

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 10, 2019, to each and every member of said Board said date being at least five days prior to this January 16, 2020 meeting. At the above-named place there were present the following members to wit: Dr. Steven Cunningham, Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. J. Walt Starr. The meeting was called to order by Dr. Ford Dye, Vice President. Trustee Ogletree introduced Mr. Chip Henderson, Senior Pastor at Pine Lake Baptist Church, who provided the invocation.

INTRODUCTION OF GUESTS

- Vice President Ford Dye welcomed the Student Government Association Officers: Ken Johnson, SGA President at Alcorn State University; Elizabeth Swindle, SGA President at Delta State University; Jordan Jefferson, SGA President at Jackson State University; Jake Manning, SGA President at Mississippi State University; John Jacob Miller, SGA President at Mississippi University for Women; Brandon McCall, SGA President at Mississippi Valley State University; Barron Mayfield, SGA President of the University of Mississippi; and Meredith Cobb, SGA President of the University of Mississippi Medical Center.

APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Starr, with Trustee Parker absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on November 21, 2019.

CONSENT AGENDAS

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

FINANCE

1. **IHL Executive Office** – Approved the request to amend the total expenditure amount applicable to its agreement with Leon Consulting, LLC d/b/a LK Marketing Services for the program management, marketing and system services for Mississippi’s Complete 2 Compete initiative. The approved term of the agreement was for 3 years beginning April 21, 2017 and ending April 20, 2020. The amended agreement end date will be March 31, 2020. The total estimated cost of the previously amended contract was \$1,750,000. The Executive Office is requesting to add an additional \$63,164. The new total estimated cost

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

for the agreement is \$1,816,164. This agreement is funded by the Mississippi Department of Human Services MOA and grant for Complete 2 Compete. Legal Staff has reviewed the proposed amendment for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

2. **MSU** – Approved the request to amend the existing Contract with Babel Street, Inc. for continued access to the following two software items. 1) The Babel Street® web-based application, Babel X®, is a multi-lingual, geo-enabled, text analytics software as a service (SaaS) solution. 2) Babel BOX®, or Blended Onsite eXploitation, refers to the on-premises, hosted solution of Babel Street’s commercial software. This is a software purchase and subscription required to comply with a grant from the U.S. government. The grant award specifically requires the use of Babel Street’s products. The term of this Agreement is extended for an additional period beginning on January 30, 2020 and ending on September 24, 2020. In the event that MSU is issued a no-cost extension through its federal award, Contractor agrees to continue providing its services, software and/or equipment for the duration of that extension at no additional cost. The total contract amount is \$1,100,000 and is funded by grants. Legal Staff has reviewed the proposed amendment for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
3. **MVSU** – Approved the resolution authorizing the filing of an application with the Mississippi Department of Transportation (MDOT) for a grant to assist in providing transportation services. Through an agreement with the Mississippi Department of Transportation and the Federal Transit Administration, Mississippi Valley State University provides public transportation services in eight (8) Delta counties: Carroll, Grenada, Holmes, Humphreys, Leflore, Sunflower, Tallahatchie and Washington. The mass transit system serves as a vital means of transportation for students to attend the university. Legal Staff has reviewed the Authorizing Resolution for compliance with applicable law and finds same to be acceptable. A copy of the resolution is on file in the Board Office.
4. **UM** – Approved the request to enter a contract with ThyssenKrupp Elevator Corporation (“TKE”) for elevator maintenance and testing services for University elevators per applicable codes and regulations. The initial term of the contract will be from February 1, 2020 to January 31, 2021. Four optional one-year terms are also part of the agreement. If all options are exercised, the contract end date is January 31, 2025. The total contract amount is estimated at \$1,925,499 through January 31, 2025. A breakdown of the costs is included in the bound *January 16, 2020 Board Working File*. This contract will be funded using Educational and General funds for academic and administrative buildings, and Auxiliary funds for student housing, athletics, and auxiliary buildings. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **UM** – Approved the request from the University of Mississippi Office of University Marketing & Communications to amend to the Master Service Agreement (MSA) with Carnegie Dartlet LLC. This contract amendment includes Statement of Work 3 (SOW3) which will provide consulting services to conduct a strategic review of the university’s Enrollment Management function. Amendment 1 is also included to extend the term of the Master Service Agreement to allow time for the SOW3 services. The current MSA is scheduled to expire on March 22, 2020. The SOW3 is accompanied by an amendment to

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

extend the end date of the MSA to March 22, 2021. The amount of this amendment is \$266,500 which includes agreed upon travel, printing, and materials expenses. This addition would increase the total amount of the Agreement to a sum not to exceed \$647,365. The source of funding for the contract will be Educational and General funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

6. **UMMC** – Approved the request to amend its Price Document with ABIOMED, Inc. to extend the term of the agreement and add provisions regarding indemnification, insurance, and information security. The purpose of the agreement is to purchase Impella Circulatory Support Catheters and accessories. The Impella devices are used in high-risk coronary interventions, as well as myocardial infarction patients, as a means of emergency cardiac recovery. The term of the amended Agreement is three (3) years, from April 1, 2018, through March 31, 2021. The original agreement was for a term of two (2) years, expiring March 31, 2020. The amendment extends the term for one (1) additional year through March 31, 2021. The total estimated cost of the amended agreement is \$1,925,000. The estimated cost of the original Agreement was \$1,000,000.00. During the extended term, UMMC anticipates the need for an additional \$925,000. Pricing is firm for the term of the Agreement. The current agreement will be funded by hospital patient revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **UMMC** – Approved the request to enter a Rental Agreement with Novatech, Inc. (Novatech) for the lease of a Canon C750 color production system for use by UMMC's Printing Department. The proposed agreement is made available through the Mississippi Department of Finance and Administration (DFA) for use by state agencies and governmental authorities. The term of the Rental Agreement is sixty (60) months, from February 1, 2020, through January 31, 2025. The total estimated cost of this agreement is \$275,000. The monthly rental rate is \$1,492.05. Printed pages are billed at \$0.007 per black and white page and \$0.0316 per color page. UMMC has included the cost of printed pages in its total estimated cost. Payments under this Rental Agreement will be made to Canon Financial Services as allowed under the DFA state contract. The cost of this agreement will be paid by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
8. **UMMC** – Approved the new Pricing Supplement 5424973 and amendment to the Corporate Master Agreement with Omnicell, Inc. The Pricing Supplement is for the purchase of automated pharmacy dispensing cabinets and anesthesia workstations for the Children's Expansion and UMMC support services. The amendment to the Corporate Master Agreement is to amend the indemnification provision and to add provisions on insurance and information security. The term of the Corporate Master Agreement began March 26, 2018 and will remain in effect for so long as a Pricing Supplement, Schedule, attachment and/or exhibit remains in effect. Schedule G to the Corporate Master Agreement is for a term of five (5) years, from March 26, 2018, through March 25, 2023. The total term of Pricing Supplement 5424973 is approximately one (1) year and three (3) months, from July 1, 2020, through one (1) year from the date of installation of the equipment, which is anticipated to be approximately September 30, 2020. The Support

