

# **BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**



**Final Book Meeting**  
**August 19, 2010**



## **BOARD BOOK OUTLINE**

**August 19, 2010**  
**10:00 a.m.**

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### **CALL TO ORDER**

Trustee Bettye Neely

### **PRAYER**

Trustee Stacy Davidson

### **MINUTES**

Trustee Bettye Neely

June 16, 2010 Regular Board of Trustees Meeting  
June 22, 2010 Teleconference Meeting of the Legal Committee  
June 25, 2010 Teleconference Meeting of the Ad Hoc Committee  
for Search Firms and Board  
July 12, 2010 Teleconference Meeting of the Ad Hoc Committee  
for Search Firms and Board

### **SPECIAL PRESENTATION**

Efficiencies Task Force Presentation by Trustee Ed Blakeslee

# **CONSENT AGENDA**

Trustee Bettye Neely

## **BUDGET, FINANCE, & AUDIT**

1. UMMC – Approval of Contractual Services Agreements
  - a. UMMC – Contract with BKD, LLP. CPAs and Advisors..... 1
  - b. UMMC – Contract with Beckman Coulter, Inc ..... 2
  - c. UMMC – Contract with Carousel Industries of North America, Inc. .... 4
  - d. UMMC – Contract with Jackson Medical Mall Foundation (42<sup>nd</sup> Amendment) ..... 5
  - e. UMMC – Contract with Mobile Medic Ambulance Service, Inc. d/b/a American Medical Response..... 6
  - f. UMMC – Contract with National Marrow Donor Program ..... 8
2. USM – Approval of Contractual Services Agreements
  - a. USM – Contract with All Brand Foods Company, Inc. .... 10
  - b. USM – Contract with Lockheed Martin Corporation ..... 12

## **REAL ESTATE**

### Approval of Initiations of Projects/Appointments of Professionals

#### *Bureau of Building Projects*

1. ASU – GS 101-285 – Natural Gas Pipeline, Design Professional-Atherton Consulting Engineers ..... 4
2. DSU – GS 102-237 – Caylor/White-Walters Renovation Phase III, Design Professional-Architecture South ..... 4

#### *IHL Projects*

3. UMMC – IHL 209-537 – Parking Garage C, Design Professional-Not Selected ..... 7

### Approval of Budget Increases and/or Changes of Scope

#### *Bureau of Building Projects*

4. UM – GS 107-303 – Various Roofing Replacements, Design Professional-Shafer and Associates ..... 9

*IHL Projects*

5. MSU – IHL 205-234 – MSU Research and Technology Park Road, Design Professional-Neel-Schaffer .....	11
6. UMMC – IHL 209-532 – Cardiovascular Renovations, Design Professional-Cooke Douglass Farr Lemons .....	12
7. UMMC – IHL 209-535 – Learning Resources Renovations 2010, Design Professional-Cooke Douglass Farr Lemons.....	13

Approval of Other Real Estate Request

8. ASU – Naming/Dedication of New Student Housing Complex .....	14
9. ASU- Naming of Academic Student Support Center .....	15
10. MSU – Land Swap Between MSU and Oktibbeha County Economic Development Authority (OCEDA) .....	16
11. UM – IHL 207-239 - Triplett Alumni Center Renovation – Sole Source .....	17
12. USM – Sale of Old Albertson’s Building.....	18

**LEGAL**

1. MSU - Approval to Hire Butler, Snow, O’Mara, Stevens & Cannada as Outside Counsel .....	1
2. Inter-Agency Agreement.....	1
3. System - Approval of Amendments to Board Policy 701.07 Depository Policy .....	8
4. System - Approval of Amendments to Board Policy 1201.01 The Law.....	8
5. System - Approval of Deletion of Board Policy 1201.0101 Board Members .....	9
6. System - Approval of Deletion of Board Policy 1201.0102 Executive Officers and Personnel .....	10
7. System - Approval of Amendments to Board Policy 1201.0103 Bids for Depository Contracts.....	1
8. System - Approval of Deletion of Board Policy 1201.0104 Decorum .....	12
9. System - Approval of Deletion of Board Policy 1201.0105 Individual Responsibilities .	12
10. System - Approval of Amendments to Board Policy 1201.02 Board Member Responsibility Guidelines.....	13

## **PERSONNEL**

### **Approval of Personnel Action Requests**

1. Employment (ASU, IHL Executive Office, JSU, MVSU, UM) ..... 1
2. Employment – Approval of Multi-Year Contracts (MSU, UM, USM) ..... 1
3. Rehired Retirees
  - a. Rehired Retirees Making More Than \$20,000 Who Will *Not* be on Employment Contracts During Fiscal Year 2010 (MSU) ..... 2
  - b. Rehired Retirees Making More Than \$20,000 Who Will *Not* be on Employment Contracts During Fiscal Year 2011 (DSU, JSU, MSU) ..... 2
4. Change of Status (DSU, JSU, MSU, USM) ..... 5
5. Change of Status – Extension to Multi-Year Contracts (MSU, UM, USM) ..... 6
6. Award of Emeritus Status (MSU) ..... 7
7. Award of Tenure and Promotions – Revisions Applicable to 2010-2011, Effective August 15, 2010 (JSU, MVSU, UM) ..... 7

## **REGULAR AGENDAS**

### **BUDGET, FINANCE, & AUDIT**

1. UMMC – Approval of Agreement with Epic Systems Corporation for a Health Information System ..... 1
2. SYSTEM – Approval of Proposed Changes to FY 2012 Proposed Funding Priorities ..... 2
  - a. UM - Center for Manufacturing Excellence
  - b. UMMC - Medical Transfer Program

### **REAL ESTATE**

1. MSU – IHL 205-247 – MSU Parking Garage, Design Professional Belinda Stewart Architects ..... 1
2. SYSTEM - Approval of Facility Needs for 2011 Legislative Session ..... 4

## **INFORMATION AGENDAS**

### **ACADEMIC AFFAIRS**

1. SYSTEM – Annual Report on Faculty Tenure ..... 1
2. SYSTEM - Annual Report on Post-Tenure Review ..... 1
3. SYSTEM - Commissioner’s Notification of Approval ..... 3

## **REAL ESTATE**

### **SYSTEM - Real Estate Items Approved Subsequent to the June 16, 2010 Board Meeting**

1. Alcorn State University .....	2
2. Delta State University .....	2
3. Jackson State University .....	4
4. Mississippi State University .....	4
5. Mississippi University for Women .....	6
6. Mississippi Valley State University .....	8
7. University of Mississippi .....	8
8. University of Mississippi Medical Center .....	21
9. University of Southern Mississippi .....	24
10. Education and Research Center .....	29

## **LEGAL**

1. SYSTEM - Report of Payments to Outside Counsel .....	1
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## **ADMINISTRATION-POLICY**

1. SYSTEM – Commissioner’s Notification Approval .....	1
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### **ADDITIONAL AGENDA ITEMS IF NECESSARY**

### **RECONSIDERATION**

### **OTHER BUSINESS/ANNOUNCEMENTS**

### **EXECUTIVE SESSION IF DETERMINED NECESSARY**

### **ADJOURNMENT**

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

***JUNE 16, 2010  
REGULAR BOARD OF TRUSTEES  
MEETING***

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 16, 2010**

**BE IT REMEMBERED**, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session in the Jacob Conference Center located in J. M. Ewing Hall at Delta State University in Cleveland, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 3, 2009, to each and every member of said Board, said date being at least five days prior to this June 16, 2010 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering (by phone), Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. The meeting was called to order by Dr. Bettye Neely, President, and opened with prayer by Dr. John Hilpert, President of Delta State University.

**ANNOUNCEMENTS**

- ▶ Trustee Bettye Neely thanked Dr. John Hilpert, President of Delta State University for hosting the June Board meeting. She particularly enjoyed the Teach for America opening session yesterday.
- ▶ Trustee Neely welcomed the following Student Government Association Presidents: Ms. Emily Hern from Alcorn State University, Mr. Thomas Sellers from Mississippi State University, and Ms. Kasey Mitchell from the University of Southern Mississippi.
- ▶ Trustee Neely then welcomed Dr. Leslie McLemore, Interim President of Jackson State University, and Mrs. Allegra Brigham, Interim President of the Mississippi University for Women.
- ▶ Commissioner Hank Bounds thanked all of the Student Government Association presidents for attending especially since most of them are on summer break. He announced the retirement of Dr. Phil Pepper, IHL Assistant Commissioner of Institutional Research. Also, Mrs. Leah Rupp Smith, IHL Director of Communications, will be leaving to attend law school in Kentucky.
- ▶ Commissioner Bounds reminded the Board that there will not be a regular meeting in July.

**APPROVAL OF THE MINUTES**

On motion by Trustee Robinson, seconded by Trustee Blakeslee, with Trustee Ross absent and not voting and Trustee Pickering participating by telephone, all Trustees legally present and participating voted in the affirmative, therefore, it was

**RESOLVED**, That the Minutes of the Board meetings held on May 20, 2010, May 28, 2010 and June 4, 2010, stand approved.

**SPECIAL PRESENTATIONS**

- ▶ Dr. John Hilpert, President of Delta State University, gave a brief presentation about the university.
- ▶ The Board received a presentation by the Deepwater Horizon Response Team as part of the Mississippi Research Consortium led by Dr. Alice Clark, Vice Chancellor of Research and Sponsored Programs at the University of Mississippi.



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STATE INSTITUTIONS OF HIGHER LEARNING  
June 16, 2010**

**CONSENT AGENDA**

On motion by Trustee Patterson, seconded by Trustee Robinson, with Trustee Pickering participating by telephone, all Trustees legally present and participating voted in the affirmative except Trustee Owens who recused himself from voting, therefore, it was

**RESOLVED**, That the Board hereby approved the following Consent Agenda.

**ACADEMIC AFFAIRS**

1. **System** - Approved the following requests for academic program modifications:
  - a. *Alcorn State University* to delete the *BA in Economics* (CIP 45.0601) degree.
  - b. *Alcorn State University* to delete the *BS in Educational Psychology* (CIP 42.1801) degree.
  - c. *Alcorn State University* to delete the *BS in Health Science* (CIP 51.9999) degree.
  - d. *Alcorn State University* to delete the *BS in Special Education* (CIP 13.1001) degree.
  - e. *Mississippi State University* to rename the *BS in Wildlife and Fisheries* (CIP 03.0601) degree to the *BS in Wildlife, Fisheries and Aquaculture* degree (no CIP change) to better align the degree name with curriculum of the program and the current name of the academic unit where the degree resides. The proposed name change will require minimal resources (e.g., change of campus signs, stationery, recruiting materials, etc.), which will be covered by existing funds within the Department of Wildlife, Fisheries and Aquaculture.
  - f. The *University of Southern Mississippi* to reorganize the *BS in Entertainment Industry* (CIP 50.0909) degree by removing this degree program from the School of Music and relocating the program to the School of Mass Communication and Journalism. The reorganization is an academic efficiency that will save money by facilitating resources sharing between the Entertainment Industry program and existing academic programs within the School of Mass Communication and Journalism.
2. **MVSU** - Approved the following academic unit modification: *Mississippi Valley State University* to reorganize the *Division of Academic Affairs* by combining the College of Professional Studies and the College of Education. This reorganization will reduce administrative costs by merging two academic units into one, thus eliminating one dean-level position. Additionally, the university will rename the combined academic unit the *College of Professional Studies/Education*. The reorganization and renaming will require minimal resources, which will be covered by existing funds within the Division of Academic Affairs.
3. **System** - Approved the following degrees to be conferred in August 2010 provided each candidate has met all the requirements for the degree.

Institution	Degree to be Conferred	Number	Subtotal	Total	
Jackson State University					
	<i>Undergraduate</i>				
	Bachelor of Arts	12			
	Bachelor of Business Administration	62			
	Bachelor of Music	1			
	Bachelor of Science	105			
	Bachelor of Science Education	4			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Bachelor of Social Work	10			
			194		
	<i>Graduate</i>				
	Doctor of Education	1			
	Doctor of Philosophy	30			
	Specialist in Education	12			
	Master of Arts	8			
	Master of Arts in Teaching	3			
	Master of Professional Accountancy	1			
	Master of Public Health	3			
	Master of Science	13			
	Master of Science in Education	28			
			99		
				293	
<b>University of Mississippi</b>					
	<i>College of Liberal Arts</i>				
	Bachelor of Arts	210			
	Bachelor of Science	15			
	Bachelor of Fine Arts	1			
	Bachelor of Music	1			
			227		
	<i>School of Engineering</i>				
	Bachelor of Science in Chemical Engineering	2			
	Bachelor of Science in Civil Engineering	2			
	Bachelor of Science in Mechanical Engineering	4			
	Bachelor of Science in Geological Engineering	2			
	Bachelor of Engineering	1			
			11		
	<i>School of Education</i>				
	Bachelor of Arts in Education	26			
			26		
	<i>School of Pharmacy</i>				
	Bachelor of Science in Pharmaceutical Sciences	197			
	Doctor of Pharmacy	19			
			216		
	<i>School of Business</i>				
	Bachelor of Business Administration	181			
			181		
	<i>School of Accountancy</i>				
	Bachelor of Accountancy	56			
			56		
	<i>School of Applied Sciences</i>				
	Bachelor of Science in Criminal Justice	34			
	Bachelor of Science in Exercise Science	19			
	Bachelor of Science	31			
	Bachelor of Social Work	53			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Bachelor of Science in Family and Consumer Sciences	6			
	Bachelor of Arts in Parks and Recreation Management	9			
	Bachelor of Paralegal Studies	9			
			161		
	<i>School of Journalism and New Media</i>				
	Bachelor of Arts	46			
			46		
	<i>Graduate School</i>				
	Master of Arts	34			
	Master of Criminal Justice	3			
	Master of Science	19			
	Master of Accountancy	35			
	Master of Business Administration	9			
	Master of Taxation	9			
	Master of Education	11			
	Master of Music	2			
	Specialist in Education	7			
	Doctor of Education	1			
	Doctor of Philosophy	22			
			152		
				1076	
<b>University of Mississippi Medical Center</b>					
	<i>Undergraduate</i>				
	Bachelor of Science in Nursing	22			
	Bachelor of Science in Clinical Laboratory Sciences	13			
	Bachelor of Science in Health Informatics and Information Management	2			
			37		
	<i>Graduate/Professional</i>				
	Master of Occupational Therapy	1			
	Master of Science	12			
	Doctor of Physical Therapy	15			
	Doctor of Philosophy	10			
			38		
				75	
<b>System Total</b>					1444

**BUDGET, FINANCE AND AUDIT**

4. **DSU** - Approved the request to revise the Education and General budget. The budget escalation is necessary due to greater than budgeted scholarship/waiver categories including regional scholarships, children of alumni scholarships, and athletic scholarship waivers. The escalation is funded from tuition revenue.

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<b>Consolidated</b>	<b>Original Budget 2009 - 2010</b>	<b>Revision/ Escalation</b>	<b>Revised Budget 2009 - 2010</b>
Salaries, Wages & Fringe Benefits	\$ 29,800,903	-	\$ 29,800,903
Travel	\$ 763,704	-	\$ 763,704
Contractual Services	\$ 9,512,287	\$ 650,000	\$ 10,162,287
Commodities	\$ 1,137,311	-	\$ 1,137,311
Capital Outlay:			
Other than equipment	\$ 423,687	-	\$ 423,687
Equipment	\$ 144,018	-	\$ 144,018
Total Capital Outlay	\$ 567,705	-	\$ 567,705
Transfers:			
Debt service	\$ 154,831	-	\$ 154,831
Other	\$ 159,000	-	\$ 159,000
Building Projects	\$ 932,347	-	\$ 932,347
Total Transfers	\$ 1,246,178	-	\$ 1,246,178
Total	\$ 43,028,088	\$ 650,000	\$ 43,678,088

5. **MSU** - Approved the request to escalate the Mississippi Alcohol Safety Education Program budget. The budget escalation is necessary due to an increased number of school locations in the state from 40 to 46, increase in the number of class participants, and increase in operational expenditures such as postage, utilities, and computer and network maintenance. The escalation is funded from increased participant fees.

<b>Consolidated</b>	<b>Original Budget 2009 - 2010</b>	<b>Revision/ Escalation</b>	<b>Revised Budget 2009 - 2010</b>
Salaries, Wages & Fringe Benefits	\$ 1,087,964	\$ 180,223	\$ 1,268,187
Travel	\$ 90,000	-	\$ 90,000
Contractual Services	\$ 80,508	\$ 90,500	\$ 171,008
Commodities	\$ 66,500	-	\$ 66,500
Capital Outlay:			
Other than equipment	\$ 7,000	-	\$ 7,000
Equipment	\$ 11,450	-	\$ 11,450
Total Capital Outlay	\$ 18,450	-	\$ 18,450
Subsidies, Loans, & Grants	\$ 11,339	\$ 165,000	\$ 276,339
Total	\$ 1,454,761	\$ 435,723	\$ 1,890,484

6. **MSU** - Approved the request to enter into a contract with ARAMARK Educational Services, LLC to provide game day concession services to the students, faculty, staff, alumni and visitors to the MSU campus. The length of the contract term is ten years – July 1, 2010 through June 30, 2020. This is a revenue-generating contract that will provide a commission ranging from 15% to 45% (depending on the category of operations - football, baseball, soccer, etc.) of net receipts less all applicable sales taxes. A minimum commission amount is guaranteed during each operating year (July 1 to June 30) based on the assumption there are seven (7) home football games and at least 49,000 attendees on a per game basis. More detailed information may be found in the bound *June*

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- 16, 2010 Board Working File.* This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File.*
7. **MSU** - Approved the request to issue the third addendum to the agreement with Barnes and Noble College Booksellers, Inc. to extend the end date of the current agreement by an additional five-year period and offer a textbook rental program effective with the fall semester 2010. The current term is October 16, 2005 to October 15, 2010. The addendum extends the contract to October 15, 2015. This is a revenue-generating agreement. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File.*
  8. **MSU** - Approved amendment number five to the agreement with the City of Starkville, Mississippi to provide fire protection services. This amendment extends the contract for a five-year period – July 1, 2010 through June 30, 2015. The first year's cost will be \$207,684 and the amount will increase 4% each year for an overall total cost of \$1,124,885. The contract will be funded by state appropriated funds. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File.*
  9. **MSU** - Approved the request to enter into a contract with Clark Beverage Group, Inc. to provide snack vending services to the students, faculty, staff, alumni and visitors to the MSU campus. The length of this revenue-generating contract is ten years – July 1, 2010 through June 30, 2020. The university will receive a royalty rate of 10% of all vending sales. MSU estimates revenues to be approximately \$150,000 over the ten (10) year period. The amount will fluctuate since revenue is based on the amount of products sold, which changes based upon such factors as enrollment, attendance at games, etc. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File.*
  10. **MSU** - Pending review and approval by the Attorney General's Office, the Board approved the request to enter into a contract with Clark Beverage Group, Inc. and Coca-Cola Company to provide exclusive beverage sponsorship services to the students, faculty, staff, alumni and visitors to the MSU campus. The length of the revenue-generating contract is ten years – July 1, 2010 through June 30, 2020. The university estimates realized direct revenues of \$3.7 million over the ten year period. This amount will fluctuate since revenue is based on the amount of products sold which will change based upon such factors as enrollment, attendance at games, etc. More detailed information may be found in the bound *June 16, 2010 Board Working File.* This agreement is included in the *June 16, 2010 Board Working File.*
  11. **UMMC** - Approved the request to revise the Consolidated budget. The budget escalation is necessary due to an increase in patient volume for FY 2009-2010. The escalation is funded from increased patient revenue.

<b>Consolidated</b>	<b>Original Budget 2009 - 2010</b>	<b>Revision/ Escalation</b>	<b>Revised Budget 2009 - 2010</b>
Salaries, Wages & Fringe Benefits	\$ 506,419,471	\$ 21,604,368	\$ 528,023,839
Travel	\$ 1,200,602	\$ (185,919)	\$ 1,014,683
Contractual Services	\$ 216,308,788	\$ (13,386,485)	\$ 202,922,303
Commodities	\$ 146,794,694	\$ 21,869,162	\$ 168,663,856
Capital Outlay:			
Other than equipment	\$ 25,735,745	\$ 6,542,623	\$ 32,278,368
Equipment	\$ 44,474,835	\$ 28,804,972	\$ 73,279,807
<b>Total Capital Outlay</b>	<b>\$ 70,210,580</b>	<b>\$ 35,347,595</b>	<b>\$ 105,558,175</b>

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Subsidies, Loans, & Grants			
Interest	\$ 6,130,558	\$ 406,782	\$ 6,537,340
PSOA	\$ 149,050,000	-	\$ 149,050,000
Total	\$ 1,096,114,693	\$ 65,655,503	\$ 1,161,770,196

12. **UMMC** - Approved the request to enter into a lease agreement with Beckman Coulter, Inc. for diagnostic testing equipment for patients. The length of the contract is five years – July 1, 2010 through June 30, 2015. The overall total contract cost is \$1,909,770, consisting of \$768,000 for the equipment lease, \$645,865 for consumables, and \$495,905 for service. The contract will be funded by hospital patient revenue. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
13. **UMMC** - Approved the request to enter into a sublease agreement with Central Mississippi Civic Improvement Association, Inc. d/b/a Jackson-Hinds Comprehensive Health Center in order for the contractor to assume management of the primary care clinics at the Jackson Medical Mall (Internal Medicine, Obstetrics-Gynecology, and Pediatrics) which are currently managed by UMMC. The length of the contract is one year – July 1, 2010 through June 30, 2011. The sublease may be extended on a month-to-month basis upon mutual agreement of both parties. The monthly rental fee is \$30,591.33 for a total cost of \$367,096. The contract will be funded by hospital patient revenue. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
14. **UMMC** - Approved the request to enter into a community benefit agreement with Central Mississippi Civic Improvement Association, Inc. d/b/a Jackson-Hinds Comprehensive Health Center (JHCHC) for the contractor to assume operational responsibility of the primary care clinics at the Jackson Medical Mall (Internal Medicine, Obstetrics-Gynecology, and Pediatrics) which are currently operated by UMMC. The length of the contract is five years – July 1, 2010 through June 30, 2015. It is automatically renewable for an additional five-year period. The first year's payment is \$1,850,000. The Board also approved the expenditure of up to \$9,250,000. The university will allow JHCHC to use the existing equipment in the sublet space. The contract will be funded by hospital patient revenue. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
15. **UMMC** - Approved the request to enter into a lease agreement with Clinical Computer Systems, Incorporated for use of its labor and delivery charting software system that will replace the existing LifeCare obstetrical information system. The contract length is three years – June 1, 2010 through June 30, 2013. The total costs for the three year period is \$260,795. This amount includes both the software and maintenance costs. The contract will be funded by patient revenue. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
16. **UMMC** - Approved the request to enter into a purchasing agreement with Clinical Computer Systems, Incorporated for a maternal/fetal monitoring and archiving system that will replace the existing LifeCare obstetrical information system. The contract length is five years – June 1, 2010 through June 30, 2015. The total cost for the five-year contract period is \$419,250. The contract will be funded by patient revenues. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
17. **UMMC** - Approved the request to enter into a professional services agreement with Cymetrix Corporation for billing, collection and coding services. The contract length is five years – June 1, 2010 through May 31, 2015, which includes the first three-year period and two (2) successive one-

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year (1) automatic renewal options. The cost, which is subject to change, is shown for the five-year period. The total cost for the five-year period is \$21,502,195. This includes \$18.5 million for coding and collection services and a maximum of \$3 million for transitional services related to the system conversion. The contract will be funded by patient revenues. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.

18. **UMMC** - Approved the request to enter into a consulting services agreement with Huron Consulting Services, LLC d/b/a Stockamp related to patient care improvement. The overall objective is to implement improvements to patient flow for creating more capacity, which could negate the need for facility expansion. The contract length is one year – July 1, 2010 through June 30, 2011. The total cost of the contract will not exceed \$10,500,000. The contract will be funded by patient revenues. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
19. **UMMC** - Pending review and approval of the amendment by the Attorney General's Office, the Board approved the request to amend the professional services agreement with MedAssist, Incorporated to determine eligibility for patients' government assistance. The purpose of this contract is to provide screening services for self-pay patients to determine eligibility for government assistance such as Medicaid and Disability and to assist those patients who are determined to be eligible for government assistance through the application process. The amendment does not change the current contract dates, which are July 1, 2001 through June 30, 2010. The Board also approved an additional allocation of \$1,450,000 to the current contract amount bringing the overall total cost to \$15,950,000. The contract will be funded by patient revenues. This amendment is included in the *June 16, 2010 Board Working File*.
20. **UMMC** - Approved the request to renew the agreement with Microsoft Corporation for software maintenance and support. The length of the contract is three years – July 1, 2010 through June 30, 2013. The contract amount is \$218,158 - Year 1, \$229,066 - Year 2, and \$240,519 - Year 3 for a total contract cost of \$687,743. The contract will be funded by state appropriated funds. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
21. **UMMC** - Approved the request to enter into an agreement with Mobile Medic Ambulance Service, Inc. d/b/a American Medical Response (AMR) to provide non-emergent transport services when no other pay source is available. The length of the contract is one year – July 1, 2010 through June 30, 2011. The total cost of the contract will not exceed \$500,000. The amount is variable based upon the AMR fee schedule for different types of transportation. The contract will be funded by hospital patient revenues. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
22. **UMMC** - Approved the request to enter into a lease agreement with Modular Devices, Inc. for a mobile cardiac catheterization lab for twelve months. The length of the contract is one year – July 14, 2010 through July 13, 2011. The total contract cost is \$396,000. The contract will be funded by hospital patient revenues. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
23. **UMMC** - Approved the request to enter into an agreement with Nuance Communications, Inc. to provide a voice recognition radiology report dictation system. The length of the contract is five years – July 1, 2010 through June 30, 2015. The annual license fee is \$123,900 for a total contract cost of \$619,500. The contract will be funded by hospital patient revenues. This agreement which

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has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.

24. **UMMC** - Approved the request to enter into a contract with Petroleum Helicopters, Inc. to lease air ambulance transport service to provide high quality air ambulance transport for critically ill and injured adult, pediatric and neonatal patients from across Mississippi to definitive care. The length of the contract is five years – July 1, 2010 through June 30, 2015. The Board also approved the expense up to \$13,024,432, which includes operational contingencies from 4% to 10%. The contract will be funded by patient revenue. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
25. **UMMC** - Approved the request to enter into a contract with Petroleum Helicopters, Inc. to purchase one air ambulance helicopter with related pilot and mechanical services. The length of the contract is five years – July 1, 2010 through June 30, 2015. The Board also approved spending up to \$19,953,995 as follows: purchase price of helicopter is \$6,571,047, five year operating cost of \$12,755,198, which includes operational contingencies from 4% to 10%, and lost revenue during down times of \$627,750. The contract will be funded by hospital patient revenue. This contract which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
26. **UMMC** - Approved the request to enter into a contract with Philips Healthcare Informatics, Inc. to provide an imaging services picture archiving system. The length of the contract is five years – July 1, 2010 through June 30, 2015. The contract will be funded by hospital patient revenue. This contract which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
27. **UMMC** - Approved the request to enter into a sub-lease agreement with University Physicians, PLLC for ancillary clinical services at the new clinic located at Grants Ferry Road in Flowood, MS. The services will include radiology, lab services, therapy services, and cardiac diagnostic services. The length of the contract is three years – July 1, 2010 through June 30, 2013. The monthly rental fee is \$25,352.11. The total cost for the entire contract period is \$912,676. This contract will be funded by hospital patient revenue. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.
28. **USM** - Approved the request to enter into a lease agreement with Gold Eagle, LLC to lease multiple off-campus apartment units for student athletes to reside in during the school year. The length of the contract is one year – July 1, 2010 through May 31, 2011. USM will pay fluctuating monthly rental rates ranging from \$22,999.80 to \$29,899.74. Over the course of the full contract, total costs will not exceed \$344,230.34. The rates include power, water and sewer service. This contract will be funded by athletic auxiliary funds. Payment is transferred via the scholarship funds allocated for the athlete directly to Gold Eagle, LLC. This agreement which has been reviewed and approved by the Attorney General's Office is included in the *June 16, 2010 Board Working File*.

**REAL ESTATE**

29. **JSU** - Approved the initiation of **GS 103-260, School of Engineering Phase II**, and the appointment of Cooke Douglass Farr Lemons, LTD as design professionals. \$500,000 of the project budget will be allocated for pre-planning of the project while the remaining \$7.5 million will be allocated for the completion of the project. The total project budget is \$8 million. Funds are available from HBCU-CCRAA Grant-U.S. Dept. of Education in the amount of \$8 million.



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30. **MUW** - Approved the initiation of **GS 104-171, 2010 Energy Management Project**, and the appointment of Atherton Consulting Engineers as design professionals. This project will monitor and evaluate all energy usage and implement a more efficient, effective use of utilities to provide greater accountability and enable the university to measure results of sustainability efforts. The project includes implementing a Building Automation System (BAS) along with package boiler retrofit, upgrading energy management systems and replacing fixtures and inefficient heating and cooling systems. The total project budget is \$1.1 million. Funds are available from HB 1701, Laws of 2010 (\$1.1 million).
31. **JSU** - Approved the request to increase the project budget for **GS 103-256, Mechanical Upgrades**, from \$1.2 million to \$2.2 million for an increase of \$1 million. The project will replace/upgrade the old deteriorated mechanical systems in selected buildings on campus such as pumps, coils, air handlers, starters, compression valves, cooling towers, storage tanks, exhaust fans and exterior doors. The current budget increase is necessary based on the professional's latest updated Design Development estimate of costs. The current budget was an estimate of the project costs and has since been updated to reflect more accurate market costs. Funds are available in the amount of \$2.2 million from HB 246, Laws of 2007.
32. **MUW** - Approved the request to increase the project budget and scope for **GS 104-154, Storm Drainage/Street Repair, Phase II** from \$698,580 to \$1.6 million for an increase of \$901,420. This is the second budget escalation request for this project. The current budget increase will allow the approval of contract documents and advertisement for receipt of bids on Phase II of the project. The escalation in the project budget is necessary based on the professional's latest Design Development Documents, evaluation of project scope, and updated estimate of costs. Funds are available from SB 2988, Laws of 2003 (\$406,507); HB 1634, Laws of 2006 (\$255,034); HB 3197, Laws of 2002 (\$37,039); and HB 1701, Laws of 2010 (\$901,420).
33. **MSU** - Approved the request to increase the project budget for **IHL 205-251, Institute of Clean Energy Technology (ICET) Pilot Plant**, from \$500,000 to \$1.2 million for an increase of \$700,000. The schematic design documents have more clearly defined the scope and costs of the project and indicate that a total budget of \$1.2 million is required to proceed with this project. Funds are available from the U.S. Department of Energy (\$1.2 million).
34. **UMMC** - Approved the request to change the scope and increase the project budget for **IHL 209-512, Elevator #5 and #6 Upgrade**, from \$590,710 to \$643,710 for an increase of \$53,000. A budget increase is necessary to allow for Change Order #1 that would add the work of Bid Alternate #2 to the scope of the project. Funds are available from interest income (\$643,710).
35. **UMMC** - Approved the request to change the scope and increase the project budget for **IHL 209-526, Cafeteria/Kitchen Renovations**, from \$6,212,000 to \$7,750,000 for an increase of \$1,538,000. The change of scope will include the temporary power and utilities for portable cooking trailers, installation of new electrical feeder system, addition of an emergency generator and approval of the escalation of the project budget. The escalation of the project budget is necessary to address the estimated additional expense. Funds are available from hospital patient revenue (\$7,750,000).
36. **UMMC** - Approved the request to change the scope and increase the project budget for **IHL 209-527, Ophthalmology Renovations - 764 Lakeland**, from \$2,956,293 to \$5,279,000 for an increase of \$2,322,707. The change of scope will include additional renovation areas on the first floor, upgrades to the existing HVAC, provide a boiler room, and increase the project budget. The escalation of the project budget is necessary to address the estimated additional expense accordingly. Funds are available from interest income (\$25,000) and restricted funds (\$5,254,000).

