MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
August 16, 2012

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 28, 2011, to each and every member of said Board, said date being at least five days prior to this August 16, 2012 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, Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering (by phone), 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 Perry.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during a teleconference meeting must be recorded by name in a roll-call fashion. Trustees Cummins and Pickering participated in the meeting by phone. Their votes were recorded in roll-call fashion.

INTRODUCTION OF GUESTS

1. President Blakeslee welcomed Trustee Karen Cummins who joined the meeting by phone. She recently experienced a health issue and wasn’t able to participate in the meeting in person.
2. President Blakeslee congratulated Dr. Carolyn Meyers, President of Jackson State University, and Dr. Dan Jones, Chancellor of the University of Mississippi, for their 2012 Olympians. Anaso Jobodwana, a native of Eastern Cape, South Africa and JSU sophomore, participated in the 2012 Olympics representing his home country. Brittney Reese, native of Gulfport, MS and graduate of the University of Mississippi, won a gold medalist for the long jump event in the 2012 Olympics.
3. President Blakeslee also welcomed the Student Government Association officers: Ms. Shelby Balius, President at Mississippi State University; Mr. Timothy Mbogo, Chief of Staff at Mississippi University for Women; and Mr. Marvin Elder, Vice President at Mississippi Valley State University.
5. Dr. Jim Borsig, President of the Mississippi University for Women, introduced Dr. Dan Heimerman who is the new provost at MUW.
6. Dr. Carolyn Meyers, President of Jackson State University, acknowledged Mr. Brian Wilks, President of the Student Government Association.

APPROVAL OF THE MINUTES

On motion by Trustee Robinson, seconded by Trustee Rouse, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on June 21, 2012 and August 7, 2012.
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
August 16, 2012

CONSENT AGENDA

Commissioner Bounds requested permission to add item #10 on the Real Estate Agenda as shown below. On motion by Trustee Robinson, seconded by Trustee Rouse, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted to add item #10 from the agenda. On motion by Trustee Owens, seconded by Trustee Robinson, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

FINANCE
1. **USM** - Approved the request the request to enter into an agreement with the University of Rhode Island for the use of the vessel, *R/V Endeavor* and its crew for marine research. The agreement is for twenty days, August 29, 2012 through September 17, 2012. The estimated total contract cost is $433,020. Costs are based on a daily rate of $18,941 for vessel time and a daily rate of $2,710 for marine technology support. The cost for vessel time may be adjusted for actual fuel costs and overall vessel utilization. The agreement will be funded by an externally funded grant entitled Gulf Coast Research Initiative from BP Oil. This agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

2. **UMMC** - Approved the request to amend the existing agreement with M*Modal Services, Ltd., formerly MedQuist Transcriptions, Ltd. (MedQuist), for medical transcription services. The amendment will add to the Master Agreement three UMMC Holmes County locations and all University Physicians clinics that are not currently included on the Services Locations schedule. In addition, the amendment and accompanying Statement of Work provide for the implementation of the upgraded DocQment Enterprise Platform technology at the following three UMMC Holmes County Locations: 1) Holmes County Hospital and Clinics, Lexington, MS; 2) Holmes County Family Medical Clinic, Lexington, MS; and 3) Holmes County Medical Clinic-West, West, MS. The end of the contract remains June 30, 2013 with the terms of the amendment applicable for ten months - September 1, 2012 through June 30, 2013 allowing the two different end dates within the agreement to coincide. There is no additional cost to the contract as a result of the amendment. The total approved contract cost remains at $4.2 million as approved by the Board in May 2008. The current agreement is funded by patient revenues. This agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

3. **UMMC** - Approved the request to enter into an agreement with Ram & Sons Corporation d/b/a Best Western Executive Inn for the local hotel and lodging services for use by patients not requiring hospitalization but are in need of medical treatment and/or care that is not available within their home area. The term of the agreement is for five years – September 1, 2012 through August 31, 2017. The total contract cost for the five years is $1,286,625. UMMC will pay $21,443.75 monthly for sixty months, or $257,325 per year. Hospital care for these patients is estimated to cost $1,013,727 annually for those who may or may not be able to pay for these services. The leasing arrangement will cost $257,325 annually, generating a patient savings of $756,402. Typically, these rooms are filled to capacity 90% of the time. Caution is used in filling the beds to 100% capacity in order to ensure availability for transplant cases. The agreement will be funded by patient revenues. This agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
4. **UMMC** - Approved the request to enter into an agreement with the Mississippi Organ Recovery Agency, Inc. (MORA) for the provision of organs suitable for use in UMMC transplant programs. A transplant agreement with a designated organ procurement organization is required by The Centers for Medicare and Medicaid Services (CMS) for institutions participating in transplant programs. The agreement is for five years – August 24, 2012 through August 23, 2017. The total estimated contract cost for the five year agreement is $34,033,600. The estimated cost amount is based on a total of the following factors: 1) the cost per organ as identified in the most recent MORA Standard Acquisition Charges schedule incorporated within the Agreement, 2) a potential annual price increase to be effective on February 1 of each year for the term of the agreement and based on percentage increases from prior years, for purposes of the table below an increase of 4% for kidneys, 5% for local liver, 3% for imported liver, 3% for local hearts, and 5% for imported hearts was used, and 3) projected transplant volume based on the anticipated growth of the kidney and heart programs, the new liver program, and the number of organs used in excess of the number required by the CMS. A breakdown of estimated costs and volume projections based on the fee schedule is included in the bound August 16, 2012 Board Working File. The agreement will be funded by patient revenues. This 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 membership subscription agreement with National Research Corporation (NRC) for patient experience measurement services as set forth by the Joint Commission. NRC will provide the following: 1) Patient and Experience Improvement Services, which measure 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. The term of the agreement is for two years and ten months – September 1, 2012 through June 30, 2015. The total contract cost for the entire agreement period is $402,900. The agreement will be funded by patient revenues. This agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

**REAL ESTATE**

6. **JSU** - Approved the request to increase the project budget for **GS 103-256, Mechanical Upgrades Phase 1**, from $2.2 million to $2,217,296.88 for an increase of $17,296.88. The Board also approved the request to add a funding source to the project (HB 1701, Laws of 2010) to allow for the budget increase. The project is currently in the construction phase. This is the second budget escalation request made for this project by the university. The current budget was an estimate of the project costs and since been updated to reflect more accurate market costs to include change order #2 in the amount of $17,296.88. The change order will allow for the installation of four (4) new duct mounted smoke detectors at F.D. Hall as required by fire code. This project will replace/upgrade the old deteriorated mechanical systems in selected buildings on campus such as: pumps, coils, air handlers and starters, compression valves, cooling towers, storage tanks, exhaust fans and exterior doors. Funds are available from HB 246, Laws of 2007 ($1,000,000); HB 1722, Laws of 2009 ($1,200,000); HB 1701, Laws of 2010 ($17,296.88).

7. **DSU** - Approved the request to grant a right-of-way easement to Delta Telephone Company, Inc. in order to run a buried communication line on a parcel of university property north of Cleveland, MS located on Hwy 61. DSU currently leases this property to Bayou Pipeline, Inc. The lessee does not object to this easement nor does it impede the lessee’s use of the property. This easement will grant Delta Telephone Company, Inc. a continuing easement and right-of-way to place, repair,
operate, maintain, improve, and replace from time to time, a buried system of communication cables on, under and across the university property. The Attorney General’s Office has reviewed and approved the documents related to this item.

8. USM - Approved the purchase of five properties adjacent to the Hattiesburg campus located in Forrest County, MS from Dr. Martin H. Baker Sr. in the amount of $820,000. The five properties are as follows: Property A: 110 North 34th Avenue and 3402 Pearl Street is located on 1.65 acres and has a fourteen unit apartment complex operating as Westwood Court Apartments; Property B: Montague and 35th Avenue is located on a 0.20 acre vacant lot; Property C: 207 North 35th Avenue is located on 0.37 acres and has a single family dwelling/home; Property D: 3407 Pearl Street is located on 0.32 acres and has an eight unit apartment complex operating as Sherwood Apartments; and Property E: 203 North 35th Avenue is located on 0.37 acres and has a single family dwelling/home. The properties are located at the edge of the university campus and will be held until needed for future expansion. The average of two appraisals for each property is as follows:

<table>
<thead>
<tr>
<th>Property</th>
<th>Appraisal Average</th>
<th>USM Purchase Offer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property A</td>
<td>$505,000</td>
<td>$464,754</td>
</tr>
<tr>
<td>Property B</td>
<td>$42,950</td>
<td>$42,949</td>
</tr>
<tr>
<td>Property C</td>
<td>$67,400</td>
<td>$67,399</td>
</tr>
<tr>
<td>Property D</td>
<td>$177,500</td>
<td>$177,499</td>
</tr>
<tr>
<td>Property E</td>
<td>$67,400</td>
<td>$67,399</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$860,250</strong></td>
<td><strong>$820,000</strong></td>
</tr>
</tbody>
</table>

The average of the two appraisals is $860,250 for all five properties. The university is purchasing these properties for $820,000 which is less than the property’s appraised value. The university also has a tentative closing date of on or before September 15, 2012 or upon an earlier or later date as agreed upon by both parties. A Phase I Environmental Site Assessment (ESA) has been conducted on the property. No recognized environmental conditions are evident at the subject property. State and Federal database review listed no regulatory findings for the subject property. Additionally, the site inspection found no recognized environmental conditions and the land records revealed no environmental liens. Funds are available from unexpended plant funds ($820,000). A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities.

