

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

**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 14, 2021, to each and every member of said Board said date being at least five days prior to this January 20, 2022 meeting. At the above-named place there were present the following members to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Dr. Walt Starr, President. Trustee Cunningham introduced Minister Jamieson Magee, Director of Discipleship at West Point Baptist Church in Hattiesburg, MS, who provided the invocation.

**APPROVAL OF THE MINUTES**

On motion by Trustee Rader, seconded by Trustee Hubbard, with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on November 18, 2021.

**CONSENT AGENDAS**

On motion by Trustee McNair, seconded by Trustee Hubbard, with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

**ACADEMIC AFFAIRS**

1. **SYSTEM** – Approved the request to modify existing academic degree programs as follows:

**Rename**

- a. **USM** – Current Program Title: Bachelor of Science (BS) in Recreation  
Proposed Program Title: Bachelor of Science (BS) in Recreational Therapy  
Academic Unit: School of Health Professions  
Current CIP Code, Sequence: 31.0101, 5618  
New CIP Code, Sequence: 51.2309, 5618  
Total credit hours: 120  
Effective date: August 2022

**Suspend**

- b. **UM** – Program Title: Bachelor of Engineering (BE) in Engineering  
Academic Unit: School of Engineering  
CIP Code, Sequence: 14.0101, 5432  
Total credit hours: 127  
Number of students presently enrolled: 82 (as of spring 2021)  
Number of faculty affected: 0  
Effective date: August 2022

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

2. **USM** – Approved the modification to the existing academic degree unit as follows:

**Rename**

Current Unit Title: Center for Science and Mathematics Education

Proposed Unit Title: Center for STEM Education

Unit Location: College of Arts and Sciences

Effective Date: January 2022

Cost of implementation: \$0

**FINANCE**

3. **IHL** – Approved the request to enter a service contract with SEJ Services LLC for janitorial services for the Education and Research Center campus buildings which include Mississippi Public Broadcasting, the Universities Center, Paul B. Johnson, and Power Plant. The term of the agreement is for one year from February 1, 2022, with the option to renew for four additional one-year terms for a total of 5 years. The monthly amount due is \$15,740.00. If all options are exercised the total cost will be \$944,400 over the five-year term. This contract will be funded 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.
4. **JSU** – Approved the request to enter an agreement with Secureone Access, LLC (Secureone) for the replacement of JSU Emergency Phone Towers and Equipment. The term of this contract is for a period of one hundred and twenty (120) days after Contractor receives the Notice to Proceed. The Contract shall pay liquidated damages for failure to complete the work within the time specified above in the amount of Two Hundred Dollars (\$200.00) for each calendar day beyond 120 days from the date of Notice to Proceed. Any days during the first 120 days or thereafter that prevent work to be performed such as Acts of God, such as pandemic where facility is shut down, war, weather or materials delayed from the suppliers or other reasons not in control of Secureone shall not count towards the first 120 days. The total contract amount is \$331,121. A breakdown of costs is included in the bound *January 20, 2022 Board Working File*. The agreement will be funded with 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.
5. **MSU** – Approved the request to enter a contract with ABM Industry Groups, LLC (ABM) to provide daily cleaning of athletic facilities and athletic venue cleaning services for the Starkville, MS campus. The term of the contract is five years. MSU will pay ABM on a monthly basis for daily athletic facility cleaning and on a per event basis for athletic venue cleaning. MSU projects its annual cost for these services will be \$1,050,000; however, actual cost will be dependent upon services rendered. The agreement will be funded by MSU Athletic 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. **MSU** – Approved the request to enter a service agreement with EBSCO Information Services for and on behalf of the MSU Libraries. EBSCO would act as the agent for MSU in the ordering, invoicing, and paying for the journal and standing order subscriptions

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

requested by MSU. EBSCO will also help resolve access or delivery problems and helps track available electronic access. The service agreement will last for five subscription years beginning January 2022 and ending December 2026. The amount paid to EBSCO through the service charge is dependent on the amount of subscription business transacted through them. The base service charge will be 1.39%, and that charge will be discounted if prepayment is made. A breakdown of estimated costs is included in the bound *January 20, 2022 Board Working File*. The actual costs may vary depending upon inflation and MSU's choice of subscriptions. MSU anticipates an increase of 4% per year. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request for the university to use the prepayment option described in the service agreement to put the expected amount for subscriptions in the following year on deposit with EBSCO prior to receiving the specific invoices. This deposit decreases the amount of service charge and assures that there are no delays in access to ordered content due to delayed payment. The subscription costs and service charge will be paid from 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.

7. **MSU** – Approved the request to amend the Master License Agreement with Sage Publications, Inc. for license access to 1,211 electronic journals and to make other technical amendments. These research-oriented journals are used by MSU faculty, staff and students for educational and research purposes. The term of the amended contract is January 1, 2022 through December 31, 2023. The total cost of the two-year agreement is \$371,046.94 (2022=\$183,097.43; 2023=\$187,949.51). The contract will be funded 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. **UM** – Approved the request for the University's Office of Information Technology to enter a contract with Dell Technologies to provide Microsoft Office licensing for all UM faculty, staff, and students. The agreement excludes those who are exclusively employed by or enrolled at the UM Medical Center. The term of the agreement is twelve months. The contract amount is \$299,343. The agreement will be funded by the US Federal Higher Education Emergency Relief Fund. 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. **UM** – Approved the request to amend a contract with Salesforce.org a platform for a customer relationship management solution for the Graduate School and Division of Outreach for tracking, communicating, and recruiting of prospective students. Implementation services, on-going training, support, and maintenance will also be provided. The Salesforce platform requires a separate contract with the TargetX CRM Software solution. The initial term of the order form with Salesforce.org is in effect from February 24, 2020 through February 23, 2025. The term tied to this revision extends the agreement to March, 19, 2025. The total previous contract amount was \$436,875. The new order form for Pardot represents a \$29,790 annual investment increase over the existing amount, and the new order form for the CRM licensing represents a \$12,505 annual investment increase. The total investment increases over three years equal \$126,885 and bring the contract total to \$563,760. The contract will be funded by E&G

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

- sources. 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. **UM** – Approved the request to amend a contract with TargetX to provide a customer relationship management (CRM) solution for the Graduate School and Division of Outreach for tracking, communicating, and recruiting of prospective students. Implementation services and on-going training, support, and maintenance will also be provided. The term of the agreement is in effect from February 28, 2022 through February 27, 2025. The contract amount for the initial term of the new order form is \$122,750. If all options to renew are exercised, the total order form amount would be \$275,750. Annual renewals shall be contingent upon the university’s satisfaction with the performance of the software and related support services. Combined with the existing agreement, the total expense of the agreement if renewed would be \$718,125. The contract will be funded by E&G sources. 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.
  11. **UMMC** – Approved the request to amend a Lease Agreement with 300 Renaissance, LLC (Renaissance) to revise the optional renewal clause from one (1) five (5) year period to one (1) three (3) year period. The agreement is for the lease of approximately 11,472 square feet of office space located in the building known as 300 Renaissance and is utilized by UMMC’s Center for Telehealth as its primary administrative offices. The term of the amended agreement is eight (8) years, from September 1, 2017, through August 31, 2025. The total cost of the amended Lease Agreement over the eight (8) year term is \$3,152,488.59, including rent and operating expenses. The total estimated cost of the original Lease Agreement over the total potential ten (10) year term was \$4,177,048.87. Reducing the renewal term by two (2) years in the proposed amendment reduces the total cost accordingly. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow the institution to prepay rent on the first of each month. The lease will be funded by patient revenue. 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.
  12. **UMMC** – Approved the request to enter a Purchase Agreement with Assessment Technologies Institute, LLC (ATI) to provide licenses for supplementary nursing education materials, including assessments and review programs, review modules, study sessions, and proctored exams for UMMC nursing students. The term of the agreement is three (3) years, from January 21, 2022, through December 31, 2025. The total contract cost over the three (3) year term is \$829,260. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of the fees at the beginning of each new cohort of students. This agreement will be funded from student enrollment fees. 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.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

