FINAL BOARD BOOK OUTLINE

IHL Board Meeting
February 21, 2013 8:00 a.m.

Universities Center
3825 Ridgewood Road
Jackson, MS 39211

CALL TO ORDER

PRAYER
Trustee Karen Cummins

INTRODUCTION OF GUESTS

DIVERSITY RECOGNITION
Trustee Doug Rouse

MINUTES
January 7, 2013 USM Board Search Committee Conference Call
January 16, 2013 USM Board Search Committee Meeting
January 17, 2013 Regular Board Meeting
January 17 & 21, 2013 USM Board Search Committee Meeting
January 30, 2013 Special Board Meeting
January 30, 2013 DSU Board Search Committee Conference Call
February 7, 2013 Special Board Meeting
PRESENTATION
Diversity Reports from:
Delta State University - Dr. John Hilpert, President
Jackson State University – Dr. Carolyn Meyers, President
Mississippi Valley State University – Dr. Al Rankins, Acting President
University of Mississippi – Dr. Dan Jones, Chancellor
University of Southern Mississippi – Dr. Aubrey Lucas, Interim President

CONSENT AGENDAS
Trustee Ed Blakeslee

FINANCE

1. MSU – Request for Approval of Contractual Services Agreements
   a. Mississippi State University Research and Technology Corporation.............................1
   b. Wiley Subscription Services, Inc.................................................................3

2. MVSU – Request for Approval of a Resolution for a Grant Application .....................4

3. UMMC – Request for Approval to Enter into a Professional Services Agreement with
   Pontchartrain Lithotripsy, LLC........................................................................5

REAL ESTATE

Approval of Initiations of Projects/Appointments of Professionals

Bureau of Building Projects

1. JSU – GS 103-278 – School of Engineering Phase II, Design Professional – Cooke
   Douglass Farr Lemons Architects & Engineers, P.A. ..................................................3

2. JSU – Initiation and Appointment of Dale Partners Architects, P.A. for the Development
   of a New Facilities Master Plan..................................................................................4
Approval of Budget Increases and/or Changes of Scope/Funding Source(s)

Bureau of Building Projects

3. MSU – GS 113-134 – Wise Center Classroom Addition, Proposed Budget Increase .......5

Approval of Other Real Estate Requests

4. ASU – Delete from Inventory and Demolish Campus Dry Cleaners ..............................6
5. ASU – Approval of Added Provisions to Claiborne Natural Gas Contract ........................7
6. USM – Approval of Sale of Property to the Catholic Diocese of Biloxi, Mississippi, on behalf of St. Thomas Catholic Church ..................................................................................11
7. USM – Delete from Inventory and Demolish 3601 Azalea Drive, Eagles Nest Apartments and Laundry, and Georgetown Apartments .............................................................12
8. USM – Delete from Inventory and Demolish the Observatory and Tower Modules “C” and “D” ..........................................................................................................................13

LEGAL

1. USM – Approval to Hire Armstrong Law, LLC Law Firm as Outside Counsel .................1
2. USM – Approval to Hire Ware/Gasparian Law Firm as Outside Counsel .....................2

PERSONNEL

1. Change of Status (JSU, MVSU, USM) ........................................................................1
2. Sabbaticals (UM, USM) ................................................................................................1

ADMINISTRATION/POLICY

1. ASU – Approval to Award Two Honorary Degrees ......................................................1
2. MUW – Approval to Award One Honorary Degree .....................................................1

REGULAR AGENDA

ACADEMIC AFFAIRS
   Trustee Doug Rouse

1. JSU – Request for Off Campus Course Consideration and Approval .........................1
2. SYSTEM – Approval of New Academic Programs
   a. ASU – Bachelor of Social Work Degree .................................................................3
   b. ASU – Bachelor of Science in Sport Management Degree ....................................5
   c. DSU – Bachelor of Fine Arts in Digital Media Arts Degree ....................................6
   d. MSU - Meridian Division of Arts and Science– Bachelor of Applied Technology
      Degree ..................................................................................................................7
   e. UM – Master of Laws Degree ..................................................................................9
   f. USM – Master of Education in Higher Education with Emphasis in Student Affairs
      Administration Degree ..........................................................................................10
   g. USM – Master of Education in Dyslexia Therapy Education Degree ....................12

FINANCE
Trustee Aubrey Patterson

1. MUW – Request for Approval of Bookstore Outsourcing Agreement with Barnes and
   Noble College Booksellers, LLC ................................................................................1
2. UMMC – Request for Approval of Pharmaceutical Wholesale Distribution Services
   Agreement with Morris and Dickson Corp., LLC and Novation Distribution ...............5

LEGAL
Trustee Alan Perry

1. MVSU – Approval to Settle IHL Self-Insured Workers’ Compensation Claims ..........1
2. USM – Approval to Settle IHL Self-Insured Workers’ Compensation Claims ..........1

ADMINISTRATION/POLICY
1. SYSTEM – Board Approval of Committee Appointments Made By President Bob Owens
   for March 2013 – January 2014 ................................................................................1

INFORMATION AGENDAS
Commissioner Hank Bounds

FINANCE
   MUW – Emergency Purchase ........................................................................................1

REAL ESTATE
   SYSTEM – Real Estate Items Approved Subsequent to the January 17, 2013 Board
   Meeting
   Mississippi State University .......................................................................................2
Mississippi University for Women ................................................................. 4
Mississippi Valley State University ............................................................. 5
University of Mississippi ............................................................................. 5
University of Mississippi Medical Center ................................................. 11
University of Southern Mississippi ............................................................ 14
ERC ............................................................................................................. 16

LEGAL
SYSTEM – Report of Payments to Outside Counsel .................................. 1

ADMINISTRATION/POLICY
1. SYSTEM – Commissioner’s Notification of Approval ............................... 1

ADDITIONAL AGENDA ITEMS IF NECESSARY

OTHER BUSINESS/ANNOUNCEMENTS

EXECUTIVE SESSION IF DETERMINED NECESSARY

ADJOURNMENT
MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING

MINUTES FOR:

January 7, 2013 USM Board Search Committee Conference Call
January 16, 2013 USM Board Search Committee Meeting
January 17, 2013 Regular Board Meeting
January 17 & 21, 2013 USM Board Search Committee Meeting
January 30, 2013 Special Board Meeting
January 30, 2013 DSU Board Search Committee Conference Call
February 7, 2013 Special Board Meeting
February 13, 2013 DSU Board Search Committee Meeting
February 13, 2013 Emergency Board Meeting
February 14, 2013 DSU Board Search Committee Meeting
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 7, 2013

BE IT REMEMBERED, That the University of Southern Mississippi Board Search Committee met in a teleconference meeting on January 7, 2013 at 2:00 p.m. with public attendance available at the Board Office in Jackson, Mississippi. At the above-named place there were present the following Committee members to wit: Dr. Ford Dye, Mr. Bob Owens, Mr. Aubrey B. Patterson, Ms. Christine Pickering, and Ms. Robin J. Robinson. Mr. H. Ed Blakeslee, Mr. Shane Hooper, Dr. Douglas Rouse, and Mr. C.D. Smith also attended the meeting. The meeting was called to order by Chairman Robin Robinson.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss a university personnel matter.

EXECUTIVE SESSION

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

Discussion of state university personnel matter.

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

The Committee discussed personnel issues concerning the search for the next president of the University of Southern Mississippi.

On motion by Trustee Patterson, seconded by Trustee Pickering, 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 Patterson, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2013

BE IT REMEMBERED, That the University of Southern Mississippi Board Search Committee met at the Board Office in Jackson, Mississippi, at 8:00 a.m. At the above-named place there were present the following members to wit: Dr. Ford Dye, Mr. Bob Owens, Mr. Aubrey B. Patterson, Ms. Christine Pickering, and Ms. Robin J. Robinson. Mr. H. Ed Blakeslee, Mr. Shane Hooper, Dr. Douglas House, and Mr. C.D. Smith also attended. The following members of the USM Interview Search Advisory Committee were present: Ms. Rosemary Aultman, Mayor of Clinton, MS; Ms. Lou Ann Poynter, Treasurer and Finance Committee Chair of the University of Southern Mississippi Foundation; Mr. Kim Bradley, President of the Hattiesburg City Council; Dr. Mary Ann Adams, Professor, Division of Education and Psychology at the University of Southern Mississippi Gulf Coast Campus; Mr. Michael Miles, Director of Music at the University of Southern Mississippi; Ms. April Jordan, Operations Manager, iTech Administration at the University of Southern Mississippi; and Ms. Jazmyne Butler, Student Body President at the University of Southern Mississippi. The meeting was called to order by Chairman Robin Robinson.

EXECUTIVE SESSION

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

Discussion of personnel issues concerning the search for the next president of the University of Southern Mississippi.

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

The Board conducted first-round interviews of four of the six candidates recommended by the Campus Search Advisory Committee.

On motion by Trustee Dye, seconded by Trustee Owens, with Trustee Pickering 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 Dye, seconded by Trustee Owens, with Trustee Pickering absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

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

__________________________________________________________
Commissioner, Board of Trustees of State Institutions of Higher Learning
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 17, 2013

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 8:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 27, 2012, to each and every member of said Board, said date being at least five days prior to this January 17, 2013 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins, Dr. Ford Dye, Mr. Shane Hooper, Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Dr. Douglas Rouse, and Mr. C.D. Smith. The meeting was called to order by Mr. Ed Blakeslee, President, and opened with prayer by Trustee C.D. Smith.

INTRODUCTION OF GUESTS

President Blakeslee welcomed the Student Government Association officers: Mr. Marcus Mercy, President at Alcorn State University and Mr. Brian Wilks, President at Jackson State University.

APPROVAL OF THE MINUTES

On motion by Trustee Robinson, seconded by Trustee Pickering, with Trustee Owens absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on November 15, 2012.

PRESENTATIONS

- Trustee Christy Pickering noted that the Board of Trustees has asked the universities to place a high priority on diversity. To that end, the following university presidents and administrator gave a brief report regarding diversity initiatives on their campuses: Dr. Christopher Brown, President of Alcorn State University; Dr. Mark Keenum, President of Mississippi State University; Dr. Jim Borsig, President of Mississippi University for Women; and Dr. James Keeton, Vice Chancellor for Health Affairs and Dean of the School of Medicine of the University of Mississippi Medical Center.

ANNOUNCEMENTS

- President Blakeslee welcomed Dr. Al Rankins, Acting President of Mississippi Valley State University, who has been out with a broken ankle.
- Commissioner Hank Bounds noted that the search for someone to lead the effort with the Ayers Private Endowment has not been successful. In the meantime, Mrs. Pearl Pennington has accepted the position of Interim Ayers Private Endowment Development Director at IHL until a permanent person can be found. Mrs. Pennington will continue to perform the duties of her current position of Director of Student Affairs.
- Commissioner Bounds also noted that the contract with the company that manages the website WhereToGo411 has been signed. The website contains a database of minority vendors primarily
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 17, 2013

African Americans. In the future, when the system requests bids for projects, the information can be sent to the company who will send it to the vendors in the database. This will be a very good tool for the universities to utilize.

• Commissioner Bounds thanked Mr. Marcus Thompson, Chief Administrative Officer and System Diversity Officer, for leading the system-wide efforts to accomplish the Board’s diversity initiatives.

CONSENT AGENDA

On motion by Trustee Robinson, seconded by Trustee Patterson, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

FINANCE

1. ASU - Approved the request to enter into a lease agreement with Vicksburg Income Properties, LLC to rent 8,622 square feet of space in the Vicksburg Mall located at 3505 Pemberton Square Boulevard in Vicksburg, MS. This space will be used as the university’s Vicksburg Campus. The term of the lease is ten years. The lease will begin on the earlier of (a) sixty days after Vicksburg Income Properties, Inc. delivers the leased premises to ASU with the landlord’s work substantially completed in all material respects, or (b) the date on which ASU first uses the leased premises for classes or other education purposes. The contract period is estimated to be July 1, 2013 through June 30, 2023. The total cost over the ten-year term of the lease is $1,868,001. A schedule of the annual rent is stipulated in the agreement and is included in the bound January 17, 2013 Board Working File. In addition to annual rental payments, ASU will also make monthly payments of $2,000 to the Landlord for utilities (water, electricity, garbage disposal, and pest control). This equates to $24,000 annually and $240,000 over the ten-years of the agreement. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

2. JSU - Approved the request to enter into a lease agreement with Sorrento II, LLC to rent 8,600 square feet of space on the first floor of the building located at 382 Galleria Parkway in Madison, MS. This space will be known as JSU’s Madison Campus. The term of the lease is ten years – February 1, 2013 to January 31, 2023. The agreement grants JSU the right to renew the lease for two successive five-year periods at a rental rate that is equal to 95% of the Fair Market Rent. Such rent will be based on similar class “A” office space on Highland Colony Parkway and Galleria Parkway with like-kind size and office construction type. The total quantifiable cost over the ten-year term of the lease is $1,518,760. A schedule of contracted annual rent payments is included in the bound January 17, 2013 Board Working File. The first year rent per square foot is equal to $16.50. Every year thereafter, this square footage rate will be increased approximately 1.5%. In addition to the rent payments, JSU will pay the landlord a proportionate share of the landlord’s operating costs for the facility. That share is set at 5.9% of the facilities net realizable space and agrees with the percentage of space that JSU is renting under this agreement. Operating costs are defined as all utilities, other than extraordinary quantities, for which JSU will be charged additional rental and maintenance costs for the facility. Any annual increase to JSU’s share of the facility operating costs will be capped at 3% of the university’s proportionate share for the immediately proceeding expense year. The lease will be funded by E&G Funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
3. **MSU** - Approved the request to enter into a contract with Air Charter Services, Inc. to serve as an agent for Elite Airways, Inc. in securing air transportation for the men’s basketball team. The agreement shall commence upon full execution by both parties - estimated to be mid-January 2013. The contract will terminate on March 17, 2013. The total cost for the contract period is estimated to equal $253,965. This includes charter air service for six round trip flights. Should it become necessary to cancel a flight, MSU will receive a full refund (100%) if such cancellation takes place fourteen days prior to the scheduled departure; otherwise, MSU will be assessed 100% of the chartered price for the specific flight that was cancelled. Funds are available from Athletic revenues (auxiliary funds). The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

4. **USM** - Approved the request to enter into an agreement with Otis Elevator Company (Otis) for elevator maintenance and repair services to 98 elevators located within 50 buildings on USM’s Hattiesburg campus. The maximum total contract term is for a five-year period – February 1, 2013 through January 31, 2018. The primary term of the agreement is for a one-year period – February 1, 2013 through January 31, 2014. The agreement may be renewed annually by USM for up to four years or through January 31, 2018 upon written notice to Otis on or before sixty days prior to the end of the then current agreement term. Estimated costs are based on expectation of a five-year contract period. The total estimated cost of the contract for the five-year period is $1,360,869.32. Beginning February 1, 2014 and each February 1st thereafter for the length of the agreement there will be an annual rate adjustment to reflect changes in material and labor costs. An annual rate adjustment will be based on two factors which are detailed in the bound January 17, 2013 Board Working File. The amount for any additional services is estimated not to exceed $1,000 per year or $5,000 over the life of the contract. The bound Board Working File also includes a list of the overtime or additional straight time pay rate for a mechanic and a breakdown of the annual costs which include an allowance for an approximate 3% price increase effective year two of the contract and each year thereafter, and an annual contingency of $1,000 for overtime or additional straight-time pay for each of the five years. The current agreement will be funded by E&G funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

5. **UMMC** - Approved the request to enter into a five-year agreement with Cyberonics, Inc. to purchase Vagus Nerve Stimulation (VNS) Therapy Systems for use in treating refractory epilepsy and treatment-resistant depression. The VNS Systems consists of generators, surgical tools, and accessories. The specific pieces of equipment used per treatment are chosen by the attending physician based upon the particular needs of the patient being treated. The agreement is effective until either party provides written notification of termination; however, the Board approved a five-year period – February 1, 2013 through January 31, 2018. The estimated total cost for the five-year contract term is $5,735,405. Based on past usage, UMMC estimates the average cost per procedure to be $26,809 for the first twelve-month period of the agreement. Cyberonics can adjust the price at any time upon providing ninety days written notice to UMMC. Based on historical price increases, UMMC anticipates an annual increase in the cost per procedure of 3% per year for years two through five of the agreement. A breakdown of the costs is included in the bound January 17, 2013 Board Working File. Funds are available from patient revenues included in UMMC’s 2012-2013 board approved operating budget. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
6. **UMMC** - Approved the request to amend the contract with National Research Corporation (NRC) for patient experience management services. The scope of work for the original contract included: 1) patient and experience improvement services, which measures patient satisfaction; 2) resulting patient data to CMS; 3) reports through NRC’s website, Catalyst; and 4) the creation of improvement plans for patient services. As a result of the amendment, NRC will now provide the capability to initiate the Center for Medicare and Medicaid Services’ (CMS) ICHCAHP survey. The agreement provides patient satisfaction results for the hospital and comparisons with other hospitals in the NRC database. Specifically, NRC will provide the necessary resources to conduct surveys for UMMC’s In-Center Hemodialysis programs. It also provides a tool for the hospital to gauge the performance of Value-Based Purchasing requirements in order to receive annual reimbursement from CMS. The term of this addendum becomes effective February 1, 2013 and continues through the original contract end date of June 30, 2015. There is no cost associated with this addendum. The cost of the contract will remain $402,900 as originally approved by the Board at the August 2012 meeting. Funds are available from patient revenues included in UMMC’s 2012-2013 Board approved operating budget. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

7. **UMMC** - Contingent upon the receipt of confirmation that contractor has completed the registration process with the Mississippi Secretary of State and the Attorney General’s Office approves, the Board approved the request to enter into an agreement with Spacelabs Healthcare, LLC for the purchase of equipment (nine anesthesia machines and corresponding operating room monitors) and software capable of interfacing with the Epic electronic medical record system. The agreement is for the immediate one-time purchase of equipment and software and does not stipulate an official contract period. However, the purchase agreement does provide for a twelve-month warranty period applicable to the anesthesia machines, monitoring equipment, hardware components, and Vital Sign interface software. UMMC has secured additional support services above the basic warranty which provides for a total of one year of support service for the Vital Signs Interface software, four years of support service for the monitors, and two years of support services for the base anesthesia machines. Based on this expanded warranty period, UMMC shall receive support services for the approximate period of February 1, 2013 through January 31, 2017. The total contract cost for the purchase of the machines, monitors, interface hardware and software, and the warranty, maintenance and support services is $704,981.53. A breakdown of the individual costs is included in the bound January 17, 2013 Board Working File. Funds are available from patient revenues included in UMMC’s 2012-2013 Board approved operating budget. The agreement which has been reviewed by the Attorney General’s Office is on file in the Board Office.

8. **UMMC** - Approved the request to enter into an agreement with Steris Corporation for scheduled preventative maintenance and/or repair services of forty-two pieces of Steris infection prevention equipment currently owned by UMMC and used in operating rooms to clean and sterilize patient care equipment and instruments. The term of the agreement is for three years – February 1, 2013 through January 31, 2016. The total contract cost for the three-year contract term is $527,822.19. UMMC will pay $175,940.73 annually for the services. Funds are available from patient revenues included in UMMC’s 2012-2013 Board approved operating budget. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
REAL ESTATE

9. MVSU - Approved the initiation of **GS 106-240, Leflore Hall Bath Renovations**, and the appointment of Atherton Consulting Engineers as the design professional. The project was initiated with Board staff as a project under $1 million with a budget of $990,000. Based on the design professional’s latest design development and updated estimate of costs, the project budget will exceed the $1 million threshold thus requiring Board approval. The project budget will increase from $990,000 to $1,481,645 for an increase in the amount of $491,645. The project will address complete interior demolition and renovation of the existing shower areas for Leflore Hall. Work will involve removal of the existing showers, toilets, and lavatories. The residence hall has not seen a substantial renovation since construction with the exception of a new metal roof that was installed in 2004. The estimated project budget is $1,481,645. Funds are available from IHL General Support ($1,292,079) and S.B. 2957, Laws of 2012 ($466,000).

10. MSU - Approved the initiation of **IHL 205-268, MSU Butler Williams Guest House and Lobby Renovations**, and the appointment of Belinda Stewart the design professional. The project is intended to renovate the Butler Williams Guest House and its associated lobby located in the Butler Williams Building. The project will make the public lobby and restroom area ADA accessible, upgrade finishes and replace windows. The estimated project budget is $1.1 million. Funds are available from MSU Housing Facilities ($1,100,000).

11. USM - Approved the request to award project commissioning services to Working buildings, LLC for **IHL 208-297, Dorm Replacement Phase II**. Working Buildings, LLC was selected from a pool of six companies that submitted qualifications. Of the six firms, two were invited to campus to conduct a formal interview process. The selection of Working Buildings, LLC was a result of a thorough interview process conducted by the university. The fee payment process will be modeled using the Department of Finance and Administration’s Bureau of Building established payment method for commissioning services and is based on a percentage of construction costs. The estimated fee for this commissioning project is $450,000 to $500,000. The project includes the projected demolition of Scott Hall, Vann Hall, and the East end of Bond Hall once IHL approval is obtained which will be followed by the construction of a proposed student residential project which includes 956 beds, a student health center and Lucky Day Scholarship offices. The new project is to be located on the site where the demolition occurs. The estimated project budget is $50 million. Funds are available from EBC Revenue Bonds ($50,000,000).

12. MSU - Approved the request to change the funding source for **IHL 205-266, MSU Lighting Retrofit**. In lieu of using Commercial Paper and/or EBC debt, the university plans to fund the project using existing operating funds. The funds became available as the result of maturing investment instruments. The project will improve efficiency and reduce electrical consumption. Approximately 5.5 million square feet of space used by MSU, MAFES, and FWRC uses inefficient and obsolete lighting technology. The most common type of lamp on campus, a T-12 fluorescent lamp, will no longer be manufactured after 2012. Additionally, new lighting technology allows bulbs to last twice as long and use over 50 percent less energy than the majority of the existing lights on campus. A campus-wide retrofit can be accomplished with minimal impact to the user, will improve the light quality in the university buildings, will enhance the occupant’s experience, will reduce energy and maintenance costs, and will improve MSU’s environmental performance. Preliminary analysis reveals a $6.5 million retrofit will produce approximately $1.1 million per year in reduced operation costs. This is a 5.8 year payback. The estimated project budget is $6.5 million.
13. **MSU** - Approved the request to increase the project budget for **IHL 205-267, MSU Fresh Food Company Residential Dining Facility**, from $10 million to $12.5 million for an increase of $2.5 million. The Board also approved the request to change the scope of the project to include seating for 650 customers in lieu of 500 customers that the Board originally approved in September 2012. The Board also approved the exterior design of the facility. A rendering of the building is included in the bound *January 17, 2013 Board Working File*. The dining facility will be located on the south side of campus at the site of the existing recreational tennis courts. The facility will be a turnkey project that will include all equipment and furnishings required to operate the facility. The proposed new facility will seat 650 customers for dining and will consist of approximately 32,000 square feet of enclosed space. The project will be designed around ARAMARK’s Fresh Food Company concept. Funds are available from Educational Building Corporation (EBC) / Commercial Paper ($12,500,000).

14. **ASU** - Approved the request to enter into an oil and gas lease of 124 acres of land to Bodega Capital, LLC for one-fifth (1/5) royalty and one-time bonus money in the amount of $26,537.24. The proposed lease is a two-year agreement effective from the date of signing. The proposed lease remains in effect for continued drilling unless there is a discontinuance of operations for ninety consecutive days. If within ninety days and no operation occurs on the land, the lease terminates on the anniversary date unless operations resume or the Lessee pays a daily rental amount of $1.50 per acre as delay rental. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The Attorney General’s Office has reviewed and approved the proposed oil and gas lease.

15. **DSU** - Approved the request to sell a residential property located at 314 Shumate Circle, Cleveland, MS to Allan Grittman for $81,500 with a closing date no later than May 1, 2013. DSU currently owns ten parcels near the campus on Fourth, Shumate, and McClain streets. The Mississippi Legislature authorized the sale of eight of these ten parcels during the 2011 session. This property is the first of the eight to be sold. DSU received two independent property appraisals as required by Board Policy. The average of the two appraisals was $78,500 which is less than the actual sale price of the property. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The Attorney General’s Office has reviewed and approved this item.

16. **MSU** - Approved the request to re-name South Hall, a resident hall, as “Niles R. and Mary Lyn Moseley Hall”. In October 2012, Dr. And Mrs. Moseley committed $3.15 million to programs that assist students from Mississippi families with incomes of less than $30,000 annually in attending MSU. These programs are the MSU Promise Program, which provides scholarships and other financial support and the Promise Support Program, which provides mentoring and counseling which these students would not otherwise receive. MSU will use $3 million to endow Promise Scholarships and $150,000 to hire a counselor to work with the Promise Support Program.

17. **MSU** - Approved the request to delete Building #1410 from inventory and demolish it. The building is in very poor condition and no longer serves the mission of the Experiment Station. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities.

18. **MSU** - Approved the request to delete Building 2012, Campus Landscape Storage, from inventory and demolish it. This structure is an unoccupied barn that is in very poor condition and cannot be safely used anymore. The approval letter has been received from the Mississippi Department of
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 17, 2013

Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities.

19. **UM** - Approved the request to sell, convey, and quitclaim a permanent easement for ingress/egress to Cellular South Real Estate, Inc. and Carson Hughes. The easement will allow for the creation of a safer access road to reach a cellular tower on Cellular South Real Estate’s adjoining property. The requested easement is for ingress/egress and construction. The consideration for the easement is $305, and is based on the rate of $1 per linear foot for undeveloped land. The easement is permanent, nonexclusive, and revocable for non-use. Another adjoining property owner, Carson Hughes, currently possess an easement across Cellular South Real Estate’s land, and this proposed easement would allow him the right of ingress/egress for the same listed reasons. The Grantor may terminate this easement and all of the rights granted any time after two years of continuous non-use of the easement or the easement area by Grantees. The property description is included in the bound January 17, 2013 Board Working File. The Attorney General’s Office has reviewed and approved this item.

20. **USM** - Approved the request to grant a temporary construction easement across a small portion of university property so the City of Hattiesburg can construct an extension of the Longleaf Trace - Phase III Rails to Trails project. The consideration for the 902 square foot easement is $271. The market value is calculated on the basis of 902 square feet, at a $3 per square foot, for one year at a rate of 10%, for a total of $271. The property description is included in the bound January 17, 2013 Board Working File. The Attorney General’s Office has reviewed and approved this item.

**LEGAL**

21. **JSU** - Approved the request to hire the Butler Snow law firm as outside counsel for intellectual property and commercial matters. The term of this agreement shall commence on the date executed by the parties (to be the date of execution after IHL Board approval) and shall expire no later than June 30, 2013, subject to renewal, if necessary. This agreement may be renewed for two additional one-year terms to run from July 1st through June 30th, if such renewal is mutually agreed to by the parties. The hourly rates to be charged for attorneys under the contract would be $225.00 per hour for intellectual property matters and $215.00 for all other matters. Services for paralegals and legal assistants will be charged at $85.00 per hour. The maximum amount payable under the one year contract would be $50,000. During any renewal period, the total amount payable shall not exceed an additional $50,000 in any subsequent fiscal year. The contract may be terminated by either party with thirty days prior written notice. The Attorney General’s Office has approved this request.

22. **UMMC** - Approved the request to hire James C. Mingee d/b/a The Mark It Place as outside counsel to provide intellectual property and related legal services, including litigation support in connection with UMMC and University of Mississippi Healthcare. The contract period would be from February 1, 2013 through January 31, 2014. The proposed hourly and fee rates are as follows: James C. Mingee, principal, $145 per hour; C. Paige Herring, principal, $145 per hour; and Austin Bonderer, principal, $200 per hour. Payment (flat fee) for preparing a trademark application, filing it with the USPTO and routine prosecution (excludes objections by a third party) - $1,200. Any party may terminate this contract at any time by giving written notice to the other party of such termination and specifying the effective date thereof, at least thirty working days before the effective date of such termination. The total amount payable, pursuant to this agreement, shall not exceed $30,000 plus expenses through the period from the date of the contract through January 31, 2014. The Attorney General’s Office has approved this request.
23. PERSONNEL REPORT

CHANGE OF STATUS

Alcorn State University
Betty Roberts, from Senior Vice President for Administration and Finance/Chief Financial Officer, salary of $175,000 per annum, pro rata; E&G Funds; to Senior Vice President for University Operations/Chief Operating Officer, salary of $182,500 per annum, pro rata; E&G Funds; effective February 1, 2013

Jackson State University
• Jean-Claude Assad, from Associate Professor of Economics, College of Business; salary $102,413 per annum, pro rata; E&G Funds; to Associate Professor of Economics and Interim Dean, College of Business; salary of $150,000 per annum, pro rata; E&G Funds; effective January 1, 2013
• Loria Brown Gordon, from Assistant to the Associate Vice President of Student Life; salary $64,611 per annum, pro rata; E&G Funds; to Interim Dean of the W. E. B. DuBois Honors College, salary of $70,000 per annum, pro rata; E&G funds; effective October 15, 2012
• Patricia Jernigan, from Assistant Dean, Division of International Studies; salary $70,583 per annum, pro rata; E&G Funds; to Interim Dean, Division of International Studies; salary of $85,000 per annum, pro rata; E&G Funds; effective January 1, 2013

Mississippi Valley State University
• John Jones, from Associate Provost for Institutional Effectiveness; salary of $118,000 per annum, pro rata; E&G Funds; to Interim Provost and Vice President for Academic Affairs; salary of $140,000 per annum, pro rata; E&G Funds; effective January 1, 2013
• Zachary Faison, from Chief of Staff and Executive Assistant to the President; salary of $110,000 per annum, pro rata; E&G Funds; to Chief of Staff and Interim Vice President for University Advancement/Executive Director of MVSU Foundation; salary of $120,000 per annum, pro rata; E&G Funds; effective January 1, 2013

TERMINATION

Jackson State University
• Glenda B. Glover, Professor of Accounting and Dean, College of Business, effective December 31, 2012
• Janice Neal Vincent, Associate Professor of the Department of Speech and Communication, College of Liberal Arts and tenured faculty member; effective January 18, 2013

Mississippi Valley State University
• Angela Getter, Vice President for University Advancement; effective November 23, 2012
• Anna Hammond, Provost and Executive Vice President; effective December 31, 2012
SABBATICALS

Jackson State University
Ken S. Lee, Professor of Chemistry Department, College of Science, Engineering and Technology, from salary of 61,664 per nine-month contract; E&G Funds; to salary of $30,832 per annum, pro rata for sabbatical period; E&G funds; effective December 15, 2012 through December 14, 2013; professional development

Mississippi University for Women
Michael Smith, Associate Professor of English, College of Arts and Sciences, from salary of $46,024 per nine-month contract paid over annual period; E&G Funds; to salary of $23,012 for the sabbatical period; E&G Funds; effective August 12, 2013 to December 31, 2013; professional development

EMERITUS STATUS

University of Mississippi
Gregory A. Schirmer, Professor Emeritus of English; effective January 22, 2013 (rehired retiree)

University of Southern Mississippi
• Donald Lamar Davis; Professor Emeritus of Management Information Systems; effective November 1, 2012
• Edward Coleman Mann; Associate Professor Emeritus of Technology Education; effective November 1, 2012
• Lon Jay Mathias; Professor Emeritus of Polymer Science; effective November 1, 2012

University of Mississippi Medical Center
• Kay Allen, M.D., Professor Emeritus of Pathology, School of Medicine; effective February 1, 2013
• Donald B. Sittman, Ph.D., Professor Emeritus of Biochemistry, School of Medicine; effective February 1, 2013

ADMINISTRATION/POLICY
24. MUW - Approved the request to bestow one honorary degree at the May 2013 commencement. Supporting documents are on file at the Board Office.

