New Children’s of Mississippi Expansion Project**

**Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with Brasfield & Gorrie, L.L.C. (B&G) for the provision of construction manager at risk (CMAR) services for the Children’s of Mississippi Expansion Project, pursuant to the contract the services shall be conducted in two (2) Phases, and UMMC specifically requests that the Board approve only Phase I of the contract at this time. When UMMC elects to move forward with Phase II, UMMC will seek the approval of the Board.

**Contractor’s Legal Name:** Brasfield & Gorrie, L.L.C.

**History of Contract/Justification:** This is a new contract with B&G for CMAR services. UMMC has previously used design-bid-build delivery method for such

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projects. Over the years and on multiple projects, in some cases UMMC has encountered claims after completion, incurred project delays, encountered a large number of change orders, and been forced to reduce project scope to stay within budget.

As the CMAR will work with the professionals during the design phase, UMMC will have a product that can be built within budget and on time, thus eliminating the problems encountered on past projects.

In April 2016, the Board approved the initiation of the Children's of Mississippi Expansion (IHL#209-555), and the request to use the Construction Manager at Risk project delivery method in accordance with Mississippi Code Ann. Section 31-7-13.2.

In June 2016, the Board approved the appointment of HDR Architecture, Inc. as the design professional for the Children's of Mississippi Expansion (IHL 209-555).

UMMC utilized the processes set forth in Mississippi Code Section 31-7-13.2, concerning CMAR, whereby a request for qualifications (RFQ) was publically advertised in April 2016, after board approval for this delivery method was received. In August 2016, the Selection Committee reviewed the proposals received and arrived at a consensus score for each.

In September 2016, the three highest scoring firms presented for an in-person interview, after which the Selection Committee ranked the three firms from highest to lowest scoring firm.

As this is the first time the CMAR delivery method has been utilized by a state institution of higher learning, UMMC took steps throughout the process to ensure that, from both a legal perspective and a best practices perspective, proper procedures were being utilized. In September 2016, the Commissioner of IHL, on behalf of UMMC, requested a formal Attorney General Opinion regarding whether UMMC's procedural plans related to CMAR selection and the fact that the CMAR would enter into contracts with trade contractors (after bidding has taken place and the lowest and best construction bids have been determined by UMMC) satisfies MS. Code Ann. Sections 31-7-13 and 31-7-13.2. The Opinion received indicated that the UMMC's procedural plans and allowing the CMAR to directly contract with the trade contractors, after appropriate bidding procedures were followed by UMMC, does satisfy the requirements of MS. Code Ann. Sections 31-7-13 and 31-7-13.2. Additionally, between January 2017 and April 2017, the University of Mississippi and UMMC, requested a third party to: 1) review processes utilized by UMMC; and 2) provide a white paper that, in part, provided an in-depth view of the CMAR delivery process, which discussed the advantages/disadvantages of the CMAR delivery method, provided considerations when contracting for CMAR services,

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considerations when implementing CMAR procurement with specific emphasis on the specialized needs for health care facilities, and it addressed best practices for implanting CMAR, which included identifying common concerns and potential dangers. The third party review concluded that UMMC did follow required/industry standard procedures of selecting a CMAR.

In March 2017, UMMC began negotiations with B&G, the highest ranking firm as determined by the Selection Committee. UMMC is now requesting Board approval to enter into a contract with B&G to conduct Phase I (preconstruction phase) of the contract.

**Specific type of contract:** This is a new agreement for Construction Manager at Risk services.

**Purpose:** The purpose of the agreement is for the provision of CMAR preconstruction services for the Children's of Mississippi Expansion Project. To accommodate the growth in pediatric services that UMMC has incurred, UMMC finds it necessary to expand our Batson Children's Hospital. The expansion project will provide approximately 286,000 square feet of hospital inpatient space.

In the past, UMMC has utilized the design-bid-build delivery method for construction projects; however, such methods have traditionally exposed UMMC to unnecessary risk of labor/materials escalation, errors and omissions in the plan by the professional, and the unpredictability of the bid market. All such exposures generally increase the cost of the construction project and delay the completion of the project. Therefore, to promote efficiency and to reduce risks/exposures, which in-turn will reduce project costs, UMMC has elected to use the CMAR delivery method. The size and complexity of this healthcare facility project (proposed total cost in excess of \$150 million, six times greater than the \$25 million threshold set by statute) makes this project more than suitable, and in fact, ideal for use of the construction manager at risk method of project delivery.