13. **UMMC** – Approved the request to enter a service agreement with Bayer HealthCare, LLC (Bayer) to provide service and maintenance repair of twenty-four (24) UMMC-owned power injectors used in conjunction with imaging equipment. The agreement includes preventive maintenance, such as calibration per factory specifications, along with software updates, certified part replacements, complete inspection, safety testing, and onsite service by a Bayer certified field engineer. The Board also approved the request to allow the institution to add or remove equipment covered by the Agreement, as long as it does not increase the approved expenditure level. The term of the agreement is five (5) years, from February 2, 2022, through February 1, 2027. The total estimated cost of the agreement over the five (5) year term is \$675,000. The cost of service on the equipment is \$586,866.13 to be paid in annual installments in advance over the term. UMMC has also included an additional \$88,133.87 for variable fees for services required by but not included in the service plan, such as on-site corrective maintenance as well as labor and travel time outside of normal business hours. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of service on an annual basis. This agreement will be funded by hospital patient revenue. 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.
14. **UMMC** – Approved the request to enter a Pricing Agreement with CardiacAssist, Inc. d/b/a TandemLife (CAI) for the purchase of equipment, disposable products, and accessories used to provide temporary cardiac bypass for patients with failing heart function. The Board also approved the request to allow the institution the ability to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the agreement is five (5) years, from February 1, 2022, through January 31, 2027. The total projected cost of the agreement over the five (5) year term is \$2,625,000. UMMC has included a fifty percent (50%) increase in year one (1) to account for the greater need projected for these products in the future. Beginning in year two (2), UMMC has included an additional twenty percent (20%) for potential patient volume and price increases. CAI may increase the price of the products by three percent (3%) in contract years four (4) and (5). This agreement will be funded by hospital patient revenue. 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.
15. **UMMC** – Approved the request to enter a Product Rental Agreement with Carl Zeiss Meditec USA, Inc. (Zeiss) to rent the INTRABEAM 600 System and treatment applicators to provide intraoperative radiation treatment (IORT) to patients with various forms of cancer. The INTRABEAM 600 System allows for higher effective doses to be delivered to the microscopic disease site. The term of the agreement is one (1) year and twelve (12) weeks, from February 1, 2022, through one (1) year from the date of installation, which is expected to be on or about April 26, 2022. The expected cost of the agreement over the one (1) year and twelve (12) week term is \$225,000. UMMC has included an additional ten percent (10%) for any potential additional fees. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

- applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
16. **UMMC** – Approved the request to amend its Consulting Services Agreement with Chancellor Consulting Group, Inc. (Chancellor) to extend the term of the agreement to provide managed care contract analytics and negotiation assistance, as well as interim staffing support. The total term of the amended Consulting Services Agreement is nine and one-half (9.5) months, from September 15, 2021, through June 31, 2022. The original term of the agreement was four and one-half months (4.5). The amendment will extend the term an additional five (5) months. The total cost of the amended Consulting Services Agreement over the nine and one-half (9.5) month term is \$475,000.00. The flat monthly fee includes professional fees, potential travel, and all other expenses. The agreement will be funded by hospital patient revenue. 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.
  17. **UMMC** – Approved the request to enter a Laboratory Services Agreement with Cytometry Specialists, Inc., d/b/a CSI Laboratories (CSI) to provide diagnostic laboratory testing for adult and pediatric patients. The services include testing for a variety of hematological cancers, including those involving solid tumors, as well as testing for complex cancers such as blood and bone marrow cancers. The Board also approved the request to allow the institution to add and/or remove tests from the schedule of tests and to update pricing as needed, as long as it does not increase the approved expenditure level. The term of the agreement is two (2) years, from February 1, 2022, through January 31, 2024. The total estimated cost over the two (2) year term is \$975,000.00. UMMC has included a ten percent (10%) increase in year two (2) for potential price and patient testing volume changes. CSI Laboratories may increase the pricing for services in year two (2) up to a maximum of three percent (3%). The agreement will be funded by hospital patient revenue. 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.
  18. **UMMC** – Approved the request to enter Amendment No. 29 to the License and Support Agreement with Epic Systems Corporation (Epic) to add a clinical device decision support module to the current program property licensed under the agreement. The module will allow UMMC to configure decision support and patient acuity scoring into medical workflows using data from various medical devices, aiding medical staff in the remote monitoring of patients. The term of Amendment No. 29 will begin upon execution and end coterminous with the current agreement term ending August 22, 2024. The estimated cost of Amendment No. 29 is \$45,300.00. The previously approved cost of the entire Agreement included projections for this type of additional license. The total estimated cost of the Agreement remains \$105,083,182.99. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of license fees for the clinical device decision support module set at fifty percent (50%) of the total license fee. The agreement will be funded 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.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

19. **UMMC** – Approved the request to enter a Laboratory Services Agreement with Laboratory Corporation of America Holdings on behalf of its subsidiary Esoterix Genetic Laboratories, LLC (Esoterix) to provide specific genetic testing for maternal and pre-natal testing. Testing services include screening for cystic fibrosis, Fragile X, and Spinal Muscular Atrophy. The Board also approved the request to allow the institution to add and/or remove tests from the schedule of tests as needed, as long as it does not increase the approved expenditure level. The term of the agreement is two (2) years, from February 1, 2022, through January 31, 2024. The estimated cost over the two (2) year term is \$275,000.00. This includes a ten percent (10%) increase in year two (2) for potential patient testing volume increases. The agreement will be funded by hospital patient revenue. 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.
20. **UMMC** – Approved the request to enter a Parking and Valet Services Agreement with Lanier Parking Meter Services, LLC (Lanier) for parking management/staffing and valet services at UMMC’s main campus. The term of the agreement is five (5) years, from February 1, 2022, through January 31, 2027. The estimated total cost of the agreement is \$4,860,000 for the five (5) year term. The estimated total cost includes an annual three percent (3%) price increase and a graduated escalation of 15% beginning in year two (2) for new locations added during the term of the agreement, additional FTEs, increase in services hours, and as needed services for special events. The agreement will be funded 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.
21. **UMMC** – Approved the request to amend its agreement with LivaNova USA, Inc. (LivaNova) to extend the term, revise the business associate agreement language, add information security language, and include a discounted price list for items covered under the agreement. The agreement is for the purchase of Vagus Nerve Stimulation (VNS) Therapy Systems which is a surgical implant that delivers pulsed electrical signals to the vagus nerve and is used to treat epilepsy and treatment-resistant depression in pediatric and adult populations. The Board also approved the request to allow the institution to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the amended agreement is forty-seven (47) months, from February 1, 2019, through December 31, 2022. The original agreement was thirty-six (36) months beginning February 1, 2019. The amendment extends the term for an additional eleven (11) months through December 31, 2022. The total amended cost over the extended term is \$4,175,000. The total cost of the original agreement was \$3,010,854. The first amendment will add \$1,164,146. The agreement will be funded by hospital patient revenue. 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.
22. **UMMC** – Approved the request to enter a Purchase Agreement with MicroVention, Inc. (MicroVention) for the purchase of neurovascular interventional products used in the treatment of aneurysms, strokes, and other neurovascular interventions for adult and pediatric patients. The Board also approved the request to allow the institution to add or

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

remove products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the agreement is three (3) years, from February 1, 2022, through January 31, 2025. The total estimated cost of the agreement over three (3) years is \$500,000. UMMC has included a twenty percent (20%) increase beginning in year two (2) for potential patient volume increases. The agreement will be funded by hospital patient revenue. 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.

23. **UMMC** – Approved the request to enter a Pathology Services Agreement with Nephropathology Associates, PLC (Nephropathology) to provide anatomical pathology services for renal biopsy samples. The services will include technical testing and consultation to determine the type and severity of kidney disease, as well as the best treatment options for the patient. The Board also approved the request to allow the institution to add and/or remove tests from the schedule of tests and to update pricing as needed, as long as it does not increase the approved expenditure level. The term of the agreement is two (2) years, from February 1, 2022, through January 31, 2024. The total estimated cost over the two (2) year term is \$975,000. This includes a fifteen percent (15%) increase in year two (2) for potential volume and price modifications. Nephropathology may increase pricing by five percent (5%) in year two (2) of the agreement. The agreement will be funded by hospital patient revenue. 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.
24. **UMMC** – Approved the request to amend its Equipment and Disposable Products Agreement with Philips Image Guided Therapy Corporation ("Philips") to extend the term, as well as remove references to Spectranetics Corporation and Spectranetics products from the agreement. The agreement is for the rental of two (2) Volcano CORE Mobile Systems and purchase of the associated disposable products, such as catheters, used with the systems. UMMC physicians use the Volcano CORE systems and disposables to treat patients with high-risk occlusive coronary and peripheral arterial disease. The Board also approved the request to allow the institution to add or remove disposable products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the amended agreement is three (3) years and eleven (11) days, from April 20, 2020, through April 30, 2023. The original agreement was for a term of twenty-four (24) months, beginning upon execution by both parties that occurred on April 20, 2020. The amendment extends the term for an additional one (1) year and eleven (11) days through April 30, 2023. The total amended cost over the extended term is \$950,000. The total cost of the original agreement was \$800,000. The first amendment will add \$150,000 to the total amended cost. The agreement will be funded by hospital patient revenue. 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.
25. **UMMC** – Approved the request to enter a Clinical Genetic Testing Service agreement with PreventionGenetics, LLC (Prevention) to provide diagnostic genetic testing for adult and pediatric patients. The services include testing for genetic disorders and genetic conditions such as intellectual disabilities, autism, hydrocephalus, as well as rare conditions such as,



**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

Wilson disease, and angioedema. The Board also approved the request to allow the institution to add and/or remove tests from the schedule of tests as needed, as long as it does not increase the approved expenditure level. The term of the agreement is two (2) years, from February 1, 2022, through January 31, 2024. The total estimated cost over the two (2) year term is \$400,000. UMMC has included a ten percent (10%) increase in year two (2) for potential price and patient testing volume changes. Prevention may increase the pricing for services in year two (2) up to three percent (3%). The agreement will be funded by hospital patient revenue. 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.

