

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 19, 2023**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2022, to each and every member of said Board said date being at least five days prior to this January 19, 2023 meeting. At the above-named place the following members were present to wit: Dr. Ormella Cummings, Dr. Steven Cunningham (via Zoom), Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. J. Walt Starr. Mr. Gregg Rader was absent. The meeting was called to order by Mr. Tom Duff, President, with Trustee Cummings providing the invocation.

INTRODUCTION OF GUESTS

- Dr. E.E. Caston, Interim President of Delta State University, introduced Mr. Larry Wakefield, the new Interim Vice President for Finance and Administration and the Chief Financial Officer.
- President Duff introduced the following Student Government Association presidents: Christopher Epps from Alcorn State University; Kennedy Guest from Mississippi State University; and Lila Osman from the University of Mississippi. The SGA presidents have been visiting with members of the Mississippi legislators this week.

APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Martin, with Trustee Rader absent and not voting and Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on November 17, 2022 and December 8, 2022.

CONSENT AGENDAS

On motion by Trustee McNair, seconded by Trustee Cummings, with Trustee Rader absent and not voting and Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

FINANCE

1. **DSU** – Approved the request to enter a contract with Waste Management of Mississippi Inc., for collection and disposal of solid waste on campus. Waste Management of Mississippi will provide the services for the greater campus community including facility services, the cafeteria, and student housing. The term of the contract is five (5) years beginning February 1, 2023. DSU estimates the cost of \$88,882.40 per year of \$444.441

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over the five-year life of the contract. This contract will be funded by revenue from the University's auxiliary units. 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. **UM** – Approved the request to amend the University's current contract with Jackson Spalding, LLC., an Atlanta-based marketing communications agency (the "Amendment"), for communications consulting services. The purpose of this Amendment is to increase the cost retainer included in the Original Contract to aid on several communications items related to the National Center for Cannabis Research and Education. The terms of this Amendment will begin when the Amendment is executed and end upon the expiration of the term of the Original Contract (October 15, 2023). The total spend under this Amendment, inclusive of any and all fees and expenses specified herein, shall not exceed \$67,000. Funding for this Amendment will be provided through educational & 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.
3. **UM**- Approved the request to enter a contract with Safeguard World International Limited ("Safeguard Global") to allow UM to legally engage and contract with faculty and staff who reside outside of the United States while they provide instruction and research for various departments and schools on campus. The term of this Agreement shall be one (1) year commencing the Effective Date as in the Agreement, and/or as indicated upon the formal issuance of a Purchase Order. At the end of one (1) year, this Agreement shall automatically renew for a maximum of four (4) additional one-year terms. This Agreement is valid for a maximum of five (5) years. The total amount payable, pursuant to this Agreement, shall not exceed two and a half million dollars (\$2,500,000) during the Term of this Agreement. The contract will be funded by existing E&G budget funds of departments that require the outsourcing of faculty or staff. 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. **UM** – Approved the request to enter a contract with StarRez, Inc. for services provided by a cloud-based university student housing assignments management system. This contract provides for mitigation of the housing management solution to a cloud-based system, allowing for future adaptability at a more rapid pace. The term of this contract will begin on the day it is signed and ends five years from that date. The contract amount for five (5) years is \$609,393.60 – Year One Subscription: \$72,086.26. Year Two Subscription: \$123,847.62. Year Three Subscription: \$130,605.68. Year Four Subscription: \$137,701.64. Year Five Subscription: \$145,152.40. Student Housing is anticipating the construction of new buildings which will add additional bed spaces covered by this contract during the next five (5) years. These bed spaces will require additional licenses and add to the cost of the contract. StarRez has agreed to lock in the price at \$30/bed space which can be purchased in increments of fifty (50). In addition, there could be additional modules that Student Housing does not currently use that would be beneficial to the operation of the department. If purchased, these modules could increase the annual subscription cost, adding to the overall 5-year total. The funding source this contract will be self-generated Student Housing revenue. Legal Staff has reviewed the proposed agreement for

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compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

5. **UMMC** – Approved a resolution confirming support for the establishment and operation of the Mississippi Burn Center (“Center”) at UMMC as well as confirmation that adequate funds are available for that purpose. The Joseph M. Still Burn Center at the Merit Health Central closed on October 14, 2022. Consequently, Mississippians no longer have access to an in-state burn center. As the state’s only academic medical center and level-1 trauma center, UMMC is well positioned to fill the void caused by the recent closure. In the 2007 Regular Legislative Session, the Mississippi Legislature passed House bill 567, authorizing UMMC to establish the Center. The bill was subsequently signed into law by Governor Haley Barbour. The only burn center located in Mississippi, the Joseph M. Still Burn Center at the Merit Health Central, closed on October 14, 2022. Consequently, Mississippians no longer have access to an in-state burn center. UMMC seeks to fulfill the legislature’s intent to establish and operate the Center. The resolution is on file in the Board Office.
6. **UMMC** – Approved the request to enter Amendment No. 31 to the License and Support Agreement with Epic Systems Corporation (Epic) to add license volumes for additional interfaces used for various third-party applications throughout UMMC. These interfaces allow for the exchange of information from the third-party application to Epic for storage in the patients’ medical record. The term of Amendment No. 31 will begin upon execution and end coterminous with the current agreement term ending August 22, 2024. The estimated total cost for Amendment 31 is \$156,000.00 and is already accounted for in the overall cost. The total cost of the Agreement remains \$118,888,932.99. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board also approved the request to allow prepayment of volume fees for the additional interfaces. This agreement is 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.
7. **USM** – Approved the request to enter a food services agreement for its Gulf Coast Research Laboratory (GCRL) facility. The contractor will supply meals for students attending USM’s Summer Field Program (SFP) and Coastal Sciences Camps (CSC), as well as serving as the sole provider of food services for all catered events with more than 20 participants on GCRL’s campus during the period of the contract. The contractor will be allowed to prepare and serve additional items to visiting students and USM program participants while at GCRL. The short-order walk-in business will be managed and operated solely at the discretion of the contractor. The term of this contract will be from January 19, 2023 through December 31, 2025, with the option to renew for two (2) additional one-year periods. The total contract amount is estimated at \$450,000. The amount may vary based on student enrollment and general demand but includes a \$30,000 contingency for commodity and labor fluctuations. The unit pricing of the meals per SFP student, per day, will be \$29.35. USM will be invoiced for the number of students served under the SFP Meal Plan at the end of each month. Additionally, USM will pay the contractor for individual meals provided to SFP instructors, Teaching Assistants, or SFP program personnel and for individual meals reserved under the Marine Education Center’s

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CSC programs at the following rates: Breakfast \$8.35, Lunch \$9.90, and Dinner \$11.10. This contract will be funded by revenue generated from college students, public school groups, various program participants, and other campus activities requiring meals. 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