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37. **UMMC** - Approved the request to change the scope and increase the project budget for **IHL 209-533, Occupational Therapy Renovation 2010**, from \$318,000 to \$400,000 for an increase of \$82,000. The escalation of the project budget is necessary to address the change in scope and associated general, mechanical, and electrical costs increases based on the design professional's latest Design Development Documents incorporating an increase of approximately 344 sq. ft. to the project. Funds are available from hospital patient revenue (\$400,000).
38. **USM** - Approved the request to increase the project budget for **IHL 208-281, Chain Tech HVAC Upgrade, Hattiesburg**, from \$700,000 to \$1,123,700 for an increase of \$423,700. The project was advertised with a base bid and several alternates for the increased scope. The Board also approved the request to all four alternates in addition to the base bid. Since the current project budget is sufficient to cover only the base bid and two alternates, the increase in budget is necessary to allow the award of all four alternates. Funds are available from university year end funds (\$1,123,700).
39. **MSU** - Approved the request to transfer 12.172 acres in Newton County to the State Veterans Affairs Board (SVAB) with the exception of approximately 2.5 acres in the northeast corner of the property and the proposed Memorandum of Understanding with the SVAB to transfer the remaining 2.5 acres when funding is obtained to relocate the existing MSU buildings on that portion of the property. The parcel of land is located at the Coastal Plains Experiment Station in Newton County and will constitute a transfer between two state agencies with no monetary exchange. The Attorney General's Office has reviewed and approved the documents associated with this request.

**LEGAL**

40. **UM** - Approved the request to renew the contract for professional services with the law firm of Butler, Snow, O'Mara, Stevens & Cannada so that it may continue to assist the university with pharmaceutical patent applications, intellectual property issues, commercialization of intellectual property, and other commercial transactions. The firm's blended hourly rates under the contract for all attorneys within designated practice areas are as follows: intellectual property/patent work: \$225.00 per hour; commercial: \$215.00 per hour; and \$85.00 for all legal assistants. These rates are competitive with or less than those charged by similarly qualified attorneys. The term of the proposed contract is from July 1, 2010 to June 30, 2011, and total expenditures will not exceed \$100,000. The Attorney General has approved this request.
41. **UM** - Approved the request to renew the contract for professional services with the New York law firm of Hershkovitz & Associates, LLC so that Eugene Rzucidlo may continue to assist the university with pharmaceutical and natural products patent applications and related intellectual property and commercialization issues. Mr. Rzucidlo's hourly rate is \$595 per hour, which is the same as we 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, 2010 to June 30, 2011, and total expenditures will not exceed \$250,000. The Attorney General has approved this request.
42. **UM** - Approved the request to renew the contract with Stites & Harbison so that it may continue to assist the university with pharmaceutical patent applications and intellectual property issues. Richard Myers, an alumnus of the university and a member of the IPT group, will be the primary attorney performing work for the university. Mr. Myers' hourly rate is \$310, with other professionals who may work on university matters billing between \$135 (paralegal) and \$400 per hour. These rates are less than the rates of similarly qualified patent attorneys. The term of the

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proposed contract is from July 1, 2010 to June 30, 2011, and total expenditures will not exceed \$250,000. The Attorney General has approved this request.

43. **UM** - Approved the request to hire Jack W. Cooke, Jr., located in Jackson, MS, as outside counsel to assist with real estate transactions associated with the purchase and sale of homes in Jackson, MS under the Neighborhood Stabilization Program grant with the Mississippi Development Authority. This project has been taken on by the university's Disabilities Studies Department and will result in neighborhood and community development in Jackson. The outside counsel contract will be for one year. The fee to be charged will be \$550 per closing, with a maximum contract amount of up to \$33,000. The Attorney General has approved this request.
44. **USM** - Approved the request to hire the Priester Law Firm, PLLC located in Jackson, MS, as outside counsel to assist with real estate transactions associated with the purchase and sale of homes in Jackson, MS under the Neighborhood Stabilization Program grant with the Mississippi Development Authority. This project has been taken on by the university's Disabilities Studies Department and will result in neighborhood and community development in Jackson. The outside counsel contract will be for one year. The fee to be charged will be \$550 per closing, with a maximum contract amount of up to \$33,000. The Attorney General has approved this request.

45. **PERSONNEL REPORT**

**EMPLOYMENT**

**Jackson State University**

Leslie McLemore, Transitional Assistant to the President and Special Projects Officer; salary of \$270,500 per annum, pro rata (\$220,500 E&G Funds and \$50,000 Foundation); effective June 1, 2010 through June 30, 2010

Leslie McLemore, Interim President; salary of \$270,500 per annum, pro rata (\$220,500 E&G Funds and \$50,000 Foundation); effective July 1, 2010

**Mississippi University for Women**

Allegra Brigham, Interim President, salary of \$217,937.50 per annum, pro rata (\$192,937.50 E&G Funds and \$25,000 Foundation); effective July 1, 2010

Rehired retirees making more than \$20,000 who will be on employment contracts during Fiscal Year 2011

William L. Bateman; *former position:* MSU Professor; *re-employment position:* Visiting Professor of Economics; re-employment period – Fiscal Year 2011; annual salary of \$22,615

Linda Cox; *former position:* Director of BSN; *re-employment position:* Emerita Professor of Nursing; re-employment period – Fiscal Year 2011; annual salary of \$34,999

Bob Fuller; *former position:* Principal in Starkville Public Schools; *re-employment position:* Assistant Professor of Educational Leadership; re-employment period – Fiscal Year 2011; annual salary of \$25,000

**University of Southern Mississippi**

Lucas, Frances

**CHANGE OF STATUS**

**Mississippi State University**

Vaughn, Jr., Rayford B.

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**Mississippi Valley State University**

Brown, Curressia  
Collier, Lula  
Hammond, Anna M.  
Venturini, Vincent

**University of Mississippi - Athletics**

Andrew J. Kennedy; Head Men's Basketball Coach; Athletics; *from* contract period of April 01, 2008 to March 31, 2012, salary of \$150,000 per annum, pro rata; Auxiliary Funds; *to* new contract period of April 01, 2010 to March 31, 2014, no change in salary

Susan R. Rutland; Head Women's Basketball Coach; Athletics; *from* contract period of June 01, 2009 to May 31, 2012, salary of \$220,000 per annum, pro rata; Auxiliary Funds; *to* new contract period of April 01, 2010 to March 31, 2014, no change in salary

Michael E. White; Assistant Men's Basketball Coach; Athletics; *from* contract period of July 01, 2009 to June 30, 2010, salary of \$110,000 per annum, pro rata; Auxiliary Funds; *to* new contract period of April 01, 2010 to March 31, 2012, salary of \$145,000 per annum, pro rata; Auxiliary Funds

**University of Southern Mississippi**

Pierce, Robert

**AWARD OF TENURE**

*effective August 16, 2010*

**Alcorn State University**

Blanchard, Diane  
Scurria, Cindy  
Vaughn, Edward  
Ware, Sarah

**Mississippi State University**

Bostic, Alexander

**Mississippi Valley State University**

Baldwin, Jo A.  
Beecham, Rachel  
Hall, Louis  
Felton, Mack  
Persuad, Chandrouti  
Varn, Aurora

**University of Mississippi Medical Center**

Austin, Mark Charles  
Coffey, Scott Franklin  
Hallstrom, Craig K.  
Herndon, Robert M.  
Lewin, Jack  
Marshall, Gailen  
Payne, Jack  
Perkins, Eddie  
Uschmann, Hartmut  
Williams, Renee  
Fawad, Lubna  
Mehta, Neeta  
Morgan, Christy

**University of Southern Mississippi**

Monchuk, Daniel C.

**TERMINATION**

**Jackson State University**

Mason, Jr., Ronald

**Mississippi University for Women**

Limbert, Claudia

**Mississippi Valley State University**

Stevenson, Joseph M.

**EMERITA/EMERITUS STATUS**

**Jackson State University**

McLemore, Leslie

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**PROFESSIONAL LEAVE**

**Jackson State University**  
Didia, Dal

**ADMINISTRATION/POLICY**

46. **System** - Approved the following individuals to serve on the Mississippi University Research Authority (MURA) in accordance with the MURA Act.

**By virtue of the Act, the following are MURA Members:**

Vice President of the Board of Trustees – Ms. Robin Robinson

Executive Director of the Mississippi Development Authority – Mr. Gray Swoop or his Designee

President of the Mississippi Resource Development Corporation – To be determined

Ex Officio Commissioner of Higher Education – Dr. Hank M. Bounds

**By virtue of the Act, the following are to be appointed by the Board from among the Chief Research Officers of the eight institutions as MURA members:**

Dr. David R. Shaw, Vice President for Research & Economic Development  
Mississippi State University

Dr. Felix Okojie, Vice President for Research and Federal Relations  
Jackson State University

Dr. Alice M. Clark, Vice Chancellor for Research and Sponsored Programs  
The University of Mississippi

Dr. Denis Wiesenburg  
Vice President for Research  
The University of Southern Mississippi

Dr. Alton Johnson, Interim Research Director  
Alcorn State University

Appointments are effective July 1, 2010 through June 30, 2011

**BUDGET, FINANCE & AUDIT AGENDA**

Presented by Trustee Bob Owens, Chair

On motion by Trustee Davidson, seconded by Trustee Rouse, with Trustee Pickering participating by telephone, all Trustees legally present and participating voted in the affirmative, therefore, it was

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**RESOLVED**, That the Board hereby approved agenda item #1 as submitted on the Budget, Finance & Audit Agenda. Agenda item #2 was approved on a separate motion by Trustee Owens, seconded by Trustee Blakeslee, with Trustee Pickering participating by telephone, all Trustees legally present and participating voted in the affirmative. Agenda items #3 & #4 were approved as shown below.

1. **System** - Approved the fiscal year ending 2011 Operating Budgets for the institutions and separately budgeted units, *Ayers* Budgets, Intercollegiate Athletics and institutions' Financial Aid Budgets. **(See Exhibits 1-9.)** Note: MCVS should not have been included on the spreadsheet since the IHL Board has no authority over what the organization requests from the Legislature.
2. **System** - Approved the FY 2012 funding priorities which are required for the FY 2012 Legislative Budget Request. **(See Exhibit 10.)**

On motion by Trustee Perry, seconded by Trustee Rouse, with Trustee Pickering participating by telephone, all Trustees legally present and participating voted to only approve the recommended additional language regarding oil, gas and mineral leases to Policy 707.01 Land, Property and Service Contracts to be effective immediately and waiving the requirement that it be brought back to the Board for a second and final reading.

3. **System** - Request approval for first reading of the amendments to Policy 707.01 Land, Property and Service contracts. **(See Exhibit 11.)**

Trustee Perry made a motion to amend agenda item #4. This motion was withdrawn.

On motion by Trustee Perry, seconded by Trustee Owens, with Trustee Pickering participating by telephone, all Trustees legally present and participating voted to approve Board Policy 712 Internal Audit Policy, the System Internal Audit Charter and the amendment to substitute the phrase "Audit Committee" throughout the policy and charter with the phrase "Budget, Finance & Audit Committee".

4. **System** - Request approval of Board Policy 712 Internal Audit Policy and the revised System Internal Audit Chart reflecting the proposed new policy. **(See Exhibit 12.)**

**LEGAL AGENDA**

Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Pickering participating by telephone, all Trustees legally present and participating voted in the affirmative, therefore, it was

**RESOLVED**, That the Board hereby approved the request to move agenda items #1 - #4 as submitted on the following Legal Agenda to the Executive Session Agenda. On motion by Trustee Whitten, seconded by Trustee Robinson, with Trustee Pickering participating by telephone and Trustee Blakeslee absent and not voting, all Trustees legally present and participating voted to add agenda items #17 & 18 to the Legal Agenda. Agenda items #5 - #14 and #17 & #18 were approved on a separate motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Pickering participating by telephone and Trustee Blakeslee absent and not voting, all Trustees legally present and participating voted in the affirmative. Agenda item #15 was approved on a separate motion by Trustee Robinson, seconded by Trustee Perry, with Trustee Pickering participating by telephone and Trustee Blakeslee absent and not voting, all Trustees legally present and participating voted in the affirmative. Agenda item #16 was approved on a separate motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Pickering participating by telephone and Trustee Blakeslee absent and not voting, all Trustees legally present and participating voted in the affirmative.

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1. **IHL** - Settlement of IHL self-insured Workers' Compensation Claim No. 870599. **(This item was handled during Executive Session.)**
2. **IHL** - Settlement of IHL self-insured Workers' Compensation Claim No. 925113. **(This item was handled during Executive Session.)**
3. **UMMC** - Settlement of Tort Claim No. 1593. **(This item was handled during Executive Session.)**
4. **UMMC** - Settlement of Tort Claim No. 1439. **(This item was handled during Executive Session.)**
5. **MSU** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by MSU and the Mississippi State University Alumni Association. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
6. **MSU** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by MSU and the Bulldog Club. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
7. **MSU** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by MSU and the Bulldog Foundation. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
8. **MSU** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by MSU and the Mississippi State University Foundation, Inc. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
9. **MUW** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by MUW and the Mississippi University for Women Alumni Association. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
10. **MUW** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by MUW and the Mississippi University for Women Foundation. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
11. **MVSU** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by MVSU and the Mississippi Valley State University Foundation. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
12. **MVSU** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by MVSU and the Mississippi Valley State University Alumni Association. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
13. **UM** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by UM and the University of Mississippi Foundation. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
14. **UM** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by UM and the Alumni Association of the University of Mississippi. The alternate language is shown in the bound *June 16, 2010 Board Working File*.

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15. **UM** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by UM and the UMMA Foundation. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
16. **UM** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by UM and the University of Mississippi Research Foundation. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
17. **USM** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by USM and the University of Southern Mississippi Alumni Association. The alternate language is shown in the bound *June 16, 2010 Board Working File*.
18. **USM** - Approved the alternate procedure to that set out in Section I. of Board Policy 301.0806 University Foundation/Affiliated Entity Activities to be used by USM and the University of Southern Mississippi Foundation. The alternate language is shown in the bound *June 16, 2010 Board Working File*.

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Hank M. Bounds

1. **System** - On May 28, 2010, the IHL Board staff requested proposals from executive search firms for the presidential searches at Alcorn State University, Jackson State University and Mississippi University for Women. The executive search firms were asked to submit proposals for a single search, a combination of two, or all three presidential searches. Responses were due to IHL by June 10, 2010. Commissioner Bounds reported that 7 proposals were submitted. He recommended that the Board appoint a committee to meet with 1 or all 7 of the search firms to have conversations about the searches. Trustee Neely agreed that the committee should include the chairs of the 3 Board Search Committees, the President of the Board, and any other Board Member who would like to participate. This committee will be finalized by June 30.

**INFORMATION AGENDA**

Presented by Commissioner Hank M. Bounds

**ACADEMIC AFFAIRS**

1. **ASU – ACADEMIC PROGRAM SUSPENSION**  
*Alcorn State University* has suspended enrollment into the *BS in Sports Medicine* (CIP 51.0913) degree program. It is anticipated that this program will be deleted after the students currently enrolled have graduated. Note: Although students may earn degrees from suspended academic programs, no additional students will be allowed to enroll in suspended programs. If the institution does not request that a suspended program be **deleted or removed from suspension** within 3 academic years, the Office of Academic and Student Affairs will delete the program from the academic program inventory per the Academic Guidelines.



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**REAL ESTATE**

2. **System** - The Board received the Real Estate items that were approved by the Board staff subsequent to the June 16, 2010 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 13.)

**LEGAL**

3. **System** - The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 14.)

**ADMINISTRATION/POLICY**

4. **System**- In compliance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to the 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.
  - a. **MSU** - On June 3, 2010 approved the 2010-2011 Traffic Rules and Regulations in accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations.
  - b. **UM** - Approval was requested and granted for a budget revision to the State Court Education Program which does not increase the total amount of the budget.
  - c. **UM** - Approval was requested and granted for budget revisions to the Center for Manufacturing Excellence, the Mississippi Mineral Resources Institute, the Mississippi Small Business Development Center, and the Mississippi Center for Supercomputing Research.

**OTHER BUSINESS**

- ▶ Trustee Robinson brought attention to the brochure at each Board member's seat entitled "Easing the Transfer Process". She thanked Dr. Reggie Sykes, IHL Assistant Commissioner for Community and Junior College Relations, and Mrs. Leah Rupp Smith, IHL Director of Communications, for designing and distributing the brochures.
- ▶ Trustee Neely invited the Institutional Executive Officers to speak about events occurring on each of their campuses.

**EXECUTIVE SESSION**

On motion by Trustee Perry, with Trustee Pickering participating by telephone, all Trustees legally present and participating voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Rouse, with Trustee Pickering participating by telephone, all Trustees legally present and participating **voted to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of 2 litigation matters and 1 prospective litigation matter at the University of Mississippi Medical Center,  
Discussion of 2 litigation matters at the Board Executive Office, and

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Discussion of a personnel matter at the Board Executive Office.

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

On motion by Trustee Rouse, seconded by Trustee Davidson, with Trustees Pickering and Whitten absent and not voting, the Board approved the request to settle Tort Claim #1439, styled as *Edith Lundy vs. UMMC*, as recommended by counsel.

On motion by Trustee Rouse, seconded by Trustee Robinson, with Trustee Pickering absent and not voting, the Board approved the request to settle Tort Claim #1593, styled as *Akysia Osborne vs. UMMC*, as recommended by counsel.

On motion by Trustee Patterson, seconded by Trustee Perry, with Trustee Pickering absent and not voting, the Board voted to refer the prospective litigation matter for the University of Mississippi Medical Center to the Legal Committee for review and authorized the Committee to request counsel.

On motion by Trustee Blakeslee, seconded by Trustee Robinson, with Trustee Pickering absent and not voting, the Board approved the request to settle the IHL Self-Insured Workers' Compensation claim No. 870599, styled as *Joshua C. Whitehead vs. Jackson State University*, as recommended by counsel.

On motion by Trustee Blakeslee, seconded by Trustee Robinson, with Trustee Pickering absent and not voting, the Board approved the request to settle the IHL Self-Insured Workers' Compensation claim No. 925113, styled as *Danny R. Baldwin vs. the University of Southern Mississippi Department of Human Resources and Mississippi Institutions of Higher Learning Self-Insured Workers' Compensation Plan*, as recommended by counsel.

The Board discussed a personnel matter at the Board Executive Office.

**On motion by Trustee Blakeslee, seconded by Trustee Ross, with Trustee Pickering absent and not voting, the Board voted to return to Open Session.**

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Neely, seconded by Trustee Robinson, with Trustee Pickering absent and not voting, the Board members voted 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  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 16, 2010**

**EXHIBITS**

Exhibits 1-9	Operating Budgets for the institutions and separately budgeted units, <i>Ayers</i> Budgets, Intercollegiate Athletics and institutions' Financial Aid Budgets for the fiscal year ending 2011.
Exhibit 10	FY 2012 funding priorities which are required for the FY 2012 Legislative Budget Request.
Exhibit 11	Amendments to Board Policy 707.01 Land, Property and Service Contracts.
Exhibit 12	Board Policy 712 Internal Audit Policy and the revised System Internal Audit Charter reflecting the proposed new policy.
Exhibit 13	Real Estate items that were approved by the IHL Board staff subsequent to the June 16, 2010 Board meeting.
Exhibit 14	Report of the payment of legal fees to outside counsel.

# EXHIBIT 1

## Proposed Operating Budget FY 2011

Budget	State Appropriation	Self- Generated	Total Budget
Education & General	\$ 342,781,837	\$ 511,717,609	\$ 854,499,446
UMMC	215,332,977	983,722,198	1,199,055,175
Agricultural	75,445,986	35,099,775	110,545,761
SFA	31,100,215	1,523,102	32,623,317
Subsidiary	28,548,351	19,964,383	48,512,734
Restricted	-	766,558,208	766,558,208
Ayers	25,950,000	1,553,902	27,503,902
Auxiliary	-	222,063,031	222,063,031
Non-IHL Volunteer Com.	363,913	12,422,268	12,786,181
<b>Total Budget</b>	<b>\$ 719,159,366</b>	<b>\$ 2,542,202,208</b>	<b>\$ 3,261,361,574</b>

# EXHIBIT 2

## Proposed Operating Budget Original FY 2010 Compared to FY 2011

Budget	Original FY 2010	Proposed FY 2011	Dollar Change	Percent Change
Education & General	\$ 863,735,390	\$ 854,499,446	\$ (9,235,944)	-1.1%
UMMC	1,096,114,693	1,199,055,175	102,940,482	9.4%
Agricultural	116,271,777	110,545,761	(5,726,016)	-4.9%
SFA	32,216,856	32,623,317	406,461	1.3%
Subsidiary	39,498,993	35,726,552	(3,772,441)	-9.6%
Restricted	764,582,099	766,558,208	1,976,109	0.3%
Ayers	25,950,000	27,503,902	1,553,902	6.0%
Auxiliary	206,198,666	222,063,031	15,864,365	7.7%
Volunteer	29,238,586	12,786,181	(16,452,405)	-56.3%
<b>Total Budget</b>	<b>\$ 3,173,807,060</b>	<b>\$ 3,261,361,573</b>	<b>\$ 87,554,513</b>	<b>2.8%</b>

# EXHIBIT 3

## Education & General Proposed Operating Budget FY 2010 and FY 2011

Institution	Original FY 2010	Proposed FY 2011	Dollar Change	Percent Change
ASU	\$ 40,549,177	\$ 39,526,345	\$ (1,022,832)	-2.5%
DSU	44,028,088	42,354,964	(1,673,124)	-3.8%
JSU	88,078,833	86,211,783	(1,867,050)	-2.1%
MSU	227,707,573	231,596,953	3,889,380	1.7%
MUW	29,136,170	27,740,108	(1,396,062)	-4.8%
MVSU	33,638,051	32,217,313	(1,420,738)	-4.2%
UM	216,902,840	219,015,134	2,112,294	1.0%
USM	181,644,658	175,836,846	(5,807,812)	-3.2%
Total	\$ 861,685,390	\$ 854,499,446	\$ (7,185,944)	-0.8%

# EXHIBIT 4

## Education and General Functional Budget Change in FY 2010 Original Budget to Proposed FY 2011

Functional Area	Original FY 2010 <sup>(1)</sup>	Proposed FY 2011	Dollar Change	Percent Change
Instruction	\$ 385,353,748	\$ 380,679,620	\$ (4,674,128)	-1.2%
Research	21,941,086	27,017,605	5,076,519	23.1%
Public Service	4,756,972	3,968,431	(788,541)	-16.6%
Academic Support	88,369,831	85,883,223	(2,486,608)	-2.8%
Student Services	57,173,037	59,873,509	2,700,472	4.7%
Institutional Support	107,112,895	104,573,079	(2,539,816)	-2.4%
Operation & Maintenance	106,964,905	104,829,589	(2,135,316)	-2.0%
Scholarships	83,165,581	82,465,072	(700,509)	-0.8%
Transfers	5,847,335	5,209,317	(638,018)	-10.9%
Increase in Fund Balance	1,000,000	-	(1,000,000)	-100.0%
<b>Total</b>	<b>\$ 861,685,390</b>	<b>\$ 854,499,445</b>	<b>\$ (7,185,945)</b>	<b>-0.8%</b>

(1) FY 2010 Original Budget did not include \$2,050,000 for System Audit, Course Redesign, or Washington Scholarship. This was allocated mid-year.  
6/16/2010 June Board of Trustees Meeting

# EXHIBIT 5

## Education and General Major Object Category Budget Change in FY 2010 Original Budget to Proposed FY 2011

Category	Original FY 2010 <sup>(1)</sup>	Proposed FY 2011	Dollar Change	Percent Change
Personnel	\$ 604,854,350	\$ 589,391,138	\$ (15,463,212)	-2.6%
Travel	8,320,022	7,305,768	(1,014,254)	-12.2%
Contractual	192,122,374	200,652,423	8,530,049	4.4%
Commodities	21,044,950	20,044,883	(1,000,067)	-4.8%
Capital	17,514,310	16,502,349	(1,011,961)	-5.8%
Other	17,829,384	20,602,884	2,773,500	15.6%
<b>Total</b>	<b>\$ 861,685,390</b>	<b>\$ 854,499,445</b>	<b>\$ (7,185,945)</b>	<b>-0.8%</b>

(1) FY 2010 Original Budget did not include \$2,050,000 for System Audit, Course Redesign, or Washington Scholarship. This was allocated mid-year.  
6/16/2010 June Board of Trustees Meeting



# EXHIBIT 6

## University of Mississippi Medical Center Proposed Operating Budget Original FY 2010 Compared to Proposed FY 2011 (in millions)

Budget	Original FY 2010	Proposed FY 2011	Dollar Change	Percent Change
School of Dentistry	\$ 23,717,642	\$ 23,428,760	\$ (288,882)	-1.2%
School of Health Related Professions	11,713,768	12,016,918	303,150	2.6%
School of Medicine	225,621,206	224,261,267	(1,359,939)	-0.6%
School of Nursing	11,593,402	11,406,463	(186,939)	-1.6%
Service Area	115,939,139	136,929,224	20,990,085	18.1%
University Hospital	707,529,536	791,012,543	83,483,007	11.8%
Total Budget	\$ 1,096,114,693	\$ 1,199,055,175	\$ 102,940,482	9.4%

# EXHIBIT 7

## Agricultural Units Proposed Operating Budgets FY 2011 (in millions)

Budget	State Appropriations	Self Generated	Total Budget
ASU Agricultural Programs	\$ 5,213,674	\$ -	\$ 5,213,674
Agricultural & Forestry Experiment Station	21,365,833	6,411,854	27,777,687
Mississippi Cooperative Extension	27,269,914	14,306,013	41,575,927
Forest & Wildlife Research Center	5,392,854	816,108	6,208,962
College of Veterinary Medicine	16,203,711	13,565,800	29,769,511
Total Budget	\$ 75,445,986	\$ 35,099,775	\$ 110,545,761

# EXHIBIT 8

## Subsidiary Units, Executive Office, University Press & Student Financial Aid Change in Total Operating Budget FY 2010 to FY 2011

Budget	Original FY 2010	Proposed FY 2011	Dollar Change	Percent Change
Urban Research Center	\$ 536,212	\$ 502,407	\$ (33,805)	-6.3%
Center for Advanced Vehicular Systems	3,809,266	3,926,291	117,025	3.1%
State Chemical Laboratory	2,409,294	2,195,338	(213,956)	-8.9%
Water Resources Research Institute	128,331	120,531	(7,800)	-6.1%
Stennis Institute	1,087,670	965,739	(121,931)	-11.2%
Alcohol Safety Education Program (Special Funds)	1,454,761	1,454,761	-	0.0%
Law Research Institute	884,346	829,232	(55,114)	-6.2%
Mineral Resources Institute	498,033	423,586	(74,447)	-14.9%
Research Institute of Pharmaceutical Sciences (RIPS)	3,686,942	3,208,655	(478,287)	-13.0%
Supercomputer	846,676	727,661	(119,015)	-14.1%
Small Business Center	297,853	270,984	(26,869)	-9.0%
Center for Manufacturing Excellence	1,000,000	826,132	(173,868)	-17.4%
State Court Education Program (Special Funds)	1,582,832	1,582,832	-	0.0%
Mississippi Polymer Institute	670,115	692,525	22,410	3.3%
Gulf Coast Research Laboratory	5,775,816	5,549,885	(225,931)	-3.9%
Stennis Center	547,025	444,485	(102,540)	-18.7%
Executive Office	10,092,289	9,346,313	(745,976)	-7.4%
Delta Revitalization	150,000	150,000	-	0.0%
Student Financial Aid	32,216,856	32,623,317	406,461	1.3%
University Press	2,495,936	2,509,196	13,260	0.5%
<b>Total</b>	<b>\$ 70,170,253</b>	<b>\$ 68,349,870</b>	<b>\$ (1,820,383)</b>	<b>-2.6%</b>

# EXHIBIT 9

## Auxiliary Fund Proposed Operating Budgets FY 2011 Compared to FY 2010 Original

Institution	Original FY 2010	Proposed FY 2011	Dollar Change	Percent Change
Alcorn State University	\$ 8,330,820	\$ 10,086,233	\$ 1,755,413	21.1%
Delta State University	8,262,680	9,289,162	1,026,482	12.4%
Jackson State University	17,339,084	16,850,569	(488,515)	-2.8%
Mississippi State University	30,062,267	32,947,939	2,885,672	9.6%
Mississippi University for Women	3,772,845	3,928,664	155,819	4.1%
Mississippi Valley State University	8,391,516	8,842,050	450,534	5.4%
University of Mississippi	70,768,168	76,401,612	5,633,444	8.0%
University of Southern Mississippi	59,271,286	63,716,802	4,445,516	7.5%
<b>Total Auxiliaries</b>	<b>\$ 206,198,666</b>	<b>\$ 222,063,031</b>	<b>\$ 15,864,365</b>	<b>7.7%</b>

# EXHIBIT 10

## Proposed Budget Request Priorities Original FY 2012 Compared to FY 2011 Appropriations

Budget	FY 2011 Appropriation	FY 2012 Budget Request	Dollar Change	Percent Change
Education and General	\$ 342,781,837	\$ 349,637,474	\$ 6,855,637	2.0%
Subsidiaries	20,920,240	21,347,288	427,048	2.0%
UMMC	215,332,977	219,639,637	4,306,660	2.0%
Agricultural Units	75,445,986	76,954,905	1,508,919	2.0%
Student Financial Aid	31,100,215	31,722,219	622,004	2.0%
Executive Office	7,264,198	7,409,482	145,284	2.0%
Ayers	25,950,000	25,950,000	-	0.0%
<b>Total Request (1)</b>	<b>\$ 718,795,453</b>	<b>\$ 732,661,005</b>	<b>\$ 13,865,552</b>	<b>1.9%</b>

(1) Does not include non-IHL Volunteer Commission.

# EXHIBIT 11

June 16, 2010

Although other amendments were proposed, only the amendments shown below were approved.

## 707.01 LAND, PERSONAL PROPERTY, AND SERVICE CONTRACTS

Board approval prior to execution of the purchase contract is required for all land acquisitions that exceed \$100,000. An institution acquiring real property shall receive two appraisals prior to purchase, and the purchase price of the property shall not exceed the average of the two appraisals. Board approval prior to the execution of a contract for the sale of real property is required for all land sales regardless of sale price. An institution disposing of real property shall receive two independent appraisals. The sale price shall be no less than the average of the two appraisals. Requests for Board approval of land contracts shall include property descriptions, terms of purchase, lease or sale and intended use of the property, if applicable. See Board Policy 905 (B) for environmental report requirements prior to the purchase or acceptance of real property from any source.

Board approval prior to execution of all leases, easements, oil and mineral leases and timber sales is required. Board approval prior to execution of the contract is required for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Board approval prior to the execution of leases in an amount greater than \$100,000 is required. However, Board approval is required prior to the execution of all oil, gas and mineral leases, regardless of amount. The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.

The Commissioner is authorized and empowered to approve renewals of service expenditure contracts if the original contract was previously approved by the Board of Trustees, and if the contract amount does not exceed 110% of the current contract. An information item will be presented to the Board of Trustees monthly of any and all contracts approved by the Commissioner on behalf of an institution.

Board approval prior to execution of the contract is required for any bookstore, food service, or athletic concession contract projected to generate aggregate total revenues for a university of more than \$250,000 or if the term of such contract exceeds four years. The Commissioner is authorized and empowered to approve renewal revenue contracts for bookstores, food service, or athletic concession contracts where the contract results in additional revenues to the institution. An information item will be presented to the Board of Trustees monthly of any and all contracts approved by the Commissioner on behalf of an institution.

# **EXHIBIT 11**

**June 16, 2010**

Approval by the Board is not required for the following purchases: natural gas, utility services, entertainment services paid for with student fees and/or ticket sales receipts.

Institutional Executive Officers and the Commissioner are authorized and empowered to approve and execute on behalf of their respective institutions all other land, personal property and service contracts. All such contracts shall be executed in accordance with state law and board policy.

# EXHIBIT 12

JUNE 16, 2010

Below is the new Board Policy 712 Internal Audit Policy and the System Internal Audit Charter as amended by the Board during its meeting on June 16, 2010.