Pursuant to the CMAR agreement there will be two phases of the project, as follows:

- Phase I - The first phase is the pre-construction phase (Phase I). In Phase I the CMAR will work with the design professionals, as needed, on the design and specifications to ensure a complete and constructible set of plans that are within budget and scope. It is this phase which UMMC is requesting the Board's approval to move forward with at this time.

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- Phase II - The second phase (Phase II) is the construction phase and UMMC will seek **Board** approval prior to moving forward with Phase II. After receipt of **Board** approval, Phase II will only commence upon receipt by B&G of a Notice to Proceed, from UMMC. This Notice will set the date at which construction shall commence and will provide the number of days in which the project must be completed. At that time, B&G will provide a guaranteed maximum price (GMP), which shall have been developed for the project pursuant to the requirements of the contract for establishing the same. Pursuant to the contract, neither the CMAR nor any company the CMAR has a financial interest in, or a parent or related company of the CMAR may submit a bid to self-perform the work of any bid package. Additionally, all buyout savings, remaining contingency and unused general conditions amounts will be returned to UMMC by deductive Change Order out of the GMP.

**Scope of Work:**

**Under the agreement B&G will:**

- Communicate with UMMC's representative(s) during the project;
- Perform Phase I, Preconstruction Services:
  - Collaborate with UMMC and the design professionals on the design and specifications to ensure a complete and constructible set of plans that are within budget and scope.
  - Develop a master schedule for the project.
  - Estimate the construction costs and provide value engineering.
  - Complete a detailed project phasing and site logistic plan.
  - Complete Infection Control and Risk Assessment and Interim Life Safety Measures plans.
  - Develop a detailed procurement strategy for the Trade Subcontractor bid packages.
- Perform Phase II, Construction Services, if provided a Notice to Proceed, from UMMC:
  - Provide construction services in the agreed upon time frame and at the agreed upon GMP.
  - Provide a superintendent and all key personnel for the project;
  - Assist in preparation, advertising, etc. of all bid packages.
  - Provide and pay for all labor, services and materials, etc. utilized/needed for proper execution and final completion of the construction work.

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- Supervise construction work related to project performance and ensure that all trade subcontracts are meeting all the terms of the contract documents.
- Except for those permits and approvals that UMMC is required to obtain, obtain and pay fees related to all permits, approvals, licenses, etc. as applicable to the project.
- Warrant that all materials and equipment used in or incorporated into the construction work will be of good quality, new, and free of liens, claims, and security interest of third parties and that construction work will be of good quality and free from defects and CMAR shall, along with trade subcontractors, conduct a warranty inspection one year after substantial completion and remedy, at no cost to UMMC, any defects or deficiencies noted by UMMC representative(s).
- CMAR will pay all sales, consumer, use and similar taxes for the work or portions thereof provided by CMAR.
- CMAR will obtain, within ten (10) days of receipt of Notice to Proceed, a Performance Bond to ensure faithful performance of the contract and a Payment Bond, to ensure payment of obligations arising thereunder.
- CMAR will obtain insurance as will protect itself, UMMC, and the IHL, which includes commercial form general liability insurance, business automobile liability insurance, professional liability insurance, pollution liability, and builders risk property insurance; Additionally, CMAR will provide certificates of insurance to UMMC and the IHL's Office of Risk Management.
- CMAR will require all subcontracts to provide insurance meeting the requirements as those prescribed in the agreement.
- Communicate with UMMC's representative(s) during the project.
- Provide Applications for Payment to UMMC in accordance with the contract.
- Coordination with all UMMC vendors and outside consultants, including but not necessarily limited to: commissioning agent, medical equipment providers, testing and inspection services, and technology providers.

**UMMC will:**

- Provide UMMC representative(s) for administration of the project and ensure same communicates with the CMAR in compliance with the contract;
- Provide payment upon receipt of application for payment and as further described by the contract in a timely manner; and

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- Assist in preparing bid packages and selection of subcontractors.
- Engage a 3<sup>rd</sup> Party Auditor to audit the CMAR contract and general conditions to ensure UMMC is paying only actual costs plus the agreed upon fee.

**Term of contract:** The term of the contract is expected to be four (4) years. This will include 210 days for completion of Phase I and thirty (30) months for completion of Phase II. Again, UMMC will only proceed with Phase II upon approval by the board.

**Contract Amount:** UMMC is requesting approval for Phase I at this time. The cost associated with Phase I, shall not exceed **\$445,500**.

**Funding Source for Contract:** Phase I of the project will be funded by Plant Funds.

**Contractor Selection Process:** The contractor was selected utilizing the processes set forth in Mississippi Code Section 31-7-13.2, concerning Construction Manager at Risk, whereby a Request for Qualifications was publically advertised. Six proposals were received.

