

MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING



FINAL BOARD BOOK
April 18, 2013



FINAL BOARD BOOK OUTLINE

IHL Board Meeting
April 18, 2013 9:00 a.m.

Universities Center
3825 Ridgewood Road
Jackson, MS 39211

CALL TO ORDER

PRAYER

Trustee Doug Rouse

INTRODUCTION OF GUESTS

PRESENTATIONS

Dr. Belle S. Wheelan, President
Southern Association of Colleges and Schools Commission on Colleges

MINUTES

March 21, 2013 Regular Board Meeting

CONSENT AGENDAS

Trustee Bob Owens

ACADEMIC AFFAIRS

1. UM – Approval of New Academic Unit – FDA Center of Excellence on Botanical Dietary Supplement Research.....1
2. USM – Approval of Academic Unit Modifications
 - a. USM – Approval to Rename the Department of Community Health Services.....1
 - b. USM – Approval to Reorganize and Rename the Department of Economic and Workforce Development.....2
3. SYSTEM – Approval of Academic Program Modifications
 - a. USM – Approval to Rename the *M.Ed.* in Counseling and Personnel Services Degree3
 - b. JSU – Approval to Delete the *Ed.S.* in Reading Degree.....3
 - c. MSU – Approval to Delete the AAS in Animal Health Technology Degree (Cooperative Program).....3
4. SYSTEM – Approval of Degrees to be Conferred in Spring 20134

FINANCE

1. MSU – Approval to Amend Contract with Aramark Educational Services, LLC.....1
2. UM – Approval of Contractual Services Agreements with GKR Systems, Inc. d/b/a Venture Technologies.3
3. UMMC – Request for Approval of Contractual Services Agreements
 - a. Hologic Limited Partnership.....5
 - b. Roche Diagnostics Corporation6
 - c. Viracor – IBT Laboratories, Inc.....9

REAL ESTATE

Approval of Initiations of Projects/Appointments of Professionals

Bureau of Building Projects

1. JSU – GS 103-275 – Administration Tower Exterior Waterproofing, Design Professional-Burris/Wagnon Architects, P.A...3

IHL Projects

- 2. UM – IHL 207-368 – Johnson Commons East Renovation, Design Professional – Belinda Stewart4
- 3. UM – IHL 207-371 – Stockard Hall Elevator Refurbishment, Design Professional – Corbett Legge and Associates, PLLC6

Approval of Other Real Estate Requests

- 4. DSU – Approval of Sale of Property Located at 314 Shumate Circle, Cleveland, Mississippi to Wesley Thomas7
- 5. MSU – GS 113-134 – Approval of Exterior Design of the Wise Center Classroom Addition, Design Professional - Pryor & Morrow Architects and Engineers, P.A.9
- 6. MSU – Award of Timber Sales – John W. Starr Memorial Forest10
- 7. UM – Approval to Name the First Research Park Building as “Applied Research and Innovation Hub at Insight Park”12
- 8. USM – IHL 208-297 – Dorm Replacement Phase II – Century Park South, Design Professional – The McCarty Company12

LEGAL

- 1. MSU – Approval to Modify and Renew Contract with Julie W. Brown, Esq. as Outside Counsel1
- 2. UMMC – Approval to Renew Contract with William Smith, III of Watkins & Eager Law Firm as Outside Counsel.....1

PERSONNEL

- 1. Employment (MVSU, USM (employment with tenure).....1
- 2. Change of Status (JSU).....1
- 3. Sabbaticals (MSU, UM corrections, USM & USM corrections).....1
- 4. Tenure (ASU).....3
- 5. Emeritus Status (USM, UMMC)4

REGULAR AGENDAS

ACADEMIC AFFAIRS

Trustee Robin Robinson

1. SYSTEM – Approval of Proposed Board Policy Additions and Amendments to Section 600 Admissions and Student Affairs for Final Approval1

FINANCE

Trustee Alan Perry

1. UMMC – Approval of Contractual Services Agreement with Hill-Rom Company, Inc. ...1
2. UMMC – Approval of Contractual Services Agreement with The Ramey Agency, LLC.....3
3. UMMC – Approval of Lease Agreement with TCP Block I North, LLC5
4. SYSTEM – Salary Guidelines for FY 20147
5. SYSTEM – Appropriation Allocation – FY 20147

ADMINISTRATION/POLICY

1. USM – Delegation of Authority to the Commissioner to Approve Purchases, Contracts or Legal Documents1

INFORMATION AGENDAS

Commissioner Hank Bounds

REAL ESTATE

SYSTEM – Real Estate Items Approved Subsequent to the March 21, 2013 Board Meeting

- Alcorn State University.....2
- Mississippi State University3
- Mississippi University for Women5
- Mississippi Valley State University.....5
- University of Mississippi6
- University of Mississippi Medical Center10
- University of Southern Mississippi.....12
- ERC.....13

LEGAL

SYSTEM – Report of Payments to Outside Counsel1

ADMINISTRATION/POLICY

1. SYSTEM – 2013 Spring Commencements Schedules1
2. SYSTEM – Commissioner’s Notification of Approval.....1

ADDITIONAL AGENDA ITEMS IF NECESSARY

OTHER BUSINESS/ANNOUNCEMENTS

EXECUTIVE SESSION IF DETERMINED NECESSARY

ADJOURNMENT

MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING



MINUTES FOR:

March 21, 2013 Regular Board Meeting Minutes

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 27, 2012, to each and every member of said Board, said date being at least five days prior to this March 21, 2013 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Mrs. Karen L. Cummins, Dr. Ford Dye, Mr. Shane Hooper, Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Dr. Douglas Rouse, and Mr. C.D. Smith. Ms. Christine Pickering and Ms. Robin J. Robinson were absent. The meeting was called to order by Mr. Bob Owens, President, and opened with prayer by Trustee Aubrey Patterson.

PRESENTATION

President Bob Owens welcomed Governor Phil Bryant to the Board meeting. Governor Bryant addressed the Board about increasing teacher preparation program entrance requirements at public universities in Mississippi.

APPROVAL OF THE MINUTES

On motion by Trustee Patterson, seconded by Trustee Dye, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on February 21, 2013 and February 28, 2013.

CONSENT AGENDA

On motion by Trustee Cummins, seconded by Trustee Parker, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

FINANCE

1. **UM** - Approved the request to escalate the On Campus budget as shown below. The escalation is funded by additional tuition revenue and non-resident fees. The escalation of expenditures will be used to fund additional scholarships as a result of increased enrollment.

Categories	Original FY 2013 Operating Budget	Revisions/ Escalations	Revised FY 2013 Operating Budget
Salaries, Wages, & Fringe Benefits	\$ 172,626,652		\$ 172,626,652
Travel & Subsistence	1,725,974		1,725,974
Contractual Services	60,147,911	2,300,000	62,447,911
Commodities	5,966,457		5,966,457
Capital Outlay:			
Other than equipment	4,095,477		4,095,477
Equipment	3,036,836		3,036,836

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

Transfer:			
Mandatory	1,156,942		1,156,942
Non-Mandatory	6,313,786		6,313,786
Increase in Fund Balance	-		-
TOTAL	\$ 255,070,035	\$ 2,300,000	\$ 257,370,035

2. **UM** - Approved the request to escalate the Off Campus budget as shown below. The escalation is funded by continuing education revenue. Additional expenditure authority will be used for costs related to increased enrollment at the Grenada Center.

Categories	Original FY 2013 Operating Budget	Revisions/ Escalations	Revised FY 2013 Operating Budget
Salaries, Wages, & Fringe Benefits	\$ 8,862,053	\$ 88,011	\$ 8,950,064
Travel & Subsistence	88,750		73,750
Contractual Services	1,690,158		1,767,658
Commodities	255,000		263,500
Capital Outlay:			
Other than equipment	-		-
Equipment	158,000		85,989
Transfer:			
Mandatory	103,484		103,484
Non-Mandatory	43,510		43,510
Increase in Fund Balance	-		-
TOTAL	\$ 11,200,955	\$87,000	\$ 11,287,955

3. **UM** - Approved the request to escalate the Athletic budget due to additional self-generated funds as shown below. Increases are requested to accommodate organizational changes and accounting changes, i.e. adjustment to mandatory versus non-mandatory transfer category. This will be funded with self-generated revenues.

Categories	Original FY 2013 Operating Budget	Revisions/ Escalations	Revised FY 2013 Operating Budget
Salaries, Wages, & Fringe Benefits	\$19,005,173	\$97,887	\$19,103,060
Travel & Subsistence	4,873,346	-	4,873,346
Contractual Services	18,469,264	940,000	19,409,264
Commodities	4,583,747	-	4,583,747
Capital Outlay:			
Other than equipment	-		-
Equipment	726,850	-	726,850
Transfer:			
Mandatory	3,705,696	(451,330)	3,254,366
Non-Mandatory	1,569,397	451,330	2,020,727
Subsidies, Loans, & Grants			
TOTAL	\$ 52,933,473	\$1,037,887	\$53,971,360

4. **UM** - Approved the request to escalate the Auxiliaries budget including The Inn at Ole Miss, Student Housing, Contractual Services Management, and Parking & Transportation Service. The escalation will be funded by additional self-generated revenues from increased demand for services except for the Contractual Services Management. Contractual Services Management will be

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

escalated to cover one-time expenses associated with the renovation of the Paul B. Johnson Commons and will be funded from reserves. The one-time expenses include rent for mobile, temporary kitchens while the kitchen and dining areas are being renovated.

Categories	Original FY 2013 Operating Budget	Revisions/ Escalations	Revised FY 2013 Operating Budget
Salaries, Wages, & Fringe Benefits	\$9,890,772	\$514,165	\$10,404,937
Travel & Subsistence	202,031	-	202,031
Contractual Services	12,262,926	703,000	12,965,926
Commodities	8,237,459	90,848	8,328,307
Capital Outlay:			
Other than equipment	-		-
Equipment	1,039,300	29,500	1,068,800
Transfer:			
Mandatory	6,020,963		6,020,963
Non-Mandatory	2,643,179	700,000	2,643,179
Subsidies, Loans, & Grants	-		-
TOTAL	\$ 40,296,630	\$ 2,037,513	\$ 42,334,143

5. **USM** - Approved the request to enter into a charter services agreement with Air Planning, LLC to arrange charter flights for the USM football team for the 2013 football season. Air Planning will act as the authorized agent for USM and will arrange charter flights through the air carrier JetBlue Airways. The agreement will commence upon execution by both parties which is expected to occur in late March 2013. The agreement will expire upon completion of the last flight which is scheduled to be November 2, 2013. The total cost of the agreement is estimated at \$525,000. A fixed fee of \$463,598 is due in three stipulated amounts. Costs associated with Federal Excise Tax, Segment fees, Passenger Facility Charges, and standard beverage services are included in the fixed fee portion of the contract. \$61,402 of the estimated total cost is to cover a fuel surcharge if the cost of actual fuel prices incurred for a charter flight is greater than the base fuel cost of \$3.50. Additional fees may be assessed under the agreement associated with passenger screening, tax charge increases, and optional skycap service. This agreement will be funded by auxiliary funds. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

6. **UMMC** - Approved the request to enter into an agreement with Medtronic USA, Inc. for the purchase of custom perfusion tubing packs (supplies to regulate blood supply) assembled according to UMMC's specifications and held in reserve by Medtronic as a readily available supply for use in the adult perfusion program. The term of the agreement is for three (3) years beginning on or about April 1, 2013 through March 31, 2016. The total estimated cost for the three (3) year contract term is \$585,792. UMMC anticipates purchasing 240 custom perfusion packs during the first twelve (12) months of the agreement. The cost per pack is \$565. Due to the probability of changes in product assembly, UMMC anticipates an annual price increase of 20% per year for years two and three of the agreement. A breakdown of the costs assuming an annual increase of 20% after year 1, as well as a minimal increase in the number of packs purchased each year, is included in the bound *March 21, 2013 Board Working File*. The current agreement will be funded by patient revenues included in UMMC's 2012-2013 Board approved operating budget. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

7. **UMMC** -Approved the request to enter into an agreement with Medtronic USA, Inc. for the purchase of custom perfusion tubing packs (supplies to regulate blood supply) assembled according to UMMC's specifications and held in reserve by Medtronic as a readily available supply for use in the pediatric perfusion program. UMMC will purchase six different sizes of perfusion packs for the pediatric program in order to treat a wide range of types of pediatric patients. The term of the agreement is for three (3) years beginning on or about April 1, 2013 through March 31, 2016. The total estimated contract cost for the three (3) year contract term is \$720,574.40. UMMC anticipates purchasing 1240 custom perfusion packs annually in various sizes. The cost per pack ranges from \$73 to \$193 for the first twelve months of the agreement. Due to the potential for changes in product assembly, UMMC anticipates an annual price increase of 20% per year for years two and three of the agreement. A breakdown of the costs assuming an annual increase of 20% after year 1 is included in the bound *March 21, 2013 Board Working File*. The current agreement will be funded by patient revenues included in UMMC's 2012-2013 Board approved operating budget. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
8. **UMMC** - Approved the request to enter into a lease agreement with the Meridian Airport Authority for the provision of helicopter fuel, hangar space, and ground space at Key Field Airport in Meridian, MS (MAA). Although this is a new agreement, UMMC has leased space at Key Field Airport since May 2009 without a formal agreement. UMMC would like to enter into a formal agreement due to the large number of referrals coming from the surrounding areas. The term of the agreement is for five (5) years – May 1, 2013 through April 30, 2018. The total estimated contract cost for the five (5) year term is \$730,510. This amount is based on the following factors: 1) a fixed monthly rental fee of \$2,000 or \$120,000 for the five year contract period, and 2) MAA's cost of fuel plus twenty cents (\$.20) per gallon for fuel. Based on fluctuating fuel prices and actual gallons purchased, UMMC anticipates an annual increase of 10% to cover the cost of fuel and increased usage for years 2 through 5 of the agreement. A breakdown of costs using an annual 10% increase in fuel costs after Year 1 is included in the bound *March 21, 2013 Board Working File*. The current agreement will be funded by patient revenues included in UMMC's 2012-2013 Board approved operating budget. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
9. **UMMC** - Approved the request to amend the agreement with Philips Healthcare, a division of Philips Electronics North America Corporation (Philips), which was formally VISICU, Inc. The agreement provides for the eCareManger System and related services. The amendment will allow the removal of Delta Health Alliance (DHA) as a third party to the agreement between UMMC and Philips. The term of the original contract, as approved by the Board, was five (5) years - from September 22, 2008 through September 21, 2013. This is a no cost amendment to the agreement. As previously approved by the Board, the total cost of the contract over the five (5) year term beginning in 2008 will be \$13,015,740. The annual cost is as follows: Year 1 - \$ 5,320,400, Year 2 - \$2,343,118, Year 3 - \$2,160,944, Year 4 - \$1,608,514, and Year 5 - \$1,582,764. UMMC has allowed for the cost of the eICU program in its current hospital budget. The agreement will be funded by patient revenues included in UMMC's 2012-13 Board approved operating budget. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

10. **SYSTEM** - Approved the request for the university affiliated entities to engage the following CPA firms to conduct annual audits for fiscal/calendar year 2013 as required by Board Policy 301.0806 University Foundation/Affiliated Entities Activities, Subsection D. General Requirements of Affiliation Agreements.

University Affiliated Entity	CPA Firm
Alcorn State University Foundation	Silas Simmons, LLP
Delta State University Foundation	Ellis and Hirsberg, CPA, PLLC
Jackson State University Foundation	Banks, Finley, White and Company of MS, PA
Mississippi E-Center Foundation (JSU)	Banks, Finley, White and Company of MS, PA
Jackson State University Alumni Association	Bruno and Tervalon, LLP CPAs
Mississippi State University Foundation, Inc.	KPMG, LLP
The Bulldog Club (MSU)	T.E. Lott and Company, PA
Mississippi State University Research and Technology Corporation	T.E. Lott and Company, PA
Mississippi State University Alumni Association	T.E. Lott and Company, PA
Mississippi State University Alumni Foundation, Inc.	KPMG, LLP
Mississippi University for Women Foundation	Grantham, Poole, Randall, Reitano, Arrington and Cunningham, PLLC
Mississippi Valley State University Foundation	J.E. Vance and Company, PA
University of Mississippi Foundation	KPMG, LLP
University of Mississippi Athletic Association	Grantham, Poole, Randall, Reitano, Arrington and Cunningham, PLLC
University of Mississippi Alumni Association	Grantham, Poole, Randall, Reitano, Arrington and Cunningham, PLLC
University of Southern Mississippi Foundation	RFP process is underway to choose the firm. The selection will be brought to the Board at a future date.
University of Southern Mississippi Athletic Association Foundation	Horne, LLP
University of Southern Mississippi Alumni Association	RFP process is underway to choose the firm. The selection will be brought to the Board at a future date.

11. **SYSTEM - OFFICE OF STUDENT FINANCIAL AID** - Approved the Critical Needs Dyslexia Therapy Teacher Loan/Scholarship Rules and Regulations. State law requires the Board to promulgate Rules and Regulations for administering the state-supported Student Financial Aid programs. During the 2012 Legislative Session, the Critical Needs Dyslexia Therapy Teacher Loan/Scholarship Program (CNDT) was created to begin making awards during the 2013-2014 Aid Year. The Office started accepting applications for this loan/scholarship on January 1. The CNDT makes loan/scholarships available to students pursuing a Masters of Education in Dyslexia Therapy programs that utilize the Orton-Gillingham teaching approach. A copy of the proposed rules and regulations which have been reviewed and approved by the Attorney General's Office are included in the bound *March 21, 2013 Board Working File*. As required by law, the State Board of Education is also required to approve these Rules and Regulations.

REAL ESTATE

12. **ASU** - Approved the initiation of **GS 101-294, Utility Infrastructure**, and the appointment of Atherton Consulting Engineers as the design professional. The project will repair, replace and upgrade the utility infrastructure on the Lorman campus which includes the gas, sewer, water, storm water, and HVAC systems. The estimated project budget is \$1,292,079. Funds are available from SB 2957, Laws of 2012 (\$1,292,079).

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

13. **UM** - Approved the initiation of **IHL 207-369, Multi-Purpose Facility and Related Improvements**, and the appointment of AECOM as the primary design professional with Cooke Douglass Farr Lemons supporting AECOM. The expected scope of this project includes the design and construction of a new multi-purpose facility with a capacity of approximately 10,000 individuals, a multi-level parking structure with approximately 750 stalls, associated west side improvements to Vaught Hemingway stadium, related infrastructure improvements, and landscaping. The facility will include an area to display memorabilia, history, and accomplishments of Ole Miss athletes and athletics along with complimentary retail space to replace the Rebel Shop. A dedicated food service operation, with convenient access from outside, will be available throughout regular class days as a campus dining venue. The multi-level garage will be attached or in close proximity to this new facility and will be available as normal parking inventory when not in use for athletic events. These facilities will be sited in the parking lot adjacent to the west stands of Vaught-Hemingway stadium. Design and construction will be financed with revenues from the UMAA Foundation's "Forward Together" campaign and UM EBC financing as needed. The estimated project budget is \$6 million. Funds are available from Private Gifts (\$6,000,000).
14. **UM** - Approved the initiation of **IHL 207-370, Turner Center Basement Renovation**, and the appointment of The McCarty Company as the design professional. This project will renovate parts of the locker room facilities located in the basement of the building. The extent of the work is likely to include removing old lockers and replacing them with new ones, renovating the showers, evaluating the interior air quality, providing new finishes and lighting, and upgrading localized mechanical, electrical, and plumbing systems. The estimated project budget is \$1.5 million. Funds are available from Internal R&R funds (\$1.5 million).
15. **USM** - Approved the initiation of **IHL 208-307, Lucas Administration Building Repairs**, and the appointment of Albert & Associates as the design professional. The Lucas Administration Building has been experiencing some foundation settling. This settling has been causing structural and fascia damage to the exterior of the building. Foundation support will be added and all structural and fascia damage will be repaired. The estimated project budget is \$1.5 million. Funds are available from University Funds (\$1.5 million).
16. **MSU** - Approved the request to add a funding source H.B. 246, Laws of 2007 to **GS 105-343, Lee Hall Renovation**, and to reduce funds from S.B. 3100, Laws of 2011 that were previously approved by the Board. The university will take advantage of the remaining R&R funds made available from GS #105-310 Harned Hall Renovations and GS #105-314 Middleton Hall Renovations, and transfer these funds to GS #105-343 Lee Hall Renovations. This transfer of funds will then allow an equal amount of funds from SB 3100, Laws of 2011 to be transferred to GS #105-345 New Classroom Building with Parking. The project will completely renovate the facility excluding the auditorium space that was renovated in 2005. Exterior renovation and restoration to the exterior façade, roof, site drainage, and windows will take place. Interior renovations will include architectural, mechanical, and electrical. Historic details will be maintained throughout the facility in accordance with the directives from Archives and History. The estimated project budget is \$20.7 million. Funds are available from HB 1641, Laws of 2008 (\$2,463,146.89); HB 1722, Laws of 2009 (\$4,660,866.80); HB 1701, Laws of 2010 (\$8,000,000); HB 246, Laws of 2007 (\$2,057,036.96 –New Funding Source); and SB 3100, Laws of 2011 (\$3,518,949.35-Revised Funding Source Amount).