8. **ASU** – Approved the initiation of GS 101-326, Miscellaneous Campus Repairs – President’s Residence, and the appointment of appoint Shafer Zahner Zahner, PLLC as the design professional. This project will allow for demolition work, installation of new shingle roof, and related membrane roofing system, installation of new windows, painting, and a host of related work associated with needed/required repairs to the interior and exterior of the President’s house. The proposed project budget is \$1,250,000. Funds are available from ASU Local Fund [Auxiliary] (\$322,860.91); HB 1730, Laws of 2020 (\$275,000); SB 3065, Laws of 2019 (\$611,077.96); SB 2851, Laws of 2013 (\$17,999.40); DFA Statewide Critical R&R [2019] (\$12,575.16); and DFA Statewide Critical R&R [2018] (\$10,486.57).
9. **DSU** – Approved the initiation of GS 102-266, Campus HVAC Phase II, and the appointment of Engineering Resource Group as the design professional. This project will allow for repairs and replacement of failed HVAC systems throughout the DSU campus. The proposed project budget is \$2.9 million. Funds are available from HB 1353, Laws of 2022 (\$2.9 million).
10. **MUW** – Approved the initiation of GS 104-209, Fant Hall Renovation – Nursing Expansion. MUW will use the Request For Qualifications method for selection of the design professional and bring the selected design professional back to the Board for approval at a future Board meeting. This project involves capital improvements to Fant Hall which was built in 1927 and formerly utilized as a residence hall, is located directly across the street from the Campus Health Center and Martin Hall, which houses the Nursing Programs. Capital improvements would retrofit the space (which has four floors and contains 44,900 square feet) to create permanent classroom spaces and other academic support areas, faculty offices, additional simulation labs, and group study spaces, as well as living, learning communities on the upper floors to prepare students for the demands of the profession. The proposed project budget (design fees only) is \$500,000. Funds are available from SB 3002, Laws of 2022 (\$500,000).
11. **UM** – Approved the initiation of IHL 207-476B, Phase II Upgrade HVAC Controls – Natural Products and Faser Hall, and the appointment of Design Build and Engineering Services, LLC as the design professional. The scope will retrofit and upgrade controls to laboratory supply-air valves (Phoenix), exhaust-air valves (Phoenix), fume hoods, exhaust fans, controls integration into the new energy management platform along with new sensors, actuators, controllers, and valves for the in-scope equipment. Last, the equipment will be tested and balanced, and the supply-valve heating-water coils will be cleaned. The proposed project budget is \$5.3 million. Funds are available from Internal R&R and Capital Appropriations (\$5.3 million).

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12. **UM** – Approved the initiation of IHL 207-493, South Oxford Center 4th Floor School of Nursing, and the appointment of the University of Mississippi Department of Facilities Planning as the design professional. The project consists of renovating 13,700 square feet of the 4th floor of the University’s South Oxford Center to accommodate the expansion of the UMMC School of Nursing program in North Mississippi. The proposed project budget is \$3,943,950. Funds are available from General Funds (\$3,943,950).
13. **UM** – Approved the initiation of IHL 207-495, Brevard Hall 201 Renovation, and the appointment of McCarty Architects, P.A. as the design professional. The scope of the project will renovate the existing classroom 201, and three existing adjacent office spaces into a multi-disciplinary research lab. The proposed project budget is \$1 million. Funds are available from SB 3002, Laws of 2022 (\$1 million).
14. **UM** – Approved the initiation of IHL 207-496, Faser Hall 453 Lab Renovation, and the appointment of McCarty Architects, P.A. as the design professional. The scope of the project will renovate a lab in Faser Hall to match the existing laboratory setup in Shoemaker Hall. The proposed project budget is \$1 million. Funds are available from SB 3002, Laws of 2022 (\$1 million).
15. **UMMC** – Approved the initiation of IHL 209-584, Female Faculty Surgery Lounge, and the appointment of Cooke Douglass Farr Lemons Architects and Engineers, P.A. as the design professional. This project is intended to renovate the lounge and locker room portion of the surgery department to provide an equitable space for male and female faculty surgery lounges. The proposed project budget is \$1.5 million. Funds are available from UMMC Patient General Revenues (\$1.5 million).
16. **UMMC** – Approved the initiation of IHL 409-005, New School of Nursing, and the appointment of Eley Guild Hardy Architects as the design professional. This project will construct a new School of Nursing to replace the existing School of Nursing that was constructed in 1965. The proposed project budget is \$65 million. Funds are available from SB 3010, Laws of 2022 -ARPA Funding (\$55 million) and UMMC Patient Generated Revenues (\$10 million).
17. **USM** – Approved the appointment of MP Design Group as the design professional for IHL 214-024, Gulf Park Language & Speech Therapy Center, project. The project would comprise designing and constructing a two-story facility (approximately 20,000 square feet) on the Gulf Park Campus. The Children’s Center will provide specialized equipment and cost-free innovative therapies and services to infants, toddlers, and preschoolers under five. The DuBard School’s programming will serve students aged 3-13 with severe language-speech disorders, including developmental aphasia and childhood apraxia of speech, deafness, hearing impairments, and the written language disorder of dyslexia. These in-person and outpatient programs are vital for developing young children with disabilities and provide education, training, and support for families, university students, and professionals. Expanding these programs will decrease travel time for children participating on the Hattiesburg campus and located closer to the coast. The proposed project budget is \$7.9 million. Funds are available from Community Project Funding/Congressionally Directed Spending (CDS) projects funding from the US Department of Health and Human Services (HHS), Health Resources and Services

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- Administration (HRSA) as part of the Consolidated Appropriations Act, 2022 (PL 117-103) (\$7,900,000).
18. **MSU** – Approved the request to increase the project budget for IHL 205-328, New Residence Hall, from \$400,000 to \$60,000,000 for an increase of \$59,600,000, and to modify the funding source to include EBC bonds in the amount of \$59,600,000 to allow for the project budget increase. The project is intended to design and construct a new residence hall on the north side of campus between Barr Avenue and Hurst Lane. The new facility will include approximately 400 beds, a dining venue, office space and multipurpose space for classes, programs, and training sessions. The residence hall will be occupied prior to the Fall semester of 2025. Funds are available from University Designated Funds (\$400,000) and EBC Bonds (\$59,600,000) – pending approval subject to the University meeting the requirements set forth in Board Policy 906 Educational Building Corporations.
 19. **MSU** – Approved the request to increase the project budget for IHL 405-002, Jim and Thomas Duff Center, from \$55,000,000 to \$62,000,000 for an increase of \$7,000,000, and to modify the funding source to include funds from SB 3002, Laws of 2022, in the amount of \$7,000,000 to allow for the project budget increase. The Jim and Thomas Duff Center will be the home to the University’s Autism and Developmental Disabilities Clinic, Disability Resource Center, Access Program, and the College of Education’s Department of Kinesiology. The state-of-the-art facility will provide offices, classrooms, and laboratories that will allow students to have hands-on, real-life training in the areas of physical and developmental disabilities as well as kinesiology. Funds are available from HB 1649, Laws of 2018 (\$10,000,000); SB 3005, Laws of 2019 (\$10,000,000); HB 1730, Laws of 2020 (\$10,000,000); SB 2948, Laws of 2021 (\$5,000,000); Private Funding (\$15,000,000); University Funds (\$5,000,000); and SB 3002, Laws of 2022 (\$7,000,000).
 20. **UM** – Approved the request to increase the project budget for IHL 207-473, Ole Miss Softball Complex Addition & Renovation, from a design fee only budget of \$1,500,000 to \$25,000,000 for an increase of \$23,500,000, and to modify the scope of the project to include the construction of a new softball stadium in addition to renovation. The new softball stadium will include associated amenities (dugouts, seating, press box, restrooms, etc.) and will renovate the existing indoor team facility, playing field, and concessions/restrooms building as budget permits. Stadium design will also include coaches’ offices, training/treatment space, team lounge, and locker rooms. Funds are available from Self-Generated Athletic Revenues (\$25,000,000) – UM Athletics / OMAF Foundation.
 21. **UMMC** – Approved the request to increase the project budget for IHL 409-002, New Boiler Room, from \$3,557,376 to \$6,407,376 for an increase of \$2,850,000, and to add SB 2971, Laws of 2021 and HB 1353, Laws of 2022 as funding sources to allow for the budget increase. The project will serve to supplement the heating hot water capacity on campus by the installation of a series of boilers decentralized from the main plant. Funds are available from HB 1730, Laws of 2020 (\$3,857,376); SB 2971, Laws of 2021 (\$800,000); and HB 1353, Laws of 2022 (\$1,750,000).
 22. **MSU** – Approved the request to delete from inventory Buildings #1534, #1574, #1575, and #1576. Building #1534 is an old greenhouse complex that was constructed in 1964. Buildings #1574, #1575, and #1576 are all old gin storage warehouses that were

