FINAL BOARD BOOK OUTLINE

Academic Affairs Committee Meeting
May 15, 2014 8:30 a.m.
IHL Boardroom Universities Center

IHL Board Meeting
May 15, 2014 9:00 a.m.
IHL Boardroom Universities Center

Health Affairs Committee Meeting
Immediately Following the Board Meeting
IHL Boardroom Universities Center

CALL TO ORDER

PRAYER
Trustee Ford Dye

INTRODUCTION OF GUESTS

MINUTES
April 24, 2014 Regular Board Meeting
CONSENT AGENDAS
Trustee Aubrey Patterson

FINANCE

1. MSU – Approval of Contractual Service Agreements
   a. United States Postal Service .................................................................1
   b. Mississippi Information Technology Services with Mythics, Inc. ..............2
2. MSU – Approval of Budget Escalation On-Campus Budget ..........................3
3. UM – Approval of Contractual Service Agreement with Robert J. Young Company, Inc. d/b/a RJ Young Co., Inc. .................................................................3
4. UMMC – Approval of Contractual Service Agreements
   a. Hologic, Inc. ............................................................................................5
   b. Mississippi Blood Services, Inc. ..............................................................6
   c. Werfen USA, LLC d/b/a Instrumentation Laboratory ..............................8
   d. Friends of Children’s Hospital to Contract with Haddox, Reid, Eubank, Betts, LLP .........................................................................................................10
   e. Mississippi Information Technology Services’ Acquisition – Clinical Dialysis EHR Software & Billing Services .........................................................11
5. USM – Approval of Contractual Service Agreements
   a. Mississippi Information Technology Services Agreement with Blackboard, Inc. ................................................................................................12
   b. United Healthcare Insurance Company ..................................................13

REAL ESTATE

Approval of Initiations of Projects/Appointments of Professionals

Bureau of Building Projects

1. MVSU – GS 106-253 – College Hall I Renovations, Design Professional – TBD through RFQ Method ..................................................................................3

IHL Projects


Approval of Budget Increases/Changes of Scope/Funding Source(s)

IHL Projects

3. MSU – IHL 205-231 – MSU South Entrance Road, Design Professional – Neel – Schaffer, Inc. ........................................................................................................6
Approval of Other Real Estate Requests

4. MSU – Approval of Master Option to Lease and Ground Lease Agreement with MSU Research and Technology Corporation (MSU – RTC).................................................................7
5. USM – Approval to Grant a Grading and Slope Easement to Lake Forgetful of Mississippi, LLC........................................................................................................9
6. USM – Delete from Inventory and Demolish Building #233 and #234........................10
7. USM – GCRL – Delete from Inventory and Demolish Building #33, Gulf Coast Geospatial Center Modular Unit.....................................................................................11
8. USM – Approval to Amend Terms to Sell Properties Under the Neighborhood Stabilization Program – Jackson, Mississippi.................................................................11

LEGAL

1. MSU - Approval to Renew and Modify Contract with Julie W. Brown as Outside Counsel ..........................................................................................................................1
2. UMMC – Approval to Renew Contract with David Ware and Associates as Outside Counsel ..........................................................................................................................1
3. UMMC – Approval to Renew Contract with Walker & Ungo Immigration Law Firm as Outside Counsel ..............................................................................................................2
4. UMMC – Approval to Contract with Kitchens, Hardwick & Whitfield, PLLC as Outside Counsel ...................................................................................................................3
5. UMMC – Approval to Contract with Watkins and Eager, PLLC as Outside Counsel......3
6. USM – Approval to Modify Contract with Butler, Snow, O’Mara, Stevens and Cannada, LLP as Outside Counsel..................................................................................................3

PERSONNEL

1. Employment (MVSU, UM) .................................................................................................1
2. Change of Status (MUW) .................................................................................................1
3. Resignation (MUW)..........................................................................................................1
4. Tenure (ASU, DSU, JSU, MUW, UM, UMMC, USM).....................................................1
5. Emeritus Status (ASU)......................................................................................................9
6. Retroactive Employment (UMMC) ..................................................................................10
7. Retroactive Tenure (UMMC) ..........................................................................................10

ADMINISTRATION/POLICY

1. ASU - Approval to Award One Honorary Degree .........................................................1
2. SYSTEM - Approval of Amendments to the Strengthening Mississippi Academic Research Through Business Act (Smart Business Act) Guidelines.................................1
REGULAR AGENDAS

ACADEMIC AFFAIRS
Trustee Ford Dye

1. STATE – 2014 Approval of Accreditation of Mississippi Nursing Degree Programs .................................................................1

FINANCE
Trustee Alan Perry

1. SYSTEM – Approval of Contractual Services Agreement with Affiliated FM Insurance Company and Axis Surplus Insurance Company .................................................................1
2. SYSTEM – Approval of FY 2016 Proposed Funding Priorities ........................................2
3. SYSTEM – Approval to Change Board Policy to Add Authority to Prepay Expenses Upon Certain Conditions .................................................................................................3
4. DSU – Approval of Contractual Services Agreement with Aramark Educational Services, LLC .........................................................................................................................4
5. UMMC – Approval of Contractual Services Agreements
   a. Hertz Jackson Two, LLC ........................................................................................................7
   b. The Meridian at Fondren, LLC ...........................................................................................9

REAL ESTATE
Trustee C.D. Smith

Approval of Other Real Estate Requests

1. UMMC - Approval of The Meridian at Fondren Development Related Items
   a. Delete from Inventory and Demolish Buildings LJ (768 Lakeland), LG, LE, LF (802 Lakeland), LC (828 Lakeland), LD (826 Lakeland), LH (838R Lakeland) ..............1
   b. Approval of the Exterior Design for “The Meridian” ..........................................................2

LEGAL
Trustee Doug Rouse

1. UMMC- Approval to Settle Tort Claim No. 1947.................................................................1
2. UMMC – Approval to Settle Tort Claims No. 1596 and 1596A ........................................1
INFORMATION AGENDAS
Commissioner Hank Bounds

REAL ESTATE

SYSTEM – Real Estate Items Approved Subsequent to the April 24, 2014 Board Meeting
   Alcorn State University .................................................. 2
   Mississippi State University ........................................... 2
   Mississippi University for Women .................................... 4
   Mississippi Valley State University ................................. 5
   University of Mississippi ............................................... 5
   University of Mississippi Medical Center ......................... 6
   University of Southern Mississippi .................................. 9

LEGAL

   SYSTEM – Report of Payments to Outside Counsel .................. 1

ADMINISTRATION/POLICY

   1. 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:

April 24, 2014 Regular Board Meeting
BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 26, 2013, to each and every member of said Board, said date being at least five days prior to this April 24, 2014 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. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Dr. Douglas Rouse, and Mr. C.D. Smith. Mr. Shane Hooper was absent. The meeting was called to order by Mr. Aubrey Patterson, President, and opened with prayer by Trustee Alan Perry.

INTRODUCTION OF GUESTS

- Commissioner Hank Bounds welcomed Dr. Al Rankins, President of Alcorn State University, to his first Board meeting in his new role.
- President Patterson welcomed the Student Government Association Officers: Avery Ford, SGA President for Alcorn State University; Zackeus Johnson, SGA President-Elect for Alcorn State University; Sydney Hodnett, SGA President for Delta State University; Mikel Sykes, SGA President-Elect for Delta State University; Charles Cathey, SGA President for Jackson State University; Keonte Turner, SGA President-Elect for Jackson State University; Brett Harris, SGA President-Elect for Mississippi State University; Timothy Mbogo, SGA President for Mississippi University for Women; Sade Meeks, SGA President-Elect for Mississippi University for Women; Brandon Yepez, SGA President for Mississippi Valley State University; Gregory Alston, SGA President for the University of Mississippi; Davis Rogers, SGA President-Elect for the University of Mississippi; Bradley Deere, SGA President of the University of Mississippi Medical Center; Peter Mittwede, SGA President-Elect for the University of Mississippi Medical Center; Ann Marie Chilcutt, SGA President for the University of Southern Mississippi; and Jeffrey George, SGA President-Elect for the University of Southern Mississippi.

APPROVAL OF THE MINUTES

On motion by Trustee Pickering, seconded by Trustee Dye, with Trustees Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on March 20, 2014.
CONSENT AGENDA

At the request of Commissioner Bounds, agenda item #7 was moved to the Regular Finance Agenda. On motion by Trustee Perry, seconded by Trustee Dye, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda as amended.

ACADEMIC AFFAIRS

1. MSU – Approved the establishment of a new academic unit - the Distributed Analytics and Security Institute (DASI). The proposed center will leverage and expand MSU research efforts in the areas of distributed computing, big data analytics, cyber security, and critical infrastructure protection. Over the last 12 years, MSU has established state and national recognition for the development of cyber security research and technologies, especially in the areas of high performance computing security, digital forensics, and critical infrastructure protection (SCADA). DASI will coordinate, facilitate, and expand research activities across academic and research units involved in the application of high performance distributed computing platforms to the areas of big data analytics, cyber security, and critical infrastructure protection. The center will also benefit the state and nation by providing science-based strategies aimed at increasing our ability to process large volumes of data in a highly secure way over a secure infrastructure. The center will help maintain a national leadership position for MSU and Mississippi in distributed big data analytics and cyber security research. DASI will be wholly funded from external resources.

2. System – Approved the following academic unit modifications:
   a. MUW - Rename the Center for Academic Excellence to the Student Success Center. The request is being made in order to provide greater clarity to students, faculty, and staff about the purpose and functions of this office which aims to promote student retention, graduation, and success by providing academic advising, developmental instruction, peer tutoring, and other academic support services to students. The cost of implementation is minimal and will be covered with existing funds.
   b. UM - Rename the Department of Pharmaceutics to the Department of Pharmaceutics and Drug Delivery. The new title reflects the vision of the department to be nationally and internationally distinguished by its research and education in hot melt extrusion technology. The cost of implementation is minimal and will be covered with existing funds.
   c. UM - Reorganize the Department of Medicinal Chemistry; Department of Pharmacology; Department of Pharmacognosy; and the Environmental Toxicology Program by combining faculty who currently have primary appointments in Medicinal Chemistry, Pharmacognosy, and Pharmacology into one department, with the Environmental Toxicology Program to be included in this department. The department will be renamed
the Department of Biomolecular Sciences. The Department of Biomolecular Sciences will provide a successful structure which will be translational, interdisciplinary, and flexible and will enhance collaborations. There will be four new divisions each comprised of the previous departments and research program to maintain graduate program identity. The cost of implementation is minimal and will be covered with existing funds.

d. **UM** - Reorganize the Center for Writing and Rhetoric by transitioning its Center for Writing and Rhetoric to a department. The department will be renamed the Department of Writing and Rhetoric. This reorganization will allow for the eventual recruitment of tenure-track faculty in subsequent years. The present cost of implementation is minimal and will be covered with existing funds. Future costs to include hiring of tenure-track faculty may result in substantial financial obligation.

3. **MVSU** – Approved the request for retroactive approval to reorganize Academic Affairs. As a result of this reorganization, the Chairs of Applied Technology; Business Administration; Criminal Justice; Education; English and Foreign Languages; Fine Arts; Health, Physical Education and Recreation; Mass Communications; Mathematics, Computer & Information Sciences; Natural Science and Environmental Health; Social Sciences; and Social Work will report directly to the Vice President of Academic Affairs. The reorganization is consistent with the mission of the University in that all academic services and programs remain intact; thus, allowing for reallocation of resources to existing programs and services while cutting administrative costs. The cost of implementation will be covered with existing funds.

4. **System** – Approved the academic program modifications as follows:

   a. **ASU** – Rename the B.A. in Sociology and Social Work (CIP 45.1101) degree the B.A. in Sociology (CIP 45.1101) degree. The request to remove “Social Work” from the title results from the Board’s approval of Social Work as an independent degree. The cost of implementation is minimal and will be covered with existing funds.

   b. **DSU** – Rename the B.S. in Music Industry Studies (CIP 50.1099) degree the B.S. in Entertainment Industry Studies (CIP 50.1099) degree. The proposed name change more accurately reflects the broad and comprehensive scope of content offered through the program and better communicates the programmatic intent of instruction through those interdisciplinary areas connected to the entertainment industry. The cost of implementation is minimal and will be covered with existing funds.

   c. **USM** – Rename the B.S. in Community Health Services (CIP 51.2201) degree the B.S. in Public Health (CIP 51.2201) degree. The proposed name change will update the degree title in keeping with the new department name and for consistency with the Master of Public Health and accrediting body, Council of Education in Public Health. Additionally, Public Health is the predominate name/title used by program and schools, making the degree more appealing to prospective students and employers. The cost of implementation is minimal and will be covered with existing funds.
d. USM – Rename the M.S. in Workforce Training and Development (CIP 52.1005) degree the M.S. in Human Capital Development (CIP 52.1005) degree. The proposed name change emphasizes both a research and theory framework as well as a practical application of workplace learning and performance. Additionally, the name change will better position the program to attract research grants and contracts with both a master’s and doctoral program within the same named discipline. The cost of implementation is minimal and will be covered with existing funds.

e. USM – Reorganize the B.A. in Political Science (CIP 45.1001) degree by adding a parallel B.S. in Political Science (CIP 45.1001) degree. The new degree will better prepare students to understand the nature of the discipline and gain expertise in tools that will benefit them in work situations. Additionally, students will be better prepared to pursue advanced educational opportunities, employment, and to be more informed citizens as a result of the change. The cost of implementation is minimal and will be covered with existing funds.

f. DSU – Delete the Hospitality Services Management (CIP 52.0901) degree. The request to delete the program is due to low enrollment. No new students have entered the program since fall 2012. All students who were working toward the degree have graduated. Business students will have the option to obtain a concentration in services management.

5. System – Approved the following degrees to be conferred in Spring 2014 provided each candidate has met all requirements for the degree.

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# April 24, 2014

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**Total**

**656**
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## FINANCE

6. **MSU** – Approved the request to lease 22,392 square feet of space from the Oktibbeha County Economic Development Authority for the Social Science Research Center. The term of the agreement is thirty-eight months starting on May 1, 2014 and ending on June 30, 2017. The cost of the agreement will be $690,768.44. MSU will pay $9.64 per square foot (22,392 square feet) for a total of $215,858.88 per year. This amount will be paid in monthly payments of $17,988.24 for the first two months of the agreement and then in quarterly payments of $53,964.72. In addition, MSU will pay common area costs of $2,278.52 per year. This amount will be paid in monthly payments of $189.88 for the first two months of the agreement and then in quarterly payments of $569.63. The breakdown of payments is included in the bound *April 24, 2014 Board Working File*. Funds are available from grants and contracts awarded to the Social Science Research Center. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

7. **UMMC** – Request to enter into an agreement with Biomet Microfixation, LLC for the purchase of neurosurgical and craniomaxillofacial surgical trays containing implant products, instrumentation and supplies to be used during trauma and elective surgical procedures. The proposed agreement also contains terms allowing for the “consignment” or indefinite loan of an inventory of the components in order for UMMC physicians to have a readily available supply for immediate use. UMMC is not charged for the inventoried components until an item is actually used by a physician. Once used and the usage verified, UMMC will issue a Purchase Order so that Biomet may submit an invoice for payment and can also replenish the inventory. The term of the agreement is for three (3) years beginning on or about May 1, 2014 through April 30, 2017. The total estimated contract cost for the three (3) year term is $3,792,150.35. A breakdown of estimated costs is included in the bound *April 24, 2014 Board Working File*. The
agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office. (THIS ITEM WAS MOVED TO THE REGULAR FINANCE AGENDA FOR CONSIDERATION.)

8. USM – Approved the request to enter into a charter services agreement with Air Planning, LLC, to arrange charter flights for the USM football team during the 2014 football season. The agreement appoints Air Planning as the authorized agent for USM to arrange air charter flights with JetBlue Airways to transport the university’s football team during the 2014 season. The term of the agreement will commence upon execution by both parties after approval by the IHL Board. The term will conclude at the end of the last scheduled flight on November 13, 2014. The total cost estimate of the contract is $411,038.82. This cost includes $388,090 fixed charter rate due in three stipulated amounts. Costs associated with Federal Excise Tax, Segment fees, Passenger Facility Charges, standard beverage services out of PIB and Athletic beverages upon arrival and departure of away destination are included in the fixed fee portion of the contract. The agreement also allows for a fuel price surcharge if the cost of actual fuel prices incurred for a charter flight is greater than the base fuel cost of $3.50 per gallon. The fuel surcharge is currently estimated at $22,948.82. 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 (Athletic). The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

9. USM – Approved the request to enter into an exploration services agreement with Ocean Exploration Trust, Inc., (OET), for the use of the R/V Nautilus, a 210-foot ship operated by the OET, a not-for-profit organization for research. The term of the agreement will be for 14.5 days total. The cruise will begin June 22, 2014 and end July 5, 2014. The expedition will extend over the course of the 13-day cruise leg in June-July 2014 (13 days at sea) and 1.5 days of mobilization/demobilization (1 day mob/0.5 day demob). The total cost estimate of the contract is $593,950. Costs are based on a daily rate of $40,000 for vessel time (14.5 days) and for marine technology support, $8,250 for estimated costs associated with installation and rental of a cold van for coral sample processing, and $5,750 for estimated costs associated with pre-cruise engineering work. The cost for vessel time may be adjusted for actual fuel costs and overall vessel utilization. An initial reservation deposit payment of $178,185 will be issued within one week of executing the agreement and the balance of payments will be based upon receipt of an approved invoice at the beginning of the calendar month following actual services rendered. The agreement will be funded by an externally funded grant entitle Gulf of Mexico Research Initiative from BP Oil – Grant GR04512. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

REAL ESTATE

10. UM – Approved the initiation of IHL 207-381, Kennon Observatory Bus Stop and Plaza, and the appointment Cooke Douglass Farr Lemons Architects & Engineers as the design
professional. The area in the middle of Kennon Observatory, Lewis Hall, Brevard Hall, and the Civil Rights Monument needs to be redesigned to better address accessibility and storm water runoff. The university plans to install a bus stop in this area since this is one of the largest waiting areas for the O.U.T. bus system. The proposed project budget is $1,250,000. Funds are available from Internal R&R ($1,250,000).