26. **UMMC** – Approved the request to enter Amendment 1 to the Client Services Agreement (Agreement) with SphereCommerce, LLC, formerly TCPP, LLC d/b/a TrustCommerce (SphereCommerce) to add new processing equipment and Automated Clearing House (ACH) transaction services to the existing agreement. These additions will allow UMMC to purchase updated processing equipment and the ability to process check payments. The agreement is for hardware, software license, and gateway payment processing services. SphereCommerce, as the gateway vendor, serves as an intermediary between UMMC and a credit card processor, as well as integrates with Epic to provide a convenient means for patients to pay medical bills online directly. The term of Amendment 1 is one (1) year, from February 1, 2022, through January 31, 2023. The term of the agreement remains three (3) years, from February 1, 2020, through January 31, 2023. There is no additional cost for Amendment 1 as the cost of the equipment and additional services is included in the total contract cost previously approved. The total estimated cost remains \$500,000. 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. 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.
27. **UMMC** – Approved the request to enter a Purchase Agreement with Stryker Sales, LLC (Stryker) for the purchase of neurovascular interventional products used in the treatment of aneurysms, strokes, and other neurovascular interventions for adult and pediatric patients. The Board also approved the request to allow the institution to add or remove products without seeking prior Board approval as long as adequate funds are available. The term of the agreement is three (3) years, from February 1, 2022, through January 31, 2025. The total estimated cost of the agreement over three (3) years is \$3,050,000.00. UMMC has included a twenty percent (20%) increase beginning in year two (2) for potential increases. The agreement will be funded by hospital patient revenue. 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.
28. **UMMC** – Approved the request to enter Statement of Work No. 2 (SOW2) to the Master Services Agreement with SullivanCotter Solutions, Inc. (SullivanCotter) for physician faculty compensation consulting services. SOW2 includes the development of compensation models for all clinical specialty departments, as well as performance modeling and financial impact testing. The term of the Master Services Agreement is three

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

(3) years, from July 21, 2021, through July 20, 2022. The term of SOW2 is January 21, 2022, through July 31, 2022. The total estimated cost of the Master Services Agreement, including SOW1 and SOW2, is \$620,000. There is no cost to the Master Services Agreement. The cost of SOW1 was \$245,000. The estimated cost of SOW2 is \$375,000. The hourly rates are all-inclusive of professional and administrative fees, travel, and any other expenses, as well as optional services at UMMC's election. The agreement will be funded by hospital patient revenue. 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.

29. **USM** – Approved the request to enter a contract with Professional Computing Resources, Inc. for a Telecommunications and Billing Management software called PCR-360. The five-year contract will consist of a licensing agreement and a software maintenance agreement that will provide USM with a means to continue to effectively manage its telecommunications and networking cable plant infrastructure. The contract term will be five (5) years beginning February 1, 2022 and ending January 31, 2027. The total amount of the contract for the five (5) year period will be \$342,096 which includes recurring annual costs for licensing, patches/upgrades, and support. The licensing, patches/upgrades, and support fees totaling \$117,066.00 will be paid annually on the anniversary date of the contract (February 1). A breakdown of costs is included in the bound *January 20, 2022 Board Working File*. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow the university to make multi-year pre-payments at the beginning of each contract year. The contract will be funded by Education 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.

**REAL ESTATE**

30. **USM** – Approved the initiation of GS 108-301, Reed Green Coliseum Renovation, and the appointment of Weir Boerner Allin Architecture, PLLC as the design professional. The project will include the design of renovations to upgrade Reed Green Coliseum. Pre-Planning will include code upgrades to current standards, updated bathroom facilities, along with new mechanical and electrical infrastructure and enhanced performance lighting. The proposed project budget is \$15 million. Funds are available from Athletic Funds; Private Funds; and SB 3069 – §72-19-04 - Hattiesburg Tourism Tax. The amounts from each funding source are still being determined by USM. As the University works through the design process of the project, the exact amounts from each funding source will be more easily determined.
31. **UM** – Approved the initiation of IHL 207-474, South Oxford Center – 2nd Floor Costume and Craft Suite, and the appointment of McCarty Architects, P.A. as the design professional. This project will renovate 8,900 square feet of the 2nd Floor of the South Oxford Center, formerly the Baptist Hospital Heart Center, to provide a new expanded costume shop, craft shop, classroom, and support areas (offices, laundry, storage, etc.) for the Theatre Department. The proposed project budget is \$1,178,790. Funds are available from Internal R&R Funds (\$203,790) and Provost/Department Donor Gift (\$975,000).

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

32. **ASU** – Approved the request to increase the budget for GS 101-320, Campus-Wide ADA Improvements, from \$4,120,000 to \$4,870,000 for an increase of \$750,000 and to add University Plant Funds as a funding source to the project to allow for the budget increase. This project budget increase is needed to fund some additional items in the project that were originally projected to be alternates. The project scope includes ADA improvements across the entire campus to include but not limited to curb cuts, street crossings, sidewalk repairs, wayfinding and signage, elevator repairs, and other related improvements. Funds are available from SB 3065, Laws of 2019 (\$4,20,000) and ASU Plant Funds (\$750,000).
33. **UM** – Approved the request to name the Track and Field Locker Rooms as the “Jerry Hollingsworth Track and Field / Cross Country Facility” in honor of a generous donation by Dr. Gerald M. Hollingsworth, a Mississippi native and University of Mississippi alumnus. Dr. Hollingsworth is a longstanding supporter of Ole Miss Athletics and The University of Mississippi. Previous gifts contributed to the Ole Miss Athletics Foundation Forward Together campaign and created the Gerald M. Hollingsworth, M.D., Athletic Scholarship Endowment, the Ida Jo Gallant Ole Miss Women’s Council Scholarship Endowment, and the Billie Nell Jensen Ole Miss Women’s Council Scholarship Endowment. For contributions to the collegiate athletic world, the Ole Miss chapter of the National Football Foundation and Hall of Fame honored the physician with the Amateur Football Award. He received the 2018 Legacy Award from the Ole Miss Women’s Council for Philanthropy.

**LEGAL**

34. **MSU** – Approved the request to enter an Interlocal Agreement with the City of Starkville, Mississippi and Oktibbeha County, Mississippi, which establishes a Joint Board to govern the operations of the Starkville Municipal Airport, George M. Bryan Field. Since 1986, the University has had only one member of the Joint Board which governs the airport. With this new Interlocal Agreement, a nine-person board will be formed with equal representation from the city, county and university. The cost of operating the airport will be shared as follows: 35% by the City of Starkville, 35% by Oktibbeha County, and 30% by Mississippi State University. The proposed term of the agreement is ten years effective upon approval by the Office of the Attorney General and IHL Board. This request has been approval by the Attorney General.
35. **UM** – Approved the request to enter a contract with Butler Snow LLP to serve as Bond Counsel in connection with EBC Bonds. The EBC has previously issued its Series 2015A Bonds, Series 2015B Bonds, Series 2015C Bonds, Series 2015D Bonds and Series 2016A Bonds (together, the “Bonds”) and based on current market conditions desires to current and/or advance refund and refinance all or a portion of the Bonds (the “Refunding Project”). Specific attorneys will include Thad Varner and Michael Russ. The term of the agreement is one year and began on November 18, 2021, with the option to renew for one year if mutually agreed by all parties. The firm will be compensated on a fixed fee basis as follows: \$1.90 per \$1,000 for the first \$25,000,000 of bonds issued and \$1.15 per \$1,000 of bonds issued over and above \$25,000,000. This firm carries professional liability insurance coverage in the amount of \$50,000,000 per claim with an annual aggregate of \$100,000,000. This request has been approved by the Attorney General.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

36. **UM** – Approved the request to enter a contract with Butler Snow LLP to serve as Bond Counsel in connection with EBC Bonds to be used as a source of financing for the STEM Building Project. Specific attorneys will include Thad Varner and Michael Russ. The term of the agreement is one year and began on June 17, 2021, with the option to renew for one year if mutually agreed by all parties. The firm will be compensated on a fixed fee basis as follows: \$1.90 per \$1,000 for the first \$25,000,000 of bonds issued and \$1.15 per \$1,000 of bonds issued over and above \$25,000,000. This firm carries professional liability insurance coverage in the amount of \$50,000,000 per claim with an annual aggregate of \$100,000,000. This request has been approved by the Attorney General.
37. **UM** – Approved the request to enter a contract with Speights Law, LLC as outside counsel to perform services necessary in the review of contracts and other legal matters as assigned from time to time, as needed. The term of the contract is approximately six-months beginning January 21, 2022 through June 30, 2022. The hourly rate is \$95 with a maximum amount payable of \$50,000. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000. This request has been approved by the Attorney General.
38. **UM** – Approved the request to amend an existing contract with Wise Carter, LLP as outside counsel to increase the maximum amount payable from \$25,000 to \$75,000 for FY 2022. The analysis and resolution of potential employment matters have required additional attorney work product and legal advice that was necessary and essential and that the parties could not have either known or reasonably anticipated when they first executed their legal services agreement for FY2022. The one-year term of the current contract began on July 1, 2021 with hourly rates ranging from \$300 to \$350 for attorneys and \$95 for paralegal services. All other provisions of this contract remain unchanged. This firm carries professional liability insurance coverage in the amount of \$10,000,000 per claim with an annual aggregate of \$10,000,000. The request has been approved by the Attorney General.
39. **USM** – Approved the request to amend an existing contract with Butler Snow LLP, as outside counsel to increase the maximum amount payable from \$100,000 to \$200,000. The necessity for an increase in authorized fees relates to pending legal matters, including intellectual property matters, as well as ongoing litigation. The one-year term of this contract began on July 1, 2021 with hourly rates of \$295 for attorneys and \$95 for paralegal services. All other provisions of this contract remain unchanged. This firm carries professional liability coverage in the amount of \$50 million per claim with an annual aggregate of \$100 million. This request has been approved by the Attorney General.
40. **UMMC** – Approved Anna Moak Sparks as one of the university’s legislative liaisons in accordance with Board Policy 201.0506 Political Activity.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

