

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 16, 2016**

**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 23, 2015, to each and every member of said Board, said date being at least five days prior to this June 16, 2016 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering (by phone), Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. Mrs. Karen L. Cummins was absent. The meeting was called to order by Dr. Doug Rouse, President. Trustee Dye introduced Father Joe Tonos from Oxford to give the opening prayer.

**INTRODUCTION OF GUESTS**

- President Rouse welcomed the Student Government Association Officers: Meghan Vogelsang, SGA Student Activities & Services Chair at Delta State University; Faith Ambrose, SGA Executive Parliamentarian at Jackson State University; Alexis Moore, SGA at Jackson State University; Roxanne Raven, SGA President at Mississippi State University; and Kortney Haymore, SGA President at Mississippi Valley State University.
- Mr. Marcus Thompson, Chief Administrative Officer, introduced Mrs. Kerri Paul, Director of Development and Community Engagement at IHL. Mrs. Paul's primary responsibility is to raise funds for the *Ayers* private endowment.
- Mr. Bill LaForge, President of Delta State University, thanked Dr. Butch Caston for serving as the interim Vice President of Student Affairs at DSU. The new Vice President will be Dr. Vernell Bennett from Kentucky State University.

**ANNOUNCEMENT**

- Trustee Karen Cummins will be released from the hospital and going home today. President Rouse wished her a speedy recovery after her surgery.
- On behalf of the trustees, President Rouse wished Trustee C.D. Smith a happy birthday.

**APPROVAL OF THE MINUTES**

On motion by Trustee Dye, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on May 19, 2016.

**CONSENT AGENDAS**

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On motion by Trustee Smith, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas, as amended.

**FINANCE**

1. **MSU** – Approved the request to enter into a new services contract on behalf of its Early Years Network (EYN) with Darwin Global, LLC, a Florida Limited Liability Company d/b/a Smart Horizons for the purpose of providing online education and training courses to childcare provider participants of the EYN credential programs. The term of this agreement will be upon approval by both parties to May 31, 2019 with the option to renew for additional three (3) year terms by written modification upon signature of both parties. The requested contract amount is \$961,875. We anticipate 500 participants for the 2015-16 fiscal year but are requesting approval for a contract amount that can expand as demand changes. Thus, we are requesting approval for a total contract amount that is 25% greater than our estimate. If we begin to approach the 125% mark, we will return to the IHL Board for additional approval. Payment will be issued on a monthly basis upon receipt of an invoice based on actual services rendered. The contract will be funded through the Mississippi Early Childhood Service System (EYN) grant funded by the Division of Early Childhood Care and Development, Mississippi Department of Human Services. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
2. **MSU** – Approved the request to enter into a new services contract on behalf of its National Strategic Planning and Analysis Research Center (NSPARC) with Itransition, Inc. d/b/a A1QA to significantly increase the amount of quality assurance performed under its research and development activities related to information systems in order to attract and maintain research funding opportunities. The term of this agreement will begin July 1, 2016 and end on June 30, 2019. Contract may be renewed for two consecutive one-year periods upon written agreement of both parties. The total contract cost is up to \$2,163,200. Payment will be issued on a monthly basis upon receipt of time and material invoice reviewed and approved by a contract administrator. The time and material invoice is based on the actual services rendered. The contract will be paid through the NSPARC Service Center Fund. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
3. **MSU** – Approved the request to renew a contract with United Healthcare Insurance Company for health insurance plans which cover MSU students. This is a group rate student health insurance contract which fully complies with the requirements of the Affordable Care Act. The contract will be annual, from August 1, 2016, to July 31, 2017. The contract amount varies depending upon the number of students who elect to purchase the insurance. However, a fair estimate based upon last year’s amount is approximately \$948,000. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
4. **UM** – Approved the request to enter into an agreement with Southwest Airlines Co. for charter flights for the Ole Miss 2016 Football season. This agreement will begin September 4, 2016, and end November 12, 2016. The contract amount will be \$550,200 and billed in five installments. Funds are available from Athletics Department Operating Funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.

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5. **UMMC** – Approved the request to enter into an agreement with CannonDesign Architecture and Engineering, P.C. for advisory services related to the creation of a facilities master plan as required under IHL Policy 903 Planning and Funding Requests. The term of the agreement is for approximately one (1) year, commencing on or about June 17, 2016 through approximately July 1, 2017. The total contract cost for the services will not exceed \$750,000. The agreement will be funded by general funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
6. **UMMC** – Approved the request to enter into an agreement and accompanying Statement of Work (SOW) with CapsuleTech, Inc. for implementation of CapsuleTech’s Medical Device Information System at UMMC’s Grenada facility and for continued use at UMMC’s Jackson facility. The purpose of this agreement is to provide UMMC continued license and support of the Capsule SmartLinx device integration software at the Jackson facility and it allows UMMC to purchase Capsule SmartLinx device integration software, hardware, support and maintenance for same, along with professional services related thereto, for the Grenada facility. The term of the agreement is for three (3) years – July 1, 2016 through June 30, 2019. The total contract amount is estimated to be \$749,743.24. A breakdown of costs is included in the bound *June 16, 2016 Board Working File*. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
7. **UMMC** – Approved the request to enter into an agreement with HealthCare Connections, Inc. (HCI) for temporary and/or permanent laboratory professional personnel. The purpose of this agreement is to assist UMMC in finding qualified histotechnologist and histotechnicians for its Department of Surgical Pathology. This agreement will allow UMMC to meet its short term and long term staffing needs. The term of the agreement is for five (5) years – July 1, 2016 through June 30, 2021. The total estimated contract amount will be \$6,000,000. This amount is estimation only and UMMC is not required to spend a certain amount with HCI and will only utilize the placement/recruitment as needed to fill staffing needs. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
8. **UMMC** – Approved the request to amend the agreement with with INO Therapeutics, LLC d/b/a Ikaria for the INOtherapy System and related services. The purpose of this amendment is to extend the term of the agreement for an additional year and update the cost associated with the continuance of the agreement. This amendment will allow UMMC the authority to continue purchasing the INOMAX gas and use of the INOtherapy system. The term of this amendment will be one (1) year beginning on July 1, 2016, and ending June 30, 2017. The total term of the agreement will be five (5) years beginning July 1, 2012, and ending June 30, 2017. The estimate cost of this amendment is \$2,612,499.96. Since UMMC built in an additional cost to cover any potential overages with amendment one (1), the total overall requested amount is \$12,100,000. The agreement which has been reviewed and approved by the Attorney General’s Office is on file at the Board Office.
9. **UMMC** – Approved the request to enter into a cargo facility lease agreement with the Jackson Municipal Airport Authority (JMAA) and to make prepayments on a monthly basis, as well as vehicle parking charges for employees, as applicable, in accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services. The purpose of the lease is to provide office and storage space for components of the Mississippi State Department of Health’s (MSDH) State Medical Response System (SMRS), which includes safety and security for

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UMMC's mobile field hospital and a training location for the State Medical Assistance Team (SMAT) medical and logistical staff. This building represents the only facility with adequate space and access to an airport facility for aeromedical transport and access to the Mississippi Air National guard resources for disaster management planning purposes. The space enhances UMMC's ability to perform assigned duties and responsibilities in Emergency Support Function 8 of the State of Mississippi Comprehensive Emergency Plan. The initial term of the lease is one (1) year from July 1, 2016, through June 30, 2017. Upon the expiration of the initial term, the lease will automatically renew for two (2) successive one (1) year renewal terms. UMMC requests approval for the three (3) year term, including all renewals. The total estimated cost of the three (3) year lease agreement is \$720,030. This estimate includes rental cost per square foot of \$7.00 or \$18,742.50 per month and an electricity surcharge of \$1,200 per month. UMMC has included \$1,050 for potential badge fees and an additional \$1,050 contingency for parking. A breakdown of costs is included in the bound *June 16, 2016 Board Working File*. UMMC will pay the lease; however, MSDH will reimburse UMMC the cost of the lease agreement via federal grant funds received from the Center for Disease Controls Public Health Emergency Preparedness (PHEP) program and the Department of Health and Human Services' Hospital Preparedness Program (HPP). The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

10. **UMMC** – Approved the request to enter into a new Lease Agreement with Jackson State University to lease 240 parking spaces located on the grounds of the Mississippi Veterans Memorial Stadium (Stadium) in Lots C and D in Jackson, Mississippi. The parking spaces are utilized by UMMC faculty, staff, and students. The term of the contract will be thirty (30) months from July 1, 2016, to December 31, 2018. Upon expiration of the initial term, the contract includes an optional renewal term of five (5) years, from January 1, 2019, through December 31, 2023. The contract term is set to coincide with the expiration of the primary parking lease, which is set to expire on December 31, 2018, and which also has a five (5) year optional renewal term, through December 31, 2023. The total contract amount is \$180,000 for the initial term of thirty (30) months and the renewal term of five (5) years. During the initial term and renewal term, the monthly rate is \$2,000. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
11. **UMMC** – Approved the request to enter into a rental agreement with Insight Health Corporation (Insight) to provide a mobile MRI unit on site at its Grenada facility to be used while the installation of a new permanent MRI unit is placed. The purpose of the contract is to provide a mobile MRI unit to our facility during the downtime for renovation and installation of a new permanent MRI unit at Grenada. This is not a mobile unit that will be brought to Grenada on occasion, rather this mobile unit will remain at Grenada, unit the renovations and installation of the new MRI is complete. The agreement will allow Grenada to provide continued care in a timely manner, while maintaining adequate reimbursement for the radiology department and the hospital. The term of this agreement is one (1) year beginning July 1, 2016 and ending June 30, 2017. The total estimated cost of this agreement is \$271,665. A breakdown of costs is included in the bound *June 16, 2016 Board Working File*. The cost of this agreement will be paid for by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
12. **UMMC** – Approved the request to amend two agreements with PAR Excellence Systems, Inc., as follows: 1.) amend to the license and installation agreement to add new technology to the