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

Services will commence upon installation of the equipment and extend for one (1) year. Installation is anticipated to begin in July 2020 and be completed in September 2020. The total cost of the Pricing Supplement is \$925,000. This amount includes equipment purchases of \$853,128.00, equipment and software support services of \$38,736.00, and shipping of \$15,302.62. This agreement will be funded by hospital patient revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

9. **UMMC** – Approved the request to enter into a Client Services Agreement and Software License Agreement (collectively, the Agreement) with TCPP, LLC d/b/a TrustCommerce for hardware, software license, and gateway payment processing services for all UMMC’s credit card transactions, including patient, student, and retail, whether transacted in person, online, via phone, or via mail. The gateway vendor serves as an intermediary between UMMC and a credit card processor. The term of the Agreement is three (3) years, from February 1, 2020, through January 31, 2023. The total estimated cost over the three (3) year term is \$500,000. This includes credit card machines/equipment, implementation or set up fees, and fees for the gateway services. The gateway services fees are variable based upon transaction volume. This Agreement will be funded by the amounts collected in the credit card transaction, including patient, student, and retail transactions. Purchase of equipment and implementation fees will be funded through hospital patient revenue. Pursuant to IHL Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board also approved the prepayment of the setup and one-time fees for implementation. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
10. **USM** – Approved the request to enter a contract with Business Communications, Inc. for Cisco Flex Plan for Collaboration on-premises and WebEx Cloud for Education. The term of the contract is from February 1, 2020 to January 31, 2025. The total estimated cost of the contract with BCI over the term is \$751,296. In accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to make annual payments in advance in accordance with the terms of the agreement. The cost of these services will be paid using E & G funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

REAL ESTATE

11. **MSU** – Approved the initiation of **IHL 205-303, Investment Grade Audit for Solar Energy and Efficiency Measures** and the conduction of an investment grade audit through Entegriy Energy Partners, LLC. The purpose of the audit is to explore the feasibility of an energy services contract or energy performance contract pursuant to Section 31-7-14 of the Mississippi Code. The audit shall identify energy saving measures, costs, and benefits associated with energy efficient upgrades and solar energy installations. Each of the identified energy saving measures shall be reviewed by the University and a third-party consultant to determine if the measures meet desired lifecycle cost-benefit criteria and to ensure that the measures contribute to the University’s carbon footprint reduction, strategic planning, education, outreach, and research goals. Selected energy conservation measures shall be compiled into a final audit report. Upon completion of the final audit report, the

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

University will seek Board approval prior to entering into any further agreements that require Board approval before implementing the selected energy saving measures. The estimated project budget is \$85,530. Funds are available from Internal Funds (\$85,530). The Attorney General's Office has reviewed and approved this item.

12. **MSU** – Approved the request to rename the **IHL 205-283, Pre-Planning the Addition and Renovation of Humphrey Coliseum** project to the **IHL 205-283, Addition and Renovation to Humphrey Coliseum**. The Board also approved the request to increase the budget from a preplanning budget of \$200,000 to an actual project budget of \$50,000,000; to maintain the existing design professional, Dale Partners Architects; and to utilize the Construction Management at Risk (CMAR) project delivery method. The project will be completed in three phases with design, bidding & procurement work overlapping with construction of the previous phase. The CMAR method will provide continuity between the phases including the areas of scheduling, constructability and real cost estimate data to ensure a timely and on-budget project. Funds are available from the Bulldog Club, Inc and MSU Athletics R&R Funds (\$50,000,000). The Attorney General's Office has reviewed and approved this item.
13. **MSU** – Approved the request to rename the **IHL 205-291, Pre-Plan the Transit Facility** project to the **IHL 205-291, Transit Facility** and to increase the preplanning budget of \$150,000 to an actual project budget of \$4,500,000. The Board also approved the exterior design of the project. A copy of the rendering is included in the bound *January 16, 2020 Board Working File*. Funds are available from Parking and Transit/ MSU Funds (\$4,500,000).
14. **UMMC** – Approved the request to name the new, seven-story tower at Children's of Mississippi the "Kathy and Joe Sanderson Tower". The Sandersons have made significant contributions to the *Growing. So they can grow.* Campaign for Children's of Mississippi, serving as co-chairs of the campaign and personally donating more than \$10 million to the project. The Sandersons led the committee to raise more than \$78 million since 2016. Through the years, the Sandersons have given to countless causes throughout Mississippi and beyond.
15. **USM** – Approved the request to delete from inventory Building #443-B38, a portable office/classroom modular trailer located at the Gulf Coast Research Laboratory in Ocean Springs, MS. The trailer was purchased in 2008 and served as temporary office/classroom space for the Marine Education Center after Hurricane Katrina. The approval letter has been received from the Mississippi Department of Archives and History stating Building #1335 was not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

LEGAL

16. **UM** – Approved the revised affiliation agreement between the University and the Ole Miss Athletics Foundation as required by revised IHL Board Policy 301.0806, University Foundation/Affiliated Entity Activities. The Attorney General’s Office has reviewed this agreement and found same to be compliant with revised Board Policy 301.0806. A copy of the agreement is on file at the Board Office.
17. **UM** – Approved the revised affiliation agreement, including leasing office space, between the University and The University of Mississippi Foundation as required by revised IHL Board Policy 301.0806, University Foundation/Affiliated Entity Activities. The Attorney General’s Office has reviewed this agreement and found same to be compliant with revised Board Policy 301.0806. A copy of the agreement is on file at the Board Office.
18. **UMMC** – Approved the request to enter an affiliation agreement with the Friends of Children’s Hospital pursuant to IHL Board Policy 301.0806, University Foundation/Affiliated Entity Activities. The Attorney General’s Office has reviewed this agreement and found same to be compliant with revised Board Policy 301.0806. A copy of the agreement is on file at the Board Office.