The selection committee reviewed the proposals submitted and arrived at a consensus score for each. The three highest scoring firms were invited for an in-person interview, after which the firms were ranked from highest to lowest scoring firm. In accordance with the statute, UMMC began negotiating with the highest ranked firm in March, 2017.

***Staff Recommendation: The Attorney General's office recommends the CMAR Agreement for the IHL Board's consideration and, if the Agreement is approved, it is recommended the Board include in its minutes the detailed explanation required by Miss. Code Ann. § 31-7-13.2 that the construction manager at risk method of project delivery satisfies the public need better than the traditional design-bid-build method based on the following criteria:***

- (a) The use of construction manager at risk for the project provides a savings in time or cost over traditional methods; and***
- (b) The size and type of the project is suitable for use of the construction management at risk method of project delivery.***

***Board staff also recommends this item for consideration by the Board of Trustees.***



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

The University of Mississippi Medical Center is seeking Board approval for settlement of Tort Claim number 3047.

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

The University of Mississippi Medical Center is seeking Board approval for settlement of Tort Claim number 3085.

**3. UMMC - APPROVAL TO SETTLE IHL SELF-INSURED WORKERS' COMPENSATION CLAIM**

The IHL Self-Insured Workers' Compensation Program is seeking Board approval for settlement of Claim No. 55-34267-1 for The University of Mississippi Medical Center.

**4. SYSTEM – REQUEST FOR APPROVAL FOR FINAL ADOPTION OF MODIFICATION TO BOARD POLICY 301.01 OFFICERS OF THE BOARD**

Board approval for final adoption is requested regarding the below proposed modification to Board Policy 301.01 Officers of the Board. This item was presented for first reading during the Board's April 2017 meeting. No further changes have been made since that first reading. The modification sets the length of a term as president for each Board member at one year.

**301.01 OFFICERS OF THE BOARD**

**A. PRESIDENT:**

There shall be a president elected by the Board from its membership. ~~It is expected that each member of a class of Trustees shall be elected to serve as President, unless a Trustee elects not to serve.~~ A class of Trustees shall consist of those Trustees who take office on the same date, or those whose terms as trustees end on the same date. ~~Each member of the class of Trustees that took office as of May 2004 shall serve eleven months as president, unless he/she elects not to serve. The first Trustee elected as president from the class of Trustees that took office in 2004 shall begin his/her presidential term on May 1, 2011. Each member of the class of Trustees that took office as of May, 2008 shall serve ten months as president, unless he/she elects not to serve. Each member of the class of Trustees that shall take office as of May 2012, as well as the members of all subsequent classes, shall serve nine months as president, unless he/she elects not to serve. If a member of a class of Trustees elects not to serve, another~~ A member of a the class may serve

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more than one term, if elected. The length of a term shall be one year. The president of the Board may not immediately succeed himself/herself as president after having served a full term. The president of the Board shall preside at all meetings of the Board; he or she shall be an ex officio member of all standing and special committees; he or she shall, with the Commissioner, execute such instruments and contracts as may be ordered by the Board; he or she shall perform such duties as usually pertain to this office and such other duties as may be assigned by the Board; and he or she shall be governed in his action by the usual parliamentary procedure. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie. ~~The president of the Board may not immediately succeed himself/herself as president after having served a full term.~~

Miss. Code Ann., §37-101-7, as amended.  
(BT Minutes, 9/90; 1/98; 3/2011, \_\_\_\_\_)

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

**5. SYSTEM – REQUEST FOR APPROVAL FOR FIRST READING OF NEW POLICY 201.0104 REMOVAL OF BOARD MEMBERS**

Board approval for first reading is requested regarding the below proposed new Board Policy 201.0104 Removal of Board Members. The following new policy is proposed in order to assist our universities with compliance with SACS reviews by stating in the policy some of the mechanisms for the removal of a Board member.

**201.0104 REMOVAL OF BOARD MEMBERS**

Members of the Board of Trustees are state officials appointed by the Governor and confirmed by the Senate. As such, they may only be removed from office pursuant to specific Mississippi statutory or constitutional provisions. Some examples of legal mechanisms for removal of a Board member are as follows:

- a. Pursuant to Art. 6 §175 of the Mississippi Constitution, public officers shall be removed for willful neglect of duty or misdemeanor in office upon conviction.
- b. Pursuant to Miss. Code Ann. § 25-5-1, if any public officer is convicted or pleads guilty or nolo contendere to any felony, other than manslaughter or any

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violation of the United States Internal Revenue Code, or corruption in office, or of gambling or dealing in futures with money coming to his hands by virtue of his office, any court of this state shall adjudge the defendant removed from office; and the office of the defendant shall thereby become vacant. If any such officer is found by inquest to be of unsound mind during the term for which he was elected or appointed, or shall be removed from office by the judgment of a court of competent jurisdiction or otherwise lawfully, his office shall thereby be vacated.