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schedule of licensed products and 2.) amend to the support services agreement to add support for new technology as needed. The purpose of these amendments is to add new technology onto the existing agreement schedules. The amendments will allow UMMC to purchase technology and related support for the newer technology for expansion of the system into needed areas throughout the hospital. The Par Excellence System is a weight based system that is currently used at UMMC to manage stock levels, fluctuations, and replenishment of medical supplies such as gauze, syringes, etc. The system uses scales for each bin to determine current quantity on hand of any items at any given time by matching the weight of the bin with the weight of the items loaded in the database. Based on the weight the system will automatically calculate the need to replenish items. Through an interface with UMMC's accounting/supply chain system, Lawson, an order to replenish will process. This allows the storage rooms to have an adequate stock of supplies at all times. In addition, this system is interfaced with EPIC, UMMC's electronic health record, to help aid in appropriately billing supplies. The term of the amendments is one (1) year, five (5) months, each beginning July 1, 2016 and running through the original terms. There is no additional cost associated with the amendments. The total estimated cost remains at \$778,177.74. The agreement will be funded by hospital patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

13. **UMMC** – Approved the request to enter into an agreement with QlikTech, Inc. (Qlik) for the purchase of various Qlik software license, information technology hardware, maintenance and support of same, along with training and consulting services. Qlik is the only provider of an associative in-memory business intelligence platform, known as the Qlik Analytics Platform, with Epic integration. This agreement will expand the deployment across the organization to enable employees at additional levels to leverage data to drive innovative decisions that improve health sciences, research, and business administration. The UMMC Center for Informatics and Analytics (CIA) uses Qlik to build analysis applications based on end user criteria and identified data sources for the divisions throughout the organization. This agreement is effective upon date of last signature, which is expected to be before or on July 1, 2016 and will be effective until June 30, 2019. The total estimated cost of the agreement will be \$1,870,251.34. The contract will be funded by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
14. **UMMC** – Approved the request to enter into an agreement with Steris Corporation (Steris) to service, maintain, and repair fifty six (56) pieces of infection prevention equipment, which includes sterilizers, washers, and disinfectors. The contract is needed to provide scheduled preventative maintenance inspections as well as unscheduled repair services for the above mentioned pieces of infection prevention equipment. The infection prevention equipment is utilized to clean and sterilize patient care equipment and instruments. It is essential for patient safety that the infection prevention equipment be maintained in safe working order according to the manufacturer's recommendations. The contract is for five (5) years beginning August 1, 2016 and ending July 31, 2021. The cost of the contract is \$1,723,872.39. The cost breakdown is included in the bound *June 16, 2016 Board Working File*. The funding source for this agreement will be hospital patient care revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
15. **UMMC** – Approved the sublease agreement with Wesley Health System, LLC. (Merit) for the lease of 3,000 square feet of space located at 2109 Hardy Street, Hattiesburg, Mississippi for use by the Children's of Mississippi to operate a full-time pediatric specialty clinic. The Board also

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approved the request to make prepayments on a monthly basis in accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services. The clinic will provide several services to the area including Cardiology, Pulmonary, Rheumatology, Hematology/Oncology, Child Development, Genetics, Nephrology, Gastroenterology, Endocrinology and Telehealth. These services are either not available in the Hattiesburg area; or, are only available on a limited basis. The term of the agreement will be for thirty-six (36) months beginning July 1, 2016 through June 30, 2019. The total contract cost is \$211,500. The cost breakdown is included in the bound *June 16, 2016 Board Working File*. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

16. **USM** – Approved the request to enter into a contract with Mythics, Inc. for annual Oracle software support and maintenance and to make multi-year prepayments at the beginning of each contract year in accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services. Oracle includes PeopleSoft Modules and Oracle Database products. PeopleSoft is the university's primary enterprise solution. The initial term of the contract is three (3) years beginning August 1, 2016, through July 31, 2019. Although not guaranteed, two (2) additional one-year renewals are possible if mutually agreed upon for a potential maximum contract length of five (5) years. The total contract cost for the initial three years is estimated at \$2,258,114.48. Payment will be issued on an annual basis upon receipt of an invoice prior to July 31st of each contract year. Years 4 and 5 are optional dependent upon whether the two one-year renewals are executed. A tentative estimate (based on the three percent escalation used in years 1 through 3), inclusive of those two additional years brings the potential contract total to \$3,878,965.63. Prior to any renewal period, approval would be sought from Mississippi Information Technology Services for the increase in commitment via an amended CP1. The contract will be funded by general funds. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.
17. **USM** – Approved the request to renew a contract with United Healthcare Insurance Company for health insurance plans which cover USM students. The purpose of this group insurance plan is to allow students who need affordable health insurance coverage to have access to comprehensive coverage at a reasonable cost which is lower than rates available to them on an individual basis. The contract will be annual, from on or about August 15, 2016, to August 17, 2017 with an option to renew annually. The contract amount varies depending upon the number of students who elect to purchase the insurance. Total premium payments in FY 2017 will be approximately \$1,573,659. This insurance program is funded by direct bursar billings to students; fringe benefit charges build into externally funded contracts and grants; auxiliary funds; and, institutional funds. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

**REAL ESTATE**

18. **MVSU** – Approved the appointment of Shafer & Associates as the design professional for **GS 106-257, Edna Horton Renovations** project. MVSU used the Request for Qualifications (RFQ) selection process for the design professional. The university initiated this project with the Board as GS#106-249 on October 15, 2015. The Bureau of Building has subsequently changed the project number to GS #106-257. This project will address reconfiguration of interior walls, new HVAC and plumbing systems, Life safety components, and some interior millwork and finishes.

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Abatement of asbestos, lead base paint, and mold will be included if necessary. Exterior work will include the replacement of all windows, doors, brick veneer, and roof. The proposed project budget is \$8,476,079.55. Funds are available from SB 2844, Laws of 2015 (\$976,079.55) and HB 1729, Laws of 2016 (\$7,500,000).

19. **MVSU** – Approved the appointment of Architecture South as the design professional for **GS 106-258, Academic Skills TI (Phase III) Renovation**. MVSU used the Request for Qualifications (RFQ) selection process for the design professional. This project will re-program the use of space and redesign the building's interior to house academic units that were originally relocated due to critical deferred maintenance and building system issues. Phase III proposes to complete the first floor renovations, renovate and furnish the auditorium, and reconfigure and renovate the second floor to house the academic units that were originally housed in this building. The proposed project budget is \$3.5 million. Funds are available from SB 2906, Laws of 2015 (\$3,500,000).
20. **MSU** – Approved the initiation of **IHL 205-283, Pre-Plan Addition and Renovation of Humphrey Coliseum**, and the appointment of Dale Partners as the design professional. The project will include preplanning documents through design development for the addition and renovation of the Humphrey Coliseum on the campus of Mississippi State University. The renovations and/or additions must incorporate sustainable design requirements and adhere to the MSU campus master plan and MSU's Design and Construction standards. The project budget for preplanning has been established at \$200,000. The university will return to the board for a budget increase and scope clarification once these are determined. Funds are available from MSU Athletic Department Funds (\$200,000).
21. **UMMC** – Approved the appointment of HDR Architecture, Inc. as the design professional for the **IHL 209-555, Children's of Mississippi Expansion** project. The University used the Request for Qualifications (RFQ) selection process for the design professional. This current project is for design services only for a new bed tower for the expansion of the existing NICU and Critical Care beds. Design services will also include renovations of backfill spaces and a new pediatric outpatient facility on a site located in Madison, Mississippi owned by UMMC. The university will return to the board for a budget increase and scope clarification once these items are clearly defined and additional project funds are available. The proposed project budget is \$6 million. Funds are available from Philanthropic Gifts (\$6,000,000).
22. **UMMC** – Approved the initiation of **IHL 209-556, Renovation of 4th Floor C-Wing**, and the appointment of Cooke Douglass Farr Lemons as the design professional. The University used the Request for Qualifications (RFQ) selection process for the design professional. The project will renovate the fourth (4th) floor of the Children's Circle (C-Wing) to provide offices and support space for Batson Children's Hospital administration. The renovation will include demolition of the current space; upgrades to the mechanical and electrical systems; bringing the space up to current codes and implementing UMMC standards for finishes, office sizes, etc. The proposed project budget is \$3,193,668. Funds are available from UMMC – Building Improvement Funds (\$3,193,668).
23. **UMMC** – Approved the initiation of **IHL 209-557, Med-Com / PES Renovations**, and the appointment of Canizaro Cawthon Davis as the design professional. The University used the Request for Qualifications (RFQ) selection process for the design professional. This project will renovate the existing Med-Com area and relocate UMMC's Rapid Track service. The relocation of Rapid Track will allow Psychiatric Evaluation Services to occupy the vacated space. This

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renovation will take place in and adjacent to the existing Emergency Department. It will provide needed space for UMMC to care for patients who are admitted to the ER and may need psychiatric services. The proposed project budget is \$2,868,925. Funds are available from UMMC – Building Improvement Funds (\$2,868,925).