9. USM - Approved the request to sell a 0.59 acre undeveloped lot located at 102 North 34th Avenue located in Hattiesburg, Forrest County, MS to Baker-Eagle Properties in accordance with SB 2535, Laws of 2012 Regular Session. The university received two independent property appraisals for the property. The average of the two appraisals is $88,500. The university is selling the property to Baker-Eagle Properties for $154,000 which is above the property’s appraised value. The university also has a tentative closing date of on or before September 15, 2012 or upon an earlier or later date as agreed upon by both parties. A Phase I Environmental Site Assessment (ESA) is not required for the sale of property. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities.
10. USM - Approved the request to name the USM Athletic Center the “Jim and Thomas Duff Athletic Center” to honor the Duffs’ $2 million charitable gift to the USM Athletic Department. Thomas Duff is a 1979 graduate of Southern Miss with a degree in banking and finance. Thomas and Jim are very successful entrepreneurs and own several local businesses.

LEGAL

11. UM - Approved the request to renew the contract for professional services with the law firm of Armstrong Teasdale LLP to continue assisting with engineering and physical sciences patent applications and related intellectual property issues. Armstrong Teasdale is based in St. Louis, Missouri, with offices in four other states. Its intellectual property practice group includes fifty attorneys. Erin Florek, a graduate of the University of Mississippi and a member of the firm’s intellectual property practice group, will be the primary attorney performing work for the university. Ms. Florek is an associate of the firm with a relatively low hourly rate ($175 per hour). The Board approved this relationship in June, 2011. The contract is being extended for another fiscal year so that the firm may continue its representation on matters it is currently handling and to be available should new, similar matters arise. Hourly rates range from $250-$375 for principals, from $175-$195 for Associates, and $150 for paralegals. These rates are unchanged from last year. The term of the proposed contract is from July 1, 2012 to June 30, 2013, and total expenditures will not exceed $100,000. The university has also sent this request to the Office of Attorney General for its consideration and approval.

12. UM - Approved the request to renew the contract for professional services with the law firm of Butler, Snow, O’Mara, Stevens & Cannada, PLLC (“Butler, Snow”) to continue assisting with pharmaceutical patent applications, intellectual property issues, commercialization of intellectual property, and other commercial transactions. Butler, Snow, with offices located in Jackson, MS, Gulfport, MS, and Memphis, TN, has a practice group that specializes in intellectual property and patent prosecutions, as well as intellectual property management through licensing and commercialization. The Board approved this relationship with Butler, Snow in November, 2007. The contract is being extended for another fiscal year so that the firm may continue its representation on matters it is currently handling and to be available should new, similar matters arise. The firm’s blended hourly rate under the contract for all attorneys within designated practice areas are as follows: intellectual property/patent work: $235.00 per hour; commercial: $215.00 per hour; and $85.00 for all legal assistants. These rates have remained the same for several years, but Butler, Snow has requested a modest increase from $225.00 per hour to $235.00 per hour for intellectual property/patent work. These rates are competitive with or less than those charged by similarly qualified attorneys. The term of the proposed contract is from July 1, 2012 to June 30, 2013, and total expenditures will not exceed $100,000. The university has also sent this request to the Office of Attorney General for its consideration and approval.

13. UM - Approved the request to renew the contract for professional services with the New York law firm of Hershkovitz & Associates, LLC (“Hershkovitz”) so that Eugene Rzucidlo an attorney practicing with Hershkovitz may continue to assist with pharmaceutical and natural products patent applications and related intellectual property and commercialization issues. Mr. Rzucidlo is one of a few patent lawyers in the world who is also a natural products chemist, and the university has worked with Mr. Rzucidlo on the most challenging natural products patents for many years. Mr. Rzucidlo’s hourly rate is $595 per hour, which is the same as the university paid during the last contract period and is comparable to similarly qualified and experienced patent counsel. The term
of the contract is from July 1, 2012 to June 30, 2013, and total expenditures will not exceed $150,000. The university has also sent this request to the Office of Attorney General for its consideration and approval.

14. **UM** - Approved the request to renew the contract with Stites & Harbison so that it may continue to assist with pharmaceutical patent applications and intellectual property issues. Stites & Harbison, PLLC, with offices located in Nashville, TN, has an Intellectual Property and Technology Group (“IPT Group”) which specializes in all major scientific subject areas in the intellectual property field. Richard Myers, an alumnum of the university and a member of the IPT Group, will be the primary attorney performing work for the university. The university has worked with Stites & Harbison since this Board first approved the relationship in September, 2002. Mr. Myers’ hourly rate is $310, with other professionals who may work on university matters billing between $195 (paralegal) and $305 per hour. These rates are less than the rates of similarly qualified patent attorneys. Mr. Myers’ hourly rate is unchanged from last year, and the remaining rates are lower than reflected in previous contracts with Stites & Harbison. The term of the contract is from July 1, 2012 to June 30, 2013, and total expenditures will not exceed $250,000. The university has also sent this request to the Office of Attorney General for its consideration and approval.

15. **UMMC** - Approved the request to renew the contract with Butler, Snow, O’Mara, Stevens, and Cannada, PLLC as outside counsel for healthcare regulatory and compliance matters, administrative hearings, intellectual property, human resources, commercial and general matters. UMMC has used this firm as outside counsel for several years and has been pleased with their work. The term of the contract will be from November 1, 2012 through October 31, 2013. The attorney hourly rates to be charged will be as follows: for intellectual property matters, $215 per hour; for healthcare regulatory and compliance matters, $205 per hour; and for commercial, human resources and general matters, $200 per hour. The rate for legal assistants in these areas will be $85 per hour. The total contract amount will not exceed $200,000.

16. **USM** - Approved the request to hire Mary Ann Connell and the firm of Mayo Mallette, as outside counsel to perform services as necessary and render legal advice in the practice areas of higher education law, employment law, First Amendment matters, academic tenure, student affairs, OFCCP, Title IX, NCAA compliance, disability law, and athletics. The request includes the use of any and all attorneys employed by the firm, at the discretion of Mary Ann Connell, whose experience and expertise is required to assist in the representation of the university pursuant to the agreement. The hourly rate to be charged will be $165 per hour for attorneys and $65 per hour for the time expended by paralegals. The contract is from September 1, 2012, through August 31, 2013. The maximum amount budgeted for payment would be $25,000.

17. **USM** - Approved the request to hire Stephen K. Thomas, Hattiesburg, MS, as outside counsel to perform real estate services for three real estate closings. The three closings will be for purchases of property near the Hattiesburg campus and one sale of property by the university. It is expected that each closing will cost the university approximately $500 to $600. The maximum amount budgeted for payment under the contract is $3,000.00. The attorney’s average hourly rate, depending on services rendered, is $150.

18. **USM** - Approved the request to hire Watkins & Eager, PLLC, as outside counsel to perform real estate closing services for USM’s Institute of Disability Studies (IDS). The university, through IDS, has purchased and rehabbed 47 properties in Jackson, MS, with a federal grant through the Mississippi Development Authority. The university has received legislative approval to sell these homes in accordance with the terms and conditions of the grant. Watkins & Eager would be
performing real estate closings including attorney fees, title binders and recording fees. It is estimated that the cost of each closing will be approximately $750 with an hourly rate of $165. All outside counsel fees herein would be paid by a federal grant through the MDA. The contract is from August 21, 2012, through August 31, 2013. The maximum amount budgeted for payment would be $37,000.

19. PERSONNEL REPORT

EMPLOYMENT

Delta State University
Rehired retirees making more than $20,000 who ARE on contract during FY2013
- Kent Wyatt; former position: President; re-employment position: President Emeritus; re-employment period: July 1, 2012 to June 30, 2013; annual salary of $59,000
- Linda Ross; former position: Director of the H.L. Nowell Union; re-employment position: Director of the H.L. Nowell Union; re-employment period: July 1, 2012 to June 30, 2013; annual salary of $24,693
- Gloria Brister; former position: Chair of Speech and Hearing Sciences and Assistant Professor; re-employment position: Assistant Professor, Emeritus; re-employment period: July 1, 2012 to June 30, 2013; annual salary of $30,000
- James Robinson; former position: Professor of History; re-employment position: Adjunct Instructor in History; re-employment period: July 1, 2012 to June 30, 2013; annual salary of $30,000
- Jean Grantham; former position: Instructor of Nursing; re-employment position: Instructor in Nursing (Part-time); re-employment period: August 15, 2012 to June 30, 2013; annual salary of $33,800

Mississippi State University
David R. Smith; Professor, Department of Pathobiology and Population Medicine, College of Veterinary Medicine; twelve-month contract; salary of $150,000 per annum, pro rata; E&G Funds; effective September 1, 2012; hire with tenure

Mississippi University for Women
Rehired retirees making more than $20,000 who ARE on contract during FY2013
- Peggy Campbell; former position: Superintendent, Cleveland School District; re-employment position: Professor and Coordinator of Educational Leadership; re-employment period: August 13, 2012-June 13, 2013; annual salary of $35,000
- Joyce Hunt; former position: Professor of Management; re-employment position: Professor of Management; re-employment period: August 10, 2012 to May 18, 2013; salary of $30,000
- Dora Faye Jordan; former position: Instructor of Nursing; re-employment position: Instructor of Nursing; re-employment period: August 15, 2012-June 30, 2013; annual salary of $33,140