11. UM – Approved the request to increase the budget for IHL 207-368, Johnson Commons East Renovation, from $6,400,000 to $7,600,000, an increase of $1,200,000. The project is currently in the design phase. This is the first budget escalation for the project by the university. The budget increase is needed to accommodate an addition to the original project scope that will add a 3rd floor Mezzanine which will increase the useable square footage within the building. Johnson Commons East is a 28,073 square foot, 2-story concrete and masonry structure built in 1929. The lower floor of the building is approximately 60% under grade and has subterranean foundation walls. 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 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. 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 Renovation projects. Funds are available from Internal R&R ($7,600,000).

12. MSU – Approved the request to grant a permanent easement and right-of-way to the City of Starkville for the placement of underground electric power transmission lines in the Thad Cochran Research and Economic Development Park. The permanent easement is for the location, construction, reconstruction, improvements, repairs, operation, inspection, replacement and maintenance of underground electric power and/or communications facilities, or the removal thereof, now or in the future, including but not limited to, manholes, handholes, vaults, conduits, switchgear, termination cabinets, cables, transformers, switches, and any and all other necessary equipment structures, material and appurtenances, now or hereafter used in connection therewith by Grantee over, across, under, or on that land in the County of Oktibbeha, Mississippi. A description of the property is included in the bound April 24, 2014 Board Working File. Grantor expressly does not grant or convey the right to Grantee to install overhead or above-ground electric power and/or communications facilities, transmission lines, transmission poles, or guy wires. Further, only upon mutual agreement of Grantor and Grantee shall Grantee have the right to clear, cut down, condition, treat, or otherwise remove and dispose of trees, timber, undergrowth, and other vegetation. The Grantor shall have the right to use the right-of-way and easement premises described for purposes not inconsistent with Grantee’s full enjoyment of the rights hereby granted, provided that Grantor shall not place, or allow any other person to place,
on the easement right-of-way any structure (permanent, movable, or temporary), building, sign, appliance, equipment, vehicle, antenna, well, or other object in such proximity to the line, wires, system, or equipment that would constitute a danger or hazard or that might cause same to come in contact therewith. Grantee is not bound, obligated or required to remedy any dangerous or hazardous situation created by the Grantor or any other person entity. It is understood and agreed that Grantor’s right to use the right-of-way and easement premises includes, without limitation, the right to construct and use the premises as a parking lot. A copy of the legal description of the access easement is on file with the IHL Office of Real Estate and Facilities. The Attorney General’s Office has reviewed and approved this item.

13. PERSONNEL REPORT

EMPLOYMENT

Delta State University
- David A. Breaux, Dean, College of Arts and Sciences and Professor, Political Science; salary of $124,175, per annum, pro rata; E&G funds; effective July 1, 2014

University of Southern Mississippi
*Hire with Tenure – also reported under Tenure Section below.*
- John Eye; Dean, University Libraries and Professor in University Libraries; salary of $150,000, per annum, pro rata; E&G funds; effective July 1, 2014
- David T. Hayhurst; Dean, College of Science and Technology and Professor, Department of Chemistry and Biochemistry; salary of $205,000, per annum, pro rata; E&G funds; effective August 1, 2014

Correction: IHL Executive Office
- Dr. John M. Hilpert, Correction: *from* independent contractor; *to* Rehired Retiree as part-time IHL employee; effective January 1, 2014

CHANGE OF STATUS

Mississippi State University
- Jason M. Keith, *from* Professor and Director and Endowed Chair, Department of Chemical Engineering; salary of $221,955 per annum, pro rata; E&G Funds; *to* Interim Dean and Professor and Endowed Chair, Department of Engineering; salary of $235,000, per annum, pro rata; E&G Funds; effective March 1, 2014.
- Achille Messac, *from* Dean and Professor and Endowed Chair, Department of Engineering; salary of $300,000 per annum, pro rata; E&G Funds; *to* Professor, Department of Aerospace Engineering; salary of $196,364, per annum, pro rata; E&G Funds; effective March 1, 2014.
Mississippi Valley State University

- Sharon Freeman, from Associate Provost for Institutional Effectiveness, Research and Strategic Planning; to Associate Vice President for Research and Strategic Planning, no salary change; effective March 18, 2014.
- Kenneth L. Done, from Associate Provost for On-Line and Extended Education; to Associate Vice President for Research and Strategic Planning, no salary change; effective March 18, 2014.

**SEPARATION OF EMPLOYMENT**

Mississippi Valley State University

- Danielle Blackwell; Assistant Vice President, University Advancement; effective February 27, 2014

**TENURE**

Mississippi State University

* Nine-month contracts effective August 16, 2014 and twelve-month contracts effective July 1, 2014. All are nine-month contracts unless otherwise noted.

  - Toby Glenn Bates, *promotion* to Associate Professor, Division of Arts and Sciences, Meridian Campus
  - Jerrold Lowell Belant, Associate Professor, Department of Wildlife, Fisheries and Aquaculture
  - Camilo Bulla, *promotion* to Associate Professor, Department of Pathobiology and Population Medicine (*12-month contract*)
  - Guangqing Chi, Associate Professor, Department of Sociology
  - Brandon N. Cline, *promotion* to Associate Professor, Department of Finance and Economics
  - Islam H. El-adaway, *promotion* to Associate Professor, Department of Civil and Environmental Engineering
  - Morgan Brian Farnell, Associate Professor, Department of Poultry Science (*12-month contract*)
  - Yong Fu, *promotion* to Associate Professor, Department of Electrical and Computer Engineering
  - Katherine J. Gilliland, Associate Professor, Department of Kinesiology
  - Hans Curtis Herrmann, *promotion* to Associate Professor, School of Architecture
  - Mark Daniel Hersey, Associate Professor, Department of History
  - David M. Hoffman, *promotion* to Associate Professor, Department of Anthropology and Middle Eastern Cultures
  - Alexandra Hui, *promotion* to Associate Professor, Department of History
  - Ashli Elizabeth Brown Johnson, *promotion* to Associate Professor, Department of Biochemistry, Molecular Biology, Entomology and Plant Pathology (*12-month contract*)
  - Aaron Shawn Kiess, *promotion* to Associate Professor, Department of Poultry Science (*12-month contract*)
  - Vincent Paul Klink, *promotion* to Associate Professor, Department of Biological Sciences
  - Sundar Rajan Krishnan, *promotion* to Associate Professor, Department of Mechanical Engineering
• Jude Matthew Landry, promotion to Associate Professor, Department of Art
• Patricia A. Lathan, promotion to Associate Professor, Department of Clinical Sciences (12-month contract)
• Adam W. Love, promotion to Associate Professor, Department of Kinesiology
• Barton R. Moffatt, promotion to Associate Professor, Department of Philosophy & Religion
• Thomas Heath Morris, promotion to Associate Professor, Department of Electrical and Computer Engineering
• Alan L. Morse, promotion to Associate Professor, Department of Kinesiology
• Keith Aaron Moser, promotion to Associate Professor, Department of Classical and Modern Languages and Literature
• Robert Jarrod Moss, promotion to Associate Professor, Department of Psychology
• Oliver J. Myers, promotion to Associate Professor, Department of Mechanical Engineering
• David S. Nolen, promotion to Associate Professor, MSU Libraries (12-month contract)
• Bonnie Carr O’Neill, promotion to Associate Professor, Department of English
• Joel O. Paz, promotion to Associate Professor, Department of Agricultural and Biological Engineering
• Andy D. Perkins, promotion to Associate Professor, Department of Computer Science and Engineering
• Ginger B. Pizer, promotion to Associate Professor, Department of English
• Gautam Rupak Lan Tai Moong, promotion to Associate Professor, Department of Physics and Astronomy
• Ryan Patrick Semmes, promotion to Associate Professor, MSU Libraries (12-month contract)
• Donald Murry Shaffer, Jr., promotion to Associate Professor, Department of English
• James William Sobaskie, Associate Professor, Department of Music
• Laura Marler Templeton, promotion to Associate Professor, Department of Management and Information Systems
• James Robert Thompson, promotion to Associate Professor, Department of Philosophy and Religion
• Angela Varela-Stokes, promotion to Associate Professor, Department of Basic Sciences (12-month contract)
• Jason Morgan Ward, Associate Professor, Department of History
• Benjamin Wax, Jr., promotion to Associate Professor, Department of Kinesiology
• Heather E. Webb, promotion to Associate Professor, Department of Kinesiology
• Lakeisha Nicole Williams, promotion to Associate Professor, Department of Agricultural & Biological Engineering
• Fei Yu, promotion to Associate Professor, Department of Agricultural and Biological Engineering
• Dongmao Zhang, Associate Professor, Department of Chemistry

University of Mississippi
Twelve-month contract with an effective date of June 16, 2014.
• Daphne Cain; Chair and Associate Professor of Social Work (New hire with tenure; twelve-month contract)
University of Southern Mississippi

- John Eye; Dean, University Libraries and Professor in University Libraries; effective July 1, 2014 (New hire with tenure; twelve-month contract)
- David T. Hayhurst; Dean, College of Science and Technology and Professor, Department of Chemistry and Biochemistry; effective August 1, 2014 (New hire with tenure; twelve-month contract)

**SABBATICAL**

Mississippi State University

- Benjamin S. Magbanua, Jr., Associate Professor, Civil and Environmental Engineering, from salary of $81,318 per annum, pro rata; E&G Funds; to salary of $40,659 for sabbatical period; effective August 16, 2014 to May 15, 2015; professional development

**EMERITUS STATUS**

University of Mississippi Medical Center

- Victor “Greg” Chinchar, Ph.D.; Professor Emeritus of Microbiology (Effective July 1, 2014)

**ADMINISTRATION/POLICY**

14. **System** – Approved the appointment of Trustee Alan Perry, to serve on the Mississippi Educational Television A.K.A. Mississippi Public Broadcasting (MPB) Board for the remaining term of Dr. Al Rankins’ four-year term which ends on June 30, 2015. On March 15, 2012, the Board appointed Dr. Al Rankins to serve as the IHL Board’s representative to the MPB Board for the remaining time of Trustee Amy Whitten’s four-year term which ended on June 30, 2012 and for a new four-year term beginning July 1, 2012. With the recent employment of Dr. Rankins as president of Alcorn State University, a new appointee to the MPB Board must be approved by the Senate at the next legislative session.

15. **System** – Approved the appointment of individuals to serve on the Mississippi University Research Authority (Mura) in accordance with the Mississippi University Research Authority Act.

By virtue of the Act, the following are MURA Members:
- Vice President of the Board of Trustees – Mr. Alan Perry
- Executive Director of the Mississippi Development Authority – Mr. Brett Christianson or his Designee
- President of the Mississippi Resource Development Corporation – Mr. Paul Sumrall

July 1, 2014 – June 30, 2015. Mr. Sumrall will also represent Dr. Hank Bounds who is an Ex Officio, non-voting member as Commissioner of Higher Education.
FINANCE AGENDA
Presented by Trustee Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Perry, seconded by Trustee Rouse, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to move agenda items #4 - #7 to the Health Affairs Committee agenda and authorize the committee to take appropriate action after proper review. On motion by Perry, seconded by Trustee Dye, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #8.

1. **System** – Approved the request to enter into a new multi-year agreement for annual external audit services with KPMG, LLP. The current agreement expires on or about July 29, 2014. The last audit period covered under that agreement was for fiscal year end June 30, 2013. This new agreement will begin with the 2014 fiscal reporting period. The purpose of the agreement is to secure external audit services for the entire IHL System for a term of the four (4) annual reporting periods of Fiscal Years Ending June 30, 2014, 2015, 2016 and 2017. The agreement will become effective upon full execution of all parties. The agreement will expire 120 days after the conclusion of the last services performed. The total contracted price for this agreement is equal to $2,949,500. A breakdown of the annual payments is included in the bound *April 24, 2014 Board Working File*. Payments are all-inclusive (include travel and other out-of-pocket costs). Contractual costs will be shared amongst the IHL institutions based upon each one’s proportionate share of the worked audit hours. E&G funding sources will be the primary means for these payments. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

2. **System** – Approved the overview of the FY 2015 appropriations from the Legislature and the final allocation of Education & General Support appropriations to the eight universities along with Legislative earmarks, subsidiary programs, agricultural units, and the University of Mississippi Medical Center. *(See Exhibit 1.)*

3. **System** - Approved the request that any FY 2015 salary increases 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.

4. **UMMC** – Request to enter into a lease agreement with Bondurant Holden Partnership to lease 4,341 square feet of clinical office space for use by UMMC- Grenada. This is a new lease agreement that will replace an existing lease between Bondurant Holden and Grenada Lakes Medical Center. This agreement provides clinical office space for women’s health services in a location adjacent to the UMMC- Grenada Hospital. The term of the agreement is for five (5) years, May 1, 2014 through April 30, 2019. The total cost for the five (5) year lease term is $308,428.05. This amount includes monthly rent and Common Area Maintenance fee. The current agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office. *(THIS ITEM WAS SENT TO THE HEALTH AFFAIRS COMMITTEE FOR CONSIDERATION.)*

5. **UMMC** – Request to enter into a lease agreement with Green Realty Management Corporation to lease 15,465 square feet of space in Grenada, MS to house a wellness and/or rehabilitation center. This is a new lease agreement that will replace an existing lease between Green and Grenada Lakes Medical Center. The term of the agreement is for three (3) years, May 1, 2014 through April 30, 2017. The total cost for the three (3) year lease term is $226,800. UMMC will pay $75,600 annually for the lease of the property. The current agreement will be funded by patient revenues and the collection of Membership dues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office. *(THIS ITEM WAS SENT TO THE HEALTH AFFAIRS COMMITTEE FOR CONSIDERATION.)*

6. **UMMC** – Request to enter into a professional services agreement with Sellers Dorsey for the purpose of developing and assisting with the implementation of a Physician Upper Payment Limit (UPL) Program for the State of Mississippi. The Physician UPL Program will allow UMMC to maximize federal Medicaid payments for physician payments. Currently, UMMC participates in the Inpatient Upper Payment Limit Program administered by the Mississippi Division of Medicaid. UMMC’s participation in this program has led to significant Medicaid payments for inpatient services; however, the program does not include supplemental payment for physician services. Pursuant to this agreement, Sellers Dorsey will design the Physician UPL Program, assist in obtaining federal approval for the program, and implementing the program by targeting physician practices affiliated with UMMC. This is a two (2) year agreement effective May 1, 2014 through April 30, 2016. The total cost of this agreement is $495,000. The following is a breakdown of the annual cost of the agreement: Year 1 - $325,000, Year 2 - $150,000, and Non-travel expense $20,000. A return on investment is expected by UMMC. Initial estimates indicate that this plan, upon receipt of federal approval, may generate an additional $5.0 million annually to the medical center. The agreement will be funded by general funds. The agreement which has been reviewed and approved by the Attorney General’s Office
7. UMMC – Request to enter into an agreement with Biomet Microfixation, LLC for the purchase of neurosurgical and craniomaxillofacial surgical trays containing implant products, instrumentation and supplies to be used during trauma and elective surgical procedures. The proposed agreement also contains terms allowing for the “consignment” or indefinite loan of an inventory of the components in order for UMMC physicians to have a readily available supply for immediate use. UMMC is not charged for the inventoried components until an item is actually used by a physician. Once used and the usage verified, UMMC will issue a Purchase Order so that Biomet may submit an invoice for payment and can also replenish the inventory. The term of the agreement is for three (3) years beginning on or about May 1, 2014 through April 30, 2017. The total estimated contract cost for the three (3) year term is $3,792,150.35. A breakdown of estimated costs is included in the bound April 24, 2014 Board Working File. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office. (THIS ITEM WAS SENT TO THE HEALTH AFFAIRS COMMITTEE FOR CONSIDERATION.)

8. UMMC – Pending receipt of approval from the Attorney General and the Mississippi Department of Finance and Administration, the Board approved the request to enter into an Affiliation Agreement with Mississippi Methodist Hospital and Rehabilitation Center (MRC) to completely align the academic and research missions with one comprehensive clinical program on the UMMC campus that is inclusive to all patients. This agreement will consolidate inpatient rehabilitation operations with MRC at the UMMC campus. The Wilson Research Foundation is joining in the agreement as to particular provisions. This is a new agreement for the alignment of the academic and research missions of UMMC and MRC. The agreement will create an academic institute, making use of mutual facilities, staff, and support functions. This is a twenty-five (25) year agreement with five (5) automatic renewal periods of four (4) years each for a total possible term of forty-five (45) years; however the term may not extend beyond the expiration or earlier termination of the lease. UMMC will continue to operate rehabilitation services in conjunction with MRC along with the subsequent creation of an institute and academic program. A breakdown of what UMMC will receive from MRC in support is included in the bound April 24, 2014 Board Working File. The agreement is on file in the Board Office. IHL Attorney General’s staff approval is pending receipt of approval from the Attorney General and the Mississippi Department of Finance and Administration.
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
April 24, 2014

LEGAL AGENDA
Presented by Trustee Doug Rouse, Chair

On motion by Trustee Rouse, seconded by Trustee Perry, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to move agenda items #1 and #2 to the Executive Session Agenda.

1. UMMC – Settlement of IHL Self-Insured Workers’ Compensation Program Claims No. 55-22780-1 and 55-34615-1. (THIS ITEM WAS TAKEN UP DURING EXECUTIVE SESSION.)
2. UMMC – Settlement Tort Claim No. 1993 Mary Maranda Williams. (THIS ITEM WAS TAKEN UP DURING EXECUTIVE SESSION.)

INFORMATION AGENDA
Presented by Commissioner Hank M. Bounds

FINANCE
1. ASU - The Board of Trustees approved a Fleet Management Lease Agreement between ASU and Enterprise FM Trust in October 2012. The lease agreement operates as an “open-ended” lease which provides ASU with flexibility regarding the number and type of vehicles it acquires during the lease term; however, the total cost and number of vehicles acquired does not change. Along with the documents submitted for review and approval, ASU included a list of the type and quantity of vehicles it anticipated leasing over the term of the agreement. ASU has made a revision to the proposed vehicle list that includes the following: an increase in the anticipated number of mid-sized sedans to be leased from twelve (12) to twenty-two (22); an increase in the anticipated number of compact pickup trucks to be leased from six (6) to seven (7); and, the addition of SUVs as a type of vehicle that ASU may opt to lease. A current copy of the proposed vehicle list is on file at the university.

REAL ESTATE
2. System – The Board received the Real Estate items that were approved by the Board staff subsequent to the March 20, 2014 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 2.)