**PERSONNEL REPORT**

41. **Employment**

**Mississippi State University**

- Bimal Balakrishnan; *hired with tenure*; Associate Dean and Professor; Department of Architecture, Art and Design; salary \$150,000.00 per annum, pro rata; E&G Funds; 12-month contract; effective January 1, 2022
- Michael J. Mulvaney; *hired with tenure*; Associate Professor; Department of Plant and Soil Sciences; salary \$142,500.00 per annum, pro rata; E&G and Restricted Funds; 12-month contract; effective November 1, 2021
- Elisabeth Erin Pankl; *hired with tenure*; Dean and Professor of University Library; salary \$240,000.00 per annum, pro rata; E&G Funds; 12-month contract; effective January 1, 2022

42. **Change of Status**

**Mississippi State University**

Loren W. Burger, Jr; *from* Interim Dean of College of Forest Resources and Interim Director and Professor of Forest and Wildlife Research Center; salary \$235,592.00 per annum, pro rata; E & G Funds, Designated Funds and Restricted Funds; 12-month contract; *to* Dean of College of Forest Resources and Director and Professor of Forest and Wildlife Research Center; salary \$265,000.00 per annum, pro rata; E & G Funds; 12-month contract; effective November 16, 2021

**Mississippi Valley State University**

Dameon Shaw; *from* Interim Vice President for University Advancement; salary \$93,495 per annum, pro rata; E&G Funds; 12-month contract; *to* Vice President for University Advancement, External Relations and Information Security; salary \$110,000 per annum, pro rata; E&G Funds; 12-month contract; effective December 1, 2021

**REGULAR AGENDAS**

**ACADEMIC AFFAIRS**

Presented by Trustee Steven Cunningham, Chair

On motion by Trustee Cunningham, seconded by Trustee McNair, with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Cunningham, seconded by Trustee McNair, with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2. On motion by

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

Trustee Cunningham, seconded by Trustee McNair, with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #3.

1. **USM** – Approved the request to add the following new academic degree program.  
Program Title: Bachelor of Science in Business Administration (BSBA) in Human Resources Management  
Program Location: School of Management  
CIP code: 52.1001  
Total credit hours: 120  
Effective date: August 2022
2. **UMMC** – Approved the request to establish a new academic unit as follows.  
Unit Title: Department of Integrated Patient Care (IPC)  
Unit Location: UMMC School of Dentistry  
Effective date: April 2022
3. **SYSTEM** – Approved the request to add the following new institutes or centers.
  - a. **UM** – National Center for Cannabis Research and Education  
Unit Location: Research Institute of Pharmaceutical Sciences, School of Pharmacy  
Scope: Limited Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)  
Effective Date: January 2022
  - b. **USM** – Center for Ethics and Health Humanities (CEHH)  
Unit Location: College of Arts and Sciences  
Scope: Limited Scope and Outreach  
Type: Type 2 (Student, Faculty, or Community Service)  
Effective Date: August 2022

**FINANCE AGENDA**

Presented by Trustee Tom Duff, Chair

Trustee Gee Ogletree recused himself from discussing or voting on items #1 - #5 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 Trustee Ogletree absent and not voting and with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #1 - #5 as submitted on the Finance Agenda. Trustee Ogletree returned to the room following the discussion and vote on items #1 - #5 on the Finance Agenda.

1. **UM** – Approved the request to enter a contract with John Wiley & Sons, Inc. to secure perpetual access to electronic journal content for an unlimited number of authorized users, to set the price of those journals, and to purchase a specified number of tokens for access to unsubscribed journal articles. The term of the contract is from January 1, 2022 to December 31, 2024. The total contract amount for the three years is \$923,647.85 (2022=\$307,746.98; 2023=\$307,881.72; 2024=\$308,019.15). The contract includes a list of Core titles, two subject area packages of journals (AnthroSource and Cochrane Library),

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

and up to 2,000 tokens providing article-level access to unsubscribed content. The annual totals may vary some due to changes in the Core title list and in the number of tokens required in each year. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request for the university to prepay the annual payment each year. The contract will be funded by the Library's materials budget which is derived from state appropriation and from specified endowments. 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 Congenital Heart Disease Products Purchase Agreement with Abbott Laboratories, Inc. (Abbott) 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 Board approved the request for the institution to add and/or remove products from the agreement, to update pricing as needed, and amend the rebate requirements as long as it does not increase the approved expenditure level. The term of this agreement is three (3) years and seven (7) days, from January 24, 2022, through January 31, 2024. The total estimated cost over the three (3) year term is \$2,550,000. This amount includes an annual fifteen percent (15%) increase for potential patient volume growth. The agreement will be funded by hospital patient revenue. 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 for additional funding for its current Product Sale Agreement with Airgas USA, LLC (Airgas). The agreement is for the purchase of cylinder medical gas and rental of the cylinders used to house the medical gas. Medical gases are consumed by adult and pediatric patients in inpatient and outpatient care areas at UMMC facilities in Jackson, Grenada, and Lexington. The term of the agreement remains unchanged at five (5) years, from December 1, 2017, through November 30, 2022. The new estimated total cost over the five (5) year term is \$1,050,000. The original estimated cost was \$826,018.02. UMMC anticipates the need for an additional \$198,981.98 for the remainder of the term. The agreement will be funded by hospital patient revenue. 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 amend its Sales and Support Proposal, including Quotation Number: 155335-0001107577-3-9 (Agreement) with Medtronic USA, Inc. (Medtronic) to revise the number of StealthStation ENT Software licenses included in the agreement. The agreement is for the purchase of four (4) StealthStation surgical navigation systems for neurosurgery and otolaryngology (ENT) procedures. The term of the agreement remains unchanged, approximately two (2) years, from June 11, 2021, through approximately July 18, 2023. The total cost of the amended agreement is unchanged and remains \$1,283,060.60. The additional license for the equipment is provided at no additional cost to UMMC. 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.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

5. **MUW** – Approved the request to enter a purchase agreement with Business Communications, Inc. to purchase networking switch hardware to replace end of life network switch hardware that is 7-8 years old. Cisco networking switch hardware will be replaced in 41 buildings on campus. The Cisco network switch hardware supports the entire campus Internet/network backbone. Licenses for the equipment are for a term of 5 years. The total contract amount is \$804,129.05. The agreement will be funded by CRRSAA: Higher Education Emergency Relief Fund (HEERF II). 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.

**INFORMATION AGENDAS**

Presented by Commissioner Alfred Rankins, Jr.

**ACADEMIC AFFAIRS**

1. **USM** – This intent to offer already approved degree program by distance learning is presented for information.  
Program Title: Bachelor of Science in Business Administration (BSBA) in Marketing  
Program Location: School of Marketing, College of Business and Economic Development  
Total credit hours: 120  
CIP Code, Sequence: 52.1401, 5538  
Cost to offer by distance learning: \$0 cost to State (Cost will be offset by the University's online course fee)  
Effective date: August 2022
2. **USM** – The university intends to offer the following certificate programs.
  - a. Program Title: Diversity, Equity, and Inclusion Certificate  
Responsible academic unit: School of Social Science and Global Studies  
Level: pre-baccalaureate (less than 1 year)  
Total credit hours: 12  
CIP code: 45.1101  
Effective date: January 2022
  - b. Program title: Personal Finance Certificate  
Responsible academic unit: School of Finance, College of Business and Economic Development  
Level: pre-baccalaureate (less than 1 year)  
Total credit hours: 12  
CIP code: 52.0801  
Effective date: January 2022

**FINANCE**

3. **UMMC** – The Mississippi Department of Information Technology Services, as contracting agent for UMMC, entered into Amendment #3 to the Master Services Agreement with HealthStream, Inc. (HealthStream) to replace the American Red Cross Resuscitation Suite with the nThrive Education Revenue Cycle Enterprise content. Amendment #3 does not



**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

amend the term of the agreement. The total term of the Master Services Agreement remains six (6) years, from February 8, 2017 through December 31, 2023. The total cost of the amended agreement remains \$1,429,596.36. The nThrive Education Revenue Cycle Enterprise content is the same cost as the replaced American Red Cross Resuscitation Suite.