## 712 INTERNAL AUDIT POLICY

- A. The Board shall appoint its own system internal audit director with the appropriate support staff. The Budget, Finance and Budget, Finance and Audit Committee may designate one or more members of the committee to serve as a channel of communication with the internal auditors and to have other duties as designated. The Board's system internal audit director shall report to the Budget, Finance and Budget, Finance and Audit Committee and ultimately to the Board, but will report administratively to the Commissioner and be independent of any other IHL division, section, branch or officer. The Board's system internal audit director and his/her staff shall perform duties as directed by the Board's Budget, Finance and Audit Committee and as set out in the Board's System Internal Audit Charter. The Board approved System Internal Audit Charter shall be in supplementation to this Internal Audit Policy and shall apply to all Board and university internal auditors, whether located at the Board's executive office or on one of the university campuses. The Commissioner may at any time direct the Board's system internal audit director to perform an audit or inquiry of any special program, activity, function or organizational unit of the system.
- B. The Board directs each Institutional Executive Officer (IEO) to appoint a university internal audit director. Employment of each university internal audit director shall be contingent upon the approval of both the IEO and the Board's system internal audit director. In addition, each IEO shall employ a sufficient number of professional and support staff to assist the university internal audit director in implementing an effective program of internal auditing. The university internal audit staff shall have organizational status outside of the university's staff, management, functions or units subject to audit, and shall be free of operational and management responsibilities that would impair the ability to make independent audits of any aspects of the university's operations. The university audit directors shall be functionally responsible to the Budget, Finance and Audit Committee and ultimately the Board of Trustees through the Board's system internal audit director, but will administratively report to the IEO. University internal audit employees may only be terminated following university compliance with any applicable state laws, and following notification of the Budget, Finance and Audit Committee upon recommendation of the IEO and the Board's system internal audit director. If there is disagreement between the IEO and the Board's system internal audit director regarding a recommendation of termination of a university internal audit employee, the dispute shall be brought to the Board, which shall make the decision regarding termination.
- C. The Board's System and University internal audit directors shall have the following duties:



# EXHIBIT 12

JUNE 16, 2010

1. To conduct financial, compliance, electronic data processing and operational and efficiency audits of system and university programs, activities and functions and prepare audit reports of findings;
  2. To review and evaluate internal controls over system and university programs, accounting systems, administrative systems, electronic data processing systems and all other major systems necessary to ensure accountability of the system and universities;
  3. To develop annual and three year strategic audit plans to be based on the findings of periodic documented risk assessments. The plan shall show the individual audits to be conducted during each year and the related resources to be devoted to each of the respective audits. The audit plan shall ensure that internal controls are reviewed on a periodic basis. The plan shall address concerns of the Board of Trustees, Commissioner and IEOs. The Board 's system internal audit director shall submit the plan to the Budget, Finance and Audit Committee for approval after consultation with the Commissioner and IEOs; and,
  4. To determine the scope and assignment of the audits. However, the IEO may at any time direct the university internal audit director to perform an audit or inquiry of any special program, activity, function or organizational unit of their institution.
- D. Audits shall be conducted in accordance with the Standards for the Professional Practice of Internal Auditors, Inc. and, when required by law, regulation, agreement, contract or policy, in accordance with Government Auditing Standards issued by the Comptroller General of the United States. All audit reports issued by internal audit staff shall include a statement that the audit was conducted pursuant to the appropriate standards.
- University audit reports shall be confidential, but shall be provided to the Board upon completion. The Board hereby delegates to the Board's system internal audit director the responsibility of collecting and reviewing the confidential university audit reports on behalf of the Board. The Board's system internal audit director shall then brief the Budget, Finance and Audit Committee regarding the confidential university audit reports. The Budget, Finance and Audit Committee will forward such reports to the full Board with appropriate recommendations for action when warranted.
- E. The IEO and the Board's system internal audit director shall review and approve the annual university internal audit plan and budget, internal and external audit reports, and follow-up reports and quality assurance reviews. The IEO shall periodically meet with the Board's system and university's internal audit directors to discuss pertinent matters, including whether there are any restrictions on the scope of audits. Any perceived limitation must be reported to the Budget, Finance and Audit Committee through the Board's system internal audit director.
- F. The Commissioner and IEOs shall require that the Board's system internal audit staff and the university's internal audit staff liaise with all auditors from the State Auditor's Office.

# EXHIBIT 12

JUNE 16, 2010

with all auditors from the Legislative PEER Committee, with all externally funded contracts and grants auditors, and with all external investigators/auditors regarding audits, investigations or inquiries in order to:

- Coordinate all review, evaluation and/or investigation activities;
- Ensure that the audit programs are complementary;
- Foster a cooperative working relationship;
- Reduce the incidence of duplication of efforts; and
- Promote appropriate sharing of information.

The Commissioner, IEOs and university internal audit directors shall make known to the Board's system internal audit director any determined fraud, waste or abuse or reasonably substantiated fraud, waste or abuse as a result of audits, inquiries, investigations or complaints, so such cases can be communicated to the Commissioner and the Budget, Finance and Audit Committee and in order that efforts can be made to ensure internal controls are sufficient to deter such actions in the future.

- G. The Board, the Budget, Finance and Audit Committee and/or the Commissioner, may direct the Board's or university's internal audit staff to investigate any system issues, allegations, or audit matters, in order to carry out the fiduciary duties of the Board. The IEOs and all system employees must cooperate fully with the Board's system and/or the university's internal audit staff on any system issues, allegations, or audit matters directed to be performed on behalf of the Board, the Budget, Finance and Audit Committee and/or the Commissioner.

## **Revised System Internal Audit Charter**

### ***I. The Charter***

The Board of Trustees of Mississippi's State Institutions of Higher Learning (Board) hereby establishes a System Internal Audit Office and appoints a director to assist the Board in meeting its fiduciary responsibilities. This charter establishes the authority and responsibility conferred by the Board of Trustees within which the Office of Internal Audit will operate to make a positive contribution to the system of higher education by examining and evaluating the business and administrative activities of the system's universities and executive office.

The Board directs each Institutional Executive Officer (IEO) to appoint an internal audit director. Employment of each university internal audit director shall be contingent on the approval of both the IEO and the Board's System Internal Audit Director. In addition, each IEO shall employ a sufficient number of professional and support staff to assist the university internal audit director in implementing an effective program of internal auditing.

### ***II. Nature of Internal Audit***

Internal auditing is an independent appraisal of the operations and systems of control within the Institutions of Higher Learning. The audit examines and evaluates the institutions' activities and their systems of controls to determine whether acceptable policies and procedures are followed, whether legislative requirements and established

# EXHIBIT 12

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standards are met; whether resources are used efficiently and economically, whether planned missions are accomplished effectively, and whether the objectives of higher education are being achieved.

### ***III. Role and Objective of the Office of Internal Audit***

The Board's Office of Internal Audit will assist the Board of Trustees, the Commissioner and IEOs to achieve sound managerial control over all aspects of the operations of higher education, including accounting, asset management, information management and control systems, and other such activities for which the Board is responsible. The Board's System Internal Audit Office will also coordinate the internal audit activities throughout the system and its institutions and assist the IEOs, Commissioner and the Board of Trustees.

The attainment of the overall objective of the Board's System Office of Internal Audit may involve:

- reviewing and assessing the adequacy and effectiveness of the system of internal controls;
- appraising the relevance, reliability and integrity of management, financial and operating data and reports;
- reviewing the systems established to ensure compliance with those policies, plans, procedures, statutory requirements and regulations which could have a significant impact on operations (all funds, including external funds, excluding foundations);
- reviewing the means of safeguarding assets and, as appropriate, verifying the existence of such assets;
- evaluating the economy, efficiency and effectiveness with which resources are employed, including reviews of business practices;
- reviewing operations or programs to ascertain whether results are consistent with IHL's established objectives and goals, and whether the operations or programs are being carried out as planned;
- assessing the adequacy of established systems and procedures; and
- conducting special assignments and investigations on behalf of the Board of Trustees, the Commissioner and IEOs into any matter or activity affecting the probity, interests and operating efficiency of the IHL.

Internal auditing is an advisory function to management having independent status within the system. The Board's System Internal Audit Office Director:

- shall be functionally responsible to the Budget, Finance and Audit Committee and ultimately to the Board of Trustees, but administratively will report to the Commissioner and be independent of any other IHL division, section, branch or officer;
- shall have oversight of the internal auditing functions of the various campuses, whose directors shall be functionally responsible to the Budget, Finance and Audit Committee and ultimately the Board of Trustees through the Board's System Internal Audit Director, but will administratively report to the IEO;
- shall, in agreement with the IEO, appoint all university internal audit directors; and

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JUNE 16, 2010

- shall, in agreement with the IEO, make recommendation of the termination of any university internal audit staff after notification to the Budget, Finance and Audit Committee and the university's compliance with applicable state law and system policy; If there is disagreement between the IEO and the Board's system internal audit director over a recommendation of termination of a university internal audit employee, the Board shall be informed of same and shall make the decision regarding the termination.

Both the Board's System Internal Audit Director and the University Internal Audit Directors:

- shall have no executive or management powers, functions or duties except those relating to the management of the Internal Audit office;
- shall not be involved in the day-to-day operations of the system;
- shall not be responsible for the detailed development and/or implementation of new systems, but should be consulted during the system development process on the control measures to be incorporated in new or amended systems, and be advised of approved variations or new developments.

## *IV. Authority*

Subject to the approval of the Budget, Finance and Audit Committee, the Board's System Internal Audit Director and University Internal Audit Directors are authorized to establish an effective internal audit function. No officer, administrator, or staff member shall prohibit the Board's System Internal Auditors from examining any university record or interviewing any faculty/staff member or student that the auditors deem to be pertinent to their audits and reviews. Additionally, the Board's System Internal Auditors have the authority to audit or cause to be audited the accounts of all organizations required to submit financial statements to the system or of any of its universities.

Both the Board's System and University Internal Auditors shall:

- develop an internal audit plan, in consultation with the Budget, Finance and Audit Committee of the Board of Trustees on the nature, scope and timing of audits;
  - develop an annual and three year audit plan to be based on the findings of periodic documented risk assessment;
  - ensure that internal controls are reviewed periodically;
  - address concerns of the Board of Trustees, Commissioner and IEOs;
  - submit proposed individual university internal audit plans to the respective IEOs, and submit all proposed internal audit plans to the Commissioner and to the Board's System Internal Audit Director for review and approval by each before submission for approval to the Budget, Finance and Audit Committee by the Board's System Internal Audit Director.
- have access at all reasonable times to all books, documents, accounts, property, vouchers, records, correspondence and other data of the system, which are necessary for the proper performance of the internal audit function; and
- have the right at reasonable times to enter any premises of the system and to request any employee or officer to furnish all information and such explanations deemed necessary for them to form an opinion on the probity of action, adequacy of systems

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and/or of controls. The employee or officer concerned shall respond promptly to such inquiries.

All system employees must cooperate fully with the Board's System Internal Audit Staff on any system issues, allegations, or audit matters directed to be performed on behalf of the Board, the Budget, Finance and Audit Committee and/or the Commissioner.

## ***V. Responsibilities***

Subject to the overall guidelines and policies of the Board of Trustees and the Budget, Finance and Audit Committee, the Board's System and University Internal Audit Offices shall be solely responsible for the planning, implementation, and reporting of the audits. For this purpose, the Director of the Board's System Internal Audit Office is entrusted with the responsibility to appraise the policies, procedures, and management controls of the system to ensure that the activities are properly managed and to promote effective controls at reasonable cost. In discharging the responsibility, the Board's Director of the System Internal Audit Office shall be responsible to the Board of Trustees' Budget, Finance and Audit Committee for the functional control of system and university audit activities in relation to:

- preparing a strategic plan to set the long-range direction and approach of audits;
- presenting a detailed annual audit plan and an annual budget in consultation with the Commissioner and IEOs for submission to the Budget, Finance and Audit Committee for approval and to the Board of Trustees;
- assessing and recruiting the necessary personnel for appropriate levels of staff;
- carrying out all activities in an effective, proficient and timely manner;
- reporting to the auditee as soon as practical on completion of each audit;
- reporting, at least quarterly, to the Budget, Finance and Audit Committee;
- conducting oversight of campus Internal Audit's methods and procedures;
- preparing the scope and boundaries of audits;
- fulfilling the objectives of Internal Audit;
- utilizing the Internal Audit resources to maximize the efficiency and effectiveness of the Internal Audit function;
- reviewing systems and operations to assess achievement of institutional objectives, efficient use of resources, and adequacy of controls over activities;
- evaluating the reliability, integrity, and pertinence of management and financial information;
- assessing the method of safeguarding assets and verifying their existence;
- determining the extent of compliance with established policies, procedures and instructions;
- advising improvements in procedures and systems to prevent waste, abuse, overspending, and fraud;
- directing attention on any failure to take remedial action;
- executing any *ad hoc* evaluations, assessments, investigations, examinations or reviews requested by the Budget, Finance and Audit Committee or by senior management of the Executive Office or university; and
- appraising the overall systemic risk assessment and management.

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## ***VI. Scope of Internal Audit***

The scope of Internal Audit shall be sufficiently comprehensive to enable the effective and regular review of all operational, financial and related activities.

The scope of Internal Audit coverage extends to all areas under the management and control of the Board of Trustees and include financial, accounting, administrative, data quality, computing and other operational activities.

## ***VII. Audit Programs***

An annual Internal Audit plan consistent with the long-term strategic plan shall be prepared by the Board's System and University Internal Auditors, in consultation with the Commissioner and IEOs, for approval by the Budget, Finance and Audit Committee and shall be provided to the full Board of Trustees, if practicable, prior to commencement of each fiscal year.

The system-wide audit plan will identify areas of audit concern on a campus-by-campus basis, as well as a system-wide approach. Proposed individual audit plans by the university internal auditors on campuses will identify audits to be conducted at each campus during the year and will be incorporated into the proposed system-wide audit plan. A final system-wide plan will be reviewed and, if necessary, revised and approved by the Budget, Finance and Audit Committee and then provided to the Board of Trustees at an open meeting.

However, the Commissioner may direct at any time the Board's System Internal Audit Director and the IEO may direct at any time the University Internal Audit Director to perform an audit, inquiry or investigation of any special program, activity, function or organizational unit related to their respective institution.

The Budget, Finance and Audit Committee may designate one or more members of the committee to serve as a channel of communication with the internal auditors and to have other duties as designated.

Some of the objectives of the Board of Trustees' Budget, Finance and Audit Committee are:

- to review the proposed scope of the internal and the external audit functions;
- to review audit performance and to ensure that no limitation on audit has been interposed by management;
- to appraise the effectiveness of the audit;
- to review the management letter provided by the State Auditor's Office (or Internal Auditors on campuses) regarding any weaknesses in internal controls; organization and operating controls; and to consider the recommendations made by the auditor and the actions taken by management in response to the auditor's suggestions; and
- to review and/or initiate any other act necessary to promote:
  - compliance with policies, plans, procedures, laws and regulations;
  - safeguarding of System's assets;

# EXHIBIT 12

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- efficient and proper use of resources;
- accomplishment of established objectives and goals for operations or programs; and
- attention to failure to take prompt remedial action relating to previously identified shortcomings.

## ***VIII. Audit Methodology***

For all audit projects, the person responsible for the activity under review shall be advised and given the opportunity to discuss:

- the objectives and scope of the audit to be conducted, prior to the commencement of such audit; and
- findings and proposed recommendations on the completion of an audit, and where appropriate make comment.

## ***IX. Audit Reports***

A written report will be prepared and issued by Internal Audit at the conclusion of each audit. Internal audit reports shall be confidential, but shall be provided to the Board upon completion. The Board hereby delegates to the Board's System Internal Audit Director the responsibility of collecting and reviewing the confidential audit reports on behalf of the Board. The Board's System Internal Audit Director shall then brief the Budget, Finance and Audit Committee regarding the confidential audit reports. The Budget, Finance and Audit Committee will forward such reports to the full Board with appropriate recommendations for action when warranted.

A copy of the complete report will be distributed to the applicable Commissioner and/or IEOs to which the audit applies. A summary of each report, including all audits performed on externally funded contracts, audits or investigations, is to be made available to the Budget, Finance and Audit Committee and the Commissioner within thirty days of completion of the audit. Audit reports related to issues that are of system-wide importance or audits that disclose issues that are material or recurring in nature will be presented to the Budget, Finance and Audit Committee at the next scheduled committee meeting following completion of the report. The Budget, Finance and Audit Committee will forward such reports along with appropriate recommendations to the Board of Trustees for action. Audit reports will normally explain the scope and objectives of the audit, present findings and conclusions in an objective manner relevant to the specific user's needs, and make recommendations where appropriate. Each institution audited will be given an opportunity to submit its responses to the audit findings to be included in the final audit report.

## ***X. Liaison with other Auditors***

The Commissioner and IEOs shall ensure the Board's System Internal Audit staff and University internal audit staff liaise with all auditors from the State Auditor's Office, with the Legislative PEER Committee, with externally funded contracts and grants auditors and/or external investigators/auditors regarding audits, investigations or inquiries to:

- Coordinate all review, evaluation and/or investigation activities;
- Ensure that the audit programs are complementary;

# EXHIBIT 12

JUNE 16, 2010

Below is the new Board Policy 712 Internal Audit Policy and the System Internal Audit Charter as amended by the Board during its meeting on June 16, 2010.

## 712 INTERNAL AUDIT POLICY

- A. The Board shall appoint its own system internal audit director with the appropriate support staff. The Budget, Finance and Audit Committee may designate one or more members of the committee to serve as a channel of communication with the internal auditors and to have other duties as designated. The Board's system internal audit director shall report to the Budget, Finance and Budget, Finance and Audit Committee and ultimately to the Board, but will report administratively to the Commissioner and be independent of any other IHL division, section, branch or officer. The Board's system internal audit director and his/her staff shall perform duties as directed by the Board's Budget, Finance and Audit Committee and as set out in the Board's System Internal Audit Charter. The Board approved System Internal Audit Charter shall be in supplementation to this Internal Audit Policy and shall apply to all Board and university internal auditors, whether located at the Board's executive office or on one of the university campuses. The Commissioner may at any time direct the Board's system internal audit director to perform an audit or inquiry of any special program, activity, function or organizational unit of the system.
- B. The Board directs each Institutional Executive Officer (IEO) to appoint a university internal audit director. Employment of each university internal audit director shall be contingent upon the approval of both the IEO and the Board's system internal audit director. In addition, each IEO shall employ a sufficient number of professional and support staff to assist the university internal audit director in implementing an effective program of internal auditing. The university internal audit staff shall have organizational status outside of the university's staff, management, functions or units subject to audit, and shall be free of operational and management responsibilities that would impair the ability to make independent audits of any aspects of the university's operations. The university audit directors shall be functionally responsible to the Budget, Finance and Audit Committee and ultimately the Board of Trustees through the Board's system internal audit director, but will administratively report to the IEO. University internal audit employees may only be terminated following university compliance with any applicable state laws, and following notification of the Budget, Finance and Audit Committee upon recommendation of the IEO and the Board's system internal audit director. If there is disagreement between the IEO and the Board's system internal audit director regarding a recommendation of termination of a university internal audit employee, the dispute shall be brought to the Board, which shall make the decision regarding termination.
- C. The Board's System and University internal audit directors shall have the following duties:



# EXHIBIT 13

June 16, 2010

## **SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE MAY 20, 2010 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 WHICH STATES:**

**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.

### **1. DSU – GS 102-226 – Science Lab Renovations, Phase II**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$56,651.97 and one hundred-seven (107) additional days to the contract of Century Construction and Realty. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 23, 2010

**Change Order Justification:** The change order is necessary to remove additional asbestos that was discovered during construction, to relocate existing electrical service to the elevator, to relocate existing underground telecom lines, and to provide for additional structural floor framing beneath the new mechanical room.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$56,651.97

**Project Initiation Date:** August 21, 2008

**Design Professional:** Architecture South

**General Contractor:** Century Construction and Realty

**Contract Award Date:** December 16, 2009

**Project Budget:** \$4,750,000

**Funding Source(s):** HB 1641, Laws of 2008; HB 1722, Laws of 2009

### **2. JSU – GS 103-234 – ADA Compliance Phase II-B (BP.1)**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Wayne F. Timmer, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

**Staff Approval Date:** April 20, 2010

**Project Initiation Date:** August 17, 2006

**Design Professional:** Wayne F. Timmer

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$4,532,985.50

**Funding Source(s):** SB 3197, Laws of 2002; HB 246, Laws of 2007

# EXHIBIT 13

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## 3. JSU – GS 103-255 – Fire Suppression System, Phase I

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by the CGM Group, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

**Staff Approval Date:** April 20, 2010

**Project Initiation Date:** August 20, 2009

**Design Professional:** CGM Group

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$1,200,000

**Funding Source(s):** HB 1722, Laws of 2009

## 4. MSU – GS 105-310 – Harned Hall Renovation Phase I

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$179,181.09 and zero (0) additional days to the contract of Harrell Contracting Group. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

**Staff Approval Date:** April 23, 2010

**Change Order Justification:** This change order is necessary to replace existing CMU block with bricks to maintain consistent interior wall finish and to re-roof the existing Harned Hall Annex building.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of \$231,873.09

**Project Initiation Date:** May 1, 2007

**Design Professional:** Eley and Associates

**General Contractor:** Harrell Contracting Group, LLC

**Contract Award Date:** April 7, 2009

**Project Budget:** \$17,000,000

**Funding Source(s):** SB 2010, Laws of 2004; HB 246, Laws of 2007

## 5. MSU – GS 105-314 – Middleton Hall Waterproofing Phase II

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Weathers Construction, the lower of eight (8) bidders for a total contract amount of \$2,105,000.

**Staff Approval Date:** April 23, 2010

**Project Initiation Date:** November 18, 2005

**Design Professional:** Shafer and Associates

**General Contractor:** Weathers Construction, Inc.

**Contract Award Date:** April 23, 2010

**Project Budget:** \$3,750,000

**Funding Source(s):** HB 246, Laws of 2007; SB 2010, Laws of 2004

# EXHIBIT 13

June 16, 2010

**6. MSU – GS 113-127 – Bost/Forest Products-Electrical**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Atwell & Gent, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

**Staff Approval Date:** April 12, 2010

**Project Initiation Date:** September 17, 2009

**Design Professional:** Atwell & Gent

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$400,000

**Funding Source(s):** HB 1722, Laws of 2009

**7. MSU – IHL 205-250 – Addition to CAVS Dynamometer Building**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Weathers Construction, the lower of five (5) bidders for a total contract amount of \$273,235.00.

**Staff Approval Date:** May 7, 2010

**Project Initiation Date:** January 21, 2010

**Design Professional:** Foil Wyatt Architects & Planners, PLLC

**General Contractor:** Weathers Construction, Inc.

**Contract Award Date:** May 7, 2010

**Project Budget:** \$350,000

**Funding Source(s):** State Appropriation to CAVS from Legislature

**8. MSU – IHL 205-252 – Tennis Courts Parking Lot**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Wright Steel Erectors, Inc., the lower of three (3) bidders for a total contract amount of \$299,000.

**Staff Approval Date:** May 12, 2010

**Project Initiation Date:** February 18, 2010

**Design Professional:** Michael T. Muzzi, AIA, AUA (MSU Campus Architect)

**General Contractor:** Wright Steel Erectors, Inc.

**Contract Award Date:** May 12, 2010

**Project Budget:** \$400,000

**Funding Source(s):** MSU Parking Services

**9. MUW – GS 104-163 – Fire Suppression Phase II (Frazer)**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Dynamic Fire Protection, LLC, the lower of three (3) bidders for a total contract amount of \$210,850. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 27, 2010

**Project Initiation Date:** March 18, 2010

**Design Professional:** Atherton Consulting Engineers

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**General Contractor:** Dynamic Fire Protection, LLC

**Contract Award Date:** April 27, 2010

**Project Budget:** \$500,000

**Funding Source(s):** HB 1722, Laws of 2009

## **10. UM – GS 107-284 – Faser Hall Third Floor**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #11** in the amount of \$3,768.00 and thirty (30) additional days to the contract of CIG Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 20, 2010

**Change Order Justification:** The change order is necessary to re-work ductwork, to replace existing disconnects with three phase disconnects, and for delay of project due to computer programming.

**Total Project Change Orders and Amount:** Eleven (11) change orders for a total amount of \$206,633.35

**Project Initiation Date:** November 17, 2005

**Design Professional:** Cooke Douglass Farr Lemons, Ltd.

**General Contractor:** CIG Contractors, Inc.

**Contract Award Date:** November 16, 2007

**Project Budget:** \$3,600,000

**Funding Source(s):** SB 2010, Laws of 2004

## **11. UM – GS 107-287 – Hill Hall Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$3,540.00 and zero (0) additional days to the contract of D. Carroll Construction, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 20, 2010

**Change Order Justification:** The change order is necessary to repair stair tread and riser covering.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of \$21,425.00

**Project Initiation Date:** September 20, 2006

**Design Professional:** Belinda Stewart Architects

**General Contractor:** D. Carroll Construction, LLC

**Contract Award Date:** September 25, 2008

**Project Budget:** \$1,962,907

**Funding Source(s):** HB 1634, Laws of 2006; SB 2101, Laws of 2004

## **12. UM– GS 107-297 – Waste Water Treatment Plant**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Prairie Construction, LLC, the lower of six (6) bidders for a total contract amount of \$1,843,000. Approval is requested from the Bureau of Building, Grounds, and Real Property.

# EXHIBIT 13

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**Staff Approval Date:** April 30, 2010

**Project Initiation Date:** June 18, 2008

**Design Professional:** Engineering Solutions, Inc.

**General Contractor:** Prairie Construction, LLC

**Contract Award Date:** April 30, 2010

**Project Budget:** \$2,200,000

**Funding Source(s):** HB 1641, Laws of 2008; HB 246, Laws of 2007; Internal R&R funds

## **13. UM – IHL 207-279 – Old Chemistry Interiors**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$13,660.68 and twenty-one (21) additional days to the contract of Panola Construction Company.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$126,092.60 and forty-four (44) additional days to the contract of Panola Construction Company.

**Staff Approval Date:** (#1-2) April 27, 2010

**Change Order Justification:** Change Order #6 is necessary to reconfigure Room 144 for the School of Engineering based on the Architectural sketch. Change Order #7 is necessary to demo and replace ceiling in Room 133, add drywall to stud wall in back of auditorium, add acoustical grid framing and ceiling tile furr down above windows, demo existing ductwork and wood ceiling above Communications room. This change order is due to latent conditions, owner/user requests and recommendations made by the Mississippi Department of Archives and History (MDAH).

**Total Project Change Orders and Amount:** Seven (7) change orders for a total amount of \$249,272.70

**Project Initiation Date:** May 18, 2006

**Design Professional:** The McCarty Group

**General Contractor:** Panola Construction Company

**Contract Award Date:** February 18, 2009

**Project Budget:** \$4,500,000

**Funding Source(s):** Internal R&R funds

## **14. UM – IHL 207-294 – Residential Colleges**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #17** in the amount of \$50,036 and thirty (30) additional days to the contract of Harrell Construction Group, LLC.

**Staff Approval Date:** April 19, 2010

**Change Order Justification:** The change order is necessary to provide elevator card readers, shunt trip breakers for kitchen equipment, bollards in parking areas, and to replace grate covers with protected heel guards.

**Total Project Change Orders and Amount:** Seventeen (17) change orders for a total amount of \$2,154,582

**Project Initiation Date:** January 18, 2007

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**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Harrell Construction Group, LLC

**Contract Award Date:** February 28, 2008

**Project Budget:** \$46,500,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds

## **15. UM – IHL 207-303 A – Research Park & Innovation Center – Medicinal Plant Garden**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** for a credit in the amount of (\$19,223.00) and zero (0) additional days to the contract of Hooker Construction.

**Staff Approval Date:** April 27, 2010

**Change Order Justification:** The change order is necessary to apply a credit for the difference in the web base building management system allowance of \$42,000 and the awarded bid proposal of \$22,777 by Johnson Controls.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of (\$19,223.00)

**Project Initiation Date:** August 16, 2007

**Design Professional:** Cooke Douglass Farr Lemons, Ltd

**General Contractor:** Hooker Construction

**Contract Award Date:** December 16, 2009

**Project Budget:** \$2,500,000

**Funding Source(s):** Small Business Administration (SBA), HUD, and NOAA Grant

## **16. UM – IHL 207-306 A – Carrier Hall Addition & Renovation**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$5,659.86 and three (3) additional days to the contract of Panola Construction Company.

**Staff Approval Date:** April 27, 2010

**Change Order Justification:** The change order is necessary due to extended wet weather patterns, excavation of wet soil and replacement of dry prescribed soil to keep project on schedule.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of \$30,933.83

**Project Initiation Date:** August 20, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd

**General Contractor:** Panola Construction Company

**Contract Award Date:** December 16, 2009

**Project Budget:** \$4,500,000

**Funding Source(s):** Mississippi Development Authority (MDA)

# EXHIBIT 13

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## **17. UM– IHL 207-318 – Brown Hall Fire Sprinkler System**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Fireline, Inc. the lower of five (5) bidders for a total contract amount of \$133,000.

**Staff Approval Date:** April 27, 2010

**Project Initiation Date:** January 15, 2009

**Design Professional:** SSR Ellers

**General Contractor:** Fireline, Inc.

**Contract Award Date:** April 27, 2010

**Project Budget:** \$600,000

**Funding Source(s):** Internal Auxiliary R&R funds

## **18. UM – IHL 207-320 – Mississippi Small Business Development Center**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of \$6,891.00 and zero (0) additional days to the contract of Murphy and Sons, Inc.

**Staff Approval Date:** May 7, 2010

**Change Order Justification:** This change order is necessary to add 30 feet of primary and secondary service conductors and to add 6” of perforated pipe under-drain.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$6,891.00

**Project Initiation Date:** February 19, 2009

**Design Professional:** The McCarty Group

**General Contractor:** Murphy and Sons, Inc.

**Contract Award Date:** December 16, 2009

**Project Budget:** \$2,000,000

**Funding Source(s):** Federal Grant #SBAHQ-06-I-0032

## **19. UM – IHL 207-321 – North Residential College – Bid Package B**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #2 in the amount of \$8,425.00 and zero (0) additional days to the contract of United Forming.

**Staff Approval Date:** May 7, 2010

**Change Order Justification:** The change order is necessary to add three grade beams to the foundation so that the pavilion can be built.

**Total Project Change Orders and Amount:** Two (2) change orders for a total amount of \$12,750.00

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** United Forming

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds; Internal R&R funds; Private donations

# EXHIBIT 13

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## **20. UM – IHL 207-321 – North Residential College – Bid Package D**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$2,560.00 and zero (0) additional days to the contract of Drywall Systems Plus, Inc.

**Staff Approval Date:** May 7, 2010

**Change Order Justification:** The change order is necessary to add three grade beams to the foundation so that the pavilion can be built.

**Total Project Change Orders and Amount:** Two (2) change orders for a total amount of \$13,165.00

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Drywall Systems Plus, Inc.

**Contract Award Date:** September 4, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds; Internal R&R funds; Private donations

## **21. UM – IHL 207-321 – North Residential College – Bid Package H**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$2,750.00 and zero (0) additional days to the contract of Specialty Finishes, Inc.

**Staff Approval Date:** April 27, 2010

**Change Order Justification:** The change order is necessary to furnish and install colored concrete sealer in lieu of clear concrete sealant.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$2,750.00

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Specialty Finishes, Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds; Internal R&R funds; Private donations

## **22. UM – IHL 207-321 – North Residential College – Bid Package N**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$4,232.37 and zero (0) additional days to the contract of Advance Electric Co., Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$2,333.97 and zero (0) additional days to the contract of Advance Electric Co., Inc.



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**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$11,972.91 and zero (0) additional days to the contract of Advance Electric Co., Inc.

**Staff Approval Date:** April 27, 2010

**Change Order Justification:** The change order is necessary to furnish and install additional power outlets and communication boxes for TV installation as well as install power and switches for window shades in the Commons space.

**Total Project Change Orders and Amount:** Eight (8) change orders for a total amount of \$65,374.99

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Advance Electric Co., Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds; Internal R&R funds; Private donations

## **23. UM – IHL 207-328 – MEMA/FEMA Emergency Generator**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$40,500.00 and zero (0) additional days to the contract of J.M. Moore Contractors, Inc.

**Staff Approval Date:** April 27, 2010

**Change Order Justification:** The change order is necessary to add bid alternate #2-Generator 5-Kinyard Water Tower. The generator was originally bid as part of the original bid package (October 1, 2009), but the university chose not to accept the alternate that time. The Physical Plant Department has since requested that bid alternate #2 be included in the project. At the time of original bidding the price was \$38,000, but has increased to \$40,500 since the original bid thus requiring a change order for the new amount for bid alternate #2.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$40,500.00

**Project Initiation Date:** September 17, 2009

**Design Professional:** Corbett Legge & Associates, PLLC

**General Contractor:** J.M. Moore Contractors, Inc.

**Contract Award Date:** December 16, 2009

**Project Budget:** \$389,721

**Funding Source(s):** Internal R&R funds; Federal Grant DR-1604-MS-0245-CFA No. 97.0

## **24. UM – IHL 207-331 – Data Center Generator Upgrade**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$40,196.16 and zero (0) additional days to the contract of Robinson Electric

**Staff Approval Date:** April 27, 2010

# EXHIBIT 13

June 16, 2010

**Change Order Justification:** The change order is necessary to add a maintenance by-pass switch to the incoming electrical service for the existing 100 KVA UPS system. This will allow the user to by-pass the UPS system and feed the loads directly to the Data Center. This change order also includes the removal of a tree that hindered the placement of the Generator.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$40,196.16

**Project Initiation Date:** November 19, 2009

**Design Professional:** Corbett Legge & Associates, PLLC

**General Contractor:** Robinson Electric

**Contract Award Date:** N/A

**Project Budget:** \$900,000

**Funding Source(s):** Internal R&R funds

## **25. UM – IHL 207-332 – Golf Course Improvement**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$5,707.00 and zero (0) additional days to the contract of Bennett Construction

**Staff Approval Date:** April 27, 2010

**Change Order Justification:** The change order is necessary to remove and replace existing 15" HDPE with 18" HDPE and to extend the existing 15" HDPE. These changes were made to enhance the storm water drainage.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$5,707.00

**Project Initiation Date:** November 19, 2009

**Design Professional:** Engineering Solutions, Inc.

**General Contractor:** Bennett Construction

**Contract Award Date:** January 29, 2010

**Project Budget:** \$490,000

**Funding Source(s):** Internal Auxiliary R&R funds

## **26. UM – IHL 207-333 – Multi-Modal Airport Project**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Barge Waggoner Sumner & Cannon, Inc., design professional.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Barge Waggoner Sumner & Cannon, Inc., design professional.