PERSONNEL REPORT

19. **Change of Status**

Mississippi University for Women

Marty Brock; *from* Interim Dean for College of Business and Professional Studies; salary \$125,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Dean for College of Business and Professional Studies; salary \$125,000 per annum, pro rata; E&G Funds; 12-month contract; effective December 1, 2019

University of Mississippi

Joseph Carter; *from* Interim Vice Chancellor of Intercollegiate Athletics; salary of \$552,000 per annum, pro rata; Auxiliary Funds; *to* Vice Chancellor for Intercollegiate Athletics; salary of \$725,000 per annum, pro rata; Auxiliary Funds; four-year contract; effective November 22, 2019

20. **Sabbatical**

Mississippi University for Women

Ian Childers; Associate Professor of Art; from salary of \$49,500 per annum, pro rata; E&G Funds; to salary of \$24,750 for sabbatical period; E&G Funds; effective August 17, 2020 to December 31, 2020; professional development

Leslie Stratyner; Professor of English; from salary of \$63,000 per annum, pro rata; E&G Funds; to salary of \$31,500 for sabbatical period; E&G Funds; effective August 17, 2020 to December 31, 2020; professional development

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING**

January 16, 2020

REGULAR AGENDAS

FINANCE AGENDA

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee McNair, with Trustee Parker absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. Trustee Gee Ogletree recused himself from voting on items #2 and #3 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. On motion by Trustee Duff, seconded by Trustee McNair, with Trustees Ogletree and Parker absent and not voting, all Trustees legally present and participating voted unanimously to approve item #2. On motion by Trustee Duff, seconded by Trustee McNair, with Trustee Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #3. Trustee Ogletree returned to the room following the conclusion of the discussion and vote on items #2 and #3 on the Finance Agenda. On motion by Trustee Duff, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to approve item #4.

1. **UMMC** – Approved the request to enter a Product Purchase Agreement with Advanced Accelerator Applications USA, Inc. to purchase NETSPOT and LUTATHERA, which are radiopharmaceutical drugs used in Nuclear Medicine and Positron Emission Tomography (PET) imaging in pediatric and adult patients. NETSPOT is used with the PET scanner for diagnostic purposes. LUTATHERA is used for treatment of neuroendocrine tumors, including painful bone lesions. Radiopharmaceuticals are used for various purposes such as the destruction of cancer cells or pain treatment. The term of the Agreement is three (3) years, from February 1, 2020, through January 31, 2023. The estimated cost of the Agreement is \$35,350,000 over the three (3) year term. This total includes a six percent (6%) annual increase for patient volume and potential cost increases beginning in year two (2) of the agreement. The agreement will be funded by patient revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
2. **UMMC** – Approved the request to enter a Structural Intervention Products Purchase Agreement with Abbott Laboratories, Inc. to purchase structural intervention heart products used in pediatric and adult cardiac catheterization laboratories. The structural intervention heart products, or occluders, are used to fix a hole in a patient’s heart without open heart surgery. The term of this agreement is two (2) years, beginning upon execution by both parties which is expected to be on or about January 24, 2020, through on or about January 23, 2022. The total estimated cost over the two (2) year term is \$1,625,000. This amount includes an annual fifteen percent (15%) increase for potential patient volume growth. The agreement will be funded by patient revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
3. **UMMC** – Approved the request to enter a Payment Solutions Agreement with First Data Merchant Services LLC (First Data) and Wells Fargo Bank, N.A. (Wells Fargo) for credit card processing services for all of UMMC’s credit card transactions, including patient, student, and retail, whether transacted in person, online, via phone, or via mail. Processor

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

services essentially check for errors to ensure the card data is in the correct format for credit card companies and card issuing banks to process payment. The term of the agreement is three (3) years, from February 1, 2020, through January 31, 2023. The total estimated cost over the three (3) year term is \$3,500,000. First Data's fees are variable based on the type of transaction and pass-through fees charged by the credit card networks. This agreement will be funded by the amounts collected in the credit card transaction, including patient, student, and retail transactions. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

4. **UMMC** – Approved the request to participate in the next master lease purchase series through the State Institutions of Higher Learning's (IHL's) master lease program, pursuant to Miss. Code Ann. Section 37-101-413 for the lease-purchase of up to \$7,500,000 in equipment during fiscal year 2020. UMMC's participation in the IHL's master lease program through its issuer HilltopSecurities, Inc. would enable it to meet its current need for clinical equipment. The anticipated interest rate is approximately between two and one-half percent (2.5%) and three and one-half percent (3.5%) over a five (5) year lease-purchase term. In January 2019, the Board approved a purchase agreement for a linear accelerator from Elekta, Inc. for an equipment cost of \$1,700,000 and, in addition, UMMC anticipates purchasing \$5,700,000 of interventional radiology equipment from Siemens Medical Solutions, Inc. during fiscal year 2020. The lease-purchase term is 5 years. The lease will be funded by Patient Revenues. The form of lease documents will be presented at a subsequent meeting. Legal review will be provided at that time.

REAL ESTATE AGENDA

Presented by Trustee Bruce Martin, Chair

Trustee Tom Duff recused himself from voting on item #1 on the Real Estate Agenda by leaving the room before there was any discussion or vote regarding the same. On motion by Trustee Ogletree, seconded by Trustee McNair, with Trustee Duff absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Real Estate Agenda. Trustee Duff returned to the room following the conclusion of the discussion and vote on item #1 on the Real Estate Agenda. Vice President Dye thanked Trustee Duff and his brother, Jim Duff, for their generous donation to the University of Mississippi. Trustee Duff requested a full report from the University of Mississippi on the progress made toward implementing all the recommendations included in the Final Report by the Chancellor's Advisory Committee on History and Contextualization that was completed June 16, 2017. Given the importance of this matter, Trustee Duff also requested that the Board receive the full report before the it votes on this item. Agenda item #2 was pulled from the agenda.