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

17. **MSU** - Approved the request to delete the funding source H.B. 246, Laws of 2007 from **GS 105-345, New Classroom Building with Parking**, and to add available funds to the existing funding sources of SB 3100, Laws of 2011 and EBC Bonds/ university funds to keep the project budget as originally approved by the Board. The project will construct a 150,000-square foot classroom/parking facility on the north side of the YMCA Building. It will include three levels of classroom areas consisting of approximately 90,000 square feet and two levels of parking consisting of approximately 60,000 square feet. The building is to be appropriately outfitted with modern instructional technology, energy-efficient lighting, and energy management control systems. In addition, the project will include site work and hardscape for vehicular and pedestrian circulation. The estimated project budget is \$37,509,471. Funds are available from SB 3100, Laws of 2011 (\$11,676,431.46-Revised Funding Source Amount); and EBC Bonds and University Funds (\$25,833,039.54-Revised Funding Source Amount).
18. **MVSU** - Approved the request to revise the funding source for **GS 106-240, Leflore Hall Bath Renovations**, to include H.B. 1641, Laws of 2008 and H.B. 1722, Laws of 2009 and to increase the project budget from \$1,481,645 to \$1,617,079 for an increase of \$135,434. The project was initiated with Board approval on January 17, 2013 with a budget of \$1,481,645. The professional's latest design development update and estimate of costs requires a budget increase. Upon initiation, the university cited General Support dollars as a funding source for the project by error and is now seeking to clarify its funding sources with the Board to state the correct funding sources. The project will address complete interior demolition and renovation of the existing shower areas for Leflore Hall. The scope of work will involve removal of the existing showers, toilets, and lavatories. The residence hall has not seen a substantial renovation since construction with the exception of a new metal roof that was installed in 2004. Funds are available from HB 1641, Laws of 2008 (\$274,817.04); HB 1722, Laws of 2009 (\$625,182.96); and SB 2957, Laws of 2012 (\$717,079).
19. **UMMC** - Approved the request to revise the funding source for **IHL 209-534, Parking, Roadways, and Infrastructure Renovations**, to include Economic Development Administration (EDA) funds and to increase the project budget from \$11,150,000 to \$13,750,000 for an increase of \$2,600,000. The escalation is required based on the Professional's latest Construction Document, updated, estimate of cost for Contract III. The current budget was an estimate of the project costs and has since been updated to reflect more accurate market costs related to Road Construction type projects. This project provides for the construction of new Roadway access from Lakeland Drive, on the north, to Woodrow Wilson Frontage Road, on the south, and includes improvements to existing and installation of new infrastructure services pursuant to the established UMMC Master Plan. Funds are available from Interest Income (\$625,000); EBC 2010 funds (\$5,500,000); EBC 2012 funds (\$6,125,000); and Economic Development Administration (EDA) Award #04-01-06658 (\$1,500,000).
20. **ASU** - Approved/ratified the advertising procedures used by the university in order to proceed with **IHL 201-245, Student/Staff Housing**, as such advertising requirements are set out in Miss. Code Ann. Sec. 31-7-13.1 (3). The Board also approved the short-list and the evaluation criteria used to evaluate the proposals for the project. The project was initiated in April 2009 to develop privately financed student and employee housing. The university has determined that pursuing this project using the dual phase design-build process with private financing will provide savings in time and costs over traditional delivery methods. The size and type of project is suitable for design-build.

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

March 21, 2013

21. **DSU** - Approved the request to sell a residential property located at 301 McClain Avenue, Cleveland, MS to Wesley Thomas for \$65,000 with a closing date no later than June 30, 2013. Delta State currently owns ten parcels near the campus on Fourth, Shumate, and McClain streets. Most of these homes are post WWII construction. The university purchased the properties in the 1970s and 1980s. The Mississippi Legislature authorized the sale of eight of these ten parcels during the 2011 session. This property is the first of the eight to be sold. Two of the parcels will be held for future development. H.B. 1167 Laws of 2011 authorizes the Department of Finance and Administration on behalf of the Board and the university to sell the property. DSU received two independent property appraisals. The average of the two appraisals was \$62,500 which is less than the actual sale price of the property. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities.
22. **MSU** - Approved the request to name the Central Mississippi Research and Extension Center as the Frank T. (Butch) Withers, Jr., Central Mississippi Research and Extension Center, in memory of the former head of the center and in recognition of his long period of dedicated service to Mississippi State University and Mississippi agriculture.
23. **MSU** - Approved the request to delete Buildings #1107, 1108, 1109, 1185, and 1666 from inventory and demolish them. Building #1666 is a greenhouse that had plastic covering. The covering is gone and the structure is old. Buildings #1107, #1108, #1109, and #1185 are old Quonset storage buildings that are more economical to replace than to renovate. These buildings are in very poor condition and no longer serve the mission of the Experiment Station. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities.

LEGAL

24. **MSU** - Pending approval by the Attorney General, the Board approved the request to hire Stites and Harbison as outside counsel to perform legal services necessary for obtaining patents. The contract with the firm will be for one year. The total amount payable under the contract will not exceed \$100,000.00. The proposed hourly rates for the services to be provided are as follows: attorneys—Richard S. Myers, Jr. \$310; Stephen Weyer \$305; David Nagle \$300; Jennifer Kovalcik \$265; Jeff Haeberlin \$260; Mandy Decker \$237; Terry Wright \$220; Nicolo Davidson \$165; and paralegals \$95.
25. **MSU** - Pending approval by the Attorney General, the Board approved the request to hire the Ware Gasparian law firm as outside counsel to perform services necessary in preparing labor certification documents on behalf of the University for its employees who seek permanent residence status and related immigration matters. The contract would be for one year. The total amount payable under the contract will not exceed \$50,000.00. The proposed fee schedule under the contract is as follows:
Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

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

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

E-3 extension petition	\$1,000
O-1 petition	\$4,000
O-1 extension or amendment petition	\$1,500
Change of status or extension of status of dependents (I-539) no additional charge	
J-1 waiver (IGA or hardship)	\$6,000
J-1 waiver (Conrad)	\$6,000

Permanent Residence Process with Labor Certification: Faculty

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

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

Permanent Residence Process with Labor Certification: Non-Faculty

\$3,000- \$4,000	Labor certification (must be paid by University*). Exact fee depends on difficulty of case.
\$1,500	Additional fee if audited
\$2,500	Additional fee if subject to supervised recruitment
\$2,500	Immigrant petition
\$1,500	Adjustment of status and related applications (I-765, I-131, etc.) by employee
\$750	Adjustment of status and related applications each spouse or child

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

Permanent Residence Process: Outstanding Professors and Researchers

\$5,000	Immigrant petition
\$1,500	Adjustment of status and related applications by employee
\$750	Adjustment of status and related applications each spouse or child

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

Permanent Residence Process: National Interest Waiver

\$5,000	Immigrant petition
\$1,500	Adjustment of status and related applications by employee

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

\$750	Adjustment of status and related applications each spouse or child
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Since labor certification is not required, employees may pay all fees

Employee's legal fees in all cases may be paid in monthly installments, to be arranged with attorney.

26. **UM** - Pending approval by the Attorney General, the Board approved the request to hire the law firm of Evans Petree, PC to advise and represent the University with respect to construction matters, including but not limited to construction and design professional contracts, public procurement, potential bid protests, and other matters related to design, construction, and project management and related disputes. The firm of Evans Petree is based in Memphis, Tennessee and specializes in construction law. Joseph T. Getz will be the primary attorney performing work for the University. Mr. Getz, a partner with the firm, is a graduate of the University of Mississippi and a member of the Mississippi Bar. The term of the proposed contract will be for one year, for a maximum amount payable of \$25,000 during the contract term. The proposed fees per hour are as indicated: Partners \$265-\$295; Associates \$175-\$225; Paralegals \$95-\$110; Clerks \$50; and Research and copy charges at cost.
27. **UM** - Pending approval by the Attorney General, the Board approved the request to hire Ware/Gasparian, Attorneys at Law, as outside counsel to provide services as needed in preparing labor certification applications on behalf of the university for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: employers are required to pay the cost of preparing, filing and obtaining certification, and are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The terms of this contractual agreement will be for one year, for a maximum amount payable of \$20,000 during the contract term. The proposed hourly rates are as indicated: Partners \$250; Associates \$150; and Paralegals \$100. The proposed flat fees to be charged are as follows:

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

H-1B	\$1,500
H-1B extension or amendment petitions	\$1,000
TN petition or border/consulate processing	\$1,500
TN extension petition	\$1,000
E-3 petition or consular processing	\$1,500
E-3 extension petition	\$1,000
O-1 petition	\$4,000
O-1 extension or amendment petition	\$1,500
Change of status or extension of status of dependents (I-539) no additional charge	
J-1 waiver (IGA or hardship)	\$6,000
J-1 waiver (Conrad)	\$6,000

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

Permanent Residence Process with Labor Certification: Faculty

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

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

Permanent Residence Process with Labor Certification: Non-Faculty

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

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

Permanent Residence Process: Outstanding Professors and Researchers

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

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

Permanent Residence Process: National Interest Waiver

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

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

Employee’s legal fees in all cases may be paid in monthly installments, to be arranged with attorney.

28. **USM** - Pending approval by the Attorney General, the Board approved the request to hire the law firm of Bryan Nelson P.A., as outside counsel to perform services as necessary and render legal advice in the practice areas of higher education law; employment law including EEOC, ERISA and employee benefits litigation; interpretation and enforcement of construction contracts; drafting and review of complex contracts; interpretation of contractual language, negotiation, and possible litigation relating to insurance issues; litigation of contract disputes and other matters not covered by the Mississippi Tort Claims Act; and disability law. The request includes the use of any and all attorneys employed by the firm, at the discretion of the firm, whose expertise and experience is

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

required to assist in the representation of the University pursuant to the agreement. The hourly rate to be charged by attorneys will be \$165.00 and \$65.00 per hour for the time expended by paralegals. Disbursements will include any long distance telephone charges, delivery charges, photocopy and drawing costs, computer search charges, filing fees, travel expenses, and the like incurred in connection with this engagement. The approval will be for a period of time beginning on March 22, 2013, and expiring on March 21, 2014. The maximum amount budgeted for payment under this agreement would be \$50,000.

29. **USM** - Pending approval by the Attorney General, the Board approved the request to hire the law firm of Butler, Snow, O'Mara, Stevens & Canada, PLLC, as outside counsel to assist the University by providing all legal advice and services to the University relating to the issuance of bonds for the design and construction of Century Park South, a residential dormitory complex and other related buildings to be situated on the Hattiesburg campus. The request includes the use of any and all attorneys employed by the firm, including Troy Johnston, who, at the discretion of the firm, whose expertise and experience may be required to assist in the representation of the University in this matter. Butler Snow will charge fees based upon the sum of \$1.13 per thousand on an anticipated bond issue which will not exceed \$55,000,000.00 and relating to the design and construction of the Century Park South residential complex. Total fees will not exceed \$62,000.00 and all expenses relating to the employment will be capped at \$3,500.00. All legal fees and expenses will be paid from bond proceeds. This request is subject to the approval of the Attorney General.

30. **PERSONNEL REPORT**

SABBATICALS

Mississippi State University

*(All on nine-month contract except where denoted * for twelve-month contract)*

- Stephen C. Brain, Assistant Professor, History, *from* salary of \$57,834 per annum, pro rata; E&G Funds; *to* salary of \$28,917 for sabbatical period; E&G Funds; effective August 16, 2013 to May 15, 2014; professional development
- Frank C. Campbell, Associate Professor, Art, *from* salary of \$51,301 per annum, pro rata; E&G Funds; *to* salary of \$25,651 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Bruce R. Ebanks, Professor, Mathematics and Statistics, *from* salary of \$102,975 per annum, pro rata; E&G Funds; *to* salary of \$51,488 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Dana L. Franz, Associate Professor, Curriculum, Instruction, and Special Education, *from* salary of \$62,911 per annum, pro rata; E&G Funds; *to* salary of \$31,456 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Benjamin D. Harvey, Associate Professor, Art, *from* salary of \$53,105 per annum, pro rata; E&G Funds; *to* salary of \$26,553 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Michael P. Kardos, Assistant Professor, English, *from* salary of \$50,000 per annum, pro rata; E&G Funds; *to* salary of \$25,000 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

- Brenda L. Kirkland, Associate Professor, Geosciences, *from* salary of \$63,537 per annum, pro rata; E&G Funds; *to* salary of \$31,769 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- * Shien Lu, Associate Professor, Biochemistry, Molecular Biology, Entomology and Plant Pathology, *from* salary of \$80,925 per annum, pro rata; E&G Funds; *to* salary of \$30,347 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Wenchao Ma, Professor, Physics and Astronomy, *from* salary of \$88,282 per annum, pro rata; E&G Funds; *to* salary of \$44,141 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- John E. Mylroie, Professor, Geosciences, *from* salary of \$96,141 per annum, pro rata; E&G Funds; *to* salary of \$48,071 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Chuanxi Qian, Professor, Mathematics and Statistics, *from* salary of \$73,276 per annum, pro rata; E&G Funds; *to* salary of \$36,638 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Nicole E. Rader, Associate Professor, Sociology, *from* salary of \$68,107 per annum, pro rata; E&G Funds; *to* salary of \$34,054 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014; professional development
- Janet E. Rafferty, Professor, Anthropology and Middle Eastern Cultures, *from* salary of \$81,993 per annum, pro rata; E&G Funds; *to* salary of \$40,997 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Masoud Rais-Rohani, Professor, Aerospace Engineering, *from* salary of \$103,732 per annum, pro rata; E&G Funds; *to* salary of \$51,866 for sabbatical period; E&G Funds; effective August 16, 2013 to May 15, 2014; professional development
- Barbara A. Spencer, Professor, Management and Information Systems, *from* salary of \$126,365 per annum, pro rata; E&G Funds; *to* salary of \$63,183 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- John E. Swan II, Professor, Computer Science and Engineering, *from* salary of \$108,132 per annum, pro rata; E&G Funds; *to* salary of \$54,066 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Chuji Wang, Associate Professor, Physics and Astronomy, *from* salary of \$69,920 per annum, pro rata; E&G Funds; *to* salary of \$34,960 for sabbatical period; E&G Funds; effective August 16, 2013 to May 15, 2014; professional development
- John E. Wyatt, Associate Professor, Instructional Systems and Workforce Development, *from* salary of \$60,584 per annum, pro rata; E&G Funds; *to* salary of \$30,292 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development
- Li Zhang, Associate Professor, Civil and Environmental Engineering, *from* salary of \$85,450 per annum, pro rata; E&G Funds; *to* salary of \$21,363 for sabbatical period; E&G Funds; effective January 01, 2014 to May 15, 2014 and August 16, 2014 to December 31, 2014; professional development

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

MSU - Correction of sabbatical dates and salary (approved at the March 2012 Board Meeting)

Original:

Deborah K. Eakin, Associate Professor, Psychology, from salary of \$66,895 per annum, pro rata; E&G Funds; to salary of \$33,447.50 for sabbatical period; E&G Funds; *from* effective January 1, 2013 to May 15, 2013; professional development

Corrected:

Deborah K. Eakin, Associate Professor, Psychology, *from* salary of \$67,898 per annum, pro rata; E&G Funds; *to* salary of \$33,949 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development

EMERITUS STATUS

University of Mississippi

Guthrie Abbott, Professor Emeritus of Law; effective January 22, 2013 (rehired retiree)

University of Mississippi Medical Center

Marcy Petrini, Professor Emeritus of Medicine, effective July 1, 2013

ADMINISTRATION/POLICY

31. **DSU** - Approved the request to bestow one honorary degree at its May 2013 commencement ceremony. Supporting documents are on file at the Board Office.
32. **MSU** - Approved the request to bestow two honorary degrees at its May 2013 commencement ceremony. Supporting documents are on file at the Board Office.

ACADEMIC AFFAIRS

Presented by Trustee Doug Rouse, Chair

On motion by Trustee Rouse, seconded by Trustee Dye, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Academic Affairs Agenda.

1. **SYSTEM** - Approved the proposed amendments to the Board Policies for first reading as follows:
 - a. Amend Policy 602 Freshman Admission Requirements for University System Institutions, Subsection E General Transfer Admission for Students Who Were Not Eligible for Regular Admission as shown below.
 - E. General Transfer Admission for Students Who Were Not Eligible for Regular Admission
Any student who was not eligible for regular admission and who has not successfully completed the Summer Developmental Program must attend an accredited institution of higher education other than those under the governance of the Board of Trustees and must attain a "C" average (2.0 GPA on a 4.0 scale, as calculated by the admitting IHL institution) in the following 30 transferable semester credit hours to be eligible to transfer to an IHL institution:

6 semester hours	English Composition
3 semester hours	College Algebra, Quantitative Reasoning, or higher level mathematics
6 semester hours	Natural Science
9 semester hours	Humanities and Fine Arts
6 semester hours	Social or Behavioral Sciences

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

All other transfer admissions students are subject to the requirements outlined in Policy 602 Freshman Admission Requirements for University System Institutions (sections A and B). Admitting institutions may establish additional admission requirements.

- b. Amend Policy 604 Applicants Without a High School Diploma as shown below.

~~604 APPLICANTS WITHOUT A HIGH SCHOOL DIPLOMA~~

APPLICANTS WITHOUT A DIPLOMA FROM A REGIONALLY ACCREDITED HIGH SCHOOL; HOME SCHOOL STUDENTS

Applicants who have not graduated from a regionally accredited high school and were not home-schooled must submit qualifying scores on the General Education Development Test (GED) and any transcripts reflecting academic performance in high school. Home-schooled students must present portfolios summarizing his or her home-school education. Submission of scores on the ACT or SAT is strongly encouraged. Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.

1. Applicants who have completed high school from a school that does not hold regional accreditation must submit the following:

- a. Transcripts reflecting academic performance
b. ACT or SAT scores

Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.

2. Home-schooled applicants must submit the following:

- a. Home-school transcripts or portfolio summarizing home school education
b. ACT or SAT scores

Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.

3. Applicants who have not completed high school must submit the following:

- a. Qualifying scores on the General Education Development Test (GED)
b. Any transcripts reflecting academic performance in high school

Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.

- c. Move the current Policy 609 Transfer of the Associate of Arts Degree from A Mississippi Community/Junior College to Section 500 Academic Affairs and renumber it to Policy 520 as shown below.

~~609~~

520 TRANSFER OF THE ASSOCIATE OF ARTS DEGREE FROM A MISSISSIPPI COMMUNITY/JUNIOR COLLEGE

- A. General Policy

IHL institutions will accept all transferable courses with a grade of "C" or better completed as part of an Associate of Arts degree from a Mississippi community/junior college. Upon transferring to an IHL institution, these students may begin taking courses within a declared major or to fulfill prerequisites for a major. Acceptance into some majors may require a higher grade point average and/or additional pre-major/prerequisite courses beyond requirements for the Associate of Arts degree. Upon adoption, this policy supersedes the Articulation Agreement for determining the transferability of the 30-hour IHL core curriculum.

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

March 21, 2013

- 1) Students who graduate with an Associate of Arts degree from a Mississippi community/junior college and complete the 30-hour IHL Board core curriculum (*Board Policy Section 512 "Core Curriculum"*) with a grade of "C" or better in each core course will satisfy the IHL core curriculum requirement at each IHL institution. General education requirements for baccalaureate programs at the receiving institution may exceed the minimum IHL core curriculum. In such cases, transfer students may need to take additional courses to satisfy these requirements.
 - 2) All non-IHL core curriculum courses in the Associate of Arts degree program may be assigned to fulfill the major, pre-major or elective requirements, dependent upon the non-IHL core curriculum courses taken within the Associate of Arts degree program and the declared major at the IHL institution.
- B. Transferable Courses
When students transfer to an IHL institution from a Mississippi community/junior college, IHL institutions will use the Articulation Agreement between the Mississippi Board of Trustees of State Institutions of Higher Learning and the Mississippi State Board for Community and Junior Colleges to articulate the transfer of courses.
- d. Add a new Policy 609 Transfer Admission for Students who have Earned an Associate Degree.
609 TRANSFER ADMISSION FOR STUDENTS WHO HAVE EARNED AN ASSOCIATE DEGREE
- A. Any student who has earned an Associate of Arts degree from a regionally accredited institution and sufficient GPA as calculated by the admitting institution is eligible for admission to an IHL institution.
 - B. Any student who has earned other Associate level degrees from a regionally accredited institution in a transferable area (as defined by the admitting institution) and sufficient GPA as calculated by the admitting institution may be eligible for admission to an IHL institution.

FINANCE AGENDA

Presented by Trustee Aubrey Patterson, Chair

On motion by Trustee Perry, seconded by Trustee Patterson, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Finance Agenda. On motion by Trustee Perry, seconded by Trustee Patterson, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **MSU** - Approved a Resolution for the MSU Educational Building Corporation (E BC) to issue up to a maximum aggregate principal amount of \$75 million of long-term bonds for the purpose of refunding prior debt and payment of issuance costs and the related bond documents including the lease, ground lease, preliminary offering statement, trust indenture, continuing disclosure agreement, official form of proposal, escrow agreement, the bond purchase agreement in substantially final form, and the permission to execute these documents. The Board also approved the Bond Counsel - Jones, Walker, Waechter, Poitevent, Carrere and Denegre, LLP (at a fee of \$1.15 per \$1,000 of par bonds estimated at \$72,910). First Southwest is the financial advisor. The Underwriters are Morgan Stanley & Company LLC with Raymond James & Associates, Inc. Hancock Bank will serve as the trustee and escrow agent. Long-term bonds will be issued with maturities up to 30 years. Currently

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

the refunding is scheduled to refund the principal of bonds with maturities ranging from 2015 to 2035. MSU will issue up to a maximum of \$75 million par value in fixed rate bonds. Based on the Financial Advisor's report dated February 7, 2013, the proposed refunding will reduce the net present value of long-term bonds by \$6,841,772, or 10.41% of the \$72,245,000 proposed for refunding. EBC revenue from continuing operation of the existing projects. The Attorney General's Office has reviewed and approved the bond documents.

2. **UMMC** - Approved the request to waive the annual audit requirement applicable to the IHL approved affiliation agreement with the University of Mississippi Medical Center Research Development Foundation (MCRDF) for the fiscal year ending June 30, 2013. As per requirements stipulated in Board Policy 301.0806 University Foundation/Affiliated Entities Activities Subsection D.9., copies of the MCRDF's June 30, 2010 audited financial statement from an independent Certified Public Accounting (CPA) firm, as well as an unaudited financial statement at 6-30-2012 and an interim statement at 12-31-2012 were sent to the Board under separate cover. The request for the waiver for fiscal year 2013 is based on the assets of the MCRDF being less than \$30,000 at 12-31-2012. There has not been any material fiscal activity in the MCRDF in several years and it is anticipated that there will not be any significant activity through the end of the fiscal year. Therefore, it is estimated that the 2013 financial statements will be materially the same as the previous years. The \$3,500 estimated cost of contracting for a full financial audit is felt to be too prohibitive and not a cost-benefit to the entity.

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

ACADEMIC AFFAIRS

1. **SYSTEM** - The Higher Education Appreciation Day, Working for Academic Excellence (HEADWAE) was established by the Mississippi Legislature to honor academically talented students and faculty members of Mississippi's higher education institutions who have made outstanding contributions in promoting academic excellence. The HEADWAE recipients were honored on February 26, 2013, at the Jackson Marriott, where Lt. Governor Tate Reeves served as chair. System honorees for 2013 are listed below.

INSTITUTION	FACULTY HONOREE	STUDENT HONOREE
ASU	Sidney Taylor Hawkins	Lawrence E. Warren
DSU	Debbie Frances Finney Allen	Alanna Catherine Ferguson
JSU	Glake Alton Hill	Lisa Marie Wren
MSU	James Andrew Dunne	Shelby Camille Balias
MUW	Brian Bartholemew Anderson	George Stoner
MVSU	Kathryn Lee Green	Jeana Dave' McGee
UM	John Howard O'Haver	Kimbrely Nicole Dandridge
UMMC	LaDonna Kaye Northington	Demetrice Rosha McDuffey
USM	Amal K. Mitra	John Caleb Grenn

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

2. **SYSTEM** - Title II, Part A of the *No Child Left Behind Act of 2001* authorizes awards to higher education state agencies to support an “Improving Teacher Quality” competitive grant program. The IHL institutions below were awarded Title II federal grant funds for the period beginning March 15, 2013 through April 30, 2014.

INSTITUTION	DISCIPLINE	AMOUNT
Delta State University	Literacy Integration	\$89,852
Jackson State University	Mathematics	\$90,000
Mississippi State University	English	\$90,000
Mississippi State University	Literacy and Technology Integration	\$90,000
Mississippi State University – Meridian	Literacy Integration	\$89,144
Mississippi University for Women	Language Arts	\$90,000
Mississippi Valley State University	Reading	\$90,000
University of Mississippi	Reading	\$90,000
University of Southern Mississippi	Language Arts	\$89,995
University of Southern Mississippi	Mathematics	\$90,000
Total Awarded to IHL Institutions		\$898,991

3. **SYSTEM** - The 2012 Annual Performance Report for the Mississippi Teacher Preparation Programs is shown below.

	ASU	DSU	JSU	MSU	MUW	MVSU	UM	USM
NCATE Accreditation Achieved	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Next NCATE Accreditation Visit	Fall 2014	Fall 2014	Fall 2015	Sp 2015	Fall 2019	Fall 2013	Sp 2015	Sp 2019
State Process and Performance Review Standards Met	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
80% Teacher Affirmation Rate Achieved	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
80% Principal Affirmation Rate Achieved	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Tradition Preparation Program Completers	29	91	54	304	64	17	325	274
Alternate Route Program Completers	28	16	40	29	9	22	26	8
Teach MS Institute Online Program Completers	N/A	N/A	N/A	N/A	N/A	N/A	105	N/A
Teach for America (Delta Region) Program Completers	N/A	193	N/A	N/A	N/A	N/A	N/A	N/A
Total Traditional Preparation Program Completers 2010-2011:							1158	
Total Alternate Route Program Completers 2010-2011:							476	
Total for All Preparation Programs at MS Institutions of Higher Learning:							1634	

Source: MS Department of Education

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

4. **SYSTEM** - Report on existing programs now offered online:
 - a. DSU is offering the Educational Specialist's Degree in Education Administration and Supervision.
 - b. MSU is offering the Bachelor of Science Degree in Teacher Technology Education/Business Technology.
 - c. MSU is offering the Master of Arts in Teaching-Middle Level.

REAL ESTATE

5. **SYSTEM** - The Board received the Real Estate items that were approved by the Board staff subsequent to the February 21, 2013 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

LEGAL

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

ADMINISTRATION/POLICY

7. **SYSTEM** - The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.
 - a. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On February 25, 2013, the Commissioner approved the request for MSU on behalf of its Coastal Research and Extension Center to enter into a revenue producing lease agreement with USDA's Animal and Plant Health Inspection Service/Plant Protection and Quarantine Center for Plant Health Science and Technology (APHIS). This agreement is for the lease of space in the MSU Coastal Research and Extension Center in Biloxi, MS, that includes four (4) single offices and four (4) cubicles or the equivalent thereof; available meeting and/or laboratory space as needed; and, outdoor storage space. The lease term will run for a twelve (12) month period beginning March 1, 2013 and ending February 28, 2014. The lease term may be extended for additional twelve (12) month period(s) upon notice by the Lessee prior to the end of the then current lease year. In return for the lease of the designated space, MSU will receive an annual rent payment of \$25,000; salary for the employment of a maintenance worker; and, on-site specified support as requested. The Executive Office legal staff have reviewed and approved the contract documents.
 - b. **UMMC** - In accordance with Board Policy 301.0702 Duties of the Commissioner "The Commissioner is authorized to conduct the day to day administrative affairs of the Board. . ." On February 11, 2013, the Commissioner approved the request to enter into a multi-year lease agreement with WLBT, LLC (WLBT). This agreement will allow UMMC to locate antenna and radio transmitting equipment on WLBT's broadcast transmission tower in Raymond, MS. By using WLBT's broadcast tower, UMMC will have access to an unobstructed transmission path for communication with its medical helicopters. UMMC has leased space on the tower since 2002. The most recent lease term expired on August 14, 2012. Since the expiration, UMMC has continued to use the space without a written agreement. The proposed lease term would commence upon execution of the agreement by both parties. The initial lease term will run for a three (3) year period and may be extended

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

for up to three (3) additional years upon written request by UMMC at least thirty (30) days prior to the then current lease term. Approval is granted for the maximum lease term of six (6) years. UMMC will pay monthly rent in the amount of \$625.03 for the initial three-year term of the lease for a total cost of \$22,501.08. In the event UMMC exercises its option to extend the lease agreement beyond the initial period, it is anticipated that the monthly rent amount will increase by 3% annually for the remainder of the lease term for a total cost of \$23,878.35. The total estimated cost for a six (6) year lease term is \$46,379.43. WLBT, as Lessor, will provide tower space and electricity for the transmitting equipment. The Executive Office legal staff have reviewed and approved the contract documents.

- c. **UMMC** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On March 5, 2013, the Commissioner approved the request for UMMC on behalf of Children’s Healthcare of Mississippi (a UMMC entity) to enter into a lease agreement with Memorial Hospital at Gulfport. (As background, this is a continuation of an agreement University Physicians had in place to serve the needs of children’s healthcare in this area of the state.) The agreement is for the lease of approximately 2,340 square feet of medically equipped and furnished clinical space on the 3rd floor of Gulfport Memorial Physician Clinics. The area will be used by UMMC pediatric physicians who subspecialize in the fields of pediatric orthopedics, hematology and oncology for the provision of specialty care to patients in this area of the State. UMMC physicians will be on-site two (2) days per month for patient consultation and supervision. The lease term will run for a five (5) year period, March 1, 2013 through February 28, 2018. For the twice monthly use of the premises and salaries for the part-time services of clerical and clinical personnel, UMMC will pay \$1,085.45 each month. The total cost for the lease term is \$65,187. Memorial, as Lessor, will provide utilities, and, maintenance for the building, grounds and parking lot. The Executive Office legal staff have reviewed and approved the contract documents.
- d. **USM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On February 4, 2013, the Commissioner approved the request to enter into a revenue generating lease agreement with General Electric Company d/b/a GE Aviation-Ellisville (GE). This agreement is for the lease of approximately 372 square feet of space in USM’s Accelerator Building. The proposed lease space is to be used as temporary office space for GE support personnel during the construction of a new GE facility in Ellisville, MS. The lease term will run for an initial four month period and will be extended for up to three additional four-month periods unless written notice of termination is given by either party at least sixty days prior to the end of the then current lease term. In return for the lease of the designated space, USM will receive monthly rent in the amount of \$620. The university, as Lessor, will provide utilities, janitorial services and routine maintenance services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.
- e. **USM** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, the Board delegates to the Commissioner the power to approve university traffic rules and regulations on its behalf. On March 5, 2013, the Commissioner approved the Traffic and

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

Parking Regulations 2013-14 for the University of Southern Mississippi. The Attorney General's Office has reviewed and approved the regulations.

- f. **USM** – At the February 13, 2013 Emergency Board meeting, the Board delegated to the Commissioner the authority to approve any purchase, contract or other legal document on behalf of the Board necessary to assist USM in dealing with any issues related to the recent tornado damage at the university that may arise in between meetings of the Board, and to require that any such Commissioner approvals must be reported to the Board at its next meeting. This authority extends until April 2013. In accordance with the above authority, the Commissioner approved the following items.
- i. On March 4, 2013, the Commissioner approved the request to contract with Allred and Associates as the project professional for the Frank E. Marsh Fine Arts Building and the Mannoni Performing Arts Building to repair damage due to the February 10, 2013 tornado. Allred and Associates were employed some time ago to assist with a survey of roofs on campus buildings. That same firm assisted with some renovations in the Mannoni Performing Arts Building which were completed just before the tornado on February 10; therefore, their previous experiences with these facilities will be valuable in the restoration of the Frank E. Marsh Fine Arts Building and the Mannoni Performing Arts Building.
 - ii. On March 4, 2013, the Commissioner approved the request to contract with Larry Albert as the project professional in the restoration of The Ogletree House, Southern Hall, and Kennard-Washington Hall, which are being restored due to tornado damage on February 10, 2013. Larry Albert is recognized as a very knowledgeable architect in restoration of historic buildings.
 - iii. On February 10, 2013 a significant quantity of “tornado-weather generated” hazardous debris (i.e., glass) was deposited on the USM artificial “playing” surface located in M.M. Roberts Football Stadium. Based on significant safety and security concerns, two artificial surface firms were consulted and upon inspection concluded that the “playing” surface was unsafe for further use. As a result, the “playing” surface was condemned and barriers erected to ensure no unauthorized entrance to the field. Upon further inspection, it was also determined that the field sub-surface was inadequate relative to water drainage considerations and needed replacement in conjunction with the “playing” surface. Over the past few years, the old sub-surface drainage system has significantly eroded and no longer adequately drains rain water. As a result, the university would like to replace both the sub-surface and the artificial “playing” surface at M.M. Roberts Stadium. Consulting firms have advised that both the “playing” surface and sub-surface components mutually support each other in providing safe field conditions for athletic competition. The university would like to accomplish both projects simultaneously to ensure they are completed correctly and efficiently in restoring the football field back to where the safety of the student-athletes is adequately met. Current estimates have the project lasting approximately twelve weeks focused on a July 15th completion date to provide sufficient time to determine if everything is ready and in good working order. Currently USM is not only losing training time on the field, the University is also losing its recreational and club sports programming on the field as well. On March 6, 2013, the Commissioner

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

- approved the request to employ a civil engineer to advise about the necessary treatment of the surface under the turf on the football field including drainage.
- iv. On February 25, 2013, the Commissioner approved the request to delete from inventory and demolish the Jazz Lab building, the Leech House, and a residential property. All three properties were destroyed in the February 10, 2013 tornado and are beyond repair. The Jazz Lab building is located on the campus. The Leech House is a residential property located at 301 Chevy Chase Drive, Hattiesburg, MS and housed the offices for the USM Symphony Orchestra. The other residential property located at 307 Chevy Chase Drive, Hattiesburg, MS housed the offices for the Rape Crisis Center. Approvals from the Mississippi Department of Archives and History and the Mississippi Department of Environmental Quality will be obtained prior to demolition.

SPECIAL PRESENTATION

A special presentation was made to Dr. and Mrs. John Hilpert in recognition of their years of service at Delta State University. The Board presented a certificate noting Dr. Hilpert's new status as President Emeritus, along with a commemorative plate featuring photographs taken during his presidency. The items were presented as a small token of deep gratitude for his service, his dedication and the incredible difference he has made to Delta State and its students.

EXECUTIVE SESSION

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

Discussion of two personnel matters at the public universities and one prospective IHL litigation matter.

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

The Board discussed two personnel matters at the public universities and one one prospective IHL litigation matter.

On motion by Trustee Hooper, seconded by Trustee Blakeslee, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve a supplemental salary increase of \$10,000 from the Alcorn State University Foundation, Inc. to be effective April 1, 2013 through the remainder of his employment at the university.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

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

The Board then discussed teacher preparation program entrance requirements at public universities and related proposed legislation. On motion by Trustee Blakeslee, seconded by Trustee Cummins, with Trustees Pickering and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve a resolution explaining its position regarding increasing teacher preparation program entrance requirements at public universities in Mississippi. **(See Exhibit 3.)** As part of the motion, the Board voted to spread upon the minutes, the resolution, the March 5, 2013 letter from Commissioner Hank Bounds to Governor Phil Bryant, and the following statement:

“While the Board of Trustees shares Governor Phil Bryant’s aspirations to increase the quality of classroom teachers in Mississippi, the Board has a different view of the most appropriate way to reach that goal, for all the reasons set forth in the letter from Commissioner Hank M. Bounds to the Governor, dated March 5, 2013, which was drafted in concert with the University Presidents and Deans of the Colleges of Education of all public universities in Mississippi.” **(See Exhibit 4.)**

ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
March 21, 2013**

EXHIBITS

- | | |
|-----------|--|
| Exhibit 1 | Real Estate items that were approved by the IHL Board staff subsequent to the February 21, 2013 Board meeting. |
| Exhibit 2 | Report of the payment of legal fees to outside counsel. |
| Exhibit 3 | Board resolution explaining its position regarding increasing teacher preparation program entrance requirements at public universities in Mississippi. |
| Exhibit 4 | Letter from Commissioner Hank M. Bounds to the Governor, dated March 5, 2013, which was drafted in concert with the University Presidents and Deans of the Colleges of Education of all public universities in Mississippi |

EXHIBIT 1

March 21, 2013

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE FEBRUARY 21, 2013 BOARD MEETING SUBMISSION DEADLINE

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

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

1. MSU – GS 105-343 – Lee Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$93,157.20 and zero (0) additional days to the contract of West Brothers Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 8, 2013

Change Order Justification: **Change Order #2** is necessary to install dowels in the new concrete work associated with the plumbing work to reduce the possibility of cracking in the new tile flooring, to install new floor joists against the existing joists that had been shortened, to relocate the existing fire pump feeder around the footprint of the new elevator shaft at the basement level, to correct a conflict between the existing siren and the new skylight & relocate the siren to a new location, provide a new feeder & temporary feeder to the existing electrical panel located in the third floor mechanical room on the auditorium balcony, to install new carpet underlayment over the existing wood floors to remain to prevent the curling edges of the existing wood flooring from telescoping through the new carpet and to construct a wood environmentally controlled storage box to house the existing mural for the remainder of the contract as the mural could not be rolled onto a cylinder because it was fully pasted onto a board.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$171,388.80.

Project Initiation Date: June 16, 2011

Design Professional: Dale and Associates Architects, P.A.

General Contractor: West Brothers Construction, Inc.

Project Budget: \$20,700,000.00

Funding Source(s): HB 1641, L'08 (\$2,463,146.89); HB 1722, L'09 (\$4,660,866.80); HB 1701, L'10 (\$8,000,000.00); SB 3100, L'11 (\$5,575,986.31)

2. MSU – GS 105-345 GC02 – Classroom Building with Parking

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board

EXHIBIT 1

March 21, 2013

staff approved **Design Development Documents** as submitted by Belinda Stewart Architects, P.S. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 8, 2013

Project Initiation Date: August 19, 2010

Design Professional: Belinda Stewart Architects, P.S.

General Contractor: TBA

Project Budget: \$37,509,471.00

Funding Source(s): SB 3100, L'11 (\$9,712,400.00); HB 246, L'07 (\$2,300,000.00); EBC Bonds and University Funds (\$25,497,071.00)

3. MSU– GS 113-130 – Necropsy Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$48,296.98 and zero (0) additional days to the contract of T. L. Wallace Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 8, 2013

Change Order Justification: **Change Order #7** is necessary to furnish and install a 12' high chain link fence with privacy slats to include fence, concrete footing and curb along the fence line.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$ 612,860.30

Project Initiation Date: October 21, 2010

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

General Contractor: T. L. Wallace Construction, Inc.

Project Budget: \$12,697,791.22

Funding Source(s): HB 1701, L'10 (\$12,697,791.22)

4. MSU – IHL 205-260 – Expansion and Renovation to Davis Wade Stadium

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$148,426.55 and zero (0) additional days to the contract of Harrell Contracting Group, LLC.

Staff Approval Date: February 13, 2013

Change Order Justification: **Change Order #1** is necessary to change the specified electrical manhole to a 9'x9'x8' manhole and to delete two 48"x48"x36" in grade junction boxes north of TMH -5, to replace the sanitary sewer lift station with a gravity fed sewer to an off-site location and to rework the fiber optic size and routing.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$ 148,426.55.

Project Initiation Date: May 19, 2011

Design Professional: LPK Architects

General Contractor: Harrell Contracting Group, LLC

Project Budget: \$80,000,000.00

Funding Source(s): EBC Bonds/Commercial Paper (\$80,000,000.00)

EXHIBIT 1

March 21, 2013

5. **MSU – IHL 205-267 – Sawyer Tennis Courts (Fresh Food Company Dining Facility)**

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by JH&H Architects, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

Staff Approval Date: February 1, 2013

Project Initiation Date: September 11, 2012

Design Professional: JH&H Architects

General Contractor: TBA

Project Budget: \$12,500,000.00

Funding Source(s): EBC Bonds (\$12,500,000.00)

6. **MUW– GS 104-178 – Fant Library Renovation Phase One**

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$29,561.51 and ten (10) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: February 12, 2013

Change Order Justification: **Change Order #3** is necessary to provide all material, labor, supervision, general conditions, overhead, and profit to revise the site drainage to drain to the SW of the site rather than the NW corner.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$ 89,932.73.

Project Initiation Date: October 20, 2011

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

General Contractor: West Brothers Construction

Project Budget: \$6,800,000.00

Funding Source(s): SB 3100, L'11 (\$5,952,000); HB 1701, L'10 (\$848,000)

7. **UM– GS 107-302 – Lamar Hall Renovation**

Staff Approval #1 : In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$79,286.98 and zero (0) additional days to the contract of Evan Johnson and Sons Construction, Inc.

Staff Approval #2 : In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the **credit amount** of \$30,196.00 and zero (0) additional days to the contract of Evan Johnson and Sons Construction, Inc.

Staff Approval Date: February 12, 2013

Change Order Justification: **Change Order #5** is necessary for addition and changes for digital signage, and for changing storage areas to future offices, replacement of manual flush valves for battery operated flush valves, to include credit for electrical circuits, revisions to the deli area, additional rise in the ramp due to the actual site grades being different from what was indicated on the survey, relocation of the fire sprinkler risers from the existing elevator shafts as drawn to stairwells to accommodate plan changes in future phases. **Change Order #6** is necessary for changes to the original

EXHIBIT 1

March 21, 2013

design layout due to future layout of Phase 2B, replacement of the existing sewer piping beneath the existing slab that was broken, cost-saving measure to eliminate laminate panels at the elevator wall & solid surface tops at the mezzanine beams, credit for omission of decorative resin panels at the writing center & elevator shaft and cost to locate the buried manhole as indicated on the site plan.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$446,140.70.

Project Initiation Date: August 20, 2009

Design Professional: Barlow Eddy Jenkins Architects

General Contractor: Evan Johnson & Sons Construction, Inc.

Project Budget: \$7,800,000.00

Funding Source(s): HB 1722, L'09 (\$3,170,846.50); HB 1701, L'10 (\$2,000,000.00); Internal R&R (\$2,629,153.50)

8. UM– IHL 207-345 – University Housing – Package A

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #11** in the amount of \$18,444.00 and zero (0) additional days to the contract of D. Carroll Construction.

Staff Approval Date: February 8, 2013

Change Order Justification: **Change Order #11** is necessary to furnish and install new iron hand rails on concrete staircases with new rise and run configuration.

Total Project Change Orders and Amount: Eleven (11) change orders for a total amount of \$144,062.61.

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: D. Carroll Construction

Project Budget: \$39,314,500.00

Funding Source(s): Self-Generated Funds (\$9,314,500.00); EBC Bonds (\$30,000,000.00)

9. UM – IHL 207-346 – Stockard Hall & Martin Hall Brick Veneer Replacement

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$58,409.00 and twenty-nine (29) additional days to the contract of Evan Johnson & Sons Construction, Inc.

Staff Approval Date: February 15, 2013

Change Order Justification: **Change Order #1** is necessary to fill voids in the 8” cmu block at each side of the 560 window openings, a stop work order was issued for three days to allow for student move-in, to change the mortar mix from a standard mix to a white sand mix and the addition of four days due to weather delays.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$58,409.00.

Project Initiation Date: February 17, 2011

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

General Contractor: Evan Johnson & Sons Construction, Inc.

EXHIBIT 1

March 21, 2013

Project Budget: \$8,000,000.00

Funding Source(s): Auxilliary R&R (\$8,000,000.00)

10. UM– IHL 207-353 – Coulter Hall Addition and Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by BEJ-CDFL A Professional Association.

Staff Approval Date: February 8, 2013

Project Initiation Date: February 16, 2012

Design Professional: BEJ-CDFL A Professional Association

General Contractor: TBA

Project Budget: \$15,000,000.00

Funding Source(s): Internal R&R (\$15,000,000.00)

11. UM– IHL 207-363 – Library Cooling Tower Replacement

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by CGM Group, Inc.

Staff Approval Date: February 8, 2013

Project Initiation Date: October 18, 2012

Design Professional: CGM Group, Inc.

General Contractor: TBA

Project Budget: \$1,500,000.00

Funding Source(s): Internal R&R (\$1,500,000.00)

EXHIBIT 2

March 21, 2013

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 Lawrence Bernstein (statements dated 1/3/13 and 2/1/13) from the funds of the University of Mississippi. (These statements, in the amounts of \$812.50 and \$162.50, respectively, represent services and expenses in connection with WUMS (FM) - University of Mississippi Campus Radio Station.)

TOTAL DUE.....\$ 975.00

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 2/12/13) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$4,141.50, represents services and expenses in connection with general advice.)

TOTAL DUE.....\$ 4,141.50

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 1/24/13) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Pelvic Floor Strength Assessment Device" - \$442.50; "Water Repellant Solids - Non Provisional Application" - \$42.50; "Solid Heat Carrier Pyrolysis Reactor" - \$832.50; "Enhanced Wood Preservative Composition" - \$2,622.50 and "Indian Patent Application No. 1657/DELNP/2006" - \$68.00.)

TOTAL DUE.....\$ 4,008.00

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 1/3/13) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: "Cache Mapping Technology Matter" - \$1,641.00.)

TOTAL DUE.....\$ 1,641.00

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 9/20/12, 10/5/12, 12/10/12, 12/11/12, 12/11/12 and 12/11/12) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Preparation of Pre-Coated RP-Rotors and Universal Chromatorotors, Chromatographic Separation Devices and Methods for Centrifugal Preparative Chromatography" - \$4,405.00; "Preparation of Pre-Coated RP-Rotors and Universal Chromatorotors, Chromatographic Separation Devices and Methods for Centrifugal Preparative Chromatography" - \$281.50; "Prevention/Prophylactic Treatment of Poison Ivy Dermatitis" - \$4,669.50; "Method

EXHIBIT 2

March 21, 2013

for Preparing Delta-9 Tetrahydrocannabinol” - \$757.31; “Highly Selective Sigma Receptor Ligands” - \$1,926.50 and “Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,556.10, respectively.)

TOTAL DUE.....\$ 13,595.91

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 5/25/12, 5/25/12, 5/25/12, 8/20/12, 8/20/12, 8/20/12, 8/20/12, 8/20/12, 8/20/12, 8/20/12, 8/20/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 12/18/12, 1/18/13, 1/18/13, 1/18/13 and 1/18/13) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Particle Feeder” - \$130.00; “Methods for Detecting Humans” - \$350.00; “Methods for Detecting Humans” - \$40.50; “A Stable Plasmonic Cluster of Molecular Definition” - \$930.00; “Particle Feeder” - \$673.00; “Highly Purified Amphotericin-B” - \$1,019.55; “Multi-modal Plate Acoustic Wave Devices” - \$1,576.50; “Stabilized Formulation of Triamcinolone Acetonide” - \$372.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$288.50; “Methods for Detecting Humans” - \$145.25; “Gas Separating Membranes” - \$610.50; “Delivery of Medicaments to the Nail” - \$1,197.95; “Highly Purified Amphotericin-B” - \$1,277.85; “Highly Purified Amphotericin-B” - \$404.48; “Highly Purified Amphotericin-B” - \$767.07; “Highly Purified Amphotericin-B” - \$559.10; “Highly Purified Amphotericin-B” - \$604.25; “Highly Purified Amphotericin-B” - \$489.56; “Highly Purified Amphotericin-B” - \$1,218.50; “Multi-modal Plate Acoustic Wave Devices” - \$1,465.50; “Particle Feeder” - \$656.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$643.98; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,203.70; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,594.00; “Gas Separating Membranes” - \$81.00; “A Stable Plasmonic Cluster of Molecular Definition” - \$1,027.00; “Highly Purified Amphotericin-B” - \$302.00; “Highly Purified Amphotericin-B” - \$1,302.00; “Multi-modal Plate Acoustic Wave Devices” - \$240.00 and “Particle Feeder” - \$145.50 , respectively.)

TOTAL DUE.....\$ 21,315.24

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 1/23/13 and 1/24/13) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Lockheed - Oil Dispersant Patent” - \$1,147.50 and “Self-Repairing Oxetane-Submitted Chitosan Polyurethane Networks” - \$290.00, respectively.)

TOTAL DUE.....\$ 1,437.50

RESOLUTION

Establishing

Position on Teacher Education Program Entrance Requirements

WHEREAS, the Board of Trustees of State Institutions of Higher Learning (IHL), believes all children in Mississippi should have the opportunity to receive a quality education and attain the bright future such an education provides; and

WHEREAS, the Board of Trustees understands the immeasurable impact dedicated, talented and qualified teachers have on the lives of students; and

WHEREAS, the Board of Trustees recognizes the responsibility that the public universities share in educating and training students to be effective teachers; and

WHEREAS, the Board of Trustees recognizes the work of state leaders, including the Governor, Lieutenant Governor and Legislators, to improve the quality of education in Mississippi; and

THEREFORE, BE IT RESOLVED, while the Board of Trustees shares Governor Phil Bryant's aspirations to increase the quality of classroom teachers in Mississippi, the Board has a different view of the most appropriate way to reach that goal, for all the reasons set forth in the letter from Commissioner Hank M. Bounds to the Governor, dated March 5, 2013, which was drafted in concert with the Institutional Executive Officers and Deans of the Colleges of Education of all public universities in Mississippi; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Board of Trustees.

DONE, this the 21st day of March, 2013



Bob Owens

*Bob Owens, President
Mississippi Board of Trustees of State Institutions of Higher Learning*

EXHIBIT 4



STATE OF MISSISSIPPI INSTITUTIONS OF HIGHER LEARNING

Hank M. Bounds
Commissioner of Higher Education

March 5, 2013

The Honorable Phil Bryant
Governor of the State of Mississippi
P.O. Box 1018
Jackson, MS 39215

Dear Governor Bryant:

The IHL Board and I share your desire to raise standards and uphold rigor for teacher education candidates. This national focus and interest is supported by teacher education's new accrediting body, the Council for the Accreditation of Educator Preparation, who has recently released a new set of standards that include an emphasis of increased entrance requirements for teacher education candidates.

Although I support raising standards to put the best quality teachers in our classrooms, House Bill 890 or Senate Bill 2658 as currently worded will have unintended consequences.

- A. Without first addressing starting compensation, House Bill 890/Senate Bill 2658 will exacerbate the difficulties in recruiting high achieving students into the teaching profession.
- B. The Southern Association of Colleges and Schools Commission on College (SACSCOC) has a core requirement that the institutional governing board is the policy making body for institutions of higher learning (Core Requirement 2.2 Governing Board). The legislature setting university admission requirements compromises continuing accreditation of each institution.
- C. Approximately 40% of the teachers certified each year in the state of Mississippi complete alternative route certification. Any attempts to raise the quality of teachers should include all pathways to certification including alternate route certification (minimum GPA and ACT are not required for alternate route pathways). House Bill 890 does not include admission requirements for alternative route certification.

EXHIBIT 4

Governor Bryant

March 3, 2013

Page 2 of 2

Given the issues raised above, and in support of the intent of the bill to raise standards, I recommend modifying the language in the bill to raise licensure requirements rather than teacher education admission requirements and allow for an alternative measure for increasing standards. To that end, I recommend the language in the bill be amended as indicated below.

“(b) No teacher candidate shall be licensed to teach in Mississippi that did not meet the following criteria, including alternate route.

3.0 GPA on pre-major coursework and 21 ACT/SAT equivalent or

3.0 GPA on pre-major coursework and score at the national median score in Reading, Writing, and Mathematics on the Praxis I examination”

Without first addressing starting teacher compensation, the unintended consequence of this law will be a worsened teacher shortage. However, it will offer an additional pathway for community college and other students who work hard during their first two years of college.

Thank you for your consideration in this matter.

Sincerely,



Hank M. Bounds

Commissioner of Higher Education

CONSENT AGENDAS

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
APRIL 18, 2013
Page 1 of 12

1. UM – APPROVAL OF NEW ACADEMIC UNIT

Board Policy 502: New Academic Programs and Units states: “*Requests to establish new degree programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers.*”

CENTERS AND INSTITUTES

The University of Mississippi requests approval of the *FDA Center of Excellence on Botanical Dietary Supplement Research*. Since 2001, UM, through the National Center for Natural Product Research, has conducted Botanical Dietary Supplement Research. This research has historically been funded by the FDA. The creation of the Center of Excellence on Botanical Dietary Supplement Research will facilitate the leveraging of resources, collaborative research opportunities, and information exchange with other research institutions and centers of excellence. The new center will also enhance and formalize the existing partnership between UM and the FDA. The program is currently fully funded through a cooperative agreement with the FDA Center for Food Safety and Applied Nutrition with future funding anticipated at or above the current level.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. USM – APPROVAL OF ACADEMIC UNIT MODIFICATIONS

Board Policy 502: New Academic Programs and Units states: “*Requests to establish new degree programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers.*”

In accordance with Board policy, approval is requested for the following academic unit modifications:

RENAME

- a. *University of Southern Mississippi* requests permission to rename the *Department of Community Health Sciences* to the *Department of Public Health*. The request is being made in order to help clarify the purpose of the department to the broader public and to current and potential students. The proposed name reflects the predominate usage by

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
APRIL 18, 2013
Page 2 of 12

programs and schools providing public health education and degrees. The cost of implementation is minimal and will be covered with existing funds.

b. REORGANIZE and RENAME

The *University of Southern Mississippi* requests permission to reorganize the *Department of Economic and Workforce Development* by moving the Economic Development faculty to the existing Department of Casino, Hospitality, and Tourism Management. As a result of this reorganization, the *Department of Economic and Workforce Development (EWD)* will be renamed the *Department of Human Capital Development (DHCD)* and the *Department of Casino, Hospitality, and Tourism Management (CHTM)* will be renamed the *Department of Economic Development and Tourism (EDT)*. This alignment will allow for both faculty and students to benefit from education and organizational synergies. The Economic Development faculty will benefit from relationships with College of Business faculty to strengthen education, research, and service contributions to the state and region. The College of Business faculty will benefit from synergies between the Master of Business Administration and the Master of Economic Development programs, and research and public service opportunities. The College of Business will seek accreditation for the Master of Economic Development from the Association to Advance Collegiate Schools of Business. The current EWD will remain in the College of Science and Technology, will be renamed DHCD, and will comprise the faculty in the HCD Ph.D. and WTD M.S. degree programs. The interdisciplinary Applied Technology B.S. program will move from the current EWD but will remain in the College of Science and Technology. The reorganization is consistent with the missions of the College of Business and the College of Science and Technology. The cost of implementation will be covered with existing funds.

STAFF RECOMMENDATION: Board staff recommends approval of Items a and b.

3. SYSTEM – APPROVAL OF ACADEMIC PROGRAM MODIFICATIONS

Board Policy 503: Program Modifications states: “*As part of its broad constitutional authority to govern the universities, the Board shall exercise its authority to modify programs offered by the universities generally or at various units of the universities.*”

In accordance with Board policy, approval is requested for the following academic program modifications.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
APRIL 18, 2013
Page 3 of 12

RENAME

- a. University of Southern Mississippi* requests permission to rename the *M.Ed. in Counseling and Personnel Services* (CIP 13.1101) degree to the *M.Ed. in School Counseling and Guidance Services* (CIP 13.1101) degree. The proposed name change is more accurate and better reflects the content and purpose of the program. The cost of implementation is minimal and will be covered with existing funds.

DELETE

- b. Jackson State University* requests permission to delete the *Ed.S. in Reading* (CIP 13.1315) degree. The degree program was established in July, 1988 with no graduates from the program since its implementation. University administration, including the chair of the department and college dean support the deletion of this degree program. The Master of Science in Reading continues to enroll and graduate students and meets the needs of teachers seeking the advanced degree.
- c. Mississippi State University* requests permission to delete the *AAS in Animal Health Technology (Cooperative Program)* (CIP 51) degree. In 2008, the College of Veterinary Medicine at MSU implemented the first baccalaureate degree in Veterinary Medical Technology program in the state. Currently, Hinds Community College is revamping their curriculum in order to offer the second year of the program at the Hinds campus. The AAS 1+1 Vet Med Tech program is no longer needed. The deletion will not have any impact on students at either campus or on faculty.

STAFF RECOMMENDATION: Board staff recommends approval of Items a-c.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 ACADEMIC AFFAIRS
 APRIL 18, 2013
 Page 4 of 12**

4. SYSTEM – APPROVAL OF DEGREES TO BE CONFERRED IN SPRING 2013

Board Policy 510: Awarding of Degrees states that “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.”

In accordance with Board policy, the institutions below requests permission to award degrees at the following levels in Spring 2013, provided each candidate has met all requirements for the degree.

Institution	Degree to be Conferred	Number	Subtotal	Total	
Alcorn State University					
	<i>Undergraduate</i>				
	Associate of Science in Nursing	37			
	Bachelor of Science	309			
	Bachelor of Music	10			
	Bachelor of Science in Nursing	55			
	Bachelor of Arts	134			
			545		
	<i>Graduate</i>				
	Master of Science in Agriculture	15			
	Master of Science in Biology	12			
	Master of Science in Elementary Education	22			
	Master of Science in Secondary Education	33			
	Master of Science in Biotechnology	6			
	Master of Science in Nursing	35			
	Master of Arts in Teaching	34			
	Master of Science in Computer Science	7			
	Master of Business Administration	13			
	Master of Science in Workforce Education Leadership	25			
	Specialist in Education	7			
			209		
				754	
Delta State University					
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	22			
	Bachelor of Fine Arts	15			
	Bachelor of Music	1			
	Bachelor of Music Education	2			
	Bachelor of Music Industry Studies	1			

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 ACADEMIC AFFAIRS
 APRIL 18, 2013
 Page 5 of 12**

Institution	Degree to be Conferred	Number	Subtotal	Total	
	Bachelor of Science	55			
	Bachelor of Science in Education	4			
	Bachelor of Science in Social Justice and Criminology	12			
	Bachelor of Science in Interdisciplinary Studies	10			
	Bachelor of Social Work	49			
			172		
	<i>College of Business</i>				
	Bachelor of Business Administration	37			
	Bachelor of Commercial Aviation	9			
			46		
	<i>College of Education</i>				
	Bachelor of Arts	11			
	Bachelor of Science	32			
	Bachelor of Science in Education	31			
			74		
	<i>School of Nursing</i>				
	Bachelor of Science in Nursing	12			
			12		
	<i>School of Graduate Studies</i>				
	Master of Business Administration	11			
	Master of Commercial Aviation	6			
	Master of Education	51			
	Master of Applied Science	1			
	Master of Professional Accountancy	3			
	Master of Science in Natural Sciences	2			
	Master of Social Justice and Criminology	4			
	Master of Science	13			
	Master of Science in Nursing	8			
			99		
				127	
Jackson State University					
	<i>Undergraduate</i>				
	Bachelor of Arts	95			
	Bachelor of Business Administration	113			
	Bachelor of Music Performance	5			
	Bachelor of Music Education	1			
	Bachelor of Science	401			
	Bachelor of Science Education	34			
	Bachelor of Social Work	29			
			678		

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 ACADEMIC AFFAIRS
 APRIL 18, 2013
 Page 6 of 12**

Institution	Degree to be Conferred	Number	Subtotal	Total	
	<i>Graduate</i>				
	Doctor of Education	2			
	Doctor of Philosophy	33			
	Specialist in Education	15			
	Master of Arts	27			
	Master of Arts in Teaching	8			
	Master of Business Administration	9			
	Master of Music Education	1			
	Master of Professional Accountancy	11			
	Master of Public Health	13			
	Master of Public Policy and Administration	13			
	Master of Science	44			
	Master of Science in Education	50			
	Master of Science in Teaching	1			
	Master of Social Work	53			
			281		
				959	
Mississippi State University					
	<i>College of Agriculture and Life Sciences</i>				
	Bachelor of Landscape Architecture	12			
	Bachelor of Science	191			
	Master of Agribusiness Management	1			
	Master of Landscape Architecture	2			
	Master of Science	30			
	Doctor of Philosophy	10			
			246		
	<i>College of Architecture, Art, and Design</i>				
	Bachelor of Architecture	29			
	Bachelor of Fine Arts	35			
	Bachelor of Science	26			
			90		
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	310			
	Bachelor of Science	278			
	Bachelor of Social Work	40			
	Master of Arts	16			
	Master of Public Policy and Administration	18			
	Master of Science	32			
	Doctor of Philosophy	13			
			707		

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
APRIL 18, 2013
Page 7 of 12

Institution	Degree to be Conferred	Number	Subtotal	Total	
	<i>College of Business</i>				
	Bachelor of Business Administration	287			
	Master of Business Administration	48			
	Master of Science Information Systems	4			
	Doctor of Philosophy	1			
			340		
	<i>College of Education</i>				
	Bachelor of Science	403			
	Bachelor of Music Education	9			
	Master of Arts in Teaching	11			
	Master of Arts in Teaching Secondary	9			
	Master of Science	68			
	Master of Science Instructional Technology	2			
	Educational Specialist	5			
	Doctor of Education	2			
	Doctor of Philosophy	9			
			518		
	<i>College of Engineering</i>				
	Bachelor of Science	258			
	Master of Engineering	3			
	Master of Science	43			
	Doctor of Philosophy	20			
			324		
	<i>College of Forest Resources</i>				
	Bachelor of Science	45			
	Master of Science	11			
	Doctor of Philosophy	4			
			60		
	<i>College of Veterinary Medicine</i>				
	Bachelor of Science	23			
	Master of Science	4			
	Doctor of Philosophy	6			
	Doctor of Veterinary Medicine	74			
			107		
	<i>School of Accountancy</i>				
	Bachelor of Accountancy	69			
	Master of Professional Accountancy	14			
	Master of Taxation	4			
			87		
				2,479	

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
APRIL 18, 2013
Page 8 of 12

Institution	Degree to be Conferred	Number	Subtotal	Total	
Mississippi University for Women					
	<i>Undergraduate</i>				
	Associate of Science in Nursing	47			
	Bachelor of Arts	45			
	Bachelor of Fine Arts	8			
	Bachelor of Science	170			
	Bachelor of Science in Nursing	185			
	Bachelor of Music	2			
	Bachelor of Technology	11			
			468		
	<i>Graduate</i>				
	Master of Education	1			
	Master of Science	13			
	Master of Fine Arts	1			
			15		
				483	
Mississippi Valley State University					
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	19			
	Bachelor of Science	58			
	Bachelor of Music	1			
	Bachelor of Secondary Education	2			
			80		
	<i>College of Professional Studies</i>				
	Bachelor of Arts in Mass Communication	30			
	Bachelor of Science	112			
	Bachelor of Social Work	36			
			178		
	<i>College of Education</i>				
	Bachelor of Science in Education	41			
			41		
	<i>College of Graduate Studies</i>				
	Master of Science	31			
	Master of Arts	3			
	Master of Arts in Teaching	16			
	Master of Social Work	25			
	Master of Business Administration	9			
			84		
				383	

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 ACADEMIC AFFAIRS
 APRIL 18, 2013
 Page 9 of 12**

Institution	Degree to be Conferred	Number	Subtotal	Total	
University of Mississippi					
	<i>College of Liberal Arts</i>				
	Bachelor of Arts	479			
	Bachelor of Science	40			
	Bachelor of Fine Arts	13			
	Bachelor of Music	18			
			550		
	<i>School of Engineering</i>				
	Bachelor of Science in Chemical Engineering	10			
	Bachelor of Science in Civil Engineering	16			
	Bachelor of Science in Computer Science	10			
	Bachelor of Science in Electrical Engineering	4			
	Bachelor of Science in Mechanical Engineering	14			
	Bachelor of Science in Geological Engineering	9			
	Bachelor of Engineering	4			
	Bachelor of Science	2			
			69		
	<i>School of Education</i>				
	Bachelor of Arts in Education	263			
			263		
	<i>School of Pharmacy</i>				
	Doctor of Pharmacy	90			
			90		
	<i>School of Business</i>				
	Bachelor of Business Administration	351			
			351		
	<i>School of Accountancy</i>				
	Bachelor of Accountancy	74			
			74		
	<i>School of Applied Sciences</i>				
	Bachelor of Science in Criminal Justice	72			
	Bachelor of Science in Exercise Science	67			
	Bachelor of Science	111			
	Bachelor of Social Work	31			
	Bachelor of Arts in Parks and Recreation Management	11			
	Bachelor of Paralegal Studies	16			
			308		
	<i>School of Journalism and New Media</i>				
	Bachelor of Arts in Journalism	105			
	Bachelor of Science (IMC)	5			
			110		

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
APRIL 18, 2013
Page 10 of 12

Institution	Degree to be Conferred	Number	Subtotal	Total	
	<i>General Studies</i>				
	Bachelor of General Studies	63			
			63		
	<i>Graduate School</i>				
	Master of Arts	134			
	Master of Criminal Justice	17			
	Master of Science	82			
	Master of Fine Arts	18			
	Master of Accountancy	34			
	Master of Business Administration	33			
	Master of Taxation	5			
	Master of Education	61			
	Master of Music	11			
	Specialist in Education	7			
	Doctor of Arts	3			
	Doctor of Philosophy	74			
	Certificate in Geographic Info Systmes	1			
			480		
	<i>Law School</i>				
	Juris Doctor	169			
			169		
				2,527	
University of Mississippi Medical Center					
	<i>Undergraduate</i>				
	Bachelor of Science in Nursing	98			
	Bachelor of Science in Clinical Laboratory Sciences	20			
	Bachelor of Science in Cytotechnology	7			
	Bachelor of Science in Dental Hygiene	27			
	Bachelor of Science in Health Informatics and Information Management	2			
	Bachelor of Science in Health Sciences	20			
	Bachelor of Science in Radiologic Sciences	43			
			217		
	<i>Graduate/Professional</i>				
	Master of Science	44			
	Master of Science in Nursing	45			
	Master of Health Sciences	8			
	Master of Occupational Therapy	33			
	Doctor of Medicine	114			
	Doctor of Dental Medicine	35			
	Doctor of Philosophy	16			
	Doctor of Nursing Practice	4			
	Doctor of Physical Therapy	52			

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
APRIL 18, 2013
Page 11 of 12

Institution	Degree to be Conferred	Number	Subtotal	Total	
			351		
				568	
University of Southern Mississippi					
	<i>College of Arts and Letters</i>				
	Bachelor of Arts	257			
	Bachelor of Fine Arts	41			
	Bachelor of Interdisciplinary Studies	66			
	Bachelor of Music	4			
	Bachelor of Music Education	8			
	Bachelor of Science	34			
	Master of Arts	19			
	Master of the Arts in Teaching of Language	3			
	Master of Fine Arts	6			
	Master of Music	9			
	Master of Music Education	2			
	Master of Science	9			
	Doctor of Musical Arts	6			
	Doctor of Philosophy	18			
			482		
	<i>College of Business</i>				
	Bachelor of Science	21			
	Bachelor of Science in Business Administration	202			
	Master of Business Administration	6			
	Master of Professional Accountancy	3			
			232		
	<i>College of Education and Psychology</i>				
	Bachelor of Arts	16			
	Bachelor of Science	239			
	Master of Arts	3			
	Master of Education	34			
	Master of Library and Information Science	20			
	Master of Science	6			
	Specialist in Education	3			
	Doctor of Audiology	7			
	Doctor of Education	1			
	Doctor of Philosophy	29			
			358		
	<i>College of Health</i>				
	Bachelor of Arts	24			
	Bachelor of Science	99			
	Bachelor of Social Work	45			

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 ACADEMIC AFFAIRS
 APRIL 18, 2013
 Page 12 of 12**

Institution	Degree to be Conferred	Number	Subtotal	Total	
	Master of Arts	1			
	Master of Public Health	29			
	Master of Science	38			
	Master of Social Work	26			
	Doctor of Philosophy	3			
			265		
	<i>School of Nursing</i>				
	Bachelor of Science in Nursing	112			
	Master of Science in Nursing	7			
	Doctor of Nursing Practice	1			
	Doctor of Philosophy	3			
			123		
	<i>College of Science and Technology</i>				
	Bachelor of Arts	45			
	Bachelor of Science	244			
	Master of Arts	1			
	Master of Science	46			
	Doctor of Philosophy	38			
			374		
				1,834	
System Total					10,418

STAFF RECOMMENDATION: Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 1 of 10

1. MSU – REQUEST FOR APPROVAL TO AMEND CONTRACT WITH ARAMARK EDUCATIONAL SERVICES, LLC

Agenda Item Request: Mississippi State University (MSU) requests permission to amend its professional services agreement with **Aramark Educational Services, LLC (Aramark)** to allow for the addition of a Pizza Hut Express within the Colvard Student Union location.

Contractor’s Legal Name: Aramark Educational Services, LLC.

History of Contract: In March 2007 the Board approved a multi-year contract between MSU and Aramark, pursuant to a Request for Proposal, to operate and provide food services at MSU’s main campus. The initial ten-year contract period was July 1, 2007 through June 30, 2017. As shown below, the contract has been amended three times to-date.

1. The Board approved the first amendment in June 2009 granting Aramark the authority to make a \$345,000 financial investment in MSU’s dining facilities.
2. The Board approved the second amendment in June 2011 granting Aramark the authority to make another \$260,000 financial investment in the facilities as well as to provide the Panda Express franchise within the student union food court. In exchange, Panda agreed to provide a \$550,000 financial investment in that facility in addition to the \$260,000; thus, a total of \$810,000 in new capital investments was made to the University.
3. The Board approved the third amendment in June 2012 extending the overall food service agreement an additional five years through June 30, 2022. In return, MSU will receive an estimated \$9.5 to \$10 million of additional funding. Included in this additional funding were (a) new capital investments for the construction of a Subway franchise and a Fresh Food Company with the last installment of the capital investment due MSU by the summer of 2017, (b) adjustments to the institution’s board plan sales commission structure, (c) unrestricted annual grant funding that may be used by MSU to further the general educational missions of the university, and (d) an additional \$600,000 to \$700,000 of maintenance repair and small equipment funding.

The proposed fourth amendment will allow for the addition of a Pizza Hut Express within the student union food court and provide \$160,000 in renovation for the outlet.

Specific type of contract: Food services outsourcing agreement

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 2 of 10

Purpose: The purpose of the fourth amendment is to add a Pizza Hut Express location in the Colvard Student Union. It will replace the Mississippi Steak outlet which has seen a reduced number of patrons. The university has determined that there is a demand for a brand name pizza franchise. Aramark will invest an additional \$160,000 to establish the new outlet.

Scope of Work: The amendment allows Aramark to provide an additional \$160,000 for the diversification of the food service operation with the addition of a Pizza Hut Express franchise in the student union. The renovation is expected to begin as soon as the spring semester is finished and will be completed by August 1st before students return for the fall term. No other changes to the existing contract terms are expected.

Term of contract: The existing food service agreement began on July 1, 2007 and is scheduled to end on June 30, 2022. The fourth amendment will become effective on or about April 19, 2013 after approval by the Board. The end date of the contract will remain unchanged.

Contract Amount: MSU will not be expending funds under this amendment. This revenue contract amendment will generate an additional \$160,000 in capital investments bringing Aramark's total investment (commissions, capital investment, scholarship funds, etc.) to \$31,420,548. Of this total, Aramark is contributing \$10,035,000 towards capital investments for MSU's dining operations.

Termination Options: Either party may terminate the agreement with or without cause upon ninety (90) days written notice. If there is an early termination by MSU, the institution must reimburse Aramark within 45 days for the unamortized portion of the cash investment plus 5% interest. A straight-line amortization of the financial investment will be recognized over the remaining years of the contract.

Funding Source for Contract: This is a revenue contract.

Contractor Selection Process: This is an amendment to an existing contract originated in 2007, and it is scheduled to expire in 2022. The original vendor contract was selected in response to a request for proposals.

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

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 3 of 10

2. UM – REQUEST FOR APPROVAL OF CONTRACTUAL SERVICES AGREEMENT

Agenda Item Request: The University of Mississippi (UM) requests approval to enter into a contract with **GKR Systems, Inc., dba Venture Technologies** to perform major upgrades to its enterprise network with implementation beginning in May 2013.

Contractor’s Legal Name: GKR Systems, Inc., dba Venture Technologies (GKR)

History of Contract: This will be a new contract. Similar work of this magnitude was last performed in 2005 when the upgrade at that time brought a 10GBs backbone and 100MBs node connections. To bridge the gap between 2005 and 2013 the University was able to redeploy network equipment used for the first Presidential Debate of the 2008 election year. The number of wireless devices on that network has increased by more than 15% each year for the past four years leaving the University with approximately 11,000 wireless devices to manage today. The University currently hosts private clouds in its Data Center not only for departments but also for regional campuses and state agencies. All of these challenges bring with them the need for stronger forms of data security.

Specific type of contract: Statement of Work

Purpose: The Statement of Work defines mutually agreed upon objectives and responsibilities regarding services to be performed as part of the University’s enterprise network upgrade. It includes technical services performed by the vendor, project deliverables, vendor responsibilities, and university responsibilities. When the vendors bid the equipment they were also instructed to bid services for installing and configuring the equipment.

Scope of Work: UM desires to upgrade its campus information technology infrastructure. The current UM network has over 18,000 nodes and 1,400 wireless access points. The upgrade will focus on three areas: (1) wireless coverage with security, management, and edge switching, (2) core switching with security, and (3) Data Center switching with security. The work to be performed includes upgrading the wireless network management system to the most recent product and release, configuring identity services including integration with the University’s directory management service, installing network switches, and providing technical documentation. The largest component of this upgrade is the mobility portion. New switching and wireless access will be deployed in 105 separate buildings on campus. This is targeted towards addressing student areas such as residence halls, classrooms, student service locations, and general gathering areas (Grove/Circle).

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 4 of 10

Term of Contract: The Statement of Work will become effective upon signature and will continue until project acceptance by the University. The initial vendor commitments should be completed by the end of July 2013. There is five-year estimated lifecycle for this project. Thus ongoing costs are developed out through June 30, 2018.

Contract Amount: The initial cost for this upgrade of equipment and support is expected to equal \$4,158,241. Most of this initial cost will consist of equipment purchases, license fees, IT supplies, and three years of support. There will be a \$27,500 service component included in this initial phase. In addition, the University is requesting approval to possibly add a fourth and fifth year of vendor support to this agreement if needed. The cost to add this additional support is estimated to cost no more than \$400,000. With the project's expected five-year lifecycle, total costs under agreement should not exceed \$4.6 million.

Termination Options: The purchase order document generated between the University and GKR will include language that enables the University the right to cancel all or any part of the order not shipped in accordance with the terms and conditions stated in the Statement of Work or upon the vendor's quotation.

Funding Source for Contract: Internal funds collected through departmental network usage fees based on employee FTE and communication charges that are imbedded as part of approved residence hall rates

Contractor Selection Process: UM received approval from Mississippi Department of Information Technology Services (MSITS) at its March meeting to manage this procurement locally using a competitive bid process. As part of this process, MSITS has performed a full project review. A number of potential vendors were consulted to confirm technical requirements. Proposals were accepted from any vendor interested in bidding the project. Logista, GKR, and BCI visited the campus as part of the bidding process. Two companies eventually submitted proposals, GKR and BCI. BCI's bid was initially lower than GKR's, but the vendor later withdrew their proposal as they discovered an error in their proposed prices. GKR's bid became the lowest and best bid, and the proposed agreement was awarded to GKR.

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approved 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. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 5 of 10

3. UMMC – REQUEST FOR APPROVAL OF CONTRACTUAL SERVICES AGREEMENTS

- a. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval of an amendment to its current reagent rental agreement with **Hologic Limited Partnership.**

Contractor’s Legal Name: Hologic Limited Partnership (Hologic)

History of Contract: UMMC has contracted with Hologic since 2005 for testing supplies and instruments for use by UMMC’s Cytopathology Department. The current agreement was approved by the Board in October 2012 for the usage and maintenance of pap testing equipment and the maintenance for one piece of UMMC-owned equipment. In return, UMMC committed to purchase a minimum amount of ThinPrep Papanicolaou anatomic preparation (pap) reagent for a five (5) year term, December 1, 2012 through November 30, 2017. The total estimated cost for the five (5) year agreement is \$1,079,957.25.

The proposed amendment is for the addition of language regarding one product component of the reagent kits that was inadvertently omitted from the current agreement. The additional language regarding the component is for inventory and shipping purposes only and does not result in any additional cost to UMMC.

Specific Type of Contract: Contract amendment

Purpose: The purpose of the amendment is for the addition of contract language regarding the ThinPrep stain set which is a component of the ThinPrep Papanicolaou anatomic preparation (pap) reagent kits.

Scope of Work: Under the original agreement Hologic provides the following:

1. two (2) T3000 processors,
2. one (1) T2000 processor,
3. one (1) Tissue-Tek DRS 2000 stainer,
4. maintenance services for the four (4) above-referenced Hologic owned instruments,
5. maintenance service for the T2000 processor owned by UMMC,
6. on-site training in the use of the above-referenced equipment, and
7. ThinPrep Pap Test supplies, lab kits and physician’s kits*.

* The amendment clarifies that the ThinPrep Stain set is an existing component to the ThinPrep Pap test kit. For the purpose of internal inventory procedures, this set will be listed separately in the contractual agreement.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 6 of 10

Term of Contract: The term of the current agreement is for five (5) years – December 1, 2012 through November 30, 2017. The amendment will be effective upon execution and will continue through the original approved contract end date of November 30, 2017.

Contract Amount: There is no cost associated with this amendment. Total estimated costs for the five year contract period remain at \$1,079,957.25.

Termination Options: The agreement may be terminated for the following:

1. material breach by either party under the agreement upon thirty (30) days written notice of opportunity to cure by the non-breaching party,
2. at any time upon thirty (30) days written notice,
3. in the event the use of Hologic's product constitutes an infringement of a valid U.S. patent, copyright, or trademark and such infringement cannot be reasonably remedied,
4. in the event either party becomes the subject of insolvency, bankruptcy, or receivership,
5. reduction of funds, and/or
6. a breach by Hologic of any representations and warranties to UMMC as specified in the Standard Terms and Conditions Addendum.

Funding Source of Contract: The current agreement is funded by patient revenues included in UMMC's 2012-2013 previously approved operating budget.

Contractor Selection Process: This is an existing agreement with a sole-source vendor.

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 of a Product Schedule as an addition to the current Master Agreement **with Roche Diagnostics Corporation** for the provision of HIV equipment and supplies.

Contractor's Legal Name: Roche Diagnostics Corporation (Roche)

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 7 of 10

History of Contract: This is a new product schedule added to the master agreement. In October 2012 the Board approved the Master Agreement between UMMC and Roche under which future Statements of Work or Product and/or Product Schedules could be negotiated and submitted to the IHL Board for approval. The proposed Product Schedule will be controlled by the approved Master Agreement.

Type of Contract: New Product Schedule

Purpose: Under the agreement Roche will provide usage and service of testing equipment for Human Immuno Deficiency Virus (HIV) in return for a commitment by UMMC to purchase a minimum annual amount of reagents and related consumables (“kits”). The rental fee for the equipment covers the purchase of the reagents and kits used in conjunction with the equipment.

Scope of Work:

Roche will provide the following:

1. one AmpliLink Data Station,
2. one COBAS AmpliPrep Instrument,
3. one COBAS TaqMan 48 Analyzer,
4. equipment services, and
5. reagents and related kits.

UMMC is responsible for the following:

1. employee training process regarding equipment use,
2. provision of an internet enabled connection for Roche to remotely access the equipment for purposes of troubleshooting, training, and software updates, and
3. payment for optional, non-standard equipment modification.

Term of Contract: The term of the agreement is for five (5) years beginning on or about May 1, 2013 through April 30, 2018.

Contract Amount: The total five (5) year contract cost is estimated not to exceed \$2,157,236.18 for the purchase of the reagents and kits that UMMC *anticipates* purchasing. The medical center has committed to purchase a minimum of \$1,386,121.95.

Beginning May 1, 2014 and each May 1st thereafter for the length of the agreement, and upon thirty (30) days written notice, there *may* be an annual rate adjustment in an amount not to exceed the increase in the *Hospital and Related Services component of the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average*, as

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 8 of 10

released by the U.S. Labor Department, Bureau of Labor Statistics. UMMC estimates a maximum rate adjustment of 4% yearly in the event Roche opts to impose a price adjustment on UMMC.

The annual costs estimating inflation and usage are shown below:

Contract Year	Annual Payment Amount
1	\$ 344,288.61
2	385,078.92
3	428,581.59
4	474,948.35
5	524,338.71
Total	\$ 2,157,236.18

Termination Options: The agreement may be terminated for the following:

1. default by either party under the Master Agreement,
2. reduction of funds,
3. an inability to agree to renegotiated contract terms in the event a change in law occurs that materially restricts or prohibits the rights of either party or otherwise makes it desirable for the parties to renegotiate the agreement,
4. failure by Roche to comply with the federal E-Verify Program, and/or
5. a breach by Roche of any representations and warranties to UMMC as specified in the Standard Terms and Conditions Addendum.

Funding Source of Contract: The current agreement will be funded by patient revenues included in UMMC's 2012-2013 previously approved operating budget.

Contractor Selection Process: Sole-source

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.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 9 of 10

- c. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Viracor – IBT Laboratories, Inc.** for off-site clinical laboratory testing.

Contractor’s Legal Name: Viracor – IBT Laboratories, Inc. (V-IBT)

History of Contract: This is a new agreement. Currently V-IBT provides testing services to UMMC without a formal agreement in place.

Specific Type of Contract: Clinical Laboratory Services agreement

Purpose: The purpose of this agreement is for the provision of referred clinical laboratory services for Immunology testing for HIV patients. In addition, UMMC will be able to access patient test results online through V-IBT’s website and retriever system. The test results are used by UMMC physicians to identify the regimen of medications most effective for a particular patient.

Scope of Work: Under the agreement, V-IBT will perform laboratory testing at its lab in Missouri and then provide online access to patient results. UMMC will collect, package, and ship to V-IBT all specimens that are to be tested at V-IBT’s lab.

Term of Contract: The term of the agreement is for three (3) years beginning on or about May 1, 2013 through April 30, 2016.

Contract Amount: The three (3) year contract is estimated not to exceed \$1,890,300. UMMC anticipates paying \$630,100 yearly. The estimated cost is based on a previous annual cost of \$547,913.04 (base price for services). Beginning in Year 1, an estimated 15% increase is added to the base price to cover pricing changes which UMMC may incur as well as expected increases in patient volume.

Termination Options: The agreement may be terminated for a reduction in funds. There is currently no clause applicable to termination for convenience since UMMC legal team asserts there are no legal ramifications for not purchasing a certain quota or any at all. It has been requested that UMMC consider adding a termination for convenience clause to this agreement.

Funding Source of Contract: The current agreement will be funded by patient revenues included in UMMC’s 2012-2013 previously approved operating budget.

Contractor Selection Process: V-IBT is the current provider of lab services for UMMC and was chosen based on the available testing services offered. All of the available labs are in other states with V-IBT’s Missouri location being the closest in

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
April 18, 2013
Page 10 of 10

proximity. As a result, this lab can assure UMMC of a 24 hour turnaround time in producing test results.

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 pending.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 1 of 14**

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.*

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 2 of 14**

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

Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. 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. Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. 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 §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.

Board Policy §919, Pre-requisites for Building Modification or Demolition

Prior to commencement of construction of a building on an institution's property for modification, restoration, improvement, repair, renovation, rehabilitation, demolition or similar work, the institution shall secure any required inspections and/or approvals from the Mississippi Department of Environmental Quality and any required permits or approvals from the Mississippi Department of Archives and History authorizing the requested building action. While general requirements for obtaining Board approval related to construction projects are set out in Board Policies 902 and/or 904, all projects involving the demolition of a university facility shall require prior Board approval, regardless of projected cost. Any Board approval of a modification or demolition project is subject to any required approvals of the Mississippi

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 3 of 14**

Department of Environmental Quality and the Mississippi Department of Archives and History.

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. JSU – GS 103-275 – Administration Tower Exterior Waterproofing

Project Request: Jackson State University requests approval to initiate a project, Administration Tower Exterior Waterproofing, and to appoint Burris/Wagnon Architects, P.A. as the design professional.

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

Purpose: This project is currently in the design phase under the million dollar project initiation. The project was initiated with Board Staff on February 5, 2013 in the amount of \$500,000. Since that time the project budget has increased from \$500,000 to \$2,000,000. The \$500,000 budget only covered the design phase of project. Funds to proceed through the construction phase of the project are now available to the university. Therefore, in order to complete the project the university is requesting to increase SB 3100, Laws of 2011 funds in the amount of \$1,500,000.00 to cover the construction phase of the project. The university is also seeking to initiate the project with the Board in the amount of \$2,000,000 and name the design professional as required by Board Policy since the project began as a project under \$1,000,000 and didn't require Board approval at the time.

This project will consist of replacing all windows and sealing the exterior vertical faces of the tower to eliminate the intrusion of water into the interior of H. T. Jacobs Administration Tower Building.

Jackson State University is seeking to initiate the project and appoint the design professional 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: April 18, 2013

Date of Original Construction: 1973

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 4 of 14**

Date of Last Renovation: 1985

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 1,583,762.00
Architectural and Engineering Fees:	123,386.34
Miscellaneous Project Costs:	163,915.00
Contingency:	<u>128,936.66</u>
Total Project Budget	\$ 2,000,000.00

Proposed Funding Source(s): HB 1701, Laws of 2010 (\$467,000); SB 3100, Laws of 2011 (\$1,533,000)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

2. UM – IHL 207-368 – Johnson Commons East Renovation

Project Request: The University of Mississippi requests approval to appoint Belinda Stewart as design professional. The university selected the design professional through the “Request for Qualifications” process.

Proposed Design Professional: Belinda Stewart

Purpose: Johnson Commons East is a 28,073 square foot, 2-story concrete and masonry structure constructed in 1929. The lower floor of the building is approximately 60% under grade and has subterranean foundation walls. The building previously housed the University Department of Human Resources, Department for University and Public Events, and the Sarah Isom Center.

The occupants on the lower level of the building have been relocated due to excessive moisture infiltration through the foundation walls and beneath the slab. The occupants on the upper level of the building have been relocated so this area can be used to accommodate temporary food service and dining while the construction for the adjacent Johnson Commons West building is completed.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 5 of 14

The scope of work includes correcting the building envelope (foundation walls, exterior walls, roof, slab, etc.), correcting the perimeter site drainage, renovation of the interior building spaces, new building HVAC systems, new electrical systems, new plumbing systems, and new communication systems to accommodate new building occupants upon the completion of the Johnson Commons West Renovation project.

The University of Mississippi is seeking to appoint the design professional 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: November 15, 2012

Date of Original Construction: 1929

Date of Last Renovation: Not applicable

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 4,607,390.00
Architectural and Engineering Fees:	333,966.29
Miscellaneous Project Costs:	604,700.00
Contingency:	<u>853,943.71</u>
Total Project Budget	\$ 6,400,000.00

Proposed Funding Source(s): Internal R&R (\$6,400,000)

Staff Recommendation: Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 6 of 14

3. UM – IHL 207-371 – Stockard Hall Elevator Refurbishment

Project Request: The University of Mississippi requests approval to initiate a project, Stockard Hall Elevator Refurbishment, and to appoint Corbett Legge and Associates, PLLC as the design professional.

Proposed Design Professional: Corbett Legge and Associates, PLLC

Purpose: The university is requesting the initiation of the project in order to refurbish the elevators in Stockard Hall. The original elevators have served the building since it was constructed in 1969. The elevators have seen significant deterioration since that time and must be replaced.

This project includes replacing all elevator components within the existing elevator shafts including elevator cars, shaft doors, hoist equipment, etc. A new emergency generator shall be provided to run the building's elevators as required by the applicable building codes.

History of Project: Stockard Hall is an 11-story concrete frame building with brick veneer. Stockard Hall was constructed in 1969 along with Martin Hall, a matching 11-story building to the east. Stockard Hall received minor renovations in 2004 and is currently receiving a new brick veneer façade to correct building envelope issues.

The University of Mississippi is seeking to initiate the project and appoint the design professional 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: April 18, 2013

Date of Original Construction: 1969

Date of Last Renovation: Minor renovations in 2004

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 7 of 14

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 824,040.00
Architectural and Engineering Fees:	77,277.69
Miscellaneous Project Costs:	50,700.00
Contingency:	<u>147,982.31</u>
Total Project Budget	\$ 1,100,000.00

Proposed Funding Source(s): Student Housing Revenues and Capital Reserves (\$1,100,000)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF OTHER REAL ESTATE REQUESTS

4. DSU – Approval of Sale of Property located at 314 Shumate Circle to Wesley Thomas

Project Request: Delta State University requests approval to sell a residential property located at 314 Shumate Circle, Cleveland, Mississippi to Wesley Thomas for \$79,500.

Purpose: Delta State University is seeking to sell a residential property to Wesley Thomas for \$79,500 with a closing date no later than June 30, 2013. DSU originally sought Board approval to sell the property at the January 17, 2013 Board meeting. Since that time, the approved buyer has backed out of the agreement and now DSU is seeking to sell the property to the second (2nd) highest bidder for the property. The sale price of \$79,500 is above the average of the two appraisals.

Delta State currently owns several parcels near the campus on Fourth, Shumate, and McClain streets. Most of these homes are post WWII construction. The university purchased the properties in the 1970s and 1980s. The university rents several of these homes to faculty and staff.

While some are paired together, no more than two of the parcels are side by side, leaving a scattered set of holdings. The residences, due to their age and neglect, have countless deferred maintenance issues. Foundations, exterior walls, floor and roof systems need repair, interiors need updating and repair, and HVAC, plumbing and

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 8 of 14

electrical systems need to be replaced. The university does not have the resources to fund this deferred maintenance.

The Mississippi Legislature authorized the sale of eight of these ten parcels during the 2011 session. This property is the second of the eight to be sold. Two of the parcels will be held for future development. H.B. 1167 Laws of 2011 authorizes the Department of Finance and Administration on behalf of the Board and the university to sell the property listed below:

314 Shumate Circle – Lot 16 of the Marva Park Subdivision in the West Half (W ½) of the Southwest Quarter (SW ¼) of the Southeast Quarter (SE ¼) and the East Half (E ½) of the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 17, Township 22 North, Range 5 West, according to a map or plat of said subdivision of record in the Office of the Clerk of the Chancery Court of Bolivar County, Mississippi, in Map Book 2 at page 61 and subject to restrictive agreement recorded in Book M-30, Page 637 as amended by instrument recorded in Book N-26, page 398 of the records in the Office of the Chancery Clerk of Boliver County at Cleveland, Mississippi.

Delta State University received two independent property appraisals as required by Board Policy §905(A), Real Estate Management. The average of the two appraisals was \$78,500 which is less than the actual sale price of the property. A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. Delta State University acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The sale price of property shall not be below 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.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 9 of 14

5. MSU – GS 113-134 – Approval of the Exterior Design for the Wise Center Classroom Addition

Project Request: Mississippi State University requests approval of the exterior design of the Wise Center Classroom Addition. (See Rendering of Building on Page 10)

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

Purpose: Mississippi State University is seeking Board approval of the project's exterior design. The project is currently in the design phase. The addition will consist of one large classroom (approximately 120 seats) and one smaller classroom. The addition will also include restrooms and mechanical areas to support these classrooms.

Mississippi State University is seeking approval of the exterior design of the building in accordance with Board Policy §904(A), Board Approval, that requires the Board to approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project.

Project Initiation Date: November 17, 2011

Date of Original Construction: 1981

Date of Last Renovation: First Major Renovation

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 2,800,000.00
Architectural and Engineering Fees:	350,000.00
Miscellaneous Project Costs:	330,000.00
Contingency:	<u>295,077.33</u>
Total Project Budget	\$ 3,775,077.33

Staff Recommendation: Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 10 of 14**

Rendering 1: (Wise Center Addition is the building on the right)



6. MSU – Award of Timber Sales-John W. Starr Memorial Forest

Project Request: Mississippi State University requests approval to advertise and award the sale to the highest and best bid for timber sales 13-01PT and 13-02PP from the John W. Starr Memorial Forest.

Timber Sale No. 13-01PT, Talking Warrior Unit, John W. Starr Memorial Forest

The sale area is approximately 54 acres in size and is located in a portion in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 32, Township 18 N, Range 14 East, and a portion of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Township 17 N, Range 14 East, all in Oktibbeha County, Mississippi. This sale contains an estimated volume of 684,664 board feet of pine sawtimber, 4 cords of pine chip-n-saw, and 10 cords of pine pulpwood.

Timber Sale No. 13-02PP, Noxubee Unit, John W. Starr Memorial Forest

The sale area is approximately 16 acres in size and is located in a portion of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 17 North, Range 14 East, Oktibbeha County,

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 11 of 14

Mississippi. This sale contains an estimated volume of 9,835 board feet of pine sawtimber, 51 cords of pine chip-n-saw, and 148 cords of pine pulpwood.

Timber Sale Process: The timber sale process on the John W. Starr Memorial Forest, and other Mississippi State University owned lands, begins with the identification of the particular timber stand in need of thinning or a final harvest cut. This is identified by various means but mostly by directions taken from the Forest Management Plan. Other specific site characteristics may also dictate the need for the sale of timber. After the stand has been identified, the process of tree marking and sale identification begins. Once that is completed, the sale is computed and a bid prospectus is prepared and approved by the Dean of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. A request is made to the President of the university to advertise the timber sale for bid and to award the sale to the highest bidder who also satisfies all additional bid requirements. If/when the Board of Trustees approve that the sale may be advertised and awarded appropriately, a prospectus is sent to potential bidders with the vital details of the stand. Once the bids have been received in the Director of Purchasing office, a recommendation is made by the department to the President of the university to either accept or reject the bids. This recommendation has the approval of the Deal of the College of Forest Resources and the Vice President of Agriculture, Forestry, and Veterinary Medicine. If/when the President of the university concurs with the department's recommendation to accept the bid, a contract is executed between the university and the highest and best bidder for that sale. This process continues obtaining the Director of Purchasing's signature on the contract and then contacting the high bidder to set the closing. Finally, a meeting is set with the winning bidder to close the sale and to collect the remaining funds less the bid deposit amount.

Mississippi State University is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item contingent upon submission to the Office of Attorney General a final executed agreement. Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 12 of 14**

7. UM – Naming of First Research Park Building as “Applied Research & Innovation Hub at Insight Park”

Project Request: The University of Mississippi requests approval to name the first building in the research park as the “Applied Research & Innovation Hub at Insight Park”.

Purpose: The first building in the research park is owned by the University of Mississippi Research Foundation, and the building sits on property leased from the university. The “Applied Research & Innovation Hub” building is a 62,000 square foot facility that opened in January 2012. The building is designed to enhance the commercialization of the university’s research, to establish partnerships with the private and not-for-profit sectors to encourage innovation and to become a community economic development node for the region and state.

The building and research park strive to create an environment that fosters intellectual exchange and creativity, provide facilities that showcase the products and research of the university, establish partnerships with businesses and not-for-profit entities, contribute to the economic vitality of the community and state, and further the mission of the university.

The University of Mississippi 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.

8. USM – IHL 208-297 – Dorm Replacement Phase II – Century Park South

Project Request: The University of Southern Mississippi requests approval of the exterior design for the project Dorm Replacement II – Century Park South. (*See Rendering of Building on Page 14*)

Project Phase: Design Phase

Design Professional: The McCarty Company

Commissioning Agent: Working Buildings, LLC

General Contractor: TBD

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 13 of 14

Purpose/Justification: The university is seeking approval of the exterior design of the new residence hall facility, Century Park South. The residence hall will face West 4th Street. The project was initiated with the Board on April 15, 2010 with a budget of \$50,000,000. In March 2012, the Board of Trustees approved the EBC funding for this project. In February 2012, the budget for this project was increased by the Board of Trustees to \$55,600,000.

The project includes the projected demolition of Scott Hall, Vann Hall, and the East end of Bond Hall which will be followed by the construction of a proposed student residential project which includes over 900 beds, a student health center and Lucky Day Scholarship offices. The new project is to be located on the site where the demolition occurs. The majority of the beds will be for freshmen and will mirror the university's most recent residential project, Century Park North. The completion of this project will allow the university to house its freshmen students in new similar style housing.

The University of Southern Mississippi is seeking approval of the exterior design of the building in accordance with Board Policy §904(A), Board Approval, that requires the Board to approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project.

Project Initiation Date: April 15, 2010

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$47,964,000.00
Architectural and Engineering Fees:	3,206,650.00
Miscellaneous Project Costs:	2,429,350.00
Contingency:	<u>2,000,000.00</u>
Total Project Budget	\$55,600,000.00

Funding Source(s): The funding source is the sale of revenue bonds supported by housing room rates. The room rate was approved at \$3,050 per bed, per semester for 914 double beds and \$3,350 per semester per bed for 40 single beds. The par value of the bonds is estimated to be \$49,335,000 with a bond premium of \$6,265,000 to equal \$55,600,000.

Staff Recommendation: Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
APRIL 18, 2013
Page 14 of 14**

Rendering 1: Front of Proposed Residence Hall inside Courtyard



Rendering 2: Aerial View of Proposed Residence Hall



BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
APRIL 18, 2013
PAGE 1 OF 1

1. MSU - APPROVAL TO MODIFY AND RENEW CONTRACT WITH JULIE W. BROWN, ESQ. AS OUTSIDE COUNSEL

Mississippi State requests approval to modify and renew a contract with Julie W. Brown as outside counsel, office located at 124 East Main Street, Starkville, MS 39759, to provide services necessary in assisting Mississippi State University with real estate matters. This modification/renewal will extend the term of the contract for one (1) year or until May 16, 2014. All other provisions of the Agreement for Legal Services dated May 17, 2012 shall remain in effect. The hourly rate for legal services will be \$165 and the maximum amount payable under the contract will be \$10,000.

STAFF RECOMMENDATION: Board staff recommends approval of this item pending approval by the Attorney General.

2. UMMC - APPROVAL TO RENEW CONTRACT WITH WILLIAM SMITH, III OF WATKINS & EAGER LAW FIRM AS OUTSIDE COUNSEL

The University of Mississippi Medical Center requests permission to hire William Smith, III of the firm Watkins & Eager, PLLC to provide legal services as outside real estate counsel. This is a renewal of a contract. The proposed contract would be from May 1, 2013 through May 31, 2014. The proposed hourly rate would be \$165. The maximum amount payable under the contract would be \$95,000

STAFF RECOMMENDATION: Board staff recommends approval of this item pending approval by the Attorney General.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
PERSONNEL
April 18, 2013
Page 1 of 4

APPROVAL OF PERSONNEL ACTION REQUESTS

1. Employment

MVSU

Sharon Freeman, Assistant Provost for Institutional Effectiveness, Research and Strategic Planning; Office of the Provost/Academic Affairs; salary of \$95,000 per annum, pro rata; E&G funds; effective April 1, 2013

USM (*Employment with Tenure*)

Faye Gilbert, Dean, College of Business and Professor, Department of Marketing and Fashion Merchandising; **hire with tenure**; salary of \$233,300 per annum, pro rata; E&G Funds; effective June 15, 2013

2. Change of Status

JSU

Otha Burton, Jr., *from* Interim Associate Dean and Interim Executive Director of the School of Policy and Planning; salary \$101,156 per annum, pro rata; E&G Funds; *to* Executive Director of Institute of Government and Associate Professor of Urban and Regional Planning and Public Policy Administration; salary \$115,000 per annum, pro rata; externally funded grant (Title III); effective July 1, 2013

Felix Okojie, *from* Vice President for Research and Federal Regulations and Professor of Public Health and Education; salary of \$175,000 per annum, pro rata; E&G Funds; *to* Professor of Public Health and Education; no change in salary; effective April 5, 2013 to June 30, 2013

3. Sabbaticals

MSU (All are on nine-month appointments.)

Sherif Abdelwahed, Associate Professor, Electrical and Computer Engineering, *from* salary of \$91,773 per annum, pro rata; E&G Funds; *to* salary of \$45,887 for sabbatical period; E&G Funds; effective August 16, 2013 to May 15, 2014; professional development

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
PERSONNEL
April 18, 2013
Page 2 of 4

Charlotte D. Burroughs, Professor, Curriculum, Instruction, and Special Education, *from* salary of \$75,530 per annum, pro rata; E&G Funds; *to* salary of \$37,765 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development

Adele L. Crudden, Professor, Sociology, *from* salary of \$83,905 per annum, pro rata; E&G Funds; *to* salary of \$41,953 for sabbatical period; effective August 16, 2013 to May 15, 2014; professional development

Paul G. Dixon, Associate Professor, Geosciences, *from* salary of \$60,341 per annum, pro rata; E&G Funds; *to* salary of \$30,171 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development

James C. Giesen, Associate Professor, History, *from* salary of \$63,384 per annum, pro rata; E&G Funds; *to* salary of \$31,692 for sabbatical period; E&G Funds; effective January 1, 2014 to May 15, 2014, professional development

Richard J. Lyons, Professor, English, *from* salary of \$68,627 per annum, pro rata; E&G Funds; *to* salary of \$34,314 for sabbatical period; effective August 16, 2013 to December 31, 2013; professional development

Mabel C. Okojie, Associate Professor, Instructional Systems and Workforce Development, *from* salary of \$61,801 per annum, pro rata; E&G Funds; effective January 1, 2014 to May 15, 2014; *to* salary of \$30,901 for sabbatical period; E&G Funds; professional development

Anthony A. Olinzock, Professor, Instructional Systems and Workforce Development, *from* salary of \$96,094 per annum, pro rata; E&G Funds; *to* salary of \$48,047 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development

Mary K. Thomas, Associate Professor, Finance and Economics, *from* salary of \$79,125 per annum, pro rata; E&G Funds; *to* salary of \$39,563 for sabbatical period; effective August 16, 2013 to December 31, 2013; professional development

Raymond S. Winton, Professor, Electrical and Computer Engineering, *from* salary of \$102,179 per annum, pro rata; E&G Funds; *to* salary of \$51,090 for sabbatical period; E&G Funds; effective August 16, 2013 to December 31, 2013; professional development

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
PERSONNEL
April 18, 2013
Page 3 of 4

UM (Correction to department name approved February 2013)

From:

Yixin Chen, Associate Professor of Chemical Engineering, *from* salary of \$96,280 per annum, pro rata; E&G Funds; *to* salary of \$48,140 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

To:

Yixin Chen, Associate Professor of Computer and Information Science, *from* salary of \$96,280 per annum, pro rata; E&G Funds; *to* salary of \$48,140 for sabbatical period; E&G Funds; effective August 22, 2013 to December 31, 2013; professional development

USM

Joshua Otaigbe, Professor of Polymers and High Performance Materials, *from* salary of \$121,389 per annum, pro rata (9-month contract); E&G Funds; *to* salary of \$67,438 for sabbatical period; E&G Funds; effective January 1, 2014 to May 20, 2014; professional development

Correction to sabbatical period approved February 2013

From:

John Perry, Associate Professor of Mathematics; *from* salary of \$53,236 per annum; pro rata; E&G Funds; *to* salary of \$29,576 for sabbatical period; E&G Funds; effective January 1, 2014 to May 20, 2014; professional development

To:

John Perry, Associate Professor of Mathematics; *from* salary of \$53,236 per annum; pro rata; E&G Funds; *to* salary of \$29,576 for sabbatical period; E&G Funds; effective August 18, 2014 to December 31, 2014; professional development

4. Tenure (and Promotions where noted) effective August 20, 2013 (All are on nine-month appointments.)

ASU

Malinda Butler, Assistant Professor, School of Education and Psychology

Dorothy Idleburg, Professor, Department of Social Sciences

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
PERSONNEL
April 18, 2013
Page 4 of 4

Jacqueline Johnson, *promotion* to the rank of Associate Professor, Department of Associate Degree Nursing

Wanda Newell, Associate Professor, Department of Human Sciences

Victor Njiti, *promotion* to the rank of Associate Professor, Department of Agriculture

April Owens, *promotion* to the rank of Associate Professor, Department of Education and Psychology

Johnny Thomas, *promotion* to the rank of Associate Professor, Department of Health, Physical Education and Recreation

Ping Zhang, Assistant Professor, Department of Mathematical Sciences

5. Emeritus-Status

USM (effective March 1, 2013)

Gary Anderson, Professor Emeritus of Biological Sciences

Fred Howell, Professor Emeritus of Biological Sciences

George Pessoney, Professor Emeritus of Biological Sciences

UMMC (effective July 1, 2013)

Rathi Iyer, M.D., Professor Emeritus of Pediatrics

Owen B. Evans, M.D., Professor Emeritus of Pediatrics

REGULAR AGENDAS

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
April 18, 2013
Page 1 of 4

1. **STUDENT AFFAIRS – SECTION 600 ADMISSIONS AND STUDENT AFFAIRS**
(FINAL APPROVAL)

RECOMMENDATION TO ADD A STATEMENT TO BOARD POLICY SECTION
600 SUBSECTION (602) GENERAL TRANSFER ADMISSIONS FOR STUDENTS
WHO WERE NOT ELIGIBLE FOR REGULAR ADMISSION

E. General Transfer Admission for Students Who Were Not Eligible for Regular Admission

Any student who was not eligible for regular admission and who has not successfully completed the Summer Developmental Program must attend an accredited institution of higher education other than those under the governance of the Board of Trustees and must attain a "C" average (2.0 GPA on a 4.0 scale, as calculated by the admitting IHL institution) in the following 30 transferable semester credit hours to be eligible to transfer to an IHL institution:

- 6 semester hours English Composition
- 3 semester hours College Algebra, Quantitative Reasoning, or higher level mathematics
- 6 semester hours Natural Science
- 9 semester hours Humanities and Fine Arts
- 6 semester hours Social or Behavioral Sciences

All other transfer admissions students are subject to the requirements outlined in Policy 602 Freshman Admission Requirements for University System Institutions (sections A and B). Admitting institutions may establish additional admission requirements.

RECOMMENDATION TO MODIFY SUBSECTION 604 APPLICANTS WITHOUT
A HIGH SCHOOL DIPLOMA:

~~604 APPLICANTS WITHOUT A HIGH SCHOOL DIPLOMA~~ APPLICANTS WITHOUT
A DIPLOMA FROM A REGIONALLY ACCREDITED HIGH SCHOOL; HOME
SCHOOL STUDENTS

~~Applicants who have not graduated from a regionally accredited high school and were not home schooled must submit qualifying scores on the General Education Development Test (GED) and any transcripts reflecting academic performance in high school. Home schooled students must present portfolios summarizing his or her home school education. Submission of scores on the ACT or SAT is strongly encouraged. Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.~~

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
April 18, 2013
Page 2 of 4

1. Applicants who have completed high school from a school that does not hold regional accreditation must submit the following:
 - a. Transcripts reflecting academic performance
 - b. ACT or SAT scores

Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.

2. Home-schooled applicants must submit the following:
 - a. Home-school transcripts or portfolio summarizing home school education
 - b. ACT or SAT scores

Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.

3. Applicants who have not completed high school must submit the following:
 - a. Qualifying scores on the General Education Development Test (GED)
 - b. Any transcripts reflecting academic performance in high school

Applicants may be required, at the discretion of the admitting IHL institution, to appear for an on-campus interview.

RECOMMENDATION TO MOVE SUBSECTION 609 TO SECTION 500
ACADEMIC AFFAIRS.

~~609 TRANSFER OF THE ASSOCIATE OF ARTS DEGREE FROM A MISSISSIPPI
COMMUNITY/JUNIOR COLLEGE~~

~~A. General Policy~~

~~IHL institutions will accept all transferable courses with a grade of "C" or better completed as part of an Associate of Arts degree from a Mississippi community/junior college. Upon transferring to an IHL institution, these students may begin taking courses within a declared major or to fulfill prerequisites for a major. Acceptance into some majors may require a higher grade point average and/or additional pre-major/prerequisite courses beyond requirements for the Associate of Arts degree.~~

- ~~1) Students that graduate with an Associate of Arts degree from a Mississippi community/junior college and complete the 30-hour IHL Board core curriculum (Board Policy Section 512 "Core Curriculum") with a grade of "C" or better in each core course will satisfy the IHL core curriculum requirement at each IHL institution. General education requirements for baccalaureate programs at the receiving institution may exceed the minimum IHL core curriculum. In such cases, transfer students may need to take additional courses to satisfy these requirements.~~

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
April 18, 2013
Page 3 of 4

~~2) All non-IHL core curriculum courses in the Associate of Arts degree program may be assigned to fulfill the pre-major or elective requirements, dependent upon the non-IHL core curriculum courses taken within the Associate of Arts degree program and the declared major at the IHL institution.~~

B. Transferable Courses

~~When students transfer to an IHL institution from a Mississippi community/junior college, IHL institutions will use the Articulation Agreement between the Mississippi Board of Trustees of State Institutions of Higher Learning and the Mississippi State Board for Community and Junior Colleges to articulate the transfer of courses.~~

RECOMMENDATION TO CREATE POLICY ON ADMISSION WITH AN ASSOCIATE DEGREE

609 TRANSFER ADMISSION FOR STUDENTS WHO HAVE EARNED AN ASSOCIATE DEGREE

A. Any student who has earned an Associate of Arts degree from a regionally accredited institution and sufficient GPA as calculated by the admitting institution is eligible for admission to an IHL institution.

B. Any student who has earned other Associate level degrees from a regionally accredited institution in a transferable area (as defined by the admitting institution) and sufficient GPA as calculated by the admitting institution may be eligible for admission to an IHL institution.

ACADEMIC AFFAIRS – SECTION 500

RECOMMENDATION TO ADD SUBSECTION 520 TO SECTION 500
ACADEMIC AFFAIRS

609 520 TRANSFER OF THE ASSOCIATE OF ARTS DEGREE FROM A MISSISSIPPI COMMUNITY/JUNIOR COLLEGE

A. General Policy

IHL institutions will accept all transferable courses with a grade of “C” or better completed as part of an Associate of Arts degree from a Mississippi community/junior college. Upon transferring to an IHL institution, these students may begin taking courses within a declared major or to fulfill prerequisites for a major. Acceptance into some majors may require a higher grade point average and/or additional pre-major/prerequisite courses beyond requirements for the Associate of Arts degree.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
April 18, 2013
Page 4 of 4

Upon adoption, this policy supersedes the Articulation Agreement for determining the transferability of the 30-hour IHL core curriculum.

1. Students who graduate with an Associate of Arts degree from a Mississippi community/junior college and complete the 30-hour IHL Board core curriculum (Board Policy Section 512 "Core Curriculum") with a grade of "C" or better in each core course will satisfy the IHL core curriculum requirement at each IHL institution. General education requirements for baccalaureate programs at the receiving institution may exceed the minimum IHL core curriculum. In such cases, transfer students may need to take additional courses to satisfy these requirements.
2. All non-IHL core curriculum courses in the Associate of Arts degree program may be assigned to fulfill the major, pre-major or elective requirements, dependent upon the non-IHL core curriculum courses taken within the Associate of Arts degree program and the declared major at the IHL institution.

B. Transferable Courses

When students transfer to an IHL institution from a Mississippi community/junior college, IHL institutions will use the Articulation Agreement between the Mississippi Board of Trustees of State Institutions of Higher Learning and the Mississippi State Board for Community and Junior Colleges to articulate the transfer of courses.

STAFF RECOMMENDATION: Board staff recommends approval of these items.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
April 18, 2013
Page 1 of 7

1. UMMC – REQUEST FOR APPROVAL OF CONTRACTUAL SERVICES AGREEMENT WITH HILL-ROM COMPANY, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a capitated (flat fee) rental agreement with **Hill-Rom Company, Inc.** for clinical therapy beds and related products. In addition, UMMC is requesting the Board's retroactive approval of cost overages incurred during the March 1, 2010 to February 28, 2013 contract period as well as cost incurred since the contract expired which increases the contract amount *from* \$1,033,344 *to* \$2,085,944.31 for the previous contract period March 1, 2010 to February 28, 2013 and \$96,547 in costs incurred since the contract expiration.

Contractor's Legal Name: Hill-Rom Company, Inc. (Hill-Rom)

History of Contract: This is a new agreement. The Board previously approved an agreement between UMMC and Hill-Rom in February 2010 for the period March 1, 2010 through February 28, 2013 for an estimated total cost of \$1,033,344. The actual amount spent during the three (3) year term was \$2,085,944.31. Since the expiration of the agreement in February 2013, UMMC has purchased products on a month-to-month basis via a purchase order. UMMC is now seeking retroactive approval of the overage of costs (\$1,052,600.31) incurred above the Board approved amount of \$1,033,344 for the contract period March 1, 2010 to February 28, 2013 as well as \$96,547 in costs incurred since the contract expiration. UMMC is also seeking the Board's approval of a new rental therapy agreement with Hill-Rom.

Specific Type of Contract: Rental Therapy Agreement

Purpose: The purpose of this agreement is for UMMC to receive clinical therapy beds, related products, and services on an *as needed* basis at a capped and discounted cost. The therapy beds prevent pressure ulcers for long term, immobile, or otherwise at risk patients.

Scope of Work: Under the agreement Hill-Rom will provide therapy beds, related therapeutic products, and equipment services.

Term of Contract: The term of the agreement is for three (3) years, May 1, 2013 through April 30, 2016.

Contract Amount: The total three year contract is estimated not to exceed \$2,685,262.80. The estimated amount associated with the new contract is based on a product price schedule categorized below.

- a. *Estimated Capped Amount* – In order to receive a capped amount, UMMC must purchase a minimum of \$25,000 in products on a twelve (12) month basis and also

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
April 18, 2013
Page 2 of 7**

commit to purchase from Hill-Rom 95% of the annual dollar usage for therapy products and services.

- b. *Estimated Cost of Non-Capped Amount* – Products that do not qualify for purchase at a capped, discounted cost are those in which UMMC does not have a history of consistent use.

UMMC estimates paying the following which includes Hill-Rom’s baseline flat fee for each product as per the above referenced pricing schedule that is incorporated into the agreement *plus* a contingency to cover a 15% cost increase for each product category due to supplemental billing and possible increases in patient volume as shown in the chart below.

Year	Estimated Capped Amounts <small>(includes 15% increase above the baseline flat fee each year)</small>	Estimated Non-Capped Amounts <small>(includes 15% increase above the baseline flat fee for each year)</small>	Estimated Annual Totals
1	\$698,293.80	\$75,000.00	\$773,293.80
2	803,037.90	86,250.00	889,287.90
3	923,493.60	99,187.50	1,022,681.10
Estimated Total	\$2,424,825.30	\$260,437.50	\$2,685,262.80

As noted above, UMMC is also requesting retroactive approval to increase the contract amount *from* \$1,033,344 *to* \$2,085,944.31 for the previous contract period March 1, 2010 to February 28, 2013 and \$96,547 in costs incurred since the contract expiration.

Termination Options: The agreement may be terminated for the following:

- a. breach or default of the agreement by either party,
- b. at any time upon thirty (30) days written notice,
- c. reduction of funds,
- d. an inability to agree to renegotiated contract terms in the event a change in law occurs that materially restricts or prohibits the rights of either party or otherwise makes it desirable for the parties to renegotiate the agreement,
- e. failure by Hill-Rom to comply with the federal E-Verify Program, and/or
- f. a breach by Hill-Rom of any representations and warranties to UMMC as specified in the Standard Terms and Conditions Addendum.

Funding Source of Contract: The current agreement will be funded by patient revenues included in UMMC’s 2012-2013 Board approved operating budget.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
April 18, 2013
Page 3 of 7

Contractor Selection Process: Hill-Rom is an approved vendor contracted with Novation, UMMC's primary group purchasing organization (GPO) pursuant to Miss. Code Ann. § 31-7-13(m)(x).

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. UMMC – REQUEST FOR APPROVAL OF CONTRACTUAL SERVICES AGREEMENT WITH THE RAMEY AGENCY, LLC

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **The Ramey Agency, LLC** for services that will provide UMMC with a completely integrated advertising, digital, and full marketing program. In addition, UMMC is requesting the Board's retroactive approval of costs of \$1,627,108.97 incurred since the previously approved contract expired June 30, 2012.

Contractor's Legal Name: The Ramey Agency, LLC (Ramey)

History of Contract: This is a new agreement. The Board originally approved an agreement between UMMC and Ramey in January 2007 for the period January 18, 2007 through June 30, 2009 for a maximum cost of \$5 million. In May 2009 the Board approved the most recent agreement between UMMC and Ramey for a three (3) year term July 1, 2009 through June 30, 2012 for a maximum cost of \$7.5 million. Since the expiration of the most current agreement in June 2012, UMMC has continued to utilize Ramey for projects that were already in progress and/or additional projects with payment being made on a monthly basis via purchase order. As a result, UMMC is seeking retroactive Board approval of \$1,627,108.97 in costs incurred since the expiration of the June 30, 2012 contract.

Specific Type of Contract: Service agreement

Purpose: The purpose of this agreement is for the provision of advertising related activities under volume-discounted, contracted rates. The advertising services will include direct supervision by Ramey. Such supervision will encompass account oversight, media development and oversight, and creative works. Also, in accordance with industry standard, Ramey will work with third party vendors for services such as production, market research, and media purchases. Any cost incurred for a third party vendor service is a 100% pass through cost; Ramey does not retain any portion of the payment.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
April 18, 2013
Page 4 of 7

Scope of Work: Under the agreement, Ramey will provide services to include:

- a. creation and placement of advertising,
- b. multichannel marketing communications,
- c. account management,
- d. creative strategies,
- e. research analysis,
- f. media plans,
- g. media oversight and audit, and
- h. acting as UMMC's agent for the purchase of materials, rights and services from third parties.

Term of Contract: The term of the agreement is for two (2) years - May 1, 2013 through April 30, 2015.

Contract Amount: The two (2) year contract is estimated not to exceed \$6,600,504. The overall estimated cost includes both fees and out of pocket expenses for Ramey personnel as well as pass through costs for third party vendors.

UMMC estimates the following breakdown of fees for the two (2) year term:

Agency Fees - \$943,600 Total

- a. Account Management Fees at a rate of \$125 per hour for 1,600 hours - \$200,000
- b. Media Management/Planning Fees at a rate of \$115 per hour for 4,640 hours - \$533,600
- c. Creative Concepting/Development Fees at a rate of \$125 per hour for 1,680 hours - \$210,000
- d. Out of pocket expenses such as travel, meals, printing costs, etc.- \$6,000

External Vendor Costs - \$5,650,904 Total

- a. Production Costs - \$970,904
- b. Market Research Costs - \$130,000
- c. Purchased Media Costs for media placements and campaigns - \$4,550,000

In addition, UMMC is seeking retroactive Board approval for \$1,627,108.97 in costs incurred since the expiration of the June 30, 2012 contract.

Termination Options: The agreement may be terminated for the following:

- a. at any time upon thirty (30) days written notice,
- b. reduction of funds,
- c. an inability to agree to renegotiated contract terms in the event a change in law occurs that materially restricts or prohibits the rights of either party or otherwise makes it desirable for the parties to renegotiate the agreement,

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
April 18, 2013
Page 5 of 7

- d. failure by Ramey to comply with the federal E-Verify Program, or
- e. a breach by Ramey of any representations and warranties to UMMC as specified in the Standard Terms and Conditions Addendum.

Funding Source of Contract: The current agreement will be funded by patient revenues included in UMMC's 2012-2013 previously approved operating budget.

Contractor Selection Process: A competitive formal selection process was not initiated. Ramey is the current provider of advertising services for UMMC. UMMC has provided our office with an informal cost comparison using other contractors.

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 Attorney General's Office has recommended changes to the agreement. Board staff approval is contingent upon the Attorney General's review and approval of an agreement incorporating the recommended changes.

3. UMMC – REQUEST FOR APPROVAL OF LEASE AGREEMENT WITH TCP BLOCK I NORTH, LLC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a lease agreement with **TCP Block I North, LLC** to lease 5,382 square feet of space at The Township in Ridgeland, Mississippi.

Contractor's Legal Name: TCP Block I North, LLC (TCP)

History of Contract: This is a new agreement. University Physicians, PLLC (UP) has leased the space since January 2008. Effective September 1, 2012 UMMC began the process of merging UP units with UMMC's general operations. This original lease was an obligation of UP's Face and Skin Center and was paid by UP through the term of the contracted lease and on a month-to-month basis since its expiration. This new contract becomes the obligation of UMMC.

Specific Type of Contract: Lease agreement

Purpose: The purpose of the lease is to provide clinical office space for UP's Face and Skin Center at The Township in Ridgeland, MS. The Face and Skin Center has been in operation at this location since January 2008. There are currently five (5) dermatologists associated with the center, and UMMC is in the process of establishing a dermatology residency program to operate from the location.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
April 18, 2013
Page 6 of 7

Scope of Work: Under the agreement TCP will provide maintenance, repair, and upkeep of the property including roof and foundation, payment of utilities, and property insurance.

UMMC is responsible for using the premises only for the practice of specialty medicine as required by the lease agreement, maintaining the premises in a state of good condition, making minor repairs caused by and in the event of relocation, and timely payment of rent and operating expenses.

Term of Contract: The term of the agreement is for five (5) years - May 1, 2013 through April 30, 2018.

Contract Amount: The five (5) year contract is estimated not to exceed \$778,129.98. This includes monthly rent, a proportionate share of the expenses for the common space, and a contingency fee.

Termination Options: The agreement may be terminated for the following:

- a. by TCP upon thirty (30) days in the event of an uncured delay to the commencement of the agreement caused by UMMC,
- b. by UMMC upon thirty (30) days written notice should the premises be destroyed or rendered non-tenantable and TCP either elects to not restore or is unable to restore the premises with ninety (90) days,
- c. by either party during the final year of the lease term should the premises be destroyed,
- d. in the event the premises is taken as a result of eminent domain or condemnation,
- e. by TCP for a default of the lease by UMMC,
- f. an inability to agree to renegotiated contract terms in the event a change in law occurs that materially restricts or prohibits the rights of either party or otherwise makes it desirable for the parties to renegotiate the agreement,
- g. by TCP in the event of an unpermitted transfer of the premises by UMMC, and/or
- h. by TCP for any reason upon six (6) months written notice.

Funding Source of Contract: The current agreement will be funded by patient revenues included in UMMC's 2012-2013 Board approved operating budget.

Contractor Selection Process: N/A - UMMC currently leases this space from TCP.

Staff Recommendation: Based on Board Policy 707.01, *Personal Property and Service Contracts, Board approval is required prior to 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.* This agreement has been

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
April 18, 2013
Page 7 of 7

reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

4. SYSTEM – SALARY GUIDELINES FOR FY 2014

Board Policy requires the Commissioner and the Institutional Executive Officers to determine annual salary guidelines in preparation for the upcoming budget. Salary increases for FY 2014 should be based on one or more of the following: 1) meritorious performance, 2) market or equity adjustments, and 3) faculty/staff promotions. Salary increase decisions may be made at the discretion of the Commissioner (for the Executive Office) or the Institutional Executive Officer (for the campuses). These salary guidelines will apply to all university employees regardless of funding source or types of increases awarded.

Staff Recommendation: Based on Board Policy 401.0103 *Salaries and Compensation*, the Commissioner after consultation with the Institutional Executive Officers, shall annually develop guidelines for the award of salary increases which shall be approved by the Board. Board staff recommends approval of this item.

5. SYSTEM – APPROPRIATION ALLOCATION – FY 2014

The Commissioner is requesting approval of the new funding model to be used in allocating FY 2014 appropriations excluding the appropriations which were earmarked or appropriated for the separately budgeted units.

Staff Recommendation: Board staff recommends approval.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ADMINISTRATION/POLICY
April 18, 2013
Page 1 of 1

1. USM – DELEGATION OF AUTHORITY TO THE COMMISSIONER TO APPROVE PURCHASES, CONTRACTS OR LEGAL DOCUMENTS

USM requests approval to extend the period in which the Commissioner is delegated authority to approve any purchase, contract or other legal document on behalf of the Board necessary to assist USM in dealing with any issues related to the February 10, 2013 tornado damage at the university. This authority is to be extended until the May 16, 2013 Board meeting. Any such approvals granted by the Commissioner will be reported to the Board at its next meeting.

Staff Recommendation: Board staff recommends approval of this item.

INFORMATION AGENDAS

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 1 of 13**

**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
MARCH 21, 2013 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.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 2 of 13

1. ASU – GS 101-269 – Dumas Hall Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$67,964.37 and fifty-one (51) additional days to the contract of Paul Jackson & Son, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: March 6, 2013

Change Order Justification: **Change Order #6** is necessary to add a fire damper at stair S-2, applicable taxes to be added to the credit for the controls allowance in CO #5, to add an additional layer of ¾” plywood at the tiers at the tiered caseroom to accommodate furniture being installed in the room, steam lines to be abated and removed in order to install the wall, modifications to the parapet wall at the southeast corner of the conference room is required to better control the flow of rainwater to the gutter assembly & to simplify construction, additional floor preparation is required to prepare the existing slab to receive new flooring as the existing slab does not meet the required tolerances for installation, cleaning of existing plaques prior to reinstallation, to fill the existing abandoned curb inlet (not shown on the survey) and to concrete the pipe.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$195,945.16.

Project Initiation Date: January 31, 2008

Design Professional: Duvall Decker Architects, P.A.

General Contractor: Paul Jackson & Son, Inc.

Project Budget: \$7,000,000.00

Funding Source(s): HB 246, L’07 (\$2,057,735.00); HB 1641, L’08 (\$368,847.64); SB 2988, L’03 (\$300,000.00); SB 2010, L’04 (\$4,273,417.36)

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 3 of 13

2. ASU – GS 101-291 – Rowan Hall Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$71,634.00 and one hundred twenty (120) additional days to the contract of Barnard & Sons Construction, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: March 11, 2013

Change Order Justification: **Change Order #2** is necessary to provide all work materials, services, labor, equipment, overhead and profit for repairs to the concrete, masonry, precast sills & wood due to unforeseen conditions uncovered during the demolition phase.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$205,168.00.

Project Initiation Date: August 18, 2011

Design Professional: Duvall Decker Architects, P.A.

General Contractor: Barnard & Sons Construction, LLC

Project Budget: \$2,338,928.00

Funding Source(s): HB 1722, L'09 (\$850,000.00); HB 1701, L'10 (\$1,238,928.00); SB 3100, L'11 IHL/DFA Discretionary Funds (\$250,000.00)

3. MSU– GS 113-130 – Necropsy Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$88,892.13 and forty (40) additional days to the contract of T. L. Wallace Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: March 27, 2013

Change Order Justification: **Change Order #8** is necessary to remove the existing diesel tank, and install an above ground diesel tank, install hub drains for condensate lines for coolers, install a floor drain & a back flow preventer, provide & install a sump

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 4 of 13

pump within the maintenance tunnel, add 30 days for rain delays, and to run a conductor from the emergency panelboard in the existing generator room to the permanent gates.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$ 701,752.43.

Project Initiation Date: October 21, 2010

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

General Contractor: T. L. Wallace Construction, Inc.

Project Budget: \$12,197,791.22

Funding Source(s): HB 1701, L'10 (\$12,197,791.22)

4. MSU – GS 113-134 – Wise Center Classroom Addition

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Pryor & Morrow Architects and Engineers, P.A. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: March 27, 2013

Project Initiation Date: November 17, 2011

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

General Contractor: TBA

Project Budget: \$3,775,077.33

Funding Source(s): SB 3100, L'11 (\$1,800,000.00); HB 1701, L'10 (\$1,200,000.00); HB 1722, L'09 (\$575,077.33); Tuition Funds (\$200,000.00)

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 5 of 13

5. MUW– GS 104-178 – Fant Library Renovation Phase I

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$6,782.62 and ten (10) additional days to the contract of West Brothers Construction, Inc.. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: March 18, 2013

Change Order Justification: **Change Order #4** is necessary to provide all material, labor, supervision, general conditions, overhead, and profit to saw-cut the top of an existing underground tunnel to route the pipe at the correct elevation between junction boxes, to abate asbestos on the vertical connections to the roof drains encountered while scheduling the rain leader scope of work.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$96,715.35.

Project Initiation Date: October 20, 2011

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

General Contractor: West Brothers Construction, Inc.

Project Budget: \$6,800,000.00

Funding Source(s): SB 3100, L'11 (\$5,952,000); HB 1701, L'10 (\$848,000)

6. MVSU– GS 106-201 – Library Enhancements Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$3,931.32 and zero (0) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: March 6, 2013

Change Order Justification: **Change Order #5** is necessary to provide lighting contactors to the EMS system.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 6 of 13

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$1,626,054.84.

Project Initiation Date: February 22, 2008

Design Professional: Duvall Decker Architects, P.A.

General Contractor: Harrell Contracting Group, LLC

Project Budget: \$11,900,000.00

Funding Source(s): AYERS (\$9,000,000.00); HB 1722, L'09 (\$2,500,000.00); HB 246, L'07 (\$400,000.00)

7. UM– IHL 207-341 – Thad Cochran Natural Product Center Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$338,306.00 and five (5) additional days to the contract of Carothers Construction, Inc.

Staff Approval Date: February 28, 2013

Change Order Justification: **Change Order #4** is necessary to provide enhancements to the central system allowing for future expansion capacity, modifications to facilitate continued service supply for the water and fire lines, to provide temporary sprinkler service for the generator building, to provide for revisions to the loading dock foundations (helical pilings were designed to augment the foundation), additional electrical work for future expansion capacity and avoiding disruption of existing services, additional electrical capacity services for the Faser Hall switchboard replacement in addition to contract requirements and additional contract time due to adverse weather conditions.

Total Project Change Orders and Amount: Four (4) change orders for a total **credit amount** of \$99,063.00.

Project Initiation Date: May 20, 2010

Design Professional: Cooke Douglass Farr Lemons Architects & Engineers, PA

General Contractor: Carothers Construction, Inc.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 7 of 13

Contract Award Date: August 22, 2012

Project Budget: \$40,000,000.00

Funding Source(s): Self-Generated Funds (\$7,198,380.00); C76HF10917 (\$17,886,175); NIH/NCRR (ARRA) (\$13,915,445); USDA (\$1,000,000)

8. UM– IHL 207-348 – Johnson Commons West Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$101,854.85 and zero (0) additional days to the contract of Zellner Construction.

Staff Approval Date: March 18, 2013

Change Order Justification: **Change Order #3** is necessary to demolish existing plumbing in restrooms 112 & 113, to provide additional fire rates shaft walls, for additional demolition & reduced masonry scope, to apply bonding agent to existing structural slabs prior to pouring specified topping, changes to communications service requested by the university, to install primary conduit & pullbox for future use, to relocate the existing secondary power located in the mechanical room to the exterior of the building using NEMA3 devices, to infill & paint the existing louvers, to furnish & install two collector beams and to install injectable waterproofing along the north lower flood wall.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$187,499.57.

Project Initiation Date: May 19, 2011

Design Professional: Tipton Associates, A Professional Architectural Corporation

General Contractor: Zellner Construction

Project Budget: \$14,500,000.00

Funding Source(s): Auxilliary R&R (\$14,500,000.00)

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 8 of 13

9. UM – IHL 207-361 – Lamar Hall Phase IIB

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Barlow Eddy Jenkins Architects, 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: February 20, 2013

Project Initiation Date: August 16, 2012

Design Professional: Barlow Eddy Jenkins Architects

General Contractor: TBA

Contract Award Date: TBA

Project Budget: \$7,500,000.00

Funding Source(s): Internal R&R (\$7,500,000.00)

10. UM– IHL 207-363 – Library Cooling Tower Replacement

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by CGM Group, Inc.

Staff Approval Date: March 27, 2013

Project Initiation Date: October 18, 2012

Design Professional: CGM Group, Inc.

General Contractor: TBA

Project Budget: \$1,500,000.00

Funding Source(s): Internal R&R (\$1,500,000.00)

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 9 of 13

11. UM– IHL 207-365 – Kinard Hall Water Storage Tank Replacement at Rebel Drive

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Engineering Solutions, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **a waiver of Design Development Documents**.

Staff Approval Date: March 27, 2013

Project Initiation Date: October 18, 2012

Design Professional: Engineering Solutions, Inc.

General Contractor: TBA

Project Budget: \$2,500,000.00

Funding Source(s): Internal R&R (\$2,500,000.00)

12. UM– IHL 207-366 – Music Hall Mechanical Upgrade & West Wing Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Shafer & Associates, Office of Architecture.

Staff Approval Date: February 22, 2013

Project Initiation Date: November 15, 2012

Design Professional: Shafer & Associates, Office of Architecture

General Contractor: TBA

Project Budget: \$4,000,000.00

Funding Source(s): Internal R&R (\$4,000,000.00)

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 10 of 13

13. UMMC– IHL 209-532 – Cardiovascular Renovations

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$28,038.00 and zero (0) additional days to the contract of Fountain Construction Company.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$26,694.00 and zero (0) additional days to the contract of Fountain Construction Company.

Staff Approval Date: #1 February 22, 2013); #2 (March 6, 2013)

Change Order Justification: **Change Order #4** is necessary to replace the old existing fan with a smaller, more efficient fan located in an area that is easily accessible for future maintenance, to structurally infill an opening in the floor that is approximately 12' x 9', to install isolation valves on med gas in all patient rooms so more than one room at a time would not have to be shut down to make repairs, to replace the ceiling at the “Mauve Desk” to match the new ceiling that will be installed around it and to tie-in new hot water lines to a different location/routing required to make the necessary tie-in. **Change Order #5** is necessary to properly seal a suite barrier wall to be “smoke tight” and to reroute & lower due to the discovery of an existing mound of concrete.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$130,387.00.

Project Initiation Date: February 18, 2010

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, PA

General Contractor: Fountain Construction Company

Project Budget: \$20,182,526.00

Funding Source(s): EBC Bonds (\$20,182,526.00)

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 11 of 13

14. UMMC– IHL 209-538 – 4th (and 2nd) Floor Renovations – 764 Lakeland Building

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$55,358.35 and forty-six (46) additional days to the contract of Harris Constructors, Inc.

Staff Approval Date: March 21, 2013

Change Order Justification: **Change Order #5** is necessary on 2nd floor to paint door jambs, replace hardware and clean & touch up paint storefront at the 2nd floor entry, change the swing of the door in the men’s restroom, relocate can lights in Room LP 253, add ceiling hung procedure lights in Room LP 223 & LP 260, and add an exit sign in the elevator lobby. On the 4th floor, repair broken window in Room 406, install door hardware into LP401 on the North side of the wall to allow the door to slide open the width of the entryway, paint the door jambs, replace hardware at LP 499-01, clean the storage room function locks on LP 434 to entry locks, in Room 412, provide cap floor instead of carpet, rough in & install OFE sink, add electrical outlet, cut holes for sprinkler at sound booths, provide floor leveling for sound booths, provide corner guards to match 1st & 3rd floors, provide 2 unskilled laborers for 2 days to assist with OFE, add data in Rooms LP 444 & 445, and wire mold for data in LP 457, add power & data in Room 454, relocate power for autoclave in Room LP 425, add an exit sign in front of Room LP 454, add exhaust ducting to sound booths, add power for UPS in Lab 248, add two shunt trip breakers for elevator shutdowns and add 46 calendar days to contract.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$46,184.35.

Project Initiation Date: October 21, 2010

Design Professional: Dale Partners Architects, P.A.

General Contractor: Harris Constructors, Inc.

Project Budget: \$5,915,536.00

Funding Source(s): Restricted funds (\$5,915,536.00)

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 12 of 13

15. USM – IHL 208-297 – Dorm Replacement Phase II (Construction)

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

Staff Approval Date: February 20, 2013

Project Initiation Date: April 15, 2010

Design Professional: The McCarty Company

General Contractor: TBA

Project Budget: \$55,600,000.00

Funding Source(s): IHL approved Bond Sale (\$55,600,000.00)

16. USM– IHL 214-018 – Central Mechanical Plant Expansion

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$3,600.00 and zero (0) additional days to the contract of J.F. Pate and Associates Contractors, Inc.

Staff Approval Date: February 22, 2013

Change Order Justification: **Change Order #1** is necessary to remove and dispose of old electrical transformers and electrical junction boxes in lieu of just relocating somewhere on the campus.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$3,600.00.

Project Initiation Date: October 18, 2012

Design Professional: Studio South Architects, PLLC

General Contractor: J.F. Pate and Associates Contractors, Inc.

Project Budget: \$1,500,000.00

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
April 18, 2013
Page 13 of 13

Funding Source(s): General USM GC funds (\$1,500,000.00)

17. ERC– GS 111-049 – Road Improvements

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$46,540.08 and zero (0) additional days to the contract of Southern Rock, LLC.

Staff Approval Date: February 20, 2013

Change Order Justification: **Change Order #2** is necessary to provide all labor, material, and equipment to install a French drain along both sides of the road at the bottom of the over-excavation and to install 6% cement mixed 6” deep +- incorporated as needed based on the area from stations 0+00 to 8+39, 30’ wide (less area 0+00 to 5+00 that has been completed, 15’ wide) and from stations 20+00 to 27+39, 30’ wide to provide a stable foundation for the pavement system, and to dry the sand-clay gravel due to extreme wet conditions encountered during the project.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$189,716.96.

Project Initiation Date: October 20, 2011

Design Professional: W.L. Burle Engineers

General Contractor: Southern Rock, LLC

Project Budget: \$2,551,057.07

Funding Source(s): BOB Discretionary Funds (HB 1701, L’10) (\$1,280,000.00); IHL Discretionary Funds (SB 3100, L’11) (\$750,000.00); HB 1701, L’10 (\$250,000.00); HB 246, L’07 (\$21,057.07); JSU (SB 3100, L’11) (\$250,000.00)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
LEGAL
APRIL 18, 2013
PAGE 1 OF 2**

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware/Gasparian (statement dated 3/1/13) from the funds of Mississippi State University. (This statement, in the amount of \$2,500.00, represents services and expenses in connection with labor certification.)

TOTAL DUE.....\$ 2,500.00

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 3/7/13) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$2,664.50, represents services and expenses in connection with general advice.)

TOTAL DUE.....\$ 2,664.50

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 2/19/13) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Esterification and Bio Oil Upgrading" - \$2,110.50; "Live Attenuated Catfish Vaccine" - \$1,575.00; "Indian Patent Application" - \$237.50; "Esterification and Bio Oil Upgrading" - \$564.00; "Elusieve Processing CIP Application" - \$461.00 and "Solid Heat Carrier Pyrolysis Reactor" - \$305.50.)

TOTAL DUE.....\$ 5,253.50

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 2/26/13) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Registration - (Bulldog Head)" - \$677.50; "Registration - (Bulldog Head in Miss. State Circle)" - \$677.50; "Registration - (Bulldog with MState)" - \$1,312.50; "Registration - (Cowbell in Miss. State Circle)" - \$381.25; "Registration - (Miss. State Banner)" - \$698.75; "Registration - (Mississippi State University) (words)" - \$1,291.25; "Registration - (Mississippi State University) (crest)" - \$381.25; "Registration - (MState)" - \$2,180.00; "Registration - (Paw Print)" - \$360.00 and "Registration - (Interlocking MS Baseball Trademark)" - \$698.75.)

TOTAL DUE.....\$ 8,658.75

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA**

**LEGAL
APRIL 18, 2013
PAGE 2 OF 2**

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 3/4/13, 3/4/13, 3/5/13, 3/5/13 and 3/5/13) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "8-Aminoquinolines" - \$1,611.00; "8-Aminoquinolines" - \$835.00; "8-Aminoquinolines" - \$1,119.00; "8-Aminoquinolines" - \$718.00 and "8-Aminoquinolines" - \$1,139.00, respectively.)

TOTAL DUE.....\$ 5,422.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 2/18/13) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Highly Purified Amphotericin-B" - \$412.50; "Highly Purified Amphotericin-B" - \$1,983.50 and "Multi-Modal Plate Acoustic Wave Devices" - \$288.50, respectively.)

TOTAL DUE.....\$ 2,684.50

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 2/15/13, 2/19/13 and 3/12/13) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: "Trademark Application for the Centennial Anniversary" - \$112.50; "Self-Repairing Oxetane-Substituted Chitosan Polyurethane Networks" - \$150.00 and "Trademark Application for the Centennial Anniversary" - \$450.00, respectively.)

TOTAL DUE.....\$ 712.50

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 3/5/13) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: "Glycerol Ester-Free Functionalized Vegetable Oil Derivatives and their Latex Compounds" - \$593.75; "Soy Protein Adhesives and Uses Thereof" - \$635.00 and "Nanoencapsulation of Isocyanates via Aqueous Media" - \$1,710.00.)

TOTAL DUE.....\$ 2,938.75

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
April 18, 2013
Page 1 of 6

1. **SYSTEM – 2013 SPRING COMMENCEMENT SCHEDULES**

Alcorn State University

Time/Date: 8:30 a.m., Saturday, May 11, 2013
Location: Davey L. Whitney Health and Physical Education Complex
Speaker: Mr. Marc H. Morial, President and CEO, National Urban League

Delta State University

Time/Date: 10:00 a.m., Saturday, May 4, 2013
Location: Walter Sillers Coliseum
Speaker: Mr. William LaForge, President of Delta State University

Jackson State University

Graduate Commencement Exercises

Time/Date: 6 p.m., Friday, May 3, 2013
Location: Lee E. Williams Athletics and Assembly Center
Speaker: Dr. Hank Bounds, Commissioner of Higher Education, Mississippi
Institutions of Higher Learning

Undergraduate Commencement Exercises

Time/Date: 8 a.m., Saturday, May 4, 2013
Location: Mississippi Veterans Memorial Stadium
Speaker: Mr. Bob Owens, President of the Mississippi Board of Trustees of
State Institutions of Higher Learning

Mississippi State University

Meridian Campus

Time/Date: 11:00 a.m., Friday, May 10, 2013
Location: Riley Center
Speaker: The Honorable Charles Young, Jr., Mississippi House of
Representatives

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
April 18, 2013
Page 2 of 6

Starkville Campus

Bagley College of Engineering; College of Veterinary Medicine; College of Agriculture and Life Sciences; College of Forest Resources; College of Education

Time/Date: 7:00 p.m., Friday, May 10, 2013
Location: Humphrey Coliseum
Speaker: Ms. Janet Marie Smith, Senior Vice President, Planning and Development, Los Angeles Dodgers

College of Arts and Sciences; College of Architecture, Art and Design; College of Business

Time/Date: 10:00 a.m., Saturday, May 11, 2013
Location: Humphrey Coliseum
Speaker: Ms. Janet Marie Smith, Senior Vice President, Planning and Development, Los Angeles Dodgers

Mississippi University for Women

Time/Date: 10:00 a.m. and 1:30 p.m., Saturday, May 11, 2013
Location: Rent Auditorium, Whitfield Hall
Speaker: Dr. Marcella L. McKay, a 1973 MUW graduate who is the Vice President for Nursing and Professional Affairs for the Mississippi Hospital Association and President/CEO for the Mississippi Hospital Association Health, Research and Educational Foundation

Mississippi Valley State University

Time/Date: 8:00 a.m., Saturday, May 11, 2013
Location: Rice-Totten Stadium
Speaker: U.S. Congressman Bennie Thompson

The University of Mississippi

Time/Date: 9:00 a.m., Saturday, May 11, 2013
Location: The Grove
Speaker: Mrs. Myrlie Evers-Williams

The University of Mississippi Medical Center

Time/Date: 10 a.m., Friday, May 24, 2013
Location: Mississippi Coliseum
Speaker: No Speaker

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
April 18, 2013
Page 3 of 6

The University of Southern Mississippi

Time/Date: 10 a.m. and 2:30 p.m., Friday, May 10, 2013
Location: Reed Green Coliseum
Speaker: The Honorable Phil Bryant, Governor of the State of Mississippi

Time/Date: 10:00 a.m., Saturday, May 11, 2013
Location: Mississippi Coast Coliseum
Speaker: Karen Sock, President and CEO of Sock Enterprises, Inc.

2. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL

The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.

- a. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On March 11, 2013, the Commissioner approved the request to enter into a revenue generating lease agreement with Union Station Hair Designers (Union Station). This agreement is for the lease of approximately 392 square feet of space on the first floor of MSU’s Union Building to be used as retail space for a hair salon and/or barber shop. The lease term will run for an initial five (5) year period beginning on the date the agreement is signed and may be extended for an additional five (5) year period upon mutual agreement of the parties provided that written notice is given by Lessee at least ninety (90) days prior to the end of the initial lease term. In return for the lease of the designated space, MSU will receive a monthly payment of rent that will total the greater amount of \$800 or 15% of gross sales. Assuming a monthly payment of \$800, the minimum estimated total rent to be received for a ten (10) year lease term is \$96,000. The University, as Lessor, will provide trash removal and parking for the premises. Utilities and telephone service will also be provided, however Lessee will be charged for monthly usage. The Executive Office legal staff have reviewed and approved the contract documents.
- b. **USM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On March 11, 2013, the Commissioner approved the request to enter into a revenue generating lease agreement with Radiance Technologies, Inc. (RTI), an

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY**

April 18, 2013

Page 4 of 6

intelligence systems applications producer and distributor. This agreement is for the lease of approximately 150 square feet in USM's Accelerator Building to be used as office space for RTI's scientists and professional support personnel. The Commissioner approved an agreement between RTI and USM in November 2010 for the lease of 765 square feet of space in USM's Accelerator Building. The proposed lease agreement is for additional space and is not related to the 2010 agreement. The lease term will run for an initial one (1) year period beginning on the date the agreement is signed and will be extended for up to four additional one (1) year terms unless written notice of termination is given by either party at least sixty (60) days prior to the end of the then current lease term. In return for the lease of the designated space, USM will receive a rent payment of \$3,000 annually. The total to be received for the five (5) year lease term is \$15,000. The University, as Lessor, will provide utilities, janitorial services, routine maintenance and security services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.

- c. **USM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On March 19, 2013, the Commissioner approved the request to enter into a revenue generating lease agreement with Vatican Capital, LLC (Vatican), a Louisiana limited liability company. This agreement is for the lease of approximately 150 square feet of office space in USM's Accelerator Building. Vatican is a technology based investment company that plans to relocate a portion of its staff to Hattiesburg, MS. The proposed area, Space No. 206, is to be as office space for Lessee's staff. The lease term will run for an initial one (1) year period beginning on the date the agreement is signed and will be extended for up to four additional one (1) year terms unless written notice of termination is given by either party at least sixty (60) days prior to the end of the then current lease term. In return for the lease of the designated space, USM will receive an annual rent payment of \$3,000 or, a total of \$15,000 for the five (5) year lease term. The University, as Lessor, will provide utilities, janitorial services and routine maintenance services for the premises. The Executive Office legal staff have reviewed and approved the contract documents.
- d. **USM** – At the February 13, 2013 Emergency Board meeting, the Board delegated to the Commissioner the authority to approve any purchase, contract or other legal document on behalf of the Board necessary to assist USM in dealing with any issues related to the recent tornado damage at the university that may arise in

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY**

April 18, 2013

Page 5 of 6

between meetings of the Board, and to require that any such Commissioner approvals must be reported to the Board at its next meeting. This authority extends until April 18, 2013. In accordance with the above authority, the Commissioner approved the following items.

- i. On March 6, 2013, the Commissioner approved the USM request to contract with a civil engineer to advise about the necessary treatment of the surface under the turf on the football field including drainage. The civil engineering firm selected on March 12, 2013 by Dr. Tom Estes, Vice President of Finance and Administration for USM, was Hellas Sports Construction, a company that specializes in artificial turf installation. This approval is related to the following tornado damage repair item which was reported to the Board at its March 21, 2013 meeting. – On February 10, 2013 a significant quantity of “tornado-weather generated” hazardous debris (i.e., glass) was deposited on the USM artificial “playing” surface located in M.M. Roberts Football Stadium. Based on significant safety and security concerns, two artificial surface firms were consulted and upon inspection concluded that the “playing” surface was unsafe for further use. As a result, the “playing” surface was condemned and barriers erected to ensure no unauthorized entrance to the field. Upon further inspection, it was also determined that the field sub-surface was inadequate relative to water drainage considerations and needed replacement in conjunction with the “playing” surface. Over the past few years, the old sub-surface drainage system has significantly eroded and no longer adequately drains rain water. As a result, the university would like to replace both the sub-surface and the artificial “playing” surface at M.M. Roberts Stadium. Consulting firms have advised that both the “playing” surface and sub-surface components mutually support each other in providing safe field conditions for athletic competition. The university would like to accomplish both projects simultaneously to ensure they are completed correctly and efficiently in restoring the football field back to where the safety of the student-athletes is adequately met. Current estimates have the project lasting approximately twelve weeks focused on a July 15th completion date to provide sufficient time to determine if everything is ready and in good working order. Currently USM is not only losing training time on the field, the University is also losing its recreational and club sports programming on the field as well.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY**

April 18, 2013

Page 6 of 6

- ii. On March 28, 2013, the Commissioner granted approval with Finlo Construction Company, Inc. (Finlo) as construction manager on construction projects related to the university buildings damaged by the February 10, 2013 tornado which includes but is not limited to: Ogletree Alumni House, Southern Hall, McClemore Hall, Kennard-Washington Hall, Marsh Hall, Performing Arts Center, Jazz Station, Leech House, Rape Crisis Center and the Gateway. Finlo will provide usual and customary construction coordination and scheduling, constructability review, cost estimating, and allocation of construction activities among the multiple prime contractors. Finlo will follow the scope of work established by Allred Architectural Group, PA and Albert & Associates.