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constructed in 1937. The buildings are located at Stoneville, MS, are all in poor condition, and are not cost-effective for the university to repair. The approval letter has been received from the Mississippi Department of Archives and History stating Buildings #1534, #1574, #1575, and #1576 are not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.

23. **UM** – Approved the exterior design for the front elevation of the Alpha Delta Pi Addition on the campus. Alpha Delta Pi has hired PryorMorrow, PC, as the design professional through private funding. There will be no state funds used for this project. A copy of the rendering is included in the bound *January 19, 2023 Board Working File*.

LEGAL

24. **UM** – Approved the request to enter an amended Interlocal Agreement with Lafayette County, Mississippi (County) and the City of Oxford, Mississippi (City) for the operation of a Drug Enforcement Unit, under the direct operational control of a Control Group, designed to create a cooperative law enforcement effort to concentrate and focus drug enforcement efforts in Lafayette County, Mississippi. An amendment to a prior version of this agreement was approved by the Board in November 2021, but UM says that due to a clerical error that amendment was never fully executed, and they have continued to operate under the prior agreement. That unexecuted amended agreement set out each agency's contribution in the amount of \$150,000 for the use and benefit of the Task Force on an annual fiscal year basis, the same amount that had been paid annually since 2018. The Board approved the request to increase the contribution to \$175,000 annually per agency. The term of the agreement is one year upon approval by the Board and the Office of the Attorney General and may be renewed on a year-to-year basis by agreement of the parties. The agreement is on file in the Board Office.

REGULAR AGENDAS

ACADEMIC AFFAIRS

Presented by Trustee Steven Cunningham, Chair

On motion by Trustee Cunningham, seconded by Trustee Ogletree, with Trustee Rader absent and not voting and Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda.

1. **SYSTEM** – Approved the proposed amendments to Board Policy 617 Textbook Policy for first reading, as follows:

617 TEXTBOOK POLICY

~~This Textbook Policy establishes minimum system wide guidelines and goals aimed at addressing~~
Each institution shall develop and maintain an institutional textbook policy for the purposes of lowering the cost of course materials and increasing the transparency of course material prices. The textbook policies and procedures shall be in ensuring compliance with Section 133 of the federal Higher Education Opportunity Act (HEOA) of 1965, of 2008, as amended, and effective on July 1, 2010.

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Annually, each institution shall submit the institution's textbook policy and a report of textbook purchase and rental options available to students including the textbook cost per credit hour for the various options that are available.

By June 1, 2010 each institution in the IHL system shall establish a written policy that includes the following provisions. In this policy, the term textbook is meant to include various types of course materials, including software, electronic files, supplemental materials, and course packs.

~~1. **Textbook Adoption Deadlines**— Each institution shall establish firm deadlines and procedures for the adoption of textbooks for upcoming semesters. These deadlines and procedures shall be set to enable the institution to fully comply with the HEOA of 2008, including the requirement that textbook information (including ISBN and prices) be provided to students at the time of registration.~~

~~Requirements:~~

- ~~● Institutions shall establish adoption deadlines that are no later than the beginning of the registration period for succeeding semesters and that provide sufficient time to work with affiliated bookstores to meet the HEOA posting requirements. Additionally, these adoption deadlines shall be at least 40 days prior to the end of the preceding semester, whenever possible, as dictated by registration schedules.~~
- ~~● The adoption process will include the indication of whether a textbook is required or recommended and should include to the extent possible an indication of whether an alternate (e.g., earlier) edition of the textbook may be used. Timely adoption of textbooks is required for the following course types: lecture, lecture/lab, laboratory, and recitation/discussion. These course types, as designated and defined by the IHL Data Dictionary, are generally assumed to be courses with textbook requirements. Any other courses which at individual institutions historically require textbooks shall be included in the individual institution's adoption policy.~~
- ~~● Department chairs/heads will be responsible for ensuring that all pertinent courses under their authority have adoptions submitted by the deadline, even in instances where no instructor has been assigned for a course section as of the announced adoption deadline date.~~
- ~~● Departments shall be strongly encouraged to adopt the same course materials for all sections of each course.~~

~~2. **Minimum Adoption Periods**— Each institution shall establish guidelines that promote a minimum adoption period for textbooks. In this section, textbook refers specifically to a book that is resalable, as opposed to one time usage materials (e.g., workbooks) or books that have limited resale value.~~

- ~~● Institutions shall set guidelines for a minimum three-year adoption period for lower division courses. These guidelines may include reasonable exceptions to this requirement for instances when editions go out of print, when substantive changes are made in either the course description or the textbook, or when there is a significant change in the body of knowledge pertinent to the course. Procedures for the authorization of exceptions should include approval at the dean level, after recommendation from a department chair/head.~~
- ~~● Guidelines shall encourage a minimum textbook adoption period of at least two years for upper division courses. However, it is recognized that, to provide current scholarship in a global marketplace, upper division courses will have more advanced and changing content, that students often wish to build a personal library of books in their major, and that there is a more limited potential for establishing a favorable local buy-back market for such upper division textbooks. Because of these factors, institutional policy will balance the benefits of a minimum adoption period with the selection of the best available textbook.~~

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~~3. Dissemination of Textbook Information—Institutions shall be responsible for providing information on best practices in textbook adoptions to faculty and for providing advice to students on ways to save money on textbook purchases.~~