1. **UM** – Approved the request to name the soon to be constructed Science, Technology, Engineering & Mathematics (STEM) Building as the "Jim and Thomas Duff Center for Science and Technology Innovation". With a steadfast allegiance to increasing job opportunities and boosting the economy, business leaders and brothers Thomas and Jim Duff of Hattiesburg, Mississippi, have committed \$26 million to the construction of this

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

state-of-the-art center. The 4-story building will be located in the Science District on campus and is currently programmed at approximately 202,000 gross square feet.

2. **UM** – Request to approve IHL 207-460 Historic Monument Relocation. This request would relocate the Confederate Monument from its current campus location, at the front of the Circle on University Avenue, to the University Cemetery, which is located on campus on Coliseum Loop. A monument to confederate soldiers has stood on campus since 1906. The Mississippi Military Memorial Protection Act prohibits the relocation, removal, or alteration of monuments that commemorate military figures, except in a limited circumstance applicable here. See Miss. Code. Ann. § 55-15-81. As a governing body, IHL may authorize the relocation of the confederate statue to a “more suitable location” deemed “more appropriate to displaying the monument.” See § 55-15-81(2); Miss. Attorney General, Opinion Letter No. 2017-00275, 2017 WL 5558441, *2 (Miss. A.G. Oct. 2, 2017). Before making this submission to IHL, the university sought approval of its plan from the Mississippi Department of Archives and History (MDAH). Under Mississippi law, the MDAH Board of Trustees must assess the appropriateness of any such plan, as noted in the board’s resolution on the university’s plan, “in the early stages of planning and before the letting of bids for public construction or improvement affecting Mississippi Landmarks.” The MDAH Board determined that the university’s “plans and specifications for the move comply with the Secretary of the Interior’s Standards for Treatment of Historic Properties.” The MDAH Board unanimously approved the resolution on December 5, 2019. **(See Exhibit 1.)** The university’s plan proposes relocation to the University Cemetery because a cemetery is sacred ground that serves as the final resting place of the fallen. For that reason, cemeteries have long been deemed appropriate places for war memorials. The inscription on the Confederate Monument references those who are buried in University Cemetery, and the relocation of the monument immediately adjacent to the cemetery would place the monument in a broader and more proper historical context. The cost of the monument relocation is anticipated to be approximately \$650,000. **(THIS ITEM WAS PULLED FOR FURTHER CONSIDERATION.)**

LEGAL AGENDA

Presented by Trustee Ann Lamar, Chair

On motion by Trustee Lamar, seconded by Trustee Starr, all Trustees legally present and participating voted unanimously to move item #1 to the Executive Session Agenda.

1. **UMMC** – Settlement of IHL Self-Insured Workers’ Compensation Claim No. 55-40814-1. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING**

January 16, 2020

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

FINANCE

1. **UMMC** - The Mississippi Information Technology Services (MS-ITS) approved Amendment 7 to the Master Services and License Agreement with 3M Company on behalf of the University of Mississippi Medical Center (UMMC). The purpose of Amendment 7 is to add administrative fees required by the reseller of the product, Insight, and add professional services for the upgrade on the 360 Encompass System. The Attorney General's staff assigned to the MS-ITS reviewed the amendment prior to execution. The Agreement and related amendment are between 3M Company and MS-ITS on behalf of UMMC.
2. **UMMC** - The Mississippi Information Technology Services (MS-ITS) approved Amendment 1 to the Professional Services Agreement with Apex Print Technologies, LLC on behalf of the University of Mississippi Medical Center (UMMC). The purpose of Amendment 1 to the Professional Services Agreement with Apex is to increase the quantity of the patient statement printing and skip tracing services to include UMMC's School of Dentistry. The Attorney General's staff assigned to the MS-ITS reviewed the amendment prior to execution. The Agreement and related amendment are between Apex Print Technologies, LLC and MS-TS on behalf of UMMC.
3. **UMMC** - The Mississippi Information Technology Services (MS-ITS) approved Amendment 12 to the Master Services and License Agreement with OptumInsight, Inc. on behalf of the University of Mississippi Medical Center (UMMC). The purpose of Amendment 12 is to purchase the use of the EncoderPro licenses. The Attorney General's staff assigned to the MS-ITS reviewed the amendment prior to execution. The Agreement and related amendment are between OptumInsight, Inc. and MS-ITS on behalf of UMMC.
4. **UMMC** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, on November 21, 2019, the Board approved UMMC's request to amend its Master Agreement with Roche Diagnostics Corporation (Roche) to include sections on Information Security and Insurance, and to amend the section on Limitation of Liability/Indemnity. The amendment was labelled as the Second Amendment. However, the amendment is the Third Amendment to the Master Agreement. On January 2015, the Board approved the first Amendment to the Master Agreement to add UMMC Grenada to the list of covered facilities. On April 21, 2016, the Board approved Amendment 2 to UMMC's Master Agreement with Roche to remove the University Pavilion Lab from the list of covered facilities. UMMC has corrected the scrivener's error in the heading and first paragraph to accurately refer to the document as the Third Amendment.
5. **UMMC** - The Mississippi Information Technology Services (MS-ITS) approved Change Order 4 to the Master Services Agreement with Sierra-Cedar, Inc. on behalf of the University of Mississippi Medical Center (UMMC). The purpose of Change Order 4 is to extend the go-live dates on the Human Capital Management, Payroll and Supply Chain modules, and extend the hours for the Workday Senior Inventory Consultant. The Attorney General's staff assigned to the MS-ITS reviewed the amendment prior to execution. The Agreement and related Change Order is between Sierra-Cedar, Inc. and MS-ITS on behalf of UMMC.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

REAL ESTATE

6. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the November 21, 2019 Board meeting in accordance with Board Policy 904 Board Approval. (See **Exhibit 2.**)