When any such officer is found guilty of a crime which is a felony under the laws of this state or which is punishable by imprisonment for one (1) year or more, other than manslaughter or any violation of the United States Internal Revenue Code, in a federal court or a court of competent jurisdiction of any other state, the Attorney General of the State of Mississippi shall promptly enter a motion for removal from office in the Circuit Court of Hinds County in the case of a state officer, and in the circuit court of the county of residence in the case of a district, county or municipal officer. The court, or the judge in vacation, shall, upon notice and a proper hearing, issue an order removing such person from office and the vacancy shall be filled as provided by law.

- c. Pursuant to Miss. Code Ann. § 25-4-109 (2), concerning a violation of the Miss. Ethics in Government Statutes, removal can occur as follows:

Upon a finding by clear and convincing evidence that any nonelected public servant has violated any provision of this article, the Ethics Commission may censure the nonelected public servant or impose a civil fine of not more than Ten Thousand Dollars (\$10,000.00), or both. The Ethics Commission may further recommend to the Circuit Court for Hinds County that the nonelected public servant be removed from office, suspended, or subjected to a demotion or reduction in pay.

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

**6. SYSTEM – APPROVAL OF EXTENSION OF AFFILIATION AGREEMENTS**

Board approval is requested to grant permission for an extension until December 31, 2017 of any affiliation agreements between our state universities and their affiliated foundations or alumni associations that will expire prior to that date to allow more time

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for possible improvements to Board Policy 301.0806, which may impact the required provisions for new affiliation agreements.

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

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1. **SYSTEM – REQUEST APPROVAL FOR FIRST READING OF PROPOSED AMENDMENTS TO BOARD BYLAW 301.0802 INSTITUTIONAL EXECUTIVE OFFICER ASSESSMENT/EVALUATION**

Board approval for first reading is requested regarding the below proposed amendments to the Bylaw 301.0802 Institutional Executive Officer Assessment/Evaluation. The amendment changes the evaluation requirement from one to two years.

**301.0802 Institutional Executive Officer Assessment/Evaluation**

The objective of the Institutional Executive Officer Assessment/Evaluation is to promote good communication and build strong working relationships between the Institutional Executive Officer (IEO), the Commissioner, the Board of Trustees, and the campus constituencies. The assessment is designed to provide each Institutional Executive Officer with feedback on performance and the opportunity for professional reflection and development. The performance reviews of the IEOs will be conducted at least every year ~~two~~ years.

- A. The Commissioner of Higher Education has primary responsibility for the ~~annual~~ two-year evaluation of the IEO. The Commissioner's ~~annual~~ two-year evaluation shall include at a minimum:
1. An assessment of institutional performance at the system level,
  2. An assessment of individual performance goals and specific performance indicators reflective of long-term strategic institutional goals, and
  3. A written evaluation by the Commissioner.
- B. The Commissioner will seek input on IEO performance from on-campus constituent groups and external constituencies.
- C. The Commissioner will share the written evaluation of the IEO with the person being assessed and will provide the IEO with a copy and the opportunity to add a statement responding to the assessment and adding any additional information as appropriate. The written evaluation and any IEO response will then be shared with the Board of Trustees. Based on the results of the evaluation, the Commissioner may ask the IEO to develop a written improvement plan for the following year that will be approved by the Commissioner.
- ~~D. Based on the results of the evaluation, a written, personal development plan for the following year shall be developed by the IEO and approved by the Commissioner.~~
- E. The Commissioner shall report to the Board of Trustees the process being used for IEO assessment at the beginning of each ~~annual~~ two-year cycle.

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

# INFORMATION AGENDAS

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**1. UMMC-NOTICE OF PRODUCT REPLACEMENT UNDER CONTRACT WITH BECKMAN COULTER, INC.**

On January 19, 2017, the Board approved UMMC to enter into a reagent rental agreement with **Beckman Coulter, Inc. (Beckman)**. The agreement was for the purchase of upgraded flow cytometry equipment that is used for a variety of clinical applications such as solid organ transplant cross-matching and monitoring of HIV therapy. Subsequently, on March 14, 2017, UMMC was informed by Beckman that the PrepPlus 2 Accessory Kit listed as part number 159277 was obsoleted and is replaced by R Prod, Accessory Kit, PP2 with part number B77937. Beckman provided UMMC with a signed letter stating this effective change to the agreement with a place for counter signature by UMMC. No other term and conditions of the agreement were changed.