LEGAL
3. System – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 3.)
ADMINISTRATION/POLICY

4. System – 2014 Spring Commencement Schedules

**Alcorn State University**
Time/Date: 8:30 a.m., Saturday, May 10, 2014
Location: Davey L. Whitney Health and Physical Education Complex
Speaker: Bishop Joseph W. Walker, III, Mount Zion Baptist Church-Nashville, TN

**Delta State University**
Time/Date: 10:00 a.m., Saturday, May 10, 2014
Location: Walter Sillers Coliseum
Speaker: Dr. William C. Bell, President and CEO of Casey Family Programs

**Jackson State University**
Graduate Commencement Exercises
Time/Date: 6:00 p.m., Friday, May 2, 2014
Location: Lee E. Williams Athletics and Assembly Center
Speaker: Ms. Cheryl Pearson-McNeil, Senior Vice President, Public Affairs and Government Relations, The Nielsen Company

Undergraduate Commencement Exercises
Time/Date: 8:00 a.m., Saturday, May 3, 2014
Location: Mississippi Veterans Memorial Stadium
Speaker: Mr. Byron Pitts, Anchor & Chief National Correspondent, ABC News

**Mississippi State University**
Meridian Campus
Time/Date: 11:00 a.m., Friday, May 16, 2014
Location: Riley Center
Speaker: Rep. Gregg Harper, Third Congressional District, Mississippi

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 16, 2014
Location: Humphrey Coliseum
Speaker: Ms. Ertharin Cousin, Executive Director, The World Food Programme

College of Arts and Sciences; College of Architecture, Art and Design; College of Business
Time/Date: 10:00 a.m., Saturday, May 17, 2014
Location: Humphrey Coliseum
Speaker: Ms. Ertharin Cousin, Executive Director, The World Food Programme
5. **System** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.

   a. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than $100,000.” On March 10, 2014, the Commissioner approved the request to renew the revenue generating 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 thirty-six (36) month period beginning on or about March 1, 2014 and ending February 28, 2017. 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 total amount paid
to MSU for the three (3) year lease term is $75,000. The Executive Office legal staff
have reviewed and approved the contract documents.

b. **UM** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all
revisions to annual budgets which do not increase the total amount of the budgets must be
approved by the Commissioner prior to implementation and subsequently reported to the
Board. On March 27, 2014, the Commissioner approved the request for revisions to the
Off Campus Budget, the Center for Supercomputing Research Budget, Small Business
Development Center Budget, and Center for Manufacturing Excellence Budget for Fiscal
Year 2014. The Executive Office financial staff have reviewed and approved these
revisions. These budget revisions contain no increases in the total budget but rather
reallocations among individual expense categories. A copy of the documents is on file in
the Board Office.

c. **UM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts,
“The Commissioner is authorized and empowered to approve non-oil, gas and mineral
leases in an amount equal to or less than $100,000.” On April 2, 2014, the Commissioner
approved the request to amend a lease agreement with Joe Poppenheimer Management,
LLC (“Lessor”). This amendment is for the lease of an additional 1,050 square feet of
space in Southaven, Mississippi for the University of Mississippi – DeSoto campus. The
location will provide both office space and graduate seminar classroom space for UM –
DeSoto and is connected to property currently leased by UM – DeSoto from the Lessor.
The lease amendment has been reviewed and approved by the Mississippi Department of
Finance and Administration. The lease term will run for a six (6) month period, April 1,
2014 through September 30, 2014. UM will pay $1,450 per month for the lease of the
space. The total cost for the lease term is $8,700. The agreement is funded by tuition
funds generated at UM – DeSoto. The Executive Office legal staff have reviewed and
approved the contract documents.

d. **UM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts,
“The Commissioner is authorized and empowered to approve non-oil, gas and mineral
leases in an amount equal to or less than $100,000.” On April 2, 2014, the Commissioner
approved the request to enter into a multi-year lease with the University of Mississippi
Foundation (Foundation). This agreement is for the lease of a property owned by the
Foundation and located at 104 Resin, Taylor Mississippi. The property will be used by
UM for a variety of purposes related to the furtherance of UM’s educational mission.
The lease term will run for a five (5) year period, from on or about April 1, 2014 through
March 31, 2019. UM will pay $15,000 annually for the lease of the property. The total
cost for the lease term is $75,000. In addition to rent costs, UM will provide minor
maintenance for the property related to normal wear and tear. The Executive Office legal
staff have reviewed and approved the contract documents.
e. **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 April 2, 2014, the Commissioner approved the request to enter into a revenue generating lease with the LDC Corp. (LDC). This agreement is for the lease of approximately 197.50 acres of land in Madison County, MS. The acreage will be used for hunting and fishing purposes. The lease term will run for an initial three (3) year period, approximately April 1, 2014 through approximately March 31, 2017 and may be extended for up to three (3) additional one (1) year terms. In return for the lease of the acreage, UMMC will receive an annual rent payment of $5,000 or, a total of $30,000 for the six (6) year lease term. The Executive Office legal staff have reviewed and approved the contract documents.

f. **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 April 7, 2014, the Commissioner approved the request to enter into a lease agreement with Hattiesburg Eye Clinic, P.A. (Hattiesburg). (As background, University Physicians, who has merged its operations with UMMC, currently leases the space.) The agreement is for the lease of medically equipped and furnished clinical space in the Hattiesburg Eye Clinic facility located at 100 West Hospital Drive, Hattiesburg, MS. The area will be used by UMMC Ophthalmology physicians for the provision of specialized care to patients in this area of the State. UMMC physicians will be on-site either one (1) or two (2) days per month for patient consultation and supervision. The lease will run for a five (5) year period, commencing on or about April 1, 2014 through March 31, 2019. UMMC will pay a maximum of $13,200 annually for the lease of the space. The total cost for the lease term will not exceed $66,000. Hattiesburg, as Lessor, will provide utilities, and, customary maintenance for the building, grounds and parking lot. The Executive Office legal staff have reviewed and approved the contract documents.

g. **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 April 7, 2014, the Commissioner approved the request to enter into a lease agreement with Routt Eye Clinic (Routt). (As background, University Physicians, who has merged its operations with UMMC, currently leases the space.) The agreement is for the lease of medically equipped and furnished clinical space in the Routt Eye Clinic facility located at 107 and 109 South Natchez St., Kosciusko, MS. The area will be used by UMMC Ophthalmology physicians for the provision of specialized care to patients in this area of the State. UMMC physicians will be on-site either one (1) or two (2) days per month for patient consultation and supervision. The lease will run for a five (5) year period, commencing on or about April 1, 2014 through March 31, 2019. UMMC will pay a
maximum of $12,000 annually for the lease of the space. The total cost for the lease term will not exceed $60,000. Routt, as Lessor, will provide utilities, and, customary maintenance for the building, grounds and parking lot. The Executive Office legal staff have reviewed and approved the contract documents.

h. **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 April 7, 2014, the Commissioner approved the request to enter into a lease agreement with Eye Clinic of Meridian, PLLC (Meridian). (As background, University Physicians, who has merged its operations with UMMC, currently leases the space.) The agreement is for the lease of medically equipped and furnished clinical space in the Eye Clinic of Meridian facility located at 1301 20th Avenue, Meridian, MS. The area will be used by UMMC Ophthalmology physicians for the provision of specialized care to patients in this area of the State. UMMC physicians will be on-site one (1) day per month for patient consultation and supervision. The lease will run for a five (5) year period, commencing on or about April 1, 2014 through March 31, 2019. UMMC will pay $3,300 annually for the lease of the space. The total cost for the lease term is $16,500. Meridian, as Lessor, will provide utilities, and, customary maintenance for the building, grounds and parking lot. The Executive Office legal staff have reviewed and approved the contract documents.

i. **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 April 7, 2014, the Commissioner approved the request to enter into a lease agreement with CTM Eye Clinic, LLC (CTM). (As background, University Physicians, who has merged its operations with UMMC, currently leases the space.) The agreement is for the lease of medically equipped and furnished clinical space in the CTM Eye Clinic facility located at 1206 Mission 66, Vicksburg, MS. The area will be used by UMMC Ophthalmology physicians for the provision of specialized care to patients in this area of the State. UMMC physicians will be on-site six (6) days annually (1 day every other month) for patient consultation and supervision. The lease will run for a five (5) year period, commencing on or about April 1, 2014 through March 31, 2019. UMMC will pay $1,800 annually for the lease of the space. The total cost for the lease term is $9,000. CTM, as Lessor, will provide utilities, and, customary maintenance for the building, grounds and parking lot. The Executive Office legal staff have reviewed and approved the contract documents.

j. **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 April 7, 2014, the
Commissioner approved the request to enter into a lease agreement with The Eye Center of Natchez, Inc. (Natchez). (As background, University Physicians, who has merged its operations with UMMC, currently leases the space.) The agreement is for the lease of medically equipped and furnished clinical space in The Eye Center of Natchez facility located at 10 Vision Lane, Natchez, MS. The area will be used by UMMC Ophthalmology physicians for the provision of specialized care to patients in this area of the State. UMMC physicians will be on-site six (6) days annually (1 day every other month) for patient consultation and supervision. The lease will run for a five (5) year period, commencing on or about April 1, 2014 through March 31, 2019. UMMC will pay $1,650 annually for the lease of the space. The total cost for the lease term is $8,250. Natchez, as Lessor, will provide utilities, and, customary maintenance for the building, grounds and parking lot. The Executive Office legal staff have reviewed and approved the contract documents.

ANNOUNCEMENTS

- President Patterson noted that the next Board meeting will be Thursday, May 15, 2014 in Jackson, MS. The Health Affairs Committee will meeting immediately following the Board meeting.

EXECUTIVE SESSION

On motion by Trustee Perry, seconded by Trustee Cummins, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not is should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Pickering, with Trustee Hooper 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 three state university personnel matters and
- Discussion of three state university litigation matters.

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

On motion by Trustee Dye, seconded by Trustee Pickering, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim #1993, styled as Mary Maranda Williams vs. UMMC, et al., as recommended by counsel.
On motion by Trustee Robinson, seconded by Trustee Pickering, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of the IHL Self Insured Workers’ Compensation Program Claims No. 55-22780-1 and 55-34615-1 styled as Leonard Bouchillon vs. UMMC, et al., as recommended by counsel.

On motion by Cummins, seconded by Smith, with Trustee Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve the request of Dr. Mark Keenum, President of Mississippi State University, to accept the nomination to the Board of Directors of the International Fertilizer Development Center (IFDC), a public international organization addressing critical issues such as international food security, the alleviation of global hunger and poverty, environmental protection, and the promotion of economic development and self-sufficiency.

The Board discussed two state university personnel matters. No action was taken.

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

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Perry, seconded by Trustee Smith, with Trustee Hooper 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
EXHIBITS

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<tr>
<th>Exhibit 1</th>
<th>FY 2015 Appropriations and Final Appropriation Allocation</th>
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<td>Exhibit 2</td>
<td>Real Estate items that were approved by the IHL Board staff subsequent to the March 20, 2014 Board meeting.</td>
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<td>Exhibit 3</td>
<td>Report of the payment of legal fees to outside counsel.</td>
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Fiscal Year 2015
Appropriation Allocation

Finance Committee Presentation

Dr. Hank Bounds, Commissioner

April 24, 2014
### Alcorn State University
### Education & General Budget

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### Education & General Budget

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## Mississippi State University
### Education & General Budget

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Mississippi University for Women
Education & General Budget

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EXHIBIT 1

University of Mississippi
Education & General Budget

<table>
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<tr>
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<th>Dollar Change</th>
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<td>Dollar Change</td>
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<td>--------------------------------</td>
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## IHL System
### Education & General Budget

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</table>
EXHIBIT 2
April 24, 2014

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
March 20, 2014 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. **ASU– GS 101-278 – Lanier Hall Renovations**
   - **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff
     approved **Change Order #2** in the **credit amount** of $5,240.00 and one hundred
     fourteen (114) 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 4, 2014
   - **Change Order Justification:** Change Order #2 is necessary to add for leveling of the
     first floor, deduct of concrete benches and deduct of the wheelchair lift installation.
   - **Total Project Change Orders and Amount:** Two (2) change orders for a total amount
     of $91,415.10.
   - **Project Initiation Date:** May 14, 2009
   - **Design Professional:** Waycaster and Associates
   - **General Contractor:** Barnard & Sons Construction, LLC.
   - **Project Budget:** $1,800,000.00

2. **ASU– GS 101-292 – Bowles Hall Renovations**
   - **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff
     approved **Change Order #1** in the amount of $961.24 and forty-three (43) additional
     days to the contract of Flagstar Construction. Approval is requested from the Bureau of
     Building, Grounds, and Real Property.
   - **Staff Approval Date:** March 11, 2014
   - **Change Order Justification:** Change Order #1 is necessary to extend the contract time
     due to using agency’s delay in moving out of the facility, to demolish & remove two (2)
     7’x7’x6’ concrete structures from the site, to replace deteriorated relieving angles in lieu
     of repairing at the south elevation, to revise the duct work above the new board room due
     to two (2) concrete beams that conflict with the designed installation, to delete building
     dimensional lettering, to credit for lower controls bid than allowance, and to remove &
     replace the deficient 2” slab at the first floor and replace with a 4” slab to match the
     adjacent slabs.
   - **Total Project Change Orders and Amount:** One (1) change order for a total amount of
     $961.24.
EXHIBIT 2
April 24, 2014

Project Initiation Date:  August 18, 2011
Design Professional:  Burris/Wagnon Architects, P.A.
General Contractor:  Flagstar Construction
Project Budget:  $8,200,000.00

3. **JSU– GS 103-277 – Library Envelope Repairs**

   Staff Approval #1:  In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Burris/Wagnon Architects, P.A., design professional.  Approval is requested from the Bureau of Building, Grounds, and Real Property.

   Staff Approval #2:  In accordance with Board Policy §904 (A) Board Approval, Board staff **approved request to advertise for receipt of bids.**  Approval is requested from the Bureau of Building, Grounds, and Real Property.

   Staff Approval Date:  February 21, 2014
   Project Initiation Date:  February 20, 2014
   Design Professional:  Burris/Wagnon Architects, P.A.
   General Contractor:  TBD
   Project Budget:  $1,550,000.00

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

   Staff Approval:  In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Tyler Construction Group Corporation.  Approval is requested from the Bureau of Building, Grounds, and Real Property.

   Staff Approval Date:  March 20, 2014
   Project Initiation Date:  August 19, 2010
   Design Professional:  Pryor & Morrow Architects and Engineers, P.A.
   General Contractor:  Tyler Construction Group Corporation
   Project Budget:  $3,775,077.33

5. **MSU– Access and Maintenance Easement with the City of Starkville**

   Interim Approval:  In accordance with Board Policy §904 (B) Board Approval, **Interim Chair Approval** was granted by Mr. C.D. Smith, Chair of the Real Estate and Facilities Committee on March 5, 2014 to allow Mercantile Street to be used by the public and requiring the City of Starkville to maintain it.

   Interim Approval Date:  March 5, 2014

6. **MSU– Access Easement with cooley Center, LLC, Cooley Center Hotel, LLC, and Russell Street Development, LLC**

   Interim Approval:  In accordance with Board Policy §904 (B) Board Approval, **Interim Chair Approval** was granted by Mr. C.D. Smith, Chair of the Real Estate and Facilities Committee on March 5, 2014 to allow them to access Mercantile Street and the cul de sac for purposes of ingress, egress, passage and delivery.

   Interim Approval Date:  March 5, 2014
7. **MSU– IHL 205-272 (Phase One Base Building) Campus Services Shop Building**  
   **Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Michael T. Muzzi, AIA, AUA.  
   **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 18, 2014  
   **Project Initiation Date:** March 21, 2013  
   **Design Professional:** Michael T. Muzzi, AIA, AUA.  
   **General Contractor:** TBD  
   **Project Budget:** $2,000,000.00

8. **MVSU– GS 106-201 – Library Enhancements**  
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of $28,590.74 and seventy-five (75) 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 11, 2014  
   **Change Order Justification:** Change Order #7 is necessary to add for weather days due to abnormal delays, additional costs & time for chiller operation, for book security relocation and additional site grading.  
   **Total Project Change Orders and Amount:** Seven (7) change orders for a total amount of $1,740,779.11.  
   **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

9. **UM– IHL 207-354 – Honors College Renovation and Addition**  
   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **award of contract** to Hooker Construction, Inc.  
   **Staff Approval Date:** March 7, 2014  
   **Project Initiation Date:** November 17, 2011  
   **Design Professional:** The McCarthy Company Design Group, P.A.  
   **General Contractor:** Hooker Construction, Inc.  
   **Project Budget:** $6,600,000.00

10. **UM – IHL 207-361 – Lamar Hall Phase IIIB**  
    **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of $25,232.96 and eight (8) additional days to the contract of D. Carroll Construction, LLC.  
    **Staff Approval Date:** February 27, 2014  
    **Change Order Justification:** Change Order #3 is necessary to change sloped roof insulation to 3/8” due to the existing low roof concrete deck sloping 2 inches away from the drains, to relocate a disconnect switch on the 1st floor mezzanine from Office – M114
to electric – M119 due to the reconfiguration of the rooms, for additional electrical to power four VAV boxes in the multi-purpose M213 not indicated on the electrical drawings, additional electrical to power 24 fire smoke dampers at various locations in the building also not indicated on the drawings and to replace existing leaking gate valves at the second floor water mains.