LEGAL

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

ADMINISTRATION/POLICY

8. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
 - a. **MSU** – On January 2, 2020, Commissioner Alfred Rankins, Jr., approved Lease Agreement Addendum #5 between Mississippi State University and Houndstooth Commercial Properties, LLC for 2400 square feet of building space for use by the OSHA Consultation employees of MSU Industrial Health and Safety. The agreement was originally approved January 2013 and has been four times before amended and extended. The current amendment extends the term of the agreement through January 31, 2021, with no increase in cost per month. The monthly payments continue to require prepayment. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and with Board Policy 707.03 Approval of Prepayment for Goods or Services.
 - b. **UMMC** – On December 16, 2019, Commissioner Alfred Rankins, Jr., approved the Part-Time Space Occupancy Lease Agreement between the University of Mississippi Medical Center and North Mississippi Medical Center, Inc. (NMMC) to sublease approximately 100 square feet of UMMC’s leased clinic space in the Tupelo Clinic to NMMC for use in performing echocardiograms. The term of the agreement is 12 months beginning December 15, 2019. The anticipated revenue is \$2,176.72 over the one-year term. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

**HEALTH AFFAIRS
COMMITTEE REPORT
Wednesday, January 15, 2020**

The meeting was called to order by Chairman Walt Starr at approximately 2:00 p.m. The following items were discussed.

1. The Committee toured the Dental School at the University of Mississippi Medical Center.
 2. Executive Session
- On motion by Trustee Dye, with Trustee McNair absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

determine whether to declare an Executive Session. On motion by Trustee Lamar, seconded by Trustee Dye, with Trustee McNair absent and not voting, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of strategic business plans related to a public hospital.

During Executive Session, the following matters were discussed:

The Committee discussed the 4 strategic business plans related to a public hospital. **No action was taken.**

On motion by Trustee Dye, seconded by Trustee Ogletree, with Trustee McNair absent and not voting, all Committee members legally present and participating voted unanimously to return to open session.

3. On motion by Trustee Lamar, seconded by Trustee Ogletree, with Trustee McNair absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

The following Committee members were present: Dr. Walt Starr (Chair), Dr. Ford Dye, Ms. Ann Lamar, Mr. Chip Morgan, and Mr. Gee Ogletree. Committee member Dr. Alfred McNair was absent.

ANNOUNCEMENTS

- Vice President Ford Dye announced the next Board meeting will be February 20, 2020 at the Board Office in Jackson, MS.
- Vice President Dye invited the university presidents to report on current activities on their campuses.
- Dr. Alfred Rankins, Jr., Commissioner of Higher Education, introduced Dr. Casey Prestwood who was recently named the Interim Associate Commissioner of Academic and Student Affairs.

EXECUTIVE SESSION

On motion by Trustee Duff, seconded by Trustee Starr, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee McNair, seconded by Trustee Duff, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a UMMC litigation matter.

Discussion of a DSU personnel matter.

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

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

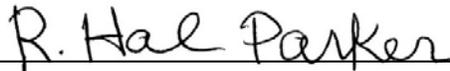
On motion by Trustee Duff, seconded by Trustee Dye, all Trustees legally present and participating voted unanimously to approve the settlement of the case styled as *Ladonna Blackmore vs. UMMC, et al.*, as recommended by counsel.

The Board discussed a DSU personnel matter. **No action was taken.**

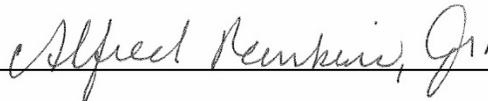
On motion by Trustee Duff, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

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



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 16, 2020**

EXHIBITS

- Exhibit 1 Resolution from the Mississippi Department of Archives and History (MDAH) determining that the University of Mississippi’s “plans and specifications for the move [of the historic Confederate Monument] comply with the Secretary of the Interior’s Standards for Treatment of Historic Properties.” The MDAH Board unanimously approved the resolution on December 5, 2019.
- Exhibit 2 Real Estate items that were approved by the IHL Board staff subsequent to the November 21, 2019 Board meeting.
- Exhibit 3 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

**RESOLUTION
BOARD OF TRUSTEES
MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY**

WHEREAS, the Mississippi Department of Archives and History has received a request from the University of Mississippi for a permit to move the Confederate Monument located on the Circle on the campus of the University of Mississippi in Oxford, Mississippi, to another location on campus; and

WHEREAS, pursuant to §39-7-22 of the Mississippi Code, a permit from the Board of Trustees of the Mississippi Department of Archives and History is required in the early stages of planning and before the letting of bids for public construction or improvement affecting Mississippi Landmarks; and

WHEREAS, the Circle at the University of Mississippi, including the Confederate Monument, was designated a Mississippi Landmark by the MDAH Board of Trustees April 15, 2011; and

WHEREAS, the staff of MDAH has reviewed such permit request, determined that the plans and specifications for the move comply with the Secretary of the Interior's Standards for Treatment of Historic Properties, and recommended to the Board of Trustees that a permit be granted for this action; and

WHEREAS, pursuant to §55-15-81 (2) of the Mississippi Code, the governing body of the entity which owns any of the items described in subsection (1) of such code section "may move the memorial to a more suitable location if it is determined that the location is appropriate to displaying the monument";

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Mississippi Department of Archives and History, assembled in Jackson, Mississippi, on December 6, 2019, that upon receipt of a request from the Mississippi Institutions of Higher Learning, the governing body referenced in §55-15-81 (2), MDAH will issue a permit for the relocation of the Confederate Monument to another site on the campus of the University of Mississippi.



Kane Ditto
President, MDAH Board of Trustees

EXHIBIT 2

January 16, 2020

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE NOVEMBER 21, 2019 BOARD MEETING SUBMISSION DEADLINE

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

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

ALCORN STATE UNIVERSITY

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

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$65,714.40 and fifty-six (56) additional days to the contract of Flagstar Construction Company. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, November 25, 2019

Change Order Description: Change Order #3 includes the following item: installed a new water line; added fifty-six (56) days to the contract.

Change Order Justification: These changes were necessary due to latent job site conditions; and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$54,414.47.