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE**  
**April 20, 2017 BOARD MEETING SUBMISSION DEADLINE**

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

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

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

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

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

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

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



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**DELTA STATE UNIVERSITY**

**1. DSU– GS 102-258 – Sillers Coliseum Renovations**

**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 Cooke Douglass Farr Lemons Architects & Engineers, P.A.

Approval Status & Date: APPROVED, April 10, 2017

Project Initiation Date: October 16, 2014

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

General Contractor: TBD

Total Project Budget: \$350,000.00

**MISSISSIPPI STATE UNIVERSITY**

**2. MSU- GS 113-136 – Meat Science Laboratory**

**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 \$60,324.71 and zero (0) additional days to the contract of Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, March 16, 2107

Change Order Description: Change Order #1 includes the following items: Install a heat detector; install 6” curbs behind the hot water system at the cooler panel walls; change the EOB (Emergency Shutdown Boiler) switch to be equal to Safety Technology International as EBO (Emergency Boiler Shutdown); omit pole lights P2 & change pole lights P1 height to 35 feet; revise the site grading; provide smart design trolleys for the smoke houses; and controls allowance reconciliation credit.

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Change Order Justification: This change was due to errors and omissions in the plans and specifications; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$60,324.71.

Project Initiation Date: October 17, 2013

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: Construction Services, Inc.

Total Project Budget: \$8,200,000.00

**3. MSU– GS 113-141, Phase I – ADS & Poultry Complex**

**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 \$11,518,000.00 to the apparent low bidder, Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, March 16, 2017

Project Initiation Date: April 16, 2015

Design Professional: McCarty Architects, P.A.

General Contractor: Century Construction and Realty, Inc.

Total Project Budget: \$16,500,000.00

**MISSISSIPPI UNIVERSITY FOR WOMEN**

**4. MUW– GS 104-184 – Fant Library Renovation – PH III (Build Out)**

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

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

Board staff approved Change Order #1 in the amount of \$20,327.52 and zero (0) additional days to the contract of Amason & Associates, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

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Approval Status & Date: APPROVED, March 24, 2107

Change Order Description: Change Order #1 includes the following items: corrections of existing mechanical and plumbing work at the 2<sup>nd</sup> floor restrooms; credit for the difference between the Mechanical Controls Allowance and the bid amount; remove and replace unsuitable soils beneath the existing East concrete drive; relocate the fire main line above three rooms; re-route the existing pvc roof drain leader with the archives area; and credit for revisions to various ceiling types.

Change Order Justification: This change was due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$20,327.52.

Project Initiation Date: January 22, 2015

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

General Contractor: Amason & Associates, Inc.

Phased Project Budget: \$4,393,086.52

Total Project budget: \$8,249,000.00

## **MISSISSIPPI VALLEY STATE UNIVERSITY**

### **5. MVSU – GS 106-258 – Academic Skills TI**

**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 Architecture South.

Approval Status & Date: APPROVED, April 10, 2017

Project Initiation Date: October 15, 2015

Design Professional: Architecture South

General Contractor: TBD

Total Project Budget: \$3,500,000.00

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**UNIVERSITY OF MISSISSIPPI**

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

**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 \$52.20 and zero (0) additional days to the contract of Total Electric, LLC.

Approval Status & Date: APPROVED, March 24, 2017

Change Order Description: Change Order #1 includes the following items: reduce the conductor from 1/0 to #2; and install three #2-15kv inline splices in the electrical man hole #7.

Change Order Justification: This change was due to user/owner requested modification.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$52.20.

Project Initiation Date: August 18, 2011

Design Professional: Eley Guild Hardy Architects and Engineers, P.A.

General Contractor: Total Electric, LLC

Phased Project Budget: \$215,968.20

Total Project Budget: \$58,900,000.00

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

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

Board staff approved Change Order #5 in the amount of \$127,868.91 and ninety-seven (97) additional days to the contract of Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, March 16, 2017

Change Order Description: Change Order #5 includes the following items: removal of sub-grade building components uncovered during demolition; installation of satisfactory fill material; and twenty-six (26) days to the contract.

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Change Order Justification: This change was due to latent job site conditions; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$208,235.97.

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: Century Construction & Realty, Inc.

Phased Project Budget: \$1,502,716.46

Total Project Budget: \$32,000,000.00

**8. UM– IHL 207-383 – Gillom Sports Center Renovation**

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

Board staff approved Change Order #4R in the amount of \$96,056.98 and fourteen (14) additional days to the contract of Zellner Construction Services, Inc.