Mississippi Valley State University
David Stoesz, Professor, Department of Social Work, salary of $65,000 per annum, pro rata; E&G Funds; effective August 15, 2012; hire with tenure
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University of Mississippi

- Velmer S. Burton; Dean of the School of Applied Sciences and Professor of Social Work and Legal Studies; salary of $190,000 per annum, pro rata; E&G Funds; effective August 1, 2012 to June 30, 2013; hire with tenure
- Brandi Hephner LaBanc; Vice Chancellor for Student Affairs and Associate Professor of Leadership and Counselor Education; salary of $200,000 per annum, pro rata; E&G Funds; effective July 16, 2012 to June 30, 2013
- John Kiss; Dean of the Graduate School and Professor of Biology; salary of $185,000 per annum, pro rata; E&G Funds; effective September 1, 2012 to June 30, 2013; hire with tenure

University of Southern Mississippi

Eric Powell; Director, Gulf Coast Research Laboratory and Professor, Department of Coastal Sciences; twelve-month contract, salary of $152,000 per annum, pro rata; E&G Funds; effective September 1, 2012; hire with tenure

CHANGE OF STATUS

Alcorn State University

- Marcus Ward; from Vice President for Institutional Affairs; salary of $117,500 per annum, pro rata; E&G Funds; to Vice President for Institutional Advancement; no change in salary; effective August 1, 2012
- Clara Ross Stamps; from Associate Vice President for Marketing and University Relations; salary of $80,050, per annum, pro rata; E&G Funds; to Vice President for Media Relations; salary of $100,000 per annum, pro rata; E&G Funds; effective August 1, 2012
- Ruth Nichols; from Senior Director of Community Outreach and Partnership Development; salary of $90,000, per annum, pro rata; E&G Funds; to Assistant Vice President for Educational and Community Partnerships; no change in salary; effective August 1, 2012

Mississippi State University

- R. Gregory Dunaway; from Associate Dean and Professor, College of Arts and Sciences, salary of $137,000 per annum, pro rata; E&G Funds; to Interim Dean and Professor, College of Arts and Sciences; salary of $150,000 per annum, pro rata; E&G Funds; effective July 1, 2012
- David C. Lewis; from Associate Dean and Professor, College of Architecture, Art and Design, salary of $102,839 per annum, pro rata; E&G Funds; to Associate Dean and Professor, College of Architecture, Art and Design and Interim Director, Building Construction Science Program; salary of $132,047 per annum, pro rata; E&G Funds; effective July 1, 2012
- Julia Young Porter; from Associate Professor, Meridian Campus, Division of Education, salary of $62,378 per annum, pro rata; E&G Funds; to Associate Dean and Professor, Meridian Campus, Division of Education; salary of $102,000 per annum, pro rata; E&G Funds; effective July 1, 2012
- Rickey L. Travis, from Associate Professor, College of Arts and Sciences, salary of $71,075 per annum, pro rata; E&G Funds; to Interim Associate Dean and Associate Professor, College of Arts and Sciences; salary of $115,000 per annum, pro rata; E&G Funds; effective July 1, 2012
- Julia Hodges, from Associate Vice President for Administrative Services, salary of $180,685 per annum, pro rata; E&G Funds; to Associate Vice President for Academic Affairs; no change in salary; effective July 1, 2012
Mississippi University for Women
Nora Miller; from Vice President for Finance and Administration; salary of $127,500 per annum, pro rata, E&G funds, to Senior Vice President for Administration and Chief Financial Officer; salary of $140,000 per annum, pro rata; E&G Funds; effective July 1, 2012

University of Southern Mississippi
Joe Peyrefitte; from Senior Associate Dean, College of Business; salary of $125,000 per annum, pro rata; E&G Funds; to Interim Dean, College of Business; salary of $175,000 per annum, pro rata; E&G Funds; effective August 15, 2012

TERMINATION

Mississippi University for Women
• Allegra Brigham, Interim Vice President for University Relations and Advancement, effective June 29, 2012
• William Stewart, Interim Dean of the College of Business and Professional Studies, effective June 30, 2012

University of Southern Mississippi
Lance Nail; Dean, College of Business; resignation/other employment; effective August 15, 2012

EMERITUS STATUS

University of Southern Mississippi
Gail S. Russell; Professor Emeritus of Geology, effective August 1, 2012

University of Mississippi Medical Center
• John Current, Professor Department of Anesthesiology
• J. David Duncan; Professor Department of Care Planning and Restorative Sciences
• Robert Shaye; Professor and Chair of the Department of Orthodontics in the School of Dentistry

FINANCE AGENDA
Presented by Trustee Aubrey Patterson, Chair

On motion by Trustee Patterson, seconded by Trustee Hooper, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Patterson, seconded by Trustee Dye, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Patterson, seconded by Trustee Robinson, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Patterson, seconded by Trustee Robinson, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #4.
1. **ASU** - Approved the proposed Residency and Out-of-State Tuition Waiver Policy which authorizes and defines the criteria for granting waivers of out-of-state tuition to Alcorn State University 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). This policy reflects, and shall be construed in conformity with, the *Policies and Bylaws* of the Board of Trustees of State Institutions of Higher Learning (IHL) and with Mississippi statutory law, including Miss. Code Ann. § 37-103-25, as amended. This policy shall be effective upon approval by IHL and ASU, with individual waivers becoming applicable as of the date approved by the ASU President, unless otherwise indicated in the categories as set forth in the bound *August 16, 2012 Board Working File*. The 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 the IHL *Policies and Bylaws*. All waivers are contingent upon the student’s submission to ASU of timely and adequate proof of having met the applicable criteria. All potential out-of-state waiver candidates must be enrolled full-time and satisfy at least one of the criteria set forth in the bound *August 16, 2012 Board Working File*. Students who maintain a 2.50 GPA will be able to automatically renew their waivers each year, pending available funds. The policy and supporting financial projections provided by ASU have been reviewed and approved by Board Staff and counsel.

2. **MUW** - Approved the proposed Residency and Out-of-State Tuition Waiver Policy which authorizes and defines the criteria for granting waivers of out-of-state tuition to Mississippi University for Women 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). This policy reflects, and shall be construed in conformity with, the *Policies and Bylaws* of the Board of Trustees of State Institutions of Higher Learning (IHL) and with Mississippi statutory law, including Miss. Code Ann. § 37-103-25, as amended. This policy shall be effective upon approval by IHL and MUW, with individual waivers becoming applicable as of the date approved by the MUW President, unless otherwise indicated in the categories as set forth in the bound *August 16, 2012 Board Working File*. The out-of-state waivers for Regional, West Alabama, Strategic Markets, and Children of Alumni, in addition to those in existence by virtue of prior statutory law and the IHL *Policies and Bylaws*. All waivers are contingent upon the student’s submission to MUW of timely and adequate proof of having met the applicable criteria. The policy and supporting financial projections provided by MUW have been reviewed and approved by Board Staff and counsel.

3. **UM** - Approved the sixth amendment to the professional services agreement with Aramark Educational Services, LLC in order to provide uninterrupted food service operations during the renovation of the current dining facility to allow for the growing student enrollment. The temporary amendment will remain in effect from August 17, 2012 through September 2013. The existing contract including the amendments will not be altered. The contract in general will continue to remain in effect through June 30, 2021. This is a revenue contract expected to generate $27,138,000 during the life of the contact. This amendment will reduce expected sales commissions by the actual cost of the temporary kitchens, not to exceed fair market lease value of $42,500 per month for approximately thirteen months, plus associated installation and related costs ($140,000 estimate). The reduction equates to approximately $692,500 in sales commissions over the 13-months. No other financial terms existing under the present contract will be altered. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
4. **SYSTEM** - Approved the proposed changes to the Loan/Scholarship Rules and Regulations and the Loan/Scholarship Contracts for the Mississippi Office of Student Financial Aid. Due to the size of the documents these items are included in the August 16, 2012 Board Working File.

5. **Other Business** - On motion by Trustee Robinson, seconded by Trustee Rouse, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to authorize the Finance Committee to select a consulting firm for review of the funding model and a firm for internal audit outsourcing services.

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

On motion by Trustee Robinson, seconded by Trustee Rouse, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to approve agenda items #1 and #2 as submitted on the following Real Estate Agenda.

1. **UM** - Approved the initiation of IHL 207-361, Lamar Hall Phase II-B, and the appointment of Barlow Eddy Jenkins Architects as the design professional. Phase II-B includes the renovation of the top floor of the building and the mezzanine classrooms, toilets and offices including ADA and MEP upgrades and roof repairs. The project budget is $7.5 million and available from Internal R&R funds.

2. **SYSTEM** - Approved the prioritized lists of proposed funding needs for the 2013 Legislative Session as prepared by each individual institution. These lists of campus priorities were developed in the same manner as last year with each university determining the top ten ranking priorities of their respective campus. *(See Exhibit 1.)*

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

On motion by Trustee Perry, seconded by Trustee Owens, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to move agenda items #1 and #2 to the Executive Session Agenda. On motion by Trustee Perry, seconded by Trustee Dye, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #3 as submitted on the following Legal Agenda. On motion by Trustee Perry, seconded by Trustee Robinson, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #4.

1. **UMMC** - Settlement of Tort Claim No. 1776. *(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)*

2. **UMMC** - Settlement of Tort Claim No. 1795. *(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA.)*

3. **UM** - Approved the request to enter into an inter-local agreement with the City of Oxford enabling the university and the City of Oxford to share the costs of planning, bidding, contracting, developing, and constructing tennis courts that will be used by the university and City. The
university’s share will be $550,000, paid over a period of seven years. A draft of the agreement is included in the bound August 16, 2012 Board Working File. Funds will also be provided by Lafayette County which has a proposed separate inter-local agreement with the City of Oxford.