**Total Project Change Orders and Amount:** Three (3) change orders for a total amount of $351,773.35.

**Project Initiation Date:** August 16, 2012  
**Design Professional:** Barlow Eddy Jenkins Architects & Engineers  
**General Contractor:** D. Carroll Construction, LLC  
**Project Budget:** $7,800,000.00

11. **UM– IHL 207-378 – New Student Housing at Northgate**  
**Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture.  
**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 3, 2014  
**Project Initiation Date:** March 21, 2013  
**Design Professional:** Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture  
**General Contractor:** TBD  
**Project Budget:** $18,000,000.00

12. **UM – Demolition of the Rebel Shop**  
**Interim Approval:** In accordance with Board Policy §904 (B) Board Approval, **Interim Chair Approval** was granted by Mr. C.D. Smith, Chair of the Real Estate and Facilities Committee on March 11, 2014 for **demolition of the Rebel Shop** as part of the new Multi-Purpose Facility project. The Rebel Shop is currently located on part of the site that will become parking and UM has requested that this be expedited so they may proceed with the demolition in order to stay on schedule.  
**Interim Approval Date:** March 11, 2014

**Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **award of contract** to Endevco, Inc.  
**Staff Approval Date:** March 26, 2014  
**Project Initiation Date:** February 15, 2014  
**Design Professional:** Precision Engineering Corporation  
**General Contractor:** Endevco, Inc.  
**Project Budget:** $1,450,000.00
EXHIBIT 2
April 24, 2014

14. UMMC – IHL 209-532 – Cardiovascular Renovations
   Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff
   approved Change Order #13 in the amount of $18,387.00 and zero (0) additional days to
   the contract of Fountain Construction Company, Inc.
   Staff Approval Date: March 4, 2014
   Change Order Justification: Change Order #13 is necessary for an additional data
   rack to adhere to the current hospital standards, the scrub dispenser ordered requires a
dual data drop to be connected into the hospital network, the ice machines required for
this application require a more expensive product and the additional cost is to upgrade
from the generic model that was in the contract documents.
   Total Project Change Orders and Amount: Thirteen (13) change orders for a total
amount of $549,983.84.
   Project Initiation Date: February 18, 2010
   Design Professional: Cooke, Douglass, Farr, Lemons Architects & Engineers, P.A.
   General Contractor: Fountain Construction Company, Inc.
   Project Budget: $20,182,526.00

15. UMMC– IHL 209-548 – School of Medicine - Utilities
   Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff
   approved Change Order #1 in the amount of $8,772.00 and fourteen (14) additional
days to the contract of Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint
Venture.
   Staff Approval Date: March 3, 2014
   Change Order Justification: Change Order #1 is necessary to reroute 1600 linear feet
   of a communication ductbank to avoid the footprint of Garage C (beyond the original
scope). A directional bore of approximately 400 linear feet at a depth to avoid existing
utilities, etc. will replace the original 1600 linear feet of trench dug ductbank.
   Total Project Change Orders and Amount: One (1) change order for a total amount of
$8,772.00.
   Project Initiation Date: August 15, 2013
   Design Professional: Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint
Venture
   General Contractor: Fountain Construction Company, Inc.
   Project Budget: $10,000,000.00

16. USM– IHL 210-243 – Marine Education Center – Cedar Point
   Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board
staff approved Design Development Documents as submitted by Lake/Flato Architects.
   Staff Approval Date: February 21, 2014
   Project Initiation Date: March 21, 2013
   Design Professional: Lake/Flato Architects
   General Contractor: TBD
   Project Budget: $13,205,000.00
**EXHIBIT 3**  
April 24, 2014

**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 3/1/14) from the funds of Mississippi State University. (This statement, in the amount of $55.00, represents services and expenses in connection with labor certifications.)

<table>
<thead>
<tr>
<th>TOTAL DUE</th>
<th>$55.00</th>
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Payment of legal fees for professional services rendered by Evans Petree (statements dated 6/17/13 and 2/10/14) from the funds of the University of Mississippi. (These statements, in the amounts of $3,390.00 and $368.75, respectively, represent services and expenses in connection with general legal advice.)

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Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 2/20/14, 2/21/14 and 3/11/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $320.00, $2,945.00 and $3,965.00, respectively, represent services and expenses in connection with general legal advice.)

<table>
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<th>TOTAL DUE</th>
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</table>

Payment of legal fees for professional services rendered by Kitchens Hardwick (statements dated 2/10/14, 2/10/14, 2/12/14, 3/3/14, 3/3/14, 3/3/14 and 3/3/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $511.50, $726.00, $3,217.50, $7,425.00, $3,217.50, $7,045.50 and $1,204.50, respectively, represent services and expenses in connection with general legal advice.)

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Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 5/21/13, 9/19/13, 10/29/13, 11/15/13 and 11/15/13) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $23,255.90, $8,223.45, $39,357.78, $3,069.75 and $10,170.05, respectively, represent services and expenses in connection with general legal advice.)

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<th>TOTAL DUE</th>
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Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 2/21/14 and 2/26/14) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $1,258.26 and $3,648.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE……………………………………………………………..$ 4,906.26

Payment of legal fees for professional services rendered by Mayo Mallette (statements dated 2/10/14 and 3/10/14) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $627.00 and $808.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE……………………………………………………………..$ 1,435.50

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 2/13/14, 3/14/14, 3/14/14, 3/14/14 and 3/14/14) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Steele-Penmetsa- Water Repellent Solids Non-Prov.” - $579.20; “Esterification of Bio Oil Upgrading” - $47.50; “Steele-Penmetsa - Water Repellant Solids” - $408.00; “Laser-Induced Breakdown Specimen Analysis” - $38.00 and “Device that Interacts with Target Applications” - $38.00, respectively.)

TOTAL DUE……………………………………………………………..$ 1,110.70

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 2/19/14) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Process and Catalyst for Converting Biomass/Municipal Solid Wastes (MSW) Derived from Nitrogen-Rich Syngas to Liquid Hydrocarbon Mixture” - $6,918.00 and “Klink- Nematode Resistance Genes and Methods of Their Use” - $3,235.50.)

TOTAL DUE……………………………………………………………..$ 10,153.5

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 2/27/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stuttering Inhibition Device” - $3,072.00 and “Device for Demonstrating Components of a Vector” - $355.00.)

TOTAL DUE………………………………………………………………$ 3,427.00
Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 2/25/14, 2/28/14, 2/28/14 and 3/5/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions for the Prevention /Prophylactic Treatment of Poison Ivy Dermatitis” - $1,450.00; “Highly Selective Sigma Receptor Ligands” - $980.00; “Highly Selective Sigma Receptor Ligands” - $2,150.00 and “Highly Selective Sigma Receptor Ligands and Radioligands as Probes in Nociceptive Processing and Pathophysiological Study of Memory Deficits and Cognitive Disorders” - $3,650.00, respectively.)

TOTAL DUE…………………………………………………………………. $ 8,230.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 4/22/13, 4/22/13, 9/20/13, 9/20/13 and 1/14/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $378.00, $1,806.50, $458.30, $318.20 and $5,296.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE…………………………………………………………………. $ 8,257.00

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 1/27/14, 2/13/14, 2/13/14 and 2/27/14) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Lockhead - Oil Dispersant Patent” - $48.00; “Urban -- Covalent Attachment of Bacteriophages to Plymeric Surfaces” - $1,080.00; “Self Repairing Oxetane-Substituted Chitosan Polyurethane Networks” - $3,351.50 and “Lockhead - Oil Dispersant Patent” - $1,900.50, respectively.)

TOTAL DUE…………………………………………………………………. $ 6,380.00

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 2/4/14) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “The Abbey Program/British Studies Program/The Compass Program - Trademark/Copyright” - $783.75; “Compositions for Protection of Skin Against Thermal Insult” - $1,425.00; “Application for Registration of D.E.E.P. Comprehension Service Mark” - $237.50; “Nanoencapsulation of Isocyanates via Aqueous Media” - $1,377.50; “RNA Containing Coenzymes, Biotin or Fluorophores, and Methods for Their Preparation and Use” - $166.25 and “SportEvac Trademark” - $142.50.)

TOTAL DUE…………………………………………………………………. $ 4,132.50
CONSENT

AGENDAS
1. **MSU-REQUESTS FOR APPROVAL OF CONTRACTUAL SERVICE AGREEMENTS**

   a. **Agenda Item Request:** Mississippi State University (MSU) requests permission to lease approximately 6,146 square feet of space to the United States Postal Service for a full-service, on-campus postal facility.

   The agreement requires MSU to renovate the leased space prior to occupancy by USPS. Therefore, the start date and the end date of the agreement are dependent on completion of renovations to the leased space and occupancy of the leased space by USPS.

   MSU requests approval of an initial five-year term and any renewal terms provided there are no increases in leased space or decreases in rental payments in any subsequent terms.

   **Contractor’s Legal Name:** United States Postal Service (USPS)

   **History of Contract:** In August 1996, MSU and USPS entered into a lease agreement for space in the YMCA Building. However, this building will soon undergo renovations. The Roberts Building had been occupied by the laundry, but, with the decision to close the laundry, space is now available for a postal facility.

   **Specific type of contract:** Lease Agreement

   **Purpose:** The purpose of the agreement is for USPS to lease space to operate a full-service, on-campus postal facility for faculty, staff, students, and guests.

   **Scope of Work:** MSU will lease to USPS approximately 6,146 square feet of space in the Roberts Building. USPS will use this space to operate a full-service, on-campus postal facility for faculty, staff, students, and guests.

   MSU will renovate the leased space to USPS requirements according to mutually approved plans and will maintain the leased space in a state of tenantable repair. USPS will be responsible for expenses associated with moving USPS equipment, furniture, and accessories to the leased space and will be responsible for utilities consumed or used incident to the leased space.

   **Term of contract:** The term of the agreement is five years. USPS can renew the agreement for two additional five-year terms.
The start date and end date of the agreement are dependent on completion of renovations to the leased space and occupancy of the leased space by USPS. MSU requests approval of an initial five-year term and any renewal terms provided there are no increases in leased space or decreases in rental payments in any subsequent terms.

**Termination Options:** USPS can terminate the agreement at the end of any five-year term by failing to renew the agreement. MSU accepts this termination option due to the expenses the university will incur renovating the leased space.

**Contract Amount:** USPS will pay MSU $20,448 per year in equal monthly payments of $1,704 for the term of the agreement. For a fifteen-year agreement, the revenue generated by the agreement will be $306,720.

**Funding Source for Contract:** Not applicable as this agreement generates revenue.

**Contractor Selection Process:** Not applicable as USPS is the only provider of postal services.

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of leases in an amount greater than $100,000. Pending receipt, review, and approval of the final agreement by the Attorney General’s Office, Board staff recommends approval of this item.

b. **MSU – MISSISSIPPI INFORMATION TECHNOLOGY SERVICES AGREEMENT WITH MYTHICS, INC.**

The following document represents the approval of the MS-ITS Board of the continuation of a contractual agreement with Mythics, Inc. for the provision of Oracle software licenses and related support services for Mississippi State University (MSU). The Attorney General’s staff assigned to the MS-ITS will review the agreement prior to its execution. The agreement is between Mythics, Inc. and MS-ITS on behalf of MSU.

See next page.
Memorandum

To: Craig P. Orgeron, Ph.D.

Date: March 7, 2014

Re: Recommendation for Project No. 41155 for the continuation of the Agreement with Mythics, Inc. for support of Oracle software licenses and services for MISSISSIPPI STATE UNIVERSITY (MSU)

I. BACKGROUND

On April 26, 2013, MSU received ITS Board approval for the selection of Oracle America, Inc. as the lowest vendor responding to Letter of Configuration (LOC) Number 40161 based on General RFP No. 3670 for the acquisition of an Oracle Software License and Services Agreement. The Board also gave approval for the State to negotiate a contract with Mythics, Inc. as the next lowest vendor in the event that contract negotiations with Oracle were unsuccessful. The State was not able to negotiate a contract with Oracle America, Inc. and the award to Oracle America Inc. was rescinded. Following successful negotiations, the State executed a contract with Mythics, Inc. at a three-year lifecycle cost of $2,020,512.46. This cost was $336,518.54 less than the $2,357,031.00 cost originally proposed by Mythics and approved by the ITS Board.

Historically, Oracle has not allowed resellers to extend contract terms to be longer than three years. Mythics recently informed the State that for a limited time Oracle is offering longer term, multi-year support agreements. Mythics has proposed to extend MSU’s current support agreement, capping the cost for Years 4, 5, and 6 at the Year 3 cost of $620,419.35. The table below compares current yearly costs, assuming Mythics’ standard annual 3% increase, against the cost of the proposed multi-year renewal. The table also shows the annual savings should MSU proceed with this renegotiated multi-year renewal.

<table>
<thead>
<tr>
<th>Year of Support</th>
<th>Current Support with 3% Increase</th>
<th>Support on Multi-Year Renewal</th>
<th>Savings from Multi-Year Renewal</th>
</tr>
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<tbody>
<tr>
<td>Year 4</td>
<td>$639,031.93</td>
<td>$620,419.35</td>
<td>$18,612.58</td>
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<tr>
<td>Year 5</td>
<td>$658,202.89</td>
<td>$620,419.35</td>
<td>$37,783.54</td>
</tr>
<tr>
<td>Year 6</td>
<td>$677,948.98</td>
<td>$620,419.35</td>
<td>$57,529.63</td>
</tr>
<tr>
<td>Totals</td>
<td>$1,975,183.79</td>
<td>$1,861,258.05</td>
<td>$113,925.74</td>
</tr>
</tbody>
</table>
II. RECOMMENDATION

The staffs of ITS and MSU jointly recommend approval of the continuation of this Agreement with Mythics, Inc. through June 30, 2019, in an amount not to exceed $1,861,258.05 for support on Oracle software licenses and services. With this continuation, the revised total not-to-exceed lifecycle cost of this project is $3,881,770.51.

III. SOURCE OF FUNDS

Funding will come from the MSU Education and General Fund.

Tangela Harrion, Technology Consultant
2. **MSU – REQUEST FOR APPROVAL OF BUDGET ESCALATION ON CAMPUS BUDGET**

   MSU requests approval to escalate the FY 2014 MSU On-Campus budget from $259,815,785 to $264,103,284. The increase of $4,287,499 is primarily from non-resident tuition revenue realized above the original budget and is applied to instructional salaries and scholarships.

<table>
<thead>
<tr>
<th>Categories</th>
<th>Original FY 2014 Operating Budget</th>
<th>Revisions/ Escalations</th>
<th>Revised FY 2014 Operating Budgets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages, &amp; Fringe Benefits</td>
<td>$174,109,369</td>
<td>$2,363,869</td>
<td>$176,473,238</td>
</tr>
<tr>
<td>Travel &amp; Subsistence</td>
<td>902,451</td>
<td>59,967</td>
<td>962,418</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>72,570,619</td>
<td>(2,072,417)</td>
<td>70,498,202</td>
</tr>
<tr>
<td>Commodities</td>
<td>2,740,031</td>
<td>652,223</td>
<td>3,392,254</td>
</tr>
<tr>
<td>Capital Outlay:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Than Equipment</td>
<td>2,198,522</td>
<td>(2,286)</td>
<td>2,196,236</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,082,799</td>
<td>1,845,852</td>
<td>2,928,651</td>
</tr>
<tr>
<td>Transfers:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mandatory</td>
<td>54,435</td>
<td>30,489</td>
<td>84,924</td>
</tr>
<tr>
<td>Non-Mandatory</td>
<td>6,157,559</td>
<td>1,409,802</td>
<td>7,567,361</td>
</tr>
<tr>
<td>Increase in Fund Balance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$259,815,785</strong></td>
<td><strong>$4,287,499</strong></td>
<td><strong>$264,103,284</strong></td>
</tr>
</tbody>
</table>

   **Staff recommendation:** Board Policy Section 701.06 requires that “all escalations to the annual budgets of the several institutions and separately budgeted units must be submitted through the Commissioner to the Board for approval prior to implementation.” Board staff recommends approval.

3. **UM-REQUESTS FOR APPROVAL OF CONTRACTUAL SERVICE AGREEMENT**

   **Agenda Item Request:** The University of Mississippi (UM) requests permission to rent twenty-seven copiers from Robert J. Young Company, Inc. d/b/a RJ Young Co, Inc. for use by the Athletics Department.

   **Contractor’s Legal Name:** Robert J. Young Company, Inc. d/b/a RJ Young Co, Inc. (RJ Young)
**History of Contract:** This agreement will be the third consecutive rental agreement between UM and RJ Young for copiers. The current agreement will expire on June 30, 2014.

This agreement will be for the same number of copiers as the current agreement. However, due to increased purchasing power with Canon, this agreement will decrease the current cost per month by $1,628.27.

**Specific type of contract:** Rental Agreement

**Purpose:** The purpose of the agreement is for RJ Young to rent twenty-seven copiers to UM for use by the Athletics Department.

**Scope of Work:** RJ Young will rent twenty-seven copiers to UM including the ability to make one hundred and eighty-eight thousand black-and-white copies/prints per month. In addition, RJ Young will provide software and services to render the copiers continually operational for the term of the agreement. This includes – but is not limited to – parts, labor, toner, and drums.

UM will pay .008 for each black-and-white copy/print in excess of one hundred and eighty-eight thousand per month and will pay .0459 for each color copy/print. In addition, UM will supply paper and staples for the copiers.

**Term of contract:** The term of the agreement is sixty months starting on the date the agreement is signed by both parties. There are no automatic renewals and no options to purchase.

**Termination Options:** Termination options include the following:

- by mutual agreement;
- by either party upon default by the other party if such default is not cured within thirty days of written notice;
- by UM upon ten days written notice in the event of a reduction in funds; and
- by UM if RJ Young fails to comply with applicable e-verify provisions.

**Contract Amount:** The cost of the sixty-month agreement is $497,442.00.

UM will pay a rental payment of $8,290.70 per month. This payment will include one hundred and eighty-eight thousand black-and-white copies/prints per month. Black-and-white copies/prints in excess of one hundred and eighty-eight thousand will be billed quarterly at .008 each. All color copies/prints will be billed quarterly at .0459 each.
Due to increased purchasing power with Canon, this agreement will decrease the current cost per month by $1,628.27.

Funding Source for Contract: Athletics Department Operating Funds

Contractor Selection Process: RJ Young is a Canon, Ricoh, and Lexmark authorized dealer listed on the Department of Finance and Administration’s negotiated state contract for copiers. The company was selected based on past performance within the Athletics Department as well as for continuity with equipment already in place.

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

4. UMMC-REQUESTS FOR APPROVAL OF CONTRACTUAL AGREEMENTS

a. Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to modify the total expenditure amount applicable to its reagent rental agreement with Hologic, Inc. to purchase supplies and lease equipment for use in genetic serology screening for patients at risk for thrombosis. The rental cost for the equipment is included in the cost of the reagents.

Contractor’s Legal Name: Hologic, Inc. (Hologic)

History of Contract: The Board approved a five (5) year purchase, usage and maintenance agreement in October 2012 for the term, December 1, 2012 through November 30, 2017. The agreement was for testing supplies and instruments for UMMC’s Cytopathology Department. Subsequently, in June 2013, the Commissioner approved an attachment to the 2012 agreement. The attachment provided for the provision of equipment used in performing genetic serology screening procedures and was for a three (3) year term, August 2, 2013 through August 1, 2016.

Specific Type of Contract: Reagent rental agreement.