24. **JSU** – Approved the request to increase the budget for **GS 103-281, Alexander Center Renovation Phase III**, from \$1,400,000.00 to \$2,018,827.06, for an increase of \$618,827.06. The Board also approved the following funding sources to the project to allow for the budget increase: SB 2197, Laws of 2002; SB 2988, Laws of 2003; SB 2010, Laws of 2004; SB 3100, Laws of 2011 and HB 1701, Laws of 2010. The project is currently in the bidding phase. This is the first budget escalation request made for this project by the university. The increased budget will cover the updated construction costs which will allow the university to establish an acceptable contingency fund for the project. Bids for the project were received on May 26, 2016 and the apparent low bidder exceeded the current approved budget. Funds are available from SB 2906, Laws of 2015 (\$1,400,000); GS #103-234 ADA Compliance Phase II-B (\$437,994.69) [SB 3100, Laws of 2011, SB 3197, Laws of 2002 and HB1701, Laws of 2010]; GS #103-261 Dansby Hall Replacement (\$118,809.44) (SB 2010, L’04 and HB 1701, L’10); GS #103-267 Alexander Center Renovation Phase I \$20,550.58 (SB 3100, L’11) and GS #103-275 Administration Tower Exterior Waterproofing \$41,472.35 (HB 1701, L’10 and SB 3100, L’11).
25. **USM** – Approved the request to increase the budget for **GS 108-281 Greene and Chain Renovations** . The budget will increase from \$7,000,000.00 to \$11,500,000.00, for an increase of \$4,500,000.00. In addition, University of Southern Mississippi requested approval to change the scope of the project and to add Deepwater Horizon (BP) Insurance proceeds as funding sources to the project to allow for the budget increase. Additional funds for the project have been received from the Deepwater Horizon (BP) Insurance proceeds. The additional funds will allow the project scope to include a new roof, new windows, elevator upgrades for ADA compliance, new auditorium seating, and new commercial food lab addition.
26. **USM** – Approved the request to reduce the scope of the **GS 108-332 Pride Field Turf and Fencing** project. The reduction will include removing the construction of the Band Director’s Tower from the project. This reduction in scope will allow the project to remain within the limits of the construction budget without a budget increase. The current project budget and funding sources will remain the same. The project will include the renovation of the existing Pride Field with artificial turf and perimeter fencing. This project will provide a new area for the “Pride of Mississippi Marching Band” to practice that simulates the current field conditions of the football stadium. Upon completion, USM Recreational Sports will utilize this newly renovated area for various intramural sports and their events.
27. **USM** – Approved the request to **Delete from Inventory and Demolish –Building #622**. Building #622, located at 2306 W 4th Street in Hattiesburg is an abandoned warehouse in poor condition and no longer serves the mission of the university. The structure has been vacant for over five (5) years and is unsightly to the campus. The space will be used for future parking expansion for the university.

**LEGAL**

28. **MSU** – Approved the request to modify a contract with the law firm of STITES & HARBISON, PLLC to provide services necessary for obtaining patents for designs, processes, products and other patentable materials developed in connection with the University. The contract was

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modified by modification #1 in March 2016, to remove Connie Ding as an approved attorney and add Sean Ritchie as her replacement, at a rate of \$240 per hour. This modification #2 will extend the term of the contract for one (1) year or through June 30, 2017. All other provisions of the Agreement for Legal Services dated July 1, 2015, shall remain in effect, with hourly rates ranging from \$95.00 - \$320, and the total amount payable shall not exceed \$100,000. The Attorney General has approved this request.

29. **UM** – Pending approval by the Attorney General, the Board approved the request to renew its contract for professional services with the law firm of Armstrong Teasdale LLP as outside counsel for the provision of legal services in the area of engineering and physical sciences patent applications and related intellectual property issues. Attorneys Erin Florek and Adam Wuller will be the primary attorneys performing work for the University. The contract originated June, 2011. The term of the proposed contract extension is from July 1, 2016 through June 30, 2017. Hourly rates range from \$250-\$450 for principals, \$175 for Associates, and \$150 for paralegals. These rates are increased for some of the attorneys who may do work under the contract, but at least \$100/hour below the Firm’s customary rates. Total expenditures will not exceed \$100,000.
30. **UM** – Pending approval by the Attorney General, the Board approved the request to renew its contract for professional services with the law firm of Butler Snow LLP as outside counsel for the provision of legal services in the areas of intellectual property, regulatory, taxation and other commercial transactions. The contract originated in November 2007. The term of the proposed contract extension is July 1, 2016 through June 30, 2017. The blended hourly rate under the contract will be \$240.00 per hour for all attorneys, including patent work and \$95.00 per hour for all legal assistants. These rates are unchanged from last year and are competitive with or less than those charged by similarly qualified attorneys. Total expenditures will not exceed \$100,000.
31. **UM** – Pending approval by the Attorney General, the Board approved the request to renew its contract for professional services with the law firm of Evans Petree, PC as outside counsel to advise and represent the University with respect to construction matters, including but not limited to construction and design professional contracts, public procurement, potential bid protests, and other matters related to design, construction, and project management and related disputes. Joseph T. Getz will be the primary attorney performing work for the University. The contract originated in March, 2013. The term of the proposed contract is from July 1, 2016 to June 30, 2017. The proposed fees are unchanged from last year as indicated below:
- |                           |                         |
|---------------------------|-------------------------|
| Partners                  | \$265 to 295 per hour   |
| Associates                | \$175 to \$225 per hour |
| Paralegals                | \$95 to \$110 per hour  |
| Clerks                    | \$50.00 per hour        |
| Research and copy charges | At cost                 |
- Total expenditures will not exceed \$40,000 during this contract term.
32. **UM** – Pending approval by the Attorney General, the Board approved the request to renew its contract for professional services with the New York law firm of Hershkovitz & Associates, LLC (“Hershkovitz”) as outside counsel so that Eugene Rzucidlo, an attorney practicing with Hershkovitz, may continue to assist the University with pharmaceutical and natural products patent applications and related intellectual property and commercialization issues. Mr. Rzucidlo is one of a few patent lawyers in the world who is also a natural products chemist, and the University has worked with Mr. Rzucidlo on the most challenging natural products patents for

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many years. Mr. Rzucidlo’s hourly rate is \$595 per hour, which is the same as the University paid during the last contract period and is comparable to similarly qualified and experienced patent counsel. The term of the proposed contract is from July 1, 2016 to June 30, 2017, and total expenditures will not exceed \$250,000.

33. **UM** – Pending approval by the Attorney General, the Board approved the request to renew its contract for legal services with the law firm of Jones Walker LLP as outside counsel for the provision of legal services in the area of intellectual property issues. Services will be provided to the University by Whit Rayner, Andrew Harris, and any other attorney with the firm whose specialized knowledge is required in such representation. The hourly rate for these services will remain unchanged at \$245. The term of the proposed contract is from July 1, 2016 to June 30, 2017, and total expenditures will not exceed \$60,000.
34. **UM** – Pending approval by the Attorney General, the Board approved the request to renew its contract for legal services with the law firm of Mayo Mallette PLLC as outside counsel so that it may continue to assist the University with the Blackburn Estate as well as real estate matters. The hourly rate for these services will remain unchanged at \$165 for Principals, \$135 for Associates, and \$65 for Paralegals. The proposed contract extension term is from July 1, 2016 to June 30, 2017, and total expenditures will not exceed \$60,000.
35. **UM** – Pending approval by the Attorney General, the Board approved the request renew its contract with the law firm of Stites & Harbison as outside counsel for the provision of legal services in the area of pharmaceutical patent applications and intellectual property issues. Richard Myers will be the primary attorney performing work for the University. Mr. Myers’ hourly rate remains at \$320, with other professionals who may work on University matters billing between \$95 and \$320 per hour. These rates remain unchanged from last year and are less than the rates of similarly qualified patent attorneys, and substantially below the firm’s customary rates. The term of the proposed contract is from July 1, 2016 to June 30, 2017, and total expenditures will not exceed \$100,000.
36. **UM** – Approved the request to renew its contract for professional services with the law firm of Ware | Immigration, as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer’s attorney fees. The terms of this contractual agreement will be from July 1, 2016 to June 30, 2017, and total expenditures will not exceed \$100,000 during the contract term. The proposed fixed fees are based upon the schedule approved by the IHL in the context of Ware/Gasparian’s representation of USM in February 2013: Partners \$250, Associates \$150, and Paralegals \$100.

**Schedule of Legal Fees for Academia**

**Nonimmigrant Petitions and Processes**

|  |         |
|--|---------|
| H-1B                                       | \$1,500 |
| H-1B extension of amendment petitions      | \$1,000 |
| TN petition or border/consulate processing | \$1,500 |
| TN extension petition                      | \$1,000 |
| E-3 petition or consular processing        | \$1,500 |

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|  |         |
|--|---------|
| O-1 petition   | \$4,000 |
| O-1 extension or amendment petition  | \$1,500 |
| Change of status or extension of status of dependents (I-539) no additional charge |         |
| J-1 waiver (IGA or hardship)   | \$6,000 |
| J-1 waiver (Conrad)  | \$6,000 |

**Permanent Residence Process with Labor Certification: Faculty**

|         |   |
|---------|---|
| \$2,000 | “Special Handling” labor certification (must be paid by University*) \$2500 if position must be re-advertised |
| \$1,000 | Additional fee if audited   |
| \$2,500 | Immigrant petition  |
| \$1,500 | Adjustment of status and related applications (I-765, I-131, etc) by employee                                 |
| \$750   | Adjustment of status and related applications each spouse or child  |

*\*U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fee.*

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

|         |   |
|---------|---|
| \$3,000 | Labor certification (must be paid by University*)                             |
| \$1,500 | Additional fee if audited   |
| \$2,500 | Additional fee if subject to supervised recruitment                           |
| \$2,500 | Immigrant petition  |
| \$1,500 | Adjustment of status and related applications (I-765, I-131, etc) by employee |
| \$750   | Adjustment of status and related applications each spouse or child            |

*\*U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fee.*

**Permanent Residence Process: Outstanding Professors and Researchers**

|         |  |
|---------|--|
| \$7,000 | Immigrant petition   |
| \$1,500 | Adjustment of status and related applications by employee          |
| \$750   | Adjustment of status and related applications each spouse or child |

*Since labor certification is not required, employees may pay all fees*

**Permanent Residence Process: National Interest Waiver**

|         |  |
|---------|--|
| \$7,000 | Immigrant petition   |
| \$1,500 | Adjustment of status and related applications by employee          |
| \$750   | Adjustment of status and related applications each spouse or child |

*Since labor certification is not required, employees may pay all fees*

37. **USM** – Approved the request to enter into a contract with the law firm of Bryan, Nelson, Schroeder, Castigliola & Banahan, P. A., as outside counsel to perform services as necessary and render legal advice and recommendations in the practice areas of admiralty and maritime law, including but not limited to all matters involving navigable waters, vessels at sea, and all similar interests of the University arising out of or related to the University’s ownership and operation of watercraft, any associated facilities or activities, and the University’s activities in and around navigable waters and coastal areas. The scope of services would include advice and assistance with contracts, leases and other commercial agreements, as well as litigation related to any of the activities described herein. The request includes the use of any and all attorneys employed by the firm, at the discretion of the firm, whose expertise and experience is required to assist in the representation of the University pursuant to the agreement. The hourly rate to be charged will be \$195.00 per hour for attorneys and \$90.00 per hour for the time expended by paralegals. In addition to payment of attorneys’ fees, the attorney will be entitled to reimbursement for all reasonable, customary and necessary out-of-pocket expenses related to the representation. The

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approval will be for a period of time beginning on July 1, 2016 and expiring June 30, 2017. The maximum amount budgeted for payment for legal fees pursuant to this agreement would be \$25,000.00. The Attorney General has approved this request.