**Staff Approval Date:** (#1-2) April 27, 2010

**Project Initiation Date:** January 21, 2010

**Design Professional:** Barge Waggoner Sumner & Cannon, Inc.

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$437,255

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**Funding Source(s):** University/Oxford Airport Capital R&R funds; MDOT Multi-Modal Airport Grant #MM-0057-021

## **27. UM – IHL 207-339 – Hot and Chilled Water Loop Upgrade**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Shackelford Plumbing, design professional.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Shackelford Plumbing, design professional.

**Staff Approval Date:** (#1-2) April 23, 2010

**Project Initiation Date:** March 18, 2010

**Design Professional:** Shackelford Plumbing

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$750,000

**Funding Source(s):** Internal R&R funds

## **28. UMMC – IHL 209-513 – Misc. Boiler and Chiller Revisions**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$78,268.00 and zero (0) additional days to the contract of Fountain Construction Co.

**Staff Approval Date:** May 7, 2010

**Change Order Justification:** The change order is necessary to change the steam valves, flanges, and gasket sets from a #150 rated system to a #250 rated system. The #250 rated steam valves should last 40 years. Also the change order will re-route existing electrical conduits due to existing conduits being in the way of the installation of the new steam headers therefore requiring the electrical conduits to be relocated.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$78,268.00

**Project Initiation Date:** October 16, 2008

**Design Professional:** Eldridge & Associates, Consulting Engineers

**General Contractor:** Fountain Construction Co.

**Contract Award Date:** August 20, 2009

**Project Budget:** \$3,985,000

**Funding Source(s):** Service fees and hospital patient revenue

## **29. UMMC – IHL 209-517 – Pavilion Parking Expansion-Contract 1**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Cooke Douglass Farr Lemons, Ltd, design professionals.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Cooke Douglass Farr Lemons, Ltd, design professionals.

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**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Cooke Douglass Farr Lemons, Ltd, design professionals.

**Staff Approval Date:** (#1-2) April 16, 2010; (#3) May 7, 2010

**Project Initiation Date:** November 21, 2008

**Design Professional:** Cooke Douglass Farr Lemons, Ltd.

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$1,625,000

**Funding Source(s):** Auxiliary parking fees

## **30. UMMC – IHL 209-520 – School of Health Related Professions, Lab Renovation**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$39,041.00 and thirty-two (32) additional days to the contract of Sunbelt General Contractors, Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$733.00 and zero (0) additional days to the contract of Sunbelt General Contractors, Inc.

**Staff Approval Date:** (#1-2) April 16, 2010

**Change Order Justification:** Change Order #1 is necessary to (1) modify the sprinkler system to accommodate new unistrut system and furr out existing east wall duct, (2) fire stop existing penetrations, and (3) cut out drywall and framing for new wall duct, pull boxes, etc., lead wrap in scan room, fire stop all new work, add walk blocking, control room counter, lay-in ceiling to accommodate unistrut changes, electrical revisions, revise storage room counter, epoxy level new table, replace north corridor entrance door and adjust existing doorframe as well as additional cleanup work for the door work. Change Order #2 is necessary for custom modifications to the emergency light fixtures that allow for low light in the event of power failure so experiments and training sessions will not be disrupted.

**Total Project Change Orders and Amount:** Two (2) change orders for a total amount of \$39,774.00

**Project Initiation Date:** March 20, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd.

**General Contractor:** Sunbelt General Contractors, Inc.

**Contract Award Date:** March 22, 2010

**Project Budget:** \$255,134

**Funding Source(s):** Student tuition and fees

## **31. UMMC – IHL 209-521 – Pediatric ICU Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$18,778.00 and zero (0) additional days to the contract of Fountain Construction Co.

**Staff Approval Date:** April 16, 2010

**Change Order Justification:** The change order is necessary for user/owner requested modifications to replace the plastic laminate counter tops in consultation rooms and

# EXHIBIT 13

June 16, 2010

replace with Corian, solid surface tops to match tops specified in adjacent construction areas.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$18,778.00

**Project Initiation Date:** March 19, 2009

**Design Professional:** The McCarty Group

**General Contractor:** Fountain Construction Co.

**Contract Award Date:** December 2, 2009

**Project Budget:** \$3,122,978

**Funding Source(s):** Hospital patient revenue

## **32. UMMC – IHL 209-525 – Gamma Knife Addition**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by The McCarty Group, design professional.

**Staff Approval Date:** April 16, 2010

**Project Initiation Date:** August 20, 2009

**Design Professional:** The McCarty Group

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$1,650,000

**Funding Source(s):** Hospital Patient Revenue

## **33. UMMC – IHL 209-529 – 4-East Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Wilkinson Construction, the lower of eight (8) bidders for a total contract amount of \$631,000.00.

**Staff Approval Date:** April 19, 2010

**Project Initiation Date:** October 14, 2009

**Design Professional:** Mark Vaughan

**General Contractor:** Wilkinson Construction

**Contract Award Date:** April 19, 2010

**Project Budget:** \$753,000

**Funding Source(s):** Student Tuition Revenue

## **34. UMMC – IHL 209-531 – O.R. 8 and O.R. 9 Renovations 2009**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Canizaro Cawthon Davis, design professional.

**Staff Approval Date:** May 7, 2010

**Project Initiation Date:** November 19, 2009

**Design Professional:** Canizaro Cawthon Davis

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$390,000

# EXHIBIT 13

June 16, 2010

**Funding Source(s):** Hospital Patient Revenue

**35. UMMC – IHL 209-533 – Occupational Therapy Renovation 2010**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by The McCarty Group, design professional.

**Staff Approval Date:** May 7, 2010

**Project Initiation Date:** February 18, 2010

**Design Professional:** The McCarty Group

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$318,000

**Funding Source(s):** Hospital Patient Revenue

**36. USM– GS 108-258 – Paving Repairs**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to B.W. Sullivan Building Contractors Inc., the lower of four (4) bidders for a total contract amount of \$614,465. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** April 29, 2010

**Project Initiation Date:** February 19, 2009

**Design Professional:** Andrews-Ford Engineering Services

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

**Contract Award Date:** April 29, 2010

**Project Budget:** \$725,000

**Funding Source(s):** HB 246, Laws of 2007

**37. USM– GS 208-281 – Chain Technology HVAC Upgrade**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Pat L. McKenzie, Inc., the lower of five (5) bidders for a total contract amount of \$519,100.

**Staff Approval Date:** May 10, 2010

**Project Initiation Date:** August 17, 2007

**Design Professional:** Atherton Consulting Engineers, Inc.

**General Contractor:** Pat L. McKenzie, Inc.

**Contract Award Date:** May 10, 2010

**Project Budget:** \$700,000

**Funding Source(s):** University Year End Funds in a Plant Account

# EXHIBIT 14

June 16, 2010

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

Payment of legal fees for professional services rendered by Phelps Dunbar (statement dated 4/23/10) from the funds of Mississippi State University. (This statement, in the amount of \$350.00, represents services and expenses in connection with *Wade vs. MS Cooperative Extension Service*.)

**TOTAL DUE.....\$ 350.00**

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 12/10/09, 4/1/10, 4/1/10, 4/1/10, 4/1/10, 4/15/10, 4/15/10, 4/23/10, 5/1/10 and 5/1/10) from the funds of Mississippi State University. (These statements, in the amounts of \$482.80, \$11.46, \$9.00, \$10.78, \$10.78, \$2,500.00, \$200.00, \$2,000.00, \$500.00 and \$11.46, respectively, represent services and expenses in connection with labor certifications.)

**TOTAL DUE.....\$ 5,736.28**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 4/13/10) from the funds of the University of Mississippi. (This statement, in the amount of \$9,156.50, represents services and expenses in connection with legal fees related to the purchase of Campus Walk Apartments from American Campus Communities.)

**TOTAL DUE.....\$ 9,156.50**

Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (statement dated 4/12/10) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$848.60, represents services and expenses in connection with the *Bernard v. UMMC* case.)

**TOTAL DUE.....\$ 848.60**

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 4/30/10 and 5/6/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with cases styled *Kermode* - \$2,013.00 and *Thornton* - \$8,850.00, respectively.)

**TOTAL DUE.....\$ 10,863.00**

# EXHIBIT 14

June 16, 2010

## 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, O'Mara, Stevens & Cannada (statements dated 4/14/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Compact Time-of-Flight Mass Spectrometer-Canada" - \$242.50; "Compact Time-of-Flight Mass Spectrometer-UK" - \$347.84; "Compact Time-of-Flight Mass Spectrometer-Japan" - \$42.50; "Organic Wood Preservatives" - \$535.00; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$1,912.50; "Live Attenuated Catfish Vaccine" - \$127.50; "Method for Transformation of Cotton and Organogenic Regeneration" - \$85.00; "Device that Interacts with Target Applications" - \$1,282.50 and "Srinivasan-Elusieve Processing CIP Application" - \$127.50.)

**TOTAL DUE.....\$ 4,702.84**

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10, 3/19/10 and 3/31/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "MSU-Windspeed Utility Patent Application" - \$1,055.00; "Plant Patent-St. Augustine Grass Cultivers" - \$1,317.50; "MSU-Temporal Mapping and Analysis" - \$233.75; "MSU-Linear Correspondence" - \$1,458.75; "MSU-Change Analyst" - \$1,466.25; "Giant Myscanthis Trademark Application-Wordmark" - \$722.50; "Termite Control Methods and Apparatus" - \$2,820.00; "Termite Control Methods and Apparatus" - \$3,543.75; "Selective Anti-Cancer Immunoconjugates" - \$513.75; "MSU-Methods and Compositions for Biomarker Probes" - \$492.50; "System and Method for Charging Rechargeable Batteries-PCT Application" - \$430.00; "System and Method for Charging Rechargeable Batteries-PCT Application" - \$2,125.05; "Diethylene Tricarbamide and Diethylene Tricarbamide-Formaldehyde Condensation Resins" - \$2,273.75; "Novel Oxime Therapeutics for Organophosphate" - \$425.00; "Buckscore" - \$970.00; "Buckscore.com" - \$970.00; "MSU-Patent Functional Enhancement of Antimicrobials" - \$1,384.50 and "MSU-Trademark JUVA" - \$532.50, respectively.)

**TOTAL DUE.....\$ 22,734.55**



# EXHIBIT 14

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Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 4/13/10, 4/14/10 and 5/7/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques"- \$1,935.00; "Emerging Models for Wireless Communications Systems Over Multipath Fading Channels" - \$5,197.50 and "Chick Separation-Anxiety-Depression (SAD) Model" - \$42.50, respectively.)

**TOTAL DUE.....\$ 7,175.00**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 1/8/10, 1/8/10, 2/23/10, 3/5/10, 3/24/10, 3/31/10, 3/31/10, 3/31/10, 4/1/10, 4/2/10, 4/2/10, 4/2/10, 4/2/10, 4/2/10, 4/12/10, 4/12/10, 4/15/10 and 5/14/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Canada: Method of Preparing Delta-9-Tetrahydrocannabinol" - \$1,035.53; "Europe: Methods of Controlling Toxicity of Aminoquinoline" - \$295.33; "Potent Immunostimulants from Microalgae" - \$125.00; "Potent Immunostimulatory Extracts from Microalgae" - \$3,165.60; "Australia: Transmucosal Delivery of Cannabinoids" - \$502.83; "Transmucosal Delivery of Cannabinoids" - \$125.00; "Canada: Methods of Controlling Toxicity of Aminoquinoline" - \$125.00; "Europe: Dihydroartemisinin and Dihydroartemisinin Dimers as Anti-Cancer and Anti-Infective Agents" - \$199.73; "New Zealand: Method of Controlling Toxicity of Aminoquinoline" - \$1,104.42; "Canada: 8-Aminoquinoline" - \$805.68; "Australia: 8-Aminoquinoline" - \$1,009.00; "Switzerland: 8-Aminoquinoline" - \$1,092.99; "France: 8-Aminoquinoline" - \$1,423.02; "United Kingdom: 8-Aminoquinoline" - \$1,229.21; "Australia: Dihydroartemisinin and Dihydroartemisinin Dimers as Anti-Cancer and Anti-Infective Agents" - \$278.50; "Potent Immunostimulatory Extracts from Microalgae" - \$3,402.00; "High Molecular Weight Polysaccharide from Aloe Vera with Immunostimulatory Activity" - \$1,754.00 and "Novel Sigma Receptor Antagonists" - \$2,338.00, respectively.)

**TOTAL DUE.....\$ 20,010.84**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/25/10, 3/25/10, 3/25/10, 3/25/10, 3/25/10, 3/25/10, 4/26/10, 4/26/10, 4/26/10, 4/26/10, 4/26/10, 4/26/10, 4/26/10, 4/26/10, 4/26/10 and 4/26/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Canada: Highly Purified Amphotericin-B" - \$1,674.00; "In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative" - \$1,026.00; "Canada: High Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$275.86; "India: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$54.00; "Africa: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$456.18; "Method of Detecting Vibration and Sound Signatures of Human Footsteps" - \$163.30; "Underwater Biomass Assessment Device and Method" - \$133.50; "In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative" - \$1,674.00; "Canada: Highly Purified Amphotericin-B" - \$1,209.00; "Highly Purified Amphotericin-B" - \$412.50; "Japan: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$4,233.98; "Delivery of Medicaments to the Nail

# EXHIBIT 14

June 16, 2010

and Perionychium via ‘Etching’” - \$899.00; “Canada: Stabilized Formulation of Triamcinolone Acetonide” - \$226.50; “Canada: Method of Detecting Vibration and Sound Signatures of Human Footsteps” - \$350.00; “Europe: Method of Detecting Vibration and Sound Signatures of Human Footsteps” - \$350.00 and “Agents with Selective K-Opioid Receptor Activity” - \$134.48, respectively.)

**TOTAL DUE.....\$ 13,272.30**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 3/25/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: “Abell/Miniature Wireless Gastric Electrical Stimulators” - \$335.50; “Abell/System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$517.54; “Abell/Temporary Mucosal Gastric Electrical Stimulation Device” - \$427.50; “Raucher/US/Thermally Targeted Delivery of Medicaments Including Doxorubicin” - \$106.02; “Raucher/Canada/Thermally Targeted Delivery of Medicaments” - \$807.47; “Raucher/Europe/Thermally Targeted Delivery of Medicaments Including Doxorubicin” - \$1,001.07 and “Vig/Thermally Targeted Delivery of Therapeutic Peptides to the Cerebellum” - \$89.02.)

**TOTAL DUE.....\$ 3,284.12**

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

***JUNE 22, 2010 TELECONFERENCE  
MEETING  
OF THE LEGAL COMMITTEE***

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 22, 2010**

**BE IT REMEMBERED**, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi held an emergency teleconference meeting of the Legal Committee on June 22, 2010 at 1:00 p.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Legal Committee members participated in the teleconference: Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Alan Perry, and Mr. Scott Ross. Committee member Amy Whitten was absent. Trustee Stacy Davidson also participated. The meeting was called to order by Trustee Alan Perry, Chair.

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The emergency teleconference meeting was held to discuss a potential litigation matter at the University of Mississippi Medical Center.**

**EXECUTIVE SESSION**

On motion by Trustee Patterson, with Trustees Ross and Whitten absent and not voting, the Committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Patterson, seconded by Trustee Owens, with Trustees Ross and Whitten absent and not voting, the Committee **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a potential litigation matter at the University of Mississippi Medical Center.

**During Executive Session, the following matter was discussed:**

The Legal Committee discussed a potential litigation matter at the University of Mississippi Medical Center. **No action was taken.**

**On motion by Trustee Patterson, seconded by Trustee Ross, with Trustee Whitten absent and not voting, the Committee voted to return to Open Session.**

**ADJOURNMENT**

There being no further business to come before the Legal Committee, on a motion by Trustee Ross, seconded by Trustee Patterson, with Trustee Whitten absent and not voting, the Committee members voted 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 STATE  
INSTITUTIONS OF  
HIGHER LEARNING**

***JUNE 25, 2010  
TELECONFERENCE MEETING OF THE AD HOC  
COMMITTEE FOR THE SEARCH FIRM***

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
June 25, 2010**

**BE IT REMEMBERED**, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi held a teleconference meeting of the Ad Hoc Committee for Search Firms on June 25, 2010 at 2:00 p.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Ad Hoc Committee members participated in the teleconference: Mr. H. Ed Blakeslee, Dr. Bettye Henderson Neely, Mr. Bob Owens, Ms. Christine Pickering, Mr. C.D. Smith and Ms. Amy Whitten. Committee member Mr. Scott Ross was absent. Trustee Aubrey Patterson also participated. The meeting was called to order by President Dr. Bettye Henderson Neely.

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss the selection of a search firm(s) for the presidential searches at Alcorn State University, Jackson State University, and the Mississippi University for Women.**

On motion by Trustee Smith, seconded by Trustee Pickering, with Trustee Scott Ross absent and not voting, the Ad Hoc Committee for Search Firms selected the following four firms to interview: Academic Search, Ayers & Associates, Parker Executive Search and Witt/Kieffer.

**ADJOURNMENT**

There being no further business to come before the Ad Hoc Committee for Search Firms, on a motion by Trustee Blakeslee, seconded by Trustee Pickering, with Trustee Ross absent and not voting, the Ad Hoc Committee members voted 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 STATE  
INSTITUTIONS OF  
HIGHER LEARNING**

***JULY 12, 2010 TELECONFERENCE  
AND THE BOARD  
FOR SEARCH FIRMS***

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
July 12, 2010**

**BE IT REMEMBERED**, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi held a teleconference meeting of the Ad Hoc Committee for Search Firms on July 12, 2010 at 10:00 a.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Ad Hoc Committee members participated in the teleconference: Mr. H. Ed Blakeslee, Dr. Bettye Henderson Neely, Mr. Bob Owens, and Mr. C.D. Smith. Committee members Ms. Christine Pickering, Mr. Scott Ross and Ms. Amy Whitten were absent. Trustee Stacy Davidson also participated. The meeting was called to order by President Dr. Bettye Henderson Neely.

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to interview the top four search firms who submitted proposals to conduct the presidential searches at Alcorn State University, Jackson State University, and the Mississippi University for Women.**

The Ad Hoc Committee for Search Firms interviewed the follow search firms: Ayers & Associates, Academic Search, Witt/Kieffer, and Parker Executive Search.

On motion by Trustee Smith, seconded by Trustee Owens, with Trustees Pickering, Ross and Whitten absent and not voting, the Ad Hoc Committee for Search Firms recommended that the Board choose Ayers & Associates to conduct the Alcorn State University and Jackson State University presidential searches and grant the Commissioner the authority to negotiate and approve the final contract with the search firm.

On motion by Trustee Blakeslee, seconded by Trustee Smith, with Trustees Pickering, Ross and Whitten absent and not voting, the Ad Hoc Committee for Search Firms recommended that the Board choose Parker Executive Search to conduct the presidential search at the Mississippi University for Women and grant the Commissioner the authority to negotiate and approve the final contract with the search firm.

**ADJOURNMENT**

There being no further business to come before the Ad Hoc Committee for Search Firms, on a motion by Trustee Smith, seconded by Trustee Blakeslee, with Trustees Pickering, Ross, and Whitten absent and not voting, the Ad Hoc Committee members voted to adjourn the meeting.

**IMMEDIATELY FOLLOWING THE MEETING OF THE AD HOC COMMITTEE FOR SEARCH FIRMS, THE BOARD HELD A TELECONFERENCE MEETING.**

**BE IT REMEMBERED**, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi held a teleconference meeting on July 12, 2010 at 12:50 p.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Board members participated in the teleconference: Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Alan Perry, Dr. Douglas Rouse, and Mr. C.D. Smith. Ms. Christy Pickering, Ms. Robin Robinson, Mr. Scott Ross, and Ms. Amy Whitten were absent. The meeting was called to order by President Dr. Bettye Henderson Neely.



**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
July 12, 2010**

**In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss the recommendations by the Ad Hoc Committee on Search Firms regarding the top four search firms who submitted proposals to conduct the presidential searches at Alcorn State University, Jackson State University, and the Mississippi University for Women.**

On motion by Trustee Blakeslee, seconded by Trustee Rouse, with Trustees Pickering, Robinson, Ross, and Whitten absent and not voting, the Board reviewed the recommendation of the Ad Hoc Committee for Search Firms, chose Ayers & Associates to conduct the Alcorn State University and Jackson State University presidential searches and granted the Commissioner the authority to negotiate and approve the final contract with the search firm.

On motion by Trustee Smith, seconded by Trustee Davidson, with Trustees Pickering, Robinson, Ross, and Whitten absent and not voting, the Board reviewed the recommendation of the Ad Hoc Committee for Search Firms, chose Parker Executive Search to conduct the presidential search at the Mississippi University for Women and granted the Commissioner the authority to negotiate and approve the final contract with the search firm.

Commissioner Bounds noted that the next step in the search process is to select the Campus Search Advisory Committees for Alcorn State University, Jackson State University, and the Mississippi University for Women.

**ADJOURNMENT**

There being no further business to come before the Board, on a motion by Trustee Blakeslee, seconded by Trustee Rouse, with Trustees Pickering, Robinson, Ross, and Whitten absent and not voting, the Board members voted 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

# **CONSENT AGENDAS**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**BUDGET, FINANCE & AUDIT**  
**August 19, 2010**  
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**1. UMMC – CONTRACTUAL SERVICES AGREEMENTS**

- a. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a professional services agreement with **BKD, LLP.** for tax advisory services.

**Contractor's Legal Name:** **BKD, LLP. CPAs and Advisors**

**History of Contract:** New

**Specific type of contract:** This is a professional tax advisory services agreement.

**Purpose:** The IRS has ruled that prior to 2005 both the medical residents and the academic medical centers where they performed their residency are eligible for refunds from Federal Insurance Contribution Act (FICA) on taxes for the period of their residency. The purpose of the agreement is to provide assistance to management with the processing of these medical resident refund claims pending with the Internal Revenue Service.

**Scope of Work:** Services include:

- designing the process for administering refund claims,
- obtaining employee consents for requesting the employee share of FICA taxes paid,
- preparing tax related forms (forms 843 and 941c) and the IRS claim support spreadsheet,
- assisting with the payment of employee refunds including determining appropriate interest, and
- filing of Forms W-2c and Forms 1099-INT, as appropriate.

A total of five (5) BKD consultants have been assigned to this project.

**Term of contract:** The length of the contract is two months – August 20, 2010 to October 19, 2010.

**Termination Options:** Either party may terminate the agreement at any time. Payment must be issued for time expended to date plus costs to date.

**Contract Amount:** Fees will be billed based on hourly rates stipulated in the engagement letter. Payment will be issued on actual hours worked. UMMC is seeking refunds on a total of eight (8) years. It is anticipated that the total fees *per claim year* will not exceed \$50,000. The total for the contract period shall not exceed \$425,000. Of this total, \$25,000 is included for administrative and travel costs.

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**Funding Source for Contract:** The contract will initially be funded by general funds; however, the refunds received will ultimately fund the engagement. Refunds anticipated are in excess of \$5 million.

**Contractor Selection Process:** An official RFP was not initiated. UMMC was concerned that the IRS would allow a limited time in which to perfect claims. This process requires filing corrected tax forms for all eight years, notifying residents, and revising all the IRS claim forms. Since selection of this firm, UMMC has been notified that the IRS deadline is October 19, 2010.

It was determined by management the following types of skills/experience were needed: payroll tax expertise with experience in filing of IRS tax claims (W2 correction, 1099 reporting, and 941 tax form correction), knowledge of the medical resident tax issue, project planning and management experience, flexible billing terms and reasonable fees.

As such, an informal comparison was conducted. A national firm, Deloitte, and a regional firm with a large local presence, BKD, were contacted.

- Deloitte : Fixed rate of \$400 per resident (total of 1,450) or \$580,000
- BKD, LLP: Hourly rate with a “not to exceed” provision of \$425,000

BKD was selected because the hourly rate gave UMMC the flexibility to use the firm as needed and pay for only the hours used.

**Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.**

- b. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a lease agreement with **Beckman Coulter, Inc.** for diagnostic testing equipment.

**Contractor’s Legal Name: Beckman Coulter, Inc.**

**History of Contract:** New contract

**Specific type of contract:** This is an equipment lease agreement that includes a purchase agreement for related consumables (test kits and supplies).

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**Purpose:** The purpose of the equipment is to provide diagnostic testing for patients. Equipment will be used in the diagnosis of leukemia, treatment of immunocompromised patients, and in laboratory support for the Bone Marrow and Solid Organ Transplant Programs.

**Scope of Work:** The agreement provides for the use of two Beckman Coulter Gallios Flow Cytometers and support instrumentation (two lasers, four monitors, two printers, and one primary service kit) and software, training, and one year of service support. In exchange, UMMC agrees to a minimum purchase of consumables including lab test kits and supplies. Beckman Coulter retains ownership of the equipment after the agreement expires.

**Term of contract:** The length of the contract is five-years – September 1, 2010 to August 31, 2015.

**Termination Options:** The contract may be terminated by either party upon providing sixty (60) days written notice prior to the expiration of the initial or any renewal term. Beckman Coulter may cancel the contract at any time with or without notice or demand if UMMC breaches the terms of the agreement. As per UMMC's standard contractual addendum, the agreement may also be declared null and void upon UMMC writing a letter to the vendor for failure to furnish products or services as agreed upon in the contract.

**Contract Amount:** The minimum monthly purchase amount for consumables (test kits and supplies) is \$15,000 for a total cost over the five-year agreement period of \$900,000.

Projected revenue, as a result of diagnostic testing using the equipment, is estimated at \$400,000 per year or \$2 million for five years. This projection is based on previous patient volume for these types of tests.

**Funding Source for Contract:** The contract will be funded by hospital patient revenue.

**Contractor Selection Process:** Mississippi Code Ann. §37-115-31 authorizes teaching hospitals to enter into group purchasing arrangements. Group Purchasing Organizations (GPOs) operate as an extension of participating healthcare centers' purchasing offices and act as representatives of their member hospitals and hospital corporations. They act on behalf of the members to negotiate group contracts for goods and services from selected vendors. In doing so, GPOs save hospitals money by taking over many contracting functions that would have to be duplicated in many of the member organizations, and by aggregating demand, significant price discounts may be secured from vendors. GPOs also reduce vendors' costs, making it possible

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for vendors to negotiate a single contract rather than contracts with each member hospital. GPOs also help vendors communicate information about products and services currently under contract and provide useful information on experience with products in use.

While an official Request for Proposals was not initiated, both vendors participate in the GPO. There are two primary vendors for flow cytometry products, Beckman Coulter, Inc. and Becton Dickinson. UMMC's Immunopathology Laboratory has used Beckman Coulter equipment for nearly twenty years. Changing to the other vendor, Becton Dickinson, would require retraining of staff, complete procedural change, and would render previously archived data worthless for retrieval purposes. This purchase will provide reciprocal in-house back-up support for the same cytometer recently purchased for the Cancer Institute. The equipment provided as a result of this purchase is of the newest technology, and it will offer more patient data with decreased use of consumables.

**Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to the execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.**

- c. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a purchase agreement with the Mississippi Department of Information Technology Services acting as UMMC's contracting agent and **Carousel Industries of North America, Inc.** to upgrade the existing telephone system.

**Contractor's Legal Name: Carousel Industries of North America, Inc.**

**History of Contract:** New contract

**Specific type of contract:** Purchase Agreement

**Purpose:** The purpose of the agreement is to upgrade the current AVAYA telephone system to AVAYA S8700 system which will allow real-time internet protocol (IP) services such as IP video and voice over IP technologies.

**Scope of Work:** This agreement provides for the purchase of equipment including platform and servers, software, installation and programming services, training, and on-going software maintenance.

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**Term of contract:** The length of this contract is three-years – October 1, 2010 to September 30, 2013.

**Termination Options:** The contract may be terminated upon mutual written agreement of both parties. The purchaser may terminate the agreement for any reason after giving thirty (30) day written notice specifying the effective date. The agreement may be terminated for breach upon giving thirty (30) days written notice unless the breach is cured within said thirty (30) day period.

**Contract Amount:** The total cost for the entire contract period is \$831,154.05 which includes equipment and software costs of \$343,909.05 and support costs of \$487,245.

**Funding Source for Contract:** The contract will be funded by General Funds.

**Contractor Selection Process:** The Mississippi Department of Information Technology Services initiated and managed the request for proposals process. Carousel Industries, an AVAYA partner, was recommended to UMMC as the lowest and best vendor. Carousel is the current maintenance provider to UMMC's phone system.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- d. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval of the forty-second (42<sup>nd</sup>) amendment to its lease agreement with **Jackson Medical Mall Foundation** to lease 37,775 square feet of space.

**Contractor's Legal Name:** Jackson Medical Mall Foundation

**History of Contract:** Contract Amendment – The original lease agreement's commencement date was January 1, 1997. This is the 42<sup>nd</sup> amendment to the original lease agreement.

**Specific type of contract:** Amendment to existing Lease Agreement

**Purpose:** The purpose of this amendment is to lease 37,775 square feet to be used by the UMMC Division of Information Systems (DIS) for consolidated office space.

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**Scope of Work:** The agreement provides for renovation and use of 37,775 square feet of space and includes routine maintenance and janitorial services.

**Term of contract:** The contract length is ten (10) years – December 1, 2010 to November 30, 2020.

**Termination Options:** There is no termination clause in the existing agreement.

**Contract Amount:** Cost per square foot is \$24.87. The monthly rental cost is \$78,288.69, and the total for the lease period is \$9,395,065.

**Funding Source for Contract:** The agreement will be funded by interest income.

**Contractor Selection Process:** N/A.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to the execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- e. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a lease agreement with **Mobile Medic Ambulance Service, Inc. d/b/a American Medical Response** for emergency transportation services.

**Contractor's Legal Name:** Mobile Medic Ambulance Service, Inc. d/b/a American Medical Response

**History of Contract:** New contract

**Specific type of contract:** Lease Agreement

**Purpose:** The purpose of this agreement is to provide transportation services for critically ill pediatric and neonatal patients from across Mississippi to the only children's hospital in Mississippi.

**Scope of Work:** The lease agreement provides for the following:

- one (1) specifically designed and outfitted ambulance to transport pediatric patients,
- one (1) specifically designed and outfitted ambulance to transport neonatal patients,



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- one (1) vehicle as backup for either pediatric or neonatal transports for use when one or both of the primary vehicles is unavailable, and
- drivers and all maintenance as needed for the above.

The lease also provides UMMC with the exclusive rights to display UMMC specific graphic design and logos on the vehicles' exteriors.

**Term of contract:** The contract length is three years – September 1, 2010 to August 31, 2013.

**Termination Options:** Either party may terminate the agreement without cause upon providing sixty (60) days written notice to the other party or upon material breach if such breach is not cured within ten (10) days of written notice to the other party.

**Contract Amount:** The total cost of the contract is estimated at \$748,308 which includes:

- a fixed monthly rate of \$7,000 for the use of the two vehicles and the assurance of a back-up vehicle if one of the two primary vehicles is unavailable,
- a base rate per roundtrip of \$210 (to be assessed on every trip, whether a pediatric or neonatal patient),
- a charge per 15-minute interval of \$15.50 (after first 15 minutes following arrival site from which pediatric or neonatal patient to be transported) times the average time of transport – 3 minutes and thirty seconds or 14 15-minute intervals *times* \$15.50 *equals* \$217, and
- a per hour charge of \$62 for making the vehicle and driver available for customer-requested marketing and public relations events.

Base rates may increase on January 1<sup>st</sup> equal to the percentage increase in the Medical Consumer Price Index (CPI) during the most recent 12 month period for which published figures are available from the U.S. Department of Labor.