4. **UMMC** – The Mississippi Department of Information Technology Services, as contracting agent for UMMC, entered into Amendment #15 to the Master Services and License Agreement with OptumInsight, Inc. (Optum). The Master Services and License Agreement provides claims scrubbing and claims clearinghouse services, including the RevenueCyclePro product. Amendment #15 will increase the total number of licensed users for the RevenueCyclePro product from sixty-one (61) users to one hundred and one (101) users and extends the term of the current RevenueCyclePro licenses through September 30, 2022. The total term of the amended Master Services and License Agreement is nine (9) years and five (5) months, from May 31, 2012, through October 31, 2022. The cost of Amendment #15 is \$48,500.00. The total cost of the amended Master Services and License Agreement is \$4,185,349.08.
5. **UMMC** – The Mississippi Department of Information Technology Services, as contracting agent for UMMC, entered Amendment Three (3) to the Performance Suite Solutions Subscription Agreement. Amendment Three (3) provides the PremierConnect Single Sign-On (SSO) solution to UMMC, which allows UMMC users to use their current UMMC log-in and password to access the Premier application. This will alleviate the need for separate logins and passwords for only the Premier application. Amendment Three (3) does not change the term of the agreement. The term of the amended Performance Suite Solutions Subscription Agreement remains six (6) years, from November 1, 2017, through June 30, 2022. There is no cost associated with Amendment Three (3). The total overall cost of the Performance Suite Solutions Subscription Agreement remains \$1,168,096.
6. **UM** – The Mississippi Department of Information Technology Services, as contracting agent for UM, entered Amendment #2 to the Master License and Application Service Provider Agreement with Blackboard, Inc. to provide additional ASP services. Amendment #2 does not amend the term of the agreement. The original agreement was entered into on September 25, 2015 and amended on December 19, 2019. The agreement will continue through December 11, 2024. The total cost of the amended agreement is \$811,006.

**REAL ESTATE**

7. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the November 18, 2021 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 1.)

**LEGAL**

8. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 2.)

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

**ADMINISTRATION/POLICY**

9. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.
- a. **MSU** – On November 1, 2021, Commissioner Alfred Rankins, Jr., approved the request to Lease Renewal between the Mississippi State University and Petro Medical Properties, LLC for approximately 2,041 square feet of space in Petro Medical Building located at 2628 Courthouse Circle, Suite B., Flowood, MS, for temporary space for MSU’s Animal Emergency and Referral Center (AERC) Rehab service. This is a renewal of an existing lease effective December 1, 2021 through May 31, 2023. The monthly rent is \$2,551.25 due on the 1<sup>st</sup> of each month. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
  - b. **MSU** – On November 19, 2021, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between Mississippi State University and Bernardo Caraballo Perez for a 4-bedroom, 1-bath residential property located at #100 ole Ojea, Cabo Rojo, Puerto Rico, for the purpose of housing students, staff and faculty and storing research equipment used to conduct fisheries research funded by the Puerto Rico Department of Natural and Environmental Resources. The original lease term was five years beginning March 1, 2017 through February 28, 2022. This request is to extend the lease for one year or until February 28, 2023, at a cost of \$7,200 to be prepaid on or before March 1, 2022. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
  - c. **MSU** – On December 2, 2021, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between Mississippi State University and Five J Farms, LLC for the use of five acres of land in Greenwood, MS, including 2 temporary storage containers and a 20x20 shop space with utilities for the placement and operation of beehives. The term of the lease is five years effective January 1, 2022, at a cost of \$6,000 per year. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
  - d. **MSU** – On December 2, 2021, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between Mississippi State University and Mississippi State University Foundation, Inc. for the renovation of the Walker Engineering Annex Building and construction of an addition to that building. Effective February 1, 2022, the Foundation will lease property described in Exhibit A to the Lease Agreement for a 24-month period or until the completion of the renovation and construction improvements, whichever occurs first. Consideration for the lease will be the Foundation’s provision of all renovation and construction of improvements

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

at not cost or other expense to the university and with all improvements to and on the premises being owned “free and clear” by the university upon the termination of the lease. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

- e. **UMMC** – On November 30, 2021, Commissioner Alfred Rankins, Jr., approved the Lease between the University of Mississippi Medical Center and Jackson Brew, LLC d/b/a PJ’s Coffee for space in the University Pavilion where lessee will provide coffee services to patients, staff, and visitors. The term of the lease is 5-years to begin no later than January 1, 2022. This is a revenue generating lease estimated to earn approximately \$24,707 over its 5-year term. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- f. **UMMC** – On November 30, 2021, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between the University of Mississippi Medical Center and Hometown Diagnostics, LLC for 833 square feet of lab and office space in the Pitney Bowes, Inc. for the rental of a postage meter at the UMMC Center for Holmes County. The term of the Lease is 60 months beginning February 1, 2022 at a cost of \$15879 per month as set out in Exhibit A to the Rental Agreement. UMMC has included a 5% increase for potential postage and volume increases in years two through five and estimates the total cost of the agreement over the five-year term to be \$45,000. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- g. **USM** – On December 17, 2021, Commissioner Alfred Rankins, Jr., approved a Public Trust Tidelands Lease between the Mississippi Board of Trustees of State Institutions of Higher Learning, for the use and benefit of USM/GCRL, and the State of Mississippi c/o the Secretary of State, Public Lands Division. The subject property consists of submerged lands and tidelands contiguous with USM’s facilities at Point Cadet and described in detail in Exhibits 1 and 2 to the Lease. The initial term of the lease is forty years beginning November 1, 2021, with a right for the Lessee to extend the lease for a subsequent 25-year secondary term. There is no cost to the university. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
- h. **USM** – On December 17, 2021, Commissioner Alfred Rankins, Jr., approved an extension to an existing agreement between the University of Southern Mississippi and Anthology, Inc. (formerly Campus Management Corporation) previously approved by the Board in August 2018. The extension amount is \$5,789.72. The added amount does not exceed 110% of the current contract. (Original amount:

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

\$990,750.) This agreement is for Student Recruitment Constituent Relationship Management software and is being extended to November 30, 2022. The Attorney General's Office has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

10. **SYSTEM** – On August 19, 2021, the IHL Board granted all institutions through December 31, 2021 temporary relief and waiver of requirements for approval of items, matters, contracts, purchases, leases, prepayments and any other agreement otherwise requiring approval by the Board of Trustees or Commissioner pursuant to Board Policy 707 Contracts (to include policies 707.01 Land, Property, and Service Contracts; 707.02 Other Official Documents, and 707.03 Approval of Prepayment for Goods or Services) and Board Policy 905 Real Estate Management, when compliance with the Board approval requirements of these policies would impede the institution's ability to promptly and effectively provide for the safety and health of its students, employees and guests in dealing with the Covid-19 pandemic. This request is for a temporary period through December 31, 2021, for the health and well-being of students, employees, and guests on all IHL campuses and facilities. Previously, the Board approved this waiver for UMMC effective March 19, 2020. This waiver was expanded to all institutions on September 4, 2020 with an original expiration date of December 31, 2020. At the November 19, 2020 meeting, this waiver was extended through May 31, 2021. On May 31, 2021 the temporary waiver expired for all institutions. Board Policy 707 Contracts governs, among other things, the contracts and leases entered by the institutions. Specifically, it requires, in part, that any land acquisitions exceeding \$100,000, any leases in an amount greater than \$100,000, and all other land, personal property, and services contracts requiring an aggregate expenditure of more than \$250,000 require approval by the Board of Trustees. This policy also governs approvals required for prepayments and for some revenue contracts. Board Policy 905 Real Estate Management further governs, among other things, the purchase and sale of land and leases of property and requires a Phase I or more detailed Environmental Report. The Board also approved the request that authority be delegated to the Commissioner, through December 31, 2021, to approve waivers on behalf of the Board of any other Board policy or practice requirements to enable the institutions to promptly and effectively deal with any issues related to the COVID-19 pandemic and to allow them to operate more efficiently during this public health crisis. A summary of the items that have been submitted for reporting to the Board is as follows:

- a. **UMMC** – On September 28, 2021, UMMC entered into a Services Agreement with I3 Simulations LTD (I3) for the design, development, and deployment of the Sim Gym Training Simulation System and content library. This software will be developed for the specific needs of UMMC as an educational tool that utilizes a virtual patient for remote training of healthcare providers across multiple disciplines such as nurses, physicians, EMTs, and any other healthcare workers who are required to provide direct patient care, while reducing the requirement of face-to-face training as the COVID-19 pandemic continues. Additionally, the agreement requires prepayment of \$87,757.42 to begin the project. The term of the Services Agreement is one (1) year, from September 28, 2021, to September 27,

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

2022. The total cost of the Services Agreement is \$390,033. The Service Agreement will be funded through Higher Education Emergency Relief Funds II (HEERF 2) grant funds. The in-person restrictions during the COVID-19 pandemic have severely limited UMMC's teaching and gathering capacity, while distance-learning software such as the Sim Gym eliminates this safety concern for future case-based learning through healthcare simulation. By utilizing this software, UMMC is able to improve medical knowledge, interprofessional communication and patient care in a safe and pandemic-proof manner. UMMC's Office of General Counsel reviewed the Services Agreement for compliance with applicable law and found the same to be acceptable.