Project Initiation Date: June 20, 2013

Design Professional: Allred Stolarski Architects

General Contractor: Flagstar Construction Company

Total Project Budget: \$23,200,000.00

JACKSON STATE UNIVERSITY

2. JSU– GS 103-286 – Stewart Renovation

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$99,614.63 and zero (0) additional days to the contract of Diversified Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

EXHIBIT 2

January 16, 2020

Approval Status & Date: APPROVED, November 10, 2019

Change Order Description: Change Order #3 includes the following items: changed the guardrail and handrails in both stairways; relocated three (3) existing hollow metal door frames; added reinforcing bars and mesh on the 1st floor slab infill at the plumbing trenches; changed the light fixture type from recessed to surface-mounted at the porch ceilings; cleaned out the existing storm drains and replaced the collapsed sections; deleted approximately 257 LF of underground fire line piping; modified the existing elevator hoistway entrance wall on five (5) floors; added aluminum trim at the jambs and head of all “p” windows.

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

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$135,311.19

Project Initiation Date: November 17, 2016

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Diversified Construction Services, Inc.

Total Project Budget: \$8,486,526.47

MISSISSIPPI STATE UNIVERSITY

3. MSU- GS 113-141– ADS & Poultry Complex – PH II

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$138,957.01 and ninety-four (94) additional days to the contract of Amason & Associates. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, November 15, 2019

Change Order Description: Change Order #2 includes the following items: wall framing modifications performed for acid waste to allow pipe fittings to fit within the wall cavity; lab utility revisions to add plumbed services directly to the lab hoods; a site communication box added at the existing fiber lines as the pull box into the new building; clerestory ceiling framing added below the roof framing for attachment of the wood ceiling; steel modifications at stair #2; roof truss modifications over stair #2; rough-in and wall blocking modifications for the additional classroom air flow valve; ninety-four (94) days to the contract, thirty (30) of these days for weather-related delays.

Justification: This change was necessary due to errors and omissions in the plans and specifications; user/owner requested modifications; weather delays and days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$243,268.21.

Project Initiation Date: April 16, 2015

Design Professional: McCarty Architects, P.A.

General Contractor: Amason & Associates

EXHIBIT 2

January 16, 2020

Phased Project Budget: \$13,200,000.00

Total Project Budget: \$27,500,000.00

4. **MSU - IHL #205-291- Preplanning for Transit Facility**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Shafer Zahner Zahner, PLLC.

Approval Status & Date: APPROVED, December 4, 2019

Project Initiation Date: April 18, 2019

Design Professional: Shafer Zahner Zahner, PLLC

General Contractor: TBD

Total Project Budget: \$150,000.00

5. **MSU– IHL 205-297 – Butler Hall Mechanical, ADA Improvements and Exterior Envelope Modifications**

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Bruce Martin, Chair of the Real Estate and Facilities Committee on December 5, 2019 to approve the initiation and appointment of the design professional.

Interim Approval Status & Date: APPROVED, December 5, 2019

Project Initiation Date: December 5, 2019

Design Professional: Cooke, Douglas, Farr, Lemons, Architects & Engineers

General Contractor: TBD.

Total Project Budget: \$3,500,000.00

6. **MSU– IHL 205-298 – Cresswell Hall Recarpet and Repaint**

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Bruce Martin, Chair of the Real Estate and Facilities Committee on December 5, 2019 to approve the initiation and appointment of the design professional.

Interim Approval Status & Date: APPROVED, December 5, 2019

Project Initiation Date: December 5, 2019

Design Professional: Shafer, Zahner Zahner, PLLC

General Contractor: TBD.

Total Project Budget: \$1,800,000.00

7. **MSU– IHL 205-300 – Summer 2020 Various Parking Lots**

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Bruce Martin, Chair of the Real Estate and Facilities Committee on December 10, 2019 to approve the initiation and appointment of the design professional.

Interim Approval Status & Date: APPROVED, December 10, 2019

Project Initiation Date: December 10, 2019

Design Professional: Neel Shafer, Inc.

General Contractor: TBD.

EXHIBIT 2

January 16, 2020

Total Project Budget: \$2,000,000.00

8. **MSU– IHL 205-302 – FY19 CEF Sewer Force Main Replacement**

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Bruce Martin, Chair of the Real Estate and Facilities Committee on December 10, 2019 to approve the initiation and appointment of the design professional.

Interim Approval Status & Date: APPROVED, December 10, 2019

Project Initiation Date: December 10, 2019

Design Professional: Garver Engineering

General Contractor: TBD.

Total Project Budget: \$1,200,000.00

MISSISSIPPI VALLEY STATE UNIVERSITY

9. **MVSU – GS 106-253 – College Hall I Renovation**

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$21,374.16 and thirty-six (36) additional days to the contract of Century Construction Group, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, December 11, 2019

Change Order Description: Change Order #5 includes the following items: shower tub revisions at a bathroom; a guardrail was installed at mechanical roof #2; and thirty-six (36) weather-related days to the contract.

Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications; latent job site conditions; and weather-related days as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$95,561.15.

Project Initiation Date: May 15, 2014

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

General Contractor: Century Construction Group, Inc.

Phased Project Budget: \$8,053,884.89

Total Project Budget: \$9,250,000.00

UNIVERSITY OF MISSISSIPPI

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

Approval Request #1: Change Order #16R3

Board staff approved Change Order #16R3 in the amount of \$5,368.37 and eighty (80) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, December 18, 2019

EXHIBIT 2

January 16, 2020

Change Order Description: Change Order #16R3 includes the following items: Installed a mullion-mate in the vestibule; added outlets and data boxes; replaced the wall covering in a lobby; added a heat detector in the elevator equipment room; added disconnects to the ovens and ranges in the large classroom; installed thresholds at two (2) sectional doors and one (1) overhead door; installed four (4) metal cage/covers on thermostats at the basketball courts; installed automatic door sweeps at two places; added additional exterior gate hardware for installation of an exit device; added additional scoreboard controllers and receivers; credit issued for twenty-three (23) thermostat /CO2 cages not to be installed; credit for gray column pads for two (2) concrete masonry unit columns at the climbing area not to be installed; credit for a guardrail modification; cleanup required from insurance claim repair; and eighty (80) days to the contract.