FINANCE AGENDA
Presented by Trustee Aubrey Patterson, Chair

On motion by Trustee Patterson, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Finance Agenda. On motion by Trustee Patterson, seconded by Trustee Cummins, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Patterson, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve agenda item #3.
1. MSU - Approved the request to authorize and define the criteria for granting waivers of out-of-state tuition to MSU students. More specifically, this policy is implemented to include out-of-state tuition
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waivers as recently authorized, effective July 1, 2012, through the amendment to Miss. Code Ann. §37-103-25 (3). The following out-of-state waivers are authorized, on a case-by-case basis, in addition to those in existence by virtue of prior statutory law and IHL Board Policy. All waivers are contingent upon the student’s submission to MSU of timely and adequate proof of having met the applicable criteria. To be eligible for out-of-state tuition waivers applicants must meet admissions requirements for the initial award and maintain satisfactory academic progress for continued eligibility. A) Military Personnel, Spouses, Dependents, and Survivors - MSU may waive out-of-state tuition for all present and former members of the U.S. Armed Forces who are engaged in or were honorably discharged from service including members of the National Guard and Reserve. A partial waiver may be extended to current spouses and dependent children of active military personnel without regard to the active duty location. A partial waiver may also extend to survivors of members of the U.S. Armed Forces who died while on active duty. B) MSU-Meridian geographic area - For the purpose of offering enhanced access to MSU-Meridian’s upper division and graduate programs to students who live within close geographic proximity of the campus, MSU-Meridian may waive out-of-state tuition for non-resident students who reside within Sumter, Choctaw, Greene, Hale, Clarke and Marengo Counties of the State of Alabama. These newly created waivers will become effective for the 2013-2014 academic year and may be applied to all academic terms therein. MSU estimates that the impact of waiving non-resident tuition for these identified categories would be the reduction of revenue by approximately $3.3 million over a five-year period. Conversely, the university could collect up to $6.5 million of new tuition revenue from these newly enrolled non-resident students for a net gain of $3.2 million. Students receiving a waiver their first year must remain enrolled full-time, must maintain a specified GPA, and must continue to meet the additional criteria originally making them eligible in order to automatically renew the waiver. The Attorney General’s Office has reviewed this item.

2. MVSU - Approved the request to authorize and define the criteria for granting waivers of out-of-state tuition to MVSU students. More specifically, this policy is implemented to include out-of-state tuition waivers as recently authorized, effective July 1, 2012, through the amendment to Miss. Code Ann. §37-103-25 (3). MVSU will offer a single flat tuition rate for all resident and non-resident students. Non-resident students have historically represented less than 15% of the student population and are generally student athletes, children of alumni, and students from bordering states. Most of these students are currently awarded non-resident tuition waivers. The population in the Mississippi Delta has declined by approximately 25% since 1970 reducing the number of eligible high school graduates in the region. As such, MVSU will adapt its recruiting strategies to the changing environment by recruiting more non-resident students. MVSU will begin waiving the non-resident surcharge effective with the summer 2013 academic terms and will be charging a single, flat-rate tuition for all students regardless of residency and classification. The policy will be applicable to all current and future graduate and undergraduate non-resident students. MVSU estimates they will collect an additional $4.5 million of tuition revenue over a five-year period under this new waiver structure. The new structure could conservatively bring an additional 215 non-resident students to the university by FY 2017-2018. The Attorney General’s Office has reviewed this item.

3. USM - Approved the request to authorize and define the criteria for granting waivers of out-of-state tuition to USM students. More specifically, this policy is implemented to include out-of-state tuition waivers as recently authorized, effective July 1, 2012, through the amendment to Miss. Code Ann. §37-103-25 (3). The following out-of-state waiver categories are authorized in addition to those in
existence by virtue of prior statutory law and IHL Board Policy. All waivers are contingent upon
the student’s submission to USM of timely and adequate proof of having met the applicable criteria.
A) Military – Eligible applicants who are engaged in or honorably discharged from active duty in
the United States Armed Services would receive a waiver of the non-resident surcharge. B) 
Academic Achievement in Strategic Markets – Students who meet strategic enrollment criteria in
targeted markets would have non-resident surcharges waived. Students must have earned a
minimum high school grade point average and a minimum ACT/SAT score and reside in strategic
graphic markets such as west Florida, Birmingham and south Alabama, Baton Rouge and south
Louisiana, and Houston, Texas suburbs. C) Special Talent in the Fine and Performing Arts – 
Students, who by their auditions or body of work show special talent, may be granted a waiver of
non-resident charges. D) Legacies – Children and grandchildren of USM graduates, who meet
admissions requirements and parent(s) (or grandparents) have been paid members of the Alumni
Association for ten or more years or are Lifetime Members, will be granted a waiver of non-resident
charges. E) Graduate Assistants – Graduate students who are employed by USM as graduate
assistants will be granted a waiver of non-resident charges. These newly created waivers will
become effective for the 2013-14 academic year and will only be available to new students. Existing
students will not be eligible for these new waivers. Students receiving a waiver during their first
year must remain enrolled full-time, must maintain a specified GPA, and must continue to meet the
additional criteria making them eligible to automatically renew the waiver. USM estimates that they
will collect between an additional $8 and $10 million over current collections of tuition revenue over
a five year period under these new categories. The waiver will be applicable only to new non-
resident students. Current non-resident students will not qualify for the non-resident tuition waiver.
The Attorney General’s Office has reviewed this item.

REAL ESTATE AGENDA
Presented by Trustee C. D. Smith, Chair

On motion by Trustee Smith, seconded by Trustee Robinson, all Trustees legally present and participating
voted unanimously to approve agenda item #1 as submitted on the following Real Estate Agenda.

1. SYSTEM - Approved the proposed amendments to Board Policy 919 Prerequisites for Building
Modifications or Demolition for final reading, as follows:

919 Prerequisites for Building Modifications or Demolition
Prior to scheduling commencement of construction of a building on an institution’s property
for modification, restoration, improvement, construction, repair, renovation, rehabilitation,
demolition or similar work, the institution shall secure any required inspections and/or
approvals from the Mississippi Department of Environmental Quality and any required
permits or written permission approvals from the Mississippi Department of Archives and
History authorizing the requested building action. After obtaining approval from these two
agencies, While general requirements for obtaining Board approval related to construction
projects are set out in Board Policies 902 and/or 904, all projects involving the demolition
of a university facility shall require prior Board approval, regardless of projected cost. A
request for the building modification, or demolition shall be submitted to the Board for
approval. The request to the Board must include documentation evidencing approval by the
Department of Environmental Quality and the Department of Archives and History. Any
Board approval of a modification or demolition project is subject to any required approvals of the Mississippi Department of Environmental Quality and the Mississippi Department of Archives and History.

After approval is granted by the Board, the facility may be modified or, in the case of demolition, be removed from the state inventory of buildings and demolished.

LEGAL AGENDA
Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to move agenda items #1 and #2 to the Executive Session Agenda. Agenda item #3 was approved as shown below. A motion was made by Mr. Patterson, seconded by Trustee Robinson to approve agenda item #3a. Trustee Smith made a motion to approve item #3a and amend it as necessary. Trustee Patterson withdrew his motion, with Trustee Robinson concurring. On motion by Trustee Perry, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve agenda item #3b as amended in the third paragraph to read “as defined by each institution and approved by the IHL Board”.

1. UMMC - Request approval of the settlement of Tort Claim No. 1695. (THIS ITEM WAS MOVED TO EXECUTIVE SESSION AGENDA.)
2. UMMC - Request approval of the settlement of Tort Claim No. 1813. (THIS ITEM WAS MOVED TO EXECUTIVE SESSION AGENDA.)
3. SYSTEM - Proposed amendments to Board Policy 102.06 Diversity Statement (See Exhibit 1.) A motion was made by Mr. Patterson, seconded by Trustee Robinson to approve agenda item #3a. Trustee Patterson withdrew his motion, with Trustee Robinson concurring. Trustee Smith made a motion to approve item #3a and amend it as necessary. Trustee Smith withdrew his motion. On motion by Trustee Perry, seconded by Trustee Rouse, all Trustees legally present and participating voted unanimously to approve agenda item #3b as amended in the third paragraph to read “as defined by each institution and approved by the IHL Board”. This policy will be effective immediately.

At the end of March, each institution will submit their campus diversity plan to the System Diversity Officer. The campus diversity plans will be presented to the Board for information while the definition of “underrepresented” for each institution will be presented for approval by the Board.

ADMINISTRATION/POLICY AGENDA
Presented by Commissioner Hank M. Bounds

1. Election of Vice President of the Board of Trustees for the term beginning March 1, 2013 and ending January 31, 2014.

Trustee Blakeslee opened the floor for nominations for the office of Vice President of the Board. Trustee Robinson nominated Trustee Aubrey Patterson, the motion
was seconded by Trustee Smith. There being no further nominations, the
nominations were closed. All Trustees legally present and participating voted in the
affirmative, therefore, it was

RESOLVED, that Trustee Aubrey Patterson was elected as Vice President of the Board for
a term, beginning March 1, 2013.

INFORMATION AGENDA
Presented by Commissioner Hank M. Bounds

REAL ESTATE
1. SYSTEM - The Board received the Real Estate items that were approved by the Board staff
subsequent to the October 18, 2012 Board meeting in accordance with Board Policy 904 Board
Approval. (See Exhibit 2.)

LEGAL
2. SYSTEM - The Board received a report of the payment of legal fees to outside counsel. (See
Exhibit 3.)

ADMINISTRATION/POLICY
3. SYSTEM - The following items have been approved by the Commissioner on behalf of the Board
and are available for inspection in the Board Office.
   a. MSU - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The
Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in
an amount equal to or less than $100,000.” On November 5, 2012, the Commissioner
approved the request to enter into a multi-year lease with Stephen J. Rosenthal d/b/a M &
K Development. This agreement is for the lease of approximately 1,350 square feet of space
in Indianola, MS to house the Mississippi Child Care Resource & Referral Network
resources library and offices of the Early Learning Guidelines project. The most recent lease
of this space expired in May 2012. Since then, MSU has been leasing on a month-by-month
basis. Other properties were considered; however, the Lessor agreed to provide the space
to MSU at a 40% discount. The new lease term will be for a five year period – December
1, 2012 through November 30, 2017. MSU will pay $550 per month for the lease of the
space. The total cost for the lease term is $33,000. In addition to rent costs, MSU will be
responsible for utilities and internet services. The Lessor will provide routine maintenance
for the property. This agreement is funded externally by a grant through the Mississippi
Department of Human Services. The Executive Office legal staff have reviewed and
approved the contract documents.
   b. MSU - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The
Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in
an amount equal to or less than $100,000.” On November 9, 2012, the Commissioner
approved the request to enter into a revenue generating lease agreement with the United
States of America acting by and through the USDA’s Animal and Plant Health Inspection
Service. This agreement is for the lease of 1,704 square feet of office space in the J.S. Scales
Building on the MSU campus to be used by researchers, technicians and project leader(s) for the National Wildlife Research Center. The lease term will run for a five-year period. In return for the lease of the designated space, MSU will receive an annual rent payment of $17,880. The total rent to be received for the five-year lease term is $89,400. The university, as Lessor, will provide utilities, parking, janitorial services, and maintenance and landscaping services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.

c. **UM** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On December 10, 2012, the Commissioner approved the request for budget revisions to the Off Campus budget. The Executive Office financial staff have reviewed and approved these revisions. The budget revision contains no increases in total budgets but rather reallocations amongst individual expense categories. A copy of the documents are included in the January 17, 2013 Board Working File.

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.” On November 13, 2012, the Commissioner approved a Fixed Periodic Payment Schedule with Olympus America, Inc. for equipment used in performing digestive disorder endoscopy procedures. The proposed Schedule will be governed by the same Master Lease Agreement that was approved by the IHL Board in October 2012. The proposed FPP Schedule is for the provision of two (2) pieces of equipment for use in performing endoscopy procedures and treating digestive disorders in UMMC’s Adult GI Lab. In addition, the equipment is compatible with multiple types of scopes and may be used for additional types of screenings. If approved, the lease term will run for a two (2) year period. UMMC will pay $4,012.51 per month for the lease of the equipment. The total cost for the lease term is $96,300.24. Because it is anticipated that the equipment will be used frequently, UMMC is opting for a fixed payment schedule rather than a cost per procedure (CPP) schedule. At the end of the lease term UMMC has the option of purchasing the equipment at a purchase price of fair market value. During staff’s review of the current request, the master services agreement and the associated two-year CPP Schedule approved at the Board’s October 2012 meeting, was checked again. We have validated that this is a different set of equipment and supplies that is used in performing digestive disorder and broncho-pulmonary endoscopy procedures in UMMC’s Adult GI Lab. As a reminder, the costs associated with the CPP Schedule are based on a charge of $24.55 per procedure. UMMC estimated it will perform approximately 7,200 procedures during the two (2) year agreement term for an estimated total cost of $176,760. The Executive Office legal staff have reviewed and approved the contract documents.

e. **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 November 20, 2012, the Commissioner approved the request to enter into a revenue generating lease agreement with New Polymer Systems, Inc. This agreement is for the lease of approximately 577 square feet of office and laboratory space in USM’s Accelerator Building. The proposed lease space includes 372
square feet of office space and 205 square feet of laboratory space for use by Lessee’s scientists and support personnel. The lease term will run for an initial twelve (12) month period and may be extended for an additional twelve (12) month period upon notice by the Lessee prior to the end of the then current lease term and subsequent Commissioner approval. In return for the lease of the designated space, USM will receive an annual rent payment of $11,440. The university, as Lessor, will provide utilities, janitorial services and routine maintenance services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.

f. USM - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than $100,000.” On December 19, 2012, the Commissioner authorized retroactive approval of a lease agreement with Albert Moore Homebuilders, Inc (Moore). Cheryl Mowdy, Assistant Commissioner for Finance and Administration, contacted Steve Ballew, Director of Procurement and Contractual Services, to determine the circumstances surrounding the request for retroactive approval. According to Mr. Ballew, USM management discovered that the Principal Investigator on an externally funded grant entered into this agreement upon receipt of a Requisition to issue a Purchase Order to accompany the lease payments. The request for retroactive approval dates back to the start date of this “current” lease, October 1, 2012; however, no lease payments have been issued for this period. Effective August 2012, USM management communicated to campus departments that any document with terms and conditions must be reviewed by either Legal Counsel or Procurement, and signed by only those to whom the President delegated such signature authority. Mr. Ballew indicated that he addressed this particular case directly with the offending Principal Investigator and the Sponsored Programs Department. Additionally, USM did want to disclose that a previous lease with this entity was processed in the 2011 without the proper approvals. Mr. Ballew indicated USM will continue to conduct trainings with Sponsored Programs, New Department Chair Orientations and other smaller units emphasizing the appropriate approval process for such agreements. Specifics related to current request for Commissioner Approval: The agreement is for the lease of approximately 3,000 square feet of office space for project staff of the Mississippi Law Enforcement Liaison Office in Pearl, Mississippi, which is affiliated with the Police Traffic Services Law Enforcement program at USM. The purpose of placing staff in this location is to provide technical assistance and on-site training to all Mississippi law enforcement agencies. The lease term is for a twelve (12) month period, October 1, through September 30, 2013. USM will have the option to renew the lease for an additional twelve (12) month period upon ninety (90) days-notice to Lessor, and by obtaining the Commissioner’s approval should the grant funding continue to be made available. USM is paying $1,650 monthly for the lease of the space. The total cost for the twelve (12) month lease term is $19,800. In addition, USM is responsible for payment of utilities at the leased premises. This agreement is funded by the Mississippi Office of Highway Safety via a grant from the
U.S. Department of Transportation. The Executive Office legal staff have reviewed and approved the contract documents.

g. **USM** - In accordance with Board Policy 301.0702 Duties of the Commissioner “The Commissioner is authorized to conduct the day to day administrative affairs of the Board. . .” On December 19, 2012, the Commissioner approved the execution of a Consent Letter related to an existing 1997 lease agreement between The City of Hattiesburg (City), the Board of Trustees of State Institutions of Higher Learning (Board) and Alltel Communications, LLC d/b/a Verizon Wireless (Successor in interest to Cellular XL Associates, LP d/b/a Cellular One) (Alltel). The 1997 Lease agreement, which was executed by Dr. Thomas D. Layzell, allowed Verizon/Alltel to locate communications equipment on property owned by the City and by USM. In addition, the agreement provided for the installation of an emergency generator at the equipment site at such time as Verizon/Alltel as Lessee opted to install one. At this time, Verizon wishes to exercise its option to install an emergency generator on the site. The Executive Office legal staff have reviewed and approved the contract documents.

h. **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 January 7, 2013, the Commissioner approved the request to enter into a revenue generating lease agreement with Southpointe Distributors, LLC (Southpointe), a pharmaceutical and medical device producer and distributor. This agreement is for the lease of approximately 1,425 square feet of office space in USM’s Accelerator Building. The lease term will run for an initial two (2) year period, from January 1, 2013 through December 31, 2014, and may be extended for an additional twelve (12) month period upon approval by the Commissioner. In return for the lease of the designated space, USM will receive a rent payment of $26,125 for Year 1 of the agreement and $28,500 for Year 2 of the agreement. Should the parties opt to extend the lease agreement for a third year, USM will again receive an annual amount of $28,500. The total amount paid to USM for the three (3) year period will be $83,125. The university, as Lessor, will provide utilities, janitorial services and routine maintenance services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees 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 litigation matters at one of the public universities,
Discussion of two personnel matters at two of the public universities, and
Discussion regarding the prospective leasing of land by one of the public universities.

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

On motion by Trustee Patterson, seconded by Trustee Robinson, all Trustees legally present and participating voted unanimously to authorize Commissioner Bounds to enter into the appropriate contract with The Registry to utilize Dr. Portia Coleman-Shields as the Interim President of Mississippi Valley State University. Dr. Coleman-Shields will report directly to Dr. Al Rankins, Associate Commissioner of Academic and Student Affairs, who reports directly to the Commissioner.

The Board discussed and deliberated over Dr. Arthur Chu’s request for a Board review of his denial of tenure and promotion by Delta State University. On motion by Trustee Perry, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously as recommended by legal counsel to deny Dr. Arthur J. Chu’s request to review Delta State University’s decision to deny tenure and promotion.

On motion by Trustee Dye, seconded by Trustee Pickering, all Trustees legally present and participating voted unanimously to approve the proposed settlement of Tort Claim No. 1813, styled as *Davie Miller vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Dye, seconded by Trustee Owens, with Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the proposed settlement of Tort Claim No. 1695, styled as *LeMarion Walker vs. UMMC, et al.*, as recommended by counsel.

The Board discussed a prospective leasing of land by one of the public universities, but no action was taken.

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

On motion by Trustee Robinson, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to waive Board Policy 201.0509 Institutional Executive Officer/Commissioner of Higher Education Search Process subsection (j) Second Interviews which requires a 48 hour waiting period before the Board Search Committee can make a final decision on which candidate to invite back for the second round of interviews.
MINUTES OF THE BOARD OF TRUSTEES OF
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ADJOURNMENT

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

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

________________________________________
Commissioner, Board of Trustees of State Institutions of Higher Learning
## EXHIBITS

<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
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<tbody>
<tr>
<td>Exhibit 1</td>
<td>Approved amendments to Board Policy 102.06 Diversity Statement effective immediately.</td>
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<tr>
<td>Exhibit 2</td>
<td>Real Estate items that were approved by the IHL Board staff subsequent to the October 18, 2012 Board meeting.</td>
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<td>Exhibit 3</td>
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102.06 DIVERSITY STATEMENT

One of the strengths of Mississippi is the diversity of its people. This diversity enriches higher education and contributes to the capacity that our students develop for living in a multicultural and interdependent world. Our system of government, rooted in respect for all people and respect for each individual, is based on understanding. Dealing with this diversity continues to be a challenge. Embracing diversity of thought, cultural background, experience, and identity helps to foster inclusive and intellectually enriched campus communities that maximize opportunities for success among all students and employees.

As one of the qualities essential to Mississippi’s success, diversity creates the rich environments so critical to democratic, real-world learning. Since population projections show that by 2025 the American workforce will be predominantly comprised of people of color, access to higher education for historically underserved individuals is also in our best interest. The Board believes that institutions of higher learning have a moral and educational responsibility to ensure that talent is developed in all our citizens, and that our universities, individually and collectively, are strengthened by diversity in student bodies, faculties, administration, and in all areas offering employment opportunities, including construction, financing, and consulting. Increasing access and success among all populations assists the state of Mississippi in meeting its enrollment and degree completion goals as well as advancing critical economic development.

This diversity statement applies to citizens or lawful residents of the United States who are: African American, Hispanic, Asian American, American Indian, Alaskan Native, and Female.

This statement shall be applicable to the various institutions and the Board Office.

The Board recognizes the desirability importance for campus environments to promote multicultural diversity and to increase the ensure that all aspects of institutional practice affirm our commitment to access and success, with particular attention to heightening participation and achievement of minority students underrepresented individuals, as defined by each institution and its mission and approved by the IHL Board. To that end, the Board adopts the following goals for higher education in Mississippi:

1. To increase the enrollment and graduation rate of minorities underrepresented students at our institutions;
EXHIBIT 1
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2. To increase the employment of minorities underrepresented individuals in administrative, faculty and staff positions;

3. To enhance the overall curriculum by infusion of content educational experience through infusion of curricular content and co-curricular programming that enhances multicultural awareness and understanding; and

4. To increase the use of underrepresented minority professionals, contractors, and other vendors.

The Board recognizes that the full and meaningful implementation of this statement and these goals requires that a high priority be assigned to this endeavor; therefore, the Board will require that the performance evaluation of all institutional executive officers and the Commissioner include this as one of diversity outcomes as among the most significant elements. The Board also expects the institutional executive officers and the Commissioner to incorporate appropriate diversity metrics into the performance evaluation in their units and in the establishment of goals and performance evaluation of the institutions and organizations.
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE NOVEMBER 15, 2012 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.

1. ASU – GS 101-291 – Rowan Hall
   Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Barnard and Sons Construction, LLC, the lower of three (3) bidders, for a total contract amount of $2,117,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.
   Staff Approval Date: April 20, 2012
   Project Initiation Date: August 18, 2011
   Design Professional: Duvall Decker Architects, P.A.
   General Contractor: Barnard & Sons
   Contract Award Date: April 20, 2012
   Project Budget: $2,250,000.00
   Funding Source(s): HB 1722, L’09 ($850,000); HB 1701, L’10 ($1,150,000); SB 3100, L’11 ($250,000)- IHL/DFA Discretionary Funds

2. ASU– GS 101-291 – Rowan Hall
   Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $133,534.00 and ninety (90) additional days to the contract of Barnard and Sons Construction, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.
   Staff Approval Date: November 6, 2012
   Change Order Justification: Change Order #1 is necessary to repair existing masonry conditions and asbestos abatement discovered in the utility tunnel.
   Total Project Change Orders and Amount: One (1) change order for a total amount of $133,534.00.
   Project Initiation Date: August 18, 2011
   Design Professional: Duvall Decker Architects, P.A.
   General Contractor: Barnard and sons Construction, LLC.
   Contract Award Date: April 20, 2012
   Project Budget: $2,250,000.00
   Funding Source(s): HB 1722, L’09 ($850,000); HB 1701, L’10 ($1,150,000); SB 3100, L’11 ($250,000)- IHL/DFA Discretionary Funds
3. **ASU – GS 101-292 – Bowles Hall Renovations**
   
   **Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Burris/Wagnon Architects, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.
   
   **Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved request to advertise for receipt of bids. Approval is requested from the Bureau of Building, Grounds, and Real Property.
   
   **Staff Approval Date:** October 19, 2012
   
   **Project Initiation Date:** June 16, 2011
   
   **Design Professional:** Burris/Wagnon Architects
   
   **General Contractor:** TBA
   
   **Contract Award Date:** TBA
   
   **Project Budget:** $8,200,000.00
   
   **Funding Source(s):** SB 3100, L’11 ($7,200,000); HB 1701, L’10 ($1,000,000)

   
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of $18,164.27 and zero (0) additional days to the contract of Dynamic Fire Protection, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.
   
   **Staff Approval Date:** November 14, 2012
   
   **Change Order Justification:** Change Order #1 is necessary to provide a new 6” valve and fire hydrant to replace the existing one at the south side of Lawler-Harkins, to provide labor & equipment to remove & replace pavement for the exploratory locating of the undefined fire main at the south side of Lawler-Harkins, to provide wet tap for the new fire main located across the street on the east side of Lawler-Harkins and to provide piping for the future water valves relocated in the exterior mechanical room at Lawler-Harkins.
   
   **Total Project Change Orders and Amount:** One (1) change order for a total amount of $1,088,247.00.
   
   **Project Initiation Date:** August 16, 2009
   
   **Design Professional:** LPK Architects, P.A.
   
   **General Contractor:** Dynamic Fire Protection, LLC
   
   **Contract Award Date:** July 13, 2011
   
   **Project Budget:** $1,088,247.00
   
   **Funding Source(s):** HB 1722, L’09 ($1,082,965.87); HB 1641, L’08 ($5,281.13)

5. **DSU – GS 102-237 – Caylor White/Walters – Phase III**
   
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Panola Construction Company, Inc., the lower of four (4) bidders, for a total contract amount of $14,384,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.
   
   **Staff Approval Date:** November 16, 2012
6. **JSU – GS 103-266– Mechanical Upgrades Phase II**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #2 in the amount of $17,296.88 and forty (40) additional days to the contract of Buford Plumbing Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval Date:** November 6, 2012

   **Change Order Justification:** Change Order #2 is necessary to provide labor, materials & equipment to install four (4) new duct-mounted smoke detectors at F.D. Hall. Scaffolding is to be built to the RTU from below for installation & testing as well as in the adjoining stairwell to allow conduit installation above the existing ceilings back to the fire alarm panel. The penthouse unit will be piped in EMT as well as new power signal cabling piped above the existing ceilings to the fire alarm panel.

   **Total Project Change Orders and Amount:** Two (2) change orders for a total amount of $50,772.88.

7. **MSU– GS 113-130 – Necropsy Renovation**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #5 in the amount of $52,457.04 and four (4) additional days to the contract of T. L. Wallace Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval Date:** November 16, 2012

   **Change Order Justification:** Change Order #5 is necessary to provide & install a 6’ chain link gate, to provide & install safety eyes to the gate at the temporary road, as well as the permanent gate, to demolish the existing screen wall, to furnish & install additional rock to extend the walkway at the round pen, to provide & install 3 can light fixtures and 2 access panels, to furnish & install a new 100 ampere panel board, to relocate the 10” water main outside of the footprint of the building and to credit for not providing the new round pen, instead installing the existing round pen.

   **Total Project Change Orders and Amount:** Five (5) change order for a total amount of $558,807.73.
8. MUW – GS 104-178 – Fant Library Renovation, Phase I

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $28,466.40 and five (5) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 17, 2012

Change Order Justification: Change Order #1 is necessary to provide all material, labor, supervision, general conditions, overhead, and profit to abate asbestos pipe insulation discovered in the existing steam tunnel section scheduled for demolition and to also provide all material, labor, supervision, general conditions, overhead and profit to reconnect an existing sump pump located in the steam tunnel as the demolition will disrupt the power to this sump pump.

Total Project Change Orders and Amount: One (1) change order for a total amount of $28,466.40.

Project Initiation Date: November 20, 2003
Design Professional: Burris/Wagnon Architects, P.A.
General Contractor: West Brothers Construction
Contract Award Date: July 13, 2010
Project Budget: $6,800,000.00
Funding Source(s): SB 3100, L’11 ($5,952,000) – ($952,000 BOB IHL Discretionary Funds); HB 1701, L’10 ($848,000)

9. MVSU – GS 106-201 – Library Enhancements Phase II

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval. Board staff approved Change Order #3 in the amount of $20,936.64 and thirty (30) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #4: In accordance with Board Policy §904 (A) Board Approval. Board staff approved Change Order #4 in the amount of $555,949.34 and forty-nine (49) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: November 13, 2012

Change Order Justification: Change Order #3 is necessary to modify gypsum board furr-downs & to add gypsum board and finishes above the windows at the existing exterior walls, to modify ductwork, to patch the bottom edge & exposed back face of the precast panels at the soffit and to deduct for duplicate time for concurrent work. Change Order #4 is necessary to add back items removed in CO #1 which include seating and
information 106A & 204A and Comp 106B, 106C, 204B and 204C including millwork, drywall, finishes, mechanical & electrical, ductwork changes at AHU-7 to rectify conflicts and to repair existing decking & penetrations and install new TPO roof on existing boiler building.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of $1,622,123.52.

**Project Initiation Date:** February 22, 2008

**Design Professional:** Duvall Decker Architects, P.A.

**General Contractor:** Harrell Contracting Group, P.A.

**Contract Award Date:** October 10, 2011

**Project Budget:** $11,500,000.00

**Funding Source(s):** Ayers ($9,000,000); HB 1722, L’09 ($2,500,000)

10. UM– GS 107-302 – Lamar Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of $541,293.47 and forty-five (45) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** November 2, 2012

**Change Order Justification:** **Change Order #3** is necessary to add alternate #3 to the contract due to large areas of floor patch spalling off existing floor finishes, re-tensioning & custom fabricated wire end plates at multiple points, to install moisture-resistant gypsum board to resist any moisture migrations until the building envelope repairs could be completed, the need to add a French drain at the southwest side of the building and tie it into the existing storm sewer system due to subsurface water infiltration and to replace numerous breaker panels at the cost of the panels only.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of $398,325.00.

**Project Initiation Date:** August 20, 2009

**Design Professional:** Barlow Eddy Jenkins Architects

**General Contractor:** Evan Johnson & Sons Construction, Inc.

**Contract Award Date:** December 16, 2011

**Project Budget:** $7,300,000.00

**Funding Source(s):** HB 1722, L’09 ($3,000,000); HB 1701, L’10 ($2,000,000); Internal R&R ($2,300,000)

11. UM– IHL 207-341 – Thad Cochran Natural Product Center Phase II

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of $59,832.00 and thirty-one (31) additional days to the contract of Carothers Construction, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the credit amount of $519,297.00 and zero (0) additional days to the contract of Carothers Construction, Inc.