- b. **UMMC** – The institution is currently contracted with AMN Healthcare, Inc. (AMN) for augmentation of ancillary staffing at UMMC Grenada, to be utilized on an as-needed basis. On October 29, 2021, in response to the staffing shortages caused by the COVID-19 pandemic, UMMC entered an amendment to extend the term of the agreement, adjust the rates for staffing, and include the ability to add additional positions by mutual agreement. COVID-19 has drastically impacted staffing and UMMC's ability to retain staff in certain positions. Additionally, a number of hospitals nationwide are paying premium rates to attract staff during this national emergency/pandemic. Due to these factors, UMMC amended the agreement to provide additional options during these extenuating circumstances to meet the healthcare needs of UMMC's patients. The term of the amended Agreement is three (3) years and twenty-seven (27) days, from December 5, 2019, through December 31, 2022. The original agreement was for a term of two (2) years beginning December 5, 2019. The first amendment extends the term for an additional one (1) year and twenty-seven (27) Days. The total cost of amended agreement is \$1,240,000. The total cost of the original agreement was \$240,000. During the extended term, UMMC anticipates the need for an additional \$1,000,000. Fees are based upon hourly rates for the ancillary staff. This agreement will be funded by hospital patient revenue. UMMC Grenada's ancillary services are in a critical staffing crisis due to COVID-19. As the pandemic unfolded, many UMMC Grenada employees resigned to work in overwhelmed facilities. Consequently, UMMC Grenada is currently short staffed and many employees are resigning. It is decimating entire shifts. The remaining employees are overwhelmed and the stress of the workload is it is taking a toll on them. AMN Healthcare has a large ancillary database, and they have been very successful at recruiting workers for UMMC Grenada. UMMC's Office of General Counsel reviewed the First Amendment to the Healthcare Staffing Agreement for compliance with applicable law and found the same to be acceptable.
- c. **UMMC** – On November 22, 2021, UMMC entered into a purchase and service agreement with Spectrum Medical, Inc. (Spectrum Medical) for the purchase of two (2) Extracorporeal Membrane Oxygenation (ECMO) pumps, associated accessories, and service. The ECMO pumps are needed for the treatment of patients whose lungs are not functioning well enough to provide the body with enough oxygen. It is a life support method that can be used when a mechanical ventilator

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

has failed to rid the body of carbon dioxide and is often used for patients pre-/post-transplant and for those with significant lung disease, including COVID-19 patients. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, UMMC will prepay 75% of the purchase price of the equipment and will also prepay services on an annual basis. The term of the agreement is five (5) years, from November 22, 2021, through November 21, 2026. The total estimated cost over the five (5) year term is \$445,401.60. The equipment purchase price is \$286,366. Beginning in year two (2), UMMC has included a three percent (3%) increase per year for potential increases in the cost of service. Spectrum Medical may increase the service cost three percent (3%) per year, after the first year of the agreement. The agreement will be funded by hospital patient revenue. COVID-19 positive patients that require maximal lung support that is not achievable with a conventional ventilator can be placed on ECMO to provide support until the lungs have time to heal. This has become a standard treatment for COVID-19 positive patients across the United States as well as around the world. UMMC currently owns six (6) Getinge ECMO machines that are in use but are past end of life. Preventive maintenance has been performed to keep the equipment safe for use. However, Getinge has notified UMMC that it will no longer perform service on the equipment. If the equipment goes down, it will significantly impact UMMC's ability to care for COVID-19 patients. As the nation continues to see an uptick in positive cases, UMMC enter into this Agreement to purchase additional ECMO or order to effectively respond to the ongoing COVID-19 pandemic. UMMC's Office of General Counsel reviewed the Quote No. BDQC0726 and the related Terms and Conditions with Spectrum for compliance with applicable law and found the same to be acceptable.

**PERSONNEL**

**2. Sabbatical**

**Mississippi State University**

FROM: Kenneth Deon Roskelley; Professor of Finance and Economics; salary \$172,800.00 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 1, 2022 to May 15, 2022; professional development

*[Originally approved by IHL Board March 18, 2021]*

CORRECTED: This item was rescinded.

FROM: John Edward Swan II; Professor of Computer Science and Engineering; salary \$134,871.00 per annum, pro rata; E&G and Restricted Funds; 9-month contract; no change in salary during sabbatical period; E&G and Restricted Funds; effective January 1, 2022 to May 15, 2022; professional development

*[Originally approved by IHL Board March 18, 2021]*

CORRECTED: This item was rescinded.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, January 19, 2022**

Committee members participated in the meeting in person or via Zoom. **In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This was a regular monthly meeting of the Health Affairs Committee.** The meeting was called to order by Chairman Alfred McNair at approximately 3:00 p.m. The following items were discussed.

1. The Committee discussed an update on COVID-19 matters and discussed the monthly financial summary. **No action was taken.**

2. Executive Session

On motion by Trustee Duff, seconded by Trustee Rader, with Trustees Cummings and Luckey absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Cunningham, seconded by Trustee Hubbard, with Trustees Cummings and Luckey 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 the strategic business plans related to a public hospital.

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

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

On motion by Trustee Hubbard, seconded by Trustee Duff, with Trustees Cummings and Luckey absent and not voting, all Committee members legally present and participating voted unanimously to return to open session.

3. On motion by Trustee Rader, seconded by Trustee Morgan, with Trustees Cummings and Luckey absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

The following Committee members were present: Dr. Alfred McNair (Chair) (via Zoom), Dr. Steven Cunningham (via Zoom), Mr. Tom Duff, Ms. Teresa Hubbard, Mr. Bruce Martin (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. Walt Starr. Dr. Ormella Cummings and Ms. Jeanne Luckey were absent.

**ANNOUNCEMENTS**

- President Starr announced the next scheduled meeting is February 17, 2022 at the Board Office in Jackson, MS.
- President Starr invited the university presidents to report on current activities on their campuses.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
January 20, 2022**

**EXECUTIVE SESSION**

On motion by Trustee Rader, with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Martin, seconded by Trustee Cummings, with Trustee Luckey participating via Zoom, all Trustees 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 a personnel matter at the University of Mississippi.

Discussion of a personnel matter at Alcorn State University.

Discussion of a personnel matter at the University of Southern Mississippi.

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

The Board discussed a personnel matter at the University of Mississippi. **No action was taken.**

The Board discussed a personnel matter at the Alcorn State University. **No action was taken.**

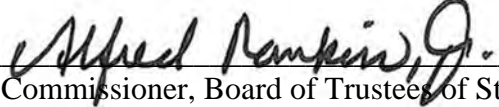
The Board discussed a personnel matter at the University of Southern Mississippi. **No action was taken.**

**On motion by Trustee Parker, seconded by Trustee Hubbard, with Trustee Luckey participating via Zoom, 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 Cummings, seconded by Trustee Martin, with Trustee Luckey participating via Zoom, 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 20, 2022**

**EXHIBITS**

- Exhibit 1      Real Estate items that were approved by the IHL Board staff subsequent to the November 18, 2021 Board meeting.
- Exhibit 2      Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

January 20, 2022

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE NOVEMBER 18, 2021 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 101-310 – NEW FACULTY AND STAFF HOUSING**

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

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

Board staff approved Change Order #5 in the amount of \$16,344.00 and ten (10) additional days to the contract of Ergon Construction Group, Inc.

Approval Status & Date: APPROVED, November 18, 2020

Change Order Description: Change Order #5 includes the following items: installed four (4) total security cameras, two (2) at the north gate and two (2) at the south gate. One (1) for driver face and one (1) for car tag documentation to include programming of the new cameras into the CCTV server in the security office and a three (3) year manufacturer's warranty on the cameras and a one (1) year warranty on the installation; and ten (10) days to the contract.

Change Order Justification: These changes were necessary due to user/owner requested modifications and days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$677,011.80.

Project Initiation Date: April 20, 2017

Design Professional: Architecture South, P.A.

General Contractor: Ergon Construction Group, Inc.

Total Project Budget: \$10,400,000.00

### **DELTA STATE UNIVERSITY**

#### **2. DSU- GS 102-271- NURSING SCHOOL EXPANSION AND RENOVATION**

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

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real

# EXHIBIT 1

January 20, 2022

Estate and Facilities Committee on December 9, 2021 to approve the budget increase on the Nursing School Expansion and Renovation project from \$125,000.00 to \$11,875,000.00, for an increase of \$11,750,000.00 and added funding sources HB 1730 Laws of 2020 (\$950,000.00); SB 2971, Laws of 2021 (\$10,800,000.00).

Interim Approval Status & Date: APPROVED, December 9, 2020

## **Approval Request #2: Contract Documents**

Board staff approved Contract Documents as submitted by Eley Guild Hardy Architects

Approval Status & Date: APPROVED, December 9, 2021

## **Approval Request #3: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 9, 2021

**Approval Request #4 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on December 20, 2021 to approve the budget increase on the Nursing School Expansion and Renovation project from \$11,875,000.00 to \$12,310,000.00, for an increase of \$435,000.00. Additional funds for this budget increase will be provided by private donations.