Change Order Justification: These changes were necessary due to changes in requirements or recommendations by governmental agencies; errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

Total Project Change Orders and Amount: Sixteen (16) change orders for a total amount of \$2,670,948.42

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architect, P.A.

General Contractor: Zellner Construction Services, LLC

Phased Project Budget: \$30,773,995.68

Total Project Budget: \$33,250,000.00

11. UM – IHL 207-445 – Stewart Hall – Elevator Refurbishment (Qty 2)

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$700.80 and zero (0) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, December 18, 2019

Change Order Description: Change Order #1 includes the following items: repaired the damage to the existing barrier on the first floor.

Change Order Justification: These changes were necessary due to user/owner requested repair.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$700.80.

Project Initiation Date: November 15, 2018

Design Professional: Corbett Legge & Associates, PLLC

General Contractor: Barnes & Brower, Inc.

Total Project Budget: \$1,200,000.00

12. UM– IHL 207-446.1 – Crosby Hall Exterior Brick Investigative Demolition

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, December 5, 2019

Approval Request #2: Contract Documents

EXHIBIT 2

January 16, 2020

Board staff approved Contract Documents as submitted by McCarty Architects

Approval Status & Date: APPROVED, December 18, 2019

Approval Request #3: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 18, 2019

Project Initiation Date: June 20, 2019

Design Professional: McCarty Architects

General Contractor: TBD

Phased Project Budget: \$221,563.52

Total Project Budget: \$8,800,000.00

13. UM- IHL 207-452 – Thad Cochran Natural Products – Roof Replacement

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,227,946.00 to the apparent low bidder, B Four Plied, Inc.

Approval Status & Date: APPROVED, November 26, 2019

Project Initiation Date: November 17, 2016

Design Professional: Shafer, Zahner Zahner, PLLC

General Contractor: B Four Plied, Inc.

Total Project Budget: \$1,400,000.00

14. UM- IHL 207-455 – Jackson Avenue Center Reroof & Exterior Coating

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,660,200.00 to the apparent low bidder, Rowell Roofing, Inc.

Approval Status & Date: APPROVED, November 26, 2019

Project Initiation Date: November 17, 2016

Design Professional: Shafer, Zahner Zahner, PLLC

General Contractor: Rowell Roofing, Inc.

Total Project Budget: \$1,980,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

15. UMMC- IHL 109-223 – Clinical Research Unit

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #7

Board staff approved Change Order #7 in the amount of \$17,927.00 and thirteen (13) additional days to the contract of Fountain Construction Co., Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, November 25, 2019

Change Order Description: Change Order #7 includes the following items: modified doors and transoms; added a light kit at a door; added fire alarm devices; added an LPC access panel work area; added door hold open devices; and thirteen (13) days to the contract.

EXHIBIT 2

January 16, 2020

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

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$301,339.00.

Project Initiation Date: May 18, 2017

Design Professional: Foil Wyatt Architects

General Contractor: Fountain Construction Co., Inc.

Total Project Budget: \$7,500,000.00

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

Approval Request #1: Change Order #10

Board staff approved Change Order #10 in the amount of \$0.00 and zero (0) additional days to the contract of Brasfield & Gorrie General Contractors.

Approval Status & Date: APPROVED, November 26, 2019

Change Order Description: Change Order #10 includes the following items: electrical revisions in echo room; color coating to the exposed concrete masonry unit at the foundation level that matches the adjacent metal panel; relocated the smoke compartment walls on two levels and added provisions to make future addition of suites more streamlined; updated the card readers; modified the number of circuits; revised the installation height of installed roof drains; installed a surface-mounted napkin dispenser; revised the oxygen pad foundation thickness and structure; reduced the metal panel exterior insulation; changed the size of three (3) exterior door frames at the roof; added an additional crash rail; added med gas drops at the operating rooms; revised the chiller power connections; revised the UPS feeder and breaker; added power for the cooling towers additional stone and grading for contractor access; added an additional column cover at the promenade level; reduced the height of the beam baffles at the atrium space; reconfigured the bathroom layout; reworked the concrete masonry unit; deleted the smoke curtain at the elevators; credit issued due to the echo room power and data scope reduction.

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

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$0.00.

Project Initiation Date: April 21, 2016

Design Professional: HDR Architecture

General Contractor: Brasfield & Gorrie

Total Project Budget: \$180,000,000.00

EXHIBIT 3

January 16, 2020

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 McDonald Hopkins (statement dated 11/12/19) from the funds of Mississippi Valley State University. (This statement, in the amount of \$3,330.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,330.00

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 11/18/19 and 11/18/19) from the funds of Mississippi State University. (These statements, in the amounts of \$5,000.00 and \$2,187.50, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 7,187.50

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 11/1/19 and 11/1/19) from the funds of Mississippi State University. (These statements, in the amounts of \$2,000.00 and \$549.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 2,549.00

Payment of legal fees for professional services rendered by Butler Snow (statement dated 10/10/19) from the funds of the University of Mississippi. (This statement, in the amount of \$1,357.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,357.00

Payment of legal fees for professional services rendered by Holland & Knight, LLP (statements dated 10/30/19 and 11/11/19) from the funds of the University of Mississippi. (These statements, in the amounts of \$18,677.19 and \$1,890.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 20,567.19

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 11/8/19, 11/8/19 and 11/8/19) from the funds of the University of Mississippi. (These statements, in the amounts of \$4,408.40, \$2,878.00 and \$4,494.15, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 11,780.55

EXHIBIT 3

January 16, 2020

Payment of legal fees for professional services rendered by Phelps Dunbar (statements dated 9/27/19, 11/5/19 and 11/30/19) from the funds of the University of Mississippi. (These statements, in the amounts of \$12,384.00, \$8,986.60 and \$11,797.06, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 33,167.66

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 8/1/19, 10/1/19, 10/1/19, 10/1/19, 10/1/19, 11/1/19, 11/1/19, 11/1/19, 11/1/19, 11/1/19, 11/1/19, 11/1/19, 12/1/19, 12/1/19, 12/1/19, 12/1/19, and 12/1/19) from the funds of the University of Mississippi. (These statements, in the amounts of \$531.00, \$2,500.00, \$51.75, \$525.00, \$2,500.00, \$521.00, \$2,500.00, \$39.16, \$4,500.00, \$4,000.00, \$4,500.00, \$44.10, \$24.98, \$533.00, \$531.00, \$37.57 and \$23.30, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 23,361.86