Purpose: The purpose of this request is to increase the total expenditure amount applicable to the current agreement for equipment and/or related supplies used for Molecular testing. The equipment is used by UMMC’s main clinical laboratory for performing genetic screening procedures in an effort to identify those patients who are at risk of developing thrombosis.
Scope of Work: The terms of the original agreement remain the same and include the following: the use of a Tecan Infinite Microplate Reader; Reader service and preventative maintenance; a computer; and, Theramal Cyclers. In exchange, UMMC agrees to a minimum purchase of consumables.

Term of Contract: The term of the agreement remains at three (3) years – August 2, 2013 through August 1, 2016.

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

- material breach by either party under the agreement upon thirty (30) days written notice of opportunity to cure by the non-breaching party,
- at any time by either party upon sixty (60) days written notice,
- 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,
- in the event either party becomes the subject of insolvency, bankruptcy, or receivership,
- at any time upon thirty (30) days written notice,
- reduction of funds, and
- a breach by Hologic of any representations and warranties to UMMC as specified in the Standard Terms and Conditions Addendum.

Contract Amount: The modified total estimated cost for the contract period is $192,057.74. The originally approved cost was $43,911.13; therefore, UMMC is requesting approval of $148,146.61 over the originally approved total. The request to spend additional funds is due to a rise in the volume of testing being performed.

Funding Source of Contract: The agreement will be funded by patient revenues.

Contractor Selection Process: N/A. This is a modification to an existing agreement.

Staff Recommendation: Based on Board Policy 707.01, Board approval prior to the execution of leases in an amount greater than $100,000 is required. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item. Board staff recommends approval of this item. (As the Board is being asked to provide approval to modify the total expenditure amount of the agreement, no additional approval by the Attorney General’s Office is required.)

b. Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with Mississippi Blood Services, Inc., a
non-profit organization, for the provision of blood and blood related products to UMMC Grenada.

Contractor’s Legal Name: Mississippi Blood Services, Inc. (MBS)

History of Contract: This is a new agreement although MBS is the current provider of blood and blood related products for UMMC Hospitals and Clinics in Jackson.

Specific Type of Contract: Purchase agreement.

Purpose: The purpose of this agreement is for the provision of a continuous supply of blood and blood products for patients at UMMC Grenada who require human blood and/or blood product transfusions.

Scope of Work: Under the agreement, MBS will furnish UMMC with an inventory stock of blood commensurate with UMMC Grenada’s normal daily needs and will attempt to locate and provide rare or special unit blood when needed.

UMMC Grenada agrees to recruit donors and to sponsor a minimum of four (4) hospital sponsored blood drives each year. In addition, UMMC Grenada agrees to garner community support for MBS by contacting businesses and individuals on behalf of MBS.

Term of Contract: The term of the agreement is for five (5) years beginning on or about June 1, 2014 through May 31, 2019.

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

- at any time upon thirty (30) days written notice,
- reduction of funds,
- a breach by MBS of any representations and warranties to UMMC as specified in the Standard Terms and Conditions Addendum,
- a breach by MBS of the Business Associate Addendum,
- 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, and
- failure by MBS to comply with the federal E-Verify Program.

Contract Amount: The total estimated contract cost for the five (5) year contract term is $1,802,807.97. Based on historical data, UMMC Grenada estimates spending $23,000 per month for the first year of the agreement. Beginning in Year 2 of the agreement and each year thereafter, there is the potential for a monthly price increase
based on increases in patient need and in the cost of blood processing fees. A breakdown of costs follows.

<table>
<thead>
<tr>
<th>Year</th>
<th>Monthly Average</th>
<th>8% Increase In Patient Need</th>
<th>5% Increase In Cost of Blood Processing</th>
<th>Yearly Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>$ 23,000.00</td>
<td>$ 1,840.00</td>
<td>$ 1,242.00</td>
<td>$ 276,000.00</td>
</tr>
<tr>
<td>Year 2</td>
<td>$ 23,000.00</td>
<td>$ 2,086.56</td>
<td>$ 1,408.43</td>
<td>$ 312,984.00</td>
</tr>
<tr>
<td>Year 3</td>
<td>$ 26,082.00</td>
<td>$ 2,366.16</td>
<td>$ 1,597.16</td>
<td>$ 354,923.86</td>
</tr>
<tr>
<td>Year 4</td>
<td>$ 29,576.99</td>
<td>$ 2,683.22</td>
<td>$ 1,811.18</td>
<td>$ 402,483.65</td>
</tr>
<tr>
<td>Year 5</td>
<td>$ 33,540.30</td>
<td>$ 2,978.04</td>
<td>$ 2,051.45</td>
<td>$ 456,416.46</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>$ 1,802,807.97</td>
</tr>
</tbody>
</table>

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** MBS, a non-profit organization, is the current distributor of human blood and blood products to UMMC’s Hospitals and Clinics.

**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.

c. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a reagent rental agreement with Werfen USA, LLC d/b/a Instrumentation Laboratory for blood gas testing equipment and supplies for the UMMC Hospital Clinical Laboratory.

**Contractor’s Legal Name:** Werfen USA, LLC d/b/a Instrumentation Laboratory (IL)

**History of Contract:** While this is a new agreement, UMMC has utilized IL’s equipment and supplies since approximately 2001.

**Specific Type of Contract:** Reagent rental agreement.

**Purpose:** Under the agreement, IL will provide usage and maintenance of blood gas analyzer equipment in return for a commitment by UMMC to purchase a minimum amount of blood gas analyzer cartridges and supplies. The purchase cost for the
cartridges and supplies used in conjunction with the equipment includes the rental fee for the equipment.

**Scope of Work:** IL will provide the following:

- eighteen (18) GEM Premier 4000 instruments,
- eighteen (18) GEM web Plus 200 Virtual software licenses,
- equipment maintenance, and
- GEM 4000 cartridges and supplies.

**Term of Contract:** The contract term remains at five (5) years, beginning on or about June 1, 2014 through May 31, 2019.

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

- by either party for a material breach of the terms of the agreement and thirty (30) days notice of opportunity to cure,
- by UMMC upon thirty (30) days notice and payment of a buy-out fee,
- reduction of funds,
- 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,
- failure by IL to comply with the federal E-Verify Program, and
- a breach by IL of any representations and warranties to UMMC as specified in the Standard Terms and Conditions Addendum.

**Contract Amount:** The total five (5) year cost is estimated to be $2,378,767.89 for the cartridges and supplies that UMMC commits to purchase.

Beginning June 1, 2017 and each June 1st thereafter for the term 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 Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, as released by the U.S. Labor Department, Bureau of Labor Statistics. UMMC estimates a maximum rate adjustment of 4% yearly in the event IL opts to impose a price adjustment on UMMC.
The annual estimated costs including a potential 4% rate adjustment are as follows:

<table>
<thead>
<tr>
<th>Contract Year</th>
<th>Annual Payment Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$464,457.96</td>
</tr>
<tr>
<td>2</td>
<td>$464,457.96</td>
</tr>
<tr>
<td>3</td>
<td>$464,457.96</td>
</tr>
<tr>
<td>4</td>
<td>$483,036.28</td>
</tr>
<tr>
<td>5</td>
<td>$502,357.73</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,378,767.89</strong></td>
</tr>
</tbody>
</table>

**Funding Source of Contract:** The agreement will be funded by patient revenues.

**Contractor Selection Process:** IL 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, Board approval prior to the execution of leases in an amount greater than $100,000 is required. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

d. **Agenda Item Request:** Friends of Children’s Hospital, an affiliated entity of the University of Mississippi Medical Center requests approval to engage the following CPA firm to conduct its annual audit for fiscal year 2014.

**Contractor’s Legal Name:** Haddox, Reid, Eubank, Betts, LLP

**Justification:** As per Board Policy 301.0806 D.9., the Certified Public Accounting (CPA) firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior to the end of the Entity’s fiscal year for which the audit will be conducted.

**Staff Recommendation:** Based on Board Policy 301.0806 D.9., University Foundation/Affiliated Entity Agreements, the CPA firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior to the end of the Entity’s fiscal year for which the audit will be conducted. Board staff recommends approval of this item.
e. UMMC – MISSISSIPPI INFORMATION TECHNOLOGY SERVICES’ ACQUISITION

The following document represents the agenda item submission prepared by the Mississippi Information Technology Services’ (MS-ITS) executive staff for its April 17, 2014 Board meeting. The Attorney General’s staff assigned to MS-ITS will review the agreement prior to its execution. The agreement for Clinical Dialysis EHR software and billing services will be between Infian and MS-ITS on behalf of UMMC.

See next page.
DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES
BOARD MEETING AGENDA

Location: ITS Board Room
ITS Office Building
3771 Eastwood Drive
Jackson, Mississippi 39211

Date: Thursday, April 17, 2014

Time: 11:00 A.M.

Agenda:

➢ Call to Order

➢ Introduction of Guests

➢ Agenda Item No. 1: Approval of March 20, 2014 minutes

Project for Preliminary Approval of Technology Plan and Procurement Approach, Exemptions, and Planned Purchase Requests is as follows:

➢ Agenda Item No. 2: Jill Chastant and Mark Allen, CSIO will present an overview and request to issue Letter of Configuration (LOC) Number 41118, based on General RFP No. 3742, for the acquisition of project management services for the MISSISSIPPI DEPARTMENT OF HUMAN SERVICES (MDHS). The staffs of ITS and MDHS jointly request approval to publish LOC No. 41118 for the acquisition of project management services for the MDHS.

Projects for Approval of the Recommended Selection/Award are as follows:

➢ Agenda Item No. 3: Curtis Ritchey and Dr. Luis Juncos, Professor School of Medicine will present the evaluation and recommendation of proposals received in response to RFP No. 3743-39854 for the acquisition of Clinical Dialysis EHR software and billing services for the UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC). The staffs of ITS and UMMC jointly recommend the selection of Infinian, as lowest and best vendor responding to RFP No. 3743, to provide Clinical Dialysis EHR software and billing services, at a total 5-year life cycle cost of $1,439,835.20.

➢ Agenda Item No. 4: Patti Irgens and Clay Johnston, MIS Director, will present the recommendation for Project No. 41112 for the continuation of the Agreement with Chop on the Lake Productions for software support and customization for the MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY (MDPS). The staffs of ITS, DFA and MDPS jointly recommend approval of the continuation of this Agreement with Chop on the Lake Productions, Inc. through June 30, 2015, in an amount not to exceed $26,800.00 for SFAS software support and customization. With this continuation, the revised total not-to-exceed lifecycle cost of this project is $526,009.00.

➢ Agenda Item No. 5: Kenny Wilson and Rita Rutland, Chief Systems Information Officer (CSIO), will present the recommendation for Project No. 41239 for the continuation of the

Revised 4/16/14
To: Craig P. Orgeron, Ph.D.

Date: April 15, 2014

Re: Evaluation and recommendation of proposals received in response to RFP No. 3743-39854 for the acquisition of Clinical Dialysis EHR software and billing services for the UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC)

I. BACKGROUND

The University of Mississippi Medical Center is an 837 bed acute care facility located on a 164-acre campus in Jackson, Mississippi. At the Jackson campus, UMMC operates one general acute teaching hospital and three specialty teaching hospitals. This RFP is for services at the three Outpatient Renal Dialysis Centers, one of which is located at the UMMC Campus and two centers which are located at the Jackson Medical Mall, 350 West Woodrow Wilson Avenue, Jackson, MS.

The proposed Clinical Dialysis Electronic Health Records (EHR) software will need to support three outpatient dialysis centers and a total of 41 in-unit dialysis stations and 78 home dialysis units. This encompasses a patient load of approximately 180 in-center patients and approximately 80 home dialysis patients. There are currently eight nephrologists, eight Fellows (Residents) and four nurse practitioners handling the patient load. Yearly growth is expected to be 10 home dialysis patients and 1 physician per year. There are currently 10 personal computers monitoring the in-center dialysis stations which are also used for data entry. There is no remote monitoring of home dialysis units.

Billing services were also requested from all vendors as this functionality is provided by the current vendor.

II. PROPOSAL RESULTS

The release of RFP No. 3711 was approved by the ITS Board on February 21, 2013, and published May 9, 2013. Proposals were due on June 10, 2013. UMMC received 1 proposal from Inian. The vendor’s proposal was rejected because they took exception to a mandatory requirement.

RFP No. 3729 was published September 17, 2013, and proposals were due on October 25, 2013. UMMC received proposals from 5 vendors: Cybemlus Medical Ltd, Gaia Software LLC, Quantitative Medical Systems, Renal Billing, and Visonex LLC. Four of the vendor’s proposals were rejected because they did not meet all the mandatory requirements. The other vendor was rejected by UMMC as being unacceptable.
RFP No. 3743 was published December 4, 2013, and proposals were due on January 21, 2014. UMMC received proposals from 6 vendors: Cybermius Medical Ltd, Gaia Software LLC, Infinan, Quantitative Medical Systems, Renal Billing, and Visonex LLC. Proposals were evaluated by UMMC and ITS staff and one vendor’s proposal was rejected for not meeting the 80% Technical Gate.

A Best and Final Offer (BAFO) request with additional requirements was issued to the 5 remaining vendors. The BAFOs were due on March 25, 2014, and all 5 vendors responded. Three vendors were eliminated for not meeting the Meaningful Use requirement. UMMC reserved the right to eliminate vendors who did not meet this requirement.

The remaining two proposals were evaluated by UMMC and ITS staff, and the results are summarized below.

<table>
<thead>
<tr>
<th>Category Description</th>
<th>Cost</th>
<th>Vendor Requirements</th>
<th>Vendor Hosted Requirements</th>
<th>Clinical Software Requirements</th>
<th>Billing</th>
<th>Cost</th>
<th>Sub-Total</th>
<th>Value Add</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possible Points</td>
<td>4</td>
<td>3</td>
<td>28</td>
<td>20</td>
<td>45</td>
<td>100</td>
<td>105</td>
<td>5</td>
<td>105</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Scoring for Each Vendor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cybermius</td>
<td>$1,750,453.00 3.23 1.80 23.65 18.00 35.29 81.97 0 81.97</td>
</tr>
<tr>
<td>Infinan</td>
<td>$1,439,835.20 2.60 2.70 22.40 16.67 45.00 89.37 0 89.37</td>
</tr>
</tbody>
</table>

III. RECOMMENDATION

The staffs of ITS and UMMC jointly recommend the selection of Infinan, as lowest and best vendor responding to RFP No. 3743, to provide Clinical Dialysis EHR software and billing services, at a total 5-year life cycle cost of $1,439,835.20.

IV. SOURCE OF FUNDS

The funding source is the Clinical SOM-Medicine-NEPHROL Department.

[Signature]

Curtis Ritchey, Technology Consultant

Attachment: Project Proposal and Business Case
PROJECT PROPOSAL AND BUSINESS CASE

PROJECT IDENTIFICATION

<table>
<thead>
<tr>
<th>Agency/Division/Program Area</th>
<th>University of Mississippi Medical Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Manager</td>
<td>Rick Whitehead, <a href="mailto:rwhitehead2@umc.edu">rwhitehead2@umc.edu</a>,</td>
</tr>
<tr>
<td></td>
<td>601-815-9940</td>
</tr>
<tr>
<td>Name of Project</td>
<td>Dialysis Billing System</td>
</tr>
<tr>
<td>IT Plan Project Number</td>
<td>150120</td>
</tr>
<tr>
<td>Date Prepared</td>
<td>April 10, 2014</td>
</tr>
</tbody>
</table>

CURRENT SITUATION AND BUSINESS NEED FOR THE PROJECT

The University of Mississippi Medical Center's (UMMC) current Dialysis Billing System is inadequate to meet the current needs of the Dialysis Centers and is not being maintained to acceptable levels by the vendor.

PROJECT GOALS AND OBJECTIVES

UMMC is seeking a Dialysis Billing System to be utilized by the hospital's three dialysis centers to provide clinical monitoring and record keeping of dialysis machines, billing for services, medication tracking, laboratory tracking and billing, and automated reporting to government agencies databases.

- BUSINESS DRIVERS/AGENCY PRIORITY
  - Dialysis specific Electronic Health Records
  - Direct interface to Dialysis Lab
  - Flexibility in billing software and billing company
  - Compliance with HIPAA, CMS and JCAHO standards
  - Anticipated lifespan of 5+ years before replacement or major upgrade

- ANTICIPATED BENEFITS:
  - Lower billing costs due to enhanced billing software
  - Higher patient care quality and safety
  - Increase in staff efficiencies
    - Reduced time for ordering supplies
    - Reduced time for scheduling services
  - Ability to reduce or redirect staff
  - Cost avoidance and/or reduction
  - Increase in collections
  - Improved fraud detection/prevention
  - Reduced billing errors
  - Soft Benefits
    - Additional services provided
    - Increased quality of service
    - Improved decision support
- Meet Statutory Requirements
- Compliance with HIPAA, CMS and TJC standards
- Compliance with Crown Web reporting

PROPOSED SOLUTION

Issue an RFP for a new Dialysis Billing System to replace the current system.

CRITICAL SUCCESS FACTORS

- Provides clinical monitoring and record keeping of dialysis machines
- Billing for services
- Medication tracking
- Laboratory tracking and billing
- Automated reporting to government agencies

RISKS

- Lower patient care quality and safety
- Higher operating costs due to extra time spent on billing and laboratory tasks
- Higher billing costs due to lack of flexibility in vendors
- Lack of compliance with statutory requirements resulting in non-reimbursements
- Delayed purchases of patient-care supplies

ASSUMPTIONS

- The budget allocation is sufficient to fund all costs of the project
  - The funding source is the Clinical SOM-Medicine-NEPHROL Department
- Resources are available and will be scheduled to ensure deadlines are met

DEPENDENCIES

N/A

COLLABORATION

N/A

IMPACT IF NO ACTION TAKEN

- Hamper patient care
- Put patients at risk
- Puts staff and hospital at risk
TECHNICAL ENVIRONMENT AND HOSTING

The Data Center will provide the following functions and services:

- Medical record repository
- Medical Record/software licenses
- Data Center / RDBMS operation (HIPAA compliant)
- Help desk / pager service (24x7)
- Firewall/VPN operation
- Encrypted/secure communications
- Nightly backup
- Automated off-site backup storage
- Disaster recovery plan/facilities

INFORMATION TECHNOLOGY SECURITY

UMMC policies are compliant with HIPAA, CMS and JCAHO standards. All UMMC employees must follow these procedures to access data.

Access to the medical record is first governed by two logon processes, one at the operating system level, the second at the user level. A user must have an account and password for both the operating system and the medical record.