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Description of Costs	Year 1	Year 2	Year 3	Total for 3-Year Contract Period
<b>Fixed Costs:</b>				
Monthly rate of \$7,000 for lease of two vehicles ( <b>Total Fixed Costs</b> )	\$84,000	\$84,000	\$84,000	\$252,000
<b>Variable Costs:</b>				
Estimated annual Pediatric and Neonate Transports <sup>1</sup>	250	220	240	710
Estimated annual Neonate Transports	100	110	120	330
Average Charge per Transport (Base Rate of \$210 <i>plus</i> Transport Time Charge of \$217) <sup>2</sup>	\$427	\$437.68	\$448.62	\$1,313.30
Total	\$149,450	\$144,434.40	\$161,503.20	\$455,387.60
Marketing Expense <sup>3</sup>	\$22,320	\$11,160	\$7,440	\$40,920
<b>Total Annual Variable Cost</b>	<b>\$171,770</b>	<b>\$155,594.40</b>	<b>\$168,943.20</b>	<b>\$496,307.60</b>
<b>Total Costs for Contract Period</b>	<b>\$255,770</b>	<b>\$239,594.40</b>	<b>\$252,943.20</b>	<b>\$748,307.60</b>

Assumptions:

<sup>1</sup> Estimated transports are based on data provided by the Transport Coordinator.

<sup>2</sup> Base rates will increase according to the medical CPI, which is estimated at 2.5% per year.

<sup>3</sup> Marketing will be based on 40 hours per month for the first 6 months, 20 hours per month for the next 6 months, 15 hours per month the second year, and 10 hours per month the third year.

**Funding Source for Contract:** The contract will be funded by patient revenues.

**Contractor Selection Process:** There were no bids or proposals submitted as the Hinds County Board of Supervisors has received bids and selected AMR as the county's sole proprietor for emergent and non-emergent ambulance transport which is allowable by state law. UMMC is bound by this county contract to use AMR as a preferred provider.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to the execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- f. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a transplant center participation agreement with **National Marrow Donor Program (NMDP)** for bone marrow transplant services.

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**Contractor's Legal Name:** National Marrow Donor Program (NMDP)

**History of Contract:** The Board last approved an extension to an existing agreement with NMDP in September 2005. The contract was extended for a five-year period and is scheduled to expire September 30, 2010. The estimated cost for the five-year period was \$3,438,626.

**Specific type of contract:** New Agreement

**Purpose:** This agreement enables UMMC to perform unrelated transplants for patients that do not have a sibling match. The NMDP facilitates marrow and cord blood transplants for patients with leukemia and other life-threatening blood diseases.

**Scope of Work:** Services include matching volunteer marrow donors throughout the world with patients at transplant centers, arranging collections and transportation of marrow, and managing patient support and research programs.

UMMC determined it could reduce expense by eliminating some of the blood type testing from this contract; hence, the lower cost in the proposed contract versus the prior contract with this vendor.

**Term of contract:** The contract length is five-years - October 1, 2010 to September 30, 2015.

**Termination Options:** Either party may terminate the agreement by providing sixty (60) days prior written notice. The agreement can also be terminated for breach or failure to perform obligations stipulated in the agreement, if such breach or failure remains uncured for a thirty (30) day period after written notice.

**Contract Amount:** The total estimated cost for the contract period is \$2,892,131. These costs are based on transplants for 16 patients per year and also include an allowance for a cost increase of 8% per year. In addition, the total includes \$45,000 for research costs associated with finding a suitable donor, even if the patient never has the transplant.

**Funding Source for Contract:** The contract will be funded by patient revenues.

**Contractor Selection Process:** NMDP is the only vendor for unrelated donors.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an

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**aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.**

**2. USM – CONTRACTUAL SERVICES AGREEMENTS**

- a. Agenda Item Request:** University of Southern Mississippi (USM) requests approval to enter into a contact with **All Brand Foods Company, Inc. (ABF)** to provide snack vending services for USM.

**Contractor's Legal Name:** All Brand Foods Company, Inc.

**History of Contract:** This is a new contract to provide snack vending service to the USM campus. USM is completing a multi-year contract for snack vending services which will expire on September 30, 2010.

**Specific type of contract:** Revenue contract

**Purpose:** The purpose of this contract is to provide snack vending services to the student, faculty, staff, alumni and visitors to the USM campus.

**Scope of Work:** ABF will provide snack vending services to all areas on the main campus in Hattiesburg. USM will provide utilities and space necessary to operate the needed vending machines.

**Term of contract:** The length of the contract is five years – October 1, 2010 - September 30, 2015. This agreement has an option to renew for three (3) additional one (1) year terms by mutual agreement in writing.

**Termination Options:** USM can terminate the contract for cause and or convenience upon 60 days written notice.

**Contract Amount:** USM will receive a commission rate of 32% on all vending sales. USM estimates realized revenues of \$255,360 based upon a five-year sales volume of \$798,000. This amount will fluctuate as the revenue is based on the amount of product sold, which will change based upon such factors as enrollment, attendance at games, etc. The current contract ending on September 30<sup>th</sup> pays a commission rate of 30% to USM and was generating a total of \$47,100 per year on average.

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Projected Commissions <sup>1</sup>	2011	2012	2013	2014	2015
	\$50,400	\$51,040	\$51,200	\$51,360	\$51,360
<sup>1</sup> Commissions calculated at 32% of projected gross snack sales.					
<b>Projected Sales</b>					
<b>FY 2011</b>	\$157,500				
<b>FY 2012</b>	159,500				
<b>FY 2013</b>	160,000				
<b>FY 2014</b>	160,500				
<b>FY 2015</b>	160,500				
<b>Total</b>	<b>\$798,000</b>				
<b>Products Sold</b>					
Chips	\$57,339				
Candy	38,107				
Cookies	21,765				
Crackers	18,315				
Fresh Pastry	17,709				
LSC Candy	9,461				
\$1 Pastry	5,676				
Gums & Mints	3,379				
Premium Snacks	2,242				
Hot Cups=12 oz.	1,060				
08.5 X Lss	286				
Hot Cups=8 oz.	45				
<b>Total</b>	<b>\$175,384</b>				

**Funding Source for Contract:** Revenue contract

**Contractor Selection Process:** USM issued a Request for Proposals (RFP) on June 10, 2010 with an opening date of July 13, 2010. USM received only one acceptable proposal for snack vending services and it was from ABF. At least five other vendors were solicited to make a bid, but none were willing to meet the minimum requirements or standards mandated by the institution in the RFP. A key stipulation of the RFP was the need to install new debit card-reading machines in at least 50% of the vending locations as recent vending sales had declined across campus.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for any bookstore, food service, or athletic concession contract projected to generate aggregate total revenues for a university of more than \$250,000 or if the term of such contract exceeds four years. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

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- b. Agenda Item Request:** University of Southern Mississippi (USM) requests approval to enter into a lease agreement with **Lockheed Martin Corporation (LM)** to sublet space located at the NASA Stennis Space Center.

**Contractor's Legal Name:** Lockheed Martin Corporation (LM)

**History of Contract:** This is a new contract that allows the USM Gulf Coast Geospatial Center (GCGC) to sublease 4,612 rentable square feet of space at the NASA Stennis Space Center from LM. At present time the GCGC is being housed in commercial leased space in Gulfport, MS.

**Specific type of contract:** Lease space agreement

**Purpose:** The purpose of this contract is to sublet space located at the NASA Stennis Space Center.

**Scope of Work:** LM will sublet 4,612 square feet of space within the NASA Stennis Space Center to the USM Gulf Coast Geospatial Center. Utilities, janitorial and security costs are included within the base rental rates.

**Term of contract:** The length of the lease agreement is three years – September 1, 2010 - August 31, 2013.

**Termination Options:** There are no early termination rights for USM.

**Contract Amount:** USM will pay fluctuating monthly base rental rates over the life of the agreement as shown below.

<b>Year of Agreement</b>	<b>Monthly Rental</b>	<b>Annual Rental</b>
Year 1	\$ 6,341.86	\$ 76,102.32
Year 2	6,658.96	79,907.52
Year 3	6,991.91	83,902.92
<b>Total Rental Fees</b>		<b>\$ 239,912.76</b>

In addition, USM will pay LM “Per Person” and “Infrastructure” fees of approximately \$11,030 annually. These fees are passed through to NASA for security and badge costs.

Total costs for the three-year contract period are \$273,003.

**Funding Source for Contract:** This contract will be funded by externally funded sponsored programs, i.e. contract or grant.

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**Contractor Selection Process:** The GCGC was specifically looking for leased space with the NASA Stennis Space Center to better facilitate the center's mission, goals, and objectives.

**Staff Recommendation:** Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

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**Note:** Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

**Board Policy §902, Initiation of Construction Projects**

*The Board must approve the initiation of a project for the construction of new facilities, repairs and renovations to existing facilities and requests for a capital outlay with a total project budget exceeding \$1,000,000 regardless of how the projects are financed. It is the intent of the Board that its appropriate staff under the direction of the Commissioner shall be involved in all phases of building projects requiring approval by the Board. All construction, repairs, and renovation projects with a total budget of \$1,000,000 or less may be approved by the Institutional Executive Officer. However, all projects utilizing any state bond funds, including Ayers funds, must be initiated with STAFF approval from the Office of Real Estate and Facilities. No further approvals are required by IHL staff for projects of \$1,000,000 or less unless the budget changes. All budget changes for these projects must be reported to the Office of Real Estate and Facilities.*

**Board Policy §904(A), Board Approval**

*When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.*

*After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:*

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*



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*If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.*

*Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution's property even if the land is leased to an institution's affiliated entity or a private developer.*

**Board Policy §905(A), Real Estate Management**

*Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price. Request for approval of land contracts shall include property descriptions, terms of purchase, lease, or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.*

**Board Policy §907, Private Financing of Auxiliary Facilities**

*Section 37-101-41, (1972), as amended, authorizes the Board to permit the leasing of institution land to private individuals or corporations for the purpose of constructing auxiliary facilities thereon. The auxiliary facility shall be constructed by private financing and shall be leased back to the Board for use by the institution. The lease shall contain a provision permitting the Board to purchase the building located thereon for the sum of \$1 after payment by the Board of all sums of money due under the lease. The institution desiring to use this method of project delivery shall request permission from the Board to issue a request for proposal (RFP) for such services. The RFP shall include a project description, procedures to be followed in evaluating the proposals and a time line for evaluation by the institution. It is the intent of the Board that its legal, financial, and facilities staff shall be involved in preparing the RFP and in the evaluation process. Once the evaluation process is completed a recommendation will be brought to the Board for its consideration. Specific procedures for the construction of auxiliary facilities using private financing can be found in the Institutions of Higher Learning's Construction Procedures Manual.*

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**Board Policy §917, Naming Buildings and Facilities**

*Board approval must be obtained prior to naming or re-naming any institutional building or facility. Board approval must also be obtained prior to naming or renaming any building or facility built on university property leased to a university affiliated entity, a private developer or any other individual or entity.*

**APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS**

**BUREAU OF BUILDING PROJECTS**

**1. ASU – GS 101-285 – Natural Gas Pipeline**

**Project Request:** Alcorn State University requests permission to initiate a project Natural Gas Pipeline and to appoint Atherton Consulting Engineers as design professional.

**Design Professional:** Atherton Consulting Engineers

**Purpose:** Alcorn State University is seeking to construct a natural gas pipeline to serve the university's Lorman campus. Through pre-planning and master planning the university has verified a need to construct a natural gas pipeline to transport gas to Alcorn State's main campus in Lorman, MS. The pipeline will run approximately 17 miles from Port Gibson, MS along Highway 552 (Old Port Gibson Road) to the Alcorn State University campus in Lorman. Alcorn State University is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** August 19, 2010

**Date of Original Construction:** 1965

**Date of Last Renovation:** N/A

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**Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$2,816,500.00
Architectural and Engineering Fees:	229,250.00
Miscellaneous Project Costs:	65,500.00
Contingency:	<u>163,750.00</u>
<b>Total Project Budget</b>	<b>\$3,275,000.00</b>

**Funding Source(s):** HB 1701, Laws of 2010 (\$3,275,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**2. DSU – GS 102-237 – Caylor/White-Walters Renovation Phase III**

**Project Request:** Delta State University requests permission to initiate a project Caylor/White-Walters Renovation Phase III and to appoint Architecture South as design professional.

**Design Professional:** Architecture South

**Purpose:** Delta State University is requesting this project in order to complete the next phase of the construction of Caylor/White-Walters which will provide for the construction of 12 laboratories with prep rooms and a new chemical storage building along with replacement of existing mechanical and fire alarm systems. Delta State University is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** August 19, 2010

**Date of Original Construction:** 1971

**Date of Last Renovation:** N/A

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**Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$4,965,000.00
Architectural and Engineering Fees:	317,500.00
Miscellaneous Project Costs:	217,500.00
Contingency:	<u>500,000.00</u>
<b>Total Project Budget</b>	<b>\$6,000,000.00</b>

**Funding Source(s):** HB 1701, Laws of 2010 (\$6,000,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**IHL PROJECTS**

**3. UMMC – IHL 209-537 – Parking Garage C**

**Project Request:** The University of Mississippi Medical Center requests permission to initiate a project Parking Garage C and approval to proceed with the dual phase design-build private financing delivery method for this project pursuant to *Miss Code Ann.*, 37-101-41 and Board Policy §907, Private Financing of Auxiliary Facilities. UMMC is also requesting approval of the location of the parking garage, of the advertising requirements for this project, and of the evaluation criteria for the selection of the short list of development teams to participate in phase two of the selection process. Additionally, UMMC is asking for the Board to find on its minutes that using the dual phase design-build process for this project satisfies the public need better than the traditional design-bid-build method because, in this instance, this process is projected to save time and costs over traditional methods, as explained in more detail below.

**Design Professional:** N/A

**Purpose:** The University of Mississippi Medical Center is requesting this project in order to pursue the dual phase design build process for construction of a 1,000-1,200 space parking structure on the University of Mississippi Medical Center campus. The university is also seeking approval of the site location, the approval to use the advertisement requirements set forth in *Miss Code Ann.*, 31-7-13.1(3), as amended in advertising for the dual phase design build process, and approval to use the evaluation criteria stated below in selecting the short list of development teams to participate in Phase 2 of the selection process. Additionally, UMMC asks the Board to make a

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finding on its minutes that the dual phase design-build process for construction of a parking structure on the University of Mississippi Medical Center campus satisfies the public need better than the traditional design-bid-build method because, in this instance, this process is projected to save time and costs over traditional methods, and this project is better suited for design-build.

The design-build approach is considered desirable for this project since: it would preclude the need to acquire the initial construction funding; a parking structure is a relatively straightforward type of facility, with no complex utility or environmental control requirements; it would provide a more timely project execution, which is needed due to the reduction of parking spaces that will be created through the master plan implementation; and there will be a funding stream to support the lease payments. The utilization of a fee driven income stream for the payment of the lease will allow the Medical Center to accomplish the critical addition of this auxiliary facility to minimize the impact on the debt capacity of the University of Mississippi Medical Center and enhance cash flow.

The project will be privately funded for design/construction, and be leased back to the university for a period not to exceed thirty-one (31) years. The revenue stream to cover the lease payments would be generated by parking permit fees. The garage will be open to all university staff, faculty, students, contractors, vendors, and adjoining medical facilities. The utilization of a fee driven income stream for the payment of the lease will allow the Medical Center to accomplish the critical addition of this auxiliary facility to minimize the impact of the debt capacity of the University of Mississippi Medical Center and enhance cash flow.

The site of the location is east of University Drive near the current Pavilion and School of Dentistry on undeveloped land. The site, located on page 9, is roughly 4.8 acres and is in accordance with the campus master plan in 2010.

The university intends to use the advertisement requirements set forth in *Miss Code Ann.*, 31-7-13.1(3) as amended in advertising for the dual-phase design building process. Board approval is sought to use the following evaluation criteria in selecting the short list of development teams to participate in phase 2 of the selection process: (No more than three (3) development teams will be recommended to the IHL board using this process.)

**1. General Experience**

Overall experience of proposed development team in planning, design, financing, construction, and marketing of parking facility development. Experience of

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developer in “lead role” related to implementing parking facilities developed from initial planning through project completion.

**2. Development and Management Experience**

*Development Experience*

Experience with parking facilities development specifically in regards to project size and complexity, construction style, economic success, overall architectural and design quality; and timeliness of performance. Experience and strength of architects, planning and design consultants, construction team and other specialists as part of the development team.

*Design and Planning Experience*

Experience of designated architectural, planning and/or design consultants as evidenced by overall quality of previous similar projects. Experience of other specialty consultants as referred to in submittal requirements.

*Construction and Project Management Experience*

Experience with constructing projects within established time schedules and within approved construction/ development budgets. Experience in constructing similar type, size, and complexity of projects.

*Public/Private Project Experience*

Experience with joint public/private development projects including demonstrated ability to work effectively with institutions of higher education, respond to public objectives and deliver development projects as initially presented.

*Development Team Capacity*

Number and size of projects to be concurrently undertaken by the development team, and demonstrated ability of such development team to successfully undertake and complete such projects (including the proposed development) during the timeframe of the proposed development project.

**3. Organization, Personnel, and Management**

Organization of development team indicating clear lines of responsibility which can be relied upon for effective and responsive action. Identification and demonstrated commitment of lead person responsible for project management for the proposed project.

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Qualifications of key personnel who will participate in the proposed project.  
Experience, qualifications and strength of key contractors, consultants, and specialists designated as part of the proposed development team.

**4. Financial Capability**

*Overall financial strength of the development team.*

Demonstrated ability to provide necessary capital for pre-development activities; secure construction and permanent loan financing; provide required equity either directly and/or with capital partners; provide funding for ongoing operations (including maintenance, reserves, etc.); and involvement in financing structures for projects similar to the proposed project. Strength of current relationship with financial resources specifically in regards to securing loan commitments from financial institutions; extent of commitment of such lending institutions.

The University of Mississippi Medical Center is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. Also, the university is seeking approval to use the dual phase design-build private financing delivery method and to issue a request for proposal (RFP) for such services as required by Board Policy §907, Private Financing of Auxiliary Facilities.

**Project Initiation Date:** August 19, 2010

**Date of Original Construction:** N/A

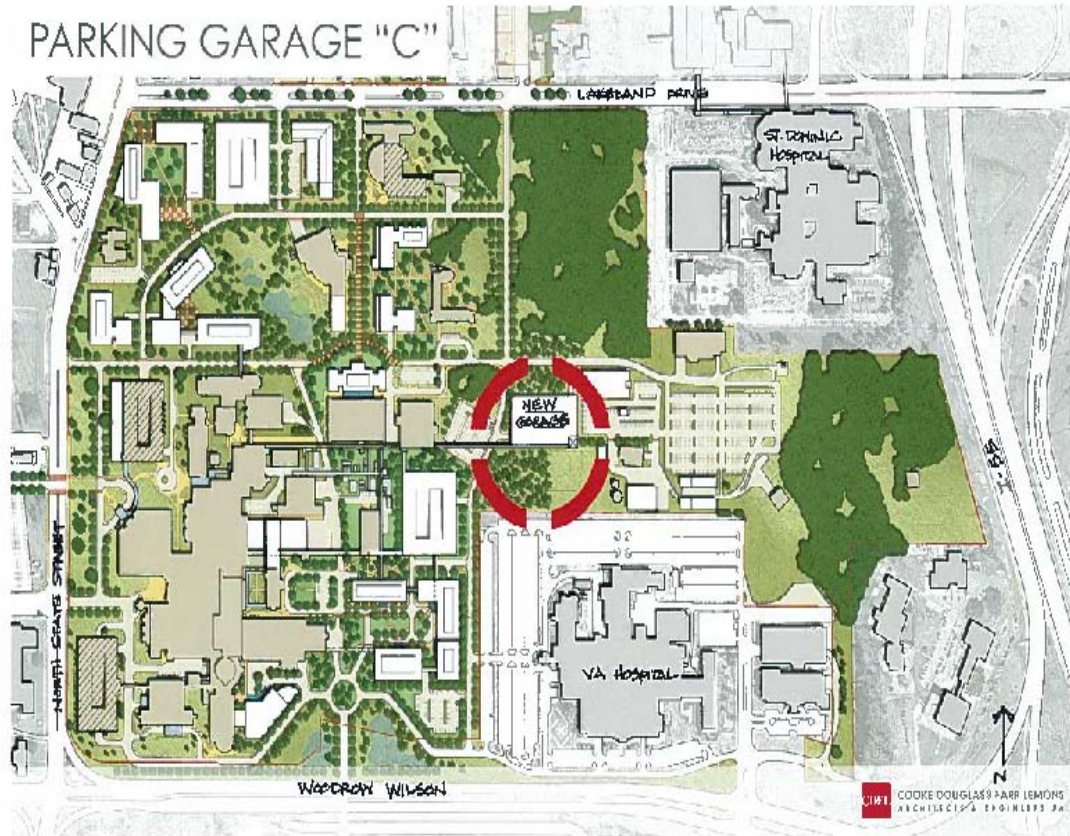
**Date of Last Renovation:** N/A

**Project Budget:** N/A

**Funding Source(s):** Privately financed through dual phase design build financing method with a revenue stream from parking fees from university staff, faculty, students, contractors, vendors, and adjoining medical facilities to cover the lease payments.

**Staff Recommendation:** Board staff recommends approval of this item.

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**APPROVAL OF BUDGET INCREASES AND/OR CHANGES OF SCOPE**

**BUREAU OF BUILDING PROJECTS**

**4. UM – GS 107-303 – Various Roofing Replacements**

**Project Request:** The University of Mississippi requests approval for a change in scope as well as an increase in the project budget for the Various Roofing Replacements project from \$1,000,000 to \$1,500,000 for an increase in the amount of \$500,000.

**Project Phase:** Design Phase



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**Design Professional:** Shafer and Associates

**General Contractor:** N/A

**Purpose/Justification:** The project is currently in the design phase. This is the first budget escalation request made for this project by the university. Upon completion of two Bureau of Building projects there were funds left over that are being transferred to this project to assist in replacing various roofs on the university campus. The project will include but is not limited to Leavell Hall, Vardaman Hall, Mary Buie Museum, National Center for Physical Acoustics (partial), Lewis Hall, Library (partial), and Data Center. The University of Mississippi is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

**Project Initiation Date:** August 20, 2009

**Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 877,850.88	\$ 1,330,200.00	\$ 452,349.12
Architectural and Engineering Fees	\$ 62,034.34	\$ 91,229.85	\$ 29,195.51
Miscellaneous Project Costs	\$ 4,200.00	\$ 4,200.00	\$ 0.00
Contingency	\$ 55,914.78	\$ 74,370.15	\$ 18,455.37
<b>Total Project Budget</b>	<b>\$ 1,000,000.00</b>	<b>\$ 1,500,000.00</b>	<b>\$ 500,000.00</b>

**Funding Source(s):** HB 1722, Laws of 2009 (\$974,707.47); SB 2010, Laws of 2004 (\$88,000); HB 246, Laws of 2007 (\$100,000); Internal R&R Funds (\$337,292.53)

**Staff Recommendation:** Board staff recommends approval of this item.

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**IHL PROJECTS**

**5. MSU – IHL 205-234 – MSU Research and Technology Park Road**

**Project Request:** Mississippi State University requests approval to increase the project budget for the MSU Research and Technology Park Road project from \$2,460,000 to \$5,160,000 for an increase in the amount of \$2,700,000.

**Project Phase:** Design Phase

**Design Professional:** Neel-Schaffer

**General Contractor:** N/A

**Purpose/Justification:** The project is currently in the design phase. This is the first budget escalation request made for this project by the university. Mississippi State University is requesting the budget escalation due to the latest design development estimate of cost that will be paid for with additional federal funds. The project will construct a new entrance road from Highway 182 East to the existing Research Park. Mississippi State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

**Project Initiation Date:** September 21, 2007

**Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 1,960,000.00	\$ 4,175,000.00	\$ 2,215,000.00
Architectural and Engineering Fees	\$ 400,000.00	\$ 618,000.00	\$ 218,000.00
Miscellaneous Project Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 100,000.00	\$ 367,000.00	\$ 267,000.00
<b>Total Project Budget</b>	<b>\$ 2,460,000.00</b>	<b>\$ 5,160,000.00</b>	<b>\$ 2,700,000.00</b>

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**Funding Source(s):** MDOT (\$2,460,000); U.S. Department of Commerce, National Institute of Standards and Technology (\$2,700,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**6. UMMC – IHL 209-532 – Cardiovascular Renovations**

**Project Request:** The University of Mississippi Medical Center requests approval of change in scope as well as an increase in the project budget for the Cardiovascular Renovations project from \$15,682,052 to \$17,182,052 for an increase in the amount of \$1,500,000.

**Project Phase:** Design Phase

**Design Professional:** Cooke Douglass Farr Lemons

**General Contractor:** N/A

**Purpose/Justification:** The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The University of Mississippi Medical Center requests to revise the scope of the project to include the addition of a third floor to the original structure. During initial design and development of Schematic Documents, the need for additional office areas was realized by the university. The escalation of the project budget is necessary to address the change in scope and to provide an addition of a third floor to the new structure that will provide much needed modular office areas (6,900 gsf) that can be utilized by the clinical activities. The project will include renovation of approximately 25,000 square feet of existing hospital outpatient clinic area as well as the new building expansion of 3 floors that consist of approximately 29,400 square feet. The new structure will provide a new, modern Cardiovascular Clinic/Service area. The University of Mississippi Medical Center is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

**Project Initiation Date:** February 18, 2010

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**Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 12,971,563.00	\$ 15,514,400.00	\$ 2,542,837.00
Architectural and Engineering Fees	\$ 1,151,225.00	\$ 1,091,761.00	\$ (59,464.00)
Miscellaneous Project Costs	\$ 813,000.00	\$ 119,800.00	\$ (693,200.00)
Contingency	\$ 746,264.00	\$ 456,091.00	\$ (290,173.00)
<b>Total Project Budget</b>	<b>\$ 15,682,052.00</b>	<b>\$ 17,182,052.00</b>	<b>\$ 1,500,000.00</b>

**Funding Source(s):** Hospital Patient Revenue (\$17,182,052)

**Staff Recommendation:** Board staff recommends approval of this item.

**7. UMMC – IHL 209-535 – Learning Resources Renovations 2010**

**Project Request:** The University of Mississippi Medical Center requests approval of change in scope as well as an increase in the project budget for the Learning Resources Renovations 2010 project from \$2,000,000 to \$2,850,000 for an increase in the amount of \$850,000.

**Project Phase:** Design Phase

**Design Professional:** Cooke Douglass Farr Lemons

**General Contractor:** N/A

**Purpose/Justification:** The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The original project design scope was based on renovations to existing first and second floor areas. With completion of the program and preliminary planning phase, a need for additional space was realized. With re-organization of a portion of existing third floor space, approximately 17,000 square feet could be added to satisfy the need vs. available space requirement. The project will reconfigure existing Learning Resources Library

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spaces to create student interaction areas and Administrative office areas. Presently, the Medical Center's administrative functions are located in the Learning Resources Building and other campus buildings. The escalation of the project budget is necessary to address the change in scope in order to allow for the renovation of existing office areas so that these administrative functions can be relocated from across campus and consolidated in a defined location for greater support and efficiency. The University of Mississippi Medical Center is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

**Project Initiation Date:** April 15, 2010

**Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 1,625,000.00	\$ 2,315,625.00	\$ 690,625.00
Architectural and Engineering Fees	\$ 141,390.00	\$ 193,095.00	\$ 51,705.00
Miscellaneous Project Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 233,610.00	\$ 341,280.00	\$ 107,670.00
<b>Total Project Budget</b>	<b>\$ 2,000,000.00</b>	<b>\$ 2,850,000.00</b>	<b>\$ 850,000.00</b>

**Funding Source(s):** Interest Income (\$142,000); MCEBC bond funds (\$2,708,000)

**Staff Recommendation:** Board staff recommends approval of this item.

**APPROVAL OF OTHER REAL ESTATE REQUEST**

**8. ASU – Naming/Dedication of New Student Housing Complex**

**Project Request:** Alcorn State University requests permission for the naming/dedication of the new student housing complex to The Medgar Wiley Evers Heritage Village.

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**Purpose:** The new student housing complex is being built by the Alcorn State University Educational Building Corporation and includes four (4) housing units plus an amenities building featuring a convenience store, fitness center, computer labs, and leasing offices. The new complex scheduled to open in the fall of 2010, will replace 1002 beds, providing Alcorn students with comfort and convenience in a modern, secure living space.

Born July 2, 1925, in Decatur, Mississippi, Medgar Wiley Evers was a seminal figure in the history of the American Civil Rights Movement. After growing up in a Mississippi farming family, Evers enlisted in the United States Army in 1943 and fought in both France and Germany in World War II before receiving an honorable discharge in 1946. He returned to Mississippi and enrolled at Alcorn Agricultural and Mechanical College. While a student at Alcorn he lettered in football and track, was on the debate team and school choir and served as editor of the yearbook before earning a Bachelor's degree in business administration in 1952. During his senior year, Evers married a fellow student, Myrlie Beasley; they later had three children: Darrell, Reena, and James.

Evers was the first Field Secretary of the NAACP recruiting members, organizing chapters and voter registration drives in Mississippi before being assassinated in the driveway of his home on the night of June 12, 1963. His death precipitated the passing of the 1964 Civil Rights Act. Evers was buried with full military honors in Arlington National Cemetery, and the NAACP posthumously awarded him their 1963 Spingarn Medal. Medgar Evers represented the quintessential tenets of an Alcornite – service, scholarship and dignity. Alcorn State University is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility

**Staff Recommendation:** Board staff recommends approval of this item.

**9. ASU – Naming of the Academic Student Support Center**

**Project Request:** Alcorn State University requests permission for the naming of the Academic Student Support Center to the Dr. Newtie J. Boyd Academic Student Support Center.

**Purpose:** Since its inception in 1983, the Academic Student Support Center, formerly the College of Excellence has provided the General Education Core Curriculum as well as supporting services, activities, and programs for all undergraduate students who matriculate at the university. The Center serves as the

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initial point of entry for all undergraduate students enrolling in the institution for the first time, including transfer students. Specific programming available in the Center include First year Experience, Counseling and Testing and Upward Bound.

The Academic Student Support Center provides students with comprehensive academic advising and social development that maximizes their chances of success upon entry into a program of study in a selected academic department. Services include but are not limited to free-tutoring, computer-assisted instructional labs and workshops in academic skill development and social skills development. The Center has been successful and achieved national recognition in retaining first year students and increasing the percentage of students who acquire degrees from Alcorn State University.

Dr. Newtie J. Boyd was born in Scott County, Mississippi. He graduated from Alcorn Agricultural and Mechanical College in 1957 with a Bachelor of Science degree and received his Masters of Science degree at the Tuskegee Institute before earning his Doctorate of Philosophy in Chemistry Education from the University of Southern Mississippi. For many years he was instrumental in insuring students from his hometown were able to matriculate at Alcorn. As a high school teacher and coach, he would personally advise and shuttle students to the Lorman campus when they had no other means. Dr. Boyd served the state of Mississippi and Alcorn State University as a Professor and Dean for over 29 years in the Department of Chemistry before his passing earlier this year. Dr. Boyd is warmly remembered by the Alcorn family for possessing an incomparable dedication to the academic preparation and support of students. He was one of the originators of the Academic Student Support Center. Alcorn State University is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility

**Staff Recommendation:** Board staff recommends approval of this item.

**10. MSU – Land Swap Between MSU and Oktibbeha County Economic Development Authority (OCEDA)**

**Project Request:** Mississippi State University requests permission to swap approximately 1.895 acres of property with Oktibbeha County Economic Development Authority (OCEDA).

**Purpose:** Mississippi State University is seeking to acquire 1.895 acres located on the north side of Joe Baddley Drive in the Thad Cochran Research, Technology and Economic Development Park in order to allow for the new Research Park road to be

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constructed. The property begins in the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 36, Township 19 North, Range 14 East, Oktibbeha County, Mississippi and commences at a concrete marker with a brass disk labeled MSU Property Line STA 47, located at the Southeast corner of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 36, Township 19 North, Range 14 East in Oktibbeha County, Mississippi. In exchange MSU will swap an existing 1.897 acres of university land that begins in the East Half (E ½) of the Northwest Quarter (NW ¼) of Section 36, Township 19 North, Range 14 East, Oktibbeha County, Mississippi and commences at a concrete marker with a brass disk labeled MSU Property Line STA 47, located at the Southeast corner of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section 36, Township 19 North, Range 14 East in Oktibbeha County, Mississippi.