Interim Approval Status & Date: APPROVED, December 20, 2021

Project Initiation Date: February 18, 2021

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Total Project Budget: \$12,310,000.00

## MISSISSIPPI STATE UNIVERSITY

### 3. **MSU– GS 105-355 – ENGINEERING & SCIENCE COMPLEX**

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

#### **Approval Request #1: Change Order #10**

Board staff approved Change Order #10 in the amount of \$5,285.44 and fifty (50) additional days to the contract of West Brothers Construction, Inc.

Approval Status & Date: APPROVED, December 1, 2021

Change Order Description: Change Order #10 includes the following items: installed a quazite pull box north of the material storage building for protection and future access to electrical conduits; installed a door access control rough-ins inside of the material storage building; and fifty (50) days to the contract.

Change Order Justification: These changes were necessary due to user/owner requested modifications and loss of time due to adverse weather conditions.

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$1,527,540.53.

Project Initiation Date: June 18, 2015

Design Professional: Eley Guild Hardy Architects

General Contractor: West Brothers Construction, Inc.

Total Project Budget: \$34,000,000.00

# EXHIBIT 1

January 20, 2022

4. **MSU- IHL 205-283– ADDITION AND RENOVATION OF HUMPHREY COLISEUM**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Dale Partners Architects, P.A.

Approval Status & Date: APPROVED, December 21, 2021

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 21, 2021

Project Initiation Date: June 16, 2018

Design Professional: Dale partners Architects, P.A.

General Contractor: TBD

Total Project Budget: \$80,000,000.00

5. **MSU- IHL 205-291– TRANSIT FACILITY**

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

Board staff approved Change Order #1 in the amount of \$168,425.07 and zero (0) additional days to the contract of J.T. Harrison Construction Co., Inc.

Approval Status & Date: APPROVED, November 23, 2021

Change Order Description: Change Order #1 includes the following items: removed the soap dispenser, paper towel dispensers and warm air dryers from the scope of work; credit issued to remove two (2) evacuation maps from the scope; deleted the banner arms from the fixture type 9 poles; added an annunciator panel in the fire riser room; relocated the fuel controls; and added a new concrete paving area.

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

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

Board staff approved Change Order #2 in the amount of \$90,634.95 and zero (0) additional days to the contract of J.T. Harrison Construction Co., Inc.

Approval Status & Date: APPROVED, December 1, 2021

Change Order Description: Change Order #2 includes the following items: added audio/visual equipment.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$259,060.02.

Project Initiation Date: April 18, 2019

Design Professional: Shafer-Zahner-Zahner

General Contractor: J. T. Harrison Construction Co., Inc.

Total Project Budget: \$4,950,000.00

6. **MSU- IHL 205-306– IED PARKING LOT IMPROVEMENTS**

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

Board staff approved Change Order #2 in the amount of \$9,106.35 and three (3) additional days to the contract of Burns Dirt Construction, Inc.

Approval Status & Date: APPROVED, November 17, 2021

# EXHIBIT 1

January 20, 2022

Change Order Description: Change Order #2 includes the following items: removed deleterious material and backfill and replaced with suitable material prior to placing subbase and paving; old water line was demolished and replaced; a precast concrete inlet was designed and placed at H2 that was big enough to support the additional storm drainage pipes; the prefabricated inlet H2 was slightly modified and placed in the location of the existing inlet H1; an existing steam line was removed; credit issued for electric box drain pipe material substitution; credit issued for electric box/fiber work that was not done between IED and Herbert Hall as the existing electrical lines were of adequate depth and did not require that work; installed two (2) valves were installed to separate the irrigation zone between Herbert Hall and IED; and three (3) days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$10,911.20.

Project Initiation Date: June 18, 2020

Design Professional: Pickering Firm, Inc.

General Contractor: Burns Dirt Construction, Inc.

Total Project Budget: \$2,000,000.00

## 7. **MSU- IHL 205-308 – CVM FACILITY EXPANSION**

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

Board staff approved Change Order #1 in the amount of \$15,548.70 and zero (0) additional days to the contract of The ArCon Group, LLC.

Approval Status & Date: APPROVED, November 17, 2020

Change Order Description: Change Order #1 includes the following items: modifications made to the door hardware, door changes for the CT equipment and elevator waterproofing.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$15,548.70.

Project Initiation Date: April 16, 2020

Design Professional: Machado Patano, PLLC

General Contractor: The ArCon Group, LLC

Total Project Budget: \$5,600,000.00

## 8. **MSU- IHL 205-317 – IED CNC LAB RENOVATION**

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

Board staff approved Change Order #1 in the amount of \$45,036.93 and twenty-eight (28) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, November 22, 2021

Change Order Description: Change Order #1 includes the following items: removed two (2) full piers; demolished additional closets; door size changes for the CNC lab equipment accommodations; revisions to the arches and trim detail; wall framing

# EXHIBIT 1

January 20, 2022

performed at the top of the perimeter wall; removed wallpaper and sanded eight (8) wood columns; repaired holes in the ceiling; trimmed around the electrical enclosures; grinding of concrete pier protrusions; changed 1” metal hat channel to 7/8” metal hat channel; added a main breaker to a panel; removed gas, air and sanitary sewer piping; furring around a fire riser; replaced a damaged floor; mitigated termite damage; and twenty-eight (28) 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; user/owner requested modifications and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$45,036.93.

Project Initiation Date: July 18, 2021

Design Professional: Beard + Riser Architects, PLLC

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$1,400,000.00

## 9. **MSU- IHL 205-321- SUMMER 2022 PAVING**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on December 9, 2021 to approve the initiation, budget increase and design professional for the Summer 2022 paving project. The budget increased from \$990,000.00 to \$1,200,000.00, for an increase of \$870,000.00.

Interim Approval Status & Date: APPROVED, December 9, 2020

Project Initiation Date: December 9, 2021

Design Professional: Neel-Schaffer, Engineers and Planners, Inc.

General Contractor: TBD

Total Project Budget: \$1,200,000.00

## 10. **MSU- IHL 405-001– MUSIC BUILDING RE-BID**

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

Board staff approved Change Order #4 in the amount of \$37,561.09 and zero (0) additional days to the contract of Mac’s Construction Company, Inc.

Approval Status & Date: APPROVED, January 5, 2022

Change Order Description: Change Order #4 includes the following items: changes made to the interior finishes; changes made to the electrical for audio/visual; added an additional Annunciator panel at the fire riser in a mechanical room; electrical audio/visual coordination done; credit for miscellaneous changes; added wall track lighting and an art suspension system; and additional graphic wall covering.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$253,656.09.

Project Initiation Date: May 18, 2017

Design Professional: Allred Stolarski Architects

General Contractor: Mac’s Construction Company, Inc.

# EXHIBIT 1

January 20, 2022

Total Project Budget: \$21,000,000.00

## 11. MSU- IHL 413-001 – BALLEW HALL RENOVATION

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

Board staff approved the Design Development Documents as submitted by Belinda Stewart Architects.

Approval Status & Date: APPROVED, December 9, 2021

Project Initiation Date: March 1, 2019

Design Professional: Belinda Stewart Architects

General Contractor: TBD

Total Project Budget: \$1,700,000.00

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

## 12. UMMC– GS 109-223 – CLINICAL RESEARCH UNIT

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

### **Approval Request #1: Change Order #13**

Board staff approved Change Order #13 in the credit amount of \$25,000.00 and one hundred sixty-two (162) additional days to the contract of Fountain Construction Co., Inc.

Approval Status & Date: APPROVED, January 7, 2022

Change Order Description: Change Order #13 includes the following items: deducted the contingency allowance for the elevator installation; and added time extensions.

Change Order Justification: These changes were necessary as the contingency allowance for the new elevator installation was not needed or used; and days for work as indicated herein due to manufacturing delays with the elevator and unexpected difficulties scheduling the testing as its operation affected the Day Surgery Center.

Total Project Change Orders and Amount: Thirteen (13) change orders for a total amount of \$1,015,824.80.

Project Initiation Date: May 18, 2017

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Co., Inc.

Total Project Budget: \$7,683,767.14

## 13. UMMC- IHL #209-578– GROSS ANATOMY PHASE III

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on December 9, 2021 to approve the Initiation and appointment of the design professional.

Interim Approval Status & Date: APPROVED, December 9, 2021

Project Initiation Date: February 18, 2021

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Total Project Budget: \$11,875,000.00

# EXHIBIT 2

January 20, 2022

## SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/21, 11/1/21 and 12/2/21) from the funds of Alcorn State University. (These statements, in the amounts of \$81.28, \$960.00 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 3,541.28**

Payment of legal fees for professional services rendered by Ware|Immigration (statement dated 10/4/21, 11/8/21) from the funds of Jackson State University. (These statements, in the amounts of \$3,460.00 and \$9,425.00, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 12,885.00**

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 10/20/21 and 10/20/21) from the funds of Mississippi State University. (These statements, in the amounts of \$343.75 and \$5,981.25, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 6,325.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 11/15/21 and 12/8/21) from the funds of Mississippi State University. (These statements, in the amounts of \$649.00 and \$826.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 1,475.00**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 9/1/21, 10/1/21, 11/1/21, 12/1/21, 12/1/21 and 12/1/21) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00, \$2,000.00, \$2,500.00, \$2,500.00, \$682.50 and \$702.50, respectively, represent services and expenses in connection with immigration/labor certification.)