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz, PC (statement dated 12/5/19) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$39,550.48, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 39,550.48

Payment of legal fees for professional services rendered by Butler Snow LLP (statements dated 11/4/19, 11/11/19, 11/12/19, 11/20/19, 12/6/19, 12/6/19, 12/6/19, 12/6/19, 12/6/19, 12/6/19 and 12/9/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts \$324.50, \$3,388.50, \$2,591.00, \$18,335.88, \$501.50, \$4,079.50, \$3,125.70, \$826.00, \$5,548.10, \$8,768.50 and \$3,127.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 50,616.18

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 11/15/19 and 11/19/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$742.50 and \$5,203.93, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 5,946.43

EXHIBIT 3

January 16, 2020

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 10/28/19, 10/28/19, 10/28/19, 11/27/19, 11/27/19, 11/27/19, 11/27/19 and 11/27/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$5,496.75, \$1,567.50, \$1,204.50, \$379.50, \$3,415.50, \$5,659.50, \$165.00 and \$412.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 18,300.75

Payment of legal fees for professional services rendered by Hagwood Adelman Tipton, PC (statements dated 11/11/19, 11/11/19, 11/11/19, 12/3/19, 12/3/19 and 12/3/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$313.50, \$33.00, \$99.00, \$115.50, \$231.00 and \$1,270.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,062.50

Payment of legal fees for professional services rendered by Hogan|Lovells (statements dated 9/20/19, 10/21/19 and 11/14/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$5,841.00, \$9,204.00 and \$777.83, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 15,822.83

Payment of legal fees for professional services rendered by Steen, Dalehite and Pace (statements dated 7/31/19, 7/31/19, 7/31/19, 7/31/19, 10/31/19 and 10/31/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$464.90, \$11,704.00, \$3,833.60, \$9,005.20, \$981.30 and \$1,481.50, respectively, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 27,470.50

Payment of legal fees for professional services rendered by Taylor, Wellons, Politz, Duhe, APLC (statements dated 11/11/19, 11/11/19, 11/11/19, 11/12/19, 11/12/19, 12/6/19, 12/6/19, 12/6/19 and 12/6/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$268.50, \$412.50, \$313.50, \$2,092.50, \$459.00, \$430.50, \$1,039.50, \$358.50 and \$3,084.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,458.50

Payment of legal fees for professional services rendered by Waller, Landsen, Dortch & Davis, LLP (statement dated 11/18/19) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$885.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 885.00

EXHIBIT 3

January 16, 2020

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 11/8/19, 11/13/19, 11/20/19, 11/25/19, 11/25/19, 11/25/19, 11/25/19, 12/2/19, 12/4/19 and 12/9/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,132.95, \$41,664.00, \$15,888.82, \$2,869.50, \$620.00, \$473.00, \$660.05, \$41,664.00, \$632.92 and \$123.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 105,728.74

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 11/11/19, 11/11/19, 11/11/19, 11/11/19, 11/11/19, 11/11/19, 11/11/19, 11/11/19 and 12/4/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$355.50, \$4,699.10, \$1,378.50, \$2,818.90, \$2,292.00, \$7,521.30, \$2,668.50, \$24,615.42 and \$16,405.10, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 62,754.32

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 11/12/19) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$3,854.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,854.50

Payment of legal fees for professional services rendered by Butler Snow (statement dated 11/11/19) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$4,775.80, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,775.80

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 12/1/19, 12/1/19 and 12/1/19) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$23.27, \$66.12 and \$18.63, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 108.02

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

Payment of legal fees for professional services rendered by Butler Snow (statements dated 11/22/19, 11/22/19 and 11/22/19) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Vibrio Assay Methods and Kits" - \$1,563.50; "Recombinant Fimbrial Protein of Aeromonas Hydrophila

EXHIBIT 3

January 16, 2020

as Vaccine in Catfish” - \$475.00; and “Hemagglutinin Substitution Increases Thermostability and Improved Yields of 2009 H1N1 Influenza A Virus in Cells” - \$530.00).

TOTAL DUE.....\$ 2,568.50

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 5/24/19, 9/6/19 and 9/6/19) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$3,750.25; “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$1,513.00; “Occidiofungin Formulations and Uses Thereof” - \$1,274.00, respectively).

TOTAL DUE.....\$ 6,537.25

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/28/19, 10/31/19, 11/20/19, 11/20/19, 11/20/19, 11/27/19, 11/27/19, 11/27/19 and 11/27/19) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” – \$720.00; “Unsymmetrical Salts, CCC-NHC Pincer Metal Complexes and Methods of Making Same” - \$2,019.00; “Symmetrical CCC-NHC Pincer Metal Complexes and Symmetrical Bimetallic Complexes” - \$285.00; “CCC-NHC Pincer Metal OXO Complexes for Water-Splitting and C-H Bond Activation” - \$273.00; “Unsymmetric CCC-NHC Pincer Metal Complexes and Application” - \$125.00; “Unsymmetric CCC-HNC Pincer Metal Complexes and Methods of Use Thereof” - \$284.00; “Unsymmetric CCC-HNC Pincer Metal Complexes and Methods of Use Thereof” - \$6,069.60; “Unsymmetric CCC-HNC Pincer Metal Complexes and Methods of Use Thereof” - \$284.00; and “Unsymmetrical Salts, CCC-NHC Pincer Metal Complexes, and Methods of Making Same” - \$47.50, respectively.)

TOTAL DUE.....\$ 10,107.10

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/28/19, 10/28/19, 11/15/19, 11/15/19, 11/15/19, 11/15/19, 11/15/19, 11/20/19, 11/20/19, 12/5/19, 12/5/19 and 12/5/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$52.00, \$78.00, \$2,806.32, \$38.00, \$1,367.00, \$160.00, \$2,582.00, \$2,137.00, \$1,456.00, \$156.00, \$450.00 and \$156.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 11,438.32

EXHIBIT 3

January 16, 2020

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 11/25/19 and 11/25/19) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$100.00 and \$200.00, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 300.00