Approval Status & Date: APPROVED, March 30, 2017

Change Order Description: Change Order #4R includes the following items: revision of the wood lockers at all team locker rooms to include adding lockable space in the lockers & adding USB charging ports in all the lockers; multiple miscellaneous door opening revisions; additional sidewalks and guardrails to the West side of the building; add a hand sink to the concession area and make provisions in the countertop area; add the simple saver fabric used in the ceiling of the high roof area to all the exposed walls in that area; add an exhaust fan to the soccer vestibule; change the size & gauge of the hat channel framing under the grand stands; relocate some existing electrical junction boxes & conduits in the volleyball team room; delete the storage racks; reroute the existing gas line over strength and conditioning from in front of the windows; add matching light fixtures; additional access controls to multiple exterior doors; add doors to two (2) cubbies in sports medicine area; add a desk in the exam room next to the proposed sink millwork; add two (2) lay-in lights in a corridor; add steel tube supports to the half wall in the treatment area; add access controls to a door; delete the wood louvers in the tea, room; revise the location of the return air louvers in the court storage area; provide a gas line in the existing laundry room; and fourteen (14) days to the contract.

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

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**Approval Request #2: Change Order #5**

Board staff approved Change Order #5 in the amount of \$6,707.91 and zero (0) additional days to the contract of Zellner Construction Services, Inc.

Approval Status & Date: APPROVED, April 3, 2017

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$196,526.09.

Project Initiation Date: June 19, 2014

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: Zellner Construction Services, LLC

Total Project Budget: \$13,800,000.00

**9. UM – IHL 207-392 – North Parking Structure**

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

Board staff approved Change Order #5 in the credit amount of \$597,357.00 and zero (0) additional days to the contract of B.L. Harbert International, LLC.

Approval Status & Date: APPROVED, April 6, 2017

Change Order Description: Change Order #5 includes the following items: additional fire hydrants required connection to the fire main by hot tap; relocation of code blue stations; precast boardwalk system was deleted; retaining wall handrails were added; and floor drains were added.

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

Total Project Change Orders and Amount: Five (5) change orders for a total credit amount of \$136,175.39.

Project Initiation Date: September 26, 2014

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

General Contractor: B.L. Harbert International, LLC

Phased Project Budget: \$33,750,000.00

Total Project Budget: \$34,550,000.00

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

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

Board staff approved Change Order #1 in the amount of \$1,980.72 and zero (0) additional days to the contract of Century Construction.

Approval Status & Date: APPROVED, March 30, 2017

Change Order Description: Change Order #1 includes the following items: sidewalk restoration to include a finish pour to match the concrete on either side of the new pour; repair of cracks & areas of spalling on the outside and underneath fascia of the steel beam encased in concrete; and credit for a bearing device not needed.

Change Order Justification: This change was due to user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$1,980.72.

Project Initiation Date: January 22, 2015

Design Professional: Buchart Horn, Inc. /BASCO Associates

General Contractor: Century Construction

Total Project Budget: \$1,750,000.00

**11. UM – IHL 207-411.1 – Oxford-University Stadium (Swayze Field) Addition & Renovation – PH II**

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

Board staff approved the Award of Contract in the amount of \$15,083,000.00 to the apparent low bidder, Century Construction & Realty, Inc.

Approval Status & Date: APPROVED, March 16, 2017

Project Initiation Date: October 15, 2015

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

General Contractor: Century Construction & Realty, Inc.

Phased Project Budget: \$17,742,421.30

Total Project Budget: \$18,975,750.00

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**UNIVERSITY OF MISSISSIPPI MEDICAL CENTER**

**12. UMMC– IHL 109-210 (GC-001) – School of Medicine**

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

**Approval Request #1: Change Order #10**

Board staff approved Change Order #10 in the amount of \$162,339.00 and ninety (90) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, March 30, 2017

Change Order Description: Change Order #10 includes the following items: revise the fire curtain track details & gypsum board atrium assemblies; add a storefront in lieu of a fire curtain; include additional testing for the fire alarm; remove the rubber & terrazzo from the millwork base cabinet doors with integral toe kicks and replace with laminate matching cabinet finish; delete the sprinkler fire protection from the multimedia renovation area; patch holes and add fire caulking at the existing ground floor lobby above the ceiling walls; add a pile cap at the loading dock; rework the installed lab casework to allow space for small incubators; add new cabinets in the simulation room; touch-up paint; add storage fees for incubators; install thicker rubber base in the wet lab; remove the existing pendant light fixture in the multimedia room and replace with a new lay-in fixture; remove the installed light fixtures in the student access room and replace with can lights; relocate the fire alarm strobes in the restrooms; and ninety (90) 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: Ten (10) change orders for a total amount of \$775,618.00.