38. **USM** – Approved the request to renew the employment contract of Butler Snow LLP as outside counsel to perform services as necessary in the practice areas of taxation, intellectual property and commercial matters, including trademark, copyright and patent matters; commercial and regulatory matters and litigation, including but not limited to disputes with the Federal Emergency Management Agency (FEMA); human resource matters, faculty, student, personnel and employment issues, general administrative matters, general legal advice, and investigations at the request of the University in matters involving various legal issues. The hourly rate to be charged will be \$240.00 per hour for all attorneys in all legal matters and \$95.00 per hour for legal assistants. In addition to payment of attorneys' fees, the attorney will be entitled to reimbursement for all reasonable, customary and necessary out of pocket expenses related to the representation. The approval will be for a period of one year from July 1, 2016 through June 30, 2017. The total amount payable for attorneys' fees, pursuant to the arrangement, shall not exceed \$60,000.00 for the contractual period. The Attorney General has approved this request.
39. **USM** – Approved the request to renew the employment contract of George E. Estes, III, and Estes and Estes, P.A., to represent USM in various real estate transactions by performing real estate closings and related transactions pertaining to purchases by USM of property near the Gulf Park campus situated at Long Beach and the Gulf Coast Research Laboratory campus situated in Ocean Springs. Services to be rendered include the closings, performing title examinations, preparing closing documents, recording deeds of conveyance, and paying all associated recording fees. It is anticipated that the University will have a minimum of two closings with the possibility of a maximum of five closings during the period from July 1, 2016 until June 30, 2017. It is expected that each closing will cost the University approximately \$1,000.00. The maximum amount budgeted for payment under the contract is \$5,000.00. The attorney's average hourly rate, depending on services rendered, is \$150.00. In addition to payment of attorneys' fees, the attorney will be entitled to reimbursement for all reasonable, customary and necessary out-of-pocket expenses related to the representation. The Attorney General has approved this request.
40. **USM** – Approved the request to renew the employment contract of Mary Ann Connell, Cal Mayo and the firm of Mayo Mallette PLLC, as outside counsel to perform services as necessary and render legal advice in the practice areas of higher education law, employment law, First Amendment matters, academic tenure, student affairs, OFCCP, affiliation agreements, naming agreements and policies, Title IX, NCAA compliance, disability law, and athletics. The request includes the use of any and all attorneys employed by the firm, at the discretion of Mary Ann Connell and Cal Mayo, whose experience and expertise is required to assist in the representation of the University pursuant to the agreement. The hourly rate to be charged will be \$165.00 per hour for attorneys and \$65.00 per hour for the time expended by paralegals with a maximum amount payable under the contract of \$40,000.00. In addition to payment of attorneys' fees, the attorney will be entitled to reimbursement for all reasonable, customary and necessary out of pocket expenses related to the representation. The approval will be for a period of time beginning on July 1, 2016 and expiring on June 30, 2017. The request has been approved by the Attorney General.

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41. **USM** – Approved the request to renew the employment contract of Richard & Thomas as outside counsel to perform real estate services for multiple real estate closings. It is anticipated that the University will have a minimum of two closings with the possibility of a maximum of five closings during the period from July 1, 2016, until June 30, 2017. The closings will be for purchases of property near the Hattiesburg campus. It is expected that each closing will cost the University approximately \$1,000.00. The maximum amount budgeted for payment under the contract is \$10,000.00. The attorney’s average hourly rate, depending on services rendered, is \$150.00. In addition to payment of attorneys’ fees, the attorney will be entitled to reimbursement for all reasonable, customary and necessary out of pocket expenses related to the representation. Fees and expenses will be paid from the University general funds. The request has been approved by the Attorney General.
42. **USM** – Approved the request to to renew the contract for Ware|Immigration, Attorneys at Law, as outside counsel to provide services as needed in preparing labor certification applications and permanent residence process on behalf of the University for its professors, researchers, and employees who seek permanent residence status and to further provide other related services relating to immigration and naturalization at the University’s request. The agreement authorizes the Law Firm to assign any and all attorneys employed by the Law Firm who, at the discretion of the Law Firm, can provide the experience and expertise necessary to effectively represent the University in all matters set forth in the description of services to be provided. In addition to the fees reflected on the Schedule of Legal Fees, the University may seek general legal advice on immigration matters. For non-scheduled legal fees, attorneys’ advice will be billed on an hourly basis. David Ware’s hourly rate is \$300.00 and all other attorneys will be billed at the hourly rate of \$200.00. The terms of this contractual agreement will be for the period of time from July 1, 2016 through June 30, 2017, for a maximum amount payable of \$25,000 in legal fees during the contract term. The request has been approved by the Attorney General. The proposed fees are as indicated below:

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

|  |           |
|--|-----------|
| H-1B petition                              | \$1500.00 |
| H1B extension or amendment petitions       | \$1000.00 |
| <br>                                       |           |
| TN petition or border/consulate processing | \$1500.00 |
| TN extension petition                      | \$1000.00 |
| <br>                                       |           |
| E-3 petition or consular processing        | \$1500.00 |
| E-3 extension petition                     | \$1000.00 |
| <br>                                       |           |
| O-1 petition                               | \$4000.00 |
| O-1 extension or amendment petition        | \$1500.00 |

Change of status or extension of status for dependents (i-539) no additional charge

|                              |           |
|------------------------------|-----------|
| J-1 waiver (IGA or hardship) | \$6000.00 |
| J-1 waiver (Conrad)          | \$6000.00 |

Permanent Residence Process with Labor Certification: Faculty

|           |   |
|-----------|---|
| \$2000.00 | “Special Handling: labor certification (must be paid by University*)<br>\$2500.00 if position must be re-advertised |
|-----------|---|

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\$1000.00 Additional fee if audited  
 \$2500.00 Immigrant petition  
 \$1500.00 Adjustment of status and related applications (i-765, I-131, etc.) by employee  
 \$750.00 Adjustment of status and related applications each spouse or child  
*\*U. S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fees*

Permanent Residence Process with Labor Certifications: Non-Faculty

\$3000.00 Labor Certification (must be paid by University)  
 \$1500.00 Additional fee if audited  
 \$2500.00 Additional fee is subject to supervised recruitment  
 \$2500.00 Immigrant petition  
 \$1500.00 Adjustment of status and relation applications (i-765, I-131, etc.) by Employee  
 \$750.00 Adjustment of status related applications each spouse or child  
*\*U.S. Dept. of Labor requires employers to pay all costs associated with labor certification, including legal fees and advertising costs; employees may pay other fees*

Permanent Residence Process: Outstanding Professors and Researchers

\$7000.00 Immigration petition  
 \$1500.00 Adjustment of status and related applications by employees  
 \$750.00 Adjustment of status and related applications each spouse or child  
*Since Labor certification is not required, employees may pay all fees*

Permanent Residence Process: National Interest Waiver

\$7000.00 Immigrant petition  
 \$1500.00 Adjustment of status and related applications by employee  
 \$750.00 Adjustment of status and related applications each spouse or child  
*Since labor certification is not required, employees may pay all fees. Employee's legal fees in all cases may be paid in monthly installments, to be arranged with attorney.*

43. **USM** – Approved the request to to renew the employment contract of attorney William Wessler, as outside counsel, to perform services necessary and render legal advice, recommendations, and representation to the University in the practice area of bankruptcy. As full and complete compensation for the services to be provided, the University will pay the attorney \$200.00 per hour for time expended in the representation of the University. In addition to payment of attorneys' fees, the attorney will be entitled to reimbursement for all customary and necessary out of pocket expenses related to the representation. The total amount of attorneys' fees budgeted for payment is \$5,000.00. The approval will be for a period of time beginning from July 1, 2016 to June 30, 2017. The request has been approved by the Attorney General.
44. **USM** – Approved the consultant agreement between Jackson State University, Jackson State University Development Foundation and Worth Thomas of W.T. Consultants, who will provide a full scope of legislative liaison services within the state of Mississippi, with such services designed to achieve the state agency and governmental relations goals of Jackson State University, as required by Board Policy 201.0506 Political Activity. W.T. Consultant's lobbyist/firm client list and the proposed agreement are included in the bound *June 16, 2016 Board Working File*.
45. **MSU** – Approved an agreement between the university and Cornerstone Government Affairs, LLC, for assistance in the university's pursuit of its in-state government affairs and business objectives, including monitoring and lobbying of legislation of interest to MSU during the regular session of the Legislature and other services throughout the year. Cornerstone will apprise the Commissioner of IHL of its lobbying activities related to MSU and coordinate those

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activities within system strategies and processes prescribed by the IHL Board. The requested contract amount is \$50,000.00, and will be paid with private funds. Following is Cornerstone's client list and proposed Agreement. Cornerstone's client list and the proposed agreement are included in the bound *June 16, 2016 Board Working File*.

46. **MUW** – Approved a one-year contract with Corporate Relations Management (CRM) of Canton, Mississippi, to provide in-state lobbying and government relations consulting services. The contractual flat fee is \$30,000. The fee will be paid with private funds by the MUW Foundation. CRM's client list and the proposed contract are included in the bound *June 16, 2016 Board Working File*.
47. **USM** – Approved the request to continue the agreement with Capitol Resources LLC, in Jackson, MS, to provide state lobbying and government relations and consulting services in Mississippi in the amount of \$48,000 annually and reasonable reimbursement of travel expenses funded by self-generated funds. Capitol Resources' client list and proposed contract are in the bound *June 16, 2016 Board Working File*.
48. **USM** – Approved the request to continue the agreement with Joe Gill Consulting LLC, in Ocean Springs, MS, to provide state lobbying and government relations and consulting services in Mississippi pertaining to the Gulf Coast Research Laboratory in an amount not to exceed \$38,000 annually and reimbursement of reasonable expenses funded by self-generated funds. Joe Gill's client list and proposed contract are in the bound *June 16, 2016 Board Working File*.
49. **MSU** – Approved the request for Federal Solutions, LLC, to continue to lobby on behalf of the university outside the State of Mississippi in accordance with Board Policy 201.0506 Political Activity.
50. **UM** – Approved the request for BGR Governmental Affairs, LLC, a Washington, D.C. based firm, to continue to assist in managing their federal governmental affairs and to represent their interests before federal executive branch agencies and congressional offices and committees in accordance with Board Policy 201.0506 Political Activity.
51. **USM** – Approved the request to continue the agreement with Cassidy & Associates, Inc., in Washington, DC, to provide federal relations services to obtain federal funding to support our infrastructure and research programs and to provide consultation, advice and assistance with regard to our annual federal appropriations requests in the amount of \$13,000 monthly and reasonable reimbursement of travel expenses funded by indirect cost recoveries committees in accordance with Board Policy 201.0506 Political Activity.

## **PERSONNEL REPORT**

### 52. **EMPLOYMENT**

#### **Delta State University**

- Dr. Vernell Bennett; Vice President for Student Affairs; salary of \$142,500 per annum, pro rata; E&G funds; effective July 1, 2016

#### **Mississippi State University**

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- Judith L. Bonner; Provost and Executive Vice President of Academic Affairs; salary of \$375,000 per annum, pro rata from E&G funds and \$25,000 per annum, pro rata from MSU Foundation funds; effective July 1, 2016
- Angus Dawe; Professor and Head, Biological Sciences; salary of \$150,000 per annum, pro rata; E&G funds; **hired with tenure**; effective July 16, 2016

**University of Mississippi**

- Kiese Laymon, M.F.A.; Professor of English and Creative Writing; salary of \$118,000 per annum, pro rata; E&G funds; **hired with tenure**; effective August 18, 2016
- Deborah Mower, Ph.D; Professor of Philosophy and Mr. and Mrs. Alfred Hume Bryant Lectureship in Ethics ; salary of \$100,000 per annum, pro rata; E&G funds; **hired with tenure**; effective August 18, 2016
- Gregg Roman, Ph.D; Chair and Professor of Biology; salary of \$150,000 per annum, pro rata; E&G funds; **hired with tenure**; effective July 1, 2016

***Rehired retirees below make more than \$20,000 and are on contract during FY 2017***

**Delta State University**

- Dr. Kent Wyatt; *former position*: President; *re-employment position*: President Emeritus; re-employment period - July 1, 2016-June 30, 2017; annual salary of \$59,000.
- A.C. Prewitt; *former position*: Assistant Director of Physical Plant; *re-employment position*: Facilities Engineer; re-employment period - July 1, 2016-June 30, 2017; annual salary of \$22,604.
- Gloria Brister; *former position*: Chair of Speech and Hearing Sciences and Assistant Professor; *re-employment position*: Assistant Professor, Emeritus, re-employment period - July 1, 2016-June 30, 2017; annual salary of \$40,000.
- James Robinson; *former position*: Professor of History; *re-employment position*: Adjunct Instructor in History, re-employment period - July 1, 2016-June 30, 2017; annual salary of \$40,000.
- Jean Grantham; *former position*: Adjunct Faculty, Chief Nurse for Delta Hills Public Health District III, MS State Department of Health; *re-employment position*: Instructor in Nursing (Part-time), re-employment period – July 1, 2016-June 30, 2017; annual salary of \$50,000.
- Kathleen Lott; *former position*: Teacher, Cleveland School District; *re-employment position*: Project Director, Math and Science Partnership, re-employment period – July 1, 2016-June 30, 2017; annual salary of \$29,000.
- Elizabeth Belenchia; *former position*: Teacher, Cleveland School District; *re-employment position*: Co-Project Director, Math and Science Partnership, re-employment period – July 1, 2016-June 30, 2017; annual salary of \$28,000.
- Dorothy Sykes; *former position*: Sunflower County Consolidated School District; *re-employment position*: Director, Kellogg Grant, re-employment period – July 1, 2016-June 30, 2017; annual salary of \$30,000.

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- Michael L. Putnam; *former position:* Lowndes County School District; *re-employment position:* Director, Delta School Leadership Pipeline Project/Adjunct Instructor, re-employment period – July 1, 2016-June 30, 2017; annual salary of \$80,000.
- Darlene Breaux; *former position:* Assistant to Dean of Research; *re-employment position:* Academic Affairs Developmental Officer re-employment period - July 1, 2016-June 30, 2017; annual salary of \$30,000.

**Mississippi University for Women**

- Clara Hurd; *former position:* Nursing Instructor; *re-employment position:* Instructor of Nursing, Tupelo; *re-employment period:* July 1, 2016 to June 30, 2017; annual salary of \$31,470
- Debbie Ricks; *former position:* Project Director for Navigating Educational Opportunities in Nursing; *re-employment position:* Instructor of Nursing, Tupelo; *re-employment period:* July 1, 2016 to June 30, 2017; annual salary of \$34,900
- Elaine Evans; *former position:* Professor of Accounting; *re-employment position:* Instructor of Accounting; *re-employment period:* August 22, 2016 to December 21, 2016; salary of \$20,193
- Bobby Fuller; *former position:* High School Principal; *re-employment position:* Instructor of Education; *re-employment period:* August 22, 2016 to May 19, 2017; salary of \$27,275
- Linda Mills (formerly Linda Cox); *former position:* BSN Program Director; *re-employment position:* Instructor of Nursing, Tupelo; *re-employment period:* July 1, 2016 to June 30, 2017; salary of \$38,395

**Mississippi Valley State University**

- Betty Farmer; *former position:* Assistant Professor; *re-employment position:* Assistant Professor; *re-employment period:* August 15, 2016 to May 15, 2017; annual salary of \$22,000
- Roy Hudson; *former position:* Professor; *re-employment position:* Assistant Professor; *re-employment period:* August 15, 2016 to May 15, 2017; annual salary of \$20,000
- John Johnson; *former position:* Director of Mass Transit; *re-employment position:* Special Assistant to the Project Director; *re-employment period:* August 15, 2016 to May 15, 2017; annual salary of \$37,380
- Ronald Love; *former position:* Director of Continuing Education; *re-employment position:* Associate Professor; *re-employment period:* August 15, 2016 to May 15, 2017; annual salary of \$30,000
- Vincent Venturini; *former position:* Chair, Department of Social Work; *re-employment position:* Visiting Professor; *re-employment period:* August 15, 2016 to May 15, 2017; annual salary of \$22,463

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- Harvey Wardell; *former position*: Men's Assistant Basket Ball Coach and Instructor; *re-employment position*: Assistant Professor; *re-employment period*: August 15, 2016 to May 15, 2017; annual salary of \$22,500
- Raymond Williams; *former position*: Professor; *re-employment position*: Professor; *re-employment period*: August 15, 2016 to May 15, 2017; annual salary of \$33,102
- Robert Wilson; *former position*: Teacher, Greenwood Public Schools; *re-employment position*: Director, Institute for Effective Teaching Practices; *re-employment period*: August 15, 2016 to May 15, 2017; annual salary of \$34,806

**53. SEPARATION OF EMPLOYMENT**

**IHL Executive Office – The University Press of Mississippi**

- Leila W. Salisbury, Director; resignation effective June 30, 2016

**54. CHANGE OF STATUS**

**IHL Executive Office – The University Press of Mississippi**

- Craig Gill; *from* Assistant Director and Editor-in-Chief; salary of \$81,182 per annum, pro rata; General funds; *to* Director; salary of \$130,000 per annum, pro rata; General funds; effective July 1, 2016

**University of Southern Mississippi**

- Casey Maugh Funderburk; *from* Interim Associate Provost for Gulf Park and Associate Professor of Speech Communication; salary of \$120,000 per annum, pro rata; E&G Funds; *to* Associate Provost for Gulf Park and Associate Professor of Speech Communication; salary of \$130,000 per annum, pro rata; E&G Funds; effective May 10, 2016

**55. TENURE (promotions where noted)**

**Jackson State University**

*(Nine-month contracts effective August 11, 2016)*

- Fengxiang Han, Associate Professor, Department of Chemistry
- Nadia Bodie-Smith, *promotion* to Associate Professor, Department of Speech, Communication and Theater
- Mark Geil, *promotion to* Associate Professor, Department of Art
- Jana Talley, *promotion to* Associate Professor, Department of Mathematics and Statistical Science
- Brandi L. Turner, *promotion to* Associate Professor, Department of Communicative Disorders
- Lomarsh Roopnarine, *promotion to* Professor, Department of History

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**Mississippi State University**

*(Twelve-month contract effective July 1, 2016)*

- Jinwu Ye, Associate Professor, Department of Physics and Astronomy

**Mississippi Valley State University**

*(Correction to title approved May 2016)*

From: Daniel Trent; Associate Professor, Department of Engineering Technology

To: Daniel Trent; Assistant Professor, Department of Engineering Technology

56. **SABBATICAL**

**Jackson State University**

- Maury D. Granger; Professor of Economics, College of Business; *from* salary of \$107,876 per annum, pro rata; E&G Funds; *to* salary of \$53,938 for sabbatical period; E&G Funds; effective August 1, 2016 to December 31, 2016; professional development.
- Byron Orey; Professor of Political Science, College of Liberal Arts; *from* salary of \$90,510 per annum, pro rata; E&G Funds; *to* salary of \$45,255 for sabbatical period; E&G Funds; effective August 11, 2016 to December 31, 2016; professional development.
- Loren White; Associate Professor of Meteorology, College of Science, Engineering and Technology; *from* salary of \$60,279 per annum, pro rata; E&G Funds; *to* salary of \$30,140 for sabbatical period; E&G Funds; effective August 16, 2016 to May 1, 2017; professional development.

57. **EMERITUS STATUS**

**University of Southern Mississippi**

- Mary Beth Farrell; Instructor Emerita of History
- Frank R. Moore; University Distinguished Professor Emeritus of Biological Sciences

**FINANCE AGENDA**

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Pickering, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Pickering, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Dye, seconded by Trustee Smith, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee

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Pickering, seconded by Trustee Hooper, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #4. A motion was made by Trustee Pickering, seconded by Trustee Smith, to approve agenda item #5. After discussion, the motion was withdrawn. On motion by Trustee Perry, seconded by Trustee Smith, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to **table** agenda item #5 until the next meeting.

1. **SYSTEM** – Approved the Operating Budgets for the fiscal year ending 2017. Included as supplemental information as required by the *Ayers* Settlement Agreement, Board Policy 704.02 Athletic Budget Approval and reporting, and Board Policy 703.04 Policy Guidelines Subsection E. are: Fiscal Year 2016-2017 *Ayers* Budgets, Fiscal Year 2016-2017 Athletic Budgets, and Fiscal Year 2016-2017 E&G Scholarships, Fellowships & Tuition Waivers. (See Exhibit 1.)
2. **SYSTEM** – Approved the FY 2017 proposed funding priorities for the 2018 Legislative Budget Requests. (See Exhibit 2.)
3. **MSU** – Request to enter into a service agreement with GE Healthcare to purchase the necessary upgrades to the University’s MRI machine and to enter into a service and maintenance agreement for the machine. To enable the machine to continue to be used for research and diagnostic purposes, this machine must be upgraded. Upgrading the machine before the end of June will result in the upgrade cost being approximately \$450,000. On or after July 1, 2016, this cost will escalate to be in excess of \$1,200,000. In addition to the upgrade fee, the University will pay approximately \$12,000 per month in service and maintenance fees. These fees will continue to be paid by fees collected by the University for the use of the MRI machine. The purchase agreement will provide for payments over 5 years. The service and maintenance is terminable at the end of the 5 year term, however, the parties have the option to extend the agreement for an additional 5 years. This extension allows for MSU to continue paying the same rate for service and maintenance fee for years 5-10. The total contract amount is \$1,848,095. The total upgrade fee is \$440,647.60. The service and maintenance fee is \$11,803.17 per month. The agreement is being reviewed by the Legal Staff. Final approval of this item is delegated to the Commissioner pending recommendation of Legal Staff
4. **UM** – Approved the Authorizing Resolution regarding assignment of the parking facilities and a multi-purpose arena (Pavilion) ground leases and lease agreements to the University of Mississippi Educational Building Corporation (UMEBC). The resolution authorizes amendments to the existing Pavilion at Ole Miss and parking garage leases in a manner that transfers liability risk and insurable interest from the Ole Miss Athletics Foundation (OMAF) to the UMEBC. OMAF will assign its rights under the leases to UMEBC so that OMAF has no property rights in the real estate. UMEBC will assign its rights to receive lease payments from the University to OMAF, which can apply the payments to debt service under the financing agreements. The University’s ultimate obligations under the leases will remain unchanged. The leasehold deed of trust from OMAF to Regions will be cancelled. These changes are expected to produce estimated annual insurance premium savings in the range of \$200,000 - \$400,000. The amended lease contracts provide for a primary lease term of five years upon execution and will automatically renew for successive one-year terms unless either party submits an advance written notice of termination 180 days prior to the then-current term. At the end of the leases, the Pavilion and parking garage will become the property of the University. The original primary terms commenced on November 26, 2013. Pursuant to the financing agreements entered into in

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November 2013, Mississippi Business Finance Corporation issued bonds purchased by Regions Bank and Regions Capital Advantage, Inc. The proceeds have been loaned to OMAF to fund construction of the Pavilion and parking structure. Currently, the outstanding principle is approximately \$74.4 million (sum of two series combined) for the Pavilion and \$12.3 million for the parking garage. The Pavilion debt service is scheduled through November 2020 and November 2033, and the parking garage debt service is scheduled through December 2025. The leases provide for the University to make rental payments to OMAF equal to the debt service. Funds generated from the Forward Together fundraising campaign, including priority seating and philanthropic gifts, as well as university cash flows are being used to service the debt. The authorizing resolution and amended leases which have been reviewed and approved by the Attorney General's Office are on file in the IHL Board Office.

5. **UMMC** – Request to amend a contractual services agreement with Power Wellness Management, LLC This amendment will change the management fee structure from a flat monthly fee to a monthly fee based upon number of locations. Additionally, the amendment will shift responsibility for software and related hardware from UMMC to Power Wellness. The shifting of this responsibility will save UMMC approximately \$300,000 per year. Power Wellness will take over responsibility for the purchase of software and related hardware used for the business operations of the centers. Power Wellness will be paid a per Center management fee of \$4,600 as opposed to a flat fee of \$12,000. This amendment will be co-terminus with the agreement. The maximum term for the contract will expire on December 31, 2024. This amendment will change the monthly base management fee from \$12,000 to \$4,600 per Center (with five Centers currently operating, the monthly fee will be \$23,000). The five year total for the initial term is changing from \$720,000 to approximately \$1,182,000. If UMMC elects to renew for an additional five-year term, the total base management fees will be approximately \$2,562,000 for the ten-year term. The contract also provides for an additional incentive fee which is calculated as 12% of the Monthly Net Operating Income (defined as Gross Revenues less Operating Expenses excluding management fees, debt service, depreciation, and capital replacements) depending on the success of the centers. UMMC has estimated that the incentive fees will total \$506,333.48 over a ten-year term. UMMC requests approval in an estimated do not exceed amount of \$3,068,333.48. A breakdown of costs is included in the *June 16, 2016 Board Working File*. **(THIS ITEM WAS TABLED FOR FURTHER DISCUSSION AT THE NEXT BOARD MEETING.)**

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

Trustee Alan Perry recused himself from voting on item #1 by leaving the room before there was any discussion or a vote regarding the same. After Trustee Perry left the room, on motion by Trustee Dye, seconded by Trustee Hooper, with Trustees Cummins and Perry absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Legal Agenda. On motion by Trustee Hooper, seconded by Trustee McNair, with Trustees Cummins and Perry absent and not voting and Trustee Pickering

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participating by phone, all Trustees legally present and participating voted unanimously to move agenda items #2 and #3 to the Executive Session Agenda.

1. **UMMC** – Request to amend its contract with Bradley Arant Boult Cummings LLP as outside counsel to advise on healthcare regulatory and compliance matters, healthcare administrative hearings and general healthcare related matters. This modification will increase the hourly rate from \$215 to \$245 per hour effective October 1, 2015, and will increase the maximum amount payable under the contract by \$75,000 to a new total maximum contract amount of \$175,000. The current contract term is October 1, 2015 through September 30, 2016. All other provisions of the current contract remain the same. The Attorney General has approved this request.
2. **JSU** – Settlement of IHL Self-Insured tort case number 65-1971-1. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
3. **UMMC** – Settlement of IHL Self-Insured Worker’s Compensation Claim No. 55-34742-. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

**INFORMATION AGENDA**

Presented by Commissioner Glenn F. Boyce

**REAL ESTATE**

1. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the June 16, 2016 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

**LEGAL**

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

**ADMINISTRATION/POLICY**

3. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
  - a. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On May 17, 2016, Commissioner Glenn F. Boyce approved the new Ground Lease Agreement between Mississippi State University and the Zeta Tau Alpha Fraternity House Corporation and the MSU Chapter of Zeta Tau Alpha for Lot #5 of Sorority Hill Subdivision. A property description is on file at the Board Office. This is a fifty year lease beginning upon receipt of all required approvals and execution by all parties. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
  - b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part

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that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On May 25, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University and Paul Larsen for a facility in Michigan to be used for conducting a field research project. The leased facility will be for equipment storage, staff housing, and office space. The total cost of the contract is \$98,700. Prepayment of \$2,100 will be issued on a monthly basis as specified in the lease agreement. Funds are available from an externally funded grant from the Michigan Department of Natural Resources. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- c. **UM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On May 17, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between the University of Mississippi and Harold Reed for the lease of vacant land for use as an outdoor acoustic research testing site. The initial term of the lease is for one year from June 1, 2016 through May 31, 2017 with an option for three annual renewals at a cost of \$300 per month payable in advance on the first of each month. This lease rate for year one is \$3,600. If all renewals are exercised the total would be \$14,400. Funds are available from University facilities and administration funds. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- d. **UM** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On May 25, 2016, Commissioner Glenn F. Boyce approved the 2016-2017 Parking and Traffic Rules and Regulations for the University of Mississippi. A copy of the document is on file at the Board Office.

**ACADEMIC AFFAIRS  
COMMITTEE REPORT**

Wednesday, June 15, 2016

The meeting was called to order by Chairman Ford Dye at approximately 4:15 p.m. The Committee discussed several requests for authorization to plan new degree programs.

NOTE: Pursuant to IHL Board Policy 301.0510, “A quorum for the transaction of business shall be a minimum of eight members of the Board. For committees, a quorum shall be a majority of the members.” Miss Code Ann., §25-41-1 provides that notice of any meetings shall be provided at least

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five days prior to the date of the scheduled meeting. The Academic Affairs Committee meeting was added as a revision to the schedule, therefore, it cannot be conducted as a teleconference meeting. Trustees Pickering and Smith joined the meeting by teleconference for discussion purposes only. Neither trustee voted on any items.

On motion by Trustee Dye, seconded by Trustee McNair, with Trustees Cummins and Hooper absent and not voting and Trustees Pickering and Smith participating by phone but not voting, all Committee members legally present and allowed to participate voted unanimously to approve the requests to plan the following new degree programs.

1. UM – Bachelor of Science in Biomedical Engineering degree
2. USM – Bachelor of Science in Computer Engineering degree
3. USM – Bachelor of Science in Ocean Engineering degree

By consensus, the meeting adjourned.

The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Dr. Doug Rouse, and Dr. Walt Starr. Mrs. Karen Cummins and Mr. Shane Hooper were absent. Mrs. Christy Pickering and Mr. C.D. Smith participated in the discussion by phone but did not vote on any items.

**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, June 15, 2016**

The meeting was called to order by Chairman Doug Rouse at approximately 3:00 p.m. The following items were discussed.

NOTE: Pursuant to IHL Board Policy 301.0510, “A quorum for the transaction of business shall be a minimum of eight members of the Board. For committees, a quorum shall be a majority of the members.”

The following Committee members attended the meeting: Dr. Doug Rouse (Chair), Mrs. Karen Cummins (by phone), Mr. Tom Duff, Dr. Ford Dye, Dr. Alfred McNair, Mr. Alan Perry, and Dr. Walt Starr. Committee members Mr. Shane Hooper, Mr. Chip Morgan, Mr. Hal Parker, Mrs. Christy Pickering, and Mr. C.D. Smith were absent.

**ANNOUNCEMENTS**

- President Rouse invited the university presidents to report on current activities on their campuses.

**EXECUTIVE SESSION**

On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to

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determine whether or not to declare an Executive Session. On motion by Trustee Smith, seconded by Trustee Starr, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of two state university litigation matters and  
Discussion of one state university personnel matter.

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

On motion by Trustee Hooper, seconded by Trustee Smith, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 65-1971-1 styled as *Chalontae Scott vs. JSU, et al.*, as recommended by counsel.

On motion by Trustee Smith, seconded by Trustee Hooper, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of the IHL Workers' Compensation Case No. 55-34742-1 styled as *James Lamberth vs. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Hooper, seconded by Trustee Dye, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to issue Dr. Jeffrey Vitter a new employment contract to start July 1, 2016 and to continue for four years.

**On motion by Trustee Hooper, seconded by Trustee McNair, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.**

**ADJOURNMENT**

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



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President, Board of Trustees of State Institutions of Higher Learning



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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 June 16, 2016 Board meeting.
- Exhibit 2      Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

June 16, 2016

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE May 19, 2016 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 101-294 – Utility Infrastructure**

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

**Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$2,328,276.00 to the apparent low bidder, Metro Mechanical, Inc.

Approval Status & Date: APPROVED, April 28, 2016

Project Initiation Date: April 14, 2010

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Metro Mechanical, Inc.

Project Budget: \$2,598,273.94

### **2. ASU- Easement and Construction Agreement – Highway 55 Upgrade and Repair**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. C. D. Smith, Chair of the Real Estate and Facilities Committee on May 4, 2016 to approve the Easement and Construction Agreement with MDOT for certain improvements to State Route 552 and to construct a recreational parking lot and vehicle parking on or near the university's campus. This project is being funded (approx.. \$4,000,000.00) and constructed entirely by MDOT and will provide improved access to ASU's campus from State Hwy 552 as well as much needed vehicular parking and a new RV parking lot near the ASU football stadium.

Interim Approval Status & Date: APPROVED, May 4, 2016

Project Initiation Date: April 29, 2016

Design Professional: MDOT

General Contractor: N/A

Total Project Budget: \$4,000,000.00

# EXHIBIT 1

June 16, 2016

## DELTA STATE UNIVERSITY

### 3. DSU– GS 102-237 – Caylor White Walters Phase IV Auditorium

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

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

Board staff approved Change Order #1 in the amount of \$13,065.12 and seventy (70) additional days to the contract of Sullivan Enterprises, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 12, 2016

Change Order Description: Change Order #1 includes the following items: contract time adjustment; controls package pricing adjustments from approved controls vendor.

Change Order Justification: These changes were due to circumstances regarding the contract extension for Merit Construction as the owner requested that Sullivan Enterprises, Inc. not occupy the site until the previous contractor completes their work; the controls package from the approved controls vendor had to be adjusted as requested by the using agency.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$13,065.12.

Project Initiation Date: August 19, 2010

Design Professional: Architecture South, P.A.

General Contractor: Sullivan Enterprises, Inc.

Phased Project Budget: \$1,261,847.63

Total Project Budget: \$8,221,162.87

### 4. DSU– GS 102-255 – Central Mechanical Plant Phase II

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

#### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$131,088.00 and sixty (60) additional days to the contract of Acey Mechanical, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 12, 2016

Change Order Description: Change Order #3 includes the following: additional work to upgrade the backup chiller at Ewing Hall; replacing pumps at three (3) buildings; and sixty (60) days to the contract.

Change Order Justification: These changes were requested by the using agency to upgrade the existing chiller in Ewing Hall to bring it up to 100% capacity in the event the chiller goes down; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$230,724.35.

Project Initiation Date: August 15, 2013

Design Professional: ERG

General Contractor: Acey Mechanical, LLC

# EXHIBIT 1

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Project Budget: \$2,000,000.00

## 5. DSU– GS 102-285 – Campus Paving

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

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

Board staff approved Change Order #2 in the credit amount of \$5,918.63 and zero (0) additional days to the contract of APAC Mississippi. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, April 25, 2016

Change Order Description: Change Order #2 includes the following items: to eliminate excavation and full depth pavement reconstruction of Kethley Hall parking lot; to mill the existing asphalt at the curb line and provide hot mix asphalt overlay of the parking lot; and to install geotextile prior to the overlay to prevent reflective cracking.

Change Order Justification: These changes were due to latent conditions resulting in alternate construction.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$103,044.96.

Project Initiation Date: September 18, 2014

Design Professional: Civil Solutions Services, Inc.

General Contractor: APAC Mississippi

Project Budget: \$2,350,000.00

## 6. DSU– GS 102-260 – Preplan Zeigel Hall

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

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

Board staff approved the Design Development Documents as submitted by Architecture South. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status and Date: APPROVED, May 2, 2016

Project Initiation Date: February 21, 2013

Design Professional: Architecture South

General Contractor: TBA

Preplan Project Budget: \$350,000.00

# JACKSON STATE UNIVERSITY

## 7. JSU– GS 103-275 – Administration Tower Exterior Waterproofing

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

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

Board staff approved Change Order #4 in the credit amount of \$17,640.00 and seven (7) additional days to the contract of Coleman Hammons Construction Company, Inc.

# EXHIBIT 1

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Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 11, 2016

Change Order Description: Change Order #4 includes the following items: to provide credit to the owner for unused assumptions; and two hundred sixty (260) days to the contract.

Change Order Justification: These change orders were due to latent conditions; additional one hundred fifty-six (156) days for material delays, ninety (90) occupancy relocation delays; and fourteen (14) exterior work delays due to campus safety concerns as requested by the contractor.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$103,762.80.

Project Initiation Date: April 18, 2013

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

General Contractor: Coleman Hammons Construction Company, Inc.

Project Budget: \$2,804,452.00

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

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

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

Board staff approved Change Order #4 in the amount of \$11,082.60 and three (3) additional days to the contract of Thrash Commercial Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 11, 2016

Change Order Description: Change Order #4 includes the following items: additional material to provide the bent plate necessary for installation of the plywood soffit; additional work & materials required to modify the structural steel; and three (3) days to the contract.

Change Order Justification: These added materials were required as the necessary plates were not indicated on the drawings; and additional days for work as indicated herein due to additional work required to align the new and existing roof lines at the connector.

### **Request #2: Change Order #5**

Board staff approved Change Order #5 in the amount of \$8,453.46 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 11, 2016

Change Order Description: Change Order #5 includes the following items: additional work and materials to revise the power, communications, and finishes at the Visualization Lab.

Change Order Justification: These change orders were requested by the using agency to upgrade their equipment.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$53,215.58.

Project Initiation Date: February 21, 2013

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

# EXHIBIT 1

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General Contractor: Thrash Commercial Contractors, Inc.  
Project Budget: \$8,600,000.00

## 9. JSU– GS 103-281 – Alexander Center Renovation PH II

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

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$90,160.99 and forty-five (45) additional days to the contract of Flagstar Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 13, 2016

Change Order Description: Change Order #3 includes the following items: add six (6) wall rails & upgrade the building plaque; replace the deteriorated lobby desk to match the new one; add extended solid surface window stools; add four (4) interior signs; add caulking to eight (8) existing exterior control joints; add furr-downs over exposed conduits & ductwork; add security devices at six (6) entry doorways; replace deteriorated finishes at existing ramp & steps; add rough-in with cabling & controls for eight (8) security cameras; add gypsum wallboard around the shower units;; delete interior storefront walls in the main lobby; and forty-five (45) days to the contract.

Change Order Justification: These change orders were due to changes in requirements or recommendations by governmental agencies i.e. revisions in building codes, safety or health regulations, controls on materials specified; latent job site conditions; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$86,288.19.

Project Initiation Date: October 17, 2013

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Flagstar Construction Company, Inc.

Project Budget: \$8,310,000.00

## MISSISSIPPI STATE UNIVERSITY

## 10. MSU– IHL 205-278 – MSU NSPARC Data Center

### **Approval Request #1: Contract Documents**

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

Approval Status & Date: APPROVED, May 13, 2016

### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, May 13, 2016

Project Initiation Date: November 20, 2014

Design Professional: Dale Partners Architects, P.A.

General Contractor: TBD

Project Budget: \$4,650,000.00

# EXHIBIT 1

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## MISSISSIPPI VALLEY STATE UNIVERSITY

### 11. MVSU– GS 106-237 – Harrison Renovation

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

#### **Approval Request #1: Change Order #6**

Board staff approved Change Order #6 in the amount of \$122,461.80 and thirty-six (36) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, May 5, 2016

Change Order Description: Change Order #6 includes the following items: Additional floor patch; change the existing heads in three (3) rooms from upright to flex drops; unclog pipes in the aquatic building; custom carpet changes for carpet tile; roll-up door leaf replacement; switch to overhead closures; add a duct detector; repair clogged pipes; change back to vct in lieu of carpet tile; credit for masonry work; and thirty (36) days to the contract.

Change Order Justification: These change orders were due to latent job site conditions; errors and omissions in plans and specifications; user/owner requested modifications; thirty (30) days to correct entry error and six (6) days due to weather.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$533,212.42.

Project Initiation Date: January 20, 2011

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

General Contractor: Evan Johnson & Sons Construction, Inc.

Project Budget: \$20,025,000.00

## UNIVERSITY OF MISSISSIPPI

### 12. UM– IHL 207-372.1 – South Campus Recreation Facility and Transportation Hub DEMO

#### **Approval Request #1: Contract Documents**

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

Approval Status & Date: APPROVED, April 22, 2016

#### **Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, April 22, 2016

Project Initiation Date: November 21, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$1,291,879.50

Total Project Budget: \$32,000,000.00

# EXHIBIT 1

June 16, 2016

## **13. UM– IHL 207-382 – South Campus New Storm Water Drainage Phase I**

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

Board staff approved Change Order #2 in the amount of \$100,676.09 and ninety-three (93) additional days to the contract of Colom Construction Company, Inc.

Approval Status & Date: APPROVED, May25, 2016

Change Order Description: Change Order #2 includes the following items: transitional culvert form work; structural concrete footer; security fencing; equipment mobilized on the project during idle work period; credit on base bid; and ninety-three (93) days to the contract.

Change Order Justification: These change orders were due to errors and omissions in the plans and specifications; user/owner requested modifications; credit due to the contractor not reconstructing slope and sod pending additional work that would not require this work and additional days for work as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$160,726.82.

Project Initiation Date: August 21, 2014

Design Professional: Engineering Solutions, Inc.

General Contractor: Colom Construction Company, Inc.

Project Budget: \$2,200,000.00

## **14. UM– IHL 207-383 – Gillom Sports Center – New Additions and Renovations**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$7,811,300.00 to the apparent low bidder, Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, April 25, 2016

Project Initiation Date: June 19, 2014

Design Professional: Pryor & Morrow Architects and Engineers

General Contractor: Zellner Construction Services, LLC.

Project Budget: \$13,800,000.00

## **15. UM – IHL 207-389 – Vaught-Hemingway Stadium North End Zone**

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

Board staff approved Change Order #5 in the amount of \$241,111.70 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, May 2, 2016

Change Order Description: Change Order #5 includes the following items: Starnes Building demolition modifications; mortar to be tuck-pointed; delete the soda dispensers; aluminum bleacher upgrades; existing seating bowl column/raker beam repairs; add storm lines at south end zone; add a sump pump to the grease trap line in the kitchen to the sanitary line tie-in point; adding a waterproof traffic coating on the floor in the concourse space & seating bowl, sealing & filling pipe penetrations, and sealing open expansion joints; elimination of an existing video board replaced by stud infill & a metal panel; removal of an existing running track; credit for deletion of bell tower construction;

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delay in the installation of sheet piling in the existing stadium; and repair to a broken sanitary line leaving the kitchen at the south end zone.

Change Order Justification: These change orders were due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and credit for deletion of soda dispensers that will be provided by a vendor and the decision not to construct the bell tower (alternate #3) in the bid documents.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$789,876.10.

Project Initiation Date: August 21, 2014

Design Professional: AECOM

General Contractor: Roy Anderson Corporation

Project Budget: \$30,593,713.00

## **16. UM – IHL 207-392 – North Parking Structure**

### **Approval Request #1: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$29,251,000.00 to the apparent low bidder, B.L. Harbert International, LLC.

Approval Status & Date: APPROVED, April 22, 2016

Project Initiation Date: September 26, 2014

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

General Contractor: B.L. Harbert International, LLC

Phased Project Budget: \$33,750,000.00

Total Project Budget: 34,550,000.00

## **17. UM – IHL 207-409 – Croft Institute – Building Envelope Corrections**

### **Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$98,700.00 and ninety (90) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, May 5, 2016

Change Order Description: Change Order #3 includes the following items: rebuild/reinstall and restore interior spaces & finishes at the east end of the building; reinforcement and support of three (3) beams at the top of the east wall; construction of cripple/support wall on top of the concrete masonry unit; provide and install new building signage lettering; and ninety (90) days to the contract.

Change Order Justification: These change orders were due to required wall reconstruction work; reinforcement and support of beams & existing rafters; new signage lettering to replace existing & deteriorated letters; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$468,562.68.

Project Initiation Date: October 15, 2015

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Barnes & Brower, Inc.

Project Budget: \$1,250,000.00

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## **18. UM – IHL 207-411 – Oxford-University Stadium (Swayze Field) Addition & Renovation PH I**

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

Board staff approved the Schematic Design Documents as submitted by Cooke Douglas Farr Lemons, LTD.

Approval Status & Date: APPROVED, May 5, 2016

### **Approval Request #2: Waiver of Design Development Documents**

Board staff approved the Waiver of Design Development Documents as submitted by Cooke Douglas Farr Lemons, LTD.

Approval Status & Date: APPROVED, May 5, 2016

Project Initiation Date: October 15, 2015

Design Professional: Cooke Douglas Farr Lemons, LTD

General Contractor: TBD

Project Budget: \$5,000,000.00

## **UNIVERSITY OF SOUTHERN MISSISSIPPI**

### **19. USM– IHL 210-243 – Marine Education Center**

#### **UNAPPROVAL Request #1: Award of Construction Contract**

Board staff did not approve the Award of Contract in the amount of \$13,295,000.00 to the apparent low bidder, Starks Contracting Company, Inc.

Approval Status & Date: NOT APPROVED, May 10, 2016

Project Initiation Date: September 26, 2014

Design Professional: Lake Flato Architects

General Contractor: Starks Contracting Company, Inc.

Total Project Budget: \$16,115,660.00

## **EDUCATION AND RESEARCH CENTER**

### **1. ERC– GS 111-052 – Structural & Subsurface Repair**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on May 12, 2016 to approve the budget increase.

Interim Approval Status & Date: APPROVED, May 12, 2016

Project Initiation Date: November 21, 2013

Design Professional: JBHM

General Contractor: Gregory Construction Services, Inc.

Total Project Budget: \$3,563,570.87

## **EXHIBIT 2**

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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 Brunini, PLLC (statements dated 4/18/16 and 5/17/16) from the funds of Mississippi State University. (These statements, in the amounts of \$6,238.01 and \$11,310.28, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 17,548.29**

Payment of legal fees for professional services rendered by Jones|Walker (statement dated 3/30/16) from the funds of Mississippi State University. (This statement, in the amount of \$3,859.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 3,859.50**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 5/1/16) from the funds of Mississippi State University. (These statements, in the amounts of \$1,000.00 and \$2,000.00, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 3,000.00**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 5/5/16) from the funds of the University of Mississippi. (This statement, in the amount of \$216.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 216.00**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 5/6/16) from the funds of the University of Mississippi. (This statement, in the amount of \$13,816.31, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 13,816.31**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 1/4/16, 3/1/16, 5/1/16 and 5/1/16) from the funds of the University of Mississippi. (These statements, in the amounts of \$2,000.00, \$14.72, \$1,000.00 and \$17.44, respectively, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 3,032.16**

Payment of legal fees for professional services rendered by Bradley|Arant (statement dated 3/15/16) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$9,040.50, represents services and expenses in connection with general legal advice.)

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**TOTAL DUE.....\$ 9,040.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 3/2/16, 4/7/16, 4/20/16 and 4/20/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,993.50, \$588.00, \$3,332.00 and \$7,811.06, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 15,724.56**

Payment of legal fees for professional services rendered by Jones|Walker (statement dated 4/14/16) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$337.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 337.50**

Payment of legal fees for professional services rendered by Watkins & Eager (statement dated 3/9/16) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$9,908.25, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 9,908.25**

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 5/6/16) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$231.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 231.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 5/1/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,500.00, \$1,500.00, \$1,000.00, \$13.89, \$47.44 and \$16.11, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE.....\$ 4,077.44**

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

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 4/12/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patents: "Therapeutics for Breathing Disorders" - \$768.00.)

**TOTAL DUE.....\$ 768.00**

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Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 3/22/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: "Process and Catalysts for Converting Biomass/Municipal Solid Wastes (MSW) Derived Nitrogen-Rich Syngas to Liquid Hydrocarbon Mixtures" - \$788.50.)

**TOTAL DUE.....\$ 788.50**

Payment of legal fees for professional services rendered by Valauskas|Corder (statement dated 4/15/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: "Blue Stain System" - \$2,447.50.)

**TOTAL DUE.....\$ 2,447.50**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 5/16/16, 5/16/16, 5/20/16 and 5/20/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis" - \$785.58; "Compositions containing Delta-9-THC-Amino Acid Esters and Process of Preparation" - \$1,870.03; "Highly Selective Sigma Receptor Ligands" - \$1,796.60 and "Compositions containing Delta-9-THC-Amino Acid Esters and Process of Preparation" - \$3,171.30, respectively.)

**TOTAL DUE.....\$ 7,623.51**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/25/15, 9/25/15, 10/26/15, 12/17/15, 12/17/15, 1/11/16, 3/15/16, 3/24/16, 4/12/16, 4/26/16, 5/2/16 and 5/9/16) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: "Urban –Covalent Attachment of Bacteriophages to Polymeric Surfaces" - \$2,219.50; "Self-Repairing Oxetane-Substituted Chitosan Polyurethane Networks" - \$1,256.00; "Urban –Covalent Attachment of Bacteriophages to Polymeric Surfaces" - \$120.00; "Self-Repairing Oxetane-Substituted Chitosan Polyurethane Networks" - \$432.00; "Urban –Covalent Attachment of Bacteriophages to Polymeric Surfaces" - \$4,425.73; "Urban –Covalent Attachment of Bacteriophages to Polymeric Surfaces" - \$241.73; "Interleukin -17A-USM" - \$7,552.00; "Urban –Covalent Attachment of Bacteriophages to Polymeric Surfaces" - \$670.00; "Urban –Covalent Attachment of Bacteriophages to Polymeric Surfaces" - \$117.06; "Lockhead –Oil Dispersant Patent" - \$542.00; "Trademark Application for the Centennial Anniversary" - \$1,510.00 and "Trademark Application for the Centennial Anniversary" - \$960.00, respectively.)

**TOTAL DUE.....\$ 20,046.02**