**Staff Approval Date:** November 2, 2012
Change Order Justification: Change Order #1 is necessary to perform additional work to abate the existing steam tunnel serving the NCNP auditorium & the unforeseen terra cotta pipe discovered adjacent to the steam tunnel. Change Order #2 is necessary to deduct for building controls management allowance, to perform revised modifications at lay down area at Coulter/Library Annex Parking area, use of 5700 square feet of grassed areas to be used as contractor lay down & storage area to restore with sod at completion of project, to remove existing chain link fence, omit the original fence line and provide a construction fence, to protect all existing utilities, to remove construction fence at the completion of project, to provide temporary steam line to ensure the building operation security in the heating season and for the convenience of the university and also provides a dependable heating source for the animal center & the research center, additional cost to transport employees from “kudzu” lot to the reduced lay down areas.

Total Project Change Orders and Amount: Two (2) change orders for a total credit amount of $459,465.00.

Project Initiation Date: May 20, 2010
Design Professional: Cooke Douglass Farr Lemons Architects
General Contractor: Carothers Construction, Inc.
Contract Award Date: August 22, 2012
Project Budget: $40,000,000.00
Funding Source(s): Self-Generated Funds ($7,198,380.00); C76HF10917 ($17,866,175); NIH/NCRR (ARRA) ($13,915,445); USDA ($1,000,000)

12. UM– IHL 207-345 – University Housing – Package A
Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #10 in the amount of $8,593.55 and zero (0) additional days to the contract of D. Carroll Construction.
Staff Approval Date: November 6, 2012
Change Order Justification: Change Order #10 is necessary to provide & install new asphalt paving at the existing parking lots on the west & north sides of the site.
Total Project Change Orders and Amount: Ten (10) change orders for a total amount of $125,618.61.
Project Initiation Date: November 18, 2010
Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture
General Contractor: D. Carroll Construction
Contract Award Date: June 22, 2011
Project Budget: $39,314,500.00
Funding Source(s): Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)

13. UM – IHL 207-345 – University Housing – Package B
Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #8 in the credit amount of $360.00 and zero (0) additional days to the contract of Panola Construction Company, Inc.
Staff Approval Date: November 6, 2012

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Change Order Justification: Change Order #8 is necessary to deduct for patch &
painting of drywall damaged by other trades.
Total Project Change Orders and Amount: Eight (8) change orders for a total amount
of $154,809.01.
Project Initiation Date: November 18, 2010
Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint
Venture
General Contractor: Panola Construction Company, Inc.
Contract Award Date: May 24, 2011
Project Budget: $39,314,500.00
Funding Source(s): Self-Generated Funds ($9,314,500.00); EBC Bonds
($30,000,000.00)

14. UM – IHL 207-345 – University Housing – Package F
Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board
staff approved Change Order #12 in the amount of $763.00 and zero (0) additional days
to the contract of EMJ Corporation.
Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board
staff approved Change Order #13 in the credit amount of $15,993.00 and zero (0)
additional days to the contract of EMJ Corporation.
Staff Approval Date: #1 (November 6, 2012); #2 (November 8, 2012)
Change Order Justification: Change Order #12 is necessary to relocate interior signs
closer to the door frames at the center stairwells where single leaf doors replaced the
original double leaf door opening, to refinish & repaint the walls where the signs were
relocated and to install additional signage at other locations. Change Order #13 is
necessary to deduct for the cost to re-clean the closet shelving & millwork following
installation issues.
Total Project Change Orders and Amount: Thirteen (13) change orders for a total
credit amount of $76,732.38.
Project Initiation Date: November 18, 2010
Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint
Venture
General Contractor: EMJ Corporation
Contract Award Date: June 22, 2011
Project Budget: $39,314,500.00
Funding Source(s): Self-Generated Funds ($9,314,500.00); EBC Bonds
($30,000,000.00)

15. UM – IHL 207-345 – University Housing – Package G
Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board
staff approved Change Order #11 in the amount of $469.22 and zero (0) additional days
to the contract of Clinton Interiors, Inc.
Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board
staff approved Change Order #12 in the amount of $15,238.40 and zero (0) additional
days to the contract of Clinton Interiors, Inc.
**EXHIBIT 2**

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**Staff Approval Date:** November 8, 2012  
**Change Order Justification:** Change Order #11 is necessary to repair damage to ceiling tile in the north building caused by a sprinkler line leak. **Change Order #12** is necessary to replace compromised items in the north and south buildings to ensure student living environments were free of any moisture damage.  
**Total Project Change Orders and Amount:** Twelve (12) change orders for a total amount of $217,481.48.  
**Project Initiation Date:** November 18, 2010  
**Design Professional:** Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture  
**General Contractor:** Clinton Interiors, Inc.  
**Contract Award Date:** June 22, 2011  
**Project Budget:** $39,314,500.00  
**Funding Source(s):** Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)

16. UM – IHL 207-345 – University Housing – Package H  
**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of $4,247.00 and zero (0) additional days to the contract of Specialty Finishes, Inc.  
**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of $11,880.39 and zero (0) additional days to the contract of Specialty Finishes, Inc.  
**Staff Approval Date:** November 8, 2012  
**Change Order Justification:** Change Order #5 is necessary to patch & paint drywall damaged by other trades. **Change Order #6** is necessary to replace compromised items in the north & south building to ensure student living environments were free of any moisture damage.  
**Total Project Change Orders and Amount:** Six (6) change orders for a total amount of $31,483.39.  
**Project Initiation Date:** November 18, 2010  
**Design Professional:** Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture  
**General Contractor:** Specialty Finishes, Inc.  
**Contract Award Date:** August 9, 2011  
**Project Budget:** $39,314,500.00  
**Funding Source(s):** Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)

17. UM – IHL 207-345 – University Housing – Package I  
**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the credit amount of $640.00 and zero (0) additional days to the contract of F.L. Crane & Sons, Inc.
Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the credit amount of $996.00 and zero (0) additional days to the contract of F.L. Crane & Sons, Inc.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #5 in the amount of $8,018.40 and zero (0) additional days to the contract of F.L. Crane & Sons, Inc.

Staff Approval Date: November 8, 2012

Change Order Justification: Change Order #3 is necessary to deduct for repair to elevator tolerances due to heavy loads from pallets of flooring. Change Order #4 is necessary to deduct for credit for the carpet that was to be installed in the office of all three buildings in the north building 325, south building 325 and the west building 320. The vinyl tile that has been installed will stay in place. Change Order #5 is necessary to replace compromised items in the north & south buildings to ensure student living environments were free of any moisture damage.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of $7,250.25.

Project Initiation Date: November 18, 2010
Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture
General Contractor: F.L. Crane & Sons, Inc.

Project Budget: $39,314,500.00
Funding Source(s): Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)

18. UM – IHL 207-345 – University Housing – Package J

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #2 in the amount of $640.00 and zero (0) additional days to the contract of Thyssenkrupp Elevator Corporation.

Staff Approval Date: November 8, 2012

Change Order Justification: Change Order #2 is necessary to repair elevator tolerances due to heavy load from pallet of flooring.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of $5,920.00

Project Initiation Date: November 18, 2010
Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture
General Contractor: Thyssenkrupp Elevator Corporation

Contract Award Date: June 22, 2011
Project Budget: $39,314,500.00
Funding Source(s): Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)
19. UM – IHL 207-345 – University Housing – Package K

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $2,640.00 and zero (0) additional days to the contract of Fireline, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the amount of $4,249.78 and zero (0) additional days to the contract of Fireline, Inc.

Staff Approval Date: November 8, 2012

Change Order Justification: Change Order #3 is necessary to relocate the existing fire hydrant out of the handicap sidewalk at the entrance from the north parking lot. Change Order #4 is necessary to patch & paint drywall damage by other trades, repair of damaged ceiling tile in the north building and the cost to lower the existing water main on the east side of the south building in order to achieve proper coverage.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of $8,116.98

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Fireline, Inc.

Contract Award Date: May 24, 2011

Project Budget: $39,314,500.00

Funding Source(s): Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)

20. UM – IHL 207-345 – University Housing – Package L

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #11 in the amount of $3,331.00 and zero (0) additional days to the contract of Ivey Mechanical, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #12 in the amount of $7,998.00 and zero (0) additional days to the contract of Ivey Mechanical, Inc.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #13 in the amount of $4,341.00 and zero (0) additional days to the contract of Ivey Mechanical, Inc.

Staff Approval Date: November 8, 2012

Change Order Justification: Change Order #11 is necessary to provide laundry water meters with pulse readout for connection to the energy management system. Change Order #12 is necessary to provide & install collapsible shower dams at all ADA showers to eliminate water overflow from showers. Change Order #13 is necessary to replace compromised items in the north and south buildings to ensure student living environments were fee of any moisture damage.

Total Project Change Orders and Amount: Thirteen (13) change orders for a total credit amount of $180,026.71

Project Initiation Date: November 18, 2010
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**Design Professional:** Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture
**General Contractor:** Ivey Mechanical, Inc.
**Contract Award Date:** June 2, 2011
**Project Budget:** $39,314,500.00
**Funding Source(s):** Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)

21. **UM – IHL 207-345 – University Housing – Package M**
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #11 in the amount of $2,332.27 and zero (0) additional days to the contract of Whitfield Electric Company, Inc.
   **Staff Approval Date:** November 8, 2012
   **Change Order Justification:** Change Order #11 is necessary to provide & install additional scope items – the circuit for the irrigation system at the south building and re-feeding the existing pole lights at the west building, adding the receptacle & raceway for the key boxes of all three buildings and relocating the exit signs in the stairwells in the west building.
   **Total Project Change Orders and Amount:** Eleven (11) change orders for a total credit amount of $9,995.95
   **Project Initiation Date:** November 8, 2010
   **Design Professional:** Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture
   **General Contractor:** Whitfield Electric Company, Inc.
   **Contract Award Date:** May 24, 2011
   **Project Budget:** $39,314,500.00
   **Funding Source(s):** Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)

22. **UM – IHL 207-348 – Johnson Commons West Renovation**
   **Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Schematic Design Documents as submitted by Tipton Associates, A Professional Architectural Corporation.
   **Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Design Development Documents as submitted by Tipton Associates, A Professional Architectural Corporation.
   **Staff Approval Date:** October 17, 2012
   **Project Initiation Date:** June 16, 2011
   **Design Professional:** Tipton Associates, A Professional Architectural Corporation
   **General Contractor:** TBA
   **Contract Award Date:** TBD
   **Project Budget:** $14,500,000.00
   **Funding Source(s):** Auxiliary R&R ($14,500,000)
23. UM – IHL 207-349 – Howry Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #5 in the amount of $11,500.00 and zero (0) additional days to the contract of Hooker Construction Company.

Staff Approval Date: November 2, 2012

Change Order Justification: Change Order #5 is necessary to add new concrete sidewalks & two area drain grates and inlet boxes at the south courtyard abutting Falkner Hall & Howry Hall, install new guardrail/handrail sections at the northeast exterior handicap ramp of Howry Hall.

Total Project Change Orders and Amount: Five (5) change orders for a total credit amount of $9,995.95

Project Initiation Date: May 19, 2011
Design Professional: Dale Partners Architects, P.A.
General Contractor: Hooker Construction Company
Contract Award Date: September 30, 2011
Project Budget: $1,995,658.56
Funding Source(s): Internal R&R ($1,995,658.56)

24. UM – IHL 207-351 – Former Walmart Building Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $16,389.00 and zero (0) additional days to the contract of Murphy & Sons.

Staff Approval Date: November 6, 2012

Change Order Justification: Change Order #3 is necessary to repair elevator tolerances due to heavy loads from pallets of flooring.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $491,449.00

Project Initiation Date: November 18, 2010
Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture
General Contractor: Murphy & Sons, Inc.
Contract Award Date: June 22, 2011
Project Budget: $3,230,000.00
Funding Source(s): Internal R&R ($3,230,000)

25. UM – IHL 207-357 – Interior Heating Modifications – Natural Product Center

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Schematic Design Documents as submitted by Cooke Douglass Faarr Lemons Architects.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved a waiver of Design Development Documents.

Staff Approval Date: October 17, 2012
Project Initiation Date: March 15, 2012
Design Professional: Cooke Douglass Farr Lemons Architects
General Contractor: TBA
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Contract Award Date: TBA
Project Budget: $2,500,000.00
Funding Source(s): Internal R&R ($2,500,000)

26. UM– IHL 207-357 – Interior Heating Modifications – Natural Product Center
Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons Architects, design professional.
Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved request to advertise for receipt of bids.
Staff Approval Date: November 6, 2012
Project Initiation Date: March 15, 2012
Design Professional: Cooke Douglass Farr Lemons Architects
General Contractor: TBA
Contract Award Date: TBA
Project Budget: $2,500,000.00
Funding Source(s): Internal R&R ($2,500,000)

27. UM– IHL 207-358 – Interior Heating Modifications – Lewis Hall/Kennon Observatory
Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Contract Documents as submitted by The CGM Group, Inc., design professional.
Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved request to advertise for receipt of bids.
Staff Approval Date: November 2, 2012
Project Initiation Date: March 15, 2012
Design Professional: The CGM Group, Inc.
General Contractor: TBA
Contract Award Date: TBA
Project Budget: $1,300,000.00
Funding Source(s): Internal R&R ($1,300,000)

28. UM– IHL 207-361 – Lamar Hall Phase IIB
Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Design Development Documents as submitted by Barlow Eddy Jenkins Architects.
Staff Approval Date: October 31, 2012
Project Initiation Date: August 16, 2012
Design Professional: Barlow Eddy Jenkins Architects
General Contractor: TBA
Contract Award Date: TBA
Project Budget: $7,500,000.00
Funding Source(s): Internal R&R ($7,500,000)
29. UMMC-GS 109-210 – School of Medicine (Paving) GC-004

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $18,220.00 and ninety (90) additional days to the contract of Fountain Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 17, 2012

Change Order Justification: Change Order #1 is necessary to remove & reinstall irrigation system, piping & wiring for (5) zones, to deduct for removal of approximately 400 sq. ft. of asphalt paving (and associated curb work) from project, to change removable pipe bollards to lockable bollards, allowance & credit for gate operators, electrical equipment relocation & CCTV allowance, additional time added due to other construction activity on campus.

Total Project Change Orders and Amount: One (1) change order for a total amount of $18,220.00.

Project Initiation Date: June 16, 2011
Design Professional: CDFL + Eley and Associates – A Joint Venture
General Contractor: Fountain Construction Company, Inc.
Contract Award Date: June 29, 2012
Project Budget: $4,500,000.00
Funding Source(s): SB 3100, L’11 ($4,500,000)

30. UMMC- IHL 209-532 – Cardiovascular Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $12,127.00 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Staff Approval Date: November 2, 2012

Change Order Justification: Change Order #3 is necessary to install a new pipe at an elevation that misses the duct bank to re replace the existing pipe that was to remain and to infill the existing inlet about 6” and to perform this work a portion of the existing sidewalk will need to be removed and reinstalled, and 20 existing core drilled holes that were in question regarding how they were sealed, were filled tight with mineral wool & covered with plates which were anchored to the slab for safety reasons.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $75,655.00.

Project Initiation Date: February 18, 2010
Design Professional: Cooke Douglas Farr Lemons Architects & Engineers P.A.
General Contractor: Fountain Construction Company, Inc.
Contract Award Date: January 19, 2012
Project Budget: $20,182,526.00
Funding Source(s): EBC Bonds ($20,182,526)
31. UMMC- IHL 209-534B – Contract 2 – Parking, Roadways, and Infrastructure Renovations

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #6 in the amount of $88,921.15 and zero (0) additional days to the contract of Hemphill Construction, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #7 in the amount of $192,320.00 and zero (0) additional days to the contract of Hemphill Construction, Inc.

Staff Approval Date: (#1) November 2, 2012; (#2) November 13, 2012

Change Order Justification: Change Order #6 is necessary to install new ductbank & storm water piping to a deeper depth due to clearance issues with an existing sanitary sewer & storm sewer line and the need for an underdrain to alleviate perched water beneath the discovered medical & construction waste. Change Order #7 is necessary for adjustments to miscellaneous/ various pay items for unforeseen latent conditions during installations of new roadwork & utility installations, for modifications to existing & new electrical service switches which will diminish the impact of future services tin in and will provide a higher level of safety for workers involved in the future outage.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of $680,652.75.

Project Initiation Date: April 15, 2010
Design Professional: Cooke Douglass Farr Lemons Architects, P.A.
General Contractor: Hemphill Construction, Inc.
Contract Award Date: April 30, 2012
Project Budget: $11,150,000.00
Funding Source(s): Interest Income ($625,000); EBC Bonds 2010 ($5,500,000), 2011 ($3,000); Pending MDA ($2,025,000)

32. UMMC- IHL 209-538 – 4th (and 2nd) Floor Renovations – 764 Lakeland Building

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $14,410.00 and zero (0) additional days to the contract of Harris Constructors, Inc.

Staff Approval Date: November 2, 2012
Change Order Justification: Change Order #3 is necessary to add four “p” light fixtures in the staff parking area, to relocate existing elevator feeder & mini-split circuit to allow a pathway for the new duct, to relocate existing control wire, conduit & tubing to accommodate new duct installation at the 1st floor mechanical room wall, to modify partition walls in the front of windows in order to leave windows exposed, to remove lower cabinetry in room storage 226 and store for owner’s future use, to seal penetrations caused by existing plumbing in the new walls, and to relocate/remove existing sewer lines in IT room 252.

Total Project Change Orders and Amount: Three (3) change orders for a total credit amount of $33,655.00.

Project Initiation Date: October 21, 2010
Design Professional: Dale and Associates Architects, P.A.
General Contractor: Harris Constructors, Inc.
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**Contract Award Date:** October 8, 2012  
**Project Budget:** $5,915,536.00  
**Funding Source(s):** Restricted Funds ($5,915,536)

33. **UMMC- IHL 209-540 – School of Dentistry Restorative Lab Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the **credit amount** of $6,385.67 and fifteen (15) additional days to the contract of Benson Builders and Properties, Inc.

**Staff Approval Date:** November 14, 2012

**Change Order Justification:** **Change Order #4** is necessary for the purchase of a Donor Recognition Plaque/area (credit), for the actual mounting & revisions in two different areas not included in the contract documents, an addition of accent lights, adjustments for an additional electrical outlet for owner–furnished furnaces & additional support to boil out units and a gas pressure regulator required but not included in the contract documents.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of $89,137.98.

**Project Initiation Date:** February 17, 2011  
**Design Professional:** Mark S. Vaughan, Architect  
**General Contractor:** Benson Builders and Properties, Inc.  
**Contract Award Date:** July 5, 2011  
**Project Budget:** $1,510,000.00  
**Funding Source(s):** Patient Revenue & tuition Fees ($785,600); Tuition ($724,400)


**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the **credit amount** of $16,685.18 and zero (0) additional days to the contract of J.F. Pate and Associates Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** October 19, 2012

**Change Order Justification:** **Change Order #7** is necessary to raise the fire sprinkler piping to coordinate with the ceiling & window heights, substituting stucco system on the back of the entrance parapets in lieu of roof flashing, adding a transom above door 100-A, ship ladder modifications, work related to providing & installing ornamental steel gates in lieu of a chain link fence, a deduct for work related to cabling modification, and a deduct for work related to mixing valve modifications serving the emergency showers.

**Total Project Change Orders and Amount:** Seven (7) change orders for a total amount of $1,577,757.65.

**Project Initiation Date:** January 21, 2010  
**Design Professional:** Studio South/Allred Architectural Group  
**General Contractor:** J.F. Pate and Associates Contractors, Inc.  
**Contract Award Date:** July 25, 2011  
**Project Budget:** $12,292,109.24
Funding Source(s): HB 1641, L’08 ($249,488.02); SB 2010, L’04 ($6,031,955.11); SB 2988, L’03 ($1,279,656.30); SB 3197, L’03 ($231,009.81); SB 3100, L’11 ($1,500,000.00); HB 1701, L’10 ($3,000,000.00)

35. USM – IHL 208-297, Dorm Replacement Phase II (Demolition)
   Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to M & M Services, Inc., the lower of six (6) bidders, for a total contract amount of $1,164,480.00.
   Staff Approval Date: November 8, 2012
   Project Initiation Date: April 15, 2010
   Design Professional: The McCarty Company, P.A.
   General Contractor: M & M Services, Inc.
   Contract Award Date: November 8, 2012
   Project Budget: $55,000,000.00
   Funding Source(s): EBC Bonds ($55,000,000) IHL approved bond sale - not to exceed this amount.

36. USM – Gulf Park - IHL 214-018 – Central Mechanical Plant Expansion
   Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to J.F. Pate & Associates Contractors, Inc., the lower of eight (8) bidders, for a total contract amount of $1,320,500.00.
   Staff Approval Date: October 31, 2012
   Project Initiation Date: October 18, 2012
   Design Professional: Studio South Architects, PLLC
   General Contractor: J.F. Pate Architects & Associates Contractors, Inc.
   Contract Award Date: October 31, 2012
   Project Budget: $1,500,000.00
   Funding Source(s): Designated Funds ($1,500,000)

37. ERC – 111-051 – ADA & Code Compliance
   Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Schematic Design Documents as submitted by Dale Partners Architects. Approval is requested from the Bureau of Building, Grounds, and Real Property.
   Staff Approval Date: November 14, 2012
   Project Initiation Date: November 17, 2011
   Design Professional: Dale Partners Architects
   General Contractor: TBA
   Contract Award Date: TBA
   Project Budget: $1,500,000.00
   Funding Source(s): HB 1701, L’11 R&R ($1,500,000)
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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 Mayo Mallette (statement dated 11/6/12) from the funds of the Mississippi Board of Trustees of State Institutions of Higher Learning. (This statement, in the amount of $184.50, represents services and expenses in connection with *Jackson HMA, LLC et al. vs. Mississippi Department of Health, et al.*)

**TOTAL DUE** .......................................................... $184.50

Payment of legal fees for professional services rendered by Baker Donelson (statements dated 10/3/12 and 11/5/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $958.00 and $420.00, respectively, represent services and expenses in connection with litigation advice.)

**TOTAL DUE** .......................................................... $1,378.00

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 8/3/12, 8/3/12, 8/30/12, 9/25/12, 9/28/12, 10/10/12, 10/22/12 and 11/12/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $40.00, $5,102.52, $5,649.50, $7,211.30, $4,604.24, $1,633.50, $820.06 and $256.50, respectively, represent services and expenses in connection with general legal, litigation and tort claims advice.)

**TOTAL DUE** .......................................................... $25,317.62

Payment of legal fees for professional services rendered by Currie, Johnson, Griffin, Gaines & Myers (statement dated 10/16/12) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $5,379.93, represents services and expenses in connection with tort claims advice.)

**TOTAL DUE** .......................................................... $5,379.93

Payment of legal fees for professional services rendered by Kitchens Hardwick (statements dated 9/6/12, 9/10/12, 10/12/12, 10/2/12, 10/2/12, 10/2/12, 10/2/12, 10/2/12 and 10/2/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,544.22, $4,884.47, $2,953.50, $495.00, $1,666.50, $4,966.50, $775.50, $1,567.50 and $9,372.00, respectively, represent services and expenses in connection with litigation advice.)

**TOTAL DUE** .......................................................... $28,225.19
Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 10/5/12, 10/5/12, 10/17/12, 11/9/12, 11/9/12 and 11/9/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $13,864.71, $165.00, $874.62, $2,638.50, $2,016.60 and $14,280.96, respectively, represent services and expenses in connection with tort claims advice.)

TOTAL DUE..........................................................$ 33,840.39

Payment of legal fees for professional services rendered by Scott, Sullivan, Streetman & Fox (statements dated 10/10/12 and 11/9/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $219.50 and $553.50, respectively, represent services and expenses in connection with tort claims advice.)

TOTAL DUE..........................................................$ 773.00

Payment of legal fees for professional services rendered by Steen Dalehite & Pace (statements dated 9/30/12, 9/30/12, 10/15/12, 11/6/12 and 11/6/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $6,019.62, $7,205.43, $264.30, $3,953.80 and $1,433.15, respectively, represent services and expenses in connection with tort claims advice.)

TOTAL DUE..........................................................$ 18,876.30

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 10/17/12 and 10/19/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,162.50 and $4,180.58, respectively, represent services and expenses in connection with tort claims advice.)

TOTAL DUE..........................................................$ 5,343.08

Payment of legal fees for professional services rendered by Wilkins & Tipton (statements dated 10/18/12, 10/18/12, 10/18/12, 10/18/12, 10/18/12, 10/25/12, 10/26/12, 11/7/12, 11/7/12, 11/7/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $363.00, $132.00, $193.50, $102.70, $4,247.50, $5,076.90, $678.90, $445.50, $561.00 and $2,999.42, respectively, represent services and expenses in connection with workers’ compensation matters.)

TOTAL DUE..........................................................$ 14,800.42
Legal fees approved for payment to outside counsel in relation to patent and other matters:

Payment of legal fees for professional services rendered by Valauskas Corder (statement dated 11/19/12) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Cathcart Fire Ant Control” - $500.00.)

TOTAL DUE.........................................................$  500.00

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 10/11/12) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Patent Function Enhancement of Antimicrobials” - $783.75; “Giant Myscanthis Provisional Plant Patent Application” - $4,227.50; “System and Method for Charging Rechargeable Batteries” - $1,306.25; “Bermudagrass Plant” - $973.75; “Occidinofungin, a Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - $164.17; “Occidinofungin, a Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - $1,405.00; “Occidinofungin, a Unique Antifungal Glycopeptide - PCT Application” - $522.50; “Crape myrtle Plant Named ‘Neshoba’ ” - $855.00; “Crape myrtle Plant Named ‘Pascagoula’ ” - $878.75; “Crape myrtle Plant Named ‘Sequoyah’ ” - $855.00; “Crape myrtle Plant Named ‘Shumaka’ ” - $736.25; “Crape myrtle Plant Named ‘Tishomingo’ ” - $855.00; “Change Analyst” - $1,783.75; “Diethylene Tricarbamide and Diethylene Tricarbamide-Formaldehyde Condensation Resins” - $2,148.75; “Elusieve Service Mark” - $475.00; “‘BERBENT’ Word Mark” - $325.00; “Micanthus Plant Named ‘MSU-MFL1’ ” - $1,005.00; “Method for Realizing High Efficiency Clean Combustion with Combinations of High Cetane and Low Cetane Fuels with Smart Injection Strategies” - $125.00; “Occidinofungin, a Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - $2,625.25 and “Occidinofungin, a Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - $3,661.42.)

TOTAL DUE.........................................................$ 25,712.09

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 9/24/12, 9/24/12 and 10/20/12) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Cache Mapping Technology Matter” - $500.50; “Complexes and Compounds for Light Emitting Applications” - $42.50 and “Cache Mapping Technology Matter” - $430.00, respectively.)

TOTAL DUE.........................................................$  973.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/19/12, 3/19/12, 3/19/12, 3/19/12, 3/19/12, 3/19/12, 10/19/12, 10/19/12, 10/19/12, 10/19/12 and 10/19/12 ) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “A Stable Plasmonic Cluster of Molecular Definition” - $744.00; “Particle Feeder for Coal Combustion Studies” - $665.50; “Highly Purified Amphotericin-B” - $124.00; “High
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Speed Data Compression based on Set-Associative Cache Mapping Techniques” - $64.00; “Gas Separating Membranes” - $868.00; “Corrugated and Ported Prism Engine Nozzle for Reduction of Supersonic Jet Exhaust Noise” - $450.00; “Gas Separating Membranes” - $273.00 and “Stabilized Formulations of Triamcinolone Acetonide” - $100.00, respectively.)

**TOTAL DUE**.................................................................$ 3,288.50

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statement dated 7/25/12) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $3,483.00, represents services and expenses in connection with intellectual property advice.)

**TOTAL DUE**.................................................................$ 3,483.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/20/12, 9/18/12, 9/18/12, 9/18/12, 9/18/12, 9/19/12, 10/19/12, 10/19/12, 10/19/12 and 10/19/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,170.00, $265.00, $354.50, $85.40, $712.20, $251.10, $2,347.00, $186.00, $118.60, $624.00 and $1,325.00, respectively, represent services and expenses in connection with intellectual property advice.)

**TOTAL DUE**.................................................................$ 7,438.80

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 10/5/12, 10/10/12, 10/10/12 and 10/20/12 ) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Trademark Application for the Centennial Anniversary” - $2,755.00; “Self-Repairing Oxetane-Substituted Chitosan Polyurethane Networks” - $922.50; “Photocurable Thiol-Ene Gas Permeability Membranes” - $517.50 and “Lockhead - Oil Dispersant Patent” - $4,828.60, respectively.)

**TOTAL DUE**.................................................................$ 9,023.60

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 10/15/12) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Method for Front Matching Stereo Vision” - $1,502.50; “Soy Protein Adhesives and Uses Thereof” - $2,018.75; “Application for Registration of D.E.E.P. Comprehension Service Mark” - $47.50; “Glycerol Ester-Free Functionalized Vegetable Oil Derivatives and their Latex Compounds” - $118.75; “Nanoencapsulation of Isocyanates via Aqueous Media” - $1,323.75; “RNA Containing Coenzymes Biotin or Fluorophores and Methods for their Preparation and Use” - $190.00 and “SportEvac Trademark” - $760.00.)

**TOTAL DUE**.................................................................$ 5,961.25
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 17 and 21, 2013

BE IT REMEMBERED, That the University of Southern Mississippi Board Search Committee met at the Board Office in Jackson, Mississippi, on Thursday, January 17, 2013 at 12:00 p.m. At the above-named place there were present the following Committee members to wit: Dr. Ford Dye, Mr. Bob Owens, Mr. Aubrey B. Patterson, Ms. Christine Pickering and Ms. Robin J. Robinson. Mr. H. Ed Blakeslee, Ms. Karen Cummins, Mr. Shane Hooper, Mr. Hal Parker, Mr. Alan Perry, Dr. Douglas Rouse, and Mr. C.D. Smith were also present. The following members of the USM Interview Search Advisory Committee were present: Ms. Rosemary Aultman, Mayor of Clinton, MS; Ms. Lou Ann Poynter, Treasurer and Finance Committee Chair of the University of Southern Mississippi Foundation; Mr. Kim Bradley, President of the Hattiesburg City Council; Dr. Mary Ann Adams, Professor, Division of Education and Psychology at the University of Southern Mississippi Gulf Coast Campus; Mr. Michael Miles, Director of Music at the University of Southern Mississippi; Ms. April Jordan, Operations Manager, iTech Administration at the University of Southern Mississippi; and Ms. Jazmyne Butler, Student Body President at the University of Southern Mississippi. The meeting was called to order by Trustee Robin Robinson, Chair.

EXECUTIVE SESSION

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

Discussion of personnel issues concerning the search for the next president of the University of Southern Mississippi.

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

The Board conducted first-round interviews of one of the six candidates recommended by the Campus Search Advisory Committee.

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

On motion by Trustee Pickering, seconded by Trustee Owens, all Trustees legally present and participating voted unanimously to recess the University of Southern Mississippi Board Search Committee meeting until, Monday, January 21, 2013 at 6:30 p.m. to continue the discussion of the personnel issues concerning the search for the next president of the University of Southern Mississippi.