- ~~● The institutions or affiliated bookstores shall provide faculty with information and tools for the selection of textbooks, including pricing information and the availability of alternative formats for course materials (e.g., whether textbooks are available in electronic versions) and of separately available components of a bundled textbook;~~
- ~~● The institutions or affiliated bookstores shall provide students with tips on purchasing textbooks, including the availability of electronic versions, the availability of unbundled textbook components, buy-back and exchange policies, and price-matching policies. Institutions shall provide this information, including an explanation of the significance of ISBNs, to entering freshmen during orientations or within 30 days prior to the beginning of the fall semester.~~
- ~~● The institutions or affiliated bookstores shall provide faculty and students with results from surveys of student satisfaction with textbooks.~~

~~4. Assessment of Progress—Institutions shall develop procedures to assess the success of the above practices in containing the costs of textbooks. These procedures shall include analyses and reports appropriate to assessing compliance with this policy, as well as identifying and improving system and institutional practices.~~

- ~~● Assessment strategies shall include: the inclusion of questions on student surveys (e.g., course evaluations) about the value of assigned textbooks; production of reports of the extent of compliance of each institution with the adoption deadlines; information about the costs of the textbooks for the top twenty (highest enrollment) courses; the volume of buy-back purchases at the affiliated bookstores; the number of electronic versions of textbooks being used; and surveys (student and faculty) of the ability of the affiliated bookstore to provide adequate stocking of books.~~
- ~~● By April 1, 2010 the institutional executive officer of each institution will name a textbook coordinator who will be responsible for the implementation and administration of this policy.~~
- ~~● Annually, the textbook coordinator will submit such assessment information as required by the assessment plan as an annual assessment report to the Commissioner or his/her designee.~~
- ~~● The annual assessment report will be made available on the website of the subject institution, as well as on the System website.~~

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Starr, seconded by Trustee Hubbard, with Trustee Rader absent and not voting and Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Approved the appointment of Trustee Chip Morgan to serve as the trustee representative on the Mississippi Commission for Volunteer Service (MCVS). On August 19, 2021, Trustee Ogletree was reappointed as the representative for the term October 1,

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2021 – September 2024. He is no longer able to serve in this capacity. Trustee Chip Morgan will serve the remaining term of Trustee Ogletree’s tenure which is January 1, 2023 through September 30, 2024. It should be noted that Trustee Morgan’s tenure on the IHL Board ends May 7, 2024. A new trustee representative to MCVS will be appointed prior to this time.

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. **JSU** – Intent to Offer Certificate Program.
Program title: Public Health Informatics Graduate Certificate
Responsible academic unit: School of Public Health
Level: post-baccalaureate
Total credit hours: 15
CIP code: 51.2201
Effective date: Summer 2023

REAL ESTATE

2. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the November 17, 2022 Board meeting in accordance with Board Policy 904 Board Approval. (See **Exhibit 1.**)

LEGAL

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

ADMINISTRATION/POLICY

4. **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 18, 2022, Commissioner Alfred Rankins, Jr., approved a Rental Agreement between Mississippi State University and Litchfield Carlyle, LLC for office space located at 1867 Crane Ridge Drive, Suite 100A in Jackson, MS for use by the office of Nutrition Education in Hinds, Rankin and Madison Counties in Mississippi. The term of the agreement is three years from January 1, 2023 through December 31, 2025 at a cost of \$2,344.04 per month, payable in advance on or before the 5th day of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.

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- b. **MSU** – On November 22, 2022, Commissioner Alfred Rankins, Jr., approved a Farm Lease between Mississippi Agriculture and Forestry Station (MAFES)/Mississippi State University and Prevost Farms, LLC for use of 58 acres of farmland located at the Brown Loam Branch Experiment Station in Raymond, MS, for crop farming. This is a new revenue-generating lease and will be effective November 1, 2022 through December 31, 2023 with an option for up to four one-year extensions by mutual agreement of all parties. The contractor will pay \$87.50 per acre (\$5,075) annually due on November 1 of each year. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management 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 document is on file in the IHL Board Office.
- c. **MSU** – On November 22, 2022, Commissioner Alfred Rankins, Jr., approved a Farm Lease between Mississippi Agriculture and Forestry Station (MAFES)/Mississippi State University and Miles Bridgers for use of approximately 107 acres of farmland located at the Brown Loam Branch Experiment Station in Raymond, MS, for crop farming. This is a renewal of an existing revenue-generating lease and will be effective November 1, 2022 through December 31, 2023 with an option for up to four one-year extensions by mutual agreement of all parties. The contractor will pay \$72 per acre (\$7,704) annually due on November 1 of each year. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management 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 document is on file in the IHL Board Office.
- d. **MSU** – On December 9, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Southwest Mississippi Community College for building space on the Southwest Mississippi Community College campus. The term of the lease is one-year beginning October 1, 2022, at a cost of \$19,431.96. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management 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 document is on file in the IHL Board Office.
- e. **MSU** – On December 13, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and MSU Research & Technology Corporation for 2,326 square feet of office space in the Thad Cochran Research, Technology and Economic Development Park, as temporary office space for the Raspert Flight Research Laboratory. The term of the lease is one year beginning March 1, 2023, at a cost of \$2,300 per month in rent, payable in advance on the first calendar day of each month, plus an estimated \$700 per month for the pro-rata share of costs for utilities and janitorial services. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
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- f. **UM** – On November 30, 2022, Commissioner Alfred Rankins, Jr., approved a Facilities Use Agreement between the University of Mississippi and Live Nation Worldwide, Inc. for the use of Vaught-Hemingway Stadium and the Sandy and John Black Pavilion located on the campus of the University of Mississippi for the performance of a live entertainment event and related activities. The term of the agreement is from April 16, 2023 through April 25, 2023. This is a revenue generating lease with the lessor paying a \$100,000 license fee for use of the facility, a \$150,000 venue operation and utility fee for staffing and utilities within the venue during the term of the agreement. In addition, the university will receive forty percent (40%) of all revenue generated by the event. The Attorney General’s Office staff 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 document is on file in the IHL Board Office.
- g. **UM** – On December 13, 2022, Commissioner Alfred Rankins, Jr., approved an amendment to the Facilities Use Agreement between the University of Mississippi and Live Nation Worldwide, Inc. previously approved on November 30, 2022. This amendment adds one day to the term of the Agreement to allow for an additional concert by the same artist at Vaught-Hemingway Stadium. The parties to the Agreement remain the same - the University of Mississippi and Live Nation Worldwide, Inc. The term of the amended agreement is from April 16, 2023 through April 27, 2023. The revenue-generating fees for the use of the facility and associated utilities remain the same; however, the revenue-sharing terms have been amended in favor of the University by expanding the types of revenue sources. The Attorney General’s Office staff 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 document is on file in the IHL Board Office.

PERSONNEL

5. **Sabbatical**

University of Southern Mississippi

FROM: Westley Follett; Associate Professor of History; *from* salary of \$59,416 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$29,708 for sabbatical period; E&G Funds; effective January 3, 2022 to May 13, 2022; professional development

[*Originally approved by IHL Board March 19, 2020; Revision approved June 18, 2020*]

CORRECTED: This item was rescinded.