4. UM - Approved the request to allow Alice Clark, Vice Chancellor for Research and Sponsored Programs, and Walt Chambliss, Director of Technology Management, to serve as voting members on the University of Mississippi Research Foundation Board of Directors (Board). These two university employees have been previously approved by the IHL Board of Trustees to serve on this Board of Directors and will replace two other university employees who are rotating off the Board. This would continue to provide the university four (4) voting members on the Board. The primary function of this Board is to provide leadership for the development of university owned land for Insight Park. Because it is university land, it is important that the university maintain a high degree of control, particularly during the early stages of development. The University of Mississippi Research Foundation is organized and operates for scientific, literary, charitable, and educational purposes exclusively for the benefit of the University of Mississippi. The IHL Board of Trustee’s approval for such a request is required by Board Policy 301.0806 University Foundation/Affiliated Entity Activities.

ADMINISTRATION/POLICY AGENDA
Presented by Commissioner Hank M. Bounds

1. Other Business - President Blakeslee announced that Trustee Alan Perry agreed to serve as the IHL representative on the University Press Board for a term of four years – July 2012 – June 2016.

2. SYSTEM - On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Pickering and Smith absent and not voting and Trustee Cummins participating by phone, all Trustees legally present and participating voted unanimously to authorize the Board President to appoint a willing trustee to serve on the board for the Mississippi Commission for Volunteer Service from October 2012 through September 2014.

INFORMATION AGENDA
Presented by Commissioner Hank M. Bounds

ACADEMIC AFFAIRS
Presented by Commissioner Hank M. Bounds

1. SYSTEM - Annual Report on Faculty Tenure. In 2005-2006, IHL institutions hired 216 tenure track faculty members. During the 2011-2012 academic year, 136 (63%) were awarded tenure from the 2005-2006 cohort. A detailed breakdown by institution is included in the bound August 16, 2011 Board Working File.

2. SYSTEM - In accordance with Board Policy 403.0103 Post-Tenure Review, the 2011 post-tenure review report below is presented to the Board for information. In 2011–2012, 99% of full-time faculty received an annual evaluation. Three faculty members are participating in a faculty development plan and one faculty member separated from employment as a result of the post-tenure review process. A detailed breakdown by institution is included in the bound August 16, 2012 Board Working File.
3. **MUW** - In accordance with Board Policy 510 Awarding of Degrees, the Commissioner granted approval for the Mississippi University for Women to award degrees in August 2012 at the levels below, provided each candidate has met all degree requirements.

<table>
<thead>
<tr>
<th>Degree to be Conferred</th>
<th>Number</th>
<th>Subtotal</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Undergraduate</strong></td>
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<tr>
<td>Bachelor of Arts</td>
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<tr>
<td>Bachelor of Fine Arts</td>
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</tr>
<tr>
<td>Bachelor of Science</td>
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<tr>
<td>Bachelor of Science in Nursing</td>
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<tr>
<td>Bachelor of Teaching</td>
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<tr>
<td><strong>Graduate</strong></td>
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<td>214</td>
<td>267</td>
</tr>
<tr>
<td>Master of Art in Teaching</td>
<td>3</td>
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<td></td>
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<tr>
<td>Master of Education</td>
<td>8</td>
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</tr>
<tr>
<td>Master of Fine Arts</td>
<td>2</td>
<td></td>
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</tr>
<tr>
<td>Master of Science</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Master of Science in Nursing</td>
<td>37</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>214</td>
<td>267</td>
</tr>
</tbody>
</table>

**REAL ESTATE**

4. **SYSTEM** - The Board received the Real Estate items that were approved by the Board staff subsequent to the June 21, 2012 Board meeting in accordance with Board Policy 904 Board Approval. *(See Exhibit 2.)*

**LEGAL**

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

**ADMINISTRATION/POLICY**

6. **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 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On July 9, 2012, the Commissioner approved the Policies for Traffic and Rules and Regulations.

b. **MSU** - In compliance with Board Policy 707.01 Land, Property and Service Contracts, the Commissioner has the authority “to approve non-oil, gas and mineral leases in an amount equal to or less than $100,000.” On June 12, 2012, the Commissioner approved the request to renew the existing leasing agreement with the Mississippi Department of Agriculture and Commerce (MDAC). This agreement is for the lease of 781 square feet of office/lab space at the MSU Delta Research and Extension Center, located in Stoneville, MS. The space is used to house MDAC’s Weights and Measures Moisture Meter Lab. The lease was initially entered into between the parties in 2006 for a three-year term – July 1, 2006 to June 30,
MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
August 16, 2012

2009. The lease was then renewed for another three-year term and will expire on June 30, 2012. The approved extension will be for a three-year term to expire June 30, 2015. MSU will receive $225 monthly for the lease of the space, or, $8,100 for the thirty-six month term. The university, as Lessor, will provide utilities, a paved parking area, and maintenance services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.

c. **MVSU** - 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 July 11, 2012, the Commissioner approved the request for budget revisions to the On Campus and Auxiliary budgets for Fiscal Year 2012. The financial staff has reviewed and approved these revisions. These budget revisions contain no increases in the total budget but rather reallocations among individual expense categories.

d. **MVSU** - In compliance with Board Policy 707.01 Land, Property and Service Contracts, the Commissioner has the authority “to approve non-oil, gas and mineral leases in an amount equal to or less than $100,000.” On July 23, 2012, the Commissioner approved the request to enter into a lease agreement with Viking Hospitality Group, LLC (Viking) for the lease of a loft apartment in Greenwood, MS, to be used as living quarters for MVSU President, Dr. Donna Oliver. The Board previously approved a lease agreement for this property in August 2009. MVSU has periodically renewed the agreement with Viking since that time. The current lease term will end July 31, 2012. The renewed lease will run for a period of twelve months, ending July 31, 2013. MVSU will pay rent in the amount of $2,850 per month. The total cost for the twelve month term is $34,200. The Executive Office legal staff has reviewed and approved the contract documents.

e. **UMMC** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On June 11, 2012, the Commissioner approved the request for budget revisions due to increases in surgical patient care costs, increases in the costs of pharmacy drugs, and growth in Pediatrics Cardiovascular Services. The request also includes a correction of other equipment expenditures. The financial staff has reviewed and approved these revisions. These budget revisions contain no increases in the total budget but rather reallocations among individual expense categories.

f. **UM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, the Commissioner is authorized and empowered to approve renewals of athletic concessions revenue contracts if the original contract was previously approved by the Board of Trustees, and the renewed contract results in additional revenues to the university. On June 6, 2012, the Commissioner approved the request to renew the existing contract with Hat World, Inc. The purpose of the agreement is to provide merchandising and concessionaire services to the Department of Intercollegiate Athletics. The original contract approved by the Board in January 2007 resulted in $991,230 in paid royalty commissions to the university during the past five years. That contract is slated to expire on June 30, 2012. The extension renews the contract through June 30, 2017. New cumulative guaranteed minimum commissions will be equal to $1,125,000 over the extended period, bringing the cumulative commission total to $2,116,230 since inception. The university solicited a competitive bid from Barnes and
Noble, the current oncampus bookstore vendor for these same services. The university felt the proposal from Hat World, Inc. was the more competitive offer and better for the athletic department. The Executive Office legal staff have reviewed and approved the contract documents.

g. **UM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, the Commissioner is authorized and empowered to approve renewals of athletic concessions revenue contracts if the original contract was previously approved by the Board of Trustees, and the renewed contract results in additional revenues to the university. On June 11, 2012, the Commissioner approved the request to renew the existing contract with Centerplate. The purpose of the agreement is to provide concessions food and beverage services to the Department of Intercollegiate Athletics. The original contract approved by the Board in January 2002 and later amended in June 2007 has cumulatively resulted in over $6.3 million in sales commission revenue being paid to the university. That contract is slated to expire on June 30, 2012. The extension will renew the contract through June 30, 2015. The sales commission structure is not changing under this contract extension. Sales commission revenues are expected to increase during the next three years. In addition, Centerplate will be making a $250,000 capital investment in the university’s athletic concession facilities. The Executive Office legal staff have reviewed and approved the contract documents.

h. **UM** - In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On July 23, 2012, the Commissioner approved the Parking and Traffic Rules and Regulations.

i. **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 July 23, 2012, the Commissioner approved the request for budget revisions to the Center for Manufacturing Excellence. The financial staff has reviewed and approved the revision. This budget revision contains no increases in the total budgets but rather reallocations amongst individual expense categories.

j. **USM** - In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On July 27, 2012, the Commissioner approved the 2012-2013 Traffic and Parking Regulations.

k. **System** - On July 23, 2012, the Commissioner reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning April 1, 2012 and ending June 30, 2012. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations.

**OTHER BUSINESS/ANNOUNCEMENTS**

- Commissioner Bounds mentioned that the Board received the independent report by Louis Freeh and his law firm, Freeh Sporkin & Sullivan, LLP. The report was an investigation of the facts and
circumstances of the actions of The Pennsylvania State University surrounding the child abuse committed by a former employee, Gerald A. Sandusky. Included within the report are recommendations which will be reviewed to see how they may be adapted and implemented for the Mississippi Public Universities.