Within the medical record, access is governed by the role/clinical discipline of the user, which provides default data access (access to specific medical record-keeping areas) as well as clinical function access (access to specific medical record-keeping functions, e.g. medication order administration). Data access is provided to individual users on four levels: view, create, modify and discard.

Access to individual screens is defined by data level access; access to modify individual fields on a given screen is defined by clinical function based access.

DISASTER RECOVERY / BUSINESS CONTINUITY

UMMC has a Disaster Recovery Plan to prepare UMMC in the event of disruptions affecting corporate local area networks (LAN), wide area networks (WAN), Internet access and wireless network services due to factors beyond our control (e.g., natural disasters or man-made events). This plan will also guide restoration of network integrity and normal operations to the widest extent possible in a minimum time frame. All UMMC locations that are connected to the WAN are expected to implement preventive measures whenever possible to minimize operational disruptions and to recover as rapidly as possible when an incident occurs.

This plan identifies vulnerabilities and recommends necessary measures to prevent extended network outages. It is a plan that encompasses all UMMC network operations in all locations.

This plan identifies vulnerabilities and recommends measures to prevent extended network outages. All systems hosted by UMMC are backed up daily.
FUNDING

Based upon a three year contract with two additional years as an optional renewal, UMMC is partnering with a vendor that all software fees is equal to an anticipated range of 2.7% and 3% of gross collections, except for the initial start-up cost and $5,000 per year support costs listed below.

PROJECT COST / RESOURCE ESTIMATE SUMMARY

Based upon a three year contract with two additional years as an optional renewal

LIFECYCLE COST ESTIMATE:

<table>
<thead>
<tr>
<th>Year</th>
<th>Start-Up Costs</th>
<th>Direct Costs</th>
<th>E-Prescribe</th>
<th>Fees and Support*</th>
<th>Total Cost per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>Implementation</td>
<td>$8,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Onsite Initial Training</td>
<td>$12,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Software Licensing</td>
<td>$7,800</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hardware</td>
<td>$15,755</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>On-going Training</td>
<td>$13,200</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Year 2</td>
<td></td>
<td>$16,900</td>
<td>$243,000</td>
<td>$316,655</td>
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<tr>
<td>Year 3</td>
<td></td>
<td>$17,745</td>
<td>$250,290</td>
<td>$288,035</td>
<td></td>
</tr>
<tr>
<td>Year 3</td>
<td></td>
<td>$18,590</td>
<td>$257,799</td>
<td>$276,389</td>
<td></td>
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<tr>
<td>Optional Year 4</td>
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<td>$19,435</td>
<td>$265,532</td>
<td>$284,967</td>
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<tr>
<td>Optional Year 5</td>
<td></td>
<td>$20,280</td>
<td>$273,510</td>
<td>$293,790</td>
<td></td>
</tr>
</tbody>
</table>

Total | $56,755  | $92,850  | $1,290,130 | $1,439,835

Five Year Grand Total as Projected: $1,439,835

*Fees based on 2.7% of gross collections

COST BENEFIT ANALYSIS / RETURN ON INVESTMENT

With the expected improvements in efficiency, gross collections are expected to increase by approximately 3% each year. While the corresponding software fees will also increase proportionately, each year's increase in gross collections will cover the fee costs and include an anticipated $19,000 to $22,000 surplus. In addition, the current billing system's fees are at 4%. With the new fee structure at 2.7%, there will be additional surplus anticipated between $117,000 and $131,000 annually.

The total 5-year fee surplus based on the new fee structure compared to the old fee structure is anticipated to be $723,180. Subtracting the initial Implementation ($56,755) and the 5-year cost for e-Prescribing ($92,950) from the fee structure surplus results in an overall cost savings for this project of $573,475 over 5 years.

<table>
<thead>
<tr>
<th>Year</th>
<th>Gross Collections</th>
<th>Program Fees at 2.7%</th>
<th>Additional Collections</th>
<th>Savings compared to current 4%</th>
<th>Fee Surplus for Implementation of the New System</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>$9,000,000</td>
<td>$243,000</td>
<td>$262,136</td>
<td>$117,000</td>
<td>$136,136</td>
</tr>
<tr>
<td>Year 2</td>
<td>$9,270,000</td>
<td>$250,290</td>
<td>$270,000</td>
<td>$120,510</td>
<td>$140,220</td>
</tr>
<tr>
<td>Year</td>
<td>Cost 1</td>
<td>Cost 2</td>
<td>Cost 3</td>
<td>Cost 4</td>
<td>Cost 5</td>
</tr>
<tr>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>Year 3</td>
<td>$9,548,100</td>
<td>$257,799</td>
<td>$278,100</td>
<td>$124,125</td>
<td>$144,427</td>
</tr>
<tr>
<td>Year 4</td>
<td>$9,834,500</td>
<td>$265,532</td>
<td>$286,400</td>
<td>$127,849</td>
<td>$148,717</td>
</tr>
<tr>
<td>Year 5</td>
<td>$10,130,000</td>
<td>$273,510</td>
<td>$295,500</td>
<td>$131,690</td>
<td>$153,680</td>
</tr>
<tr>
<td>Total over 5 Years</td>
<td>$1,290,130</td>
<td>$1,392,136</td>
<td>$621,174</td>
<td>$723,180</td>
<td></td>
</tr>
</tbody>
</table>

**ALTERNATIVES TO THE PROPOSED SOLUTION**

<table>
<thead>
<tr>
<th>Other Options Considered</th>
<th>Reasons for Rejecting Alternative Solution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use the current EPIC billing system</td>
<td>The current EPIC billing module was explored, but UMMC determined that it does not meet the unique needs of the Dialysis Centers, such as automated ordering of dialysis supplies and interfacing with dialysis laboratories. It also does not handle the required billing services.</td>
</tr>
</tbody>
</table>
5. **USM-REQUESTS FOR APPROVAL OF CONTRACTUAL SERVICE AGREEMENTS**

   a. **MISSISSIPPI INFORMATION TECHNOLOGY SERVICES AGREEMENT WITH BLACKBOARD, INC.**

   The following document represents the approval of the MS-ITS Board of the continuation of a contractual agreement with Blackboard, Inc. for the acquisition of licensing, hosting and services related to the Blackboard Learning Management System for the University of Southern Mississippi (USM). The Attorney General’s staff assigned to the MS-ITS will review the agreement prior to its execution. The resulting agreement will be between Blackboard, Inc. and MS-ITS on behalf of USM.

   See next page.
Memorandum

To: Craig Orgeron, Ph.D.

Date: March 7, 2014

Re: Recommendation for Project No. 40758 for the continuation of the Agreement with Blackboard, Inc. for the acquisition of licensing, hosting, and services related to the Blackboard Learning Management System for the UNIVERSITY OF SOUTHERN MISSISSIPPI (USM)

I. HISTORY AND OVERVIEW OF ACQUISITION

WebCT was the university's Learning Management System until 2006 at which time it was purchased by Blackboard, Inc. In 2006, the university renewed its use of WebCT through Blackboard on an annual basis. At that time USM chose for Blackboard to host the software. Over time, additional storage and bandwidth was required increasing the costs to the university. The university has since purchased additional online services and products from third party vendors that have now been acquired by Blackboard. Currently, USM utilizes Blackboard as its Learning Management System and for managed hosting to deliver fully online, hybrid, and executive format classes.

As a result of RFP No. 3452, ITS entered into a Master Agreement with Blackboard, Inc. to provide Learning Management System services. In 2013, ITS issued USM a 3-month CP1 to pay for Blackboard services while a Supplement to the ITS Master was being negotiated. Following successful contract negotiations, USM elected to use the ITS Master Contract with Blackboard to sign a one-year Licensing Agreement. At the time of the 2013 Agreement, the Master Agreement was in the last year of its term. ITS has since renegotiated that Master Agreement and has secured guaranteed pricing through 2019. USM is now requesting to leverage the recently negotiated ITS Master Agreement to take advantage of the guaranteed multi-year pricing though September 30, 2019.

This contract will provide access to the Blackboard Learning Management System, also known as Blackboard Learn. Other course delivery tools include Blackboard Collaborate and Course Delivery. The contract also provides a staging server, additional storage, MTLIC Online (instructional and support materials), section merge tool, data integration between Blackboard and Peoplesoft, Mobile services, managed hosting, and platinum package support services.
II. RECOMMENDATION

The staffs of ITS and USM jointly recommend the approval of the continuation of this Agreement with Blackboard, Inc. through September 30, 2019, in an amount not to exceed $2,596,009.73 to provide for the licensing, hosting, and services related to the Blackboard Learning Management System. With this continuation, the revised total not-to-exceed lifecycle cost of this project is $3,106,612.69.

Ben Garrett, Technology Consultant

Attachment: Acquisition Analysis Summary
Attachment

Acquisition Analysis Summary: Project 40758

BUSINESS DRIVERS/AGENCY PRIORITY:

- USM’s current Blackboard licensing expires on September 20, 2014
- USM has a continuous need for a university-wide Learning Management System.

ANTICIPATED BENEFITS:

USM will secure licensing for the next 5 years. Utilizing the ITS Master Agreement will alleviate the need for the university to procure Blackboard Licensing on an annual basis. The 5-year term will also allow the university to lock in pricing for that period.

RISKS:

There are no known risks associated with this Agreement.

LIFECYCLE COSTS:

<table>
<thead>
<tr>
<th>Year</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>$502,670.40</td>
</tr>
<tr>
<td>Year 2</td>
<td>$512,306.00</td>
</tr>
<tr>
<td>Year 3</td>
<td>$521,635.94</td>
</tr>
<tr>
<td>Year 4</td>
<td>$527,146.95</td>
</tr>
<tr>
<td>Year 5</td>
<td>$532,250.44</td>
</tr>
<tr>
<td>TOTAL:</td>
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</tr>
</tbody>
</table>
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Ben Garrett, Technology Consultant

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RISKS:

There are no known risks associated with this Agreement.

LIFECYCLE COSTS:

<table>
<thead>
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<td>Year 4</td>
<td>$527,146.95</td>
</tr>
<tr>
<td>Year 5</td>
<td>$532,250.44</td>
</tr>
</tbody>
</table>

TOTAL: $2,596,009.73
b. **Agenda Item Request:** The University of Southern Mississippi (USM) requests approval to renew contract with **United Healthcare Insurance Company** for health insurance plans for graduate assistants, residence assistants, and international students.

**Contractor’s Legal Name:** United Healthcare Insurance Company (United HC)

**History of Contract:** This is a renewal of a current contract. For several years, USM has provided a group health insurance option for students employed as graduate assistants and for international students, who are required by federal law to have health and repatriation insurance. Residence Assistants are being added to the type of students for whom health insurance is mandatory. Competitive bids were solicited in late April 2013. USM engaged United Healthcare, who submitted the lowest cost bid, to provide this service in 2013/14. USM has determined that it is in the best interest of the university to provide continuity of healthcare with united Healthcare for an additional year. In FY 2014, approximately $853,000 will be paid for premiums with USM paying approximately $356,000 from all fund sources and students paying the remainder.

**Specific Type of Contract:** Group Health Insurance

**Purpose:** The graduate assistants and residence assistants are required by USM to have health insurance as a condition of being employed, and the international students are required by federal immigration law to have health and repatriation insurance. The basic purpose of the program is to ensure that students have access to health insurance that complies with the federal Affordable Care Act and immigration law at rates that are lower than individual students could obtain on the open market. The group rate (annual premium of approximately $1,516) is substantially lower than for an individual insurance plan. The proposed coverage is optional and either type student may opt out of the program by showing evidence of other comparable insurance.

**Scope of Work:** United HC will contract with USM in providing health insurance at group rates to graduate assistants, residence assistants and international students. Under the agreement, United HC will provide group insurance coverage, to include standard medical and pharmaceuticals at a substantially lower rate than individual coverage. USM is responsible for transmitting rosters of student participants to United HC and for collecting student premium payments.
USM estimates the program will provide insurance to approximately 580 graduate assistants, 90 residence assistants, and approximately 100 international students (both graduate and undergraduate) per year.

**Term of Contract:** The contract is for one (1) year, August 15, 2014, through August 14, 2015, with options for mutually agreed upon annual renewals.

**Termination Options:** USM will be able to terminate the agreement at the end of each year. Premium rates are locked in place by a signed application on an annual basis.

**Contract Amount:** The total premiums paid are dependent on the actual number of student participants. USM calculated a cost estimate based on prior participation rates and projected FY2015 enrollment in the program. It is estimated that the total cost for the one (1) year period will be approximately $1,167,320 based on an enrollment of 770 students at a premium rate of $1,516 per student.

USM anticipates paying approximately $576,000 toward the estimated total cost.

**Funding Source of Contract:** The insurance program will be funded by several sources: institutional funds, direct billing of student accounts, and funds received on behalf of students from externally funded grants and contracts.

Graduate assistant premiums are funded from a combination of all of the available sources and resident assistants are funded through auxiliary accounts, while premiums for international students are completely covered by direct billing to student accounts.

**Contractor Selection Process:** USM solicited proposals through a competitive bid process in April 2013, following state procurement guidelines. A total of three (3) proposals were received. United HC, the vendor with the lowest price proposal, was selected.

**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 approval by the Attorney General’s Office. Board staff recommends approval of this item.
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.
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 §919, Pre-requisites for Building Modification or Demolition**

Prior to scheduling a building on an institution’s property for restoration, improvement, construction, repair, renovation, rehabilitation, demolition or similar work, the institution shall secure an inspection and approval from the Mississippi Department of Environmental Quality and a permit or written permission from the Mississippi Department of Archives and History authorizing the requested building action. After obtaining approval from these two agencies, a request for the building modification or demolition shall be submitted to the Board for approval. The request to the Board must include documentation evidencing approval by the Department of Environmental Quality and the Department of Archives and History.
APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. MVSU – GS 106-253 – College Hall I Renovations

Project Request: Mississippi Valley State University requests approval to initiate a project, College Hall I Renovations, and to appoint the design professional using the “Request for Qualifications” method.

Proposed Design Professional: TBD through RFQ Method

Purpose: College Hall I is a two story, 33,400 square foot building that was constructed in 1964. It housed 170 beds and was previously occupied by male students. In mid-2004, the building suffered fire damage and was taken offline by the university. College Hall I has not been occupied since that time. The building received a new pitched metal roof in late 2009 in preparation for a future renovation as funds would be made available. With exception to the roof, the building has not seen major renovation since its initial construction. The proposed renovation project will complete the needed renovation of College Hall I Residence Hall.

The project will consist of abatement and demolition of existing finishes, replacement of all building systems with energy efficient equipment, installation of an elevator, back-up generator, replacement of interior finishes, signage, furniture and installation of equipment. The project will also include the installation of new sidewalks, exterior lighting, signage and seating areas outside the residence hall.

Mississippi Valley 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: May 15, 2014

Date of Original Construction: 1964

Date of Last Renovation: First major renovation
Proposed Project Budget:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Cost:</td>
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<tr>
<td>Architectural and Engineering Fees</td>
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<td>Misc. Project Costs:</td>
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<tr>
<td>Furniture and Equipment:</td>
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<tr>
<td>Contingency:</td>
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</tr>
<tr>
<td><strong>Total Project Budget</strong></td>
<td><strong>$4,750,000.00</strong></td>
</tr>
</tbody>
</table>

Proposed Funding Source(s): H.B. 787, Laws of 2014 ($4,500,000); Bureau of Building Discretionary Funds ($250,000)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

2. MSU – IHL 205-276 – New Residence Halls North (Includes Demolition of Evans Hall)

Project Request: Mississippi State University requests approval to initiate a project, New Residence Halls North, and to appoint The McCarty Company Design Group, P.A. as the design professional for the project. In addition, Mississippi State University request permission to demolish the existing Evans Hall as part of this project to allow for the site of the new residence halls and the Sonny Montgomery Center for America’s Veterans.

Proposed Design Professional: The McCarty Company Design Group, P.A.

Purpose: Mississippi State University is proposing a project to construct in phases two new residence halls on the north side of campus. Each of the residence halls will consist of approximately 122,000 sq. ft. and provide approximately 356 beds. The project will also include an additional 10,000 sq. ft. facility to house the Sonny Montgomery Center for America’s Veterans which will either be incorporated in to the residence hall facility or stand alone on the residence hall site.

Mississippi State University will also demolish Evans Hall, constructed in 1965, as part of this project to allow for the site of the new residence halls and the Sonny Montgomery Center for America’s Veterans. The demolition of Evans Hall, which provides approximately 220 on campus beds, will be contained within the project scope and budget. Based on the goal of MSU’s enrollment of 22,000 and after
looking at peer institutions and their historical demand for on-campus housing, MSU estimates the university will need on-campus housing for approximately 5,000 students. Currently, MSU provides housing for approximately 4,700 students. Demolishing Evans Hall will reduce the existing bed count by approximately 220 beds. In addition, should MSU decide to renovate Rice Hall in the future it would reduce its current occupancy by a minimum of 100 beds. Should MSU demolish Rice Hall instead of renovate it, the university would lose approximately 500 beds. Given the above, the new 712 bed project would bring MSU to around 5,000 beds. Some of the remaining older dorms such as Hull, Herbert, McKee, Sessums and Critz Hall will need to be addressed in the next 5-10 years. Based on actual demand in future years, decisions will need to be made to either demolish or renovate these older dorms. These decisions could lead to further loss of bed count. Also, MSU will be building these new residence halls (2) in two phases, so if enrollment slows down or drops the university have the option not to build Phase II.

Mississippi 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. Mississippi State University is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition. 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.

**Project Initiation Date:** May 15, 2014

**Date of Original Construction:** New Building

**Date of Last Renovation:** New Building

**Proposed Project Budget:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction Cost</td>
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<tr>
<td>Architectural and Engineering Fees</td>
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</tr>
<tr>
<td>Misc. Project Costs</td>
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<tr>
<td>Contingency</td>
<td>2,592,250.00</td>
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</table>

**Total Project Budget** $ 60,500,000.00
Proposed Funding Source(s): MSU EBC Bonds/Commercial Paper ($58,000,000); MSU Foundation Funds ($2,500,000)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF BUDGET INCREASES AND/OR CHANGES OF SCOPE/FUNDING SOURCE(S)

IHL PROJECTS

3. MSU – IHL 205-231 – MSU South Entrance Road

Project Request: Mississippi State University requests approval to increase the budget for the MSU South Entrance Road project. The budget will increase from $5,000,000.00 to $18,700,000.00, an increase of $13,700,000.00. In addition, the university request approval to add a funding source. The proposed project budget will include $15,200,000 of MDOT funds and $3,500,000 of MSU Designated Funds.