**MINUTES OF THE BOARD OF TRUSTEES OF
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**HEALTH AFFAIRS
COMMITTEE REPORT**

Wednesday, January 18, 2023

Committee members participated in the meeting in person or via Zoom. The meeting was called to order by Chairman Walt Starr at approximately 3:00 p.m. The following items were discussed.

1. Chairman Starr congratulated UMMC for completing the reaccreditation process with the Southern Association of Colleges and Schools Commission on Colleges. UMMC received the highest scoring level. Dr. Starr also thanked Dr. Alfred Rankins, Jr., Commissioner of Higher Education; Dr. Casey Prestwood, Associate Commissioner of Academic and Student Affairs; and Dr. Steven Cunningham, IHL Board Trustee, for their participation in the interviews with the site visit team.
2. The Committee discussed the monthly financial summary and strategic goal dashboard. **No action was taken.**
3. Executive Session

On motion by Trustee McNair, with Trustees Cummings and Rader absent and not voting and Trustees Cunningham and Martin participating via Zoom, 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 McNair, seconded by Trustee Ogletree, with Trustees Cummings and Rader absent and not voting and Trustees Cunningham and Martin participating via Zoom, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of strategic business plans related to a public hospital.

During Executive Session, the following matters were discussed:

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

On motion by Trustee McNair, seconded by Trustee Duff, with Trustees Cummings, Cunningham, and Rader absent and not voting and Trustee Martin participating via Zoom, all Committee members legally present and participating voted unanimously to return to open session.

4. On motion by Trustee McNair, seconded by Trustee Duff, with Trustees Cummings, Cunningham, and Rader absent and not voting and Trustee Martin participating via Zoom, all Committee members legally present and participating voted unanimously to adjourn.

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

ANNOUNCEMENTS

- Recently Coach Leach, Mississippi State University football coach, passed away unexpectedly. Trustee Walt Starr thanked UMMC for their professionalism in dealing with

**MINUTES OF THE BOARD OF TRUSTEES OF
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Coach Mike Leach's tragedy. President Duff commended Mississippi State University for the memorial service celebrating the life of Coach Leach.

- President Duff announced the next meeting will be February 16, 2023.
- President Duff invited the university presidents to report on current activities on their campuses.

EXECUTIVE SESSION

On motion by Trustee McNair, with Trustee Rader absent and not voting and Trustee Cunningham 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 McNair, seconded by Trustee Morgan, with Trustee Rader absent and not voting and Trustee Cunningham 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 Delta State University.

Discussion of a personnel matter at Alcorn State University.

Discussion of a personnel matter at Jackson State University.

Discussion of a personnel matter at Mississippi Valley State University.

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

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

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

On motion by Trustee Starr, seconded by Trustee Cummings, with Trustee Rader absent and not voting and Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve a new four-year contract for Mr. Thomas Hudson as President of Jackson State University with a start date of February 1, 2023.

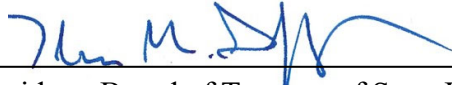
On motion by Trustee McNair, seconded by Trustee Hubbard, with Trustee Rader absent and not voting and Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve a new four-year contract for Dr. Jerryl Briggs as President of Mississippi Valley State University with a start date of February 1, 2023.

On motion by Trustee McNair, seconded by Trustee Cummings, with Trustee Rader absent and not voting and Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to return to Open Session.


**MINUTES OF THE BOARD OF TRUSTEES OF
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ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee McNair, seconded by Trustee Starr, with Trustee Rader absent and not voting and Trustee Cunningham 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
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EXHIBITS

- Exhibit 1 Real Estate items that were approved by the IHL Board staff subsequent to the November 17, 2022 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

January 19, 2023

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE NOVEMBER 17, 2022 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.

DELTA STATE UNIVERSITY

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

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$29,824.80 and ten (10) additional days to the contract of Richard Womack Construction, LLC.

Approval Status & Date: APPROVED, November 17, 2022

Change Order Description: Change Order #3 includes the following: installed additional conduits and pull boxes for cameras at the parking lot and ten (10) days to the contract.

Change Order Justification: This change was due to user/owner requested modifications and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$365,316.44.

Project Initiation Date: February 18, 2021

Design Professional: Eley Guild Hardy Architects – Jackson P.A.

General Contractor: Richard Womack Constructions, LLC

Total Project Budget: \$11,875,000.00

MISSISSIPPI STATE UNIVERSITY

2. MSU- IHL #205-283 – ADDITION AND RENOVATION TO HUMPHREY COLISEUM

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$479,141.93 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, December 12, 2022

EXHIBIT 1

January 19, 2023

Change Order Description: Change Order #3 includes the following: constructed temporary concrete walks & entrances to the Mize Center's west & east entrance doors; fit-out of the HVAC and electrical systems provisions for the MDF communications room and removal of existing dimming and ballast system; furnished custom vinyl flooring; installed galvanized steel angles (lintels) at various locations where concrete canopies were removed; credit issued for damages caused by the earthwork contractor; credit for the unused portion of the roofing contingency; additional framework, steel reinforcing and concrete relating to changes at the retaining wall structures located at the NW and NE existing retaining walls; and relocated the domestic water piping at the camera platform.

Change Order Justification: These changes were due to latent jobsite conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$720,4311.73.

Project Initiation Date: June 16, 2018

Design Professional: Dale Partners Architects, P.A.

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$50,000,000.00

3. **MSU- IHL #205-313 – HULL HALL RE-ROOF**

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,270,800.00 to the apparent low bidder, Roofing Solutions, LLC.

Approval Status & Date: APPROVED, December 8, 2022

Project Initiation Date: May 20, 2021

Design Professional: Shafer-Zahner-Zahner, PLLC

General Contractor: Roofing Solutions, LLC

Total Project Budget: \$1,400,000.00

4. **MSU- IHL #205-321 – SUMMER PAVING 2022**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Neel-Schaffer.

Approval Status & Date: APPROVED, November 16, 2022

Project Initiation Date: May 19, 2022

Design Professional: Neel-Schaffer

General Contractor: TBD

Total Project Budget: \$2,500,000.00

5. **MSU- IHL #205-331 – WALKER HALL FIRST FLOOR RENOVATION**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Dunaway/Williams Architects.

Approval Status & Date: APPROVED, November 2, 2022

Project Initiation Date: October 20, 2022

Design Professional: Dunaway/Williams Architects

EXHIBIT 1

January 19, 2023

General Contractor: TBD
Total Project Budget: \$2,200,000.00

6. **MSU- IHL #405-002– KINESIOLOGY AND AUTISM SERVICES BUILDING**

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Dale Partners

Approval Status & Date: APPROVED, December 5, 2022

Project Initiation Date: March 1, 2019

Design Professional: Dale Partners

General Contractor: TBD

Total Project Budget: \$55,000,000.00

7. **MSU- IHL #405-004 –HIGH PERFORMANCE COMPUTING AND DATA CENTER**

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Dale Partners

Approval Status & Date: APPROVED, November 14, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 14, 2022

Project Initiation Date: October 19, 2020

Design Professional: Dale Partners

General Contractor: TBD

Total Project Budget: \$38,000,000.00

8. **MSU- IHL #405-005 –STONE CHILLED WATER LOOP EXTENSION**

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Engineering Resource Group, Inc.