- President Blakeslee called on the university presidents to report on current activities on their campuses.
- Trustee Robinson noted that nominations to serve on the USM Campus Search Advisory Committee will be open until August 27 and the members will be announced on August 31.
- President Blakeslee noted that the September 20th meeting, which is also the Board Retreat, will be held on the USM Gulf Park Campus.

UNIVERSITY OF SOUTHERN MISSISSIPPI BOARD SEARCH COMMITTEE REPORT
August 15, 2012

The Committee was brought to order at approximately 3 p.m. by Chairman Robin Robinson.

1. Following discussion about the search firm selection process, the search process as outlined on the website, and the nominations for the Campus Search Advisory Committee, the Committee went into Executive Session.

EXECUTIVE SESSION

On motion by Trustee Owens, seconded by Trustee Rouse, with Trustees Dye and Pickering absent and not voting, all Committee Members 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 Rouse, seconded by Trustee Owens, with Trustees Dye and Pickering absent and not voting, all Committee Members 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 a university personnel matter.

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

The Committee discussed a personnel matter at one of the public universities.

On motion by Trustee Owens, seconded by Trustee Rouse, with Trustees Dye and Pickering absent and not voting, all Committee Members legally present and participating voted unanimously to return to Open Session. On motion by Trustee Rouse, seconded by Trustee Owens, with Trustees Dye and Pickering absent and not voting, all Committee Members legally present and participating voted unanimously to adjourn.

The following Committee Members were present: Mrs. Robin Robinson (Chair), Mr. Bob Owens, and Dr. Doug Rouse. Committee Members Dr. Ford Dye and Mrs. Christy Pickering were absent. (Note: Dr. Dye was attending an orientation meeting for new trustees.) Other Trustees attending were Mrs. Karen Cummins (by phone), Mr. Alan Perry (by phone), and Mr. C.D. Smith.
REAL ESTATE
COMMITTEE REPORT
August 15, 2012

The Committee was called to order at approximately 4 p.m. by Chairman C.D. Smith. The following items were discussed and/or approved. In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during a teleconference meeting must be recorded by name in a roll-call fashion. Trustee Cummins participated in the meeting by phone. Her vote was recorded in roll-call fashion.

1. On motion by Trustee Robinson, seconded by Trustee Parker, with Trustee Pickering absent and not voting and Trustee Cummins participating by phone, all Committee Members legally present and participating voted unanimously to approve the update received about the Five-Year Master Plan for the University of Mississippi Medical Center.

2. On motion by Trustee Robinson, seconded by Trustee Owens, with Trustee Pickering absent and not voting and Trustee Cummins participating by phone, all Committee Members legally present and participating voted unanimously to approve the Facility Needs Request for the 2013 Legislative Session.

3. On motion by Trustee Robinson, seconded by Trustee Parker, with Trustee Pickering absent and not voting and Trustee Cummins participating by phone, all Committee Members legally present and participating voted unanimously to adjourn.

The following Committee Members were present: Mr. C. D. Smith (Chair), Mrs. Karen Cummins (by phone), Mr. Bob Owens, Mr. Hal Parker, Mrs. Robin Robinson. Committee Member Mrs. Christy Pickering was absent.

EXECUTIVE SESSION

On motion by Trustee Perry, with Trustees Pickering and Smith absent and not voting and Trustee Cummins 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 Pickering and Smith absent and not voting and Trustee Cummins participating by phone, 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 university litigation matters;
Discussion of one prospective IHL litigation matter; and
Discussion of four university personnel matters.

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

On motion by Trustee Robinson, seconded by Trustee Dye, with Trustee Smith absent and not voting and Trustees Cummins and Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 1795 styled as Shannon Kennedy vs. UMMC, et al., as recommended by counsel.
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
August 16, 2012

On motion by Trustee Robinson, seconded by Trustee Dye, with Trustee Smith absent and not
voting and Trustees Cummins and Pickering participating by phone, all Trustees legally present and
participating voted unanimously to approve the settlement of Tort Claim No. 1776 styled as *Edward
Wesley vs. UMMC, et al.*, as recommended by counsel.

The Board discussed a personnel matter at one of the public universities.

The Board discussed a prospective litigation matter at the Board Office.

The Board discussed three personnel matters at three of the public universities.

On motion by Trustee Dye, seconded by Trustee Rouse, with Trustees Cummins and Pickering
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 Owens, seconded by
Trustee Patterson, with Trustees Cummins and Pickering 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
<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exhibit 1</td>
<td>Facility Needs Request List for 2013 Legislative Session.</td>
</tr>
<tr>
<td>Exhibit 2</td>
<td>Real Estate items that were approved by the IHL Board staff subsequent to the June 21, 2012 Board meeting.</td>
</tr>
<tr>
<td>Exhibit 3</td>
<td>Report of the payment of legal fees to outside counsel.</td>
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Facilities Needs Requests for FY 2014
2013 Legislative Session

<table>
<thead>
<tr>
<th>University</th>
<th>University Priority</th>
<th>Project Description</th>
<th>Request Per Project</th>
<th>Total By University</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASU</td>
<td>1</td>
<td>Fire Sprinkler Project</td>
<td>$650,000</td>
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<tr>
<td></td>
<td>2</td>
<td>Technology Classroom Building</td>
<td>$16,975,000</td>
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<td></td>
<td>3</td>
<td>ADA Modifications</td>
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<td>4</td>
<td>Campus Security Project</td>
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<td></td>
<td>5</td>
<td>General Repair and Renovations</td>
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<td>6</td>
<td>Infrastructure Upgrades</td>
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<td>7</td>
<td>Campus Improvements</td>
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<td>8</td>
<td>ASU Academic Convocation Center (Pre-Plan)</td>
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<td>9</td>
<td>James Bolden Campus Union Renovations (Pre-Plan)</td>
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<td>DSU</td>
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<td>Court of Governors Fire Suppression</td>
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<td>2</td>
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<td>3</td>
<td>Ward Hall Renovation</td>
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<td>Campus Roof Repairs Projects</td>
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<td>Central Mechanical Plant Phase II</td>
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<td>Campus Demolitions</td>
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<td>Ziegal Hall (Pre-Plan)</td>
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<td>Ziegal Hall Renovation</td>
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## Facilities Needs Requests for FY 2014
### 2013 Legislative Session

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<th>University</th>
<th>University Priority</th>
<th>Project Description</th>
<th>Request Per Project</th>
<th>Total By University</th>
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</thead>
<tbody>
<tr>
<td>JSU</td>
<td>1</td>
<td>Alexander Center Renovation – Phase II</td>
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<td>2</td>
<td>Administration Tower Exterior Waterproofing</td>
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<td>3</td>
<td>General Repair and Renovation</td>
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<td>4</td>
<td>Old Industrial Arts Building Renovation</td>
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<td>Land Acquisition Phase V</td>
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<td>Dansby Hall Replacement Phase I</td>
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<td>College of Education &amp; Human Development Renov. &amp; Construction</td>
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<td>9</td>
<td>Campus Parking Structure Phase I (Pre-Planning)</td>
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<td>10</td>
<td>Charles F. Moore Building Renovation Phase I</td>
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<td><strong>$65,500,000</strong></td>
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<td>MSU</td>
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<td>Renovation of YMCA</td>
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<td>Addition to Mitchell Memorial Library</td>
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<td>Civil and Environmental Engineering Complex</td>
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<td>Fire Suppression Systems (Classroom Sprinklers)</td>
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<td>ADA Accessibility</td>
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<td>Roof Repairs</td>
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<td>Water Infiltration Repairs</td>
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<td>HVAC Systems Replacements</td>
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## Facilities Needs Requests for FY 2014
### 2013 Legislative Session

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<th>University</th>
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## Facilities Needs Requests for FY 2014
### 2013 Legislative Session

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EXHIBIT 1
August 16, 2012

Facilities Needs Requests for FY 2014
2013 Legislative Session

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<tr>
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<th>Total By University</th>
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<td>East Central Mechanical Plant</td>
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### Facilities Needs Requests for FY 2014
#### 2013 Legislative Session

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<tr>
<td>ERC</td>
<td>1</td>
<td>Repair Hot/Chilled Mechanical Water Lines</td>
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<td>Exterior Handicap Ramps</td>
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<td>Replace Stairs at Parking Garage</td>
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<td>Renovation of Paul B. Johnson Building (Pre-Plan)</td>
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<td>Re-roof Paul B. Johnson Building</td>
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<td>Parking Lot Re-Paving</td>
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SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE JUNE 21, 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 WHICH STATES:

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 113-126 – Mech-Bost/Forest Products**
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the **credit amount** of $6,380.00 and ten (10) additional days to the contract of Air Control Engineering, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.
   **Staff Approval Date:** July 11, 2012
   **Change Order Justification:** Change Order #3 is necessary to install bollards at two locations on the campus to protect new fire hydrants, install junction boxes on the isolation valves for the flow forward test valves, upsize the VFD’s on AHE-3, -4, -5, & -6 from 10 Hp to 25 Hp and 30 Hp, a deduct to adjust the contract amount to reconcile the controls allowance with the actual controls contract and adjust the contract amount to move test & balance contractor from under the general contractor’s contract to the consultant’s contract.
   **Total Project Change Orders and Amount:** Three (3) change orders for a total amount of $43,520.22.
   **Project Initiation Date:** September 17, 2009
   **Design Professional:** MJR/Senter, P.C.
   **General Contractor:** Air Control Engineering, Inc.
   **Contract Award Date:** June 14, 2011
   **Project Budget:** $1,450,000.00
   **Funding Source(s):** HB 1722, L’09 R&R ($911,700.00); HB 1701, L’10 BOB Energy Discretionary Funds ($538,300.00)

2. **MSU – GS 113-130 – Necropsy Renovation**
   **Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of $21,396.37 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 #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of $355,433.81 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 #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the amount of $36,346.69 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:** (#2–#3) May 21, 2012; (#4) July 11, 2012

**Change Order Justification:** Change Order #2 is necessary to lower the return line in the breezeway so it will run beneath the bond beam, replace cmu portion of the wall with metal studs, sheath up to the pipe cluster & fill voids with expandable foam, install steel stud wall above the storefront for bracing, sheath one side of the wall & fill pipe cluster with expandable foam, install steel stud wall at the end of the breezeway, sheath one side of wall and fill pipe cluster with expandable foam. Change Order #3 is necessary due to discovery during demolition that the existing duct material, incased in concrete, was asbestos duct and could not be reused without expensive asbestos abatement; therefore it was necessary to relocate the electrical feed for Necropsy. Change Order #4 is necessary to provide & install expansion joints in the breezeway, install new power to the existing cooling tower, provide & install an 8’ chain link gate, a deduct on the fence pipe that was specified incorrectly and a deduct for controls allowance reconciliation.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of $506,350.69.