BE IT REMEMBERED, That the University of Southern Mississippi Board Search Committee met at the Board Office in Jackson, Mississippi, on Monday, January 21, 2013 at 6:30 p.m. At the above-named place there were present the following Committee members to wit: Mr. H. Ed Blakeslee (Ex Officio member), Mr. Aubrey B. Patterson, and Ms. Robin J. Robinson. Committee members Dr. Ford Dye, Mr. Bob Owens, and Ms. Christine Pickering were absent. Mr. Shane Hooper, Dr. Douglas Rouse, and Mr. C.D. Smith were also present. The following members of the USM Interview Search Advisory Committee were present: Ms.
MINUTES OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
January 17 and 21, 2013

Rosemary Aultman, Mayor of Clinton, MS; Ms. Lou Ann Poynter, Treasurer and Finance Committee Chair of the University of Southern Mississippi Foundation; Mr. Kim Bradley, President of the Hattiesburg City Council; Dr. Mary Ann Adams, Professor, Division of Education and Psychology at the University of Southern Mississippi Gulf Coast Campus; Mr. Michael Miles, Director of Music at the University of Southern Mississippi; Ms. April Jordan, Operations Manager, iTech Administration at the University of Southern Mississippi; and Ms. Jazmyne Butler, Student Body President at the University of Southern Mississippi. The meeting was called to order by Trustee Robin Robinson, Chair.

EXECUTIVE SESSION

On motion by Trustee Patterson, with Trustees Dye, Owens and Pickering absent and not voting and Trustee Blakeslee participating as an Ex Officio member, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Patterson, seconded by Trustee Blakeslee, with Trustees Dye, Owens and Pickering absent and not voting and Trustee Blakeslee participating as an Ex Officio member, all Trustees legally present and participating voted unanimously to go into Executive Session for the reason reported to the public and stated in these minutes, as follows:

Discussion of personnel issues concerning the search for the next president of the University of Southern Mississippi.

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

The Board conducted a first-round interview of one of the six candidates recommended by the Campus Search Advisory Committee.

On motion by Trustee Patterson, seconded by Trustee Robinson, with Trustees Dye, Owens and Pickering absent and not voting and Trustee Blakeslee participating as an Ex Officio member, 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 Blakeslee, seconded by Trustee Patterson, with Trustees Dye, Owens and Pickering absent and not voting and Trustee Blakeslee participating as an Ex Officio member, all Trustees legally present and participating voted unanimously to adjourn the meeting.

______________________________________________________________

President, Board of Trustees of State Institutions of Higher Learning

______________________________________________________________

Commissioner, Board of Trustees of State Institutions of Higher Learning
E IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special session at the Board Office in Jackson, Mississippi, at 8:00 a.m., and pursuant to notice in writing to each and every member of said Board, said date being at least five days prior to this January 30, 2013 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins (by phone), Dr. Ford Dye, Mr. Shane Hooper (by phone), Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Dr. Douglas Rouse, and Mr. C.D. Smith. The following members of the USM Interview Search Advisory Committee were present: Ms. Rosemary Aultman, Mayor of Clinton, MS; Ms. Lou Ann Poynter, Treasurer and Finance Committee Chair of the University of Southern Mississippi Foundation; Mr. Kim Bradley, President of the Hattiesburg City Council; Dr. Mary Ann Adams, Professor, Division of Education and Psychology at the University of Southern Mississippi Gulf Coast Campus; Mr. Michael Miles, Director of Music at the University of Southern Mississippi; Ms. April Jordan, Operations Manager, iTech Administration at the University of Southern Mississippi; and Ms. Jazmyne Butler, Student Body President at the University of Southern Mississippi. The meeting was called to order by Mr. Ed Blakeslee, President.

EXECUTIVE SESSION

On motion by Trustee Patterson, with Trustees Cummins, Hooper and Perry absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Dye, seconded by Trustee Pickering, with Trustees Cummins and Hooper participating by phone, all Trustees legally present and participating voted unanimously to go into Executive Session for the reason reported to the public and stated in these minutes, as follows:

Discussion of personnel issues concerning the search for the next president of the University of Southern Mississippi.

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

The Board conducted final round interviews of three of the six candidates recommended by the Campus Search Advisory Committee. On motion by Trustee Perry, seconded by Trustee Rouse, with Trustees Cummins and Hooper participating by phone, all Trustees legally present and participating voted unanimously to choose Dr. Rodney Bennett as the preferred candidate for the University of Southern Mississippi presidential search. Dr. Bennett will participate in open interviews on the USM Gulf Coast and Hattiesburg campuses with various university and community constituency groups.

On motion by Trustee Perry, seconded by Trustee Robinson, with Trustees Cummins and Hooper participating by phone, all Trustees legally present and participating voted unanimously to return to Open Session.
ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 30, 2013

BE IT REMEMBERED, That the Delta State University Board Search Committee met in a teleconference meeting
on January 30, 2013 at 5:30 p.m. with public attendance available at the Board Office in Jackson, Mississippi. At the
above-named place there were present the following Committee members to wit: Mrs. Karen L. Cummins (by phone),
Mr. Shane Hooper (by phone), Mr. Hal Parker, Mr. Alan Perry, Dr. Douglas Rouse, and Mr. C.D. Smith. Mr. H. Ed
Blakeslee, Dr. Ford Dye, Mr. Bob Owens, Mr. Aubrey B. Patterson, Ms. Christine Pickering, and Ms. Robin J.
Robinson also attended the meeting. The meeting was called to order by Chairman Alan Perry.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting
were recorded by name in a roll-call. Trustees Cummins and Hooper participated in the meeting by phone.
Their votes were recorded in roll-call fashion. The teleconference meeting was held to discuss a university
personnel matter.

EXECUTIVE SESSION

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

Discussion of state university personnel matter.

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

The Board discussed personnel issues concerning the search for the next president of the Delta State
University.

On motion by Trustee Parker, seconded by Trustee Hooper, with Trustees Cummins and Hooper participating
by phone, 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
Hooper, with Trustees Cummins and Hooper participating by phone, all Trustees legally present and participating
voted unanimously to adjourn the meeting.

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

__________________________________________
Commissioner, Board of Trustees of State Institutions of Higher Learning
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 7, 2013

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special session held at the Thad Cochran Center on the University of Southern Mississippi campus in Hattiesburg, Mississippi, at 12:30 p.m. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins (by phone), Dr. Ford Dye, Mr. Shane Hooper (by phone), Mr. Bob Owens (by phone), Mr. Aubrey B. Patterson (by phone), Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, and Mr. C.D. Smith. Mr. Hal Parker and Ms. Robin J. Robinson were absent. The meeting was called to order by Mr. Ed Blakeslee, President.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The meeting was held to discuss personnel issues related to the presidential search at the University of Southern Mississippi.

EXECUTIVE SESSION

On motion by Trustee Perry, seconded by Trustee Hooper, with Trustee Parker and Robinson absent and not voting and with Trustees Cummins, Hooper, Owens, and Patterson participating by phone, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Parker and Robinson absent and not voting and with Trustees Cummins, Hooper, Owens, and Patterson participating by phone, all Trustees legally present and participating voted unanimously to go into Executive Session for the reason reported to the public and stated in these minutes, as follows:

Discussion of state university personnel matter.

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

On motion by Trustee Rouse, seconded by Trustee Pickering, with Trustees Parker and Robinson absent and not voting and with Trustees Cummins, Hooper, Owens, and Patterson participating by phone, all Trustees legally present and participating voted unanimously to hire Dr. Rodney Bennett as the next president of the University of Southern Mississippi at a total salary of $375,000, which is to include a foundation and/or alumni association salary supplement as well as the state base salary, to authorize Commissioner Bounds to negotiate the start date of a standard four-year contract, and to authorize entering into a consulting contract with Dr. Bennett in the interim period prior to his start date as President.

On motion by Trustee Perry, seconded by Trustee Rouse, with Trustees Parker and Robinson absent and not voting and with Trustees Cummins, Hooper, Owens, and Patterson participating by phone, all Trustees legally present and participating voted unanimously to return to Open Session.
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 7, 2013

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Hooper, seconded by
Trustee Pickering, with Trustees Parker and Robinson absent and not voting and with Trustees Cummins,
Hooper, Owens, and Patterson participating by phone, all Trustees legally present and participating voted
unanimously to adjourn the meeting.

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

______________________________________________
Commissioner, Board of Trustees of State Institutions of Higher Learning
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 13, 2013

BE IT REMEMBERED, That the Delta State University Board Search Committee met at the Board Office in Jackson, Mississippi at 8:30 a.m. with public attendance available at the Board Office in Jackson, Mississippi. At the above-named place there were present the following Committee members to wit: Mrs. Karen L. Cummins, Mr. Shane Hooper, Mr. Hal Parker, Mr. Alan Perry, Dr. Douglas Rouse, and Mr. C.D. Smith. Mr. H. Ed Blakeslee, and Mr. Bob Owens also attended the meeting. The following members of the Interview Search Advisory Committee were present: Dr. Leslie Griffin, Dean of Education at Delta State University; Ms. Reagan Dilmore, Administrative Coordinator for University Facilities at Delta State University; Ms. Alanna Ferguson, Student Body President at Delta State University; Ms. Tanya McKinney, Associate Professor of Biology at Delta State University; Ms. April Mondy, Graduate Student at Delta State University; Mr. Billy Nowell, Mayor of Cleveland, Mississippi; Mr. Greg Redlin, Vice President of Finance at Delta State University; and Mr. Clint Wood, Chair, Division of Accountancy, Computer Information System, and Finance at Delta State University. The meeting was called to order by Chairman Alan Perry.

EXECUTIVE SESSION

On motion by Trustee Hooper, seconded by Trustee Smith, with Trustees Parker and Rouse absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Hooper, seconded by Trustee Smith, with Trustees Parker and Rouse absent and not voting, all Trustees legally present and participating voted unanimously to go into Executive Session for the reason reported to the public and stated in these minutes, as follows:

Discussion of state university personnel matter.

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

The Delta State University Board Search Committee conducted first-round interviews of five of the seven candidates recommended by the Campus Search Advisory Committee.

On motion by Trustee Hooper, seconded by Trustee Cummins, 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 Parker, all Trustees legally present and participating voted unanimously to adjourn the meeting.

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

_____________________________________________________________
Commissioner, Board of Trustees of State Institutions of Higher Learning
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 13, 2013

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in an emergency teleconference meeting held at the Board Office in Jackson, Mississippi, at 4:30 p.m. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins, Mr. Shane Hooper, Mr. Bob Owens, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering (by phone), Ms. Robin J. Robinson (by phone), Dr. Douglas Rouse, and Mr. C.D. Smith. Dr. Ford Dye and Mr. Aubrey B. Patterson were absent. The meeting was called to order by Mr. Ed Blakeslee, President.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss pressing issues at the University of Southern Mississippi related to the tornado that struck the campus on Sunday, February 10, 2013.

A motion was made by Trustee Perry, seconded by Trustee Pickering, to delegate to the Commissioner the authority to approve any purchase, contract or other legal document on behalf of the Board necessary to assist USM in dealing with any issues related to the recent tornado damage at the university that may arise in between meetings of the Board, and to require that any such Commissioner approvals must be reported to the Board at its next meeting.

The motion was amended by Trustee Perry, seconded by Trustee Hooper, to include the addendum that the delegation of authority is effective until the April 2013 Board meeting and the Board will revisit the need to extend the delegation of authority at that time. All Trustees legally present and participating voted unanimously to approve the motion as amended. Trustees Dye and Patterson were absent and not voting and Trustees Pickering and Robinson participated by phone.

Commissioner Bounds updated the Board on the status of the damage and clean up efforts on the University of Southern Mississippi Hattiesburg campus. President Blakeslee commended the university employees, Dr. Aubrey Lucas, Interim President of USM, and Dr. Rodney Bennett, President-Elect of USM, for their hard work in getting the campus up and running for classes to begin on Thursday. Vice President Owens commended Commissioner Bounds on his efforts to assist USM.

ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

1
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
February 14, 2013

BE IT REMEMBERED, That the Delta State University Board Search Committee met in a teleconference meeting on February 14, 2013 at 8:30 a.m. with public attendance available at the Board Office in Jackson, Mississippi. At the above-named place there were present the following Committee members to wit: Mrs. Karen L. Cummins, Mr. Shane Hooper, Mr. Alan Perry, and Mr. C.D. Smith. Committee members Mr. Hal Parker and Dr. Douglas Rouse were absent. Mr. H. Ed Blakeslee, and Mr. Bob Owens also attended the meeting. The following members of the Interview Search Advisory Committee were present: Dr. Leslie Griffin, Dean of Education at Delta State University; Ms. Reagan Dilmore, Administrative Coordinator for University Facilities at Delta State University; Ms. Alanna Ferguson, Student Body President at Delta State University; Ms. Tanya McKinney, Associate Professor of Biology at Delta State University; Ms. April Mondy, Graduate Student at Delta State University; Mr. Billy Nowell, Mayor of Cleveland, Mississippi; Mr. Greg Redlin, Vice President of Finance at Delta State University; and Mr. Clint Wood, Chair, Division of Accountancy, Computer Information System, and Finance at Delta State University. The meeting was called to order by Chairman Alan Perry.

EXECUTIVE SESSION

On motion by Trustee Cummins, seconded by Trustee Hooper, with Trustees Parker and Rouse absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Smith, seconded by Trustee Hooper, with Trustees Parker and Rouse absent and not voting, all Trustees legally present and participating voted unanimously to go into Executive Session for the reason reported to the public and stated in these minutes, as follows:

Discussion of state university personnel matter.

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

The Delta State University Board Search Committee conducted first-round interviews of two of the seven candidates recommended by the Campus Search Advisory Committee.

On motion by Trustee Hooper, seconded by Trustee Smith, with Trustees Parker and Rouse 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 Cummins, with Trustees Parker and Rouse absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning
1. **MSU – REQUEST FOR APPROVAL OF CONTRACTUAL SERVICES AGREEMENTS**

   a. **Agenda Item Request:** Mississippi State University (MSU) requests approval to enter into a lease agreement with **Mississippi State University Research and Technology Corporation** for the use of 15,000 square feet of space to provide office, meeting, and storage space for MSU’s National Strategic Planning and Analysis Research Center (nSPARC).

   **Contractor’s Legal Name:** Mississippi State University Research and Technology Corporation (RTC)

   **History of Contract:** This is a new agreement. Currently nSPARC is housed in the vacant Delta Chi fraternity house on the MSU campus. A search for a larger and more suitable operating space has been ongoing for several years. Delta Chi’s intent is to resume use of its building effective August 1, 2013; therefore, nSPARC must vacate the premises prior to that date.

   **Specific Type of Contract:** Lease agreement

   **Purpose:** The purpose of the agreement is for the lease of office, meeting, and storage space in the RTC-owned Powe Building. The building is located at the Thad Cochran Research, Technology and Economic Development Park which is situated adjacent to the MSU campus. The space will be used for the relocation and expansion of nSPARC. The nSPARC center performs research and conducts projects concerning complex social and economic issues at local, regional, national, and global levels.

   **Scope of Work:** The scope of work entails leasing 15,000 square feet of administrative and storage space located in the Powe Building. RTC will be responsible for providing the following:

   - routine building maintenance, and
   - insurance coverage on the building and any contents owned by RTC.

   MSU will be responsible for the following:

   - conducting business activities that are consistent with the intent of the research park,
   - allowing facility access to RTC representatives at all times,
   - monthly payment of rent,
   - payment of a pro-rata share of utilities and janitorial services for the leased space and common areas,
• maintaining general liability insurance coverage as well as coverage on all MSU owned contents, and
• obtaining written approval and assuming financial responsibility for any modifications to the property that might be necessary in order to conduct business.

Term of Contract: The term of the agreement is for three (3) years – June 1, 2013 through May 31, 2016.

Contract Amount: The base rental cost per square foot is $20.00 or $25,000 per month for the lease of the space. In addition to rental costs, MSU agrees to pay a prorated share of operating costs with an estimated monthly cost of $3,500 for utilities and $1,600 for janitorial services. The annual costs are estimated at $361,200 with a maximum estimated cost for the lease term of $1,083,600.

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

• for any reason by MSU upon ninety (90) days written notice,
• by either party upon thirty (30) days written notice for a default of the terms of the agreement,
• for a failure by MSU to pay any installment of rent as set forth by the agreement upon thirty (30) days written notice,
• upon thirty (30) days written notice in the event rentable space becomes available to MSU in any State-owned building, and
• failure by RTC to comply with the federal E-Verify program.

Funding Source of Contract: The agreement will be funded by designated funds which are generated by Facilities & Administration fees collected from externally funded projects.

Contractor Selection Process: MSU has conducted a long term search of the Starkville, MS area for available space that best suited nSPARC’s specific needs and anticipated growth. MSU indicated it could not locate an alternative site with sufficient square footage for nSPARC’s needs. It was determined that the Cochran Development Park, where the RTC-owned Powe Building is located, is the best choice because of its close proximity to the MSU campus and its service to predominantly research and/or technology oriented companies.

Staff Recommendation: Based on Board Policy 707.01, Personal Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than $100,000 is required. However, Board approval is required prior to the execution of all oil, gas and mineral leases, regardless of amount. This
agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

b. **Agenda Item Request:** Mississippi State University (MSU) requests approval to amend its online license agreement with Wiley Subscription Services, Inc. for electronic access to educational journal articles.

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

**History of Contract:** MSU has been under contract with Wiley for subscription services for a twelve (12) month period - January 1, 2012 through December 31, 2012. Since the expiration of the agreement in December, Wiley has allowed MSU use of the online journals without a written agreement in place. The proposed amendment will extend the agreement until December 31, 2013.

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

**Purpose:** The purpose of the amendment is to extend the online subscription agreement which allows MSU faculty, staff and students to electronically access to 155 online journals for educational and research purposes.

**Scope of Work:** Wiley will provide MSU’s authorized users with electronic access to the Wiley Online Library which includes a Core Collection of current journals and retrospective content dating generally back to 1997 as well as tables of content, article abstracts, and full article text and illustrations. Authorized users include students, faculty, staff, and researchers at MSU who can access, download, search, view, copy, and print articles.

**Term of Contract:** The term of the amendment is for a twelve (12) month period- January 1, 2013 through December 31, 2013.

**Contract Amount:** The total cost for the one year period is $449,832.37. This amount is based on subscription costs for 155 specified journals which range in price from $0 to $27,469.09 individually for a one year subscription.

**Termination Options:** The agreement may be terminated by either party for a material breach of the agreement upon sixty (60) days written notice of opportunity to cure by the non-breaching party.

**Funding Source of Contract:** The current agreement will be funded by E&G funds.

**Contractor Selection Process:** Wiley is the sole publisher of the online journals.
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. MVSU – REQUEST FOR APPROVAL OF A RESOLUTION FOR A GRANT APPLICATION

Mississippi Valley State University requests approval of a resolution authorizing the filing of an application to the Mississippi Department of Transportation for a grant to assist in providing transportation services.

Through an agreement with the Mississippi Department of Transportation and the Federal Transit Administration, Mississippi Valley State University provides public transportation services in four Delta counties: Humphreys, Leflore, Sunflower and Washington.

The mass transit system serves as a vital means of transportation for students to attend the university. The resolution is shown below.

AUTHORIZING RESOLUTION

The Board of Trustees of State Institutions of Higher Learning, herein referred to as the BOARD, is aware of the provisions of 49 U.S.C. 5311 of the Federal Transit Act and the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) and Moving Ahead for Progress in the 21st Century (MAP – 21). The BOARD hereby duly authorizes Dr. Alfred Rankins, acting as the Interim President on behalf of the Applicant to file an application with the Mississippi Department of Transportation for a Section 5311 Rural General Public Program grant to assist in providing transportation services. The BOARD also does hereby certify that the Applicant is eligible to apply for this grant and is not aware of any reasons or conditions that prohibit the Applicant organization or any of its staff, officers, or directors from receiving, administering or disbursing federal funds. If this application is approved: (1) the BOARD resolves that the Applicant will provide the required local match; (2) the BOARD agrees to comply with the Federal Transit Administration’s and the Mississippi Department of Transportation’s requirements as contained in the award agreement; and (3) the Applicant will carry out the project as described in the approved application. By this resolution, the BOARD officially authorizes Mississippi Valley State University to execute a contract agreement with the Mississippi Department of Transportation.

Approved and adopted the ________ day of __________, 2013.
3. UMMC – REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with Pontchartrain Lithotripsy, LLC for the use of a mobile lithotripsy unit and imaging equipment and for procedural services related to the non-invasive treatment of patients with kidney stones.

Contractor’s Legal Name: Pontchartrain Lithotripsy, LLC (Pontchartrain)

History of Contract: New agreement

Specific Type of Contract: Services agreement

Purpose: The purpose of the agreement is to provide UMMC with the use of a mobile digital lithotripter, associated imaging equipment, and procedural services for use in the performance of non-invasive kidney stone treatment. UMMC is opting to contract for the use of equipment and services as, based on the current number of procedures performed annually, it cannot justify the cost for purchasing equipment and obtaining the appropriate staff for the procedures.

Scope of Work: Pontchartrain will provide the following:

- a mobile STORZ Modulith SLX-F2 Lithotripter and Imaging system,
- trained, certified Radiology Technologists and/or staff to assist UMMC’s operating physicians and transport the mobile equipment,
- consultation as needed with nationally recognized urologists, and
- a Quality Control system for achieving a consistent level of superior patient care.
UMMC is responsible for the following:

- equipment, supplies and/or services other than those to be provided by Pontchartrain such as anesthesia, linens, adequate electrical sources, additional medical personnel,
- maintaining necessary licenses and permits,
- maintaining applicable patient records, and
- providing patients with prior written informed consent to treatment in accordance with applicable law.

**Term of Contract:** The term of the agreement is for a five (5) year period that will commence upon the execution of the agreement by both parties estimated to be March 1, 2013 through February 28, 2018.

**Contract Amount:** The total estimated contract cost for the five (5) year term is $1,120,000. This amount is based on the following fee schedule and factors identified in the agreement:

- an estimated total of 475 treatment\(^1\) procedures at a cost of $2,300 per procedure, and
- an estimated total of 50 non-treatment\(^2\) procedures at a cost of $550 per procedure.

While the fee per procedure will remain fixed for the entire term of the contract, UMMC anticipates that the estimated number of treatment procedures will increase yearly based on growth in patient volume and numbers of physicians recruited. As a result, UMMC allowed for an increment increase of five treatment procedures annually for years two through five of the contract period.

1. **Treatment** procedure may occur when an actual or attempted lithotripsy procedure is performed on a patient regardless of whether or not the procedure successfully treats the medical condition.

2. **Non-treatment** procedure does not involve the performance of lithotripsy and may occur when a patient is placed on the lithotripter table and the lithotripsy procedure is terminated or when a procedure is cancelled on the day that it is scheduled with no other procedures scheduled or performed on that day.

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

- a breach of the agreement by either party upon a fifteen (15) day notice,
- by either party at any time upon a ninety (90) day written notice,
an inability to agree to renegotiated contract terms in the event a change in law occurs that materially restricts or prohibits the rights of either party or otherwise makes it desirable for the parties to renegotiate the agreement,

- failure by Pontchartrain to comply with the federal E-Verify Program,

- a breach by Ponchartrain of any representations and warranties to UMMC as specified in the Standard Terms and Conditions Addendum, and

- a material violation by Pontchartrain of the Business Associate Addendum (HIPAA Addendum).

**Funding Source of Contract:** The current agreement will be funded by patient revenues included in UMMC’s 2012-2013 Board approved operating budget.

**Contractor Selection Process:** UMMC issued Request for Proposals (RFP) Number 1178 in September 2012. Two vendors, ForTec Litho Florida, LLC. and Pontchartrain Lithotripsy submitted price proposals. ForTec Litho Florida, LLC. was disqualified for failing to comply with the requirements of the RFP. Pontchartrain, the only remaining vendor, was selected.

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

Board Policy §902, Initiation of Construction Projects

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

Board Policy §904(A), Board Approval

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

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

1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.
2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;
3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and
4. The design professional previously approved by the Board has not changed.
If the above four conditions have been met, the Board’s Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

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

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

Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price. Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Request for approval of land contracts shall include property descriptions, terms of purchase, lease, or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.

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

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

BUREAU OF BUILDING PROJECTS

1. **JSU – GS 103-278 – School of Engineering Phase II**

   **Project Request:** Jackson State University requests approval to initiate a project, School of Engineering Phase II, and to appoint Cooke, Douglass, Farr, Lemons Architects & Engineers, P.A. as the design professional.

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

   **Purpose:** This project is a continuation of phase I of the School of Engineering building. This project will include the completion of the construction documents for five (5) additional floors; equipment for Civil Environmental Engineering Laboratories; equipment for Machine Shop and lock repair for Engineering Building. The School of Engineering is critical to the long range academic plan for Jackson State University. The construction of phase II of this project is part of the Campus Master Plan, which the space will accommodate the research areas, engineering programs, laboratories, classrooms, offices for faculty and staff.

   Jackson 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:** February 21, 2013

   **Date of Original Construction:** 2008 (Phase I)

   **Date of Last Renovation:** Not applicable
Proposed Project Budget:

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Total Project Budget $ 1,963,643.41

Proposed Funding Source(s): S.B. 2957, Laws of 2012 ($1,963,643.41)

Staff Recommendation: Board staff recommends approval of this item

2. **JSU- Initiation and Appointment of Dale Partners Architects, P.A. for the Development of a New Facilities Master Plan**

Project Request: Jackson State University requests approval to initiate a project, Development of a New Facilities Master Plan, and to appoint Dale Partners Architects, P.A., as design professional.

Purpose: The project will include Dale Partners Architects, PA’s Consulting Team preparing a new facilities master plan for the Jackson State University primary campus and three satellite campuses (Mississippi e-Center @ Jackson State University, The College of Public Service at the Jackson Medical Mall, College of Lifelong Learning - Jackson State University @ Thrash Universities Center). Jackson State University’s old Facilities Master Plan is approaching 20 years old. Due to the university’s acquisition of several new pieces of property, the old master plan has become outdated and in need of a major revision to account for the new additional pieces of property acquired since the last master plan was completed. The project is designed to engage the university leadership and the broader campus community in the development of the overall campus plan. The aim is to ensure that the campus leadership and community are vested in the vision and principles developed during the planning process, and to ensure that the plan serves as the guide for incremental decision-making relative to future building, landscape, circulation and infrastructure projects that will be carried out over the next 10-15 years. The project will be focused on the deliberate development of a consensus on key planning ideas based upon university leadership, programmatic needs, student and faculty input as well as community input.

Funding Source(s): Education and General ($458,800)
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

3. MSU – GS 113-134 – Wise Center Classroom Addition

**Project Request:** Mississippi State University requests approval to increase the project budget from $1,900,000 to $3,775,077.33 for an increase in the amount of $1,875,077.33. The university also requests approval to add funding sources for the Wise Center Classroom Addition project in order to account for the budget increase.

**Proposed Design Professional:** Pryor & Morrow

**Purpose:** This is the first budget escalation request for this project by the university. The project was initiated November 17, 2011 by the Board. The escalation in the budget is required based on the design professional’s latest design development estimate of costs. The current budget was strictly an estimate of the project costs and has since been updated to reflect the most accurate market costs.

The addition will consist of one large classroom (approximately 120 seats) and one smaller classroom. The addition will also include restrooms and mechanical areas to support these classrooms. Mississippi State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all budget increases, changes of scope and/or changes in funding source to the Board for approval.

**Project Initiation Date:** November 17, 2011

**Date of Original Construction:** 1981

**Date of Last Renovation:** First Major Renovation
Proposed Project Budget:

<table>
<thead>
<tr>
<th></th>
<th>Current Budget</th>
<th>Proposed Budget</th>
<th>Amount (±/-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Costs</td>
<td>$ 1,600,000.00</td>
<td>$ 2,800,000.00</td>
<td>$ 1,200,000.00</td>
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<tr>
<td>Architectural and</td>
<td>$ 110,000.00</td>
<td>$ 350,000.00</td>
<td>$ 240,000.00</td>
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<td>Engineering Fees</td>
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<td></td>
<td></td>
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<tr>
<td>Miscellaneous</td>
<td>$ 120,000.00</td>
<td>$ 330,000.00</td>
<td>$ 210,000.00</td>
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<tr>
<td>Project Costs</td>
<td></td>
<td></td>
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<tr>
<td>Contingency</td>
<td>$ 70,000.00</td>
<td>$ 295,077.33</td>
<td>$ 225,077.33</td>
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<td></td>
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<tr>
<td><strong>Total Project Budget</strong></td>
<td>$ 1,900,000.00</td>
<td>$ 3,775,077.33</td>
<td>$ 1,875,077.33</td>
</tr>
</tbody>
</table>

**Proposed Funding Source(s):** SB 3100, Laws of 2011 ($1,800,000); HB 1701, Laws of 2010 ($1,200,000); MSU Self-Generated tuition funds ($200,000); HB 1722, Laws of 2009 ($575,077.33)

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

**APPROVAL OF OTHER REAL ESTATE REQUESTS**

4. **ASU – Delete from Inventory and Demolish the Campus Dry Cleaners**

**Project Request:** Alcorn State University requests approval to delete the campus Dry Cleaners from inventory and demolish it.

**Purpose:** Alcorn State University is seeking to delete the campus Dry Cleaners from inventory and demolish it. The building is an old and deteriorated building that the university has no use for in the future. The university is also no longer providing dry cleaning services.

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

**Project Request:** Alcorn State University requests approval of the added provisions to a natural gas contract between the university and Claiborne Natural Gas Company to supply and transport natural gas to the Lorman campus. The amendments were made to Section V and Section X of the agreement.

**Proposed Contract Amendments:** At its October 2012 meeting, the Board of Trustees, pending approval of the Mississippi Public Service Commission (MPSC) unanimously approved Alcorn State University entering into a contract with Claiborne Natural Gas Company (CNG) to supply and transport natural gas to the Lorman campus. The contract was submitted to MPSC for review. MPSC approved the agreement, subject to two provisions being placed into the contract. They are:

1. A provision should be added to renegotiate the transportation rate to be applied after the initial six year term (a rate that should be less than the contract's current rate); and

2. A provision should be added to secure ASU's future use of the new facilities (metering station and trans- Mississippi River pipeline) through options to renew for additional six terms.

The proposed MPSC language has been inserted into the CNG contract in Sections V and X. The amended contract is being resubmitted to the Board for approval at its February meeting. In the contract the following are the proposed amendments agreed upon:

On page 3 in Section V Price, Billing and Payment, Paragraph 1 Price, add the following new paragraph: In accordance with the recommendations of the Public Service Commission as expressed in the letter dated January 8, 2013 from Virden C. Jones, Executive Director, to Leigh H. Patterson, Special Assistant Attorney General, Universities Division (a copy of which is attached as Exhibit B), prior to any renewal or extension of the initial six (6) year contract term, the parties agree to renegotiate a transportation rate to reflect that the costs incurred by Seller for completion of the new metering station and installation of the new gas pipeline across the Mississippi River have been fully recovered during the initial contract term.