Approval Status & Date: APPROVED, November 22, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 22, 2022

Project Initiation Date: July 27, 2021

Design Professional: Engineering Resource Group, Inc.

General Contractor: TBD

Total Project Budget: \$2,000,000.00

9. **MSU- IHL #413-001 – BALLEW HALL RENOVATION**

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$10,220,487.00 to the apparent low bidder, Ethos Contracting Group, LLC

Approval Status & Date: APPROVED, December 6, 2022

Project Initiation Date: August 20, 2020

Design Professional: Belinda Stewart Architects

EXHIBIT 1

January 19, 2023

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$12,000,000.00

10. **MSU- IHL #413-003– DORMAN HALL RENOVATION**

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by JH&H Architects

Approval Status & Date: APPROVED, January 3, 2023

Project Initiation Date: February 18, 2021

Design Professional: JH&H Architects

General Contractor: TBD

Total Project Budget: \$31,000,000.00

11. **MSU- IHL #413-144 – SUSTAINABLE BIOPRODUCTS PH II (BLDG.**

4/GENERAL WORKS)

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$97,725.69 and forty-two (42) additional days to the contract of Construction Services, Inc.

Approval Status & Date: APPROVED, January 3, 2023

Change Order Description: Change Order #4 includes the following: termite treatment performed in various buildings; fireworks software upgraded; a beam was repaired at a building; poured two pads for future package units; additional treatment for three poles in a fenced area of a building; added a 5 foot sidewalk; electrical work done; added ADA parking and a sidewalk at a building; replaced a pole; credit issued for overcharge of tax, bonds & insurance on a change order; and forty-two (42) days to the contract.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$720,4311.73.

Project Initiation Date: June 18, 2020

Design Professional: PryorMorrow PC

General Contractor: Construction Services, Inc.

Phased Project Budget: \$3,700,000.00

Total Project Budget: \$5,000,000.00

12. **MSU 2022 TEN-YEAR MASTER PLAN UPDATE**

Approval Request #1: Master Plan

Board staff approved the ten-year Master Plan Update.

Approval Status & Date: APPROVED, January 9, 2023

MISSISSIPPI UNIVERSITY FOR WOMEN

13. **MUW- GS #104-188 – CULINARY ARTS**

NOTE: This is a Bureau of Building project

EXHIBIT 1

January 19, 2023

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$94,311.02 and thirty-six (36) additional days to the contract of West Brothers Construction, LLC.

Approval Status & Date: APPROVED, December 19, 2022

Change Order Description: Change Order #2 includes the following: provided roof deck edge infill; used Suprema roofing materials; added a box beam to the exterior curtain wall system; omitted HVAC control systems workstation for a credit; omitted a wood wall panel at a dining area for a credit; relocated a door; added hot water tempering kit to a dishwasher; omitted toilet tissue dispensers for a credit; raised a manhole; extended an exterior wall framing sheathing; installed electrical service to overhead doors; provided an exhaust fan with required electrical supply in a janitor's room; and thirty-six weather related days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; and weather delays as indicated herein.

Total Project Change Orders and Amount: Two change orders for a total amount of \$105,776.57.

Project Initiation Date: June 18, 2015

Design Professional: JBHM Architects, P.A.

General Contractor: West Brothers Construction LLC

Total Project Budget: \$19,555,613.00

14. **MUW- IHL #204-135 – RESIDENCE HALL HVAC IMPROVEMENTS**

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 November 22, 2022 to approve the initiation and appoint of Dewberry/Edmonds Engineers, Inc. as the design professional for the Residence Hall HVAC Improvements project.

Interim Approval Status & Date: APPROVED, November 22, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,169,000.00 to the apparent low bidder, Air Control Engineering, Inc.

Approval Status & Date: APPROVED, November 22, 2022

Project Initiation Date: November 22, 2022

Design Professional: Dewberry/ Edmonds Engineers, Inc.

General Contractor: Air Control Engineering, Inc.

Total Project Budget: \$1,366,830.00

UNIVERSITY OF MISSISSIPPI

15. **UM- IHL #207-449 – LYCEUM EXTERIOR WINDOW RESTORATION**

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$211,688.99 and one hundred ten (110) additional days to the contract of Tombigbee Contractors, LLC.

Approval Status & Date: APPROVED, January 6, 2023

EXHIBIT 1

January 19, 2023

Change Order Description: Change Order #4 includes the following: replaced deteriorated capitals; repaired remaining capitals; repaired column shafts; one hundred ten (110) days to the contract.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$720,4311.73.

Project Initiation Date: February 21, 2019

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

General Contractor: Tombigbee Contractors, LLC

Total Project Budget: \$1,725,000.00

16. UM- IHL #207-474 – SOC – COSTUME SHOP RELOCATION

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$18,086.21 and two (2) additional days to the contract of JP Corp General Contractors.

Approval Status & Date: APPROVED, November 16, 2022

Change Order Description: Change Order #3 includes the following items: added hardware to double entry doors; added variable airflow valves and ductwork; removed and replaced flooring in the wet paint/dye room and two (2) days to the contract.

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

Approval Request #2: Change Order #4

Board staff approved Change Order #4 in the amount of \$6,354.34 and six (6) additional days to the contract of JP Corp General Contractors.

Approval Status & Date: APPROVED, November 18, 2022

Change Order Description: Change Order #4 includes the following items: asbestos abatement done; skimmed the wall in the wet/dye room and six (6) days added to the contract.

Change Order Justification: This change was necessary due to latent jobsite conditions and days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$46,558.91.

Project Initiation Date: January 20, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: JP Corp General Contractors

Total Project Budget: \$1,378,790.00

17. UM- IHL #207-482 – FASER HALL – ROOF REPLACEMENT

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 November 17, 2022 to increase the project budget from \$1,450,000.00 to \$2,570,000.00, for an increase of \$1,120,000.00.

Interim Approval Status & Date: APPROVED, November 17, 2022

EXHIBIT 1

January 19, 2023

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,960,973.00 to the apparent low bidder, B Four Plied, Inc.

Approval Status & Date: APPROVED, November 30, 2022

Project Initiation Date: May 19, 2022

Design Professional: Shaffer-Zahner-Zahner

General Contractor: B Four Plied, Inc.

Total Project Budget: \$2,570,000.00

18. **UM- IHL #207-483 – NW MECHANICAL PLANT (ELECTRICAL PHASE II)**

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 November 22, 2022 to appoint Atwell and Gent, P.A. as the design professional for the project.

Approval Status & Date: APPROVED, November 22, 2022

Project Initiation Date: June 16, 2022

Design Professional: Atwell and Gent, P.A.