**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. **MUW – GS 104-149 – Poindexter Hall Renovation**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #11 in the amount of $20,005.20 and three (3) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** July 10, 2012

**Change Order Justification:** Change Order #11 is necessary to provide power to the condensing unit controllers, omit glass rail and install steel rail in the auditorium, add acoustical wall panels in the vocal music room #307, and provide missing wood transoms & windows.

**Total Project Change Orders and Amount:** Eleven (11) change orders for a total amount of $584,525.31.

**Project Initiation Date:** November 20, 2003

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

**General Contractor:** West Brothers Construction

**Contract Award Date:** July 13, 2010

**Project Budget:** $9,579,000.00
Funding Source(s): SB 2010, L’04 ($6,930,000.00); HB 246, L’07 ($714,000.00); HB 1641, L’08 ($435,000.00); HB 1722, L’09 ($1,500,000.00).

4. MUW– GS 104-173 – HVAC Upgrade Program, Phase I
Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $27,007.20 and zero (0) additional days to the contract of Upchurch Plumbing, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.
Staff Approval Date: June 29, 2012
Change Order Justification: Change Order #1 is necessary to abate bat droppings in the old Pohl Gym that have accumulated since the inception of the project creating a hazard for workers in this environment.
Total Project Change Orders and Amount: One (1) change order for a total amount of $27,007.20.
Project Initiation Date: June 16, 2011
Design Professional: Atherton Consulting Engineers, Inc.
General Contractor: Upchurch Plumbing, Inc.
Contract Award Date: January 17, 2012
Project Budget: $1,400,000.00
Funding Source(s): HB 1701, L’10 ($1,300,000.00); BOB Energy Discretionary Fund ($100,000.00)

5. MUW – GS 104-178 – Fant Library Renovation – PH 1
Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to West Brothers Construction, Inc., the lower of three (3) bidders, for a total contract amount of $6,170,200.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.
Staff Approval Date: July 13, 2012
Project Initiation Date: October 20, 2011
Design Professional: Burris/Wagnon Architects, P.A.
General Contractor: West Brothers Construction, Inc.
Contract Award Date: July 13, 2012
Project Budget: $6,800,000.00
Funding Source(s): SB 3100, L’11 ($5,000,000.00); 2011 BOB IHL Discretionary Funds ($952,000.00); HB 1701, L’10 ($848,000.00)

6. UM– GS 107-302 – Lamar Hall Renovation
Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $19,505.83 and zero (0) 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 #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #2 in the credit amount of $162,474.00 and zero (0) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.
EXHIBIT 2
August 16, 2012

Staff Approval Date: June 29, 2012
Change Order Justification: Change Order #1 is necessary for additional ACM abatement that was not discovered until demolition had started and additional electrical/communications risers that were requested during an on-site meeting with university IT personnel. Change Order #2 is necessary to credit for non-reflective glass substitution at the new monumental stair and for the terrazzo stair tread detail revision at the monumental stair.
Total Project Change Orders and Amount: Two (2) change orders for a total credit amount of $142,968.47.

Project Initiation Date: August 20, 2009
Design Professional: Barlow Eddy Jenkins Architects, P.A.
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 ($3,000,000.00); HB 1701, L’10 ($2,000,000.00); Internal R&R ($2,300,000.00)

7. UM– IHL 207-306 – Center for Manufacturing Excellence
Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #11 in the credit amount of $53,263.92 and one (1) additional day to the contract of Panola Construction Company, Inc.
Staff Approval Date: June 1, 2012
Change Order Justification: Change Order #11 is necessary to add (3) 4” galvanized metal sleeves through the roof for electrical connections for future solarvoltaic panel installation, modifying original millwork, counter top, and backsplash in Hospitality room 208A for installation of donated Viking brand refrigerator, which is 2” wider & 2” taller than the original specified refrigerator, also to patch & paint the wall to complete the millwork adjustment. In addition, to credit the remaining funds in the Building Signage allowance and the Access Control System allowance to the contract.
Total Project Change Orders and Amount: Eleven (11) change orders for a total amount of $348,396.25.
Project Initiation Date: November 15, 2007
Design Professional: Cooke Douglas Farr Lemons + Eley & Associates – A Joint Venture
General Contractor: Panola Construction Company, Inc.
Contract Award Date: February 18, 2009
Project Budget: $17,700,000.00
Funding Source(s): Mississippi Development Authority ($17,700,000.00)

8. UM– IHL 207-311 – UMMC School of Pharmacy
Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the amount of $173,502.75 and sixty-two (62) additional days to the contract of Chris Albritton Construction Company, Inc.
Staff Approval Date: May 23, 2012
EXHIBIT 2
August 16, 2012

Change Order Justification: Change Order #4 is necessary to reroute the domestic water line to the building from Lakeland Dr., reroute the fire main, provide additional conduit & raceways for the energy management controls system and in the crawlspace for control exhaust fans, reconnect irrigation system in NW area of the site which was capped off under CO #1, add fourteen paper towel dispensers, change the microphone for the auditorium podium & add two PBL room monitors, raise the base cabinets in break room 132 to accommodate the ice maker height, add a lighting dimmer control module and reconcile the signage allowance with a credit.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of $173,502.75.

Project Initiation Date: May 22, 2008
Design Professional: Eley Guild Hardy Architects, P.A.
General Contractor: Chris Albritton Construction Company, Inc.
Contract Award Date: January 28, 2010
Project Budget: $9,730,789.00
Funding Source(s): Internal R&R; Indirect cost/research enterprise ($1,898,075.00); 6C76HF09730; C76HF09730 ($7,832,714.00)

9. UM– IHL 207-345 – University Housing – Package C

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the credit amount of $3,193.20 and zero (0) additional days to the contract of Selective Masonry (SMSA).

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #5 in the amount of $8,005.40 and zero (0) additional days to the contract of Selective Masonry (SMSA).

Staff Approval Date: June 29, 2012

Change Order Justification: Change Order #4 is necessary to deduct for cleaning charges to prime contractor who did not clean the project per the contract requirements. Change Order #5 is necessary to add approximately 1,300 ln ft of termination bar & caulking and 660 ln ft of 2’ wide permabarrier flashing at the CMU/denseglass joint at the stairwells on all three buildings, to deduct for repair to the damaged studs due to construction forklift traffic around the buildings, to remove and re-install a section of the brick on the north building due to an issue with the Tyvek installation behind the brick

Total Project Change Orders and Amount: Five (5) change orders for a total amount of $8,543.30.

Project Initiation Date: November 18, 2010
Design Professional: Cooke Douglas Farr Lemons + Eley & Associates – A Joint Venture
General Contractor: SMSA.
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 207-345 – University Housing – Package D

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #6 in the credit amount of $6,047.45 and zero (0) additional days to the contract of Drywall Systems Plus, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #7 in the amount of $4,790.94 and zero (0) additional days to the contract of Drywall Systems Plus, Inc.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #8 in the amount of $7,116.42 and zero (0) additional days to the contract of Drywall Systems Plus, Inc.

Staff Approval Date: June 29, 2012

Change Order Justification: Change Order #6 is necessary to deduct for cleaning charges to the prime contractor who did not clean the project per the contract requirements. Change Order #7 is necessary to furnish cornice support clips required to anchor the metal cornice at all three buildings. Change Order #8 is necessary to deduct for a second inspection cost with the field weld that did not pass the first inspection, to repair the damaged studs due to the construction forklift traffic around the buildings, to revise the duct, stud framing & existing drywall at the outside air shafts on the 1st & 2nd floors of the north and south buildings to allow for the proper clearances in the ADA rooms, to furnish & install a working platform at the elevator bank 1 & 2 at the west building due to the bottom of the elevator shaft being at the basement elevation & not at the 1st floor, and to furnish and install an elevator hoist beam in the shaft of elevator #3 in west building.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of $12,456.88.

Project Initiation Date: November 18, 2010
Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, P.A. + Eley Guild Hardy and Associates – A Joint Venture
General Contractor: Drywall Systems Plus, 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)

11. UM–IHL 207-345 – University Housing – Package E

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $2,230.68 and zero (0) additional days to the contract of Atlas Group Enterprises, Inc.