**TOTAL DUE.....\$ 10,885.00**



# EXHIBIT 2

January 20, 2022

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 11/10/21) from the funds of the University of Mississippi. (This statement, in the amount of \$525.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 525.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 11/11/21) from the funds of the University of Mississippi. (This statement, in the amount of \$10,200.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 10,200.00**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 12/7/21) from the funds of the University of Mississippi. (This statement, in the amount of \$577.18, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 577.18**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/21, 11/1/21, 11/1/21, 11/1/21 and 11/1/21) from the funds of the University of Mississippi. (These statements, in the amounts of \$40.35, \$40.30, \$75.35, \$6,000.00 and \$2,500.00, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 8,656.00**

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz, PC (statement dated 12/3/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$3,094.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 3,094.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/18/21, 11/5/21, 11/5/21, 11/15/21, 11/15/21 and 12/9/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$68,506.89, \$9,360.00, \$423.40, \$88,197.69, \$10,591.25 and \$2,712.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 179,791.73**

# EXHIBIT 2

January 20, 2022

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 9/27/21, 10/25/21, 10/25/21 and 11/24/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,154.34, \$1,353.00, \$693.00, and \$148.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 4,348.84**

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 11/10/21, 11/10/21, 11/10/21 and 11/10/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$99.00, \$3,105.00, \$1,687.94 and \$231.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 5,122.94**

Payment of legal fees for professional services rendered by Hogan Lovells, US, LLP (statement dated 11/29/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$1,000.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,000.00**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 10/6/21, 11/4/21, 11/4/21, 11/4/21 and 12/6/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,105.50, \$3,623.70, \$2,714.70, \$2,808.90 and \$4,081.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 14,334.30**

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 11/5/21 and 11/9/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$99.00 and \$1,815.07, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,914.07**

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 11/12/21 and 11/12/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$676.50 and \$148.50, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 825.00**

# EXHIBIT 2

January 20, 2022

Payment of legal fees for professional services rendered by Taylor, Wellons, Politz, Duhe, APLC (statements dated 11/11/21, 11/11/21, 11/11/21, 11/11/21, 11/11/21 and 11/11/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$108.00, \$405.00, \$1,102.50, \$688.50, \$7,294.80 and \$391.50, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 9,990.30**

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 10/21/21, 10/21/21, 10/25/21, 10/25/21, 10/25/21, 10/25/21, 11/18/21 and 11/29/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$181.50, \$231.00, \$9,732.60, \$31.50, \$120.00, \$815.85, \$17,208.00 and \$1,693.56, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 30,014.01**

Payment of legal fees for professional services rendered by the Whitfield Law Group (statements dated 11/14/21 and 11/14/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,386.00 and \$20,800.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 22,186.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 11/4/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$25,415.60, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 25,415.60**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 12/6/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$2,533.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 2,533.50**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/21, 11/1/21, 11/1/21 and 11/1/21) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$51.13, \$83.23, \$2,250.00 and \$3,000.00, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 5,384.36**

# EXHIBIT 2

January 20, 2022

Payment of legal fees for professional services rendered by Wise Carter (statement dated 11/8/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$741.53, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 741.53**

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

Payment of legal fees for professional services rendered by Larry Schemmel with the Office of the Attorney General (statement dated 7/23/21) from the funds of Mississippi State University. (This statement represents the reimbursement of fees and expenses incurred in connection with the following intellectual property matter: “Learning Service Research 1878 (Seal Logo)” - \$525.00.)

**TOTAL DUE.....\$ 525.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 11/15/21, 11/17/21, 11/17/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Permitting and Regulatory Compliance with MS Alcohol Beverage Control and related laws” - \$649.00; Therapeutics for Breathing Disorders” - \$862.00; and “Buckscore Trademark Application” - \$1,049.50, respectively.)

**TOTAL DUE.....\$ 2,560.50**

Payment of legal fees for professional services rendered by Conley Rose (statements dated 11/4/21, 11/4/21, 11/4/21 and 11/4/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Face Mask Testing” - \$295.00; “Common Mode EMI Modeling and Mitigation Techniques” - \$10,455.00; “Wearable Flexible Sensor Motion Capture System” - \$2,595.00; and “Accessories for Raman and Luminescence Spectral Acquisitions” - \$1,605.00.)

**TOTAL DUE.....\$ 14,950.00**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dates 12/8/21, 12/8/21, 12/8/21 and 12/8/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$87.50; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$70.00; “Vaccine Composition Comprising Recombinant Protein and Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$4,227.50; and “Utilization of Oleaginous Microorganisms as an Oral Supplement for Animals” - \$770.00, respectively.)

**TOTAL DUE.....\$ 5,155.00**

# EXHIBIT 2

January 20, 2022

Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 11/15/21) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Coal Char-Production and Properties” - \$188.00.)

**TOTAL DUE.....\$ 188.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/27/21, 9/14/21, 10/20/21 and 10/29/21) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Topical Compositions for Treating Peripheral Neuropathic Pain” - \$930.00; “Stuttering Inhibition Method and Device” - \$1,180.00; “Stuttering Inhibition Method and Device” - \$5,015.00; and “Topical Compositions for Treating Peripheral Neuropathic Pain” - \$1,280.00, respectively.)

**TOTAL DUE.....\$ 8,405.00**

Payment of legal fees for professional services rendered by Thomas|Horstemeyer, L.L.P. (statements dated 8/30/21, 8/30/21, 8/30/21, 8/30/21, 8/30/21, 8/30/21, 8/30/21, 8/30/21, 8/30/21, 9/30/21, 9/30/21, 9/30/21, 10/27/21, 10/27/21, 10/27/21, 10/27/21, 10/27/21, 10/27/21, and 10/27/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Isolation of Pure Cannabinoids from Cannabis” - \$1,100.00; “Dyes, Dye-Sensitized Solar Cells, and Methods of Making and Using Same” - \$623.66; “Highly Selective Sigma Receptor Ligands and Radioligands as Probes in Nociceptive Processing and the Pathophysiological Study of Memory Deficits and Cognitive Disorders” - \$1,331.75; “Biologically Active Cannabidiol Analogs” - \$1,667.60; “Biologically Active Cannabidiol Analogs” - \$2,274.00; “Isolation of Pure Cannabinoids from Cannabis” \$1,743.40; “Cytochrome bc1 Complex Inhibitors and Methods of Use Thereof” - \$1,860.00; “Cannabichromene-Valinate-Hemisuccinate (CBC-Val-HS) A New Derivative with Improved Oral Bioavailability” - \$3,150.00; “pH- and Reduction-Responsive Polymeric Nanoparticles for Co-Delivery of Peptide Antigens and Hydrophobic Adjuvants” - \$1,000.00; “Design, Synthesis, and Photophysical Properties of a Novel NIR II Dye for Biological Imaging and Optoelectronic Devices” - \$6,410.00; “Biologically Active Cannabidiol Analogs” - \$634.71; “Discovery of 5a-prenan-2β, 3a-diol-20-one as a neuroHIV Protective Agent” - \$1,650.00; “Biologically Active Cannabidiol Analogs” -\$1,350.00; “Biologically Active Cannabidiol Analogs” -\$1,350.00; “Biologically Active Cannabidiol Analogs” -\$1,350.00; “Biologically Active Cannabidiol Analogs” -\$1,350.00; “Biologically Active Cannabidiol Analogs” -\$250.00; “Biologically Active Cannabidiol Analogs” -\$3,000.00; and “Biologically Active Cannabidiol Analogs” - \$1,315.00.)

**TOTAL DUE.....\$ 33,410.12**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 9/22/21, 10/12/21, 10/12/21, 10/12/21, 10/12/21, 11/11/21, 11/11/21, 12/15/21 and 12/15/21) from the funds of the University of Mississippi Medical Center. (These statements, in the

# EXHIBIT 2

January 20, 2022

amounts of \$182.00, \$1,584.00, \$792.00, \$1,142.00, \$572.50, \$130.00, \$260.00, \$286.00 and \$130.00, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 5,078.50**

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 8/20/21, 8/20/21, 10/13/21, 10/13/21, 10/13/21 and 10/13/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$9,907.50, \$3,953.90, \$545.00, \$365.75, \$6,865.00 and \$108.75, respectively, represent services and expenses in connection with intellectual property patents.)

**TOTAL DUE.....\$ 21,745.90**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/29/21, 10/29/21, 10/29/21, 11/30/21 and 11/30/21) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Phenylphosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$17,122.50; “Infrared Detection with Intrinsically Conductive” - \$18,246.00; “Methodology and Instrumentation for Thin Film Mechanical Analysis” - \$826.00; “Polymergent LLC License Agreement” - \$295.00 and “Gulf Blue Trademark” - \$147.50, respectively.)

**TOTAL DUE.....\$ 36,637.00**