On page 6 in Section X Term, put a period after “...six (6) years” and delete the last clause which reads “...and from year to year thereafter unless canceled by six
months’ notice by any party prior to the anniversary date of this agreement.” Add the following: Buyer has the option to renew this contract for additional terms of six (6) years each. Any such renewal shall include a renegotiated transportation rate as provided in Section V. Either party may cancel this contract by providing six (6) months’ written notice to the other party prior to a six (6) year anniversary date of the contract.

History: Claiborne Natural Gas, Inc. (CNG) currently serves as a transporter of natural gas to Alcorn State University (ASU) over its 21.5 mile pipeline from Fayette to the ASU campus. ASU is CNG’s sole customer. The gas enters the CNG system at Fayette over an eight (8) mile stretch of pipe of Mississippi River Gas Company (MRG) which also supplies the gas through arrangements with Atmos/Texas Eastern. Therefore ASU also pays a separate gas transportation fee to MRG for transport of the gas over MRG’s eight (8) mile pipeline connecting to CNG.

Since transportation costs are based on volumes transported rather than on distance, the costs paid by ASU to MRG for transport over its eight (8) mile run of pipe are nearly the same as it pays to CNG facilities in Fayette.

Currently ASU pays CNG a transportation rate of $4.57 per MMBtu for transporting natural gas through CNG’s pipeline. Consequently, ASU is paying two (2) transportation costs. CNG has tendered to ASU a proposed six (6) year contract (with an evergreen clause) under which ASU would pay only one (1) transportation rate instead of two (2) transportation rates, and for gas at the NYMEX “Flat” rate instead of the NYMEX “Plus” rates it currently pays.

ASU is currently paying approximately $10.02/MMBtu for gas transportation and consulting costs at NYMEX “Plus” rates to obtain gas. The proposed new CNG/ASU contract would deliver gas to ASU at the same quality and reliability for $5.50/MMBtu thus save ASU and the State of Mississippi the equivalent of the $4.45/MMBtu that ASU is paying MRG now for transportation plus the savings associated with the NYMEX “Flat” rates instead of NYMEX “Plus” rates.

CNG has an agreement with Locust Ridge Gas Company (Locust Ridge) whose line crosses the CNG pipeline one mile from the ASU campus. CNG’s proposed contract with ASU calls for CNG to transport gas to ASU for $5.50/MMBtu; completely eliminating the need for ASU to pay a separate, additional $4.45/MMBtu transportation fee to MRG. CNG would also become the supplier of gas. The proposed contract would also eliminate the need for ASU to pay a consulting fee of approximately $1.00/MMBtu to obtain natural gas at appropriate market rates, a service CNG would provide with Locust Ridge without further charge. CNG proposes to provide the gas to ASU at NYMEX “Flat” rates instead of its current
purchases at NYMEX “Plus” rates, creating a cost savings. CNG’s proposal of $5.50/MMBtu price covers installation with Locust Ridge of a new metering station and a new gas pipeline river crossing to build redundancy into the arrangements for the delivery of gas by CNG to ASU.

| Comparative Costs of Natural Gas Delivery to Alcorn State University (Prices are stated in dollars per MMBtu) |
|--------------------------------------------------|--------------------------------------------------|
| Current ASU Cost (CNG & MRG) | CNG Proposal (CNG & Locust Ridge) |
| Transport | $9.02 | $5.50 |
| Purchase Consulting/Miscellaneous Fees & Gas | Est. $1.00* and NYMEX Plus | $0.00 and NYMEX Flat |
| Annual MMBTUs | 52,682 | 52,682 |
| Cost Per MMBTU | $10.02 | $5.50** |
| Annual Cost | $527,873.64 | $289,751.00 |
| Annual Cost Savings | $0.00 | $238,122.64 |
| TOTAL | $10.02 + NYMEX Plus | $5.50 + NYMEX Flat |

*Note: Annual MMBTUs are actual MMBTUs from 2011, according to ASU

*Estimate based on consultation with experts, and includes consultation fees to obtain the most favorable NYMEX price.

**A savings of $4.52 per MMBTU.

The Legislature (in Regular Session HB 1701) authorized state general obligation bonds for projects for the universities to pay the costs of capital improvements, renovation and/or repair of existing facilities for public facilities including for ASU:

“…ASU $7,000,000 for construction of a natural gas line and related infrastructure to serve the campus and purchase of necessary rights-of-way for such gas line, repair, renovation and improvement of the water plant, and repair, renovation, and
improvement of campus infrastructure, buildings, and facilities and continuation/completion of previously authorized projects…”

The $7,000,000 of bond funds committed to ASU that ASU would not need to be spent on the gas pipeline construction if approval is given to the proposed CNG/ASU contract. The approval of this contract would then allow the university to petition the Legislature in order to seek Legislative approval to use the existing state bond funds that are currently line itemed for this project so that the funds may be used for other facility needs and priorities on the ASU campus.

**Terms of Proposed Contract:** The contract will be a six (6) year contract to begin upon written notice by CNG to ASU of the occurrence of the following two events: 1) the completion of installation of a new metering station and 2) the completion of installation of a second gas pipeline crossing across the Mississippi River, and thereafter shall remain in full force and effect for six (6) years. Buyer has the option to renew this contract for additional terms of six (6) years each. Any such renewal shall include a renegotiated transportation rate as provided in Section V. Either party may cancel this contract by providing six (6) months’ written notice to the other party prior to a six (6) year anniversary date of the contract.

The Seller shall sell and deliver the Buyer and Buyer shall receive and purchase from the Seller daily quantities of gas, subject to the provisions set out in the contract. The Buyer shall from time to time as requested by Seller, estimate the volumes of gas buyer anticipates requiring for specific periods of time during the term of the contract. Notwithstanding the above, the total volumes of gas deliverable by Seller to Buyer, shall not exceed in aggregate 2,000 MMBtu unless otherwise agreed upon by the parties in a single twenty-four (24) hour period beginning at 7:00 a.m. and 7:00 a.m. on the next day. Seller shall sell to Buyer and Buyer shall pay to Seller, for the term of this contract a total price MMBtu calculated as follows: The cost of purchasing and transporting the natural gas delivered to Buyer shall be the flat NYMEX price plus $5.50 per MMBtu. The flat NYMEX price shall be determined by the monthly Market Center Spot Gas Price for South Louisiana, Henry Hub from the first publication index in – Inside FERC’s Gas Market Report.

On or before the thirtieth (30th) day of each month, Buyer shall make payment to Seller by check for the amount due for the preceding billing month. In the event any payment due is determined late in accordance with the payment provision, interest at a rate of 7.5% per annum on the delinquent balance shall be payable by Buyer to Seller. No request for payment shall be considered past due or late until the 45th day.
after receipt by Buyer and no late payment fees, interest, or penalties shall apply in excess of those prescribed by law.

**Termination Clause:** In the event either party to this contract is in material breach or default of its obligations hereunder, then unless such breach or default is cured to the reasonable satisfaction of the other party within sixty (60) days after receipt of written notice of such breach or default, the non-defaulting party shall have the right to terminate the contract for cause by written notice of termination.

**Staff Recommendation:** The Attorney General’s Office reviewed and approved this item. Board staff recommends approval of this item.

6. **USM – Approval of Sale of Property to the Catholic Diocese of Biloxi, Mississippi, on behalf of St. Thomas Catholic Church**

**Project Request:** The University of Southern Mississippi requests approval to sell approximately 1.03 acres of property to the Catholic Diocese of Biloxi, Mississippi, on behalf of the adjacent land owner, St. Thomas Catholic Church for $31,400.

**Purpose:** The University of Southern Mississippi is seeking to sell a residential property to the Catholic Diocese of Biloxi, on behalf of St. Thomas Catholic Church for $31,400 with a closing date no later than March 1, 2013. The land is being sold because it is of very little use to the university due to the separation of the property from the main campus by a drainage ditch. The property is being purchased by the Catholic Diocese of Biloxi for St. Thomas Catholic Church, Long Beach, Mississippi because it is adjacent to their property and gives them additional property for multiple purposes. The property is located adjacent the north side of St. Thomas Catholic Church, 720 East Beach Boulevard at the east end of Third Street in Long Beach, Mississippi.

The Mississippi Legislature authorized the sale of the property during the 2012 session. H.B. 866 Laws of 2012 authorizes the Department of Finance and Administration on behalf of the Board and the university to sell the property listed below:

A parcel of land situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, lying and being situated in the Widow N. Ladner private claim in Township 8 South, Range 12 West, or 1.03 acres of land.
The University of Southern Mississippi received two independent property appraisals as required by Board Policy §905(A), Real Estate Management. The average of the two appraisals was $31,400 which is the actual sale price of the property. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The University of Southern Mississippi is acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The sale price of property shall not be below the average of the two appraisals.

Staff Recommendation: The Attorney General’s Office has reviewed and approved this item. Board staff recommends approval of this item.

7. USM – Delete from Inventory and Demolish 3601 Azalea Drive, Eagles Nest Apartments and Laundry, and Georgetown Apartments

Project Request: The University of Southern Mississippi requests approval to delete a residential property, Eagles Nest Apartments and Laundry, and Georgetown Apartments from the inventory and demolish them.

Purpose: The University of Southern Mississippi is seeking to delete the following residential properties from inventory and demolish them:

Property A: Building 872 which is located at 3601 Azalea Drive, Hattiesburg, Mississippi. This house is a 1,700 square foot wood structure and has been vacant for 9 months. The house was constructed in the 1960’s and previously the house was managed as a rental home for the university by a local realtor. Demolition will allow the university to use the property for future expansion.

Property B: Buildings 868 and 869 known as Eagles Nest Apartments and its associated laundry which is located at 211 North 35th Avenue, Hattiesburg, Mississippi. These apartments consist of 12,000 square feet and were constructed in the late 1960’s. The apartments have been vacant for over a year. They are dilapidated and have been vandalized to the point that the university had to put a chain link fence up to prevent more vandalism and liability risks. Demolition will allow the university to use the available space as a gravel parking lot.

Property C: Buildings 821, 822, 823, and 824 known as Georgetown Apartments which is located at 111 North 34th Avenue, Hattiesburg, Mississippi. These apartments were constructed in the late 1960’s and are denoted by the letters A, B, C,
and D. The complex consists of a brick two-story structure, housing 24 two-bedroom apartments within the four buildings. The apartment complex has been vacant for more than a year. It is in poor condition and the university plans to demolish the complex to provide additional parking and future space for campus 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 Office of Real Estate and Facilities. The University of Southern Mississippi is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

Staff Recommendation: Board staff recommends approval of this item.

8. **USM – Delete from Inventory and Demolish the Observatory and Tower Modules “C” and “D”**

**Project Request:** The University of Southern Mississippi requests approval to delete the Observatory, and Tower Modules “C” and “D” from the inventory and demolish them.

**Purpose:** The University of Southern Mississippi is seeking to delete the following properties from inventory and demolish them:

*Property A:* Building 203 known as the Observatory which is located across from the old Van Hook Golf Course at 200 Golf Course Road, Hattiesburg, Mississippi. The Observatory, constructed in 1970, has been obsolete and abandoned for many years. All of the astronomy equipment has been removed from the tower. While the Observatory is surrounded by a chain link fence, its location and distance from the campus allows for it to be an easy target for vandals. On many occasions the fence has been cut along with the lock to the Observatory resulting in vandalism and increased risk to the university.

*Property B:* Buildings 128 and 129 known as Tower Modules “C” and “D” which are located at 2709 West 4th Street, Hattiesburg, Mississippi. These building are situated behind Hillcrest Residence Hall and next to the water tower on the USM campus. These buildings are metal fabricated structures and are currently being used as storage buildings. The Tower Modules are in poor condition and will be moved to provide additional parking and space for 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 Office of Real Estate and Facilities. The University of Southern Mississippi is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

**Staff Recommendation:** Board staff recommends approval of this item.
1. **USM - APPROVAL TO HIRE ARMSTRONG LAW, LLC LAW FIRM AS OUTSIDE COUNSEL**

The University of Southern Mississippi requests permission to enter into a new contract with Armstrong Law, LLC as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer’s attorney fees. The terms of this contractual agreement will be for one year, for a maximum amount payable of $10,000 during the contract term. This is subject to approval by the Attorney General’s Office. The proposed fees are as indicated below:

Attorney’s Fees: Permanent Residency Processing

<table>
<thead>
<tr>
<th>FEE/EXPENSE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorney’s Fees (Labor certification)*</td>
<td>$2,250.00</td>
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<tr>
<td>Attorney’s Fees (remainder of permanent residency processing)</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>Filing Fees (Form I-140 Petition for Alien Worker)**</td>
<td>$580.00</td>
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<tr>
<td>Premium Processing Fee (optional; Expedites USCIS’s processing of Form I-140 to 15 calendar days from date of filing)**</td>
<td>$1,225.00</td>
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<tr>
<td>Filing Fees (Form I-485 Application to Adjust Status)**</td>
<td>$1,070.00</td>
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<tr>
<td>All additional work, including but not limited to, assistance in placement of required recruitment and related ad costs, if requested, and appeals of any immigration petition or application filed.</td>
<td>$225 per hour</td>
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</tbody>
</table>
*NOTE: Does not include costs of recruitment; those costs will vary depending upon the recruitment sources utilized by employer.

**NOTE: Filing fees are those currently in effect and are subject to change by US Citizenship and Immigration Services.

STAFF RECOMMENDATION: Board staff recommends approval of this item pending approval by the Attorney General.

2. USM - APPROVAL TO HIRE WARE/GASPARIAN LAW FIRM AS OUTSIDE COUNSEL

The University of Southern Mississippi requests permission to enter into a new contract with Ware/Gasparian, Attorneys at Law, as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer’s attorney fees. The terms of this contractual agreement will be for one year, for a maximum amount payable of $20,000 during the contract term. This is subject to approval by the Attorney General’s Office. The proposed fees are as indicated below:

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

- H-1B petition: $1500.00
- H-1B extension or amendment petitions: $1000.00
- TN petition or border/consulate processing: $1500.00
- TN extension petition: $1000.00
- E-3 petition or consular processing: $1500.00
- E-3 extension petition: $1000.00
- O-1 petition: $4000.00
- O-1 extension or amendment petition: $1500.00
Change of status or extension of status for dependents (I-539) no additional charge

<table>
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<tr>
<th>Service Description</th>
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<tbody>
<tr>
<td>J-1 waiver (IGA or hardship)</td>
<td>$6,000.00</td>
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<tr>
<td>J-1 waiver (Conrad)</td>
<td>$6,000.00</td>
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### Permanent Residence Process with Labor Certification: Faculty

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<tr>
<th>Service Description</th>
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<tr>
<td>“Special Handling” labor certification (must be paid by University*)</td>
<td>$2000.00</td>
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<tr>
<td>$2500.00 if position must be re-advertised</td>
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<tr>
<td>Additional fee if audited.</td>
<td>$1000.00</td>
</tr>
<tr>
<td>Immigrant petition</td>
<td>$2500.00</td>
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<tr>
<td>Adjustment of status and related applications (I-765, I-131, etc.) by employee</td>
<td>$1500.00</td>
</tr>
<tr>
<td>Adjustment of status and related applications each spouse or child</td>
<td>$750.00</td>
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*U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fees*

### Permanent Residence Process with Labor Certification: Non-Faculty

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<tr>
<th>Service Description</th>
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<td>Labor certification (must be paid by University)</td>
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<td>Additional fee if audited</td>
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<td>Additional fee if subject to supervised recruitment</td>
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<tr>
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<td>Adjustment of status and related applications (I-765, I-131, etc.) by employee</td>
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<tr>
<td>Adjustment of status and related applications each spouse or child</td>
<td>$750.00</td>
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*U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fees*

### Permanent Residence Process: Outstanding Professors and Researchers

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<td>Adjustment of status and related applications by employee</td>
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<td>Adjustment of status and related applications each spouse or child</td>
<td>$750.00</td>
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</table>

*Since labor certification is not required, employees may pay all fees*
Permanent Residence Process: National Interest Waiver

$7000.00 Immigrant petition
$1500.00 Adjustment of status and related applications by employee
$750.00 Adjustment of status and related applications each spouse or child

Since labor certification is not required, employees may pay all fees
Employee’s legal fees in all cases may be paid in monthly installments, to be arranged with attorney

STAFF RECOMMENDATION: Board staff recommends approval of this item pending approval by the Attorney General.
APPROVAL OF PERSONNEL ACTION REQUESTS

1. Change of Status

JSU

Maria Harvey, from Associate Dean, Honors College; salary $86,731 per annum, pro rata; E&G Funds; to Professor Spanish, Department of English and Foreign Languages, College of Liberal Arts; salary of $65,000 per annum, pro rata; E&G Funds; effective January 1, 2013

James Maddirala, from Associate Provost, Division of Academic Affairs Office of the Provost; salary $120,572 per annum, pro rata; E&G Funds; to Associate Professor of Education; salary of $75,000 per annum, pro rata; E&G funds; effective January 1, 2013

MVSU

Vincent Venturini, from Chair, Department of Social Work; salary of $77,205 per annum, pro rata; E&G Funds; to Interim Associate Provost for Academic Affairs; salary of $100,000 per annum, pro rata; E&G funds, effective February 1, 2013

USM

Carole Kiehl; from Dean, University Libraries; salary of $153,300 per annum, pro rata; E&G Funds; to Special Assistant to the Provost for Analysis and Planning; no change in salary; effective January 8, 2013

Melanie J. Norton; from Director and Associate Professor, School of Library and Information Science; salary of $84,814 per annum, pro rata; E&G Funds; to Interim Dean/University Librarian, University Libraries and Associate Professor, School of Library and Information Science; salary of $124,814 per annum, pro rata; effective January 7, 2013

Sabbaticals

UM – (All on nine-month contract except where denoted * for twelve-month contract)

Aileen Ajootian, Chair of Classics and Professor of Classics and Art, from salary of $80,375 per annum, pro rata; E&G Funds; to salary of $40,187 for sabbatical period; E&G Funds; effective August 22, 2013 to May 10, 2014, professional development
Ahmed Hajmohammad-Kha Al-Ostaz, Professor of Civil Engineering, *from* salary of $99,323 per annum, pro rata; E&G Funds; *to* salary of $49,661 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

*Bonnie A. Avery, Associate Professor of Pharmaceutics and Research Associate Professor in the Research Institute of Pharmaceutical Sciences, *from* salary of $102,488 per annum, pro rata; E&G Funds; *to* salary of $38,433 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

Gerard Buskes, Professor of Mathematics, salary of $101,250 per annum, pro rata; E&G Funds; *to* salary of $50,625 for sabbatical period; E&G Funds; effective January 22, 2014 to May 10, 2014; professional development

Yixin Chen, Associate Professor of Chemical Engineering, *from* salary of $96,280 per annum, pro rata; E&G Funds; *to* salary of $48,140 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

*Robert J. Doerksen, Associate Professor of Medicinal Chemistry and Research Associate Professor in the Research Institute of Pharmaceutical Sciences, *from* salary of $98,654 per annum, pro rata; E&G Funds; *to* salary of $36,995 for sabbatical period; E&G Funds; effective January 22, 2014 to May 10, 2014; professional development

Mark K. Dolan, Associate Professor of Journalism and New Media, *from* salary of $68,963 per annum, pro rata; E&G Funds; *to* salary of $34,481 for sabbatical period; effective August 22, 2013 to December 31, 2013; professional development

Nancy McKenzie Dupont, Associate Professor of Journalism, *from* salary of $66,801 per annum, pro rata; E&G Funds; *to* salary of $33,400 for sabbatical period; E&G Funds; effective January 22, 2014 to May 10, 2014; professional development

Charles Eagles, William F. Winter Professor of History, *from* salary of $118,142 per annum, pro rata; E&G Funds; *to* salary of $59,071 for sabbatical period; E&G Funds; effective January 22, 2014 to May 10, 2014; professional development

*Charles R. Gates, Chair and Professor of Music, *from* salary of $121,288 per annum, pro rata; E&G Funds; *to* salary of $45,483 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development
John R. Gutierrez, Croft Professor of Spanish, *from* salary of $97,453 per annum, pro rata; E&G Funds; *to* salary of $48,726 per annum, pro rata for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013, professional development

Mary E. Hayes, Associate Professor of English, *from* salary of $60,953 per annum, pro rata; E&G Funds; *to* salary of $30,476 for sabbatical period; effective August 22, 2013 to December 31, 2013, professional development

Jason Dale Hoeksema, Assistant Professor of Biology, *from* salary of $61,921 per annum, pro rata; E&G Funds; *to* salary of $30,960 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development (*contingent upon approval of tenure and promotion*)

Joshua H. Howard, Croft Associate Professor of History, *from* salary of $72,457 per annum, pro rata; E&G Funds; *to* salary of $36,228 for sabbatical period; E&G Funds; effective August 22, 2013 to May 10, 2014; professional development

Kirk Anthony Johnson, Associate Professor of African-American Studies and Sociology and Anthropology, *from* salary of $67,516 per annum, pro rata; E&G Funds; *to* salary of $33,758 for sabbatical period; E&G Funds; effective January 22, 2014 to May 10, 2014, professional development

*Christopher R. McCurdy, Associate Professor of Medicinal Chemistry and Pharmacology, Research Associate Professor in the Research Institute of Pharmaceutical Sciences and Co-Director of the Cobre Core-NPN/Administrative Core, *from* salary of $112,780 per annum, pro rata; E&G Funds; *to* salary of $42,292 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

Kathryn B. McKee, McMullen Associate Professor of Southern Studies and Associate Professor of English, *from* salary of $66,151 per annum, pro rata; E&G Funds; *to* salary of $33,075 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

Christopher Louis Mullen, Associate Professor of Civil Engineering, *from* salary of $93,381 per annum, pro rata; E&G Funds; *to* salary of $46,690 for sabbatical period; E&G Funds; effective January 22, 2014 to May 10, 2014; professional development
*Daniel Edmund O’Sullivan, Associate Professor of Modern Languages and Senior Fellow of Residential College, from salary of $89,598 per annum, pro rata; E&G Funds; to salary of $33,599 for sabbatical period; E&G Funds; effective August 22, 2013 to May 10, 2014, professional development

Elizabeth A. Payne, Professor of History, from salary of $86,780 per annum, pro rata; E&G Funds; to salary of $43,390 for sabbatical period; E&G Funds; effective August 22, 2013 to May 10, 2014; professional development

Rene E. Pulliam, Associate Professor of Theatre Arts, from salary of $64,829 per annum, pro rata; E&G Funds; to salary of $32,414 for sabbatical period; E&G Funds; effective January 22, 2014 to May 10, 2014; professional development,

Gene Breese Quinn, Associate Professor of Physics, from salary of $73,852 per annum, pro rata; E&G Funds; to salary of $36,926 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

Robert D. Riggs, Professor of Music, from salary of $74,148 per annum, pro rata; E&G Funds; to salary of $37,074 per annum, pro rata for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

*Marc Slattery, Professor of Pharmacognosy, Research Professor in the Research Institute of Pharmaceutical Sciences and Director of Ocean Biotechnology Center and Repository, from salary of $128,350 per annum, pro rata; E&G Funds; to salary of $48,131 for sabbatical period; E&G Funds; effective January 22, 2014 to May 10, 2014; professional development

Durant B. Thompson, Associate Professor of Art, from salary of $60,275 per annum, pro rata; E&G Funds; to salary of $30,137 for sabbatical period; effective August 22, 2013 to December 31, 2013; professional development

Annette Trefzer, Associate Professor of English, from salary of $67,258 per annum, pro rata; E&G Funds; to salary of $33,629 for sabbatical period; E&G Funds; effective January 22, 2014 to May 10, 2014; professional development

Eric T. Weber, Assistant Professor of Public Policy Leadership, from salary of $56,615 per annum, pro rata; E&G Funds; to salary of $28,307 for sabbatical period; E&G Funds; effective January 22, 2014 to December 31, 2014; professional development (contingent upon approval of tenure and promotion)
Jonathan Cole Winburn, Assistant Professor of Political Science and Director of Social Science Research Laboratory, from salary of $61,337 per annum, pro rata; E&G Funds; to salary of $30,668 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development (contingent upon approval of tenure and promotion)

Haidong Wu, Professor of Mathematics, from salary of $84,250 per annum, pro rata; E&G Funds; to salary of $42,125 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

Ahmet Yukleyen, Croft Associate Professor of Anthropology, from salary of $62,118 per annum, pro rata; E&G Funds; to salary of $31,059 for sabbatical period; E&G Funds; effective August 22 2013 to May 10, 2014; professional development

USM (All on nine-month contract)

Cherylynn Becker, Associate Professor of Management; from salary of $88,500 per annum; pro rata; E&G Funds; to salary of $39,333 for sabbatical period; E&G Funds; effective August 19, 2013 to December 31, 2013; professional development

Sean Boyd, Associate Professor of Theatre; from salary of $50,000 per annum; pro rata; E&G Funds; to salary of $25,000 for sabbatical period; E&G Funds; effective August 19, 2013 to May 20, 2014; professional development

Dana Fennell, Associate Professor of Anthropology and Sociology; from salary of $55,050 per annum; pro rata; E&G Funds; to salary of $24,467 for sabbatical period; E&G Funds; effective August 19, 2013 to December 31, 2013; professional development

Hollie Filce, Associate Professor of Curriculum, Instruction and Special Education; from salary of $69,528 per annum; pro rata; E&G Funds; to salary of $30,901 for sabbatical period; E&G Funds; effective August 19, 2013 to December 31, 2013; professional development

Bradley Green, Associate Professor of Psychology; from salary of $67,000 per annum; pro rata; E&G Funds; to salary of $29,778 for sabbatical period; E&G Funds; effective August 19, 2013 to December 31, 2013; professional development

Janet Gorzegno, Professor of Art and Design; from salary of $62,000 per annum; pro rata; E&G Funds; to salary of $31,000 for sabbatical period; E&G Funds; effective August 19, 2013 to May 20, 2014; professional development
Nicolle Jordan, Associate Professor of English; from salary of $54,435 per annum; pro rata; E&G Funds; to salary $27,217 for sabbatical period; E&G Funds; effective August 19, 2013 to May 20, 2014; professional development

Eura Jung, Associate Professor of Communication Studies; from salary of $58,992 per annum; pro rata; E&G Funds; to salary of $32,773 for sabbatical period; E&G Funds; effective January 1, 2014 to May 20, 2014; professional development

Chris Meyers, Associate Professor of Philosophy and Religion; from salary of $50,451 per annum; pro rata; E&G Funds; to salary of $22,423 for sabbatical period; E&G Funds; effective August 19, 2013 to December 31, 2013; professional development

Danilo Mezzadri, Associate Professor of Music; from salary of $55,386 per annum; pro rata; E&G Funds; to salary of $24,616 for sabbatical period; E&G Funds; effective August 19, 2013 to December 31, 2013; professional development

John Perry, Associate Professor of Mathematics; from salary of $53,236 per annum; pro rata; E&G Funds; to salary of $29,576 for sabbatical period; E&G Funds; effective January 1, 2014 to May 20, 2014; professional development

Haiyan Tian, Associate Professor of Mathematics; from salary of $63,338 per annum, pro rata; E&G Funds; to salary of $28,150 for sabbatical period; E&G Funds; effective August 19, 2013 to December 31, 2013; professional development

Shuyan Wang, Associate Professor of Curriculum, Instruction and Special Education; from salary of $59,832 per annum; pro rata; E&G Funds; to salary of $33,240 for sabbatical period; E&G Funds; effective January 1, 2014 to May 20, 2014; professional development

Fei Xue, Associate Professor of Mass Communication and Journalism; from salary of $59,202 per annum; pro rata; E&G Funds; to salary of $32,890 for sabbatical period; E&G Funds; effective January 1, 2014 to May 20, 2014; professional development
1. **ASU – APPROVAL TO AWARD TWO HONORARY DEGREES**

   Alcorn State University requests approval to bestow two honorary degrees at its May 2013 Commencement. Supporting documentation is on file at the Board Office.

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

   At the January 2013 meeting, the Board approved the university’s request to bestow an honorary degree. The agenda item should have reflected the request to bestow two honorary degrees. Therefore, the university requests approval to bestow a second honorary degree at its May 2013 commencement ceremony. Supporting documents are on file at the Board Office.
1. **JSU – REQUEST FOR OFF CAMPUS COURSE CONSIDERATION AND APPROVAL**

Jackson State University (JSU) requests IHL Board approval of courses to offer at its Madison location at 382 Galleria Parkway. JSU anticipates adjusting the course offerings from time to time, based upon the interests of students in the locality to ensure JSU is meeting their needs and aspirations. JSU thus requests that the IHL Board delegate authority to approve future off-campus course offerings at this location to the Commissioner of Higher Education.

JSU is committed to providing exceptional educational opportunities in the most convenient locations for our present and future students. JSU intends to bring to its Madison location the fully-accredited courses listed in the attached Exhibit “A.”

Offering these courses in the Madison area, which includes all of Madison County as well as surrounding areas in other nearby counties, is in the best interest of affording quality educational opportunities for the State of Mississippi and the university system. The JSU Madison area location will enable JSU and IHL to make learning more accessible and affordable to more Mississippians. It will not lead to an inappropriate or unnecessary duplication of programs. Statistics from the 2010 Census show 80% of adults in Mississippi have a high school diploma. However, only 20% of Mississippi adults hold a Bachelor's Degree. By providing convenient course schedules, including night and weekend classes, JSU intends to target underserved groups, particularly the 25-35 age group of students. This location should also be attractive for graduates from community colleges, and the course offerings are and will be designed to ease matriculation from community colleges rather than compete with their offerings. Therefore, this location will advance the goal of attracting students and enabling them to succeed.

The Madison area is a large and growing population area. Census data from 2011 indicated that the Madison County population was 96,941. The projection is that the population will reach 117,444 by 2020. Surrounding areas also have large and growing populations. This area is sufficiently populated to support additional post-secondary educational opportunities for our citizens. The Madison location will enable JSU to better meet the educational needs of metropolitan Jackson.

At this time the Madison area currently has no local site offering the opportunity to pursue a four-year degree from a public institution of higher education in the State of Mississippi. JSU, as a public institution, is supported by state appropriations which enable a lower tuition rate for residents, and thus make it easier for those students to afford attendance. The citizens who live in the Madison area are already supporting our State institutions through paying taxes, and they should have a convenient opportunity to fully enjoy the education that those institutions provide. The proposed location will reduce travel expense for students (and also save energy and reduce the carbon footprint). Another benefit is that JSU anticipates this location will also help increase diversity within its student body.
JSU holds full accreditation with the Mississippi Commission on College Accreditation (MCCA) and full accreditation with the Southern Association of Colleges and Schools-Commission on Colleges (SACS-COC). According to MCCA, the only accredited college or university now in the City of Madison is Tulane’s School of Continuing Studies (TSCS), which is a private university offering limited courses or programs. According to its publications, TSCS offers eight fields of study, including specifically the following: Applied Business Studies; Health and Wellness; Homeland Security Studies; Humanities and Social Sciences; Journalism; Liberal Arts and Sciences; Media Arts; and Paralegal Studies. Some but not all of these designated areas of study offer credentials beyond a certificate or associate’s degree. For example, TSCS provides a disclaimer that its business courses taken through its Madison campus are not accepted by Tulane’s business school, which is where Tulane grants its bachelor degrees in business.