Staff Approval Date: June 21, 2012

Change Order Justification: Change Order #3 is necessary to extend the 30” X 30” duct from the top of the elevator shaft lid to the underside of the roof and by constructing the ventilation shafts of metal studs & fire rated drywall in lieu of the mechanical duct.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $6,150.08.

Project Initiation Date: November 18, 2010
12. UM– IHL 207-345 – University Housing – Package F

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #5 in the amount of $1,026.00 and zero (0) additional days to the contract of EMJ Corporation.

Staff Approval Date: June 1, 2012

Change Order Justification: Change Order #5 is necessary to apply a card reader to a stainless steel post mounted adjacent to one of the columns in order to be mounted at the correct height.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of $59,077.38.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglas Farr Lemons Architects and Engineers + Eley Guild Hardy and 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)

13. 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 #4 in the amount of $24,471.80 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 #5 in the amount of $4,599.81 and zero (0) additional days to the contract of Clinton Interiors, Inc.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #6 in the amount of $2,058.55 and zero (0) additional days to the contract of Clinton Interiors, Inc.

Staff Approval #4: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #7 in the amount of $1,852.65 and zero (0) additional days to the contract of Clinton Interiors, Inc.

Staff Approval #5: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #8 in the amount of $3,702.82 and zero (0) additional days to the contract of Clinton Interiors, Inc.

Staff Approval Date: June 29, 2012
Change Order Justification: Change Order #4 is necessary to deduct for cleaning charges to prime contractor who did not clean the project per the contract requirements. Change Order #5 is necessary to extend the 30”x30” duct extending from the top of the elevator shaft lid to the underside of the roof. Change Order #6 is necessary to lower the ceiling height in the study room of the north building, floors 2-5 to allow the installation of the ductwork due to insufficient space above the ceiling. Change Order #7 is necessary to repair the damaged studs due to construction forklift traffic around the buildings, to deduct for revision of the duct, stud framing & existing drywall at the outside air shafts on the 1st & 2nd floors of the north & south building to allow for the proper clearances in the ADA rooms, and a deduct to remove a section of the brick on the north building and re-install due to an issue with the Tyvek installation behind the brick. Change Order #8 is necessary to replace the center stair doors of all three buildings with the single type D3 door as described in ASI 013 for the west building.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of $74,919.94.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglas 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)

14. 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 #1 in the amount of $810.00 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 #2 in the amount of $1,445.00 and zero (0) additional days to the contract of Specialty Finishes, Inc.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $581.00 and zero (0) additional days to the contract of Specialty Finishes, Inc.

Staff Approval Date: (#1) June 21, 2012; (#2-#3) June 29, 2012

Change Order Justification: Change Order #1 is necessary to extend the 30”x30” duct from the top of the elevator shaft lid to the underside of the roof. Change Order #2 is necessary to repair the roof leak causing some dame to the drywall finishes. Change Order #3 is necessary to replace the center stair doors of all three buildings with the single type D3 door as described in ASI 013 for the west building to have the option to keep the doors to stairs in closed position.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $2,836.00.

Project Initiation Date: November 18, 2010
EXHIBIT 2

August 16, 2012

**Design Professional:** Cooke Douglas Farr Lemons Architects and Engineers + Eley
Guild Hardy and 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)

15. **UM– IHL 207-345 – University Housing – Package I**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of $1,203.85 and zero (0) additional days to the contract of F. L. Crane & Sons, Inc.

**Staff Approval Date:** June 29, 2012

**Change Order Justification:** Change Order #1 is necessary to change the flooring installation in the west building room 127 from a walk-off mat to carpet tile as the depression for the walk-off mat was not formed.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of $1,203.85.

**Project Initiation Date:** November 18, 2010

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

**General Contractor:** F. L. Crane & Sons, 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)

16. **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 #8** in the amount of $11,075.00 and zero (0) additional days to the contract of Ivey Mechanical Company, LLC.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of $2,202.00 and zero (0) additional days to the contract of Ivey Mechanical Company, LLC.

**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10** in the amount of $3,039.04 and zero (0) additional days to the contract of Ivey Mechanical Company, LLC.

**Staff Approval Date:** (#8-#9) June 21, 2012; (#10) June 29, 2012

**Change Order Justification:** Change Order #8 is necessary to extend the 30”x30” duct from the top of the elevator shaft lid to the underside of the roof. Change Order #9 is necessary to place a diffuser in the ceiling as the sidewall vent for the vending rooms are located above the ceiling height. Change Order #10 is necessary to deduct for repair to the damaged exterior studs due to construction forklift traffic around the buildings, to revise the duct, stud framing & existing drywall at the outside air shafts on the 1st & 2nd
floors of the north & south buildings to allow for the proper clearances in the ADA rooms and to furnish & install duct work & return air grilles.

**Total Project Change Orders and Amount:** Ten (10) change orders for a total amount of $95,696.71.

**Project Initiation Date:** November 18, 2010

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

**General Contractor:** Ivey Mechanical Company, 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)

17. **UM– IHL 207-345 – University Housing – Package M**

   **Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the credit amount of $1,206.80 and zero (0) additional days to the contract of Whitfield Electric Company, Inc.

   **Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #5 in the amount of $6,580.89 and zero (0) additional days to the contract of Whitfield Electric Company, Inc.

   **Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #6 in the credit amount of $342.32 and zero (0) additional days to the contract of Whitfield Electric Company, Inc.

   **Staff Approval Date:** June 29, 2012

   **Change Order Justification:** Change Order #4 is necessary to deduct for cleaning charges to the prime contractor who did not clean the project per the contract requirements. Change Order #5 is necessary to extend the 30”x30” duct from the top of the elevator shaft lid to the underside of the roof. Change Order #6 is necessary to deduct for repair of damaged exterior studs due to construction forklift traffic around the buildings.

   **Total Project Change Orders and Amount:** Six (6) change orders for a total credit amount of $21,421.61.

   **Project Initiation Date:** November 18, 2010

   **Design Professional:** Cooke Douglas Farr Lemons Architects and Engineers + Eley Guild Hardy and 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)

18. **UM– IHL 207-349 – Howry Hall Renovation**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the amount of $1,004.73 and zero (0) additional days to the contract of Hooker Construction Company.
EXHIBIT 2
August 16, 2012

Staff Approval Date: June 1, 2012
Change Order Justification: Change Order #4 is necessary to change the floor finishes from vct to carpet in rooms 108, 213 and 308.
Total Project Change Orders and Amount: Four (4) change orders for a total amount of $12,457.28.
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)

19. UM– IHL 207-350 – Falkner Hall Renovation
Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $9,388.05 and zero (0) additional days to the contract of Zellner Construction Services, LLC.
Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the amount of $4,420.02 and twelve (12) additional days to the contract of Zellner Construction Services, LLC.
Staff Approval Date: June 5, 2012
Change Order Justification: Change Order #3 is necessary to extend & connect the 3” storm drainage piping to an existing 6” storm drain pipe, connect the 2-1/2” domestic water line to the newly installed fire main, south side of the building, change door louver opening dimensions, furr out the east wall of the accounting office #4, room 107, repair damaged concrete beams in the building, modify existing precast building roof fascias, demolish the existing plaster ceilings in all the new mechanical closets, provide power requirements for automatic door devices and credit for three automatic operators and their push buttons. Change order #4 is necessary to provide a 175A/3P enclosed circuit breaker with 120v auxiliary contact for the elevator, change the floor finish in six rooms from vct to carpet and in two rooms change the floor finish from vct to sealed concrete, add back door closers to doors 100A, 100B and 115A, add twelve days to the project schedule, remove approximately 81sf of asbestos containing floor tile in the entrance way adjacent to storage 102 on the first floor and provide & install new door hinges at locations where door hinges were either missing or damaged & unseatable.
Total Project Change Orders and Amount: Four (4) change orders for a total amount of $24,665.30
Project Initiation Date: May 19, 2011
Design Professional: Dale Partners Architects, P.A.
General Contractor: Zellner Construction Services, LLC
Contract Award Date: July 20, 2011
Project Budget: $1,990,550.51
Funding Source(s): Internal R&R ($1,990,550.51)
20. **UMMC – GS 109-204 – Boiler Room Upgrades**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to McLain Plumbing and Electrical Service, Inc., the lower of six (6) bidders, for a total contract amount of $818,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval Date:** July 10, 2012  
   **Project Initiation Date:** February 16, 2012  
   **Design Professional:** Eldridge & Associates Consulting Engineers  
   **General Contractor:** McLain Plumbing and Electrical Service, Inc.  
   **Contract Award Date:** July 10, 2012  
   **Project Budget:** $1,200,000.00  
   **Funding Source(s):** HB 1701, L’10 ($1,200,000.00)

21. **UMMC – GS 109-210, GC-001 – School of Medicine**

   **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:** June 29, 2012  
   **Project Initiation Date:** June 16, 2011  
   **Design Professional:** Cooke Douglas Farr Lemons Architects and Engineers + Eley Guild Hardy and Associates – A Joint Venture  
   **General Contractor:** TBA  
   **Contract Award Date:** TBA  
   **Project Budget:** $4,500,000.00  
   **Funding Source(s):** SB 3100, Laws of 2011 ($4,500,000.00)

22. **UMMC – GS 109-210, GC-004 – School of Medicine – Paving Phase**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Fountain Construction Company, Inc., the lower of three (3) bidders, for a total contract amount of $230,500.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval Date:** June 29, 2012  
   **Project Initiation Date:** June 16, 2011  
   **Design Professional:** Cooke Douglas Farr Lemons Architects and Engineers + Eley Guild Hardy 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, Laws of 2011 ($4,500,000.00)

23. **UMMC – IHL 209-526 – Cafeteria/Kitchen Renovations**

   **Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #7 in the amount of $48,348.00 and twenty-five (25) additional days to the contract of Fountain Construction Company, Inc.
Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #8 in the amount of $11,502.00 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Staff Approval Date: (#1) May 29, 2012; (#2) June 29, 2012

Change Order Justification: Change Order #7 is necessary for reconciliation of allowance no. 7 – existing firewall/fire stopping repair, to move existing ductwork to accommodate increased roof opening for new structural beams, to provide additional equipment to condition air in electrical room, replace ACM piping insulation and redesign of phase 3 to accommodate an “alternate corridor path”.