Project Phase: Design Phase

Design Professional: Neel-Schaffer, Inc.

General Contractor: TBD

Purpose/Justification: The project is currently in the design phase. The university initiated the project with the Board on August 15, 2007. This is the first budget escalation for the project by the university. The escalation in the project budget is required based on the design professional’s latest estimate of cost. The current budget was an estimate of project costs that was established in 2009 once the design professional was appointed and has since been updated to reflect more accurate market costs. The project will construct a new entrance road along the east boundary of the South Farm connecting Poorhouse Road to Stone Blvd.

Mississippi State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project changes of scope and budget increases to the Board for approval.

Project Initiation Date: August 15, 2007
Project Budget:

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<th>Proposed Budget</th>
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<tr>
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<tr>
<td>Costs</td>
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<tr>
<td>Contingency</td>
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<tr>
<td>Total Project Budget</td>
<td>$5,000,000.00</td>
<td>$18,700,000.00</td>
<td>$13,700,000.00</td>
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</table>

Funding Source(s): MDOT ($15,200,000); MSU Designated Funds ($3,500,000)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF OTHER REAL ESTATE REQUESTS

4. **MSU- Approval of Master Option To Lease and Ground Lease Agreement with MSU Research and Technology Corporation (MSU-RTC)**

Project Request: Mississippi State University requests approval to enter into a Master Option to Lease and Ground Lease Agreement with MSU’s affiliated Research Corporation, the Mississippi State University Research and Technology Corporation (MSU-RTC), for the development of Phase II of the Thad Cochran Research, Technology and Economic Development Park.

Purpose: Given the highly competitive nature of research and economic development opportunities, it is important for MSU to have certainty and flexibility to commit land in the Thad Cochran Research Park for private research and economic development projects. Through the Option and Lease Agreement, MSU, acting through its affiliated research corporation will be positioned to commit and enter into long term ground sublease agreements in a timely manner in Phase II of the Research Park as research and economic development opportunities arise in the future.
**Scope of the Agreement:** Through the Option and Lease Agreement, MSU will grant MSU-RTC an option to lease any portion of the land consisting of Phase II of the Research Park. When research and economic opportunities arise, MSU-RTC will exercise the option or “takedown” portions of the premises that are needed for a particular project by providing a Notice of Exercise to MSU. The Notice of Exercise will include the parcel size and description, the annual rental amount, the terms of the lease, and other conditions. Upon submission of a Notice to Exercise, the portion of Phase II covered by the Notice will be deemed leased and available for sublease to a third party. MSU will receive all net revenues generated by MSU-RTC’s subleases of the land. MSU-RTC will retain a five (5) percent management fee from rent proceeds. Upon execution of the Option and Lease Agreement, two appraisals will be obtained to establish the fair market rental value of the property. The average of the two appraisals will set the base rental amount for any sublease of the property. The base rental amount will increase based on CPI index formula each year. The property will be reappraised every ten (10) years to re-establish the base rent.

**Terms:** The Option and Lease Agreement will be between MSU and MSU-RTC. The Option and Lease Agreement is needed so that MSU can have a legal framework in place to effectively and efficiently capitalize on opportunities for growth in Phase II of the Research Park. The leased premises will consist of Phase II of the Research Park, which is approximately 41 acres. The start date of the agreement will be upon execution. MSU will have the right to terminate the Option and Lease Agreement upon 120 days’ notice for any portions of the property in which MSU-RTC has not previously exercised the option and entered into a sublease with a third party. For those portions of the premises in which MSU-RTC has already exercised its option and entered into a sublease, the total term of sublease cannot exceed 99 years (including any renewal terms.)

**Property Description:** A parcel of land containing 41.105 acres, more or less, situated partially in the NE ¼, partially in the NW ¼ and partially in the SW ¼ of Section 36, Township 19 North, Range 14 East, Oktibbeha County, Mississippi.

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. A copy of the legal description of the access easement is on file with the Office of Real Estate and Facilities.
5. **USM- Granting of a Grading and Slope Easement to Lake Forgetful of Mississippi, LLC**

**Project Request:** The University of Southern Mississippi requests approval to grant a grading and slope easement to Lake Forgetful of Mississippi, LLC.

**Purpose:** The easement covers an area slightly less than one (1) acre of the university’s forty (40) acres. Lake Forgetful of Mississippi, LLC is planning to develop property adjacent to the university’s forty (40) acre tract of land located approximately three (3) miles from the university’s main campus. The University of Southern Mississippi has not used this forty (40) acre tract and obtained Legislative and Board approval to sell this forty (40) acre tract in June 2007. However, the university has held the land which is located just south of Highway 98 in Hattiesburg. The university would receive benefit from the easement by the partial leveling of the university’s property and Lake Forgetful of Mississippi, LLC is providing the university a private ingress and egress to a public road. The university currently has little to no access to a public road for this forty (40) acre tract.

Lake Forgetful of Mississippi, LLC is developing an apartment complex adjacent to the property. The slope on the university’s property will help maintain the property against erosion due to the differing height levels of the property. Lake Forgetful of Mississippi, LLC will also install drainage to assist in water runoff for both properties.

**Property Description:** A grading and slope easement being located in part of the NW ¼ of the NE ¼ of Section 15, Township 4 North, Range 14 West, Lamar County, Mississippi.

**Terms:** The easement shall not exceed 0.94 acres of that portion of Grantor’s property which is located on or within the areas labeled “Grading and Slope Easement Area”. The slope and grading improvements shall be designed and engineered to such elevations and at such rates of slope as determined by a Professional Engineer and selected and paid by the Grantee or its successors and assigns to design and determine adequate performance, integrity and stability of the easement and proposed retaining wall area. Grantee shall submit the construction plans and specifications of the Grading and Slope Easement Area for review and
written approval of the Grantor. Should Grantor not submit in writing any objections to said plans and specifications within fifteen (15) days after submittal by Grantee to Grantor, the plans and specifications shall be deemed approved by the Grantor. Should Grantor object in writing to said plans or specifications, the parties agree to use all commercially reasonable efforts to resolve any issues within thirty (30) days after written notice by Grantor. Should the parties not reach an agreement within said thirty (30) day period, either party may terminate this Grading and Slope Easement by written notice.

The University of Southern Mississippi 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. A copy of the legal description of the access easement is on file with the Office of Real Estate and Facilities.

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

6. **USM – Delete from Inventory and Demolish Buildings #233 and #234**

**Project Request:** The University of Southern Mississippi requests approval to delete Buildings #233 and #234 from inventory and demolish them.

**Purpose:** The University of Southern Mississippi is seeking approval to delete two buildings located at 3701 and 3703 Pearl Street. Buildings #233 is located at 3701 Pearl Street and is a recently purchased residence. Building #234 is located at 3703 Pearl Street and is an efficiency apartment. These buildings are located next to each other on the same lot and are in a state of disrepair. The buildings do not serve the mission of the university and will allow for a more visually appealing entrance to campus from the West as well as allow for future expansion.

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. Mississippi State University is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

**Staff Recommendation:** Board staff recommends approval of this item.
7. **USM-GCRL – Delete from Inventory and Demolish Building #33, Gulf Coast Geospatial Center Modular Unit**

**Project Request:** The University of Southern Mississippi requests approval to delete Building #33, Gulf Coast Geospatial Center Modular Unit, located on the Halstead Road site at the Gulf Coast Research Lab from inventory and demolish it.

**Purpose:** The University of Southern Mississippi is seeking approval to delete Building #33 which is the Gulf Coast Geospatial Center Modular Unit located on the Halstead Road site. The modular unit was purchased in 2003 and initially housed the Gulf Coast Geospatial Center. Over the last four years, it has been used as office space for faculty and graduate students. Due to the condition of the unit, it was abandoned in October 2013 and has no further use to the university.

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. Mississippi State University is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

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

8. **USM – Approval to Amend Terms to Sell Properties Under the Neighborhood Stabilization Program – Jackson, Mississippi**

**Project Request:** The University of Southern Mississippi requests approval to amend the terms under which the university would propose to sell the remaining forty-one (41) residential properties out of the original forty-seven (47) residential properties approved for sale under the Neighborhood Stabilization Program (NSP). The university requests Board approval to sell the remaining homes under the NSP for the lesser of the contract price (as set by the university’s appraisal), Lender’s appraised value or the university’s total development costs of the property. In addition, the university is seeking retroactive approval for the sale of 4755 Satinwood Road and 2935 Marwood Drive at the contract sales price. These properties were sold for the contract sales price per the requirements of MDA instead of the higher lender appraised price as approved by the Board in June 2013 and January 2014.

**Purpose:** Prior to June 2013 the university sold two (2) homes under the NSP for the average of two appraisals as required by Board Policy. In June 2013, the IHL Board approved for the university to sell twenty-seven (27) NSP properties with one
appraisal from the Lender. In January 2014, the IHL Board approved the university to sell an additional eighteen (18) NSP properties with one appraisal from the Lender. At this time, the university has sold six homes and is actively marketing the remaining forty-one (41) homes. At the time the university requested approval in June 2013 and January 2014 to sell the homes using the Lender’s appraisal, the university anticipated that the Lender’s appraisal would be lower than the university’s separate appraisal to set the market price for the home. However, the Lender’s appraisal was actually higher on two of the homes than the purchase contract price which had been set in accordance with the university’s appraisal. Rather than raise the purchase price to the Lender’s appraisal amount, the university sold the houses at 4755 Satinwood Road and 2935 Marwood Drive for the contract price which was less than the lender’s appraised value. The university is requesting that the Board approve these two sales for less than the Lender’s appraised value and is further requesting Board approval to sell the remaining homes for the lesser of the contract price (as set by university appraisal), lender’s appraised value, or the university’s total development costs of the property. As long as the homes are sold for the lesser of the total development costs, or the appraised value, the sale will meet the requirements of the NSP program. The university was authorized by the legislature to sell these homes under the terms and conditions as provided by the NSP subgrant from the Mississippi Development Authority.

The Mississippi Development Authority (MDA) is requiring that the university sell the homes for the lower of the two appraisals. As long as the homes are sold for no more than the cost of the home plus the renovation cost incurred in rehabbing the homes, the sale will meet the requirements of the NSP program. The university was authorized by the Legislature to sell these homes under the terms and conditions as provided by the NSP subgrant from the Mississippi Development Authority. All of the homes sold under the NSP subgrant have been sold for less than the original costs of the home plus the renovation cost to the home as required by the grant.

Staff Recommendation: Board staff recommends approval of this item.
1. **MSU – APPROVAL TO RENEW AND MODIFY CONTRACT WITH JULIE W. BROWN AS OUTSIDE COUNSEL**

Mississippi State University requests approval to modify/renew a contract with Julie W. Brown as outside counsel to provide services necessary in assisting Mississippi State University with real estate matters. This Modification #2 will extend the term of the contract for one (1) year or until May 16, 2015. The hourly rate to be paid will be $165, which is the same rate agreed to in the prior contract with this firm. The maximum amount payable under the contract will be $10,000. All other provisions of the Agreement for Legal Services dated May 17, 2012 shall remain in effect.

**BOARD RECOMMENDATION:** The Attorney General has approved this request. Board staff recommends approval of this item.

2. **UMMC – APPROVAL TO RENEW CONTRACT WITH DAVID WARE AND ASSOCIATES AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests permission to renew its contract with David Ware and Associates 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 term of this contract will be June 1, 2014 through May 31, 2015. The maximum amount payable under this contract is $50,000. The fees payable under the contract would be as follows:

**Labor Certification Fees**

**David Ware & Associates**

- $2000 – special handling labor certification, no readvertisement required
- $2500 – special handling labor certification, readvertisement required
- $3000 – non teaching labor certification

Advertisement for special handling will be about $500; for regular about $1000

EB1 is $4500 for the petition plus $475 filing fee. Adjustment of status is $1500 for the principal and $750 for each dependent. Exclusive of filing and fees and medical which for one adult would be approximately $1485 plus $150.
BOARD RECOMMENDATION: The Attorney General has approved this request. Board staff recommends approval of this item.

3. **UMMC – APPROVAL TO RENEW CONTRACT WITH WALKER & UNGO IMMIGRATION LAW FIRM AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests permission to hire Barry J. Walker of Walker & Ungo Immigration Law Firm 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 term of this contract will be June 1, 2014 through May 31, 2015. The maximum amount payable under this contract is $50,000. The fees payable under the contract would be as follows:

**Labor Certification Fees**  
**Walker & Ungo**

**PERM**

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<td>$2000</td>
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<tr>
<td>Family members:</td>
<td>$500 per family member</td>
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**EB-1 (Outstanding professor/researcher, extraordinary ability) and Special Handling Labor Certification**

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<th>Fee</th>
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<td>I-485:</td>
<td>$2000</td>
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<tr>
<td>Family members:</td>
<td>$500 per family member</td>
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</tbody>
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BOARD RECOMMENDATION: The Attorney General has approved this request. Board staff recommends approval of this item.
4. **UMMC – APPROVAL TO CONTRACT WITH KITCHENS, HARDWICK & WHITFIELD, PLLC AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests permission to contract with Kitchens, Hardwick & Whitfield, PLLC as outside counsel to provide legal services related to personnel matters. The term of the contract will be July 1, 2014 through June 30, 2015. The rate of pay is $165 per hour with a do not exceed amount of $50,000.

**BOARD RECOMMENDATION:** The Attorney General has approved this request. Board staff recommends approval of this item.

5. **UMMC – APPROVAL TO CONTRACT WITH WATKINS AND EAGER, PLLC AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests permission to contract with William Smith, III of the firm Watkins and Eager, PLLC to provide legal services as real estate counsel. The term of the contract will be from July 1, 2014 through June 30, 2015. The rate of pay is $165 per hour with a do not exceed amount of $200,000.

**BOARD RECOMMENDATION:** The Attorney General has approved this request. Board staff recommends approval of this item.

6. **USM – APPROVAL TO MODIFY CONTRACT WITH BUTLER, SNOW, O’MARA, STEVENS AND CANNADA, LLP AS OUTSIDE COUNSEL**

The Board previously approved a contract with Butler, Snow, O’Mara, Stevens and Cannada, LLP as outside counsel to assist The University of Southern Mississippi in various legal matters. The approval was for a term of one year from July 1, 2013, through June 30, 2014, with a total amount payable under the arrangement not to exceed $60,000 for attorneys’ fees. Due to several decisions by the Office of Inspector General (OIG) and FEMA following approval of the original employment agreement relating to Katrina damage at Gulf Coast properties, the University is involved in appeals opposing those decisions. The University also requested and received legal opinions on matters originating after the approval of the current contract. As a result, amounts which are expected to be billed will exceed $60,000.00. The University, accordingly, requests Board approval to increase the total amount payable under the previously approved contract to $95,000.00.

**BOARD RECOMMENDATION:** The Attorney General has approved this request. Board staff recommends approval of this item.
APPROVAL OF PERSONNEL ACTION REQUESTS

1. Employment

MVSU

Rita Myers; Dean of University College; salary of $75,000, per annum, pro rata; Title III funds and E&G funds effective April 1, 2014

UM (Hire with Tenure – also reported under Tenure Section below)

Fazlul Sarkar; Professor of Pharmacology, Research Professor for Research Institute of Pharmaceutical Sciences, Associate Director of Translational Research for the National Center for Natural Products Research; salary of $350,000 per annum, pro rata; E&G funds; hired with tenure; twelve-month contract; effective July 1, 2014

2. Change of Status

MUW

Tom Richardson, from Dean of Arts and Sciences; salary of $127,120 per annum, pro rata; E&G funds; to Interim Provost and Vice President of Academic Affairs and Dean of Arts and Sciences; salary of $177,000 prorated; E&G funds; effective May 12, 2014

Dan Heimmermann, from Provost and Vice President of Academic Affairs; salary of $165,000 per annum, pro rata; E&G funds; to Special Assistant to the President; no salary change; effective May 12, 2014

3. Resignation

MUW

Dan Heimmermann; Special Assistant to the President; effective June 2, 2014

4. Tenure (and Promotions where noted)

ASU – Nine – month contracts effective August 19, 2014 and twelve-month contract effective July 1, 2014. All are nine-month contracts unless otherwise noted.

John Adjaye, promotion to Associate Professor, Department of Advanced Technologies
Robert Carr, *promotion* to Professor, School of Education and Psychology (*twelve-month contract*)

Robin Christian, *promotion* to Associate Professor, Department of Graduate Nursing (*twelve-month contract*)

Akash Dania, *promotion* to Associate Professor, School of Business

Jyotirmay Gadewadikar, *promotion* to Associate Professor, Department of Advanced Technologies

Gayle Hathcox, Assistant Professor, Department of Baccalaureate Nursing

Erol Sarigul, *promotion* to Associate Professor, Department of Advanced Technologies

**DSU – All on nine-month contracts effective August 18, 2014**

Nathaniel Hein, Associate Professor, Department of Art

Dr. Deborah Myers, Associate Professor, Division of Health, Physical Education and Recreation

**JSU – Nine – month contracts effective August 14, 2014 and twelve-month contract effective July 1, 2014. All are nine-month contracts unless otherwise noted.**

Wayne Nix, *promotion* to Associate Professor, Department of Accounting

Stephanie Davidson, *promotion* to Associate Professor, Department of Elementary and Early Childhood Education

Evornia Kincaid, *promotion* to Associate Professor, Department of Elementary and Early Childhood Education

Lakita Johnson, *promotion* to Associate Professor, Department of School, Community and Rehabilitation Counseling

Ingrad Smith, *promotion* to Professor, Department of Educational Leadership (*twelve-month contract*)

Thomas Kersen, *promotion* to Associate Professor, Department of Criminal Justice and Sociology
Everett Neasman, promotion to Associate Professor, Department of English and Modern Foreign Languages

Kenyatta Stewart, promotion to Associate Professor, Department of Art

Evandro Santos, promotion to Associate Professor, Department of Urban and Regional Planning

Julie Schroeder, promotion to Professor, School of Social Work – Master of Social Work Program

Hingmanshu Das, promotion to Associate Professor, Department of Civil and Environmental Engineering

Dr. Serguei Goupalov, promotion to Associate Professor, Department of Physics, Atmospheric Science and Geosciences

MUW – All on nine-month contracts effective August 18, 2014

Dr. Nora Corrigan, promotion to Associate Professor of English, College of Arts and Sciences

Dr. Joshua Hanes, promotion to Associate Professor of Mathematics, College of Arts and Sciences

Dr. Ghanshyam Heda, promotion to Associate Professor of Biology, College of Arts and Sciences

Dr. Erin Kempker, promotion to Associate Professor of History, College of Arts and Sciences

Dr. R. Andrew Luccasen, promotion to Associate Professor of Finance and Economics, College of Business and Professional Studies

Dr. Deborah Miranda, promotion to Professor of Nursing, BSN, College of Nursing and Speech-Language Pathology

UM - Nine-month contracts effective and twelve-month contracts effective August 20, 2014. All are nine-month contracts unless otherwise noted.