Similarly, for students wanting to major in liberal arts and sciences, TSCS cautions that its general education requirements differ from those of the larger university, and TSCS adds that “…because most courses in these majors and minors are taught exclusively during the day at the Uptown Campus, students pay a higher tuition rate.” Of the areas of study identified by TSCS, the only reference to an advanced graduate degree is its Master of Liberal Arts, but it is unclear whether this can be obtained solely from the Madison location, or if it also requires attendance in Louisiana. With a claimed average enrollment of only 250 students at TSCS, there is ample need and opportunity in this area for JSU to expand the educational options to serve the City of Madison. A copy of the programs offered at TSCS is attached as Exhibit “B.”

TSCS’ undergraduate tuition is $312 per credit hour compared to JSU’s tuition of $250 per credit hour. TSCS advertises that every 7th credit course is free, and JSU’s undergraduate tuition rate (if calculated per hour) decreases for each hour taken over 12 per semester. By way of comparison, a student taking an average load of 15 credit hours per semester would pay approximately $4,680 at TSCS for tuition compared to $2,994 at JSU.

Also in the area is Tougaloo College, which is located on West County Line Road in Madison County. Tougaloo is a four year private institution offering Associate and Baccalaureate Degrees with approximately 900 students, almost all of whom are full-time. For traditional students, the tuition rate per credit hour is $406 ($156 more per credit hour than JSU). For non-traditional students the tuition rate is $285 per credit hour ($35 more per credit hour than JSU).

Bringing a better value by making public college education more available is in the best interest of quality education in Mississippi. There is a role for private universities and colleges. Competition promotes students finding the best value for their dollars. Further, a comparison between the offerings of TSCS, Tougaloo and JSU clearly shows that JSU will make an additional choice available that will serve the interests of students and will not unduly, unnecessarily or inappropriately duplicate offerings in the Madison area and in the greater metropolitan Jackson area.
JSU is requesting that IHL approve the offering of courses at JSU’s Madison location as discussed in this agenda item.

JSU is also requesting that the IHL Board delegate authority to authorize future off campus course offerings at JSU-Madison to the Commissioner of Higher Education.

Exhibits A & B immediately follow this item.

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

<table>
<thead>
<tr>
<th>Department</th>
<th>Course and Title</th>
<th>Semester Hours</th>
<th>UG or G</th>
<th>Time</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>BBA Degree</td>
<td>MNGT 330 Management to Organizations</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. 8:20 p.m. (MTWR)</td>
<td>COB business core course</td>
</tr>
<tr>
<td>BBA Degree</td>
<td>MNGT 350 Business Computer Applications</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. 8:20 p.m. (MTWR)</td>
<td>COB business core course</td>
</tr>
<tr>
<td>BBA Degree</td>
<td>MKT 351 Marketing Management</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. 8:20 p.m. (MTWR)</td>
<td>COB business core course</td>
</tr>
<tr>
<td>BBA Degree</td>
<td>MNGT 482 Business Ethics (Session II)</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. 8:20 p.m. (MTWR)</td>
<td>COB business core course</td>
</tr>
<tr>
<td>BBA Degree</td>
<td>FIN 317 Principles of Insurance</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. 8:20 p.m. (MTWR)</td>
<td>Elective</td>
</tr>
<tr>
<td>BBA Degree</td>
<td>GD 318 Principles of Real Estate (Session I)</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. 8:20 p.m. (MTWR)</td>
<td>Elective</td>
</tr>
<tr>
<td>BBA Degree</td>
<td>GB 350 Real Estate Sales (Session II)</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. 8:20 p.m. (MTWR)</td>
<td>Elective</td>
</tr>
<tr>
<td>BBA Degree</td>
<td>ENTR 580 Entrepreneurship (Hybrid)</td>
<td>3</td>
<td>G</td>
<td>6:00 p.m. 8:50 p.m. (TR)</td>
<td>Elective</td>
</tr>
<tr>
<td>BBA Degree</td>
<td>MNGT 350 Business Computer Applications</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. 8:20 p.m. (MTWR)</td>
<td>COB business core course</td>
</tr>
<tr>
<td>Department</td>
<td>Course and Title</td>
<td>Semester Hours</td>
<td>UG or G</td>
<td>Time</td>
<td>Rationale</td>
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<tr>
<td>Education Foundations &amp; Leadership</td>
<td>EDFL-581-Principles of Measurement</td>
<td>3</td>
<td>G</td>
<td>6:00 p.m.</td>
<td>Alternate Route for License. An extremely popular course Pre-requisite for a 3-year license.</td>
</tr>
<tr>
<td>Educational Curriculum and Instruction</td>
<td>EDCI-556-Classroom Management and Discipline</td>
<td>3</td>
<td>G</td>
<td>6:00 p.m.</td>
<td>Alternate Route for License. An extremely popular course Pre-requisite for a 3-year license.</td>
</tr>
<tr>
<td>Special Education</td>
<td>SPED-311</td>
<td>3</td>
<td>UG</td>
<td>8:30 a.m.  1:00 p.m.</td>
<td>This course is required for all teacher education majors. It is designed to cultivate culturally relevant pedagogy and research-based inclusive practices which appeal to populations interested in professional development, personal growth, and public services (e.g., business owners, charitable/philanthropic organizations, and service related institutions).</td>
</tr>
<tr>
<td>Counseling</td>
<td>COUN 315</td>
<td>3</td>
<td>UG</td>
<td>9:00 a.m.  10:00 a.m.  3:00 p.m.  6:00 p.m.</td>
<td>This course is required for all teacher education majors. It is designed to cultivate culturally relevant pedagogy and research-based inclusive practices which appeal to populations interested in professional development, personal growth, and public services (e.g., business owners, charitable/philanthropic organizations, and service related institutions).</td>
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</tbody>
</table>
## College of Liberal Arts

<table>
<thead>
<tr>
<th>Department</th>
<th>Course and Title</th>
<th>Semester Hours</th>
<th>UG or G</th>
<th>Time</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>ENG-452 - Comparative Literature</td>
<td>3</td>
<td>UG</td>
<td>TBA</td>
<td></td>
</tr>
<tr>
<td>Criminal Justice</td>
<td>CJ-483 - Special Topics</td>
<td>3</td>
<td>UG</td>
<td>TBA</td>
<td></td>
</tr>
<tr>
<td>Psychology</td>
<td>PSY-418 - Seminar: Multicultural Issues</td>
<td>3</td>
<td>UG</td>
<td>TBA</td>
<td></td>
</tr>
<tr>
<td>Philosophy</td>
<td>PHIL 301 - Introduction to Philosophy</td>
<td>3</td>
<td>UG</td>
<td>TBA</td>
<td></td>
</tr>
<tr>
<td>Mass Communications</td>
<td>MC-527 - Politics and the Press</td>
<td>3</td>
<td>G</td>
<td>TBA</td>
<td></td>
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</tbody>
</table>

## School of Lifelong Learning

<table>
<thead>
<tr>
<th>Department</th>
<th>Course and Title</th>
<th>Semester Hours</th>
<th>UG or G</th>
<th>Time</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional Interdisciplinary Studies</td>
<td>CLHR 200 Foundations of Human Resource Development</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. – 8:50 p.m. (MTWR)</td>
<td></td>
</tr>
<tr>
<td>Professional Interdisciplinary Studies</td>
<td>CLHR 215 Design, Delivery, and Facilitation of Training</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. – 8:50 p.m. (MTWR)</td>
<td></td>
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<tr>
<td>Professional Interdisciplinary Studies</td>
<td>CLHR 310 Management and Administration of the Training</td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. – 8:50 p.m. (MTWR)</td>
<td></td>
</tr>
</tbody>
</table>
EXHIBIT “A”
Jackson State University
Summer 2013 Proposed Course Offerings in Madison, Mississippi

<table>
<thead>
<tr>
<th>Professional Interdisciplinary Studies</th>
<th>Course and Title</th>
<th>Semester Hours</th>
<th>UG or G</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLHR 320 Conflict Resolution and Negotiation</td>
<td></td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. – 8:50 p.m.</td>
</tr>
<tr>
<td>CLL 301 Principle-Centered Leadership</td>
<td></td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. – 8:50 p.m. (MTWR)</td>
</tr>
<tr>
<td>CLL 383 Research Tools and Fundamentals</td>
<td></td>
<td>3</td>
<td>UG</td>
<td>6:00 p.m. – 8:50 p.m. (MTWR)</td>
</tr>
</tbody>
</table>

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<tr>
<th>College of Public Service</th>
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<tbody>
<tr>
<td><strong>Department</strong></td>
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<tr>
<td>---------------------</td>
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<tr>
<td>Public Policy &amp; Administration</td>
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<tr>
<td>Urban &amp; Regional Planning</td>
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<tr>
<td>Urban Affairs</td>
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<tr>
<td>Healthcare Administration</td>
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<tr>
<td>Gerontology</td>
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## School of Science Engineering and Technology

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<tr>
<th>Department</th>
<th>Course and Title</th>
<th>Semester Hours</th>
<th>UG or G</th>
<th>Time</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Computer Science</td>
<td>CSC 512 Computer Architecture</td>
<td>G</td>
<td></td>
<td>TBA</td>
<td>Looking to create a Master's in CSC in Madison</td>
</tr>
<tr>
<td>Technology Education</td>
<td>TE 500: Seminar Workshop with Technology</td>
<td>Graduate</td>
<td></td>
<td>Evening 6:00 p.m. to 8:50 p.m. (Monday and Wednesday)</td>
<td>This is an elective in which graduate students need 12 hours of Technology Education Electives to complete program. Location may be closer to students work and may also attract more and diverse students.</td>
</tr>
<tr>
<td>Technology Education</td>
<td>TE 515: Career Education</td>
<td>Graduate</td>
<td></td>
<td>Evening 6:00 p.m. to 8:50 p.m. (Tuesday and Thursday)</td>
<td>This is an elective in which graduate students need 12 hours of Technology Education Electives to complete program. Location may be closer to students work and may also attract more and diverse students.</td>
</tr>
<tr>
<td>Web Design</td>
<td>None</td>
<td>UG</td>
<td>6-8 p.m.</td>
<td></td>
<td>Excellent course with high Potential for employment</td>
</tr>
<tr>
<td>Earth Systems Science</td>
<td>SCI 205 Earth and Space Science</td>
<td>UG</td>
<td>6:00 8:50</td>
<td></td>
<td>This course serves as a core science option for various colleges at the university</td>
</tr>
<tr>
<td>Civil Engineering</td>
<td>EN 222 Engineering Mechanics I</td>
<td>UG</td>
<td>T&amp;R 5:00 to 8:00</td>
<td></td>
<td>This course is required by all engineering students.</td>
</tr>
</tbody>
</table>
Exhibit “B”

Programs Offered at the Tulane University School of Continuing Studies – Madison

<table>
<thead>
<tr>
<th>Program</th>
<th>CIP Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate in Accounting</td>
<td>52.0301</td>
</tr>
<tr>
<td>Minor in Accounting</td>
<td>52.0301</td>
</tr>
<tr>
<td>Certificate in Finance</td>
<td>52.0801</td>
</tr>
<tr>
<td>Minor in Accounting and Finance</td>
<td>52.0304</td>
</tr>
<tr>
<td>Associate of Applied Business</td>
<td>52.0201</td>
</tr>
<tr>
<td>Minor in Applied Business</td>
<td>52.0201</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Applied Business</td>
<td>52.0201</td>
</tr>
<tr>
<td>Associate of Applied Computing Systems &amp; Technology</td>
<td>11.0101</td>
</tr>
<tr>
<td>Minor in Applied Computing Systems &amp; Technology</td>
<td>11.0101</td>
</tr>
<tr>
<td>BS in Applied Computing Systems &amp; Technology</td>
<td>11.0101</td>
</tr>
<tr>
<td>Certificate in Human Resource Development</td>
<td>52.1001</td>
</tr>
<tr>
<td>Associate in Human Resource Development</td>
<td>52.1001</td>
</tr>
<tr>
<td>Minor in Human Resource Development</td>
<td>52.1001</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Human Resource Development</td>
<td>52.1001</td>
</tr>
<tr>
<td>Certificate in Management</td>
<td>52.1301</td>
</tr>
<tr>
<td>Certificate in Marketing</td>
<td>52.1401</td>
</tr>
<tr>
<td>Associate in Marketing</td>
<td>52.1401</td>
</tr>
<tr>
<td>Minor in Marketing</td>
<td>52.1401</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Marketing</td>
<td>52.1401</td>
</tr>
<tr>
<td>Certificate in New Ventures</td>
<td>52.0701</td>
</tr>
<tr>
<td>Associate in Digital Design</td>
<td>09.0702</td>
</tr>
<tr>
<td>Minor in Digital Design</td>
<td>09.0702</td>
</tr>
<tr>
<td>BA in Digital Design</td>
<td>09.0702</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Digital Design</td>
<td>09.0702</td>
</tr>
<tr>
<td>Associate in Journalism</td>
<td>09.0401</td>
</tr>
<tr>
<td>BA in Journalism</td>
<td>09.0401</td>
</tr>
<tr>
<td>Minor in Journalism</td>
<td>09.0401</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Journalism</td>
<td>09.0401</td>
</tr>
<tr>
<td>Program</td>
<td>CIP Code</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Associate in Media Arts</td>
<td>09.0102</td>
</tr>
<tr>
<td>BA in Media Arts</td>
<td>09.0102</td>
</tr>
<tr>
<td>Minor in Media Arts</td>
<td>09.0102</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Media Arts</td>
<td>09.0102</td>
</tr>
<tr>
<td>Associate in Public Relations</td>
<td>09.0900</td>
</tr>
<tr>
<td>BA in Public Relations</td>
<td>09.0900</td>
</tr>
<tr>
<td>Minor in Public Relations</td>
<td>09.0900</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Public Relations</td>
<td>09.0900</td>
</tr>
<tr>
<td>Associate in Small Business Development</td>
<td>52.0703</td>
</tr>
<tr>
<td>Minor in Small Business Development</td>
<td>52.0703</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Small Business Development</td>
<td>52.0703</td>
</tr>
<tr>
<td>Associate in Website Development</td>
<td>11.0801</td>
</tr>
<tr>
<td>BA in Website Development</td>
<td>11.0801</td>
</tr>
<tr>
<td>Minor in Website Development</td>
<td>11.0801</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Website Development</td>
<td>11.0801</td>
</tr>
<tr>
<td>BA in Homeland Security Studies</td>
<td>43.0302</td>
</tr>
<tr>
<td>Minor in Homeland Security Studies</td>
<td>43.0302</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Homeland Security Studies</td>
<td>43.0302</td>
</tr>
<tr>
<td>BA in Social Sciences</td>
<td>45.0101</td>
</tr>
<tr>
<td>Minor in Advertising</td>
<td>09.0903</td>
</tr>
<tr>
<td>Minor in Graphic Design</td>
<td>10.0301</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Application Development</td>
<td>11.0202</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Database Systems</td>
<td>11.0802</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Information Technology</td>
<td>11.1005</td>
</tr>
<tr>
<td>Post Baccalaureate Certificate in Internet Application Development</td>
<td>11.1004</td>
</tr>
</tbody>
</table>
2. SYSTEM – APPROVAL OF NEW ACADEMIC PROGRAMS

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

a. Alcorn State University requests permission to offer the Bachelor of Social Work degree.

- **CIP**: 44.0701
- **Hours to Degree**: 123 credit hours
- **State Need**: Mississippi needs rank at the top on almost every social indicator associated with mental health, economic and health care systems within the state. According to the Occupational Outlook Handbook, employment for social workers is projected to grow faster than the average for all occupations.
- **Employment**: Job prospects for trained social workers are expected to be favorable, particularly for social workers who specialize in the aging population or work in rural areas. Mississippi Department of Employment Security shows a 19.7% growth in the occupational employment projections from 2006 to 2016 with a total projected average annual job openings of 1,065.
- **Funding**: The total six-year cost of implementation is projected at $830,416 and will be covered with existing university funds and additional tuition revenue generated from new students.
- **Enrollment**: Approximately 505 students are projected to enroll with 295 students expected to graduate within the first six years. Enrollment is based on a 25% increase over the past three years in the number of students majoring in social work.
- **Duplication**: DSU, JSU, MSU, MVSU, UM, and USM, offer this program.
b. *Alcorn State University* requests permission to offer the *Bachelor of Science in Sport Management* degree.

- **CIP**: 31.0504
- **Hours to Degree**: 124 credit hours
- **State Need**: The US Bureau of Labor Statistics (2011) revealed data that indicated various career opportunities in sports and creation management are expected to increase by 7% from 2006 to 2016.
- **Employment**: Sport management jobs employment in [mississippi/indeed.com](http://mississippi/indeed.com) posted 476 vacancies in sport management and sport retail in the state of Mississippi (2011).
• **Funding:** The total six-year cost of implementation is projected at $172,878 and will be covered with existing university funds and additional tuition revenue generated from new students.

• **Enrollment:** Approximately 300 students are projected to enroll with 110 students expected to graduate within the first six years. Enrollment is based on an informal survey and from a high percentage of inquiries for a sport management program from incoming freshmen, junior college transfers, and student athletes.

• **Duplication:** JSU and USM offer similar programs.

<table>
<thead>
<tr>
<th>CIP</th>
<th>Degree Name</th>
<th>AY2009</th>
<th>AY2010</th>
<th>AY2011</th>
<th>3-Yr Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>JSU</td>
<td>31.0504  Sport Science</td>
<td>0</td>
<td>24</td>
<td>34</td>
<td>58</td>
</tr>
<tr>
<td>USM</td>
<td>31.0504  Sports Management</td>
<td>205</td>
<td>137</td>
<td>113</td>
<td>455</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>205</td>
<td>161</td>
<td>147</td>
<td>513</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CIP</th>
<th>Degree Name</th>
<th>AY2009</th>
<th>AY2010</th>
<th>AY2011</th>
<th>3-Yr Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>JSU</td>
<td>31.0504  Sport Science</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>USM</td>
<td>31.0504  Sports Management</td>
<td>26</td>
<td>32</td>
<td>27</td>
<td>85</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>26</td>
<td>33</td>
<td>30</td>
<td>89</td>
</tr>
</tbody>
</table>

c. **Delta State University** requests permission to offer the **Bachelor of Fine Arts** in **Digital Media Arts** degree.

• **CIP:** 50.0102

• **Hours to Degree:** 124 credit hours

• **State Need:** The Mississippi Development Authority and the Mississippi Arts Commission jointly commissioned a study of Mississippi’s creative economy. The study revealed that more than 60,700 people work in Mississippi’s creative economy. The degree will meet the educational needs of students seeking to develop careers in the rapidly growing area of digital media arts, including computer graphics, motion
graphics, sound design, video production, photography, and other fields through an interdisciplinary/multidisciplinary approach to digital media arts.

- **Employment**: The Department of Labor occupational group, *Arts, Design, Entertainment, Sports, and Media*, is the traditional market place for graduates of this program. The Bureau of Labor Statistics projects 2010-2020 employment growth nationally for this group at 12.6%, increasing demand for 1.4 million workers over the period. The MS Department of Employment Security projects 2008-2018 employment growth for Mississippi at 12.8%, with 755 total projected annual jobs opening each year.

- **Funding**: The total E & G budget for the Delta Music Institute is $313,875. There is no requested additional budget request for this program. Faculty, physical facilities (classrooms, recording facilities, laboratory space, computer labs,) software, and library holdings are currently adequate to support the proposed degree program.

- **Enrollment**: Anticipated enrollment for the first six years of the program is approximately 130 students and 61 are expected to graduate within the first six years. Enrollment projections are based upon the number of current students at DSU who are enrolled in music industry studies and graphic design programs. The basis for formulating the number of graduates expected uses recent average of graduates enrolled in music industry and graphic design courses that have indicated a need for this degree. The arrival of the new *GRAMMY Museum* is also anticipated to generate interest in the Delta Music Institute and the digital media arts programs.

- **Duplication**: No other institutions within the state offer this program.

d. *Mississippi State University-Meridian Division of Arts & Sciences* requests permission to offer the *Bachelor of Applied Technology* degree.

  - **CIP**: 51.0701
  - **Hours to Degree**: 124 credit hours
  - **State Need**: The results of an environmental assessment show a significant growth in demand (25% from 2004-2009) for Healthcare/Social Assistance employees in the area. The Bachelor of Applied Technology (BAT) degree will
have a concentration in Health Care Services. The healthcare industry is the largest employer in the region, employing over 4,000 workers in Meridian alone.

- **Employment**: The Bureau of Labor Statistics of the US Department of Labor indicates that the employment growth rate for graduates with knowledge of healthcare service management will be about 16% over the decade. The opportunity will definitely be great for those graduates with healthcare related experience as support by the BAT degree.

- **Funding**: Tuition revenue

- **Enrollment**: An estimate of 132 students is projected to enroll with 72 students expected to graduate within the first six years. The enrollment is based on students surveyed and employer requests for a BAT degree in the geographical area.

- **Duplication**: USM offers a BAT degree on its Hattiesburg and Gulf Coast campuses. MUW offers an online BAT in Professional Studies degree.

<table>
<thead>
<tr>
<th>CIP</th>
<th>Degree Name</th>
<th>Enrollment</th>
<th></th>
<th></th>
<th></th>
<th>3-Yr Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>AY2008</td>
<td>AY2009</td>
<td>AY2010</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MUW 52.0101</td>
<td>Professional Studies</td>
<td>0</td>
<td>0</td>
<td>67</td>
<td>67</td>
<td></td>
</tr>
<tr>
<td>USM 52.9999</td>
<td>Applied Technology</td>
<td>34</td>
<td>42</td>
<td>64</td>
<td>140</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>34</strong></td>
<td><strong>42</strong></td>
<td><strong>131</strong></td>
<td><strong>207</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CIP</th>
<th>Degree Name</th>
<th>Graduates</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>AY2008</td>
<td>AY2009</td>
<td>AY2010</td>
<td>3-Yr Total</td>
<td></td>
</tr>
<tr>
<td>MUW 52.0101</td>
<td>Professional Studies</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>USM 52.9999</td>
<td>Applied Technology</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>
e. University of Mississippi requests permission to offer the Master of Laws degree.

- **CIP**: 22.0101

- **Hours to Degree**: 26 credit hours

- **State Need**: The University of Mississippi School of Law offers the only certificate in Remote Sensing, Air, and Space Law in the nation. Many organizations, including the United States Navy, have expressed an interested in an advanced degree in Space Law. The Master of Laws degree would allow law graduates an opportunity to enhance their skills and training as the practice of law evolves.

- **Employment**: The program expects a 100% placement rate, because those attending will be primarily practicing attorneys who desire to expand their proficiency in a growing area of law. The fact that Mississippi’s Stennis Space Center is the only NASA Center with continued growth, and that the center will become a federal city, looking to partner with many of the state’s educational institutions, makes the degree even more compelling. Furthermore, with the recent, successful launch of a private commercial rocket, the legal issues involved in commercial space launch will continue to develop.

- **Funding**: Using existing law school resources, the six-year cost of implementation is minimal.

- **Enrollment**: Anticipated enrollment for the first six years of the program is approximately 153 students and 147 are expected to graduate within the 1st six years. The estimate of student enrollment is based on expressed interest by such groups as the Navy’s Judge Advocate General Program. The Navy will fund three officers annually to attend an LL.M. program at the University of Mississippi. Additionally, lawyers from several countries have inquired about the availability of an LL.M. program in Space Law.

- **Duplication**: No other state institutions within the state offer this program.
f. University of Southern Mississippi requests permission to offer the Master of Education in Higher Education with emphasis in Student Affairs Administration degree.

- **CIP**: 13.0406

- **Hours to Degree**: 33 credit hours

- **State Need**: Among the Southern Regional Education Board (SREB) states, predicted growth rates for postsecondary education administration positions will exceed 10% by 2016. The Mississippi Department of Employment Security anticipates a 15% increase in demand for postsecondary education administrators by 2016. The Bureau of Labor Statistics predicts than an additional 2,800 postsecondary education administration positions will be created by 2018, representing a national increase of 2.3%. The program will provide human capital in terms of graduate assistants who work in numerous student affairs capacities across the USM campus.

- **Employment**: It is predicted that by the year 2018, one third of all job openings will require a postsecondary degree. This, along with attrition rates, will create greater demands for postsecondary education administrators. A master's degree in Higher Education (Student Affairs Administration) prepares graduates for administrative positions in public and private postsecondary settings including colleges, universities, community colleges, vocational/technical schools, and fully online universities. The Department of Labor occupational group, Education Administrators-Postsecondary, is the traditional market place for graduates of this program. The Bureau of Labor Statistics projects 2010-2020 employment growth nationally for this group at 19%, increasing demand for 27,800 workers over the period. The Mississippi Department of Employment Security projects 2008-2018 employment growth for Mississippi at 11.3%, with 45 projected annual job openings each year.

- **Funding**: Due to existing doctoral programs in Higher Education offered by the department and the discontinuation of the M.Ed. in Counseling and Personnel Services, no additional faculty or resources are needed to initiate this program.

- **Enrollment**: Anticipated enrollment for the first six years of the program is approximately 100 students and 75 are expected to graduate within the first six years. The program is intended to replace an existing master’s program, Counseling, and
Personnel Services with emphasis in Student Affairs and enrollment is calculated from the existing program.

- **Duplication**: University of Mississippi offers a Master of Arts in Higher Education/Student Personnel

<table>
<thead>
<tr>
<th>CIP</th>
<th>Degree Name</th>
<th>Enrollment</th>
</tr>
</thead>
<tbody>
<tr>
<td>UM</td>
<td>13.0406 Higher Education – Student</td>
<td>CIP Degree Name</td>
</tr>
<tr>
<td></td>
<td>Personnel</td>
<td>AY2009</td>
</tr>
<tr>
<td></td>
<td></td>
<td>72</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CIP</th>
<th>Degree Name</th>
<th>Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td>UM</td>
<td>13.0406 Higher Education – Student</td>
<td>CIP Degree Name</td>
</tr>
<tr>
<td></td>
<td>Personnel</td>
<td>AY2009</td>
</tr>
<tr>
<td></td>
<td></td>
<td>13</td>
</tr>
</tbody>
</table>

g. **University of Southern Mississippi** requests permission to offer the **Master of Education** in **Dyslexia Therapy Education** degree.

- **CIP**: 13.1011

- **Hours to Degree**: 30 credit hours

- **State Need**: The recent passage of House Bills 1031 and 1032 establishes the need for Dyslexia Therapy Education programs in Mississippi. The primary criteria used to determine the need to offer the program online were the numerous requests from the Mississippi Department of Education, public school districts, legislators, and parents to provide highly trained educators to address the special needs of dyslexic students. In addition, the review of resources by faculty revealed that the online program would allow the department to better use both faculty resources and classroom space.

- **Employment**: The Department of Labor occupational group, **Special Education Teacher**, is the traditional market place for graduates of this program. The Bureau of Labor Statistics projects 2010-2020 employment growth nationally for this group at 17%, increasing demand for 77,400 workers over the period. The Mississippi Department of Employment Security projects 2008-2018 employment growth for
Mississippi at 29.3% (Special Education Teachers - Preschool, Kindergarten, and Elementary School), 29.8% (Special Education Teachers - Middle School), and 23.7% (Special Education Teachers - Secondary School) with a projected 205 annual job openings.

- **Funding**: Due to the program being comprised of courses offered on a regular basis through the departments of Curriculum, Instruction, and Special Education and Speech and Hearing Sciences, no additional faculty or resources are needed to initiate this program.

- **Enrollment**: Anticipated enrollment for the first six years of the program is approximately 135 students and 120 are expected to graduate within the first six years. Currently, there are approximately 120 Master of Education with emphasis in Elementary or Special Education. Enrollment is calculated on the number of candidates for Hattiesburg and Gulf Coast campuses who would qualify for this program.

- **Duplication**: No other state institutions offer this program. Mississippi College offers a similar program.

**STAFF RECOMMENDATION**: Board staff recommends approval of items a - g.
1. MUW – REQUEST FOR APPROVAL OF BOOKSTORE OUTSOURCING AGREEMENT

Agenda Item Request: Mississippi University for Women (MUW) requests approval to enter into a professional services agreement with Barnes and Noble College Booksellers, LLC. for bookstore management services.

Contractor's Legal Name: Barnes and Noble College Booksellers, LLC.

History of Contract: The University currently has an agreement with Follett Higher Education Group, Inc. for the management of its bookstore management services. The agreement was established in 2001 and will terminate March 10, 2013.

Specific type of contract: Bookstore Management Services Outsourcing Agreement

Purpose: The purpose of this agreement is to provide MUW with bookstore management services. In its selection of Barnes and Noble as the provider of this service, MUW will grant the right for the company to serve as the institution's exclusive buyer and seller of all required, recommended, or suggested course materials and supplies, including textbooks, course packs, computer software, textbook rentals, e-books, and other materials published or distributed electronically. This exclusive right includes, but is not limited to, supplying all educational supplies, notebooks, stationery, desk and room accessories, collegiate apparel, and the renovation of the bookstore facilities.

Scope of Work: The agreement requires Barnes and Noble to:

a. Provide up to $135,000 in capital for the MUW bookstore retrofit - It is the intent that all renovations and installations shall be completed prior to the opening of fall classes in 2013.

b. Buy back books from students at fifty percent (50%) of the customers purchase price for textbooks that have been adopted for an ensuing term - Until the Bookstore has filled its quota, Barnes and Noble will also buy back textbooks that have not been adopted for an ensuing term at the current wholesale price.

c. Purchase the textbook at wholesale price if the textbook has not been adopted for the ensuing semester or is to be replaced shortly by a revised edition according to an announcement by the publishers.

d. Sell new textbooks at no greater than (1) the publisher's list price or (2) a 25% gross margin on net priced book - Net priced books are defined as books purchased from publishers that do not have a publisher’s suggested list price or when the publisher’s discount to the bookstore is less than 20%.

e. Sell used textbooks in good condition at 25% less than the new selling price - Course packs and textbooks purchased from publishers with restrictive or non-returnable text policies will be priced at up to a 30% gross margin.
f. Offer full-time faculty and staff of MUW a 10% discount on most all merchandise available at the bookstore - MUW authorized departmental purchases will be offered a 20% discount on most merchandise available at the bookstore.

g. At the time of inventory B&N will purchase from MUW’s current vendor all used textbooks on hand that are formally adopted (in quantities not exceeding normal course requirements).

h. Price rental textbooks competitively with industry standards

i. Provide MUW an annual sales commission payment calculated on a gross sales basis - The sales commission percentages will vary depending upon the level of gross sales generated each year.

j. Pay operating costs of the Bookstore to include payroll and payroll related costs, bill paying and accounting costs, office equipment and repairs, general custodial costs, and long distance telephone services

The sales commission percentages are calculated on gross sales and will vary depending upon the level of gross sales generated each year. The commission rates are shown below:

<table>
<thead>
<tr>
<th>Gross Sales</th>
<th>Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 - $1,500,000</td>
<td>11%</td>
</tr>
<tr>
<td>$1,500,001 – above</td>
<td>12%</td>
</tr>
</tbody>
</table>

On an annualized basis, Barnes and Noble will pay the greater of either the guaranteed payment or the applicable percentage of gross sales. The guaranteed amount of commission for the first year is $150,000. The minimum guarantee fluctuates from year-to-year and is based on the succeeding year’s actual gross bookstore sales which will be no lower than 90 percent of the prior year’s calculated commissions.