By swapping these two parcels of land, MSU will be able to construct the new Research Park road entirely on MSU property. Two independent property appraisals were performed for the two individual parcels of land and indicate that the property values are the same. One appraisal stated the value of each parcel of land as \$200,000 while the second appraisal stated the value of each parcel of land as \$220,000. Both parcels of land appraised equally for an average of \$210,000. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy §905(A), Real Estate Management, that requires each institution acquiring or disposing of real property to receive two independent appraisals.

**Staff Recommendation:** The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

**11. UM – IHL #207-329 – Triplett Alumni Center Renovation-Sole Source**

**Project Request:** The University of Mississippi requests permission to sole source the mechanical controls for Triplett Alumni Center.

**Purpose:** The University of Mississippi is renovating the interior of the Triplett Alumni Center due to a major water line burst. The construction cost of the renovation associated with the water line burst is \$1,036,600. The original building had a mechanical system and controls by Andover. The repairs and renovations to the building included a new mechanical system. However, the Triplett Center abuts the old part of the Inn at Ole Miss. The old part of the Inn at Ole Miss was not damaged by water, but the Triplett Alumni Center was damaged. The new Triplett mechanical unit will be part of the existing system which is controlled by Andover



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equipment. The mechanical engineer specified Andover controls on the new mechanical unit to operate seamlessly with the existing controls that were not impacted by the water line burst.

**Staff Recommendation:** Board staff recommends approval of this item.

**12. USM – Sale of Old Albertson’s Building**

**Project Request:** The University of Southern Mississippi requests permission to sell property known as “The Old Albertson’s Building” to CCM Capital Assets, LLC.

**Purpose:** Sale of the property was authorized in SB 3031, Laws of 2008 and The Bureau of Building, Grounds, and Real Property Management delegated authority to advertise for the sale of the property on April 22, 2008. The Bureau of Building, Grounds, and Real Property has reviewed the advertisements, appraisals, and the sale agreement and has concurred with their adequacy. Two independent appraisals were performed (one for \$1,500,000 and one for \$1,550,000) with an average appraisal value of \$1,525,000. The property was publicly advertised and two proposals were received, both of which were less than the average of the two appraisals. Negotiations were entered with the high proposer (CCM Capital Assets, LLC), resulting in a sale price of \$1,555,000 which is \$30,000 above the average of the two appraisals. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The University of Southern Mississippi acting in accordance with Board Policy §905(A), Real Estate Management, that requires each institution to receive Board approval prior to the execution of a contract for the sale of real property and to receive two independent appraisals with the sale price of the real property being no less than the average of the two appraisals.

**Staff Recommendation:** The Attorney General’s Office has reviewed and approved this item. Board staff recommends approval of this item.

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**1. MSU - APPROVAL TO HIRE BUTLER, SNOW, O'MARA, STEVENS & CANNADA AS OUTSIDE COUNSEL**

MSU requests Board approval to hire Cara Baer, Hemant Gupta, Johnny Healy, Barry Cannada, Ben Roberson, Bob Morris, Ryane O'Beirne and Lane Belisimo with the Butler Snow law firm as outside counsel to work on intellectual property and commercial matters. The contract will be for one year. The hourly rate to be charged will be \$225 per hour for intellectual property services, \$215 per hour for commercial services and \$85 per hour for paralegals. The total amount payable under the contract will not exceed \$50,000.

**STAFF RECOMMENDATION: Board staff recommends approval of this item pending approval by the Attorney General.**

**2. SYSTEM - APPROVAL OF FY 2011 INTER-AGENCY AGREEMENT BETWEEN IHL AND THE ATTORNEY GENERAL'S OFFICE FOR LEGAL SERVICES**

Board approval of the below proposed Inter-Agency Agreement between IHL and the Attorney General's Office for the provision of legal services for FY 2011 is requested. The agreement is for one year beginning July 1, 2010, with a total contract amount of \$355,596.19. It provides, among other things, for three full-time attorneys to assist IHL with legal matters. Other than the dollar amounts and the number of attorneys decreasing, the other provisions have not changed from the last such agreement for FY 2010.

**STATE OF MISSISSIPPI**

**COUNTY OF HINDS**

**INTER-AGENCY AGREEMENT  
FOR THE PROVISION OF LEGAL SERVICES  
FOR THE FISCAL YEAR 2011**

THIS AGREEMENT is entered into on the day and date hereinafter recited between the Office of the Attorney General, who may be hereinafter known as "OAG" and the Board of Trustees of State Institutions of Higher Learning which may be hereinafter known as "IHL", both of which may be hereinafter known as "Parties", for the purpose of providing legal services to IHL and its subordinate institutions during the fiscal year beginning July 1, 2010.

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WHEREAS, the Attorney General is the Chief Legal Officer of the State of Mississippi and is charged by the Constitution with the management of legal affairs for the State; and,

WHEREAS, it is the intent of the Parties that legal representation shall be provided on a system-wide basis; and,

WHEREAS, the Parties agree that such representation shall be supervised by the Attorney General and must afford consistent representation to each institution in the system; and,

WHEREAS, the IHL shall maintain oversight over the responsibilities of the attorneys approved by the OAG,

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

FOR AND IN CONSIDERATION of the mutual benefits which will accrue to each Party from this Inter-Agency Agreement, which may be hereinafter known as the "Agreement", and the mutual promises and covenants made and set out herein by the Parties, and other good and valuable consideration, the receipt and sufficiency of which is all hereby acknowledged, the Office of the Attorney General and the Board of Trustees of State Institutions of Higher Learning do hereby agree and contract that:

1. Upon payment by IHL of the consideration stated in the Agreement, the Office of the Attorney General will:

- a. Provide at all times no less than three (3) full-time staff attorneys (either Assistant Attorneys General or Special Assistant Attorneys General) to assist the Commissioner of Higher Education, the Board of Trustees, the Board Staff, and the various institutions of the IHL system in managing and conducting the day-to-day legal affairs of IHL, its offices and subordinate institutions. Said attorneys, one of whom shall be designated "Section Head" shall comprise the "IHL Education Section" of the OAG and shall be located at IHL offices or such places as may be designated by IHL.

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- b. Properly supervise, direct, and control the attorneys provided pursuant to the terms and conditions of this contract, pursuant to OAG's statutory duties found in Miss. Code Ann., §7-5-1, et seq., as amended, and other applicable statutes.
- c. Provide personnel such as secretarial, clerical and support staff, and updated computer hardware and software, as shall be necessary in the premises for the faithful performance of all terms and conditions of this contract.
- d. Provide, for the supervision of the attorneys procured to satisfy the terms and conditions of this contract, a section head, who shall be appointed by OAG, subject, however, to the approval, pursuant to Subsection (e), below, of IHL. The individual chosen as Section Head of the IHL Education Section shall be designated either an Assistant Attorney General or a Special Assistant Attorney General, who shall be assigned to IHL and the Commissioner of Higher Education. The individual shall be an attorney of the highest caliber, with extensive experience in administrative law, public procurement, the law of higher education and litigation. The individual so chosen by the Attorney General shall act as the legal advisor to IHL and the Commissioner of Higher Education and the Institutions.

The individual chosen shall coordinate the legal affairs of IHL with the Commissioner and those attorneys assigned to the IHL Board Office as well as those authorized by paragraph (2) hereof. The individual shall further coordinate the legal activities of the above attorneys to provide for effective legal representation to IHL. Expertise will be developed and maintained among the attorneys assigned to IHL in areas necessary to provide quality and effective legal representation.

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- e. Assign attorney personnel procured to satisfy the terms and conditions of this contract after:
- i. The attorneys have been recommended in writing by OAG to the Board; and
- ii. The Board's designee(s) has participated in an interview and selection process for said attorneys.

In the event that circumstances require the services of legal counsel in addition to that provided herein, the Attorney General may make a temporary assignment of such counsel, subject to the prior approval of the Legal Committee of the Board of Trustees or the prior approval of the President of the Board, Chairperson of the Legal Committee, and the Commissioner.

- 2. Any State institution of higher learning may request the OAG to perform legal services relating to patents, trademarks and copyrights separate and apart from paragraph 1 above. Upon approval of a request by the OAG, such services will be performed by an attorney who is registered to practice before the U.S. Patent and Trademark Office. The IHL shall pay \$85 per hour for such services. The OAG shall have the authority to approve and associate other legal counsel when appropriate for specific purposes relating to international or foreign patents, trademarks, and copyrights. The OAG will provide monthly invoices to each institution identifying in reasonable detail the services performed and the attorney(s) who performed the services. Payment will be made by the institution to the OAG within 45 days of the invoice date.

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3. Mississippi State University, the University of Mississippi, the University of Southern Mississippi, the University of Mississippi Medical Center, the Mississippi University for Women, Jackson State University, and such other institutions as authorized by the Board and approved by the Attorney General may employ or retain, at their own expense, legal representation in excess of that hereinabove provided. Each of said attorneys so engaged shall be, subject to the approval of the Attorney General, designated as a Special Assistant Attorney General. Each attorney so engaged shall administer the day-to-day legal affairs of their client, and coordinate same with the Section Head of the Attorney General's Education Section at the IHL Office and shall make such reports to OAG as said Attorney General may require. Each campus based attorney may have assigned to them other duties by the chief executive officer.
4. An annual litigation report shall be furnished to IHL through the Office of the Commissioner of Higher Education. The report will be submitted by the OAG by July 31, 2011, summarizing the services provided by OAG. This Annual Report shall document hours worked by the Education Section attorneys, broken down by institution and type of service. The Report shall be reviewed by the parties and may be used as a basis for future contractual relations.
5. IHL agrees to:
  - a. Provide office space for three (3) attorneys assigned by OAG in performance of this contract, in the Education and Research Center, or at such other place as may be deemed necessary and proper by the Commissioner of Higher Education.
  - b. Pay unto OAG, one-half in July and one-half in January, a total yearly sum not exceeding Three Hundred Fifty Five Thousand, Five Hundred Ninety-Six and 19/100 Dollars (\$355,596.19) for the good and faithful performance of all of the terms and conditions of this contract. The contract amount includes Seven Thousand Five Hundred Dollars (\$7,500.00) for

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reimbursement of registration, travel and other expenses relating to continuing legal education courses and seminars addressing issues relevant to higher education attended by IHL Education Section attorneys.

- c. Provide all necessary supplies, legitimate travel expenses and other costs.
6. Both OAG and IHL agree:
- a. That this Agreement is terminable at the instance of either Party upon the giving of thirty (30) days written notice to the other Party.
  - b. That this Agreement may be amended in writing if both parties consent in writing to amendment thereof.
  - c. That the terms and conditions of the Agreement are severable. Should any terms or conditions of this Agreement be invalidated by a court of competent jurisdiction, the other terms and conditions shall remain in full force and effect unless modified or terminated as hereinabove set out.
  - d. That any written notice required herein may be made by mailing said notice by certified mail, United States Mail, postage prepaid, to the following:

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OFFICE OF THE ATTORNEY GENERAL

Jim Hood  
Attorney General  
Post Office Box 220  
Jackson, Mississippi 39205

INSTITUTIONS OF HIGHER  
LEARNING

Dr. Hank Bounds  
Commissioner of Higher Education  
3825 Ridgewood Road  
Jackson, Mississippi 39211

WITNESS OUR SIGNATURES, this the \_\_\_\_ day of \_\_\_\_\_, 2010.

BOARD OF TRUSTEES OF STATE  
INSTITUTIONS OF HIGHER LEARNING

\_\_\_\_\_  
Dr. Bettye Neely, President

BOARD OF TRUSTEES OF STATE  
INSTITUTIONS OF HIGHER LEARNING

\_\_\_\_\_  
Dr. Hank Bounds  
Commissioner of Higher Education

OFFICE OF THE ATTORNEY GENERAL

\_\_\_\_\_  
Jim Hood, Attorney General

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**



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**3.     SYSTEM – APPROVAL OF AMENDMENTS TO BOARD POLICY 701.07**  
**DEPOSITORY POLICY**

In order to make Board Policy 701.07 Depository Policy consistent with applicable state law, as set out within Miss. Code Ann. §7-9-43 (1972), as amended, the following amendment is proposed for the Board's consideration. The proposed amendments have already been approved by the Board for first reading and are now presented for final approval.

701.07           DEPOSITORY POLICY

The state institutions of higher learning and the State Department of Public Welfare, after receiving the written approval of the State Fiscal Officer as provided in §7-9-41, shall select and make a contract with some bank to serve as depository for institutional funds. The contract shall be for two and one-half years.

Miss. Code Ann., §7-9-43, as amended.

~~Funds may only be deposited in depositories approved by the Board.~~ If the depository is not a participant in the state collateral pool, the institution shall monitor the collateralization of deposits by the depository to ensure compliance with state statutes.

**STAFF RECOMMENDATION:   Board staff recommends approval of this item.**

**4.     SYSTEM – APPROVAL OF AMENDMENTS TO BOARD POLICY 1201.01 THE**  
**LAW**

Parts of the Board's ethics policies are inconsistent with the state ethics statutes. The following proposed amendments are suggested in order to make the Board's ethics policies consistent with state law. The proposed amendments have already been approved by the Board for first reading and are now presented for final approval.

1201.01           THE LAW

The Board of Trustees of State Institutions of Higher Learning, as well as all officers and employees of the Board, shall abide by the state ethics statutes, as set out in Miss. Code Ann. §25-4-101, et. seq. (1972), as amended.

~~The Board of Trustees of Institutions of Higher Learning recognizes that the integrity of Board members, staff, Institutional Executive Officers and employees in the conduct of the public's business should be unquestioned~~

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~~and of the highest order. The Board further recognizes that the Mississippi Legislature has declared its intent that public officers comport themselves in a manner which is above question through the adoption of Miss. Code Ann., §25-4-101, et seq., which states:~~

~~The legislature declares that elective and public office and employment is a public trust and any effort to realize personal gain through official conduct, other than as provided by law, or as a natural consequence of the employment or position, is a violation of that trust. Therefore, public servants shall endeavor to pursue a course of conduct which will not raise suspicion among the public that they are likely to be engaged in acts that are in violation of this trust and which will not reflect unfavorably upon the state and local government.~~

~~And pursuant to Miss. Code Ann., §25-4-105(1), which states:~~

~~No public servant shall use his official position to obtain pecuniary benefit for himself other than that compensation provided for by law, or to obtain pecuniary benefit for any relative or any business with which he is associated.~~

~~Therefore, the Board adopts as its policy that Board members, Board staff, Institutional Executive Officers and all employees of the various institutions of higher learning shall observe the ethics law.~~

**5. STAFF RECOMMENDATION: Board staff recommends approval of this item.**  
**SYSTEM – APPROVAL OF DELETION OF BOARD POLICY 1201.0101 BOARD MEMBERS**

Parts of the Board's ethics policies are inconsistent with the state ethics statutes. The following proposed deletion of Board Policy 1201.0101 Board Members is suggested in order to make the Board's ethics policies consistent with state law. The proposed deletion has already been approved by the Board for first reading and is now presented for final approval.

~~1201.0101 BOARD MEMBERS~~

~~The formal policy of this Board applicable to all Board members is as follows:~~

- ~~A. In this regard, Board members shall advise the executive office of the Board of any interest in any banking institution or other enterprise likely to do business with the executive office so that the~~

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~~appearance of impropriety can be avoided. Should such interest in a banking institution or other enterprise be created or acquired by any Board member in the future, then notice will immediately be given to the executive office.~~

- B. ~~In addition, the Board further adopts as its policy that no Board member or Board member's spouse, dependent child or parent shall serve on any board of directors of any banking institution or other enterprise with which the executive office does business or own any interest in said business or receive any income from said business.~~
- C. ~~In addition, Board members shall be prohibited from having an interest in a contract with IHL or the universities during their term of office or within one year after termination of their office.~~

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

**6. SYSTEM – APPROVAL OF DELETION OF BOARD POLICY 1201.0102**  
**EXECUTIVE OFFICERS AND PERSONNEL**

Parts of the Board's ethics policies are inconsistent with the state ethics statutes. The following proposed deletion of Board Policy 1201.0102 Executive Officers and Personnel is suggested in order to make the Board's ethics policies consistent with state law. The proposed deletion has already been approved by the Board for first reading and is now presented for final approval.

~~1201.0102 EXECUTIVE OFFICERS AND PERSONNEL~~

~~The Board further adopts as a policy and directs that each institution of higher learning which has been entrusted to this Board shall adopt and publish a policy that:~~

- A. ~~All officers and all employees making or having the responsibility for financial decisions involving the expenditure, safekeeping or investments of funds of all institutions shall advise the Institutional Executive Officer of any interest in any banking institution or other enterprise likely to do business with the institution so that the appearance of impropriety can be avoided. Should such interest in a banking institution or other enterprise be created or acquired by any officer or any employee in the future, then notice will immediately be given to the Institutional Executive Officer.~~

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- ~~B. No officer or employee making or having the responsibility for financial decisions involving the expenditure, safekeeping or investments of funds, or spouse, dependent child or a parent of such officer or employee shall serve on any board of directors of any banking institution or other enterprise with which the institution does business or have a material financial interest\* in said business.~~
- ~~C. All officers or employees shall be prohibited from being a contractor, subcontractor or vendor with the governmental entity of which he is a member other than his contract of employment or have a material financial interest\* in any business which subcontractor or vendor with the governmental entity of which he is a member.~~

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

**7. SYSTEM – APPROVAL OF AMENDMENTS TO BOARD POLICY 1201.0103 BIDS FOR DEPOSITORY CONTRACTS**

Parts of the Board's ethics policies are inconsistent with the state ethics statutes. The following amendments are suggested in order to make the Board's ethics policies consistent with state law. The proposed amendments have already been approved by the Board for first reading and are now presented for final approval.

~~1201.0103~~ 1201.02 **BIDS FOR DEPOSITORY CONTRACTS**

Public bidding shall be utilized to obtain all depository contracts for the Board executive office and for all institutions which have been entrusted to this Board. At least three written bids for such services shall be obtained.

\*"Material financial interest" means a personal and pecuniary interest, direct or indirect, accruing to a public servant or spouse, either individually or in combination with each other. Notwithstanding the foregoing, the following shall not be deemed to be a material financial interest with respect to a business with which a public servant may be associated:

(i) Ownership of any interest of less than ten percent (10%) in a business where the aggregate annual net income to the public servant therefrom is less than One Thousand Dollars (\$1,000.00);

(ii) Ownership of any interest of less than two percent (2%) in a business where the aggregate annual net income to the public servant therefrom is less than Five Thousand Dollars (\$5,000.00);

(iii) The income as an employee of a relative if neither the public servant or relative is an officer, director or partner in the business and any ownership interest would not be deemed material pursuant to subparagraph (i) or (ii) herein; or

(iv) The income of the spouse of a public servant when such spouse is a contractor, subcontractor or vendor with the governmental entity that employs the public servant and the public servant exercises no control, direct or indirect, over the contract between the spouse and such governmental entity.

\*\*Interpretation—Pursuant to Mississippi Ethics Commission official opinion No. 88-17-E rendered February 15, 1988, an interpretation based on certain facts was made for a faculty member having a consulting contract with a company contracting with the university under the following circumstances:

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1. ~~The faculty member does not have a material financial interest or~~
2. ~~The faculty member is not an employee, stockholder or continuing contractor with the company, and~~
3. ~~The existence of either contract is not contingent upon the other. Interpretations for similar situations must be made on a case by case basis.~~

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

**8. SYSTEM – APPROVAL OF DELETION OF BOARD POLICY 1201.0104 DECORUM**

Parts of the Board's ethics policies are inconsistent with the state ethics statutes. The following proposed deletion of Board Policy 1201.0104 Decorum is suggested in order to make the Board's ethics policies consistent with state law. The proposed deletion has already been approved by the Board for first reading and is now presented for final approval.

~~1201.0104 DECORUM~~

~~Board members, Board staff, Institutional Executive Officers, Chief Financial Officers and employees of all institutions which have been entrusted to this Board shall use every effort to avoid even the appearance of impropriety or conflict of interest regardless of whether or not the activity involved might be permitted under the Ethics in Government Act or the provisions of Mississippi Constitution Section 109.~~

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

**9. SYSTEM – APPROVAL OF DELETION OF BOARD POLICY 1201.0105 INDIVIDUAL RESPONSIBILITIES**

Parts of the Board's ethics policies are inconsistent with the state ethics statutes. The following proposed deletion of Board Policy 1201.0105 Individual Responsibilities is suggested in order to make the Board's ethics policies consistent with state law. The proposed deletion has already been approved by the Board for first reading and is now presented for final approval.

~~1201.0105 INDIVIDUAL RESPONSIBILITIES~~

~~In addition to the provisions of the foregoing policies by which the Board and the institutions undertake to minimize the incidence of conflicts of interest, be advised that the ultimate responsibility, civil or criminal, remains with the individual member, officer or employee to see that such violations do not occur and that Miss. Code Ann., §25-4-105 contains~~

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~~additional provisions to be followed. These policies are merely a  
supplement to the conflict of interest laws.~~

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

**10. SYSTEM – APPROVAL OF AMENDMENTS TO BOARD POLICY 1201.02**  
**BOARD MEMBER RESPONSIBILITY GUIDELINES**

Parts of the Board's ethics policies are inconsistent with the state ethics statutes. The following proposed amendments are suggested in order to make the Board's policies consistent with state law. The proposed amendments have already been approved by the Board for first reading and are now presented for final approval.

~~1201.02~~ 1203.03      **BOARD MEMBER RESPONSIBILITY GUIDELINES**

The purpose of the Board of Trustees of State Institutions of Higher Learning (IHL) is to govern Mississippi's eight public universities. Such governance requires a strong, well-informed board wherein each member functions constructively and with integrity. These guidelines describe the responsibilities ~~and code of ethical conduct~~ of IHL board members.

- A. Members of the IHL Board should make every effort to become well informed about the Mississippi university system and each of its institutions.

This includes:

1. understanding system, board, and institutional missions, policies, budgets, programs, support organizations, and activities;
2. understanding academia and its similarities and differences when compared to business and other governmental entities;
3. understanding state financing and decision-making regarding all of public education; and
4. understanding regional and national issues and trends in higher education.

- B. Members of the IHL Board should understand the limits of their authority as individual board members and the resultant necessity for the board to function as a cohesive, effective team. In this regard, board members should:

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1. Regularly attend board meetings; thoughtfully prepare for and participate in discussions; seek consensus; and vote independently;
2. Actively engage in policy formation and decision-making, speaking up at board and committee meetings, but understanding the need to support policies and decisions once established;
3. Focus their efforts on policy making and dealing with the major issues facing our university system and avoid involvement in administrative and management activities;
4. Allow the President and the Commissioner to serve as the official speakers for the Board of Trustees and university presidents to serve as the official speakers for their institutions – nothing in this guideline seeks to hinder board members from expressing individual opinions about higher education matters;
5. Publicly support and sustain system and university executive officer while privately assessing and exercising critical judgment on performance, all the while maintaining decent respect for differing opinions and offering criticism in a constructive manner; and
6. In appropriate circumstances, communicate promptly to the Commissioner any significant concern or complaint and allow him or her the opportunity to deal with it.

C. Members of the IHL Board should serve as champions and advocates for both the citizens of Mississippi and the system of higher education. In this regard, board members should:

1. Cultivate a commitment to the success of the entire system rather than to any single institution, group of institutions, or institutional constituency;
2. ~~4.~~ Seek to act in the best interests all the Mississippi citizens and not cater to any particular area, community, or constituent interests;
3. ~~2.~~ Seek to enhance the public image of the universities, the system, and the board;
4. ~~3.~~ Show respect for all individuals and conduct

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business in a professional and ethical manner that fosters trust throughout the system, with public officials, and with the public at-large; and

5. ~~4.~~ Promote initiatives to improve the performance of the system of higher education on behalf of Mississippi's citizens.

D. Members of the IHL Board are constitutionally challenged to serve with "the highest order of intelligence, character, learning, and fitness." In this regard, each board member should abide by the following code of ~~ethical~~ conduct:

1. In conducting business, board members should endeavor at all times
  - a. to place the interests of the state and the universities above their own – this accountability supersedes any conflicting loyalty such as that to other associations or interest groups and/or membership on other boards;
  - b. to avoid both the actuality and appearance of self-interest or self-dealing;
  - c. to avoid both the actuality and appearance of acting on behalf of others' private interests; and
  - d. never to make any request or demand for action that violates system or university policies, rules, and regulations or state or federal law.
- ~~2.~~ ~~Board members must avoid conflict of interest with respect to their fiduciary responsibility:~~
  - ~~a. There must be no conduct of private business or personal services between any board member and the universities, except as procedurally controlled, to assure openness and competitive opportunity.~~
  - ~~b. Board members may speak on their area of expertise at workshops and conferences for honoraria; but if an individual is participating in his or her capacity as a board member, it is inappropriate to accept an honorarium. It is important to avoid even the appearance of a conflict of interest.~~



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- ~~c. When the Board is to decide upon an issue about which a member has an unavoidable conflict of interest, that member shall recuse herself or himself, without comment, from both the deliberation and the vote.~~
  - ~~d. No board member may hire, cause to be hired, or supervise any relative or other close relation. Hiring decisions (employees and consultants) will be based on need, knowledge, experience, and ability, not familial relationships.~~
  - ~~e. Board members will annually disclose their involvement with other organizations, with vendors, or any other associations that might produce a conflict.~~
3. 2. Board members will exercise professional judgment and respect confidentiality in personnel matters, legal matters, executive session matters, and other items of a clearly sensitive nature.
4. 3. Board members, on a regular basis, will undertake activities to improve Board governance and to evaluate Board performance.

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

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**APPROVAL OF PERSONNEL ACTION REQUESTS**

**1. Employment**

**ASU**

Robert Z. Carr; Dean, School of Education and Psychology and Associate Professor of Education; salary of \$105,000 per annum, pro rata; E&G Funds; effective August 2, 2010

**IHL Executive Office**

Van Gillespie, Assistant Commissioner for Legal Affairs; salary of \$128,000 per annum, E&G Funds; effective July 1, 2010

**JSU**

Michael Thomas; Interim Vice President for Business and Finance; salary of \$130,000 per annum, pro rata; E&G Funds; effective July 1, 2010

Robert Walker; Interim Senior Advisor to the President; salary of \$110,000 per annum, pro rata; E&G Funds; effective July 1, 2010

**MVSU**

Hareshnarayan Khanna; Vice President for Business and Finance; salary of \$132,500 per annum, pro rata; E&G Funds; effective July 26, 2010

**UM**

Ira R. Gershon; Dean of the School of Law and Professor of Law; salary of \$255,000 per annum, pro rata; E&G Funds; tenure granted upon appointment; effective July 1, 2010 to June 30, 2011

David Rock; Dean and Professor of Curriculum and Instruction; salary of \$195,000 per annum, pro rata; tenure granted upon appointment; effective June 01, 2010 to June 30, 2011

**2. Employment - Approval of Multi-Year Contracts**

**MSU**

Ginger Brown Lemm; Women's Head Golf Coach, Athletics; salary of \$75,000 per annum, pro rata; Auxiliary Funds; effective September 1, 2010 to August 31, 2014

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**UM**

Matthew Mott; Head Women's Soccer Coach; salary of \$100,000 per annum pro rata; Auxiliary Funds; effective May 17, 2010 to May 16, 2014

**USM**

Grady Brown; Assistant Football Coach, Intercollegiate Athletics; salary of \$95,000 per annum, pro rata; Auxiliary Funds; effective July 6, 2010 through March 31, 2012

**3. Rehired Retirees**

**a. Rehired retirees making more than \$20,000 who will *not* be on employment contracts during Fiscal Year 2010**

**MSU**

Betty Purvis; *former position:* Business Manager; *re-employment position:* Intermittent Worker/Business Manager; re-employment period April 1, 2010 to June 30, 2010; salary of \$26,137

Mark White; *former position:* Professor; *re-employment position:* Research Professor; re-employment period April 1, 2010 to June 30, 2010; salary of \$87,232

Susan Moore; *former position:* Pet Program Manager; *employment position:* Intermittent Worker/Pet Program Manager; *re-employment period:* April 1, 2010 to June 30, 2010; salary of \$35,075

**b. Rehired retirees making more than \$20,000 who will *not* be on employment contracts during Fiscal Year 2011**

**DSU**

Ann Harland Webster; *former position:* Assistant Professor of Ed Leadership, Univ. of MS; *re-employment position:* Director of Delta Project/Adjunct Instructor; re-employment period – Fiscal Year 2011; salary of \$45,000 per annum

Gerry Sultan; *former position:* Director, Delta Area Writing Project/World Class Teaching Program; *re-employment position:* Director, Delta Area Writing Project/World Class Teaching Program; re-employment period – Fiscal Year 2011; salary of \$35,494 per annum

Bill Lester; *former position:* Chair, Department of Art and Professor; *re-employment position:* Professor of Art (part-time); re-employment period – September 1, 2010 – May 31, 2011; salary of \$35,768 per annum, pro rata

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James Robinson; *former position:* Professor of History; *re-employment position:* Professor of History (part-time); re-employment September 1, 2010 – May 31, 2011; salary of \$33,350 per annum, pro rata

Mark Routman; *former position:* Professor of Sociology; *re-employment position:* Professor of Sociology (part-time); re-employment September 1, 2010 – May 31, 2011; salary of \$28,193 per annum, pro rata

Dr. Kent Wyatt; *former position:* President; *re-employment position:* President Emeritus; re-employment period - Fiscal Year 2011; salary of \$59,000 per annum

A.C. Prewitt; *former position:* Assistant Director of Physical Plant; *re-employment position:* Facilities Engineer; re-employment period - Fiscal Year 2011; salary of \$22,604 per annum

Henry Outlaw; *former position:* Chair and Professor of Biological and Physical Sciences; *re-employment position:* Developmental Officer for Arts and Sciences; re-employment period - Fiscal Year 2011; salary of \$40,000 per annum

Susan P. Berryhill; *former position:* Classroom Teacher, Booker T. Washington Elementary School; *re-employment position:* Literacy Instruction/Clinic Coordinator; Adjunct Instructor; re-employment period – FY2011; salary of \$35,000 per annum

Linda Ross; *former position:* Director of the H.L. Nowell Union; *re-employment position:* Director of the H.L. Nowell Union; re-employment period - Fiscal Year 2011; salary of \$20,000 per annum

**JSU**

Ruby Richardson; *former position:* Administrative Assistant, Office of the Provost; *new position:* Administrative Assistant (temporary part time), Office of the Provost; re-employment period August 16, 2010 through June 30, 2011; salary of \$25,310 per annum, pro rata

**MSU (All listed are for the re-employment period July 1, 2010 to June 30, 2011)**

Doris Sagely; *former position:* Administrative Assistant I; *re-employment position:* Administrative Assistant; salary of \$41,600 per annum

Peggy Childers; *former position:* Business Manager; *re-employment position:* Accountant; salary of \$22,360 per annum

Janos Radvanyi; *former position:* Director, Center for International Security and Strategic Studies; *re-employment position:* Director; salary of \$92,063 per annum

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Elborn Jones; *former position:* Professor; *re-employment position:* Lecturer; salary of \$57,156 per annum

Olin Norton; *former position:* Associate Professor; *re-employment position:* Intermittent/Associate Professor; salary of \$42,467 per annum

Richard Forbes; *former position:* Professor; *re-employment position:* Research Professor; salary of \$52,500 per annum

Larry Brown; *former position:* Professor; *re-employment position:* Lecturer; salary of \$30,531 per annum

Clayborne Taylor, Sr.; *former position:* Dean; *re-employment position:* Lecturer; salary of \$32,000 per annum

Cathy Grace; *former position:* Director; *re-employment position:* Director; salary of \$54,528 per annum

Linda Graves; *former position:* Business Operation Administrator; *re-employment position:* Business Manager; salary of \$33,704 per annum

Linda Southward; *former position:* Research Professor; *re-employment position:* Research Professor; salary of \$50,715 per annum

Michael Lightsey; *former position:* Operations Coordinator; *re-employment position:* Special Project Coordinator; salary of \$41,578 per annum

David McMillen; *former position:* Professor; *re-employment position:* Research Professor; salary of \$46,210 per annum

Franklin Engels; *former position:* Professor; *re-employment position:* Professor Emeritus; salary of \$104,000 per annum

Wolfgang Frese; *former position:* Professor; *re-employment position:* Research Professor; salary of \$56,574 per annum

Robert Williams; *former position:* State Program Leader; *re-employment position:* Project Coordinator; salary of \$42,000 per annum

Ester Howard; *former position:* Department Head and Professor; *re-employment position:* Associate Director; salary of \$32,100 per annum

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**4. Change of Status**

**DSU**

Paul Henry Hankins, *from* Chair, Department of Music and Professor of Music; salary of \$75,282, per annum, pro rata; E&G Funds; *to*, effective July 1, 2010, Interim Dean, College of Arts and Sciences and Professor of Music; salary of \$121,443 per annum, pro rata; E&G Funds