Project Initiation Date: December 8, 2011

Design Professional: Cooke Douglass Farr Lemons + Eley Guild hardy, Architects – Jackson, P. A. – A Joint Venture

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$65,742,205.00

Total Project Budget: \$66,000,000.00



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**13. UMMC – IHL 209-544 – Translational Reserch Center**

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

Board staff approved Change Order #4 in the amount of \$218,414.32 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, March 16, 2017

Change Order Description: Change Order #4 includes the following items: modifications to the 3<sup>rd</sup> floor office area; wall & floor finishes inside the storage room in vivarium; in-wall & drain modifications to the break room; repair damaged underground conduit; provide access to the drain bowls in vivarium showers; adding five (5) pre-heat hot water coil loop pumps; add heat trace tape on the exterior cold water make-up piping for the cooling towers; re-route the fiber optic cabling; add a catch basin below the serpentine wall; resurface the parking area; and add furrdowns at the cage washers.

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: Four (4) change orders for a total credit amount of \$938,607.73.

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Company, Inc.

Phased Project Budget: \$44,259,496.98

Total Project Budget: \$50,572,743.00

**14. UMMC- IHL 209-551 – Main Pharmacy Renovations 2014**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by The McCarty Company

Approval Status & Date: APPROVED, March 16, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

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Approval Status & Date: APPROVED, March 16, 2017

Project Initiation Date: January 22, 2015

Design Professional: The McCarty Company

General Contractor: TBD

Total Project Budget: \$3,848,518.00

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

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

Board staff approved Change Order #5 in the amount of \$312,756.90 and eighty (80) additional days to the contract of Cooke Douglass Farr Lemons Architects & Engineers, P.A.

Approval Status & Date: APPROVED, March 16, 2017

Change Order Description: Change Order #5 includes the following items: relocate 2” irrigation pipes; repairs and overlay to parking lot #11; adjust the existing grades at the Student Union truck entrance; add new sidewalks across the campus; add new stainless steel handrails at the loading dock; additional irrigation location services; add a sidewalk in lot #18; a credit for the exterior signage allowance not utilized; and eighty (80) days to the contract.

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$760,208.65.

Project Initiation Date: March 19, 2015

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

General Contractor: Hemphill Construction Company, Inc.

Total Project Budget: \$2,087,108.00

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**UNIVERSITY OF SOUTHERN MISSISSIPPI**

**16. USM– GS 108-281 – Green and Chain Renovations**

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Allred Architectural Group

Approval Status & Date: APPROVED, April 5, 2017

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, April 5, 2017

Project Initiation Date: September 18, 2014

Design Professional: Allred Architectural Group

General Contractor: TBD

Total Project Budget: \$11,500,000.00

**17. USM – IHL 208-335 – Ross Boulevard Parking Project**

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

Board staff approved the Award of Contract in the amount of \$945,339.50 to the apparent low bidder, R & J Construction, Inc.

Approval Status & Date: APPROVED, March 24, 2017

Project Initiation Date: May 19, 2016

Design Professional: Neel-Schaffer, Inc.

General Contractor: R & J Construction, Inc.

Project Budget: \$1,350,000.00

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**18. USM – IHL 210-243 – Marine Education Center**

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

Board staff approved Change Order #4 in the amount of \$71,582.00 and six (6) additional days to the contract of Starks Contracting Company, Inc.

Approval Status & Date: APPROVED, April 3, 2017

Change Order Description: Change Order #4 includes the following items: add 2x6 moisture shield composite decking in lieu of 5/4 composite decking; add a seawater pump slab and post foundation; revision to site water utility; additional electrical & plumbing rough-ins for ice maker; and six (6) days to the contract.

Change Order Justification: These changes were due to changes in requirements or recommendation by governmental agencies; weather; user/owner requested modifications; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$171,756.75.

Project Initiation Date: August 21, 2008

Design Professional: Lake Flato Architects, PLLC

General Contractor: Starks Contracting Company, Inc.