A breakdown of the projected commissions, investment and contributions are as follows:

<table>
<thead>
<tr>
<th>Contract Year</th>
<th>Commissions ¹</th>
<th>Facilities and Equipment Investments</th>
<th>Scholarship Contribution</th>
<th>Annual Total ²</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$ 158,673</td>
<td>$ 135,000</td>
<td>$ 3,000</td>
<td>$ 296,673</td>
</tr>
<tr>
<td>2</td>
<td>158,673</td>
<td>3,000</td>
<td>161,673</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>158,673</td>
<td>3,000</td>
<td>161,673</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>158,673</td>
<td>3,000</td>
<td>161,673</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>158,673</td>
<td>3,000</td>
<td>161,673</td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td>$ 793,365</td>
<td>$ 135,000</td>
<td>$ 15,000</td>
<td>$ 943,365</td>
</tr>
</tbody>
</table>
1. Based upon projected annual sales of $1,442,478 (MUW's most recent annual sales volume). If annual sales average $1.75 million, the associated cumulative commissions over five years would increase to $975,000.

2. This number will fluctuate depending upon the actual sales commission experienced by MUW. See footnote (1) above for additional explanation.

This agreement requires MUW to provide:

a. heat, light, utilities and air conditioning as reasonably required for operation,

b. office furniture, file cabinets, campus telephone equipment and wiring, safes and office machines currently available for bookstore use,

c. all repairs and maintenance for the building in which the bookstore is located,

d. trash removal and extermination services,

e. the placement of an electronic link to the University’s website on the home page,

f. all debit card, credit card or other financial services made available by MUW to its students, and

g. payment within 45 days of invoiced amounts for charges made by any university departments.

Term of contract: The contract period is five (5) years – March 11, 2013 through March 10, 2018. If determined to be mutually beneficial, MUW and Barnes and Noble may renew this contract for five additional one year periods upon Board approval.

Contract Amount: The total projected revenue over the five (5) year contract is $943,365 but could increase or decrease based on annual sales volume.

Termination Options: Either party may terminate the agreement with or without cause upon 60 days written notice. If the contract is terminated early by MUW, the institution will be responsible for reimbursement to Barnes and Noble for the unamortized portion of the original $135,000 financial investment. Straight-line amortization will be used for the investment over the life of the contract.

Funding Source for Contract: The contract is a revenue contract.

Contractor Selection Process: MUW issued a Request for Proposals (RFP) in September 2012 for bookstore services scheduled to commence mid-month in March 2013. Priorities built into the RFP evaluation process centered on the following areas:

a. merchandise, policies, programs and procedures, including academic technology,

b. bookstore layout,

c. financial considerations,

d. course book and supply ordering process, and

e. transition plan.
The University structured an eleven member Bookstore RFP Review Committee comprised of the Textbook Coordinator and faculty, staff, and students. The Committee participated in the development of the RFP and the evaluation of responses. In addition to requesting that respondents propose creative solutions for management and delivery of bookstore services and operations, they were asked to submit a plan for retrofitting the bookstore in a manner that would be instrumental in supporting MUW’s strategic initiative to attract and retain students. It was expected the facility would be designed as an inviting, welcoming place for faculty, students, staff, and guests.

The committee reviewed written responses, evaluated oral presentations, visited two campuses currently managed by the companies, and checked references. A maximum of 240 points could be awarded to companies based on the following criteria:

- history, financial information, and resources – 15 points,
- bookstore facility layout plans – 35 points,
- course book and supply ordering process – 25 points,
- communication plan – 10 points,
- transition plan – 25 points,
- personnel, policies, and training – 20 points,
- merchandise, policies, programs, and procedures – 40 points,
- internal systems – 10 points,
- references – 10 points,
- value added/incentives – 15 points, and
- financial contribution – 35 points.

Three vendors responded to the RFP. The chart below summarizes the average points assigned to each vendor along with the vendor’s projected revenue commitment.

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Average of Points Assigned</th>
<th>Projected Revenue Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barnes and Noble College Booksellers, LLC</td>
<td>226.4</td>
<td>$ 943,365 (a)</td>
</tr>
<tr>
<td>Follett Higher Education Group, Inc.</td>
<td>148.9</td>
<td>$ 1,110,668 (b)</td>
</tr>
<tr>
<td>Nebraska Book Company</td>
<td>(c)</td>
<td></td>
</tr>
</tbody>
</table>

- Includes $15,000 of scholarships and $135,000 for capital investments
- Includes $5,000 of scholarships, $50,000 signing renewal bonus and $130,000 for capital investments
- Nebraska Book Company was removed from consideration after research revealed a recent Chapter 11 Bankruptcy.
Committee deliberations of these evaluation factors yielded a unanimous recommendation that Barnes and Noble be offered a contract. The Committee believed Barnes and Noble offered the best value in both services and product offerings in support of MUW’s needs. The Barnes and Noble proposal was also deemed more responsive in its focus on technology and its offering of new strategies to support MUW’s brand. Even though Follett offered greater financial incentive, the assessment by the Committee placed a higher value on Barnes and Noble’s vision for future growth and support of operations on the campus. Specific highlights of Barnes and Noble’s offerings include:

- a store design reflecting an attractive functional layout as well as offering of merchandise to reflect the campus culture,
- rental and digital textbooks,

- a comprehensive marketing plan for outreach to students inclusive of traditional and social media initiatives,
- offering of e-book “Nook” devices for enhancing technological innovations in the academic arena, and
- customized web-site with advanced eCommerce technologies.

Staff Recommendation: Based on Board Policy 707.01, Land, Property, and Service Contracts: Board approval prior to execution of all bookstore contracts projected to generate aggregate total revenues for a university of more than $250,000 is required. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

2. **UMMC – REQUEST FOR APPROVAL OF PHARMACEUTICAL WHOLESALE DISTRIBUTION SERVICES AGREEMENT**

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval of an addendum to an agreement with Morris and Dickson Corp., LLC and Novation Distribution for the provision of pharmaceutical wholesale distribution services.

Contractor’s Legal Name: Morris and Dickson Corp., LLC (Morris & Dickson)

History of Contract: This agreement is between UMMC, Novation, UMMC’s primary group organization, and Morris & Dickson. UMMC’s current contract for pharmaceutical wholesale distribution services with Cardinal Distribution expires February 28, 2013. The proposed contract with Morris & Dickson for pharmaceutical wholesale distribution services will begin March 1, 2013.
Specific Type of Contract: Addendum to add services for UMMC to the current pharmacy distribution services agreement between Novation and Morris & Dickson

Purpose: The purpose of the agreement is to provide UMMC with pharmaceutical wholesale distribution services whereby wholesale priced medications are supplied to UMMC’s in-house pharmacies for dispensing throughout the institution. The services will be provided at UMMC’s Jackson and Lexington, MS locations. The addendum allows UMMC to contract with one vendor for pharmaceutical supplies eliminating the need to deal with various drug manufacturers or maintain its own supply warehouse and distribution staff.

Scope of Work: Morris & Dickson will be responsible for the following:

a. purchasing pharmaceutical products to be used by UMMC’s in-house pharmacies,
b. warehousing, at its own expense, purchased pharmaceuticals as is necessary prior to distribution to UMMC,
c. scheduling deliveries that best meet the needs of UMMC,
d. providing up to four (4) emergency deliveries each month per pharmacy location at no extra charge (UMMC will be charged a fee of $50 per delivery for additional deliveries above the four. UMMC incorporated a contingency allowance for additional deliveries in the estimated cost.),
e. guaranteeing a product fill rate of 92.9% or above,
f. providing a designated sales representative who will serve as UMMC’s primary liaison to Morris & Dickson,
g. providing an option for electronic invoicing and/or ordering of products, and
h. providing reports detailing UMMC’s purchase history to assist in analyzing and adjusting pharmaceutical purchases.

UMMC commits to the following:

a. meeting pay requirements, such as quick pay discounts, to ensure continued receipt of an additional 4.35% discount over the base wholesale discount price, and
b. purchasing no less than 90% of all dollars spent on pharmaceutical products from Morris & Dickson.

Term of Contract: The contract length is for twenty-six (26) months – March 1, 2013 through April 30, 2015.

Contract Amount: The total estimated cost for the twenty-six (26) month period is approximately $3,949,475 per month for a total cost of $102,686,353 over the contract period. Estimated costs are based on historical usage. The agreement is expressly conditioned upon UMMC maintaining a minimum quarterly aggregate net purchase volume of ten million dollars or a total of $85 million for the contract period. Actual
costs may vary depending upon several factors including but not limited to average monthly purchase volume, increases in drug costs, and prompt payment of purchases. The estimated contract cost is calculated based on the following factors:

a. the wholesale price for products minus an additional 4.35% discount incentive for making payments within a 45 day time period and maintaining the specified minimum net purchase volume,
b. an annual 1% increase for volume growth, and
c. an annual 5% increase for other factors which may include increased cost of medication, introduction of new drugs in the market, and possible emergency deliveries to UMMC.

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

a. a breach of the agreement by either party upon sixty (60) or ninety (90) days notice of opportunity to cure and with subsequent thirty (30) days notice should the breach not be cured,
b. upon mutual agreement of the parties at any time with sixty (60) days written notice,
c. reduction of funds,
d. in the event either party becomes the subject of insolvency, bankruptcy, or receivership,
e. by UMMC for convenience upon sixty (60) days written notice,
f. by UMMC upon sixty (60) days written notice should Morris & Dickson experience a “change of control”, such as a merger with or purchase by another company,
g. by UMMC upon thirty (30) days written notice in the event Morris & Dickson’s Fill Rate performance is at or below 92.9% for two consecutive months, and/or
h. by UMMC upon sixty (60) days written notice should the base agreement between Novation and Morris & Dickson terminate.

**Funding Source of Contract:** The agreement will be funded by patient revenues currently budgeted in UMMC’s 2012-2013 Board approved operating budget.

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

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

   The IHL Self-Insured Workers’ Compensation Program is seeking Board approval for settlement of Claim Nos. 55-15741-1, 55-20797-1 and 55-34931-1 at Mississippi Valley State University.

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

2. **USM - APPROVAL TO SETTLE IHL SELF-INSURED WORKERS’ COMPENSATION CLAIMS**

   The IHL Self-Insured Workers’ Compensation Program is seeking Board approval for settlement of Claim Nos. 55-20823-1 and 55-26224-1 at the University of Southern Mississippi.

   **STAFF RECOMMENDATION:** Board staff recommends approval of this item.
1. **SYSTEM – BOARD APPROVAL OF COMMITTEE APPOINTMENTS MADE BY PRESIDENT BOB OWENS FOR MARCH 2013 – JANUARY 2014**

In accordance with Board Policy 301.03 Board Committees which requires Board approval of the committee appointments, including the proposed committee memberships and chairs, the Board Committee appointments made by President Bob Owens are submitted for approval as follows:

**STANDING COMMITTEES**

**Academic Affairs**
1. Robin Robinson, Chair
2. Ed Blakeslee
3. Ford Dye
4. Shane Hooper
5. C.D. Smith

**Finance**
1. Alan Perry, Chair
2. Karen Cummins
3. Aubrey Patterson
4. Christy Pickering
5. Robin Robinson
6. Doug Rouse

**Legal**
1. Doug Rouse, Chair
2. Ford Dye
3. Shane Hooper
4. Hal Parker
5. Aubrey Patterson
6. Alan Perry

**Real Estate**
1. Hal Parker, Chair
2. Ed Blakeslee
3. Karen Cummins
4. Christy Pickering
5. C.D. Smith
AD HOC COMMITTEES

2013 Ayers Endowment Management Committee
1. Shane Hooper, Chair
2. Ed Blakeslee
3. Robin Robinson
4. IEO – Christopher Brown II
5. IEO – Carolyn Meyers
6. President, Mississippi Valley State University
7. Commissioner Hank Bounds

Diversity
1. C.D. Smith, Chair
2. Karen Cummins
3. Shane Hooper
4. Alan Perry

The President is an Ex-Officio member of all committees.
INFORMATION

AGENDAS
MUW – Emergency Purchase

On December 21, 2012 and January 4, 2013, Mississippi University for Women’s (MUW) Executive Head, Dr. Jim Borsig, authorized emergency purchases for two five story residence halls (Frazier Hall and Jones Hall). MUW and Mississippi Math and Science School students are housed in these residence halls.

The December 21, 2012 purchase was for repairs and replacement parts for the elevators in Frazier Hall and Jones Hall. The elevators’ fire recall (firefighter emergency operations functionality) ceased operating. Total costs for this purchase was $373,748.

The January 4, 2013 purchase was for a boiler for Frazier Hall. The new boiler was needed to supply heat to the students’ residence hall. Total costs for this purchase was $59,115.

This information is being provided to the Board of Trustees in accordance with Miss. Code Ann. § 31-7-13(j) – State Agency Emergency Procedure: In the event such executive head is responsible to an agency board, at the meeting next following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be presented to the board and placed on the minutes of the board of such agency,

Documentation to support the purchase follows.
Mississippi University
for Women

639927637
McCain Engineering Company, Inc.
2002 McCain Parkway
Pelham AL 35124

PO Number: P1301364
Issue Date: 01/04/13
Delivery Date: 01/31/13

Contact originating department to confirm acceptance of PURCHASE ORDER and delivery date.

Billing Address: Mississippi University for Women
Accounts Payable
1100 College Street MUW 1604
Columbus, MS 39701

Ship to:
Physical Plant
815 6th Avenue South
Physical Plant
1100 College Street MUW 1615
Columbus MS 39701

NET 30

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<tr>
<th>Item</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Total</th>
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<tr>
<td>1</td>
<td>BOILER FOR FRAZIER HALL</td>
<td>1.00</td>
<td>59,115.0000</td>
<td>59,115.00</td>
</tr>
</tbody>
</table>

PO Total 59,115.00

Packing slip must accompany all shipments. Purchase Order number must appear on all packages, invoices, and correspondence.

Mississippi University for Women is exempt by statute from payment of all federal, state and municipal excise, sales and other taxes. Federal ID and tax exemption number is 64-6000-826.

Angie Atkins
Purchasing Officer
# Summary

**Title - Emergency Boiler Repair**  
**Contract Number - 26313009CAJ**

## Header

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<tr>
<th>General Information</th>
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<tbody>
<tr>
<td>Issue Date</td>
<td>Jan 14, 2013</td>
</tr>
<tr>
<td>Status</td>
<td>Issued</td>
</tr>
<tr>
<td>Title</td>
<td>Emergency Boiler Repair</td>
</tr>
<tr>
<td>Description</td>
<td>Emergency boiler repair for Frazier Hall which is one of our residence halls.</td>
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<tr>
<td>Contract Administrator</td>
<td>Angle Atkins</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:aatkins@rm.muw.edu">aatkins@rm.muw.edu</a></td>
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<td>Organization</td>
<td>University for Women</td>
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<td>Request Number</td>
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<td>Solicitation Number</td>
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<td>Enable Contract as RoundTrip</td>
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## Contractor

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<tr>
<th>Name</th>
<th>McCain Engineering Company, Inc.</th>
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<tr>
<td>FEIN</td>
<td>63-0927637</td>
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<tr>
<td>DUNS</td>
<td>044076537</td>
</tr>
<tr>
<td>Contact Name</td>
<td>Debbie Hancock</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:dhancock@mccainengineering.com">dhancock@mccainengineering.com</a></td>
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<tr>
<td>PO Dispatch</td>
<td>Contractor</td>
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## Distributors

| Total Distributors: | 1 |

## Pricing Information

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<td>Cumulative Expended Value ($)</td>
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<td>% Value To Go</td>
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<td>Other Notes</td>
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<td>Contract Period</td>
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<td>Award Date</td>
<td>Mar 14, 2013</td>
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<td>Effective Date</td>
<td>Mar 14, 2013</td>
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<td>Expiration Date</td>
<td>Mar 14, 2013</td>
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<td>Catalog Items</td>
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<td>No Items</td>
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<th>Document</th>
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</thead>
<tbody>
<tr>
<td>Type</td>
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<td>📄</td>
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</tbody>
</table>

Authorization

Organization

University for Women
REQUEST FOR AUTHORITY TO PURCHASE

To: Office of Purchasing and Travel
1401 Woolfolk Building, Suite A
501 North West Street
Jackson, MS 39201

From: Mississippi University for Women
1100 College Street, WBOX 1611, Columbus

We hereby request "Authority to Purchase" the following commodity or commodities covered by Purchasing Regulations.

<table>
<thead>
<tr>
<th>QUANTITY</th>
<th>NAME OF ITEM</th>
<th>DESCRIPTION AND COMPLETE SPECIFICATIONS</th>
<th>PRICE EACH</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Elevator</td>
<td>Repair and replace elevator parts for Frazier &amp; Jones Hall.</td>
<td>$373,748.00</td>
<td></td>
</tr>
</tbody>
</table>

To Be Shipped To:  
[Address or Location]

The following bids have been received ( ) after advertising; ( ) by solicitation, and copies of said bids are attached hereto.

<table>
<thead>
<tr>
<th>NAME AND ADDRESS OF BIDDER</th>
<th>AMOUNT OF BID</th>
<th>AGENCY PREFERENCE</th>
<th>TYPE OF TRANSACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>ThyssenKrupp Elevator</td>
<td>$373,748.00</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

[FOR USE WITH LEASES OR RENTALS ONLY]  
THE ORIGINAL COPY OF THIS P.1 FORM IS ON FILE WITH OFFICE OF FISCAL MANAGEMENT; PLEASE SUBMIT A PURCHASE ORDER EACH MONTH FOR THE MONTHLY LEASE OR RENTAL CHARGE AND REFER TO  
P.1 No.

☑ SC-1 FORM WITH PROPER SIGNATURES AND JUSTIFICATIONS ATTACHED

Attach the following:

{ } Copy of bids (minimum of 2 written bids required if purchase is over $5,000)

{ } Proof of advertising - including copy of bids (if purchase is over $25,000.00)

{ } Statement containing reason for agency preference and such other information as agency deems pertinent.

APPROVED Date SUBMITTED BY:
By: Bridget Otts 662-3297126

OFFICE OF PURCHASING AND TRAVEL PURCHASING AGENT PHONE NUMBER

INSTRUCTIONS: Send three copies to Office of Purchasing and Travel. The Office of Purchasing and Travel will return two copies (White and Green). Agency will attach one copy (White, original copy) to purchase order, Agency will retain one copy (Green) for their records.
SPECIAL CIRCUMSTANCES APPROVAL FORM

This form must be completed and submitted in duplicate with a P-1 when requesting authority to purchase under any of the following special circumstances: Emergency Purchase, Sole-Source Purchase, Purchase for Research, Exemption from State Contract.

Agency Submitting Request: Mississippi University for Women

Agency Number: P-1 Request Number:  Date: 12-21-2012

Type of Special Circumstance:

XX Emergency Purchase

Sole-Source Purchase

Purchase for Research

Exemption from State Contract

PLEASE NOTE THAT SOLE-SOURCE PURCHASES, PURCHASES FOR RESEARCH AND EXEMPTIONS FROM STATE CONTRACT PURCHASES REQUIRE PRIOR APPROVAL. REQUESTS FOR APPROVAL OF EMERGENCY PURCHASES MAY BE MADE AFTER THE PURCHASE HAS BEEN MADE.

JUSTIFICATION

Please submit a justification in sufficient detail so that a person not familiar with the situation could be expected to understand the need to forego the normal purchasing procedure. The justification can be typed on the back of this form or submitted in duplicate on an attached sheet. Consider the following questions when preparing the justification:

Emergency

Does it fall under the definition of an emergency set forth in Section 31-7-1 (i)?

What happened to cause the emergency?

What would be the negative consequences of following normal purchasing procedures?

Sole Source

Do other companies make similar commodities that will do the same job or meet the same goals?

How is this item unique from all others?

What can this item do that the others can't?

Is there a copyright or patent on the commodity?

Is this item available from other distributors?

Research

What does the item do?

How will this purchase or failure to make this purchase have an impact on the research?

Exemption from State

What is the state contract price for a comparable item approved?

Is the quality level equal to or better than that on contract?

What are the transportation costs?

Have all applicable costs been included in the evaluation?
JUSTIFICATION

Attach an additional page if needed. Remember to submit two copies of all applicable attachments.

The installation of fire suppression in these buildings has blocked the fire recall for these elevators. This has just come to our attention—The modernization will provide fire recall provisions. These are two 5-story residence halls that are occupied by MU and MSMS students. The project requires 10-12 week manufacturing lead time and 5 weeks for installation. Emergency repairs are needed to meet life safety issues.

CERTIFICATIONS

As per Section 31-7-13 (j), the certification for an emergency purchase must be signed by the executive head of the requesting agency. Other certifications should be signed by the individual responsible for the justification.

a. EMERGENCY PURCHASE. "This is to certify that an extreme emergency existed to such an extent that delay incident to obtaining competitive quotations would have resulted in loss and/or harm to the agency."

   [Signature] 12-21-12
   Signed

b. SOLE-SOURCE PURCHASE. "This is to certify that this purchase covers a commodity which is available from one source only and neither comparative nor competitive quotations can be obtained."

   Signed

c. RESEARCH. "This is to certify that the items requested herein are for research only and to use any item other than that which is specifically requested could have a detrimental effect on the project."

   Signed

One copy of this form and applicable attachments will be maintained in the Office of Purchasing and Travel P-1 file with the applicable P-1 form. The second copy of this form and applicable attachments will be maintained in the Office of Purchasing and Travel Agency Exception file.
Agreement for Elevator Modernization.

Submitted to: ANGIE ATKINS
MUW
COLUMBUS, MS 39701

(Hereinafter Purchaser)

By: ThyssenKrupp Elevator
5267 Greenway Drive
Jackson, MS 39204
601-922-9400

ThyssenKrupp Elevator is pleased to provide the following quotation for elevator modernization at:

MUW FRAZIER & JONES HALL
MUW CAMPUS
COLUMBUS, MS 39701

Date: DECEMBER 18, 2012

ThyssenKrupp Elevator
### Table of Contents

- **Part 1** General
- **Part 2** Equipment and Summary of Work
- **Part 3** Modernization Equipment Features
- **Part 4** Installation Sequence and Schedule
- **Part 5** Tests
- **Part 6** Clean-up and Purchaser Inspection
- **Part 7** Work Not Included
- **Part 8** Special Conditions
- **Part 9** Terms and Conditions
- **Part 10** Prices, Terms of Payment, Signature Page
PART 1 - GENERAL.

1.01 This proposal covers the complete modernization of Four (4) hydraulic elevator(s) located at Frazier & Jones Hall. All work will be performed in a workmanlike manner and will include all work and material as specified herein. In all cases where a device or part of equipment is herein referred to in the singular number, it is intended that such reference will apply to as many such devices as are required to complete the installation.

1.02 All work will be performed in accordance with the most applicable edition of the National Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks (ASME A17.1), ANSI A117.1 Barrier Free Code as pertaining to Passenger Elevators, the Americans with Disabilities Act (ADA), the National Electrical Code, and/or such State and Local elevator codes as may be applicable.

1.03 Drawings, ThyssenKrupp Elevator will prepare drawings and/or cut sheets at company's sole discretion, showing the general arrangement of the elevator equipment.

1.04 Permits, taxes and licenses, All applicable sales and use taxes, permit fees and licenses, as of the date bids are taken, will be paid by ThyssenKrupp Elevator.

1.05 Maintenance service, ThyssenKrupp Elevator will furnish a separate maintenance contract to be executed by Owner/Manager.

1.08 Wiring diagrams, Two (2) complete sets of "made final" wiring diagrams including input and output signals will be furnished to the Purchaser.

1.07 Keys, Two (2) keys for each key switch specified will be furnished to the Purchaser.

PART 2 - EQUIPMENT AND SUMMARY OF WORK.

| QUANTITY | POWER UNIT: Replace |
| CAPACITY: | POWER SUPPLY: Reuse Existing |
| SPEED: | LOGIC CONTROL: Replace |
| STOPS: | CAR ENCLOSURE: Reuse |
| OPENINGS: | SIGNAL FIXTURES: Replace |
| CAR SIZE: PLATFORM: Reuse Existing |
| CLEAR INSIDE: Reuse Existing |
| TRAVEL: Existing |
| MACHINE: NA |

PART 3 - MODERNIZATION EQUIPMENT FEATURES.

3.01 CAR.

Reuse existing.

3.02 CAR ENCLOSURE.

Reuse

3.03 CAR SIGNAL FIXTURES.

Replace.
Agreement for Elevator Modernization.

3.04 CONTROL & DRIVE SYSTEMS.
Replace controller with TAC 20/32 Controller.

3.06 DOORS & ENTRANCES.
Reuse. Replace door operator with Smartech II Door Operator kit.

3.08 GOVERNORS & SAFETIES.
NA

3.07 HALL SIGNAL FIXTURES.
Replace.

3.08 MACHINES & MOTORS.
NA

3.09 PIT EQUIPMENT.
Reuse

3.10 POWER UNITS & JACHS.
Reuse

3.11 ROPES, RAILS & COUNTERWEIGHTS.
NA

3.12 WIRING.
Replace both car and hall.

3.13 MISCELLANEOUS WORK

Weathers Electric to provide piping from new machine room to existing underground piping to elevator shaft and also provide and install new disconnects to the controllers in the new machine. All electrical in the pit will be provided by Weathers. E-Fire will furnish and install all fire alarm equipment required for the elevator.

PART 4--INSTALLATION SEQUENCE AND SCHEDULE.

4.01 All work will be performed during regular working hours of regular working days as is customary in the elevator industry.

4.02 The elevator will be out of service in the performance of the work as specified.

4.03 Prior to commencing work, a work schedule will be submitted to the Purchaser.

PART 5--TESTS.

5.01 Emergency fire service. Perform Phase I and Phase II Fire Service tests to conform to applicable codes.
5.02 Test reports. Completed copies of test reports will be provided to the Purchaser.

5.03 All required tests are to be performed during the regular working hours of the elevator trade. Should the Purchaser require these test to be performed outside the regular working hours, there will be an added cost to the quoted contract amount.

PART 6- CLEAN UP AND PURCHASER INSPECTION.

6.01 Clean-up. ThyssenKrupp Elevator will remove all debris resulting from work on this contract. In addition, we will remove from the project site all equipment and unused or removed materials and restore building and premises to a neat, clean appearance.

6.02 Inspection. All materials and workmanship will be subject to inspection or testing. The Purchaser will have the right to reject defective or inferior material or workmanship installed under this contract and may require the correction of such without additional cost to the Purchaser.

PART 7- WORK NOT INCLUDED.

The following work is not included unless specifically addressed in this proposal, and is conditional upon the proper performance of such work by the General Contractor, Owner, Owner's Representative, or other Subcontractors.

- A legal hoistway, properly framed and enclosed, and including a pit of proper depth provided with ladder, sump pump, lights, access doors and waterproofing, as required. Removal of water in pit(s). Legal machine room, adequate for the elevator equipment, including floors, trap doors, girders, foundations, lighting, ventilation and heat to maintain the room at an ambient temperature of 65°F minimum (80°F maximum). Adequate supports and foundations to carry the loads of all equipment, including supports for guide rail brackets and machine beams or overhead sheaves (if furnished). If adjacent hoistways are utilized, divider beams at suitable points shall be provided for guide rail bracket support. Should additional weight need to be added to the counterweight to balance the cars, there would be an additional charge added to the contract amount.

- Cutting and patching of walls, floors, etc., and removal of such obstructions as may be necessary for proper installation of the elevator. Pocket or blockouts for signal fixtures.

- Suitable connections from the power main to each controller and signal equipment feeders as required, including necessary circuit breakers and fused mainline disconnect switches per N.E.C. Suitable power supply capable of operating the new elevator equipment under all conditions. Wiring to controller for car lighting. (Per N.E.C. Articles 620-22 and 620-51). Electric power without charge, for construction, testing and adjusting of the same characteristics as the permanent supply. A means to automatically disconnect the main line and the emergency power supply to the elevator prior to the application of water. The elevator machine room will be furnished by the electrical contractor. This means shall not be self-resetting. Wiring and conduit from life safety panel or any other monitor station to elevator machine room or suitable connection point in hoistway.

- Heat and smoke sensing devices at elevator lobbies on each floor, machine room, and hoistways (where applicable), with normally open dry contacts terminating at a properly marked terminal in the elevator controller. A code compliant Life Safety Communication system or suitable dedicated telephone connection to each elevator controller (must be a dedicated line and monitored 24 hours). Instrument in cab by others.

- Emergency power supply with a dry set of contacts which close 20 seconds prior to the transfer from normal power to emergency power or from emergency power to normal power whether in test mode or normal operating conditions. Automatic time delay transfer switch and auxiliary contacts with wiring to the designated elevator controller. Electrical cross connections between elevator machine rooms for emergency power purposes are to be provided by others. Any governmentally required safety provisions not directly involved for elevator installation. All painting, except as otherwise specified. Temporary elevator service prior to completion and acceptance of complete installation. Furnishing, installing and maintaining the required fire rating of elevator hoistway walls, including the penetration of firewall by elevator fixture boxes, is not the responsibility of the elevator contractor. Flooring and/or installation of flooring by others.

Purchaser to provide a bonded N.E.C. compliant service ground wire, properly sized, from the elevator controller(s) to the primary building ground. Remote wiring to outside alarm bell as requested by the National Safety Code for Elevators and Escalators (ASME A17.1) (where applicable). Cost for additional inspections of
Agreement for Elevator Modernization.

the elevator equipment by code authorities after the initial one falls due to items that are the responsibility of the contractor, or for assisting others inspecting equipment installed by others.

Purchaser agrees to provide a dry and secure area for storage of the elevator equipment at the time of delivery. Adequate ingress and egress to this area will also be provided. Any relocation of the equipment as directed by the purchaser after its initial delivery will be at purchaser’s expense. All existing equipment removed by ThyssenKrupp shall become the exclusive property of ThyssenKrupp.

It is agreed that in the event asbestos material is knowingly or unknowingly removed or disturbed in any manner at the job site, Purchaser will monitor our work place. Prior to and during our meaning of the job, Purchaser will certify that asbestos in the environment does not exceed .01 fibers per cc as tested by NIOSH 7400. In the event ThyssenKrupp employees or those of our subcontractors are exposed to an asbestos hazard, PCP’s or other hazardous substances, Purchaser agrees to indemnify, defend, and hold ThyssenKrupp harmless from all damages, claims, suits, expenses, and payments resulting from such exposure. Removal and disposal of asbestos containing material is the responsibility of the Purchaser.

PART 8 - SPECIAL CONDITIONS.

Performance of this contract is contingent upon Purchaser furnishing ThyssenKrupp with any necessary permission or priority required under the terms and conditions of government regulations affecting the acceptance of this order or the manufacture, delivery or installation of the equipment.