Beverly M. Moon, *from* Associate Dean for Assessment & Planning and Associate Professor of English, salary of \$85,890, per annum, pro rata; E&G Funds; *to*, effective April 28, 2010; Dean of Research, Assessment and Planning and Associate Professor of English; no change in salary

**JSU**

Willie Brown, *from* Executive Vice President; salary of \$195,000 per annum, pro rata; E&G Funds; *to*, effective July 1, 2010; Vice President for Information and Process Management; salary of \$175,000 per annum; pro rata; E&G Funds

Debra Buchanan, *from* Associate Vice President for Academic Affairs, salary of \$111,633 per annum, pro rata; E&G Funds; *to*, effective August 1, 2010; Executive Director of Program Assessments and Accreditations, Office of the Provost; salary of \$101,000 per annum, pro rata; E&G Funds

James Maddirala, *from* Associate Vice President for Academic Affairs; salary of \$117,060 per annum, pro rata; E&G Funds; *to*, effective August 1, 2010, Associate Provost, Associate Vice President for Academic Affairs, and Associate Professor of Educational Administration; no change in salary

Felix Okojie, *from* Provost and Professor of Public Health and Education; salary of \$195,000 per annum, pro rata; E&G Funds; *to*, effective July 1, 2010; Vice President for Research and Federal Relations; salary of \$175,000 per annum, pro rata; E&G Funds

Quinton L. Williams, *from* Chair and Professor, Department of Physics, Atmospheric Sciences and Geosciences; salary of \$98,348 per annum, pro rata; E&G Funds; *to*, effective July 1, 2010; Interim Provost and Vice President for Academic Affairs and Student Life; salary of \$155,000 per annum, pro rata; E&G Funds

**MSU**

George Hopper, *from* Professor and Dean, College of Forest Resources and Director, Forest and Wildlife Research Center; salary of \$179,110 per annum, E&G Funds; pro rata; *to* Professor and Dean, College of Forest Resources and Director, Forest and Wildlife Research Center, and Interim Dean, College of Agriculture and Life Sciences and Interim

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Director, Mississippi Agriculture and Forestry Experiment Station; salary of \$225,000 per annum, pro rata; E&G Funds; effective July 1, 2010 to June 30, 2011

**USM**

Joseph Morgan; *from* Vice President for Business and Finance (Chief Financial Officer); salary of \$185,000; E&G Funds; *to*, effective September 1, 2010; Associate Director for Internal Operations, Alumni Affairs; no change in salary

Russell Willis; *from* Director, Department of Human Resources; salary of \$93,450 per annum, pro rata; *to*, effective September 1, 2010; Interim Vice President for Administrative Affairs (Chief Financial Officer); salary of \$120,000 per annum, pro rata; E&G Funds

**5. Change of Status - Extension to Multi - Year Contracts**

**MSU**

Louis Clay Homan; Men's Head Golf Coach, Athletics; *from* contract period of July 1, 2007 to June 30, 2012; salary of \$74,403 per annum, pro rata; Auxiliary Funds; *to*, effective July 1, 2010, contract extension through June 30, 2012; no change in salary

**UM**

Mark Beyers; Head Women's Tennis Coach; Athletics; *from* contract period of July 01, 2009 to June 30, 2011; salary of \$97,000 per annum, pro rata; Auxiliary Funds; *to*, effective July 1, 2010, contract extension through June 30, 2014; no change in salary

Michael F. Bianco; Head Men's Baseball Coach; Athletics; *from* contract period of July 01, 2009 to June 30, 2013; salary of \$160,000 per annum, pro rata; Auxiliary Funds; *to*, effective July 1, 2010, contract extension through June 30, 2014; no change in salary

James T. Boone; Director of Intercollegiate Athletics; Athletics; *from* contract period of July 1, 2008 to June 30, 2012; salary of \$429,287 per annum, pro rata; Auxiliary Funds; *to*, effective July 1, 2010, contract extension through June 30, 2014; no change in salary

William L. Chadwick; Director of Tennis Facilities and Head Men's Tennis Coach; *from* contract period of July 01, 2009 to June 30, 2013; salary of \$157,500; Auxiliary Funds; *to*, effective July 1, 2010, contract extension through June 30, 2014; no change in salary

Sharon M. Drinkard; Head Women's Golf Coach; *from* contract period of July 01, 2009 to June 30, 2014; salary of \$102,000 per annum, pro rata; Auxiliary Funds; *to*, effective July 1, 2010, contract extension through June 30, 2014; no change in salary

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**USM**

Herbert Larry Fedora; Head Football Coach, Intercollegiate Athletics; *from* contract period of December 11, 2007 to December 10, 2012; salary of \$650,000 per annum pro rata; Auxiliary Funds; *to*, effective July 1, 2010, contract extension through December 10, 2013; salary of \$685,000 per annum, pro rata; Auxiliary Funds

Richard Giannini; Director of Athletics, Intercollegiate Athletics; *from* contract period July 1, 2008 through June 30, 2012; \$298,000 per annum, pro rata; (\$246,148-Auxiliary Funds and \$51,852-Foundation); *to*, effective July 1, 2010, one-year contract extension to June 30, 2013; no change in salary

**6. Emeritus-Status**

**MSU**

Melissa P. Mixon; Associate Vice President for Agriculture, Forestry and Veterinary Medicine and Extension Professor Emerita; effective August 20, 2010

**7. Tenure and Promotions (Revisions applicable to 2010-2011, effective August 15, 2010)**

**JSU**

Robert Blaine, Associate Professor promoted to Professor, Department of Music

**MVSU** (This item was inadvertently left off of the June 2010 Personnel Agenda)

Peter Nwanko, Assistant Professor promoted to Associate Professor, Department of Criminal Justice

**UM** (UM submitted a revised listing for Tenure on May 26, 2010 to be included in the June 2010 Personnel Agenda. The following item was inadvertently left off the Personnel Agenda and should have been included.)

Marco Cavaglia, Assistant Professor promoted to Associate Professor, Department of Physics and Astronomy



# **REGULAR AGENDAS**

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**1. UMMC – Health Information System**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into license and support agreement with **Epic Systems Corporation** to replace the current hospital information system.

**Contractor's Legal Name:** **Epic Systems Corporation**

**History of Contract:** New contract.

**Specific type of contract:** This is a software license and maintenance support agreement.

**Purpose:** The purpose of the agreement is to replace the current hospital information system and several department systems. The current array of systems does not allow for creation of integrated electronic medical records.

**Scope of Work:** The agreement provides for licensing and software, implementation services, training, annual maintenance costs and subscription applications. Applications support all the functions related to patient care, including registration and scheduling systems for clerks; clinical systems for doctors, nurses, emergency personnel, and other care providers; ancillary systems for lab technicians, pharmacists, and radiologists; and billing systems for care providers as well as insurers. All applications leverage the same central database.

**Term of contract:** The length of the agreement is five years: August 23, 2010 - August 22, 2015.

**Termination Options:** UMMC can terminate maintenance with 90 days notice prior to the end of an annual term. UMMC can also terminate for bankruptcy or insolvency and for material breach after a 60-day cure period.

**Contract Amount:** The total projected cost for the contract period is \$36,852,370.

The contract addresses different cost components. Licensing fees, less the enterprise discount, will be tiered based on the volume of inpatient days and outpatient visits. The maintenance costs will begin after first live use and will be based on a percentage of licensing fees. Implementation fees will be based on hourly rates. Third party resource software costs will be based on licensing fees for the selected elements. There will be subscription fees per transaction for personal health record access software, kiosks and connection to health information networks. The estimated cost for the projected volume is based on current volume and the negotiated implementation plan as follows:

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<b>Description</b>	<b>Amount</b>
Licensing Fees Less: Discount Net Cost	\$ 12,940,600 (1,805,100) \$11,135,500
Maintenance Costs (first year costs are zero; remaining costs are distributed over the remaining four years)	9,706,270
Implementation Fees: Core Applications, Roll-Out Assistance, Optional Applications. Training Costs also included.	13,811,500
3 <sup>rd</sup> Party “Resource” Software (enhances Epic applications)	1,612,615
Variable Subscription Fees	315,525
Post Live Supplemental Visits	270,960
<b>Total</b>	<b>\$36,852,370</b>

**Source for Contract:** The contract will be funded by patient revenues. Approximately \$20 million of these costs will be offset by UMMC’s application and receipt of American Recovery and Reinvestment Act (ARRA) funding earmarked for electronic medical records if required milestones are achieved by July 2013.

**Contractor Selection Process:** In January 2009 the Health Care Information System (HCIS) committee was formed. The Chair was Louis Harkey, MD. Members of the committee included physicians and surgeons from various departments, chief nurse, as well as key administrators and the hospital’s chief financial officer and chief information officer.

**Phase I (Development of RFP and Evaluation Criteria)**

Three vendors (Siemens, GE and McKesson) were brought in for detailed demonstrations over the course of the spring and into the summer of 2009. The committee began a selection process to find a suitable vendor for replacement of many disparate and non-integrated departmental systems and the core Hospital Information System (HIS) system. Kurt Salmon Associates was retained to assist in the selection process and provide expert advice. After obtaining an exemption from Mississippi Department of Information Technology Services, an RFP was issued and as a result, a total of six (6) responses were

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received. The vendors bidding included Epic, Siemens, Cerner, McKesson, Eclipsys, and GE.

The committee was instructed to score the proposals based on the following key selection criteria. Each criterion was weighted and the total maximum points a vendor could receive was 100:

- Client base for products bid: client base, similar clients
- Core product functional depth: product status/direction, functional depth, demonstrations, site visits
- Interfaces and integration: interface and interoperability, experience, and approach, module integration
- Technology platform: database, tools, standards, technology, direction
- Support reputation: implementation, support, reference checks, and KLAS data (KLAS is a healthcare technology watchdog that helps healthcare providers make informed technology decisions by providing impartial information related to vendor performance.)
- Reasonable cost: one-time capital, ongoing, business deal
- Ability to execute/low risk: business, financial, schedule, technical

**Phase II (Evaluation and Analysis)**

Based upon the Health Care Information System committee's evaluation and scoring the vendors were separated into three tiers:

<b>Rankings</b>	<b>Vendors</b>	<b>Explanation</b>
Tier 1	Epic (score-83) and Siemens (score-67)	Additional due diligence required to explore cost comparisons and assurance of a comprehensive system package
Tier 2	Cerner (score-65) and McKesson (score-63)	Considered back-up options in case one of the Tier 1 vendors withdrew from consideration
Tier 3	Eclipsys (score-60) and GE (score-43)	Formally notified that they were no longer being considered in the bid process

Due diligence included onsite demonstrations and reference checks led by a steering committee of senior clinical, operational, and financial leaders.

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The top two choices were Siemens and Epic who demonstrated the products to the UMMC campus (over 200 people were in attendance for some part of the demonstrations) during the month of December 2009.

Further financial analysis by Kurt Salmon Associates was required to normalize the proposals to ensure an objective cost comparison of the vendors' submissions and the core applications. When comparing *only* the costs included in the vendors' proposals, the annualized cost for Siemens was \$4,144,923 and the annualized costs for Epic was \$7,168,163. In order to achieve the goal of obtaining a fully integrated enterprise system that supports the patient care, research and education missions of UMMC, the cost of implementing the required surgery system was added to Siemens and the cost of implementing the optional ambulatory system was added to both Siemens and Epic. By adding the ambulatory system to Epic, UMMC then qualified for an enterprise discount. After the normalizing the proposals, the revised cost estimate for Siemens was \$6,792,373 and the revised cost estimated for Epic was \$6,779,427.

**Phase III (Selection)**

The key differentiators in the proposals are as follows:

**EPIC Key Strengths:**

- 1) Proposal/Quote included all critical clinical applications
- 2) Industry leader with the only fully integrated physician/hospital health record systems
- 3) Proven leader in Academic Medical Centers
- 4) Proven leader in physician/hospital revenue cycle management

**SIEMENS Key Weaknesses:**

- 1) Proposal/Quote lacked two critical clinical applications (Peri-operative and Ambulatory Medical Record for over 500 providers)
- 2) Additional costs to purchase and install missing critical clinical applications
- 3) One active installation of computerized physician order entry in a similar setting
- 4) Experience in Academic Medical Centers in the proposed products
- 5) Support reputation from KLAS and referenced installations

Based on the analysis of the committee, feedback from the vendors' demonstrations, reference checks and the cost analyses, the committee unanimously recommended moving forward to negotiate a contract with Epic Systems Corporation. After final contract negotiations with Epic, UMMC requested Kurt Salmon to normalize the final configuration's total cost with Siemens for the same configuration. Due to the addition of

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options which were included in the original RFP, Epic's final annualized contract costs were \$7,370,474. To be objective, the additional items were priced for Siemens at an annualized cost of \$7,642,856.

**Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.**

**2. SYSTEM – APPROVAL OF PROPOSED CHANGES TO FY 2012 PROPOSED FUNDING PRIORITIES**

The Board approved at its June 2010 meeting, a request for FY 2012 funding priorities based on two percent inflation on all budgets. The University of Mississippi (UM) Center for Manufacturing Excellence (CME) and the University of Mississippi Medical Center (UMMC) have requested the following changes to the FY 2012 funding priorities:

- a. UM CME requests approval to change the funding amount to reflect the recent restarting of construction of the Toyota plant in north Mississippi. UM CME reports that twenty-two (22) students have been accepted in the program with an additional five (5) qualified applicants pending accommodations. UM CME requests FY 2012 funding priorities of \$2 million.
- b. UMMC requests approval to increase the FY 2012 funding priorities to reflect flow-through funds of the Medicaid Transfer program. The Medicaid Transfer Program is tied to patient volume. As a result, UMMC anticipates an additional \$15,474,566 in Medicaid Transfer for FY 2012. UMMC requests FY 2012 funding priorities be increased by \$15,474,566 in addition to the two percent inflation approved in June.

Budget	FY 2011 Appropriations	<i>Original</i> FY 2012 Priorities (Based on 2% Inflation)	<i>NEW</i> FY 2012 Priorities Request	Dollar Increase from FY 2011 Appropriations	Percent Increase from FY 2011 Appropriations
UM-CME	\$ 826,132	\$ 842,655	\$ 2,000,000	\$ 1,173,868	142%
UMMC	215,332,977	219,639,637	235,114,203	19,781,226	9%

**STAFF RECOMMENDATION: Board staff recommends approval of this item.**

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**Board Policy §902, Initiation of Construction Projects**

*The Board must approve the initiation of a project for the construction of new facilities, repairs and renovations to existing facilities and requests for a capital outlay with a total project budget exceeding \$1,000,000 regardless of how the projects are financed. It is the intent of the Board that its appropriate staff under the direction of the Commissioner shall be involved in all phases of building projects requiring approval by the Board. All construction, repairs, and renovation projects with a total budget of \$1,000,000 or less may be approved by the Institutional Executive Officer. However, all projects utilizing any state bond funds, including Ayers funds, must be initiated with STAFF approval from the Office of Real Estate and Facilities. No further approvals are required by IHL staff for projects of \$1,000,000 or less unless the budget changes. All budget changes for these projects must be reported to the Office of Real Estate and Facilities.*

**Board Policy §903(B), Legislative Funding Requests**

*The Commissioner, after consultation with the Institutional Executive Officers, shall prepare and submit an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature. These requests shall be submitted for Board approval in May of each year. In developing the list of requests, the Commissioner shall consider institutional priorities, missions, enrollment, campus square footage, building conditions, comparative funding and other appropriate criteria. The Board shall then approve and furnish to the Legislature each year a priority list of the capital improvements and repair and renovation projects for all institutions under its control. Projects which are not approved by the Board shall not be submitted to the Legislature by any institution. In addition, priorities and requests of the individual institutions may not be presented or communicated to any individual legislators without the prior approval of the Board.*

*The Board approved priority lists of capital improvement and repair and renovation projects will be submitted to the Governor's Office of General Services and the Bureau of Building, Grounds and Real Property Management through the Board's Real Estate and Facilities Office.*

**Board Policy §904(A), Board Approval**

*When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.*

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*After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:*

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

*If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.*

*Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution's property even if the land is leased to an institution's affiliated entity or a private developer.*

**APPROVAL OF INITIATION OF PROJECT/APPOINTMENT OF PROFESSIONAL**

**1. MSU – IHL 205-247 – MSU Parking Garage**

**Project Request:** Mississippi State University requests permission to initiate a project for MSU Parking Garage and to appoint Belinda Stewart Architects as design professional.

**Design Professional:** Belinda Stewart Architects

**Purpose:** Mississippi State University is seeking permission to build an approximately 1,250 space parking garage on a site bordered on the west by George Perry Blvd. and on the north by Barr Ave. The site is immediately north of the YMCA building, near the geographical center of campus. The proposed site location can be seen on page 4. With the growing enrollment of the past several years, along with the enrollment projections going forward, Mississippi State University needs additional parking to accommodate the increased student population, along with faculty, staff and visitors in the central core of campus.



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This proposed parking garage, which will be placed within easy walking distance of the historic Drill Field, will provide more commuter spaces for students near the central core of campus where most of the classrooms are located. In addition, it will provide much needed parking in support of the Colvard Student Union, Perry Cafeteria, and Lee Hall's Bettersworth Auditorium. The Colvard Student Union is the site of a large number of meetings and conferences. Presently, parking for these meetings must be provided on the outskirts of campus, with attendees being shuttled into the center of campus. This adds cost and inconvenience to these meetings. Lee Hall's Bettersworth Auditorium, with seating to accommodate 1,000, is the largest auditorium on campus and also hosts many events that require shuttle service. The addition of approximately 1,250 parking spaces conveniently located near the center of campus will provide much needed parking for these large meeting and conference venues, and will also provide parking for the growing student enrollment.

Mississippi State plans to ultimately eliminate on-street parking to help achieve a more pedestrian and bicycle friendly campus. User fees, both from annual permits and from hourly use by visitors, will provide the revenue stream in support of the debt service required to finance this parking structure. Mississippi State University is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** August 19, 2010

**Date of Original Construction:** N/A

**Date of Last Renovation:** N/A

**Project Budget:**

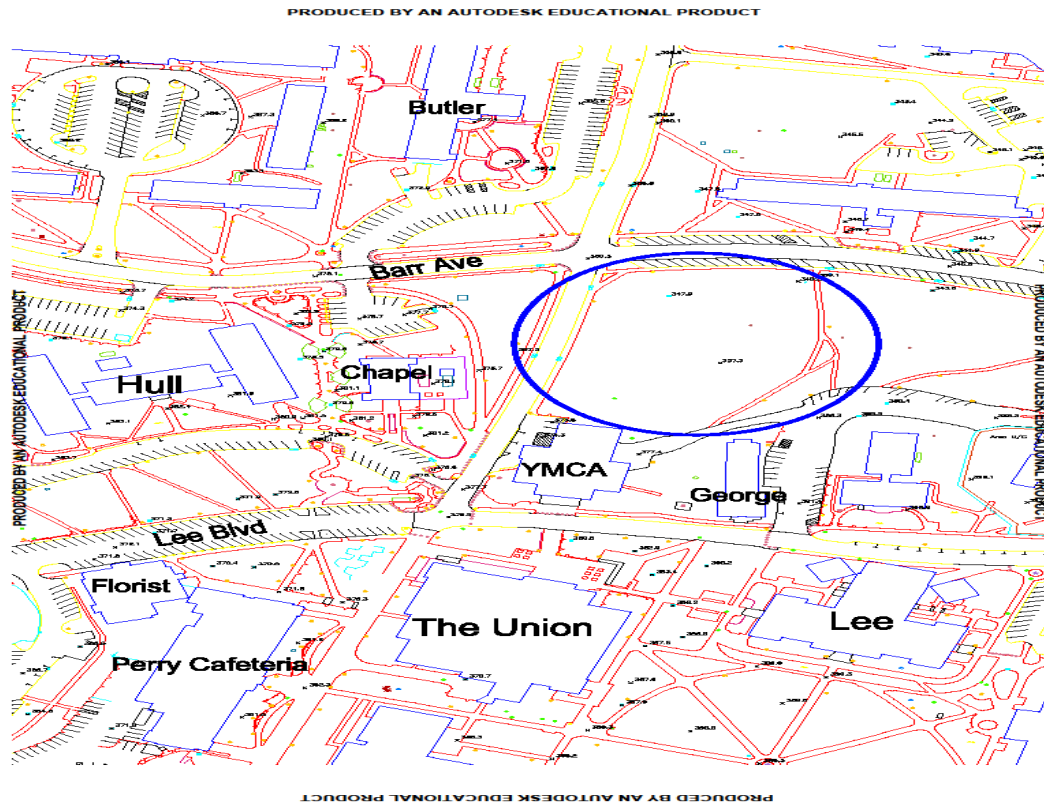
	<i>Estimated</i>
Construction Cost:	\$ 20,550,000.00
Architectural and Engineering Fees:	983,000.00
Miscellaneous Project Costs:	2,738,952.00
Contingency:	<u>1,027,000.00</u>

<b>Total Project Budget</b>	<b>\$ 25,300,000.00</b>
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**Funding Source(s):** MSU EBC Bonds (\$25,300,000)

**Staff Recommendation:** Board staff recommends approval of this item.

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**APPROVAL OF OTHER REAL ESTATE REQUEST**

**2. SYSTEM ADMINISTRATION – APPROVAL OF FACILITY NEEDS FOR THE 2011 LEGISLATIVE SESSION**

**Request:** Board approval is requested for the prioritized list of proposed funding needs for the 2011 Legislative Session as presented by each institution. A copy of the prioritized funding needs is located on page 5. IHL is seeking approval in accordance with Board Policy §903(B), Legislative Funding Requests, which requires the preparation and submittal of an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature.

**STAFF RECOMMENDATION:** Board staff recommends approval of this item.

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## Funding Request for FY 2012 August 2010

### FY 2011 Facilities Needs Request

Priority Order	University	Project Description	Request Per Project
1	MUW	ADA, Code Compliance & Campus Safety (Phased)	\$4,000,000
2	DSU	Campus Compliance (ADA, Life Safety, Fire Safety)	\$3,000,000
3	UMMC	Fire Alarm System Upgrade	\$1,202,000
4	ASU	Waste Water Treatment Plant and Repairs (Phased)	\$1,500,000
5	MVSU	Waste Water Treatment Plant and Repairs	\$7,500,000
6	IHL System	System-wide Centralized Technology Program	\$20,000,000
7	DSU	Caylor-White/Walters Hall Renovations (Phased)	\$10,034,170
8	MSU	Lee Hall Renovation (Phased)	\$8,700,000
9	MVSU	J. H. White Library Renovation	\$4,500,000
10	MUW	Fant Memorial Library & Expansion (Phased)	\$6,100,000
11	JSU	Johnson Dansby Replacement Phase II (Dansby Replacement)	\$9,000,000
12	ASU	Infrastructure Upgrades (Electric, Gas, Sewer, and Water)	\$6,000,000
13	UM	Student Union Renovation	\$10,000,000
14	JSU	Alexander Center Renovation (Pre-Planning)	\$350,000
15	JSU	College of Education & Human Development (Pre-Planning)	\$350,000
16	ERC	Renovation of Paul B. Johnson Building (Pre-Plan)	\$350,000
17	DSU	Campus Roof Repairs	\$2,567,800
18	USM	College of Business (Phased)	\$15,000,000
19	UM	Turner Center Renovation	\$10,000,000
20	ASU	General Repair and Renovation (Phased)	\$6,000,000
21	USM	General Repair and Renovation	\$6,000,000
22	MSU/DAFVM	Animal Life Science Initiative (Phased)	\$6,000,000
23	UMMC	Campus Mechanical (Phased)	\$1,645,000
24	ERC	General Repair and Renovation	\$1,500,000
25	MUW	Storm Drainage and Street Repair	\$2,000,000
26	MVSU	MVSU Academic and Wellness Multiplex	\$10,000,000
27	UMMC	Center Core Support Office	\$8,500,000
28	MSU/DAFVM	Forest Genetics Greenhouse	\$2,000,000
29	USM	School of Nursing (Phased)	\$15,000,000
30	MSU	New Classroom Building	\$15,000,000
31	UM	New Science Building	\$10,000,000
32	MSU	Civil and Environmental Engineering Complex	\$14,000,000
33	MSU/DAFVM	Wise Center Classroom Addition	\$2,700,000
<b>TOTAL</b>			<b>\$220,498,970</b>

# **INFORMATION AGENDAS**

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**1. SYSTEM – ANNUAL REPORT ON FACULTY TENURE**

In 2003–2004, IHL institutions hired 161 tenure track faculty members. During the 2009–2010 academic year, 89 (55%) were awarded tenure from the 2003–2004 cohort.

Institution	IHL System Tenure-Track Faculty		
	Hired 2003-2004	Received Tenure 2009-2010	
		Number	Percent
<b>Alcorn State University</b>	2	0	0%
<b>Delta State University</b>	15	4	27%
<b>Jackson State University</b>	20	18	90%
<b>Mississippi State University</b>	43	22	51%
<b>Mississippi University for Women</b>	2	2	100%
<b>Mississippi Valley State University</b>	17	1	9%
<b>University of Mississippi</b>	22	16	80%
<b>University of Mississippi Medical Center</b>	17	7	41%
<b>University of Southern Mississippi</b>	23	19	83%
<b>IHL System Totals</b>	<b>161</b>	<b>89</b>	<b>55%</b>

**2. SYSTEM – ANNUAL REPORT ON POST-TENURE REVIEW**

Board Policy 403.0103: Post-Tenure Review: “Each institution shall prepare an annual report of post-tenure reviews. The report shall be in a format specified by the Commissioner, and shall be submitted to the Board by August 1 for the preceding academic year.”

In accordance with Board policy, the 2010 post-tenure review report below is presented to the Board for information.

In 2009–2010, 99% of full-time faculty received an annual evaluation. Thirty-three faculty members were triggered for a post tenure review. One faculty member is participating in a faculty development plan and one faculty member successfully completed a faculty development plan.

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Number of Full-time Faculty	Number of Full-time Faculty Evaluated	Number of Tenured Faculty	Number of Tenured Faculty Triggering Post Tenure Review Process	Maximum Length of Faculty Development Plan	Number of Tenured Faculty in Faculty Development Plan	Number of Tenured Faculty Completing Development Plan		Tenured Faculty Separated from Employment as a Result of the Post Tenure Review Process
						Successfully	Unsuccessfully	
Alcorn State University								
187	187	62	0	1 year	0	0	0	0
Delta State University								
189	189	72	0	3 years	0	0	0	0
Jackson State University								
353	351	162	0	2 years	0	0	0	0
Mississippi State University								
843	840	470	24	3 years	1	1	1	0
Mississippi University for Women								
139	139	53	0	3 years	0	0	0	0
Mississippi Valley State University								
127	127	57	7	1.5 years	0	0	0	0
University of Mississippi								
634	632	343	0	3 years	0	0	0	0
University of Mississippi Medical Center								
775	754	308	1	1 year	0	0	0	0
University of Southern Mississippi								
751	733	324	1	2 years	0	0	0	0
IHL System Totals								
3998	3952	1851	33	NA	1	1	1	0

*JSU – 2 were on sabbatical leave*

*MSU – 3 were not evaluated because they were new hires*

*UM – 1 retired and 1 was terminated*

*UMMC – 21 resigned or were terminated during the academic year prior to their annual evaluation*

*USM – 17 retired and/or left during the academic year prior to their annual evaluation;  
1 was on family medical leave*

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**3. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL**

Per Board Policy 510: Awarding of Degrees: “Degrees granted by institutions under the governance of the Board are awarded by and with the consent of the Board and are countersigned by the President of the Board. Recommendations for the awarding of degrees to students by the various institutions must be made no later than the Board meeting prior to the commencement at which such awards will be made. Board approval represents permission to award degrees if all requirements are met and does not constitute direction to award a degree. In an exceptional case where a student is in all respects qualified for degree and Board approval has not been obtained, **the Commissioner is authorized to provide administrative approval to award the degree.** In such cases, the Commissioner must formally notify the Board at the meeting immediately following the commencement at which the degree was awarded.”

In accordance with Board policy, the Commissioner granted Mississippi State University and Mississippi University for Women approval in July to award degrees in August 2010 at the levels below, provided each candidate has met all degree requirements.

Institution	Degree to be Conferred	Number	Subtotal	Total	
<b>Mississippi State University</b>					
	<b><i>College of Agriculture and Life Sciences</i></b>				
	Bachelor of Science	27			
	Master of Landscape Architecture	2			
	Master of Science	25			
	Doctor of Philosophy	7			
			61		
	<b><i>College of Architecture, Art, and Design</i></b>				
	Bachelor of Fine Arts	3			
	Bachelor of Science	5			
			8		
	<b><i>College of Arts and Sciences</i></b>				
	Bachelor of Arts	49			
	Bachelor of Science	71			
	Master of Arts	7			
	Master of Public Policy and Administration	3			
	Master of Science	126			
	Doctor of Philosophy	2			
			258		
	<b><i>College of Business</i></b>				
	Bachelor of Business Administration	84			
	Master of Business Administration	38			
	Master of Science Information Systems	3			
	Doctor of Philosophy	2			
			127		
	<b><i>College of Education</i></b>				

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Bachelor of Science	42			
	Master of Arts in Teaching	2			
	Master of Arts in Teaching Secondary	8			
	Master of Science	51			
	Master of Science Instructional Technology	2			
	Educational Specialist	14			
	Doctor of Education	1			
	Doctor of Philosophy	10			
			130		
	<b><i>College of Engineering</i></b>				
	Bachelor of Science	25			
	Master of Science	31			
	Master of Engineering	1			
	Doctor of Philosophy	12			
			69		
	<b><i>College of Forest Resources</i></b>				
	Bachelor of Science	1			
	Master of Science	11			
	Doctor of Philosophy	2			
			14		
	<b><i>College of Veterinary Medicine</i></b>				
	Master of Science	5			
	Doctor of Philosophy	2			
			7		
	<b><i>School of Accountancy</i></b>				
	Bachelor of Accountancy	15			
	Master of Professional Accountancy	5			
			20		
				<b>694</b>	
<b>Mississippi University for Women</b>					
	<b><i>Undergraduate</i></b>				
	Associate of Science in Nursing	1			
	Bachelor of Arts	11			
	Bachelor of Fine Arts	1			
	Bachelor of Science	54			
	Bachelor of Science in Nursing	48			
			115		
	<b><i>Graduate</i></b>				
	Master of Art in Teaching	3			
	Master of Education	6			
	Master of Science	4			
	Master of Science in Nursing	39			
			52		
				<b>167</b>	
<b>Total</b>					<b>861</b>



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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE JUNE 16, 2010  
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 WHICH STATES:**

**Board Policy §904(A), Board Approval**

*When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.*

*After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:*

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

*If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.*

**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.

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**1. ASU – GS 101-249 – New Water Treatment Plant**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Neil Schaffer, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved request to advertise for receipt of bids.** Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** July 7, 2010

**Project Initiation Date:** July 14, 2004

**Design Professional:** Neil Schaffer

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$2,600,000.00

**Funding Source(s):** HB 246, Laws of 2007

**2. DSU – GS 102-199 – Central Mechanical Plant**

**Staff Approval #1:** In accordance with Board Policy §904 Board Approval, Dr. Doug Rouse, Chair of the Real Estate and Facilities Committee, **approved an increase in budget** on the Central Mechanical Plant project from \$5,100,000 to \$5,130,000 for an increase in the amount of \$30,000.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$97,679.00 and zero (0) additional days to the contract of Acy's Mechanical LLC.

**Staff Approval Date:** June 7, 2010

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**Change Order Justification:** The change order is necessary for street repairs, re-routing of an existing sewer line, installation of new electrical circuits and to provide and install chemical treatment for existing chill water systems.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of \$221,462.00

**Project Initiation Date:** September 18, 2003

**Design Professional:** Eldridge and Associates, P.A.

**General Contractor:** Acy's Mechanical, LLC

**Contract Award Date:** November 24, 2008

**Project Budget:** \$5,130,000

**Funding Source(s):** SB 2010, Laws of 2004; SB 2988, Laws of 2003, HB 246, Laws of 2007; HB 1641, Laws of 2008

**3. DSU – GS 102-224 – Fire Station Phase I**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to D. Carroll Construction, LLC., the lower of nine (9) bidders for a total contract amount of \$715,800.

**Staff Approval Date:** June 10, 2010

**Project Initiation Date:** August 21, 2008

**Design Professional:** Shafer and Associates

**General Contractor:** D. Carroll Construction, LLC

**Contract Award Date:** June 10, 2010

**Project Budget:** \$900,000

**Funding Source(s):** HB 1641, Laws of 2008 (\$250,000); City of Cleveland (\$650,000)

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**4. JSU – GS 103-234 – ADA Compliance Phase II-B**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to FP Contracting, LLC, the lower of four (4) bidders for a total contract amount of \$1,269,000.