General Contractor: TBD

Total Project Budget: \$500,000.00 (Design Fees Only)

19. **UM- IHL #207-485– JAC-CENTER FOR GRAPHENE RESEARCH RENOVATION**

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, December 12, 2022

Project Initiation Date: August 18, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$2,000,000.00

20. **UM- IHL #207-497 – NEW STUDENT HOUSING)**

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 January 6, 2023 to initiate and appoint McCarty Architects as the design professional for the project.

Approval Status & Date: APPROVED, January 6, 2023

Project Initiation Date: January 6, 2023

Design Professional: McCarty Architects

General Contractor: TBD

Total Project Budget: \$1,000,000.00

21. **UM- IHL #207-498 – NW MECHANICAL PLANT (MECHANICAL 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

EXHIBIT 1

January 19, 2023

Estate and Facilities Committee on January 6, 2023 to initiate and appoint Eley Guild Hardy Architects as the design professional for the project.

Approval Status & Date: APPROVED, January 6, 2023

Project Initiation Date: August 18, 2022

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Total Project Budget: \$1,000,000.0000

22. UM- IHL #407-002– DATA CENTER FACILITY RENOVATION

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Duvall Decker Architects, P.A.

Approval Status & Date: APPROVED, January 3, 2023

Project Initiation Date: June 20, 2019

Design Professional: Duvall Decker Architects, P.A.

General Contractor: TBD

Total Project Budget: \$30,000,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

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

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$724,500.00 to the apparent low bidder, Sunbelt General Contractors.

Approval Status & Date: APPROVED, November 30, 2022

Project Initiation Date: December 9, 2021

Design Professional: Dean and Dean Architecture

General Contractor: Sunbelt General Contractors

Total Project Budget: \$1,700,000.00

24. UMMC - IHL #209-579A – RIDGELAND CAMPUS EARLY SITE PACKAGE

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 3, 2022 to approve the initiation and appoint Cooke Douglas Farr Lemons Architects and Engineers as design professional for the Ridgeland Campus Early Site Package.

Approval Status & Date: APPROVED, December 3, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,548,179.00 to the apparent low bidder, Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, December 3, 2022

Project Initiation Date: August 18, 2022

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

General Contractor: Hemphill Construction Company, Inc.

EXHIBIT 1

January 19, 2023

Total Project Budget: \$1,612,800.00

25. UMMC - IHL #209-581 – CHILDREN’S CANCER CLINIC RENOVATION

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 3, 2022 to approve the budget increase from \$3,000,000.00 to \$6,000,000.00, for an increase of \$3,000,000.00 for the Children’s Cancer Clinic Renovation project.

Approval Status & Date: APPROVED, December 3, 2022

Approval Request #2: Contract Documents

Board staff approved Contract Documents as submitted by Cook Douglas Farr Lemons Architects & Engineers, P.A.

Approval Status & Date: APPROVED, December 16, 2022

Approval Request #3: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 16, 2022

Project Initiation Date: April 21, 2022

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

General Contractor: TBD

Total Project Budget: \$6,000,000.00

26. UMMC- IHL #409-002 – NEW BOILER ROOM

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Dean and Dean Architecture.

Approval Status & Date: APPROVED, December 15, 2022

Project Initiation Date: October 2, 2021

Design Professional: Dean and Dean Architecture

General Contractor: TBD

Total Project Budget: \$6,407,376.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

27. USM- GS #108-300– HICKMAN HALL RENOVATION

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Burris Wagnon Architects, P.A.

Approval Status & Date: APPROVED, October 27, 2022

Project Initiation Date: June 20, 2019

Design Professional: Burris Wagnon Architects, P. A.

General Contractor: TBD

Total Project Budget: \$11,350,000.00

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28. USM- GS #114-023 – SCIENCE BUILDING INFILTRATION REPAIRS

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$17,297.46 and five (5) additional days to the contract of Century Construction Group.

Approval Status & Date: APPROVED, November 21, 2022

Change Order Description: Change Order #2 includes the following items: provided base of wall water proofing to the west side of the building and five (5) days to the contract.

Change Order Justification: This change was necessary due to latent jobsite conditions and days for work as indicated herein.

Approval Request #2: Change Order #3

Board staff approved Change Order #3 in the amount of \$0.00 and sixty (60) additional days to the contract of Century Construction Group.

Approval Status & Date: APPROVED, November 21, 2022

Change Order Description: Change Order #3 includes the following items: added sixty (60) days to the contract.

Change Order Justification: This change was necessary due to weather-related delays.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$46,558.91.

Project Initiation Date: February 5, 2021

Design Professional: Shafer-Zahner-Zahner

General Contractor: Century Construction Group

Total Project Budget: \$3,604,891.38

29. ERC-GS #111-064, MECHANICAL IMPROVEMENTS

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 15, 2022 to approve the budget increase from \$2,106,144.69 to \$2,773,946.69, for an increase of \$667.802.00 for the Mechanical Improvements project.

Approval Status & Date: APPROVED, December 15, 2022

Project Initiation Date: November 19, 2020

Design Professional: Engineering Resource Group

General Contractor: TBD

Total Project Budget: \$2,773,946.69

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SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Balch & Bingham, LLP (statements dated 10/17/22, 11/10/22 and 12/7/22) from the funds of the Mississippi Board of Trustees of State Institutions of Higher Learning. (These statements, in the amounts of \$22,623.80, \$10,125.00 and \$1,774.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 34,522.80

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 11/10/22) from the funds of Mississippi State University. (This statement, in the amount of \$2,088.60, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,088.60

Payment of legal fees for professional services rendered by Copeland, Cook, Taylor & Bush (statement dated 11/11/22) from the funds of Mississippi State University. (This statement, in the amount of \$4,778.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 4,778.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/22 and 11/1/22) from the funds of Mississippi State University. (These statements, in the amounts of \$100.00 and \$2,000.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 2,100.00

Payment of legal fees for professional services rendered by Brunini (statement dated 12/14/22) from the funds of the University of Mississippi. (This statement, in the amount of \$375.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 375.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 11/23/22 and 12/15/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,889.10 and \$1,428.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,317.10

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Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 11/9/22) from the funds of the University of Mississippi. (This statement, in the amount of \$825.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 825.00

Payment of legal fees for professional services rendered by Nelson Mullins Riley & Scarborough, LLP (statement dated 12/12/22) from the funds of the University of Mississippi. (This statement, in the amount of \$252.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 252.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/22, 11/1/22, 11/1/22, 12/1/22, 12/1/22, 12/1/22, 12/1/22 and 12/1/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$53.41, \$71.10, \$601.00, \$30.81, \$2,250.00, \$50.11, \$87.50 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 5,644.93