Total Project Budget: \$16,115,659.75

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**1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL**

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

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 4/1/17) from the funds of Mississippi State University. (These statements, in the amounts of \$2,000.00, \$2,500.00, \$1,133.75, \$2,000.00, \$2,000.00 and \$1,322.50, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 10,956.25**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 4/10/17) from the funds of the University of Mississippi. (This statement, in the amount of \$192.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 192.00**

Payment of legal fees for professional services rendered by Perry & Winfield (statement dated 4/20/17) from the funds of the University of Mississippi. (This statement, in the amount of \$8,982.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 8,982.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 1/18/17, 3/14/17, 3/14/17, 3/14/17, 3/14/17, 3/24/17, 3/24/17, 3/26/17, 3/29/17, 3/29/17, 3/29/17, 3/30/17, 3/31/17 and 4/4/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$871.00, \$392.00, \$1,151.50, \$3,895.50, \$465.50, \$2,940.00, \$1,641.50, \$514.50, \$5,316.50, \$2,228.60, \$7,301.00, \$21,887.80, \$9,506.00 and \$931.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 59,042.40**

Payment of legal fees for professional services rendered by Hogan Lovells, US, LLP (statements dated 2/28/17 and 3/31/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$36,211.70 and \$6,860.70, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 43,072.40**

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Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 3/21/17, 4/7/17, 4/7/17, 4/7/17, 4/7/17, 4/7/17 and 4/7/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$643.50, \$1,156.42, \$495.00, \$313.50, \$16,329.10, \$2,244.00, \$643.50, \$3,833.84, \$10,902.25, \$255.75, \$1,212.75, \$643.50, \$1,320.00, \$2,846.25, \$6,352.50 and \$6,338.65, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 55,530.51**

Payment of legal fees for professional services rendered by John T. Kitchens d/b/a Whitfield Law Group (statements dated 3/3/17 and 3/7/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,836.00 and \$39,676.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 41,512.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 3/24/17, 4/5/17 and 4/14/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$8,112.00, \$336.00 and \$2,616.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 11,064.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 4/1/17) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$44.76, \$391.28, \$21.10, \$61.25, \$1,517.70, \$21.05, \$2,000.00 and \$46.30, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 4,103.44**

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

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statement dated 3/6/17) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: "Systems and Methods for Detecting Transient Acoustic Signals" - \$239.82.)

**TOTAL DUE.....\$ 239.82**

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Payment of legal fees for professional services rendered by Butler|Snow (statement dated 3/29/17) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: “Cache Mapping Technology Matter” - \$657.00.)

**TOTAL DUE.....\$ 657.00**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 3/15/17, 3/21/17, 3/30/17 and 4/3/17) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$488.08; “Highly Selective Sigma Receptor Ligands and Radioligands” - \$984.51; “Highly Selective Sigma Receptor Ligands and Radioligands” - \$490.05 and “Compositions containing Delta-9-THC-Amino Acid Esters” - \$2,319.50, respectively.)

**TOTAL DUE.....\$ 4,282.14**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/22/17) 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” - \$559.50; “Stabilized Formulation of Triamcinolone Acetonide” - \$38.00; “Novel Tools for Assessing the Skin Sensitization Potential of Chemicals” - \$38.00 and “Indolizine-Based Donors as Organic Sensitizer Components” - \$47.50.)

**TOTAL DUE.....\$ 683.00**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/22/17, 3/22/17, 3/22/17, 3/22/17, 3/22/17, 3/22/17 and 3/30/17) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$313.50, \$57.00, \$1,487.50, \$546.50, \$38.00, \$757.50 and \$2,848.50, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 6,048.50**

**2. SYSTEM – EMERGENCY APPROVAL TO CONTRACT WITH HIRSCHLER FLEISCHER, ATTORNEYS AT LAW, AS OUTSIDE COUNSEL**

Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, has approved the agency’s emergency request to contract with attorney Collin Hite of Hirschler Fleischer, Attorneys at Law, for legal services with regard to the proposed system cyber insurance policy. The rate for services will be \$430 per hour or \$405 per hour when traveling, with a rate cap for policy review and opinion drafting at \$2,150.00.

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**3.     SYSTEM – EMERGENCY APPROVAL TO CONTRACT WITH MAYO MALLETT, PLLC AS OUTSIDE COUNSEL**

Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, has approved the agency's emergency request to contract with the law firm of Mayo Mallett for legal services with regard to the preparation and filing of an amicus brief in the *Lefoldt v. Rentfro* appeal. The rate for services will be \$175 per hour with a maximum amount payable of \$20,000.00.



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**1. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL**

The following item was approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.

- a. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On April 26, 2017, Commissioner Glenn F. Boyce approved the request to enter into a lease agreement with the City of Hattiesburg for a parcel of land totaling .236 acres to be used primarily as parking for the adjacent Hattiesburg Employee Clinic. The term of the lease is for one year from the approval and execution date of the agreement at a cost of \$1.00 per year to the City of Hattiesburg. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.