**Staff Approval Date:** June 22, 2010

**Project Initiation Date:** August 17, 2006

**Design Professional:** WFT Architects

**General Contractor:** FP Contracting, LLC

**Contract Award Date:** June 22, 2010

**Project Budget:** \$4,532,985.50

**Funding Source(s):** SB 3197, Laws of 2002; HB 246, Laws of 2007

**5. MSU – IHL 205-235-A – Chilled/Heating Loop Expansion**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$16,644.00 and eighty-six (86) additional days to the contract of Brislin, Inc.

**Staff Approval Date:** May 28, 2010

**Change Order Justification:** The change order is necessary due to (1) the 8” water line installed earlier in the project interfered with the construction of the transformer and dumpster pad for the New Residence Hall and had to be relocated. (2) Additional mobilization of asphalt crew included in Change Order #2 was not possible due to weather constraints, and is therefore being deleted. (3) French drain was added to help eliminate ground water infiltrating the water loop trench behind Creswell Hall.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of \$237,628.00

**Project Initiation Date:** April 16, 2008

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**Design Professional:** LPK Architects, P.A.

**General Contractor:** Brislin, Inc.

**Contract Award Date:** March 18, 2009

**Project Budget:** \$29,960,000 is total project budget for Phases A-G

**Funding Source(s):** MSU EBC Bonds

**6. MSU – IHL 205-235-E – Expansion of Gravel Lot at IED**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Michael T. Muzzi, AIA, AUA, design professional.

**Staff Approval Date:** July 7, 2010

**Project Initiation Date:** April 16, 2008

**Design Professional:** Michael T. Muzzi, AIA, AUA (Campus Architect)

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$29,960,000 is total project budget for Phases A-G

**Funding Source(s):** MSU EBC Bonds

**7. MSU – IHL 205-235-F – Demolition of Suttle Hall**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Gulf Services Contracting, Inc., the lower of seven (7) bidders for a total contract amount of \$561,313.

**Staff Approval Date:** June 29, 2010

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**Project Initiation Date:** April 16, 2008

**Design Professional:** LPK Architects, P.A.

**General Contractor:** Gulf Services Contracting, Inc.

**Contract Award Date:** June 29, 2010

**Project Budget:** \$29,960,000 is total project budget for Phases A-G

**Funding Source(s):** MSU EBC Bonds

**8. MSU – IHL 213-139 – Stoneville Office Building**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Pryor & Morrow, design professional.

**Staff Approval Date:** July 7, 2010

**Project Initiation Date:** November 19, 2009

**Design Professional:** Pryor & Morrow

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$3,000,000

**Funding Source(s):** MAFES Sales Funds (\$1,795,000); MSU-ES State Funds (\$1,205,000)

**9. MUW – GS 104-149 – Poindexter Hall Renovation**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Pryor & Morrow, design professional.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board

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staff **approved the award of contract** to West Brothers Construction Inc., the lower of seven (7) bidders for a total contract amount of \$6,838,700.

**Staff Approval Date:** (#1) May 12, 2010; (#2) July 13, 2010

**Project Initiation Date:** August 19, 2003

**Design Professional:** Pryor & Morrow

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$9,579,000

**Funding Source(s):** SB 2010, Laws of 2004 (\$6,930,000); HB 246 Laws of 2007 (\$714,000); HB 1641, Laws of 2008 (\$435,000); HB 1722, Laws of 2009 (\$1,500,000)

**10. MUW – GS 104-154 – Drainage and Street Repair, Phase II**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved request to advertise for receipt of bids.** Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** July 13, 2010

**Project Initiation Date:** October 20, 2005

**Design Professional:** Neel-Schaffer, Inc.

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$1,600,000

**Funding Source(s):** SB 2988, Laws of 2003 (\$406,507); HB 1634, Laws of 2006 (\$255,034); SB 3197, Laws of 2002 (\$37,039); HB 1701, Laws of 2010 (\$901,420)

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**11. MVSU – GS 106-214 – Phase II Land Drain Infrastructure**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by W.L. Burle Engineers, P.A., design professional.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved request to advertise for receipt of bids.** Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** May 24, 2010

**Project Initiation Date:** March 19, 2009

**Design Professional:** W.L. Burle Engineers, P.A.

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$1,400,000

**Funding Source(s):** Ayers Funds

**12. UM – GS 107-298 – Coulter Hall 1B**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$5,165.00 and zero (0) additional days to the contract of Tri Star Mechanical Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$26,419.00 and zero (0) additional days to the contract of Tri Star Mechanical Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** May 27, 2010

**Change Order Justification:** **Change Order #7** is necessary in order to replace the preheat coil in the existing built up air handler due to the coil being badly damaged



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through freezing and non-functional. Also, the exhaust gases were getting into the air intake of the building system therefore making it necessary to extend the exhaust system in order to eliminate the problem. **Change Order #8** is necessary in order to provide materials, labor, and equipment for additional electrical needs and chiller supports for user supplied equipment in ICP Rooms 8 and 10. Revisions to ICP Rooms 8 and 10, provided for under Change Order #6, to accommodate equipment funded from using agency grant requires additional electrical work to make the facility fully functional.

**Total Project Change Orders and Amount:** Eight (8) change orders for a total amount of \$205,313.18

**Project Initiation Date:** June 18, 2008

**Design Professional:** Barlow Eddy Jenkins

**General Contractor:** Tri Star Mechanical Contractors, Inc.

**Contract Award Date:** May 22, 2009

**Project Budget:** \$5,208,000

**Funding Source(s):** HB 1641, Laws of 2008 (\$3,500,000); Internal R&R (\$1,708,000)

**13. UM – GS 107-299 – Peabody Hall Renovation**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Shafer and Associates, design professional.

**Staff Approval Date:** July 13, 2010

**Project Initiation Date:** January 21, 2010

**Design Professional:** Shafer and Associates

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$350,000

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**Funding Source(s):** HB 1641, Laws of 2008

**14. UM – IHL 207-258 – New Law School**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$36,533.23m and sixteen (16) additional days to the contract of W.G. Yates & Sons Construction Co., Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$27,709.59 and five (5) additional days to the contract of W.G. Yates & Sons Construction Co., Inc.

**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$309,370.16 and sixteen (16) additional days to the contract of W.G. Yates & Sons Construction Co., Inc.

**Staff Approval Date:** June 30, 2010

**Change Order Justification:** **Change Order #5** is necessary in order to add additional access-control devices that provide greater security to the IT areas, add light fixture changes in the moot court room and computer lab in order to provide better lighting, add an additional toilet to restroom, addition of door pockets to allow the pairs of doors to be held open with the substitution hardware provided, addition of attic lights that were not included in the construction documents and need to be included for adequate lighting of the classroom wings' attic space. **Change Order #6** is necessary to add handrails to glass rail system in order to provide a greater visual sense of security than plain glass guardrails. It also provides for additional access control devices that will provide greater security to the faculty office floor and attics in the building. **Change Order #7** is necessary in order to provide for the restroom build-out which includes additional toilets required by code to support the build-out of the Bonus Room space. The change order is also necessary in order to add 2 dock bumpers and remove soap dispensers specified in the contract.

**Total Project Change Orders and Amount:** Seven (7) change orders for a total amount of \$679,171.79

**Project Initiation Date:** April 21, 2005

**Design Professional:** Eley Guild Hardy Architects

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**General Contractor:** W.G. Yates & Sons Construction Co., Inc.

**Contract Award Date:** May 13, 2008

**Project Budget:** \$50,000,000

**Funding Source(s):** HB 1634, Laws of 2006 (\$10,000,000); EBC Bonds (\$19,977,699.06); Private and Federal Gifts (\$20,022,300.94)

**15. UM– IHL 207-303-B – Research Park & Innovation Center-Phase II**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Montgomery Martin Contractors, LLC, the lower of nine (9) bidders for a total contract amount of \$12,050,450.00.

**Staff Approval Date:** June 22, 2010

**Project Initiation Date:** August 16, 2007

**Design Professional:** Cooke Douglass Farr Lemons; Howorth & Associates-A Joint Venture

**General Contractor:** Montgomery Martin Contractors, LLC

**Contract Award Date:** June 22, 2010

**Project Budget:** \$17,100,000

**Funding Source(s):** NIST Award #60NANB6D6134 (\$17,100,000)

**16. UM –IHL 207-306 – Center for Manufacturing Excellence**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4 for a credit** in the amount of \$108,159.00 and zero (0) additional days to the contract of Panola Construction Company, Inc.

**Staff Approval Date:** July 6, 2010

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**Change Order Justification:** The change order is necessary due to building control management system allowance of \$300,000 being reduced by awarded bid proposal of \$191,841.00. The allowance balance of \$108,159.00 is credited into the contract sum.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of \$358,336.23

**Project Initiation Date:** November 15, 2007

**Design Professional:** Cooke Douglass Farr Lemons

**General Contractor:** Panola Construction Company, Inc.

**Contract Award Date:** February 18, 2009

**Project Budget:** \$17,700,000

**Funding Source(s):** Mississippi Development Authority (\$17,700,000)

**17. UM – IHL 207-306A – Carrier Hall Addition and Renovation**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$17,570.40 and zero (0) additional days to the contract of Panola Construction Company, Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$16,376.23 and zero (0) additional days to the contract of Panola Construction Company, Inc.

**Staff Approval Date:** July 6, 2010

**Change Order Justification:** **Change Order #4** is necessary in order to add a curtain wall CW6 vertical mullion. The architect requested this be added per change on shop drawings to facilitate complete vestibule 125 enclosed and document coordination. Also, the architect requested chill water service to the building addition be made to condition the space until the SME is complete and can provide permanent chill water service per Contract Documents. **Change Order #5** is necessary in order to change the plans as drawn in the Bid Documents to the First Floor of the existing Carrier Hall.

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**Total Project Change Orders and Amount:** Five (5) change orders for a total amount of \$64,830.46

**Project Initiation Date:** August 20, 2009

**Design Professional:** Cooke Douglass Farr Lemons

**General Contractor:** Panola Construction Company, Inc.

**Contract Award Date:** December 16, 2009

**Project Budget:** \$4,500,000

**Funding Source(s):** Mississippi Development Authority (\$4,500,000)

**18. UM – IHL 207-321 – North Residential College – Bid Package D**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$4,200.00 and zero (0) additional days to the contract of Drywall Systems Plus, Inc.

**Staff Approval Date:** June 29, 2010

**Change Order Justification:** The change order is necessary to furnish and install a 4" X 5/8" plate at the landing edges. This is required as a result of taking the bid alternate #3 to omit the decorative handrail. The new handrail detail did not call for the toe kick plate that is now being requested.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of \$17,365.00

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Drywall Systems Plus, Inc.

**Contract Award Date:** September 4, 2009

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**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

**19. UM – IHL 207-321 – North Residential College – Bid Package E**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$3,151.00 and zero (0) additional days to the contract of Pitman Glass Company.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$16,050.00 and zero (0) additional days to the contract of Pitman Glass Company.

**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$4,447.00 and zero (0) additional days to the contract of Pitman Glass Company.

**Staff Approval #4:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$897.00 and zero (0) additional days to the contract of Pitman Glass Company.

**Staff Approval Date:** June 29, 2010

**Change Order Justification:** **Change Order #1** is necessary to furnish and install additional caulking at curtain wall and storefront windows, furnish and install stainless steel flashing at storefront windows Type V and U and to change single door to pair of doors and change door type to D-9 type doors per donor request. **Change Order #2** is necessary to install hardware for doors, finish and install thresholds for aluminum storefront doors and costs to replace thresholds. **Change Order #3** is necessary to in order to change select doors from medium style to wide style in order to allow for hardware to be installed and improve durability and function of the doors. **Change Order #4** is necessary in order to change doors to wide style doors to allow wireless lockset hardware to be installed.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of \$24,545.00

**Project Initiation Date:** March 19, 2009

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**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Pitman Glass Company

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

**20. UM – IHL 207-321 – North Residential College – Bid Package F**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$3,465.59 and zero (0) additional days to the contract of Copper Top Sheet Metal, Inc.

**Staff Approval Date:** June 29, 2010

**Change Order Justification:** The change order is necessary to remove GFRC and install roof flashing at Pavilion roof as a result of GFRC being lower than previous building.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$3,465.59

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Copper Top Sheet Metal, Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

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**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

**21. UM – IHL 207-321 – North Residential College – Bid Package G**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$1,820.00 and zero (0) additional days to the contract of Clinton Interiors.

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$6,267.57 and zero (0) additional days to the contract of Clinton Interiors.

**Staff Approval Date:** June 29, 2010

**Change Order Justification:** **Change Order #3** is necessary to furnish and install custom shower pans for rooms 232 and 238 where concrete beams are in conflict with shower floor drain. **Change Order #4** is necessary to provide changes in courtyard stucco framing for through-wall flashing detail required to provide better water tight detailing as well as to remove and replace corridor ceiling in South College for installation of CW and HW main for North College.

**Total Project Change Orders and Amount:** Four (4) change orders for a total amount of (\$54,584.50)

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Clinton Interiors

**Contract Award Date:** September 4, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)



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**22. UM – IHL 207-321 – North Residential College – Bid Package I**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$5,115.00 and zero (0) additional days to the contract of Craft Croswell, Inc.

**Staff Approval Date:** June 29, 2010

**Change Order Justification:** The change order is necessary to furnish and install floor tile in existing food prep room 007 in the South College after walk-in freezer is removed.

**Total Project Change Orders and Amount:** Two (2) change orders for a total amount of \$8,148.

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Craft Croswell, Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

**23. UM – IHL 207-321 – North Residential College – Bid Package M**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$916.00 and zero (0) additional days to the contract of South Central Heating & Plumbing Co., Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$14,994.00 and zero (0) additional days to the contract of South Central Heating & Plumbing Co., Inc.

**Staff Approval Date:** June 29, 2010

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**Change Order Justification:** **Change Order #4** is necessary to revise the diffuser to Therma-fuser for better temperature control in conference room #121. **Change Order #5** is necessary to add 6" bypass line at the backflow preventer to provide water service to the building during maintenance of backflow preventer and strainer.

**Total Project Change Orders and Amount:** Five (5) change orders for a total amount of (\$34,398).

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** South Central Heating & Plumbing Co. Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

**24. UM – IHL 207-321 – North Residential College – Bid Package N**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$3,836.58 and zero (0) additional days to the contract of Advance Electric Co., Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10** in the amount of \$5,291.39 and zero (0) additional days to the contract of Advance Electric Co., Inc.

**Staff Approval #3:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #11** in the amount of \$9,774.94 and zero (0) additional days to the contract of Advance Electric Co., Inc.

**Staff Approval #4:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #12** in the amount of \$4,868.85 and zero (0) additional days to the contract of Advance Electric Co., Inc.

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**Staff Approval Date:** June 29, 2010

**Change Order Justification:** **Change Order #9** is necessary to add four type “J” light fixtures in common space on theatrical poles. **Change Order #10** is necessary to furnish and install conduit, breakers, and feeders required for dimmer cabinet in Commons 008. **Change Order #11** is necessary to adjust audio visual budget per quote received from Mississippi Audio and to furnish/install 18/2 cable from South College to North College to integrate the North College fire alarm panel with the South College panel. **Change Order #12** is necessary to provide power for coiling door 017B from spare in South College panel and interlock control fire alarm and controls with South College coiling doors. Also the change order is necessary to remove existing circuit breakers from panel and relocate to existing space in panel LED in order to place DWBP-1 located in South College on emergency power.

**Total Project Change Orders and Amount:** Twelve (12) change orders for a total amount of \$89,146.75

**Project Initiation Date:** March 19, 2009

**Design Professional:** Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

**General Contractor:** Advance Electric Co., Inc.

**Contract Award Date:** July 1, 2009

**Project Budget:** \$25,000,000

**Funding Source(s):** Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

**25. UM – IHL 207-315 – Central Mechanical Plant**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$2,209.20 and zero (0) additional days to the contract of Hooker Construction, Inc.

**Staff Approval Date:** June 29, 2010

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**Change Order Justification:** The change order is necessary to install a differential pressure transducer to be used in the control of speed of the loop chilled water pumps and improve efficiency.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of (\$23,303.60)

**Project Initiation Date:** August 21, 2008

**Design Professional:** Eley Guild Hardy

**General Contractor:** Hooker Construction, Inc.

**Contract Award Date:** October 16, 2008

**Project Budget:** \$4,600,000

**Funding Source(s):** Internal R&R funds

**26. UM – IHL 207-334 – Deaton Hall-HVAC and Generator Upgrade**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Corbett Legge and Associates, design professional.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Corbett Legge and Associates, design professional.

**Staff Approval Date:** May 27, 2010

**Project Initiation Date:** January 21, 2010

**Design Professional:** Corbett Legge and Associates

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$760,000

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**Funding Source(s):** Auxiliary R&R funds

**27. UM – IHL 207-338 – Tad Smith Coliseum Boiler Replacement**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Corbett Legge and Associates, design professional.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Corbett Legge and Associates, design professional.

**Staff Approval Date:** May 27, 2010

**Project Initiation Date:** February 18, 2010

**Design Professional:** Corbett Legge and Associates

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$300,000

**Funding Source(s):** Internal R&R funds

**28. UMMC – GS 109-195 – Adult Emergency Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Dale/Morris Associates, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** June 14, 2010

**Project Initiation Date:** November 14, 2007

**Design Professional:** Dale/Morris Associates

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**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$9,630,000

**Funding Source(s):** HB 246, Laws of 2007 (\$5,130,000); HB 1641, Laws of 2008 (\$2,000,000); HB 1722, Laws of 2009 (\$2,500,000)

**29. UMMC – IHL 209-516 – E.R. Fast Track Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7 for a credit** in the amount of \$13,133.88 and zero (0) additional days to the contract of McMillan Pitts Construction Company, LLC

**Staff Approval Date:** May 7, 2010

**Change Order Justification:** The change order is necessary in order to allow for miscellaneous contract allowance adjustments.

**Total Project Change Orders and Amount:** Seven (7) change orders for a total amount of \$97,135.12

**Project Initiation Date:** November 21, 2008

**Design Professional:** The McCarty Company

**General Contractor:** McMillan Pitts Construction

**Contract Award Date:** June 10, 2009

**Project Budget:** \$2,000,000

**Funding Source(s):** Hospital Patient Revenue

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**30. UMMC – IHL 209-523 – S013 Renovations**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$18,141.60 and zero (0) additional days to the contract of Mid State Construction

**Staff Approval Date:** May 7, 2010

**Change Order Justification:** The change order is necessary in order to address adjustments in the contractor's staging area and access to the project. Access to the basement area is being adjusted from Adult Tower service court on the west side of the facility entering at the south wing basement area. Temporary fencing is required from the east access route to define the construction staging area.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$18,141.60

**Project Initiation Date:** August 20, 2009

**Design Professional:** Simmons Associates, AIA

**General Contractor:** Mid State Construction

**Contract Award Date:** January 11, 2010

**Project Budget:** \$1,500,000

**Funding Source(s):** Hospital Patient Revenue

**31. UMMC – IHL 209-527 – Ophthalmology Renovations-764 Lakeland**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Dale and Associates, design professionals.

**Staff Approval Date:** July 7, 2010

**Project Initiation Date:** August 20, 2009

**Design Professional:** Dale and Associates

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**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$5,272,000

**Funding Source(s):** Interest Income (\$25,000); Restricted Funds (\$5,254,000)

**32. USM– GS 108-252 – Fraternity House Fire Protection**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$17,380.00 and zero (0) additional days to the contract of B.W. Sullivan Building Contractor, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** June 7, 2010

**Change Order Justification:** The change order is necessary in order to repair damaged cable, power for exterior lights and cut telephone lines.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$17,380.00

**Project Initiation Date:** May 22, 2008

**Design Professional:** Eldridge and Associates, P.A.

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

**Contract Award Date:** May 4, 2009

**Project Budget:** \$1,350,000

**Funding Source(s):** HB 1641, Laws of 2008 (\$1,350,000)



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**33. USM– GS 108-266 – Electrical System Upgrade**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$750,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or Ayers funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

**Staff Approval Date:** July 6, 2010

**Project Initiation Date:** July 6, 2010

**Design Professional:** Watkins-O’Gwynn

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$750,000

**Funding Source(s):** HB 1701, Laws of 2010

**34. USM– IHL 208-267 – Dormitory Replacement, Hattiesburg**

**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6 for a credit** in the amount of \$12,443.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Co., Inc.

**Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$32,069.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Co., Inc.

**Staff Approval Date:** July 13, 2010

**Change Order Justification:** **Change Order #6** is necessary in order to improve the functionality and convenience of the end-user. **Change Order #7** is necessary in order to improve the functionality, convenience, and safety of the end-user.

**Total Project Change Orders and Amount:** Seven (7) change orders for a total amount of \$1,497,091.00

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**Project Initiation Date:** March 14, 2007

**Design Professional:** Landry & Lewis Architects, P.A.

**General Contractor:** W.G. Yates & Sons Construction Co., Inc.

**Contract Award Date:** November 12, 2008

**Project Budget:** \$45,000,000

**Funding Source(s):** USM EBC Bonds (\$45,000,000)

**35. USM– IHL 208-267-A – Dormitory Replacement Phase I, Hattiesburg and The Learning Center**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$5,269.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Co., Inc.

**Staff Approval Date:** June 14, 2010

**Change Order Justification:** The change order is necessary in order to provide additional power and data outlets in security closet 105, relocate walls and additional power for vending machines outside the Cyber Café and extend lighting protection from the cupola to the ground grid and a separate ground on the opposite. This change order is intended to improve the functionality, convenience, and lighting protection of the Learning Center.

**Total Project Change Orders and Amount:** Two (2) change orders for a total amount of \$9,015.00

**Project Initiation Date:** March 14, 2007

**Design Professional:** Landry & Lewis Architects, P.A.

**General Contractor:** W.G. Yates & Sons Construction Co., Inc.

**Contract Award Date:** November 12, 2008

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**Project Budget:** \$45,000,000

**Funding Source(s):** USM EBC Bonds (\$45,000,000)

**36. USM– IHL 208-281 – Chain Technology HVAC Upgrade**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$425,821.00 and zero (0) additional days to the contract of Pat L. McKenzie, Inc.

**Staff Approval Date:** July 6, 2010

**Change Order Justification:** The change order is necessary in order to exercise bid option #3 and bid option #4. Bid option #3 replaces the existing pneumatic control system with direct digital control (DCC) system for remaining VAV units. Bid option #4 replaces the existing steam boilers with condensing heating water boilers and adds a control panel for the condensing heating water boilers for energy efficiency.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$425,821.00

**Project Initiation Date:** August 17, 2007

**Design Professional:** Atherton Consulting Engineers, Inc.

**General Contractor:** Pat L. McKenzie, Inc.

**Contract Award Date:** May 10, 2010

**Project Budget:** \$1,123,700

**Funding Source(s):** University Year End Funds (\$1,123,700)

**37. USM– IHL 208-288 – Post Office Build-Out-Cochran Center**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1 for a credit** in the amount of \$3,667.52 and zero (0) additional days to the contract of Hanco Corporation

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**Staff Approval Date:** May 24, 2010

**Change Order Justification:** The change order credit is necessary in order to reconcile the hardware and signage allowances.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of (\$3,667.52)

**Project Initiation Date:** February 19, 2009

**Design Professional:** Albert & Associates

**General Contractor:** Hanco Corporation

**Contract Award Date:** September 2, 2009

**Project Budget:** \$1,500,000

**Funding Source(s):** Post Office Reserve Fund and Vending Service Revenue (\$1,500,000)

**38. USM– IHL 210-240 – Infrastructure Project II**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$4,230.55 and zero (0) additional days to the contract of Gulf Equipment Corporation.

**Staff Approval Date:** June 14, 2010

**Change Order Justification:** The change order is necessary due to additional funding being available for plumbing and piping in order to enhance the use of the overall facility. Piping covers were added and the hydrant was changed due to project coordination and final placement. Backflow preventer was requested by the City of Ocean Springs though stated by engineer was not required due to state statutes. Drainage culverts were added to prevent interruption of the natural flow of water when the raised roadbed was placed.

**Total Project Change Orders and Amount:** One (1) change order for a total amount of \$4,230.55

**Project Initiation Date:** August 21, 2008

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**Design Professional:** Allred and McNabb Architectural Group, P.A.

**General Contractor:** Gulf Equipment Corporation

**Contract Award Date:** May 28, 2009

**Project Budget:** \$3,500,000

**Funding Source(s):** NOAA Grant Funds #3321 (\$3,500,000)

**39. Education and Research Center – GS 111-044 – Mechanical Modifications Program**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Atherton Consulting Engineers, design professional.

**Staff Approval Date:** June 11, 2010

**Project Initiation Date:** July 3, 2007

**Design Professional:** Atherton Consulting Engineers

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$3,500,000

**Funding Source(s):** HB 246, Laws of 2007; HB 1641, Laws of 2008, HB 1722, Laws of 2009, HB 1701, Laws of 2010.

**40. Education and Research Center – GS 111-047 – Mechanical Modifications Program**

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Atherton Consulting Engineers, design professional.

**Staff Approval Date:** June 11, 2010

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**Project Initiation Date:** March 5, 2010

**Design Professional:** Atherton Consulting Engineers

**General Contractor:** N/A

**Contract Award Date:** N/A

**Project Budget:** \$750,000

**Funding Source(s):** ARRA Funds (\$750,000)

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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 David Ware & Associates (statements dated 5/27/10, 6/1/10, 6/21/10 and 6/29/10) from the funds of Mississippi State University. (These statements, in the amounts of \$368.40, \$35.17, \$2,500.00 and \$87.50, respectively, represent services and expenses in connection with labor certifications.)

**TOTAL DUE.....\$ 2,991.07**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 5/12/10 and 6/8/10) from the funds of the University of Mississippi. (These statements, in the amounts of \$16,586.00 and \$1,623.93, respectively, represent services and expenses in connection with legal fees related to the purchase of Campus Walk Apartments from American Campus Communities.)

**TOTAL DUE.....\$ 18,209.93**

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz (statement dated 4/16/10) from the funds of the University of Mississippi Medical Center. (This statement represents services and expenses in connection with *MS Commission on Environmental Quality vs. UMMC* - \$1,423.05.)

**TOTAL DUE.....\$ 1,423.05**

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 4/20/10 and 5/25/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Rep. of the Medical School and Facility Family Practice Plans-UMMC North Clinic - \$215.00, General Advice-UMMC North Clinic - \$8,032.43, General Rep. of the Medical School and Facility Practice Plans-UMMC North Clinic - \$2,171.50 and General Advice-UMMC North Clinic - \$11,280.75, respectively.)

**TOTAL DUE.....\$ 21,699.68**

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statement dated 5/27/10) from the funds of the University of Mississippi Medical Center. (This statement represent services and expenses in connection with the case styled *Kermode* - \$12,184.40.)

**TOTAL DUE.....\$ 12,184.40**

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Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (statement dated 5/17/10) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$181.51, represents services and expenses in connection with the *Bernard v. UMMC* case.)

**TOTAL DUE.....\$ 181.51**

**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, O'Mara, Stevens & Cannada (statements dated 5/21/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Compact Time-of-Flight Spectrometer-Canada" - \$379.25; "Compact Time-of-Flight Spectrometer-Germany" - \$541.05; "Compact Time-of-Flight Spectrometer-United Kingdom" - \$504.50; "Compact Time-of-Flight Spectrometer-Japan" - \$200.00; "Light Scattering, etc./Serial No. 11/735.206" - \$42.50; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$1,917.20; "Live Attenuated Catfish Vaccine" - \$42.50; "Method of Transformation of Cotton and Organogenic Regeneration" - \$515.00.)

**TOTAL DUE.....\$ 4,142.00**

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 5/26/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Trademark Renewals and New Registrations" - \$510.00; "Renewal and Declaration of Use - 'Mississippi State'" - \$1,510.00; "Plant Patent-St. Augustine Grass Cultivars" - \$1,278.75; "MSU-Self-Aligned Methods Low Temp Selective" - \$1,850.00; "MSU-Temporal Mapping and Analysis" - \$1,425.00; "MSU-Remote Sensing Imagery Accuracy and Analysis" - \$1,480.00; "MSU-Change Analyst" - \$1,627.50; "MSU-St. Augustine Grass Plant Named 'Eclipse'" - \$1,742.50; "MSU-Patent Functional Enhancement of Antimicrobials" - \$1,273.75; "Oral Delivery of Attenuated *Edwardsiella ictaluri*" - \$148.75; "MSU-Fireball Location System for Boiler/Furnace Optimization" - \$110.00; "Termite Control Methods and Apparatus" - \$148.75; Termite Control System, Methods and Apparatus" - \$106.25; "Novel Oxime Therapeutics for Organophosphate" - \$127.50; "Diethylene Tricarbamide and Diethylene Tricarbamide-Formaldehyde Condensation Resins" - \$658.75; "System and Method for Charging Rechargeable Batteries" - \$1,805.00; "System and Method for Charging Rechargeable Batteries" - \$4,308.50; "Provisional Plant Patent" - \$1,041.25; "Triglyceride-secreting Strain of *Rhodococcus*" - \$747.50; "Triglyceride-secreting Strain of *Rhodococcus*" -



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\$982.50; “MSU-Bermuda-grass Plant” - \$1,045.00; “MSU-Buckscore Software Patent” - \$917.50 and “Oral Catfish Vaccine Method of Delivery” - \$2,455.00.)

**TOTAL DUE.....\$ 27,299.75**

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 5/18/10 and 5/21/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “High-Speed Data Compression” - \$107.50 and “Emerging Models for Wireless Communication” - \$1,901.40, respectively.)

**TOTAL DUE.....\$ 2,008.90**

Payment of legal fees for professional services rendered by HersHKovitz & Associates (statements dated 4/29/10, 4/30/10 and 5/27/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Method of Preparing Delta-9-Tetrahydrocannabinol Esters” - \$821.83; “8-Aminoquinoline” - \$1,308.00 and “Novel Sigma Receptor Antagonists” - \$6,682.00, respectively.)

**TOTAL DUE.....\$ 8,811.83**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 5/26/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Data Compression based on Set-Associative Cache Mapping Techniques” - \$64.00; “Delivery of Medicaments to the Nail and Perionychium” - \$1,419.93; “Highly Purified Amphotericin-B” - \$868.00; “Mexico-Agents with Selective K-Opioid Receptor Activity” - \$62.00; “In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative” - \$248.00; “Underwater Biomass Assessment Device and Method” - \$62.00; “Canada-Acoustic Detection of Personnel Using the Interaction of High Frequency Sound” - \$282.69; “Europe: Acoustic Detection of Personnel Using the Interaction of High Frequency Sound” - \$945.30; “Australia-Stabilized Formulation of Triamcinolone Acetonide” - \$932.00; “Canada-Stabilized Formulation of Triamcinolone Acetonide” - \$516.25; “Europe-Stabilized Formulation of Triamcinolone Acetonide” - \$350.00; “India-Stabilized Formulation of Triamcinolone Acetonide” - \$94.50 and “Mexico-Stabilized Formulation of Triamcinolone Acetonide” - \$27.00.)

**TOTAL DUE.....\$ 5,871.67**

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**SYSTEM - COMMISSIONER'S NOTIFICATION OF APPROVAL**

1. **ASU** – On August 9, 2010, approval was granted to amend its agreement with Claiborne National Gas, Inc to extend the term of the original agreement for an additional one-year period from August 31, 2010 and to reduce the transportation rate from \$4.67 to \$4.57 per MMBtu.
2. **ASU** – On August 9, 2010, approval was granted to amend its agreement with Mississippi River Gas, LLC to extend the term of the original agreement with Mississippi River Gas, from August 21, 2011 and reduce the transportation rate for \$485 to transport and deliver gas to the campus.
3. **MSU** - On August 2, 2010, approval was granted to enter into a one-year lease with the United States of America to allow USA to use 4,164 square feet of Greenhouse space located on the MSU Delta Branch Experiment Station located in Stoneville, Mississippi.
4. **MSU** - On August 2, 2010, approval was granted to enter into a one-year lease with B. Bryan Farms, Incorporated (BBF) for the purpose of securing agricultural production rights on 371 acres of BBF property in West Point, Mississippi.
5. **UM** - On July 21, 2010 approval was granted from the 2010-2011 Traffic and Parking Regulation in accordance with Body Policy 1107 Enactment of Traffic Rule and Regulations.
6. **USM** - On July 21, 2010, approval was granted for the 2010-2011 Traffic Rules and Regulations in accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations.
7. **SYSTEM** – Approval of Quarterly Employment Reports according to Board Policies 401.0102 and 801.09 Resignations.