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/26/22, 10/12/22, 10/12/22, 10/12/22, 10/12/22, 10/12/22, 10/12/22, 10/14/22, 10/14/22, 10/14/22, 10/14/22, 10/17/22, 10/24/22, 10/25/22, 10/25/22, 10/28/22, 10/28/22, 10/31/22, 11/4/22, 11/4/22, 11/11/22, 11/14/22, 11/16/22, 11/18/22, 11/22/22 and 11/22/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$887.50, \$1,135.00, \$33.00, \$166.60, \$517.75, \$162.00, \$607.50, \$295.00, \$3,923.50, \$4,326.50, \$1,506.10, \$354.00, \$18,201.50, \$11,073.11, \$5,442.20, \$30,240.90, \$3,068.09, \$1,270.50, \$17,251.60, \$250.00, \$33.00, \$4,505.15, \$14,174.00, \$1,062.00, \$3,367.00, \$2,684.90 and \$54.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 126,592.50

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 11/16/22, 11/16/22, 11/16/22, 11/21/22, 11/21/22, 11/21/22, 11/21/22, 11/21/22 and 11/21/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,019.50, \$693.00, \$3,042.70, \$1,371.65, \$3,960.00, \$1,369.50, \$346.50, \$974.30 and \$4,238.12, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 19,015.27

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Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 10/27/22, 10/27/22, 11/30/22, 11/30/22 and 11/30/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$49.50, \$82.50, \$66.00, \$82.50 and \$313.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 594.00

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 7/31/22, 8/15/22, 8/15/22, 9/14/22, 9/14/22, 9/14/22, 9/14/22, 10/17/22, 10/17/22, 10/17/22, 10/17/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22 and 12/5/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,540.00, \$666.00, \$846.10, \$1,073.70, \$455.40, \$3,835.60, \$2,415.50, \$1,834.00, \$66.00, \$11,287.82, \$632.10, \$960.00, \$1,023.00, \$6,630.55, \$1,485.00, \$2,597.25, \$2,861.89, \$684.10 and \$3,780.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 44,674.01

Payment of legal fees for professional services rendered by Heidelberg Patterson Welch PLLC (statements dated 9/13/22, 10/17/22, 11/7/22 and 12/9/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$39,100.50, \$2,832.00, \$2,153.50 and \$977.40 respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 45,063.40

Payment of legal fees for professional services rendered by Mayo Mallette PLLC (statements dated 10/21/22, 10/21/22, 10/21/22, 11/4/22, 11/4/22, 11/7/22 and 12/2/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,687.20, \$17,655.00, \$23,126.30, \$1,527.50, \$291.00, \$67,477.37 and \$1,577.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 115,341.87

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 10/11/22, 11/9/22, 11/9/22, 12/1/22, 12/1/22, 12/1/22, 12/1/22 and 12/1/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,424.90, \$99.00, \$594.00, \$540.00, \$1,440.00, \$268.40, \$429.00 and \$33.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 7,828.30

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 11/8/22, 11/30/22, 11/30/22, 11/30/22, 11/30/22 and 12/5/22) from the funds of the

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University of Mississippi Medical Center. (These statements, in the amounts of \$231.00, \$990.00, \$216.00, \$185.00, \$5,950.00 and \$280.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 7,852.50

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 10/11/22, 10/19/22, 10/21/22, 11/3/22, 11/7/22, 11/15/22, 11/15/22, 11/15/22, 11/17/22, 11/17/22, 11/22/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22 and 12/5/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$8,316.33, \$8,356.19, \$66.00, \$240.00, \$1,270.00, \$6,882.34, \$28,507.60, \$5,703.97, \$12,985.30, \$1,156.13, \$2,199.50, \$825.00, \$2,776.50, \$155.00, \$3,853.70, \$7,771.25, \$750.00, \$106.00, \$297.00, \$178.50, \$4,770.29, \$14,085.34, \$3,416.36, \$106.00, \$722.40, \$33.00, \$61.50 and \$4,154.10, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 119,745.30

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 11/17/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$3,150.52, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,150.52

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 11/7/22 and 12/7/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$6,665.09 and \$4,348.63, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 11,013.72

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/22, 11/1/22, 11/1/22, 12/1/22, 12/1/22 and 12/1/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$2,250.00, \$2,250.00, \$3,551.00, \$39.46, \$59.05 and \$2,250.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 10,399.51

Payment of legal fees for professional services rendered by Wise Carter (statements dated 11/14/22 and 11/14/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$98.64 and \$40.20, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 138.84

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/26/22, 11/23/22 and 11/23/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Hemagglutinin Substitution Increases Thermostability and Improves Yields of 2009 H1N1 Influenza A. Virus in Cells” - \$118.00; “Sequence Specific Phage-Based Antimicrobials” - \$265.50; and “Hemagglutinin Substitution Increases Thermostability and Improves Yields of 2009 H1N1 Influenza A Virus in Cells” - \$1,795.00.)

TOTAL DUE.....\$ 2,178.50

Payment of legal fees for professional services rendered by Conley Rose (statements dated 12/6/22 and 12/6/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Wearable Flexible Sensor Motion Capture System” - \$1,377.50; and “Method and System for a Quantum Oracle to Obtain the Number of Quantum Ground States” - \$387.00.)

TOTAL DUE.....\$ 1,764.50

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 11/10/22, 11/10/22, 11/10/22 and 11/10/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$2,134.00; “Occidiofungin Formations and Uses Thereof” - \$1,258.00; “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$595.00; and “mRNA Treatment to Induce Expression of Relaxin for Productive Applications in Animals and Humans” - \$6,771.50.)

TOTAL DUE.....\$ 10,758.50

Payment of legal fees for professional services rendered by Quarles & Brady (statement dated 11/16/22) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “Rice Cultivar: - \$7,980.00.)

TOTAL DUE.....\$ 7,980.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 11/14/22, 11/14/22, 11/14/22, 11/14/22, 11/14/22, 11/14/22, 11/14/22, 11/14/22, 11/22/22 and 11/22/22) from the funds of the University of Mississippi Medical Center. (These statements, in

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the amounts of \$364.00, \$3,010.50, \$527.50, \$597.40, \$1,994.50, \$531.50, \$561.50, \$573.50, \$898.50, \$1,226.50, \$104.00, \$656.50, \$496.50, \$514.50, \$543.50, \$133.00, \$38.00, \$114.00 and \$335.50, respectively, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 13,220.90

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 10/10/22, 10/10/22, 12/1/22, 12/1/22, 12/1/22, 12/1/22 and 12/1/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$200.00, \$1,753.50, \$975.00, \$987.38, \$200.00, \$510.00 and \$187.50, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 4,813.38

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/26/22, 10/26/22, 10/26/22 and 10/26/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Chevron Oronite Patent Maintenance” - \$147.50; “Phenyl phosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$115.00; “Gulf Blue Trademark” - \$907.00; and “Process to Produce Highly Porous Carbon” - \$432.50).

TOTAL DUE.....\$ 1,602.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 11/10/22, 11/10/22, 11/10/22, 11/10/22 and 11/10/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “General Intellectual Property Matters” - \$175.00; “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$350.00; “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$900.00; “Thiol-Based Post-Modification of Conjugated Polymers” - \$440.00; and “Macrocycle Embedded Organic Electronic Matrices for Anion Detection” - \$70.00).

TOTAL DUE.....\$ 1,935.00