Change Order #8 is necessary to add stainless steel skirt at kitchen exhaust hoods to accommodate open ceiling, complete installation of existing walls up to the deck, add additional glass tile due to larger diameter columns required to cover existing pipe and to modify electrical power connections for kitchen equipment pieces 309 and 368.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of $114,507.00

Project Initiation Date: August 20, 2009
Design Professional: The McCarty Company Design Group, P.A.
General Contractor: Fountain Construction Company
Contract Award Date: January 17, 2012
Project Budget: $7,750,000.00
Funding Source(s): Hospital Patient Revenue ($7,750,000.00)


Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #5 in the amount of $13,274.51 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: July 5, 2012
Change Order Justification: Change Order #5 is necessary to provide additional structural reinforcement for the mechanical screen wall.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of $1,585,081.35.

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)
25. **USM – IHL 210-246 – Hopkins Classroom Building**
   - **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to D.N.P., Inc., the lower of eight (8) bidders, for a total contract amount of $1,735,000.00.
   - **Staff Approval Date:** June 4, 2012
   - **Project Initiation Date:** August 21, 2008
   - **Design Professional:** Allred Architectural Group
   - **General Contractor:** D.N.P., Inc.
   - **Contract Award Date:** June 4, 2012
   - **Project Budget:** $1,872,274.24
   - **Funding Source(s):** FEMA and Insurance ($1,872,274.24)

26. **USM– Gulf Park - IHL 214-014 – Hardy Hall Storm Damage Repair**
   - **Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #5 in the credit amount of $2,033.38 and three (3) additional days to the contract of C. Perry Builders, Inc.
   - **Staff Approval Date:** June 20, 2012
   - **Change Order Justification:** Change Order #5 is necessary to deduct for installing a non-tapered insulation with ¼” slope at the existing roof in lieu of a 3” tapered insulation system, to revise exterior fixture at the bookstore exit, to add LED lights at corridor 102, to make revisions to toilet accessories, and to stabilize cracks in the existing structure that were discovered after demolition.
   - **Total Project Change Orders and Amount:** Five (5) change orders for a total amount of $103,613.72.
   - **Project Initiation Date:** August 21, 2008
   - **Design Professional:** Dale and Associates Architects, P.A.
   - **General Contractor:** C. Perry Builders, Inc.
   - **Contract Award Date:** August 22, 2011
   - **Project Budget:** $10,095,459.54
   - **Funding Source(s):** Insurance & FEMA reimbursables ($10,095,459.54)

27. **ERC – GS 111-044 – Education and Research Center**
   - **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #6 in the amount of $10,357.68 and zero (0) additional days to the contract of Upchurch Plumbing, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.
   - **Staff Approval Date:** July 5, 2012
   - **Change Order Justification:** Change Order #6 is necessary to replace roof drain leaders which are 40 years old and have deteriorated and are leaking.
   - **Total Project Change Orders and Amount:** Six (6) change orders for a total amount of $50,524.42.
   - **Project Initiation Date:** N/A
   - **Design Professional:** Atherton Consulting Engineers, Inc.
   - **General Contractor:** Upchurch Plumbing, Inc.
   - **Contract Award Date:** November 12, 2010
EXHIBIT 2
August 16, 2012

**Project Budget:** $3,520,000.00
**Funding Source(s):** HB 246, L’07 ($2,500,000.00); HB 1641, L’08 ($500,000.00); HB 1722, L’09 ($520,000.00)

28. **ERC – GS 111-049 – Road Improvements**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by W. L. Burle Engineers 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:** July 13, 2012
**Project Initiation Date:** October 20, 2011
**Design Professional:** W. L. Burle Engineers
**General Contractor:** TBA
**Contract Award Date:** TBA
**Project Budget:** $2,400,000.00
**Funding Source(s):** BOB Discretionary Funds (HB 1701, L’10) ($1,150,000.00); IHL Discretionary Funds (SB 3100, L’11) ($750,000.00); HB 1701, L’10 ($250,000.00); JSU (SB 3100, L’11) ($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 Mayo Mallette (statement dated 7/3/12) from the funds of the Mississippi Board of Trustees of State Institutions of Higher Learning. (This statement, in the amount of $478.50, represents services and expenses in connection with Jackson HMA, LLC et al. vs. Mississippi Department of Health, et al.)

TOTAL DUE.................................................................$ 478.50

Payment of legal fees for professional services rendered by David Ware & Associates (statement dated 6/21/12) from the funds of Mississippi State University. (This statement, in the amount $2,500.00, represents services and expenses in connection with labor certification.)

TOTAL DUE.................................................................$ 2,500.00

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statement dated 5/10/12) from the funds of the University of Mississippi. (This statement, in the amount of $4,608.46, represents services and expenses in connection with legal fees related to the purchase of Campus Walk Apartments from American Campus Communities.)

TOTAL DUE.................................................................$ 4,608.46

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz (statement dated 6/7/12) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $2,248.73, represents services and expenses in connection with an Environmental Audit.)

TOTAL DUE.................................................................$ 2,248.73

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 6/11/12) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the cases styled Zeigler/Varnado - $2,161.50; Kermode (Federal Case) - $10,246.50; Mawson - $874.50; HealthOne - $7,936.50; Kermode (State Case) - $280.50; HealthOne - $2,508.00; Emtel - $28,008.06; Emtel - $6,187.50 and Kermode (Federal Case) - $2,937.00.)

TOTAL DUE.................................................................$ 61,140.06
EXHIBIT 3
August 16, 2012

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statement dated 6/13/12) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the case styled *The University of Iowa, et al. v. The University of Southern Mississippi* - $112.50.)

TOTAL DUE……………………………………………………….$ 112.50

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 5/8/12, 5/8/12, 5/8/12, 5/8/12, 5/8/12, 5/8/12, 5/8/12, 5/8/12, 5/17/12, 5/17/12, 5/17/12, 5/17/12, 5/17/12, 5/17/12, 6/20/12, 6/21/12, 6/28/12, 7/17/12 and 7/17/12) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Methods of Preparation of Live Attenuated Bacterial Vaccines” - $1,255.00; “Application of Mechanical Stress to Improve Wood Treatability” - $25.50; “Methods for Maize Transformation” - $4,772.50; “Method for Transformation of Cotton and Organogenic Regeneration” - $68.00; “Optical-Reflectance-Based Mass-Flow Sensor” - $1,467.50; “Cellulosic Biodiesel Provisional Application” - $25.50; “Catalytic Method to Produce Hydrocarbons Provisional Application” - $25.50; “Glycine Max Resistance-PCT” - $468.00; “Water Repellent Solids - Non-Prov.” - $1,057.50; “Live Attenuated Catfish Vaccine” - $292.50; “Water Repellent Solids - Non-Prov. - $497.00; “Water Repellent Solids-PCT” - $148.00; “Water Repellent Solids-PCT” - $3,707.00; “Water Repellent Solids Non-Prov.” - $42.50; “Bio-Oil Treatment with Catalysts Prov.” - $500.00; “Steele - Cellulosic Biodiesel Provisional Application” - $500.00; “Methods of Preparation of Live Attenuated Bacterial Vaccines” - $42.50; “Water Repellent Solids Non-Prov.” - $85.00 and “Water Repellent Solids PCT” - $170.00, respectively.)

TOTAL DUE……………………………………………………….$ 19,533.00

Payment of legal fees for professional services rendered by Larry Schemmel (statement dated 5/2/12) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Occidiofungin, a Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - $3,340.50.)

TOTAL DUE……………………………………………………….$ 3,340.50
EXHIBIT 3
August 16, 2012

Payment of legal fees for professional services rendered by Valauskas Corder (statements dated 6/13/12, 6/14/12 and 7/16/12) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Provisional Wood Preservation System” - $145.00; “Provisional Blue Stain” - $600.00 and “Provisional Blue Stain” - $145.00, respectively.)

TOTAL DUE……………………………….………………$ 890.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 5/30/12) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: “Raucher/Inhibition of Cancer Metastasis” - $797.22; “Raucher/Cell Penetrating Peptide Fused” - $432.18; “Copyright Licensing” - $185.50; Abell/Miniature Wireless Gastric Electrical Stimulators” - $152.50; “Abell/CIP/Gastrointestinal Electrical Stimulator” - $579.50; “Abell/Gastric Electrical Stimulation” - $91.50; “Vig/Therapeutic Use of Dopamine D2” - $412.50 and “Eishamy/Novel Breast - Ovarian BRCA1-1R” - $47.50.)

TOTAL DUE……………………………….………………$ 2,698.40

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statement dated 3/21/12) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the following patent: “Urban-Covalent Attachment of Bacteriophages to Plymeric Surfaces”.)

TOTAL DUE……………………………….………………$ 3,892.50