Unless otherwise agreed, it is understood that the work will be performed during regular working hours of the trades involved. If overtime is mutually agreed upon, an additional charge at our usual rates for such work shall be added to the contract price.

ThyssenKrupp shall not be responsible in any way for the acts of others or for pro-rata expenses of any nature incurred by others in or about the building.

Certificates of Workmen’s Compensation, Bodily Injury and Property Damage liability insurance coverage will be furnished to Purchaser upon request. The premium for any bonds or insurance beyond our standard coverage and limits will be an addition to the contract price.

Should loss of or damage to our materials, tools or work occur at the job site, Purchaser shall compensate ThyssenKrupp, unless such loss or damage results from our own acts or omissions.

If any drawings, illustrations or descriptive matter is furnished with this proposal, they are approximate and are submitted only to show the general style and arrangement of equipment being offered.

In the event the Purchaser defaults on any payment, or on any other provision of this contract, the unpaid balance of the purchase price, less the cost of completing the work, as estimated by us, shall immediately become due and payable.

In the event a third party is retained to enforce, construe or defend any of the terms and conditions of this agreement or to collect any monies due hereunder, either with or without litigation, the prevailing party shall be entitled to recover all costs and reasonable attorney’s fees. The Purchaser does hereby waive trial by jury and does further hereby consent that venue of any proceeding or lawsuit under this agreement shall be in Hinds County, Mississippi.

PART 9 - TERMS AND CONDITIONS.

All work shall be performed in accordance with the latest revised edition (as of the date of this proposal) of the Safety Code for Elevators, Escalators, and dumbwaiters, the National Electrical Code, and/or such State and Local Codes as may be applicable, as well as Company’s Work-Not-Included Items. Subsequent to the date of this proposal, should changes be made in any code, or should rulings by any code enforcing authorities extend the application of the code, the work and materials necessary to make the installation comply with such changes shall be performed as an addition to the contract price.
Agreement for Elevator Modernization.

Permits, taxes and licenses. All applicable fees and use taxes, permit fees and licenses imposed upon us as an Elevator Contractor as of the date of this proposal are included in the contract price. The Purchaser agrees to pay, as an addition to the contract price, the amount of any additional taxes, fees or other charges exacted from the Purchaser or the Company on account thereof, by any law enacted after the date of this proposal.

Acceptance of installation. Upon notice from us that the installation of the elevator has been completed, the Purchaser will arrange to have present at the Installation site, a person duly authorized to make the final inspection and to provide a written acceptance. The date and time that such person will be present at the site shall be as mutually agreed, but shall not be more than ten business days after the date of our notice to you, unless we both agree to a certain date thereafter. Such final inspection and certificate of acceptance shall not be unreasonably delayed or withheld.

Warranty. We warrant the equipment installed by us under this contract against defects in material and workmanship for a period of one year from the date each elevator is completed and placed in operation. This warranty is in lieu of any other liability for defects. We make no warranty of merchantability and no warranties which extend beyond the description in this contract, nor are there any other warranties, expressed or implied, by operation of law or otherwise. Like any piece of fine machinery, this equipment should be periodically inspected, lubricated, and adjusted by competent personnel. This warranty is not intended to supplant normal maintenance service and shall not be construed to mean that we will provide free service for periodic examination, lubrication, or adjustment due to normal use beyond that included in the contract, nor will we correct, without a charge, breakage, maladjustments, or other trouble arising from abuse, misuse, improper or inadequate maintenance, or any other causes beyond our control. In the event of a claim, you must give us prompt written notice, and provided all payments due under the terms of this contract have been made in full, we shall, at our own expense, correct any proven defect by repair or replacement. We will not, under this warranty, reimburse you for cost of work done by others, nor shall we be responsible for the performance of equipment to which any revisions or alterations have been made by others.

If there is more than one (1) unit in this contract, this section shall apply separately to each unit as completed and placed in operation.

Title and ownership. We retain title to all equipment supplied by us under this contract, and a security interest therein, (which, it is agreed, can be removed without material injury to the real estate) until all payments under the terms of this contract, including deferred payments and any extensions thereof, shall have been made in the event of any default by you in any payment, or under any other provision of this contract, we may take immediate possession of the equipment and enter upon the premises where it is located (without legal process) and remove such equipment or portions thereof irrespective of the manner of its attachment to the real estate or the sale, mortgage, or lease of the real estate. Pursuant to the Uniform Commercial Code, at our request, you agree to join with us in executing any financial or continuation statements which may be appropriate for us to file in public offices in order to perfect our security interest in such equipment.


We reserve the right to discontinue our work at any time until payments have been made as agreed, and we have assurance satisfactory to us that the subsequent payments will be made as they come due. Any payments not paid when due shall bear interest at legal rate in force at the place of the project.

If after the work has been substantially completed, full completion is materially delayed through no fault of ours, you shall make such additional payments as may be required to leave outstanding only an amount equal to the value as estimated by us, based on the contract price of the uncompleted portion.

ThyssenKrupp Elevator shall not be liable for any loss, damage, or delay caused by acts of government, labor troubles, strikes, lockouts, fire, explosion, theft, floods, riot, civil commotion, war, malicious mischief, acts of God or any cause beyond its control, and in no event shall ThyssenKrupp Elevator be liable for any damages, nor any consequential, special or contingent damages. ThyssenKrupp Elevator shall automatically receive an extension of time commensurate with any delay regarding the aforementioned.

In consideration of ThyssenKrupp Elevator performing the services herein specified, you expressly agree to indemnify, defend, save harmless, discharge, release and forever acquit ThyssenKrupp Elevator, our officers, agents and employees from and against any and all claims, demands, suits, and proceedings brought against us or our employees of any nature whatsoever, including but not limited to loss, damage, injury or death that are alleged to have arisen from
or alleged to be in connection with the presence, use, misuse, maintenance, installation, removal, manufacture, design, operation or condition of the equipment covered by this agreement, or the associated areas surrounding such equipment, specifically including claims or losses alleged or proved to have arisen from the negligence of ThyssenKrupp Elevator or our employees, except that your duty to indemnify does not apply to claims or losses determined to be caused or resulting from the sole negligence of ThyssenKrupp Elevator or our employees.

You expressly agree to name ThyssenKrupp Elevator as an additional insured in your liability and any excess (umbrella) liability insurance policy(ies). Such insurance must insure us for those claims or losses referenced in the above paragraph, and for claims or losses arising from the sole negligence of ThyssenKrupp Elevator or our employees. You hereby waive the right of subrogation.

Purchaser's acceptance of this agreement will constitute exclusively and entirely the agreement for the service herein described. All other prior representations or agreements, whether written or verbal, will be deemed to be merged herein, and no other changes in, or additions to this agreement will be recognized unless made in writing and properly executed by both parties. Should your acceptance be in the form of a purchase order or similar document, the provisions, terms and conditions of this agreement will govern in the event of a conflict.
PART 10- PRICES AND TERMS OF PAYMENT.

We propose to furnish and install the equipment covered in this proposal for the net sum of Three Hundred Seventy Three Thousand Seven Hundred Forty Eight and No/100 Dollars ($373,748.00). NO BOND IS INCLUDED.

Payment terms:
30% of Contract Amount to accompany signed contract;
70% of Contract Amount will be billed based upon mutually agreed upon schedule of values.

Unless otherwise stated, you agree to pay as follows: 50% upon signed acceptance and 50% upon completion.

Progress payments shall be due not later than the fifteenth day of each month for labor and materials furnished through the last day of the preceding month. This shall include materials stored at the job site, at our staging facility, or at any other location you designate at your expense. It shall also include any changes to the contract amount and extra work orders to the extent completed.

The remainder of the contract amount including changes and extra work orders is due at time of completion and approval by local authorities, but prior to turnover for your use. If there is more than one unit in this contract, final payment shall be made separately as each unit is completed.

We reserve the right to discontinue our work at any time until payments have been made as agreed, and we have assurance, satisfactory to us, that the subsequent payments will be made as they become due. A monthly service charge of 1% will be due on all amounts not paid within 30 days.

ACCEPTANCE OF PROPOSAL: This proposal is submitted for acceptance within 60 days from date executed by us.

This proposal, when accepted by the Purchaser, shall constitute the contract between us, and all prior representations or agreements not incorporated herein are superseded. No changes in or addition to this contract will be recognized unless made in writing and properly executed by both parties.

Accepted:

[Signature]
By: [Printed or Typed Name]
Title: [Title]
Date: [Date]

ThyssenKrupp Elevator Corporation
5267 Greenway Drive
Jackson, MS 39204

By: [Signature of ThyssenKrupp Representative]
By: [Signature of Authorized Individual]
Title: [Title]
Date: [Date]

Approved by: [Signature]
Title: [Title]
Date: [Date]
Mississippi University for Women

PO Number: P1301366
Issue Date: 01/04/13
Delivery Date: 01/31/13

Contact originating department to confirm acceptance of PURCHASE ORDER and delivery date.

Billing Address: Mississippi University for Women
Accounts Payable
1100 College Street MUW 1004
Columbus, MS 39701

Ship to:
Physical Plant
815 6th Avenue South
Physical Plant
1100 College Street MUW 1615
Columbus MS 39701

Net 30

Buyer: Angie Atkins
Terms:

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PO Total 373,748.00

Packing slip must accompany all shipments. Purchase Order number must appear on all packages, invoices, and correspondence.

Mississippi University for Women is exempt by statute from payment of all federal, state and municipal excise, sales and other taxes. Federal ID and tax exemption number is 94-0000-626.

Angie Atkins
Purchasing Officer
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| Authorization                   |                            |
|                                |                            |
| Organization                   |                            |
| University for Women            |                            |
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE JANUARY 17, 2013 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.
1. **MSU – GS 105-345 – Classroom Building with Parking (Mechanical)**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved a **waiver of Design Development Documents.** Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval Date:** January 10, 2013

   **Project Initiation Date:** August 19, 2010

   **Design Professional:** Belinda Stewart Architects, P.S.

   **General Contractor:** TBA

   **Contract Award Date:** TBA

   **Project Budget:** $37,509,471.00

   **Funding Source(s):** SB 3100, L’11 ($9,712,400.00); HB 246, L’07 ($2,300,000.00); EBC Bonds and University Funds ($25,497,071.00)

2. **MSU – GS 113-130 – Necropsy Renovation**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of $5,755.59 and zero (0) additional days to the contract of T. L. Wallace Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval Date:** December 17, 2012

   **Change Order Justification:** Change Order #6 is necessary to demolish existing manhole and sewer lines and repair sanitary sewer lines that are backing up into the building.

   **Total Project Change Orders and Amount:** Six (6) change orders for a total amount of $ 564,563.32

   **Project Initiation Date:** October 21, 2010
Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: T. L. Wallace Construction, Inc.

Contract Award Date: December 2, 2011

Project Budget: $12,697,791.22

Funding Source(s): HB 1701, L’10 ($12,697,791.22)

3. MSU – IHL 205-267 – Sawyer Tennis courts (Fresh Food Company Dining Facility)

   Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved a waiver of Design Development Documents.

   Staff Approval Date: December 20, 2012

   Project Initiation Date: September 11, 2012

   Design Professional: JH&H Architects

   General Contractor: TBA

   Contract Award Date: TBA

   Project Budget: $10,000,000.00

   Funding Source(s): EBC Bonds ($10,000,000.00)
4. **MUW– GS 104-178 – Fant Library Renovation Phase One**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of $31,904.82 and five (5) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** January 4, 2013

**Change Order Justification:** **Change Order #2** is necessary to provide all material, labor, supervision, general conditions, overhead, and profit to remove two deteriorated column piers at the north infill and replace them with reinforced piers, to install Quazite communications pull box, stub up conduit to the box and splice new fiber optics runs serving the buildings west of the library and to replace and splice fiber optics runs that were too short to connect at the math & science school.

**Total Project Change Orders and Amount:** Two (2) change orders for a total amount of $31,904.82

**Project Initiation Date:** October 20, 2011

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

**General Contractor:** West Brothers Construction

**Contract Award Date:** July 13, 2012

**Project Budget:** $6,800,000.00

**Funding Source(s):** SB 3100, L’11 ($5,952,000 BOB IHL Discretionary Funds); HB 1701, L’10 ($848,000)
5. **MVSU– GS 106-218 – New president’s Home**

*Staff Approval:* In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Shafer & Associates Architects. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** January 29, 2013

**Project Initiation Date:** March 20, 2009

**Design Professional:** Shafer & Associates Architects

**General Contractor:** TBA

**Contract Award Date:** TBD

**Project Budget:** $993,696.00

**Funding Source(s):** SB 2010, L’04/HB 1722 ($900,000.00); Bureau Discretionary Funds ($93,696.00)

6. **UM– GS 107-302 – Lamar Hall Renovation**

*Staff Approval:* In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of $19,895.21 and ten (10) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** January 15, 2013

**Change Order Justification:** Change Order #4 is necessary to replace the standard gypsum board used at the exterior walls with moisture resistant gypsum board, for foundation drainage at the southwest corner of the building and to replace an existing electrical panel planned to be reused.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of $397,049.72

**Project Initiation Date:** August 20, 2009
Design Professional: Barlow Eddy Jenkins Architects

General Contractor: Evan Johnson & Sons Construction, Inc.

Contract Award Date: December 16, 2011

Project Budget: $7,300,000.00

Funding Source(s): HB 1722, L’09 ($3,000,000); HB 1701, L’10 ($2,000,000); Internal R&R ($2,300,000)

7. UM– IHL 207-341 – Thad Cochran Natural Product Center Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $22,096.00 and zero (0) additional days to the contract of Carothers Construction, Inc.

Staff Approval Date: January 25, 2013

Change Order Justification: Change Order #3 is necessary to deduct for deletion of galvanizing the interior stair #1 & #2, to add additional conduits & concrete to the existing duct bank, additional work due to unforeseen site conditions, modifications were made to the electrical site work in order to provide a temporary connection of the electrical heating elements for the north & south basements.

Total Project Change Orders and Amount: Three (3) change orders for a total credit amount of $436,066.00.

Project Initiation Date: May 20, 2010

Design Professional: Cooke Douglass Farr Lemons Architects

General Contractor: Carothers Construction, Inc.

Contract Award Date: August 22, 2012

Project Budget: $40,000,000.00

Funding Source(s): Self-Generated Funds ($7,198,380.00); C76HF10917 ($17,886,175); NIH/NCRR (ARRA) ($13,915,445); USDA ($1,000,000)
8. **UM–IHL 207-345 – University Housing – Package D**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10** in the amount of $3,138.83 and zero (0) additional days to the contract of Drywall Systems Plus, Inc.

**Staff Approval Date:** January 25, 2013

**Change Order Justification:** Change Order #10 is necessary to install clip supports to the top of the exterior cmu walls at the top of the attic walls for roof truss supports to anchor to.

**Total Project Change Orders and Amount:** Ten (10) change orders for a total **credit amount** of $8,854.51.

**Project Initiation Date:** November 18, 2010

**Design Professional:** Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

**General Contractor:** Drywall Systems Plus, Inc.

**Contract Award Date:** June 22, 2011

**Project Budget:** $39,314,500.00

**Funding Source(s):** Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)

9. **UM – IHL 207-345 – University Housing – Package F**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #13** in the **credit amount** of $1,344.00 and zero (0) additional days to the contract of EMJ Corporation.

**Staff Approval Date:** January 15, 2013

**Change Order Justification:** Change Order #13 is necessary to deduct for re-cleaning of the suite rooms in the north and south buildings due to closet shelving and millwork installation issues.
Total Project Change Orders and Amount: Thirteen (13) change orders for a total amount of $91,381.38.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: EMJ Corporation

Contract Award Date: June 22, 2011

Project Budget: $39,314,500.00

Funding Source(s): Self-Generated Funds ($9,314,500.00); EBC Bonds ($30,000,000.00)

10. UM – IHL 207-348 – Johnson Commons West Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $36,571.21 and zero (0) additional days to the contract of Zellner Construction.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #2 in the amount of $49,073.51 and zero (0) additional days to the contract of Zellner Construction.

Staff Approval Date: January 15, 2013

Change Order Justification: Change Order #1 is necessary to furnish & install new mezzanine floor, relocate existing double entry gates and extend construction fence to encompass the entire project site as required, removal of upper floor mortar bed and curb and removal of lower floor cooler slab and bakery mortar bed. Change Order #2 is necessary for additional demolition & repair items uncovered during construction as well as additional concrete for cooler slabs as requested by owner, demolition of an existing cmu wall located on the lower floor along column line C2 between columns 1 and 1C and removal of two columns that are not referenced in drawings currently residing in the existing “main entrance” as requested by owner.
Total Project Change Orders and Amount: Two (2) change orders for a total amount of $85,644.72.

Project Initiation Date: May 19, 2011

Design Professional: Tipton Associates, A Professional Architectural Corporation

General Contractor: Zellner Construction

Contract Award Date: December 5, 2012

Project Budget: $14,500,000.00

Funding Source(s): Auxilliary R&R ($14,500,000.00)

11. UM– IHL 207-357 – Interior Heating Modifications – Natural Products Center

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to South Central Heating & Plumbing, LLC, the lower of seven (7) bidders, for a total contract amount of $1,440,000.00.

Staff Approval Date: January 4, 2013

Project Initiation Date: March 15, 2012

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

General Contractor: South Central Heating & Plumbing, LLC

Contract Award Date: January 4, 2013

Project Budget: $2,500,000.00

Funding Source(s): Internal R&R ($2,500,000.00)
12. UM–IHL 207-358 – Interior Heating Modifications – Lewis Hall/Kennon Observatory

**Staff Approval**: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Acy Mechanical, LLC, the lower of three (3) bidders, for a total contract amount of $1,181,433.00.

**Staff Approval Date**: January 4, 2013

**Project Initiation Date**: March 15, 2012

**Design Professional**: The CGM Group, Inc.

**General Contractor**: Acy Mechanical, LLC

**Contract Award Date**: January 4, 2013

**Project Budget**: $1,600,000.00

**Funding Source(s)**: Internal R&R ($1,600,000.00)

13. UM–IHL 207-367 – Stadium Drive Extension and Parking Lot

**Staff Approval #1**: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Schematic Design Documents as submitted by Precision Engineering. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval #2**: In accordance with Board Policy §904 (A) Board Approval, Board staff approved a waiver of Design Development Documents.

**Staff Approval Date**: January 25, 2013

**Project Initiation Date**: November 15, 2012

**Design Professional**: Precision Engineering

**General Contractor**: TBA

**Contract Award Date**: TBA
Project Budget: $1,900,000.00

Funding Source(s): Internal R&R ($1,900,000.00)


Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #6 in the amount of $93,147.00 and fifteen (15) additional days to the contract of Flagstar Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: January 30, 2013

Change Order Justification: Change Order #6 is necessary to revise the open office area and a new special systems closet to house low voltage electronic systems panels, to install an offsetting pier & grade beam to tie back into the canopy column locations due to latent conditions preventing the installation of one canopy foundation per to its intended depth, to provide ambulance yard drainage revisions to avoid traffic disruption in the ambulance yard during construction, to revise HEGIS signs, to install the power connections to power the communication room UPS, to provide firestopping for existing cables penetrating new fire walls in spaces as documented, to provide sheet metal backing for new handrail/guardrail installation in existing corridor and to provide relocation of the existing security camera system terminal from the existing computer room E052 from the existing wall that is to be demolished.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of $801,360.14.

Project Initiation Date: November 14, 2007

Design Professional: Dale Partners Architects, P.A.

General Contractor: Flagstar Construction Company, Inc.

Contract Award Date: July 6, 2011

Project Budget: $11,755,000.00

Funding Source(s): HB246, L’07 ($5,130,000.00); HB 1641, L’08 ($2,000,000.00); HB 1722, L’09 ($2,500,000.00); HB 1701, L’10 ($2,125,000.00)
15. UMMC- IHL 209-505 – Pediatric Emergency Room Renovations

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved *Change Order #7* in the amount of $87,937.00 and zero (0) additional days to the contract of Evan Johnson and sons Construction, Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved *Change Order #8* in the amount of $96,000.00 and zero (0) additional days to the contract of Evan Johnson and sons Construction, Inc.

**Staff Approval Date:** (#1) October 28, 2012; (#2) November 28, 2012

**Change Order Justification:** *Change Order #7* is necessary to make paint & wall cover changes, provide the extension of the northwest corner exterior using stucco, provide one fire alarm system manual pull station, two smoke detectors, monitoring of seven floor dampers, monitoring of two smoke dampers and adding a signal circuit to the Johnson Control Box, provide four (4) relays & bases in Panel MCEG for the radiator fan/pump control, provide one fire alarm system duct detector and connect two dampers, provide the motor control center changes requested, provide new coolant for the #12 & 13 generators and to provide custom-colored waterjet cut logo in the elevator flooring design. *Change Order #8* was necessary to negotiate a reasonable settlement in regards to who was supposed to furnish these fixtures, for additional time required to maintain the operation of the emergency generators during the relocation of the on-site radiators and the need for a temporary generator to be on the site area where other work was scheduled.

**Total Project Change Orders and Amount:** Eight (8) change orders for a total amount of $909,309.51.

**Project Initiation Date:** November 16, 2007

**Design Professional:** Dale/Morris Architects, PLLC

**General Contractor:** Evan Johnson and Sons Construction, Inc.

**Contract Award Date:** February 15, 2010

**Project Budget:** $6,058,275.00

**Funding Source(s):** Pediatric Clinic Fund/Patient Revenue ($6,058,275.00)
16. UMMC- IHL 209-526 – Cafeteria/Kitchen Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #13 in the amount of $3,392.00 and sixteen (16) additional days to the contract of Fountain Construction Company, Inc.

Staff Approval Date: December 20, 2012

Change Order Justification: Change Order #13 is necessary to seal off floor and deck penetrations that were not properly firestopped and to modify the purpose of the room by adding electrical revisions for a tv.

Total Project Change Orders and Amount: Thirteen (13) change orders for a total amount of $141,392.00.

Project Initiation Date: August 20, 2009

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

General Contractor: Harrell Contracting Group

Contract Award Date: January 17, 2012

Project Budget: $3,150,000.00

Funding Source(s): Interest Income ($1,150,000.00); MCEBC Bonds ($2,000,000.00)

17. UMMC- IHL 209-538 – 4th (and 2nd) Floor Renovations – 764 Lakeland Building

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the amount of $24,481.00 and fifty-six (56) additional days to the contract of Harris Constructors, Inc.

Staff Approval Date: January 10, 2013

Change Order Justification: Change Order #4 is necessary to deduct for decorative pendants, to add electrical for access controls at door LP 423 and LP 499-03, add an ice maker connection in room 213, to remove existing base cabinets and adding work surface & lower storage cabinets in room 226 & 230, adding upper & lower cabinets in room 210, to provide additional funds for wayfinding signage, and to provide additional...
wayfinding signage, millwork, as well as concealed conditions associated with floor leveling for owner–provided sound booths.

**Total Project Change Orders and Amount:** Four (4) change orders for a total credit amount of $9,174.00.

**Project Initiation Date:** October 21, 2010

**Design Professional:** Dale and Associates Architects, P.A.

**General Contractor:** Harris Constructors, Inc.

**Contract Award Date:** October 8, 2012

**Project Budget:** $5,915,536.00

**Funding Source(s):** Restricted Funds ($5,915,536.00)

18. **USM – GS 108-235 – College Hall Renovation**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $36,457.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Company. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** January 10, 2013

**Change Order Justification:** Change Order #3 is necessary to provide repair of the existing metal cornice in lieu of complete replacement, to demolish and remove existing canopies at the east and west entrances and supporting structure, and to revise entrances to reflect those in the original construction.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of $88,142.00.

**Project Initiation Date:** October 21, 2004

**Design Professional:** Dale and Associates Architects, P.A.

**General Contractor:** W.G. Yates & Sons construction Company
Contract Award Date: September 13, 2011

Project Budget: $6,252,302.68

Funding Source(s): SB 3197; SB 2988; SB 2010; HB 1634; HB 1722 ($566,175.77); HB 246, L’07 ($2,957,745.50); HB 1641, L’08 ($2,728,381.41)


Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $43,113.52 and twenty-two (22) additional days to the contract of Hanco Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: November 28, 2012

Change Order Justification: Change Order #1 is necessary to reroute the existing gasline located in the SW corner of the site, reconnect the lighting feeds for the Oseola McCarty parking lot, to remove an existing concrete duct bank that crosses the site, to relocate the generator as requested the university and to relocate the existing irrigation line due to conflict with the mechanical plant.

Total Project Change Orders and Amount: One (1) change order for a total amount of $43,113.52.

Project Initiation Date: March 2, 2005

Design Professional: Eley Associates/Studio South

General Contractor: Hanco Construction

Contract Award Date: May 8, 2012

Project Budget: $34,000,000.00

Funding Source(s): SB 3100, L’04 ($340,247.95); HB 1701, L’10 ($11,259,752.05); SB 3100, L’11 ($15,200,000.00); USM Foundation/Donations ($7,200,000.00)
20. ERC – 111-049 – Road Improvements

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of $143,176.88 and seventy (70) additional days to the contract of Southern Rock, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** January 10, 2013

**Change Order Justification:** Change Order #1 is necessary to provide all labor, materials, and equipment for removal of unstable soil encountered and the installation of the Tensar geo grid material over the unstable soil which will allow for the installation of stable material below the required pavement section through Stations 0+00 to 8+39 and Stations 22+00 to 26+50.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of $143,176.88.

**Project Initiation Date:** October 20, 2011

**Design Professional:** W.L. Burle Engineers

**General Contractor:** Southern Rock, LLC

**Contract Award Date:** August 23, 2012

**Project Budget:** $2,551,057.07

**Funding Source(s):** BOB Discretionary Funds (HB 1701, L’10 ($1,280,000.00); IHL Discretionary Funds (SB 3100, L’11) ($750,000.00); HB 1701, L’10 ($250,000.00); HB 246, L’07 ($21,057.07); HB 246, L’07 ($250,000.00)
SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by David Ware (statement dated 1/1/13) from the funds of Mississippi State University. (This statement, in the amount of $2,000.00 represents services and expenses in connection with labor certification.)

TOTAL DUE: $2,000.00

Payment of legal fees for professional services rendered by Baker Donelson (statement dated 1/6/13) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $7,249.70, represents services and expenses in connection with litigation advice.)

TOTAL DUE: $7,249.70

Payment of legal fees for professional services rendered by Kitchens Hardwick (statement dated 1/9/13) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $1,072.50, represents services and expenses in connection with litigation advice.)

TOTAL DUE: $1,072.50

Payment of legal fees for professional services rendered by Wilkins & Tipton (statement dated 12/20/12) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $283.50, represents services and expenses in connection with litigation matters.)

TOTAL DUE: $283.50

Payment of legal fees for professional services rendered by Mayo Mallette (statements dated 12/7/12 and 1/8/13) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $264.00 and $2,837.50, respectively, represent services and expenses in connection with general advice.)

TOTAL DUE: $3,101.50
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, O’Mara, Stevens & Cannada (statements dated 9/27/12, 11/16/12, 12/20/12, 12/20/12, 12/20/12 and 12/20/12) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Indian Patent Application No. 1657/DELNP/2006” - $775.00; “Esterification and Bio Oil Upgrading” - $677.40; “Upgrading of Bio Oil Using Synthesis Gas” - $42.50; “Live Attenuated Catfish Vaccine” - $290.00; “Production of Biodiesel and Other Valuable Chemicals from Wastewater Treatment Plant Sludge” - $442.50; “Method for Transformation of Cotton and Organogenic Regeneration” - $17.00; “High Power Density, Full-Bridge Parallel Loaded Resonant DC - DC Converter for Low-Voltage, High-Current Applications” - $1,181.00; “Glycine Max Resistance” - $42.50; “Enhanced Wood Preservative Composition” - $72.50; “Thermal Transfer Mech. for Auger Pyrolysis Reactor” - $72.50; “Esterification and Bio Oil Upgrading” - $1,331.96; “Srinivasan - Elusieve Processing CIP Application” - $2,380.00; “Steele - Solid Heat Carrier Pyrolysis Reactor” - $590.10 and “PCT Appl. for Thermal Transfer Mech. for Auger Pyrolysis Reactor” - $170.00, respectively.)

**TOTAL DUE**...$8,084.96

Payment of legal fees for professional services rendered by Valauskas Corder (statement dated 1/15/13) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Provisional Wood Preservation System” - $1,000.00.)

**TOTAL DUE**...$1,000.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 11/15/12) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Delivery of Medicaments to the Nail” - $458.00; “Highly Purified Amphotericin-B” - $350.00; “Highly Purified Amphotericin-B” - $350.00; “Highly Purified Amphotericin-B” - $350.00; “Highly Purified Amphotericin-B” - $350.00; “Highly Purified Amphotericin-B” - $350.00; “Highly Purified Amphotericin-B” - $350.00; “Method and Device for Reducing Engine Noise” - $350.00; “Multi-Modal Plate Acoustic Wave Devises” - $910.00; “Particle Feeder” - $731.00 and “Stabilized Formulation of Triamcinolone Acetonide” - $54.00, respectively.)

**TOTAL DUE**...$4,603.00
Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 12/18/12) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $381.40, $413.00, $474.10, $91.50 and $824.90, represent services and expenses in connection with intellectual property/patents.)

TOTAL DUE..................................................$ 2,184.90

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 9/27/12, 11/16/12, 11/21/12, 12/21/12 and 1/14/13) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Self-Repairing Oxetane-Submitted Chitosan Polyurethane Networks” – $1,211.50; “Photocurable Thiol-Ene Gas Permeability Membranes” – $3,537.50; “Lockhead - Oil Dispersant Patent” – $575.00; “Lockhead - Oil Dispersant Patent” – $110.00 and “Trademark Application for the Centennial Anniversary” – $542.50, respectively.)

TOTAL DUE..................................................$ 5,976.50
1. **SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL**

The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.

a. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than $100,000.” On January 31, 2013, the Commissioner approved the request for MSU on behalf of its Center for Safety and Health to enter into a new multi-year lease with Houndstooth Commercial Properties, LLC. This agreement is for the lease of approximately 2,400 square feet of space in Brandon, MS to be used as administrative and/or consultation work by designated Occupational and Safety and Health consultants. As background, MSU’s Center for Safety and Health is the U.S. Department of Labor, OSHA designated Consultation Program for Mississippi. The Center’s purpose is to provide assistance to the employers or managers of small and medium size high-hazard businesses in Mississippi by helping them become compliant with OSHA regulations. The lease term will run for a two-year period – February 1, 2013 through January 31, 2015. MSU will pay $2,800 per month for the lease of the space. The total cost for the lease term is $67,200. In addition to rent costs, MSU will be responsible for utilities, telephone, and internet services. This agreement is funded by the 21(d) On-Site OSHA Consultation Grant Program. The Executive Office legal staff have reviewed and approved the contract documents.

b. **USM** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to the annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On January 18, 2013, the Commissioner approved the budget revisions to the On Campus, Gulf Coast Campus, Gulf Coast Research Lab, and Auxiliary budgets for Fiscal Year 2013. The Executive Office financial staff have reviewed and approved these revisions.

c. **SYSTEM** – On January 31, 2013, the Commissioner reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning July 1, 2012 and ending December 31, 2012. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations.