

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 20, 2018**

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 Mill at Plein Air in Taylor, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 28, 2017, to each and every member of said Board, said date being at least five days prior to this September 20, 2018 meeting. At the above-named place there were present the following members to wit: Dr. Steven Cunningham, Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Ms. Jeanne Carter Luckey, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. J. Walt Starr. Mr. Bruce Martin was absent. The meeting was called to order by President Shane Hooper. Trustee McNair introduced Mr. Marcus Thompson, IHL Deputy Commissioner/Chief Administrative Officer, to provide the invocation.

APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Ogletree, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on August 16, 2018.

CONSENT AGENDAS

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

FINANCE

1. **ASU** - Approved the request to enter into a purchase agreement with Adidas America, Inc. (Adidas) for the purchase of athletic apparel, equipment and related accessories for all sports at Alcorn State University. The term of the agreement is for approximately five years (a school year is defined as July 1 through June 30). The contract will be effective from September 16, 2018 through June 30, 2023 and will have two additional one-year terms, upon mutual agreement, ending June 30, 2025, for a total of approximately seven years. The estimated amount of the agreement for seven years is \$2,100,000. Adidas could provide incentives valued up to \$1,130,000. In Year One only, adidas will provide Alcorn with a one-time \$100,000 product allotment at retail value to assist with the transition. Adidas shall provide school with bonuses if Alcorn achieves the applicable goals during such school year. For each School Year, during the term, Adidas shall provide Promotional Merchandise in the amount of \$100,000 for the first five years, respectively, and \$125,000 for the sixth and seventh year of the contract, respectively. Adidas will sell footwear products to ASU at 45% off MSRP/30% off MSRP for all team footwear products. Adidas will sell apparel at 50% off MSRP. A breakdown of the costs is included in the bound *September 20, 2018 Board Working File*. This agreement will be funded by E&G funds. The Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

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2. **MVSU** – Approved the request to enter into an agreement with BSN Sports, LLC (BSN) for the exclusive supplier agreement for the purchase and supply of Nike apparel and footwear along with any and all other equipment and apparel offered for sale by BSN, for use by the school and its athletic programs. This contract will start on October 1, 2018 and end September 30, 2023. The total projected cost of the contract is \$750,000 with Year 1: \$150,000; Year 2: \$150,000; Year 3: \$150,000; Year 4: \$150,000; and Year 5: \$150,000. The total projected Nike Promotional Retail is \$725,000 with Year 1: \$165,000; Year 2: \$140,000; Year 3: \$140,000; Year 4: \$140,000; and Year 5: \$140,000. The total projected Annual Rebate is \$75,000 with Year 1: \$15,000; Year 2: \$15,000; Year 3: \$15,000; Year 4: \$15,000; and Year 5: \$15,000. The total marketing package is \$15,000 for year one only. The contract will be funded by general funds and designated funds. The Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
3. **UM** – Approved the request to enter into a contract with Aetna Student Health for the Graduate Assistant and International student health insurance plan to comply with the federal Affordable Care Act and immigration law. The proposed coverage is optional, and students may opt out of the program by showing evidence of other health insurance. In addition, this program will ensure that students have access to health insurance at rates lower than ones individual students could obtain on the open market. The group rate (annual premium of approximately \$2,314) is substantially lower than the rate for an individual insurance plan. The length of the contract is one (1) year - August 15, 2018 through August 14, 2019, with options for mutually agreed upon annual renewals. The total premium paid is dependent on the number of student participants. Based on prior year participation rates and projected FY 2019 enrollment forecasts, the estimated FY 2019 net premiums paid are expected to be approximately \$2.5 million. Approximately \$1.7 million of this estimate pertains to graduate assistants, and \$825,000 is estimated for international student premiums. The Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
4. **USM** – Approved Amendment One to a lease between USM and Emergent Protective Products USA Inc., a Maryland corporation with a registered address at 400 Professional Drive, Suite 400 Gaithersburg, MD 20879 (Tenant) for space in USM’s Accelerator building. Tenant wishes to increase their space by approximately 661 square feet for additional rent in the amount of \$3,280 annually. The original term is for a ten-year initial term with four (4) one-year renewal terms. This Amendment does not change the term of the existing lease but merely adds square footage with a corresponding rent increase. The total contract amount for Amendment One is \$26,240. Total rent for the remaining term of the lease is \$1,118,840. The Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **USM** – Approved the request to enter into a Managed Services agreement for three (3) years plus two (2) annual auto-renewals and to make prepayment in accordance with the terms of the agreement pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services. This agreement will provide an institution-wide analytics platform, along with ongoing professional data analysis and data science services to help achieve four core objectives in support of USM’s Plan for Academic Reorganization: Vision 2020. The term of the contract is September 20, 2018 through September 19, 2023. The total cost of this contract over the five-year period is \$1,391,938. A breakdown of costs is included in the bound *September 20, 2018 Board Working File*. The funding for this agreement will be paid through Education & General funds. The Legal Staff has

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

LEGAL

6. **ASU** – Approved the request to enter into a contract with the firm of Ware | Immigration to provide services necessary in assisting the University with employee permanent labor certifications and other related issues. The term of the contract is one year beginning October 1, 2018. The rates for services are set out in the Fee Schedule below with a maximum amount payable under the contract of \$20,000. This firm carries errors and omissions professional liability insurance coverage in the amount of \$100,000 per occurrence with an aggregate of \$300,000. The Attorney General has approved this request.

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

H-1B petition	\$1500.00
H-1B extension or amendment petitions (we handled original petition) \$1000.00	

TN petition or border/consulate processing	\$1500.00
TN extension petition (we handled original)	\$1000.00

E-3 petition or consular processing	\$1500.00
E-3 extension petition (we handled original)	\$1000.00

O-1 petition	\$4000.00
O-1 extension or amendment petition (we handled original)	\$1500.00

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

J-1 waiver (IGA or hardship)	\$6,000.00
J-1 waiver (Conrad)	\$6,000.00

Permanent Residence Process with Labor Certification: Faculty

Special Handling labor certification	\$2000.00
(If position must be readvertised)	\$2500.00
Additional fee if audited	\$500-1500.00

Immigrant petition	\$2500.00
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Permanent Residence Process with Labor Certification: Non-Faculty

Labor certification	\$4000.00
Additional fee if audited	\$500-1500.00
Additional fee if subject to supervised recruitment	\$2500.00

Immigrant petition	\$2500.00
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Permanent Residence Process: Outstanding Professors and Researchers

Immigrant petition	\$6000.00
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Permanent Residence Process: National Interest Waiver

Immigrant petition	\$6000.00
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<u>Adjustment of Status (any Employment-Based Permanent Residence Matter)</u>	
Adjustment of status and related applications (I-765, I-131, etc.), principal	\$2000.00
Standalone AOS and related applications, principal	\$2500.00
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1000.00
Adjustment of status of each child, concurrent with I 140	\$750.00
“Standalone” adjustment of status, spouse (not concurrent with I 140).	\$1500.00
“Standalone” adjustment of status, child	\$1000.00
 <u>Employment Authorization and Advance Parole Renewal</u>	
Employment Authorization Renewal per individual	\$500.00
Advance Parole Renewal per individual	\$500.00

General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule

Such matters will be billed at our hourly rates:

David Ware	per hour billed	\$350.00
WI Partners	per hour billed	\$250.00
Associate Attorneys	per hour billed	\$175.00
Paralegals	per hour billed	\$100.00

7. **JSU** – Pending approval by the Attorney General’s Office, the Board approved the request to enter into a contract with Armstrong Law, LLC as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this Agreement is one year beginning September 2018. The rates for services are set out in the Fee Schedule below with a maximum amount payable under the contract of \$50,000. This firm carries errors and omissions professional liability insurance coverage in the amount of \$1,000,000.

Summary of Legal Fees - Jackson State University

<u>Type of Immigration Processing</u>	<u>Attorney’s Fees¹</u>
Permanent resident status (“green card”/immigrant) processing – labor certification required ²	
“Special handling” labor certification for faculty (teaching positions only) – using original recruitment	\$2,000.00
“Special handling” labor certification for faculty (teaching positions only) – re-recruitment ³	\$2,500.00
“Basic recruitment” labor certification for non-teaching positions	\$3,500.00
Audit response (if required by US Department of Labor)	\$1,500.00
Immigrant petition for alien worker (I-140) – for employee	\$2,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00

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Application to renew employment authorization and/or advance parole (per application)	\$ 350.00
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¹Exclusive of all required US Citizenship and Immigration Services filing fees and costs of recruitment (if required); all additional work, including assistance in ad placement, renewal applications for employment authorization or advance parole during the period the application for adjustment of status is pending, preparation for and attendance at interviews with immigration officers, or appeals of any denials of any immigration petition or application filed, will be billed at normal hourly rates (currently \$275 an hour)

²Regulations require employer to pay all costs relating to labor certification, including all costs of recruitment.

³Re-recruitment may be required if original ads do not meet US Department of Labor requirements or if labor certification is not filed within 18 months of date of offer letter.

8. **JSU** – Pending approval by the Attorney General’s Office, the Board approved the request to enter into a contract with David Ware & Associates, LLC d/b/a Ware|Immigration as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this Agreement shall commence in September 2018 and shall expire no later than one year thereafter, subject to renewal, if necessary. The fee schedule is set out below and the maximum amount payable under this contract is \$50,000. This firm carries errors and omissions professional liability insurance coverage in the amount of \$100,000 per occurrence with an aggregate of \$300,000.

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

H-1B petition	\$1500.00
H-1B extension or amendment petitions (we handled original petition)	\$1000.00

TN petition or border/consulate processing	\$1500.00
TN extension petition (we handled original)	\$1000.00

E-3 petition or consular processing	\$1500.00
E-3 extension petition (we handled original)	\$1000.00

O-1 petition	\$4000.00
O-1 extension or amendment petition (we handled original)	\$1500.00

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

J-1 waiver (IGA or hardship)	\$6,000.00
J-1 waiver (Conrad)	\$6,000.00

Permanent Residence Process with Labor Certification: Faculty

\$2000.00	Special Handling labor certification
	\$2500.00 if position must be readvertised
\$500-1500.00	Additional fee if audited
\$2500.00	Immigrant petition

Permanent Residence Process with Labor Certification: Non-Faculty

\$4000.00	Labor certification
\$500-\$1500.00	Additional fee if audited
\$2500.00	Additional fee if subject to supervised recruitment
\$2500.00	Immigrant petition

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Permanent Residence Process: Outstanding Professors and Researchers

\$6000.00 Immigrant petition

Permanent Residence Process: National Interest Waiver

\$6000.00 Immigrant petition

Adjustment of Status, any Employment-Based Permanent Residence Matter

\$2000.00 Adjustment of status and related applications (I-765, I-131, etc.) for employee

\$2500.00 Standalone AOS and related applications, principal.

\$1000.00 Adjustment of status and related applications, spouse, if together with principal application and I 140.

\$ 750.00 Adjustment of status of each child, concurrent with I 140.

\$1500.00 “Standalone” adjustment of status, spouse (not concurrent with I 140).

\$1000.00 “Standalone” adjustment of status, child.

Employment Authorization and Advance Parole Renewal

\$500 Employment Authorization Renewal per individual

\$500 Advance Parole Renewal per individual

General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule

Such matters will be billed at our hourly rates:

David Ware \$300 per hour billed.

WI Partners \$250 per hour billed.

Associate Attorneys: \$175 per hour billed.

Paralegals: \$100 per hour billed.

PERSONNEL REPORT

9. **EMPLOYMENT**

University of Mississippi

David Puleo; *hired with tenure*; Dean of the School of Engineering and Professor of Biomedical Engineering; salary \$325,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 27, 2018

10. **CHANGE OF STATUS**

Jackson State University

Preselfannie McDaniels, *from* Chair and Professor, Department of English and Modern Foreign Language; salary \$98,000 per annum, pro rata; E&G Funds; 9 month contract; *to* Interim Dean & Professor of the Division of Graduate Studies; salary \$122,500 per annum, pro rata; E&G Funds; 12 month contract; effective July 1, 2018

ADMINISTRATION/POLICY

11. **SYSTEM** – Approved the appointment of Trustee Gee Ogletree as the next representative for the IHL Board on the Mississippi Commission for Volunteer Service (MCVS) Board of Commissioners in accordance with Miss. Code § 43-55-1 et seq. Trustee Ogletree will serve a three-year term from October 1, 2018 to September 30, 2021.

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INFORMATION AGENDA

Presented by Commissioner Alfred Rankins, Jr.

REAL ESTATE

1. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the August 16, 2018 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.**)
3. **MUW** – Trustee Ann Lamar, as Board Legal Committee Chair, on behalf of the Board, has approved the university’s emergency request to contract with attorneys Jim Grizczak and Sherri Krause of McDonald Hopkins as outside counsel to provide legal services related to a cyber incident. The term of the contract began August 30, 2018 and will continue until the matter is resolved. Services are provided at an hourly rate of \$365 for partners and \$290 for associates, with a maximum amount payable under the contract of \$50,000. MUW is insured for cyber incident response and carries a deductible for legal services related to a covered incident of \$5,000. Therefore, MUW will not be responsible for more than \$5,000 of the \$50,000 maximum amount payable under the contract. McDonald Hopkins carries professional liability coverage in the amount of \$5,000,000 per occurrence and \$5,000,000 annual aggregate.

ADMINISTRATION/POLICY

4. **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. **ASU** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 6, 2018, Commissioner Alfred Rankins, Jr. approved the revisions to several FY 2018 *Ayers* academic programs budget. It appears that these revisions were necessary to align 2018 budgets to individual program needs as of the end of the year. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
 - b. **ASU** – 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 August 13, 2018, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between ASU and Days Inn of Natchez for the lease of 25 rooms to be used as short-term overflow student housing. The term of the lease is August 19, 2018 through September 9, 2018 at a cost of \$24,200 to be paid in two installments as set out in Section 3 of the Agreement. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

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- c. **ASU** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 28, 2018, Commissioner Alfred Rankins, Jr. approved the revisions to several FY 2018 *Ayers* academic programs budget. It appears that these revisions were necessary to align 2018 budgets to individual program needs as of the end of the year, due to rounding variances. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- d. **DSU** – 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 August 22, 2018, Commissioner Alfred Rankins, Jr. approved the Ground Lease with Delta State University Foundation, Inc., for the lease of approximately 1.8 acres on the Delta State campus on which to construct a home for the President of the University. The Foundation will bear all costs for the building of an approximately 6,000 square foot, five-bedroom, five-bath home on the site. The lease will run through midnight on March 31, 2020, or such earlier time as the construction is completed. After construction is completed, the Lease will terminate and the home will become the property of DSU, to be operated as part of the university facilities. The Attorney General’s Office has reviewed and approved the contract documents.
- e. **JSU** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 27, 2018, Commissioner Alfred Rankins, Jr. approved the revisions to several FY 2018 *Ayers* academic programs budgets. It appears that these revisions were necessary to align 2018 budgets to individual program needs as of the end of the year. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories and between various programs. A copy of the documents is on file at the Board Office.
- f. **JSU** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On September 4, 2018, Commissioner Alfred Rankins, Jr. approved the revisions to the On Campus Budget, the *Ayers* Budget, the Auxiliary Enterprises Budget, the Walter Payton Health & Wellness Center Budget, the University Stadium Budget, and the Athletics Budget for Fiscal Year 2018. The Executive Office financial staff have reviewed

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and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

- g. **MSU** - In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On August 8, 2018, Commissioner Alfred Rankins, Jr. approved the Traffic and Parking Rules and Regulations. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the documents.
- h. **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 September 4, 2018, Commissioner Alfred Rankins, Jr. approved the proposed amendment to Lease No. 57-6060-15-049 between MSU and the USDA Agricultural Research Service for land in the North Mississippi Branch Station in Marshall County, MS to be used for government agricultural research purposes. The amendment to the existing lease is for the purpose of reducing the amount of acreage from 46.05 to 18.0, changing the buildings included in the lease, and amending the renewal periods. The amended term of the Lease is from July 1, 2018 through June 30, 2019. No other provisions of the original lease agreement have been changed. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the documents.
- i. **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 September 6, 2018, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between MSU and The Mississippi State University Foundation to allow for the construction of a demonstration wetland and associated upland prairie to be used both as an outdoor laboratory for environmental education, as well as a destination for campus visitors. The term of the lease will be for up to two years or until the completion of improvements, whichever comes first, beginning November 1, 2018. The MSU Foundation will make the improvements at no cost to the University with the result that all improvements made to and on the premises shall be owned “free and clear” by the University upon the termination of the lease. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the documents.
- j. **MUW** – 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

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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 August 17, 2018, Commissioner Alfred Rankins, Jr. approved the Facilities Lease Agreement between MUW and the Columbus Municipal School District for use of CMSD's baseball facilities for MUW's baseball program. The term of the lease is September 1, 2018 through May 31, 2020 at a total cost of \$18,200 to be paid in four equal installments of \$4,550 each, the first of which is due on or before September 30, 2108, with a subsequent payment schedule set out in Section 3 of the Agreement. The Attorney General's Office has reviewed and approved the contract documents.

- k. **MVSU** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 6, 2018, Commissioner Alfred Rankins, Jr. approved the revisions to several FY 2018 *Ayers* academic programs budgets. It appears that these revisions were necessary to align 2018 budgets to individual program needs as of the end of the year. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- l. **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.” On August 6, 2018, Commissioner Alfred Rankins, Jr. approved the renewal request concerning Amendment No. 1 to the Agreement for Bookstore Services between the university and Barnes & Noble College Booksellers, LLC. This Amendment renews the current contract by extending the terms of the original agreement by five years or through December 14, 2026 and revises language in Sections 12, 18, 20, and 24 of the original Agreement. The contract renewal results in additional revenues for the institution. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- m. **UM** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 13, 2018, Commissioner Alfred Rankins, Jr. approved the revisions to the On Campus Budget, Off Campus Budget, Center for Manufacturing Excellence Budget, State Court Education Program Budget, Mississippi Mineral Resources Institute Budget, Mississippi Law Research Institute Budget, Research Institute of Pharmaceutical Science Budget, Super Computer Budget, and the Small Business Development Center Budget for Fiscal Year 2018. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but

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rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

- n. **UMMC** – 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 September 4, 2018, Commissioner Alfred Rankins, Jr. approved the lease and prepayment by UMMC for Mathematics and Science Education to the Jones County Junior College Advance Technology Center in the amount of \$400 for classroom space rental in which to host a mathematics teacher training session on December 6-7, 2018. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- o. **UMMC** – 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 August 27, 2018, Commissioner Alfred Rankins, Jr. approved the Lease Agreement with Carroll County, Mississippi for the lease of approximately 2,056 square feet of clinic space located at the Herbert R. Power Health Clinic in Vaiden, MS. The term of the lease is three years beginning September 1, 2018 at a total cost of \$55,512 or \$18,504 annually. This request was previously reported to the Board on August 16, 2018 with the incorrect contract amount. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- p. **UMMC** – 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 August 27, 2018, Commissioner Alfred Rankins, Jr. approved the Rental Agreement between UMMC and Respironics, Inc. for the rental of OmniLab Advanced + Heated Tube Humidifier Core Package equipment for the sleep lab. The term of this agreement is three years beginning on or about August 21, 2018 at a total cost of \$5,400 or \$15.00 per unit per month for 10 unites to be billed monthly. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- q. **UMMC** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On September 6, 2018, Commissioner Alfred Rankins, Jr. approved the revisions the Consolidated Budget, the School of Medicine Budget, the School of Nursing Budget, the School of Health Related Professions Budget, the School of Dentistry Budget, the

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School of Population Health Budget, the University Hospital Budget, and the Medical Center Service Area Budget for Fiscal Year 2018. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

- r. **USM** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 13, 2018, Commissioner Alfred Rankins, Jr. approved the revisions to the On Campus Budget (Hattiesburg Campus), Off Campus Budget (Gulf Coast Campus), Auxiliary Enterprises Budget, and Gulf Coast Research Laboratory Budget for Fiscal Year 2018. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- s. **USM** – 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 August 29, 2018, Commissioner Alfred Rankins, Jr. approved the request to renew the agreement between USM and United Healthcare to provide health insurance to its graduate assistants, resident assistants, and international students. In May 2017, the IHL Board approved an agreement between the parties with a one-year policy term running from August 15, 2017 - August 14, 2018. According to the Agenda write-up, the parties have the option to enter into mutually agreed upon annual renewals. The annual premiums for students have increased from \$2,039 to \$2,129, a 4.4% increase. Premiums are payable in advance. The total annual premium paid in FY2018 was \$1,813,433, and the estimated total annual premium for FY2019 is \$1,891,440, a 4.3% increase. This expected increase does not exceed 110% of the total premiums paid under the policy approved by the Board. The Attorney General’s Office has reviewed and approved the contract documents.

ANNOUNCEMENTS

- President Hooper announced that the next Board meeting will be October 19, 2018 at the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 20, 2018**

EXECUTIVE SESSION

On motion by Trustee Ogletree, seconded by Trustee Starr, with Trustees Dye, Martin, and Morgan absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Parker, seconded by Trustee Ogletree, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to enter into Executive Session for the reason reported to the public and stated in these minutes, as follows: Discussion of a personnel matter at Jackson State University.

During Executive Session, the following matter were discussed:

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

On motion by Trustee Ogletree, seconded by Trustee Starr, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

ON MOTION BY TRUSTEE OGLETREE, SECONDED TRUSTEE LUCKEY, WITH TRUSTEES DYE, MARTIN, AND MORGAN ABSENT AND NOT VOTING, ALL TRUSTEES LEGALLY PRESENT AND PARTICIPATING VOTED UNANIMOUSLY TO RECESS THE BOARD MEETING UNTIL FRIDAY, SEPTEMBER 21, 2018 AT 9:00 A.M.

THE BOARD MEETING RECONVENED FRIDAY, SEPTEMBER 21, 2018 AT 9:00 A.M. There were present the following members to wit: Dr. Steven Cunningham, Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Ms. Ann H. Lamar, Ms. Jeanne Carter Luckey, Mr. Chip Morgan, Mr. Gee Ogletree, and Dr. J. Walt Starr. Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., and Mr. Hal Parker were absent. The meeting was called to order by President Shane Hooper.

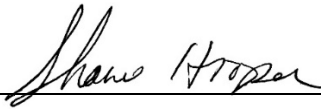
OTHER BUSINESS

- The Board discussed various policies one of which was the threshold for prepayments requiring Commissioner approval under Board Policy 707.01 Land, Property, and Service Contracts. On motion by Trustee Luckey, seconded by Trustee Cunningham, with Trustees Martin, McNair, and Parker absent and not voting, all Trustees legally present and participating voted unanimously to revise Board Policy 707.01 Land, Property, and Service Contracts to delegate to the Institutional Executive Officers or their designee the authority to approve prepayments on behalf of the Board if the prepayment is in an amount of \$5,000 or less and to waive the requirement for a second reading of this revision in accordance with Board Policy 201.0302 Procedures for Changing Board Policies and Adopting New Policies.

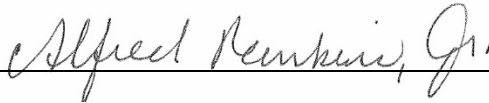
**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 20, 2018**

ADJOURNMENT

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



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 20, 2018**

EXHIBITS

- Exhibit 1 Real Estate items that were approved by the IHL Board staff subsequent to the August 16, 2018 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

September 20, 2018

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE AUGUST 16, 2018 BOARD MEETING SUBMISSION DEADLINE

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

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

DELTA STATE UNIVERSITY

1. DSU– GS 102-260 – Zeigel Hall Renovation

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$15,310.86 and forty-four (44) additional days to the contract of Roy Collins Construction Co., Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, September 4, 2018

Change Order Description: Change Order #4 includes the following items: installed ten (10) acoustical wall panels; replaced damaged sidewalk; provided handicap accessible access to the building; and forty-four (44) days to the contract.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$320,278.90.

Project Initiation Date: August 15, 2013

Design Professional: Architecture South

General Contractor: Roy Collins Construction Co., Inc.

Total Project Budget: \$6,365,377.11

JACKSON STATE UNIVERSITY

2. JSU- GS 103-281 - Alexander Center Renovations PH II (Elevator Replacement)

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #5

EXHIBIT 1

September 20, 2018

Board staff approved Change Order #5 in the amount of \$66,223.68 and zero (0) additional days to the contract of Fountain Construction Company. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 14, 2018

Change Order Description: Change Order #5 includes the following items: repairs made to two (2) elevator shaft walls.

Change Order Justification: These changes were due to the increase of the scope of the repair work in the two (2) existing elevator shafts.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$155,093.28.

Project Initiation Date: October 17, 2013

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Company

Total Project Budget: \$1,650,000.00

3. **JSU- GS 103-281 - Alexander Center Renovations PH III**

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$54,900.00 and zero (0) 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, August 14, 2018

Change Order Description: Change Order #5 includes the following items: replaced the gravel pathway with a concrete sidewalk; and added a storm drainage system.

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$191,045.75.

Project Initiation Date: February 18, 2016

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Sullivan Enterprises, Inc.

Total Project Budget: \$2,018,827.06

MISSISSIPPI STATE UNIVERSITY

4. **MSU – GS 105-355 – Engineering and Science Complex (Engineering Building)**

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 \$25,999,000.00 to the apparent low bidder, West Brothers Construction, Inc.

Approval Status & Date: APPROVED, August 27, 2018

Project Initiation Date: June 18, 2015

Design Professional: Eley Guild hardy Architects

General Contractor: West Brothers Construction, Inc.

Total Project Budget: \$34,000,000.00

EXHIBIT 1

September 20, 2018

5. **MSU– GS 113-136 – Meat Science Laboratory**

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #7

Board staff approved Change Order #7 in the credit amount of \$62,347.04 and twenty-one (21) additional days to the contract of Construction Services, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 27, 2018

Change Order Description: Change Order #7 includes the following items: added additional hot water wash down stations; installed a disconnect for the hock cutter; changed the electrical mods to a splitting saw; liquidated damages assessed; and twenty-one (21) days to the contract.

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

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$69,817.81.

Project Initiation Date: October 17, 2013

Design Professional: Pryor/Morrow PC

General Contractor: Construction Services, Inc.

Total Project Budget: \$8,200,000.00

6. **MSU– GS 113-145 – NWARC Roof Replacement**

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$30,220.00 and eighteen (18) additional days to the contract of Independent Roofing Systems, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 2, 2018

Change Order Description: Change Order #1 includes the following item: repairs made to parapet wall.

Change Order Justification: These changes were due to latent job site conditions.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$30,220.00.

Project Initiation Date: October 21, 2016

Design Professional: Pryor/Morrow PC

General Contractor: Independent Roofing Systems, Inc.

Total Project Budget: \$1,000,000.00

7. **MSU– IHL 205-279 – Addition & Renovation to Dudy Noble Field**

Approval Request #1: Change Order #9

Board staff approved Change Order #9 in the credit amount of \$155,985.39 and zero (0) additional days to the contract of Jesco, Inc.

Approval Status & Date: APPROVED, August 14, 2018

EXHIBIT 1

September 20, 2018

Change Order Description: Change Order #9 includes the following items: changes made to sequence 4 & 5 steel support angles; added additional stadium seating in Omaha Club and suite areas; changes made to the structural steel to support the CIP stairs at the end of the seating area; added right field berm railing; revisions made to door hardware & rough-in; credit for reconciliation of building controls; provisions made for view level ice merchandiser; revisions made to millwork in the ticket office and player's lounge; the existing mechanical room was subdivided to create a separate storage room; and added a tv in in the team meeting room.

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

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$1,490,277.08.

Project Initiation Date: August 15, 2013

Design Professional: Wier Boerner Allin Architects, PLLC

General Contractor: Jesco, Inc.

Total Project Budget: \$55,000,000.00

8. **MSU– IHL 205-290 – Painting and Carpeting of Ruby Hall**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$15,409.64 and zero (0) additional days to the contract of Ralph McKnight & Son Construction, Inc.

Approval Status & Date: APPROVED, August 14, 2018

Change Order Description: Change Order #1 includes the following items: a more durable paint was applied on the bathroom ceilings; and installed 2-1/4" trim at three (3) sides of the PTAC unit.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$15,409.64.

Project Initiation Date: March 5, 2018

Design Professional: Architecture South, P.A.

General Contractor: Ralph McKnight & Son Construction, Inc.

Total Project Budget: \$1,597,740.00

UNIVERSITY OF MISSISSIPPI

9. **UM– IHL 207-372 - South Campus Recreation Facility & Transportation Hub** **Approval Request #1: Change Order #8**

Board staff approved Change Order #8 in the amount of \$93,484.01 and zero (0) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, August 9, 2018

Change Order Description: Change Order #8 includes the following items: modified the sprinkler locations below the studio mezzanine; changed the wood stain to the basketball courts; changed the WF-2 flooring to RexillaBase SP; installed power to the temporary

EXHIBIT 1

September 20, 2018

bus gates; changed the color of the metal panel under the curtainwall at the track from clear anodized to Ole Miss red; scanned the floor slab to determine the scope of the slab in preparation for the new flooring; demolished the pavement and the new asphalt paving addition; the temporary paved driveway (and associated grading) was eliminated from the scope of the work.

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

Total Project Change Orders and Amount: Seven (8) change orders for a total amount of \$1,639,563.63.

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: Zellner Construction Services, LLC.

Phased Project Budget: \$28,840,676.59

Total Project Budget: \$32,000,000.00

10. **UM- IHL 207-421 – Jackson Avenue Center Safe Room**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$7,392.34 and zero (0) additional days to the contract of CIG Contractors, Inc.

Approval Status & Date: APPROVED, August 22, 2018

Change Order Description: Change Order #2 includes the following items: added a FEMA louver; added an exterior roof ladder with a safety cage and cage gate; credit to omit rough-ins for the projection equipment; credit for the difference in cost between the original interior signage work scope and the new work scope; and credit for the balance of the controls allowance.

Change Order Justification: These changes were due to changes in requirements or recommendations by governmental agencies; errors and omissions in the plans and specifications; and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$8,658.34.

Project Initiation Date: August 18, 2016

Design Professional: Shafer & Associates, PLLC

General Contractor: CIG Contractors, Inc.

Total Project Budget: \$1,300,000.00

11. **UM- IHL 207-424 - Faser Hall First Floor Modifications**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$30,001.96 and zero (0) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, August 22, 2018

Change Order Description: Change Order #1 includes the following items: tuck pointing and asbestos abatement to the project area.

Change Order Justification: This change was necessary due to latent job site conditions.

EXHIBIT 1

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Total Project Change Orders and Amount: One (1) change order for a total amount of \$30,001.96.

Project Initiation Date: February 18, 2016

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

General Contractor: Barnes & Brower, Inc.

Total Project Budget: \$1,300,000.00

12. UM– IHL 207-428 – East Campus Electrical Modifications

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$18,596.00 and five (5) additional days to the contract of McInnis Electric Co.

Approval Status & Date: APPROVED, August 2, 2018

Change Order Description: Change Order #1 includes the following items: sawcut & removed asphalt across a revised route in a parking lot driveway to facilitate the installation of a communications manhole.

Change Order Justification: These changes were due to latent job site conditions.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$18,596.00.

Project Initiation Date: November 17, 2016

Design Professional: Corbett Legge & Associates, PLLC

General Contractor: McInnis Electric Co.

Total Project Budget: \$1,900,000.00

13. UM– IHL 207-435 – Guyton Drive Modifications

Approval Request #1: Change Order #6

Board staff approved Change Order #6 in the amount of \$5,716.82 and two (2) additional days to the contract of DC Services, LLC.

Approval Status & Date: APPROVED, August 2, 2018

Change Order Description: Change Order #6 includes the following items: relocated a fence to accommodate American Disabilities Act access into the building; used polymeric sand in lieu of mortar for the pavers; removed the light pole base; added an additional curb; and two (2) weather related days to the contract.

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

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$41,176.32.

Project Initiation Date: May 18, 2017

Design Professional: A2H, PLLC

General Contractor: DC Services, LLC

Total Project Budget: \$1,257,400.00

EXHIBIT 1

September 20, 2018

14. UM – IHL 207-438 – Deaton and Hefley Hall Elevator Refurbishment

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$1,793.04 and zero (0) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, August 2, 2018

Change Order Description: Change Order #2 includes the following item: added a new circuit for the oil cooling unit with a dedicated circuit in the machine room.

Change Order Justification: This change was necessary to avoid overheating issues.

Approval Request #2: Change Order #3

Board staff approved Change Order #3 in the amount of \$3,126.34 and zero (0) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, August 22, 2018

Change Order Description: Change Order #3 includes the following item: added a branch circuit to the outdoor/indoor units for each building.

Change Order Justification: This change was necessary to serve the new HVAC unit and was due to errors and omissions in the plans and specifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$7,420.47.

Project Initiation Date: February 18, 2016

Design Professional: Corbett Legge & Associates, PLLC

General Contractor: Barnes & Brower, Inc.

Total Project Budget: \$1,150,000.00

15. UM– IHL 207-439 - Crosby Hall HVAC Upgrades

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$11,756.00 and zero (0) additional days to the contract of Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, August 2, 2018

Change Order Description: Change Order #3 includes the following items: existing electrical circuits were relocated; removed the existing terminal units and installed the new terminal units; the existing penetrations through the existing mechanical shaft were fire-proofed.

Change Order Justification: These changes were necessary due to latent job site conditions.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$60,293.76.

Project Initiation Date: April 21, 2016

Design Professional: Corbett Legge & Associates, PLLC

General Contractor: Upchurch Plumbing, Inc.

Total Project Budget: \$2,800,000.00

16. UM– IHL 207-442 – Manning Center Training Hydrotherapy Room Renovation

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by A2H, LLC.

Approval Status & Date: APPROVED, August 9, 2018

EXHIBIT 1

September 20, 2018

Approval Request #2: Design Development Documents

Board staff approved the Design Development Documents as submitted by A2H, LLC.

Approval Status & Date: APPROVED, August 17, 2018

Project Initiation Date: February 15, 2018

Design Professional: A2H, LLC

General Contractor: TBD

Total Project Budget: \$1,300,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

17. UMMC– GS 109-223 - Clinical Research Unit

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$10,848.00 and zero (0) additional days to the contract of Fountain Construction Co.; Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 22, 2018

Change Order Description: Change Order #1 includes the following items: modified the existing irrigation system and credit for sod and irrigation in the lay-down area; changed the vinyl corner guards to stainless steel; replaced the angled bracing with horizontal support to install a new beam; off-set the stud framing around the existing roof drains; relocated the top wall track in ten (10) locations to miss the existing plumbing; and changed the notice to proceed date to June 5, 2018.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$10,848.00.

Project Initiation Date: February 18, 2016

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Co.; Inc.

Total Project Budget: \$7,500,000.00

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

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$0.00 and zero (0) additional days to the contract of Brasfield & Gorrie, LLC.

Approval Status & Date: APPROVED, August 2, 2018

Change Order Description: Change Order #3 includes the following items: installed a temporary stone at the building pad; installed a temporary generator for the shutdown of Batson; and additional steel was installed.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications & changes in scope.

EXHIBIT 1

September 20, 2018

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$0.00.

Project Initiation Date: January 22, 2015

Design Professional: HDR Architecture

General Contractor: Brasfield & Gorrie, LLC

Total Project Budget: \$180,000,000.00

19. UMMC– IHL 209-558 – MS Center for Emergency Services

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Gensler Architecture

Approval Status & Date: APPROVED, August 14, 2018

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 14, 2018

Approval Request #2 (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 August 21, 2018 to approve the exterior design.

Interim Approval Status & Date: APPROVED, August 21, 2018

Project Initiation Date: March 16, 2017

Design Professional: Gensler Architecture

General Contractor: TBD

Total Project Budget: \$12,699,114.00

20. UMMC– IHL 209-561 – Campus HVAC Upgrades FY18

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Engineering Resource Group.

Approval Status & Date: APPROVED, August 2, 2018

Project Initiation Date: August 17, 2017

Design Professional: Engineering Resource Group

General Contractor: TBD

Total Project Budget: \$5,577,000.00

21. UMMC– IHL 209-563 – Campus Emergency System Upgrades

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Cook Douglass Farr Lemons Architects and Engineers, P.A.

Approval Status & Date: APPROVED, August 14, 2018

Project Initiation Date: August 17, 2017

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

General Contractor: TBD

Total Project Budget: \$6,700,000.00

EXHIBIT 1

September 20, 2018

22. UMMC– IHL 209-568 – West Wing Renovations

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 August 10, 2018 to approve sole source.

Interim Approval Status & Date: APPROVED, August 10, 2018

Approval Request #2: Contract Documents

Board staff approved Contract Documents as submitted by Foil Wyatt Architects

Approval Status & Date: APPROVED, August 14, 2018

Approval Request #3: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 14, 2018

Project Initiation Date: May 17, 2018

Design Professional: Foil Wyatt Architects

General Contractor: TBD

Total Project Budget: \$2,950,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

23. USM– GS 108-281 – Greene Hall Renovations

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$1,736.53 and forty-five (45) additional days to the contract of B.W. Sullivan Building Contractor, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 22, 2018

Change Order Description: Change Order #5 includes the following items: added additional fire sprinkler heads; revisions made to the air control valve & electrical; and forty-five (45) days to the contract.

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

Total Project Change Orders and Amount: Five (5) change orders for a total credit amount of \$350,784.03.

Project Initiation Date: August 17, 2007

Design Professional: Allred Architectural Group, P.A.

General Contractor: B.W. Sullivan Building Contractor, Inc.

Total Project Budget: \$13,000,000.00

EXHIBIT 2

September 20, 2018

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware Immigration (statement dated 8/1/18) from the funds of Alcorn State University. (This statement, in the amount of \$4,000.00 represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 4,000.00

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 8/16/18) from the funds of Mississippi State University. (This statement, in the amount of \$312.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 312.50

Payment of legal fees for professional services rendered by Butler Snow (statement dated 8/14/18) from the funds of Mississippi State University. (This statement, in the amount of \$472.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 472.00

Payment of legal fees for professional services rendered by Ware Immigration (three statements, each dated 8/1/18) from the funds of Mississippi State University. (These statements, in the amounts of \$4,000.00, \$2,500.00 and \$4,000.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 10,500.00

Payment of legal fees for professional services rendered by Butler Snow (statements dated 3/19/18, 5/9/18, 6/7/18 and 7/17/18) from the funds of the University of Mississippi. (These statements, in the amounts of \$2,920.50, \$2,625.50, \$767.00 and \$590.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 6,903.00

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 4/10/18, 5/8/18, 7/6/18, 7/6/18 and 8/7/18) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,121.00, \$6,556.49, \$2,545.00, \$5,565.00 and \$4,806.55, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 20,594.04

EXHIBIT 2

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Payment of legal fees for professional services rendered by Ware Immigration (statement dated 6/1/18, 6/1/18, 6/1/18, 8/1/18, 8/1/18, 8/1/18, 8/1/18, 8/1/18, and 8/1/18) from the funds of the University of Mississippi. (These statements, in the amounts of \$75.35, \$4,000.00, \$24.39, \$97.79, \$104.42, \$41.20, \$6,000.00, \$22.24, and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 12,865.39

Payment of legal fees for professional services rendered by Baker Donelson Bearman Caldwell & Berkowitz, PC (statement dated 6/13/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$10,741.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 10,741.50

Payment of legal fees for professional services rendered by Butler Snow, LLP (statements dated 6/13/18, 6/13/18, 6/13/18, 6/14/18, 6/15/18, 6/21/18 and 7/6/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$501.50, \$10,000.00, \$8,791.00, \$19,346.70, \$2,183.00, \$11,496.60 and \$58,176.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 110,494.80

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 6/15/18 and 6/20/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,161.50 and \$709.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 6,871.00

Payment of legal fees for professional services rendered by Hagwood Adelman Tipton, PC (seven statements, each dated 6/14/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$627.00, \$12.00, \$321.00, \$51.00, \$51.00, \$172.50 and \$84.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,318.50

Payment of legal fees for professional services rendered by Hogan|Lovells (statement dated 6/28/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$2,494.30, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,494.30

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Payment of legal fees for professional services rendered by Page Kruger & Holland (five statements, each dated 6/11/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,250.62, \$214.50, \$363.00, \$16.50 and \$82.50, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,927.12

Payment of legal fees for professional services rendered by Scott, Sullivan, Streetman & Fox, P.C. (ten statements, each dated 6/11/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$49.50, \$67.50, \$259.00, \$486.00, \$742.50, \$94.50, \$54.00, \$472.50, \$132.00, and \$310.50, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,668.00

Payment of legal fees for professional services rendered by Steen, Dalehite and Pace (statements dated 5/31/18, 6/25/18, 6/30/18 and 6/30/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$10,690.90, \$5,250.00, \$148.50 and \$8,607.10, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 24,696.50

Payment of legal fees for professional services rendered by Stites & Harbison PLLC (statement dated 6/11/18) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$2,460.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,460.00

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 1/24/18, 4/24/18, 5/15/18, and 6/21/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$396.00, \$759.00, \$181.50 and \$2,260.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,597.00

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 6/13/18, 6/13/18, 6/13/18, 6/13/18, 7/2/18, 7/2/18 and 7/2/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$622.50, \$3,411.20, \$1,816.50, \$6,538.50, \$3,136.40, \$1,950.00 and \$5,058.80, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 22,533.90

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Payment of legal fees for professional services rendered by Butler Snow (statement dated 7/17/18) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$236.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 236.00

Payment of legal fees for professional services rendered by Ware Immigration (two statements, each dated 8/1/18) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,500.00 and \$39.65, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 1,539.65

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 5/22/18 and 6/14/18) from the funds of the Mississippi State University. (These statements represent services and expenses in connection with the following patents: “A Y161F Hemagglutinin Substitution Increases Thermostability and Improves Yields of 2009 H1N1 Influenza A in Cells” - \$6,039.00; “Kim – Listeria and Salmonella Assay Methods and Kits” - \$350.00)

TOTAL DUE.....\$ 6,389.00

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 1/5/18, 1/5/18, 5/22/18, 5/22/18, and 5/22/18) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Therabot (Word Mark)” - \$225.00; “Therabot: A Support Companion (Logo)” - \$225.00; “Bandwidth-Based Methodology for Controlling and Optimally Designing a Hybrid Power System” - \$50.00; “Improved Actuator Control System” - \$70.00; “Accessories for Raman and Luminescence Spectral Acquisitions” - \$1,843.00).

TOTAL DUE.....\$ 2,413.00

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Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 6/11/18, 6/11/18, 7/5/18 and 7/5/18) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$843.15; “Occidiofungin. A Unique Antifungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - \$65.00; “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$201.50; “Phenoxyalkyl Pyridinium Oxime Therapeutics for Treatment of Organophosphate Poisoning” - \$997.75).

TOTAL DUE.....\$ 2,107.40

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 4/19/18, 4/19/18 and 5/23/18) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Horstemeyer, et al. / Extruder Device” - \$218.00; “Coyne: Novel and Unique Botanical and Natural-Origin Candidate Anti-Neoplastic” - \$1,000.00; and “Horstemeyer, et al. / Extruder Device” - \$1,580.50.)

TOTAL DUE.....\$ 2,798.50

Payment of legal fees for professional services rendered by Armstrong|Teasdale (four statements, each dated 7/26/18) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Systems and Methods for Detecting Transient Acoustic Signals - \$328.57; “Systems and Methods for Detecting Transient Acoustic Signals” - \$140.56; “Laser Multibeam Differential Interferometric Sensor and Methods for Vibration Imaging” – \$209.28; and “Systems and Methods for Preparing Solid Lipid Nanoparticles” - \$35.00.)

TOTAL DUE.....\$ 713.41

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/6/18 and 7/30/18) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Cache Mapping Technology Matter” - \$8,997.50; and “Cache Mapping Technology Matter” – \$17,497.30.)

TOTAL DUE.....\$ 26,494.80

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 6/29/18, 7/5/18, 7/5/18, 7/5/18, 7/5/18, 7/26/18, 8/3/18, 8/6/18, 8/6/18, 8/6/18, 8/6/18, 8/6/18, and 8/6/18) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Potent Immunostimulants for Microalga” – \$857.50; “Potent Immunostimulatory Polysaccharides Extracted from Microalga” - \$678.97; “Potent Immunostimulants from Microalga” - \$1,199.99; “Potent Immunostimulants from Microalga” - \$1,780.25; “Potent Immunostimulants from Microalga” - \$1,257.03; “Isolation of pure cannabinoids from Cannabis” - \$309.05;

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“Potent Immunostimulants from Microalga” - \$1,529.00; “Potent Immunostimulants from Microalga” - \$1,295.00; “Potent Immunostimulants from Microalga” - \$2,458.00; “Potent Immunostimulants from Microalga” - \$1,967.00; “Potent Immunostimulants from Microalga” - \$1,480.00; “Potent Immunostimulants from Microalga” - \$1,350.00; and Potent Immunostimulants from Microalga” - \$2,156.00).

TOTAL DUE.....\$ 18,317.79

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 6/11/18, 6/11/18, 6/11/18, 7/24/18, 7/24/18, 7/24/18, 7/24/18 and 7/24/18) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stabilized Formulation of Triamcinolone Acetonide: - \$47.50; “Use of Trans-Gnetin H or Extracts Containing Genetic H as a Lactic Acid Production Inhibitor” - \$28.50; “Amphotericin Loaded Pegylated Lipid Nanoparticles for Human Veterinary Use” - \$44.00; “Compositions Comprising Highly Purified Amphotericin B” - \$2,142.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$180.00; “High Photovoltage Per Area by Sequential Series Tandem (SST) Stacked Device Architecture for Dye-Sensitized Solar Cells” - \$1,650.00; “Amphotericin Loaded Pegylated Lipid Nanoparticles for Human Veterinary Use” - \$1,056.00; and Cytochrome BC1C Complex Inhibitors for Drug-Resistant and Other Parasitic, Fungal and Bacterial Strains” - \$3,735.00.)

TOTAL DUE.....\$ 8,883.00

Payment of legal fees for professional services rendered by Stites & Harbison (four statements, each dated 6/11/18) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$998.32, \$325.00, \$47.50, and \$2,400.00, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 3,770.82