Emanuele Berti, promotion to Associate Professor of Physics and Astronomy, College of Liberal Arts
Lauren Smythe Bloodworth, *promotion* to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy (*twelve-month contract*)

Kendall Owen Bowlin, *promotion* to Associate Professor of Accountancy Instruction, School of Accountancy

Hank R. Buchanan, *promotion* to Research and Development Engineer I, NCPA (*twelve-month contract*)

Mercer E. Bullard, *promotion* to Professor of Law and Mississippi Defense Lawyers Association Distinguished Lecturer, School of Law

Wayne O. Carpenter Jr., *promotion* to Senior Research and Development Engineer, NCPA (*twelve-month*)

Suman Chandra, *promotion* to Senior Research Scientist, NCNPR (*twelve-month contract*)

James V. Cizdziel, *promotion* to Associate Professor of Chemistry and Biochemistry, College of Liberal Arts

Alakabha Datta, *promotion* to Associate Professor of Physics and Astronomy, College of Liberal Arts

Erwin Mina Diaz, *promotion* to Associate Professor of Mathematics, College of Liberal Arts

Mark Vincent Frezzo, *promotion* to Associate Professor of Sociology, College of Liberal Arts

Thomas A. Garrett, Associate Professor of Economics, College of Liberal Arts

Kerry P. Holmes, *promotion* to Professor of Elementary Education, School of Education

Erin Renee Holmes, *promotion* to Associate Professor of Pharmacy Administration and Research Associate Professor in the Research Institute of Pharmaceutical Sciences, School of Pharmacy (*twelve-month contract*)

Robert M. Holt, *promotion* to Professor of Geology and Geological Engineering, School of Engineering

Amanda Jane Johnston, *promotion* to Associate Professor of Music, College of Liberal Arts

Steven Justice, Professor of Medieval History, College of Liberal Arts
Daniel E. Kleinert Jr., promotion to Senior Research and Development Engineer, NCPA (twelve-month contract)

Rory Ledbetter, promotion to Associate Professor of Theatre Arts, College of Liberal Arts

Gregory J. Love, promotion to Associate Professor of Political Science, College of Liberal Arts

Walter J. Mayer, promotion to Professor of Economics, College of Liberal Arts

Katie S. McClendon, promotion to Clinical Associate Professor of Pharmacy Practice, School of Pharmacy (twelve-month contract)

Micah Baruch Milinovich, promotion to Associate Professor of Mathematics, College of Liberal Arts

Ann Elizabeth Monroe, promotion to Associate Professor of Education & Coordinator of Elementary Education, School of Education

Brice Noonan, promotion to Associate Professor of Biology, College of Liberal Arts

Timothy W. Nordstrom, promotion to Professor of Political Science, College of Liberal Arts

Clifford A. Ochs, promotion to Professor of Biology, College of Liberal Arts

Scott G. Owens, promotion to Professor of Health, Exercise Science and Recreation Management, School of Applied Sciences

Patrick F. Pace, promotion to Senior Research Scientist in the Research Institute of Pharmaceutical Sciences and Associate Professor of Pharmacy Administration, School of Pharmacy (twelve-month contract)

E. Farish Percy, promotion to Professor of Law and Mississippi Defense Lawyers Association Distinguished Lecturer, School of Law

Corina Liliana Petrescu, promotion to Associate Professor of Modern Languages, College of Liberal Arts

Jarod Heath Roll, Associate Professor of History, College of Liberal Arts

Michael T. Rowlett, promotion to Associate Professor of Music, College of Liberal Arts

Lisa Shaw Roy, promotion to Professor of Law, School of Law
Amala Dass Antony Samy, *promotion* to Associate Professor of Chemistry and Biochemistry, College of Liberal Arts

Fazlul Sarkar; Professor of Pharmacology, Research Professor for Research Institute of Pharmaceutical Sciences, Associate Director of Translational Research for the National Center for Natural Products Research; *hired with tenure; twelve-month contract*; effective July 1, 2014

Bradley E. Schultz, *promotion* to Professor of Journalism, Meek School of Journalism and New Media

Christian Sellar, *promotion* to Associate Professor of Public Policy Leadership, College of Liberal Arts

Todd A. Smitherman, *promotion* to Associate Professor of Psychology, College of Liberal Arts

Jason David Solinger, *promotion* to Associate Professor of English, College of Liberal Arts

Alex Phillip Watson, *promotion* to Reference Librarian and Associate Professor, General Library (*twelve-month contract*)

Desiree Stepteau Watson, *promotion* to Associate Professor of Social Work, School of Applied Sciences

Roger M. Waxler, *promotion* to Senior Research Scientist II and Research Associate Professor of Physics and Astronomy, NCPA (*twelve-month contract*)

Bing Wei, *promotion* to Professor of Mathematics, College of Liberal Arts

Noell Rebecca-Howell Wilson, *promotion* to Croft Associate Professor of History and International Studies, College of Liberal Arts

Henrietta Shu-Fen Yang, Croft Associate Professor of Chinese and Co-Director of the Chinese Language Flagship Program, College of Liberal Arts

John N. Young, *promotion* to Associate Professor of Psychology, College of Liberal Arts

**UMMC – All on twelve-month contracts effective July 1, 2014**

*School of Medicine*
Istvan Arany, Professor of Pediatrics

Bettina Beech, Professor of Family Medicine

Kim L. Gratz, promotion to Professor of Psychiatry and Human Behavior

Edward D. Green, Associate Professor of Radiology

Jonathan S. Jones, Associate Professor of Radiology

Luis Juncos, Professor of Medicine

Majid A. Khan, Associate Professor of Radiology

John T. Lam, Associate Professor of Pathology

Birdie B. Lamarca, Associate Professor of Pharmacology and Toxicology

Gustavo D. Luzardo, Associate Professor of Neurosurgery

Yin-Yuan Mo, Professor of Pharmacology and Toxicology

Damien Romero, promotion to Associate Professor of Biochemistry

Bruce N. Schlakman, Associate Professor of Radiology

Matthew Tull, Associate Professor of Psychiatry and Human Behavior

Kounosuke Watabe, Professor of Microbiology

School of Health Related Professions

Stacy Vance, Associate Professor of Health Related Professions

School of Nursing

Mary Stewart, promotion to Professor of Nursing

USM – Nine-month contracts effective August 18, 2014, and twelve-month contracts effective July 1, 2014. All are nine-month contracts unless otherwise noted.

Carmen Carracelas-Juncal, promotion to Associate Professor, Department of Foreign Languages and Literatures
Monika Gehlawat, promotion to Associate Professor, Department of English

Cheryl D. Jenkins, promotion to Associate Professor, Department of Mass Communication and Journalism

Kelly Ferris Lester, promotion to Associate Professor, Department of Dance

Julie A. Reid, promotion to Associate Professor, Department of Anthropology and Sociology

Amy Slagle, promotion to Associate Professor, Department of Philosophy and Religion

Heather Marie Stur, Associate Professor, Department of History

Kenneth Swope, Professor, Department of History

Brian Collins, promotion to Associate Professor, Department of Management and International Business

Barry Cumbie, promotion to Associate Professor, Department of Management and International Business

SherRhonda Gibbs, promotion to Associate Professor, Department of Management and International Business

Kimberly Goodwin, promotion to Associate Professor, Department of Finance, Real Estate and Business Law

Paula Parker, promotion to Associate Professor, School of Accountancy

Marco Wolf, promotion to Associate Professor, Department of Marketing and Merchandising

Alan Hajnal, promotion to Associate Professor, Department of Psychology

Michael Mong, promotion to Associate Professor, Department of Psychology

Kenji Noguchi, promotion to Associate Professor, Department of Psychology

Stacy R. Reeves, Associate Professor, Department of Curriculum, Instruction and Special Education

Edward Goshorn, Associate Professor, Department of Speech and Hearing Sciences
5. **Emeritus Status**

**ASU**
Alpha Morris, Professor Emeritus of Social Sciences

THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER REQUESTS RETROACTIVE APPROVAL OF THE FOLLOWING PERSONNEL ACTION REQUEST

6. Employment

UMMC – Hire with Tenure – also reported under Tenure Section below)

Janice Lage, M.D.; Chair and Professor of Pathology; salary of $585,000, per annum, pro rata; E&G funds; hired with tenure; effective February 3, 2013

7. Tenure

UMMC

Janice Lage, M.D.; Chair and Professor of Pathology; salary of $585,000, per annum, pro rata; E&G funds; hired with tenure; effective February 3, 2013
1. **ASU – APPROVAL TO AWARD ONE HONORARY DEGREE**

The university requests approval to bestow one honorary degree at its May 2014 commencement ceremony. Supporting documents are on file at the Board Office.

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

2. **SYSTEM – APPROVAL OF AMENDMENTS TO THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT (SMART BUSINESS ACT) GUIDELINES.**

Pursuant to Mississippi House Bill 826, which was passed during the 2013 legislative session, approval is requested for the guidelines to enable the Mississippi Institutions of Higher Learning (IHL) to administer the Strengthening Mississippi Academic Research Through Business Act (SMART Business Act). The SMART Business Act is intended to meet the following goals: stimulate private investment in research and development through partnerships with Mississippi public colleges/universities; increase the competitiveness of Mississippi companies; and improve the economy of the State of Mississippi.

The SMART Business Act will allow approved investors who incur qualified research costs as a result of having entered into a research agreement with a Mississippi public university or research corporation to receive a rebate equal to twenty-five percent (25%) of the investor’s qualified research costs not to exceed $1,000,000. The total amount of rebates issued each fiscal year may not exceed $5,000,000.

The Mississippi Legislature has authorized IHL and the Mississippi Department of Revenue to promulgate, in accordance with the Mississippi Administrative Procedures Law, rules and regulations, application forms and any other forms necessary for the implementation and administration of the SMART Business Act. The Board, on a prior occasion, approved the guidelines for this program and is now being asked to approve amendments, which would permit submission and consideration of investor applications at any time. If Board approval of the proposed amendments to the guidelines is granted, the SMART Business Act guidelines will be submitted to the Mississippi Secretary of State’s Office in accordance with the Administrative Procedures Act.

**The proposed guideline amendments for your consideration are as follows:**

**Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Guidelines**
Section 1. Funding Opportunity Title

Strengthening Mississippi Academic Research Through Business Act (SMART Business Act) Rebate Applications

Section 2. Funding Opportunity Purpose/Description

The Strengthening Mississippi Academic Research Through Business Act (SMART Business Act), as established by Mississippi law, is intended to meet the following goals: stimulate private investment in research and development through partnerships with Mississippi public colleges/universities; increase the competitiveness of Mississippi companies; and improve the economy of the State of Mississippi.

Section 3. Eligibility Requirements

Any natural person, partnership, limited liability company, association, corporation, business trust or other business entity not formed for the specific purpose of acquiring the rebate offered, and which is subject to Mississippi income or franchise tax is eligible to apply (the “Applicant”).

Section 4. Application and Submission Information

1. Requesting an Application Package

Application information is available online at the Mississippi Institutions of Higher Learning’s (IHL) website (www.ihl.state.ms.us).

2. Content and Form of Application Submission

Application packages will be accepted online at www.ihl.state.ms.us and will at a minimum include the items listed below.

- Name, address and tax ID number for the Applicant (to document eligibility of the Applicant/Investor).
- A copy of a Research Agreement between the Applicant and a College or Research Corporation stating their intent to enter into a Research Agreement for Qualified Research with an attached research plan and budget approved by the College or Research corporation. The research agreement must also include an estimated date of completion.
- A statement/assurance that funds from the Applicant/Investor do not originate from any grant, contract or otherwise by another person or governmental entity.
- A letter from the Mississippi Department of Revenue stating that the applicant is subject to Mississippi income tax or franchise tax.
3. Submission Dates and Times

Applications may be submitted during one of two 60-day open enrollment periods that will be publicly announced on an annual basis. Additional open enrollment periods may be announced based on availability of funding.

Section 5. Application Review Information

Applications will be reviewed for compliance with Miss. Code Ann. § 37-148-1 through 37-148-9 and IHL Board Policy by the Office of the Commissioner of Higher Education or his designee.

Section 6. Award Information

1. Funding Instrument

Rebate: An Investor ( Applicant) incurring qualified research costs subject to a research agreement approved under this act is eligible for a rebate equal to twenty-five percent (25%) of the investor’s qualified research costs.

2. Funds Available and Anticipated Number of Awards

The total funding support from the State of Mississippi is $5,000,000 per fiscal year. Each investor incurring research costs approved under this act is limited to a rebate of twenty-five percent (25%) of the investor’s qualified research costs not to exceed $1,000,000 during any fiscal year.

Section 7. Award Administration Information

A formal notification in the form of a SMART Business Certificate (SBC) will be issued by the IHL to awarded/approved investors within 60 days of the expiration of an open enrollment period. receipt of an application. If approval is denied, formal notification including reason(s) for such action will be sent to an investor within the same 60 day period.

Section 8. Rebate Redemption

To claim a rebate, the investor must submit a rebate allocation claim to the Mississippi Department of Revenue. The rebate allocation claim must include, at a minimum, the SMART Business certificate issued by the Mississippi Institutions of Higher Learning and proof of payment to the college or research corporation for qualified research conducted according to the research agreement. The IHL may set an expiration date for redemption of rebates with the Mississippi Department of Revenue.
Section 9. Definitions

“College” means the state institutions of higher learning in Mississippi which are accredited by the Southern Association of Colleges and Schools.

"Investor" means a natural person, partnership, Limited Liability Company, association, corporation, business trust or other business entity, not formed for the specific purpose of acquiring the rebate offered, which is subject to Mississippi income tax or franchise tax.

"Qualified research" means the systematic investigative process that is undertaken for the purpose of discovering information. The term "qualified research" does not include research conducted outside the State of Mississippi or research to the extent funded by any grant, contract or otherwise by another person or governmental entity.

"Research agreement" means a new written contract, grant or cooperative agreement entered into between a person and a college or research corporation for the performance of qualified research; however, all qualified research costs generating a rebate must be spent by the college or research corporation on qualified research undertaken according to a research agreement.

"Research corporation" means any research corporation formed under Section 37-147-15 if the corporation is wholly owned by a college and all income and profits of the corporation inure to the benefit of the college.

"Qualified research costs" means costs paid or incurred by an investor to a college or research corporation for qualified research undertaken according to a research agreement.

"State" means the State of Mississippi or a governmental entity of the State of Mississippi.

"IHL" means the Board of Trustees of State Institutions of Higher Learning in Mississippi.


STAFF RECOMMENDATION: Board staff recommends approval of this item.
REGULAR AGENDAS
1. **STATE – 2014 APPROVAL OF ACCREDITATION OF MISSISSIPPI NURSING DEGREE PROGRAMS**

Pursuant to Miss. Code Ann. §37-129-1, based on the evaluation of annual reports documenting compliance with the state nursing accreditation standards, Board approval is requested for the accreditation of Mississippi Nursing Degree Programs as indicated below.

<table>
<thead>
<tr>
<th>SCHOOL OF NURSING</th>
<th>PROGRAM TYPE</th>
<th>ACCREDITATION STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcorn State University</td>
<td>ADN</td>
<td>Continuing Accreditation with Conditions¹</td>
</tr>
<tr>
<td></td>
<td>BSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>MSN</td>
<td>Continuing Accreditation with Conditions¹</td>
</tr>
<tr>
<td></td>
<td>School</td>
<td>Continuing Accreditation with Conditions¹</td>
</tr>
<tr>
<td>Coahoma Community College</td>
<td>ADN</td>
<td>Initial Accreditation</td>
</tr>
<tr>
<td>Copiah-Lincoln Community College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Delta State University</td>
<td>BSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>MSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>DNP</td>
<td>Initial Accreditation</td>
</tr>
<tr>
<td>East Central Community College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>East Mississippi Community College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Hinds Community College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Holmes Community College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Itawamba Community College</td>
<td>ADN</td>
<td>Continuing Accreditation with Conditions²</td>
</tr>
<tr>
<td>Jones County Junior College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Meridian Community College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Mississippi College</td>
<td>BSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Mississippi Delta Community College</td>
<td>ADN</td>
<td>Continuing Accreditation with Conditions³</td>
</tr>
<tr>
<td>Mississippi Educational Consortium</td>
<td>MSN</td>
<td>Full Accreditation</td>
</tr>
<tr>
<td>for Specialized Advanced Practice Nursing</td>
<td></td>
<td>(MECSAPN) - ASU, DSU, MUW, UMMC, &amp; USM</td>
</tr>
<tr>
<td></td>
<td>Gerontological &amp; Psychiatric Mental Health Nurse Practitioner</td>
<td></td>
</tr>
<tr>
<td>Mississippi Gulf Coast Community College</td>
<td>ADN</td>
<td>Continuing Accreditation with Conditions⁴</td>
</tr>
<tr>
<td>Mississippi University for Women</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>BSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>MSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>DNP</td>
<td>Initial Accreditation</td>
</tr>
<tr>
<td>Northeast Mississippi Community College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Northwest Mississippi Community College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Pearl River Community College</td>
<td>ADN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>Southwest Mississippi Community College</td>
<td>ADN</td>
<td>Continuing Accreditation with Conditions⁵</td>
</tr>
<tr>
<td>University of Mississippi Medical Center</td>
<td>BSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>MSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>DNP</td>
<td>Full Accreditation</td>
</tr>
<tr>
<td>University of Southern Mississippi</td>
<td>BSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>MSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>DNP</td>
<td>Full Accreditation</td>
</tr>
<tr>
<td>William Carey University</td>
<td>BSN</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td></td>
<td>MSN</td>
<td>Continuing Accreditation</td>
</tr>
</tbody>
</table>
1 Alcorn State University

- **REASON:** ADN program non-compliant with IHL Standard VI. Outcomes. State Specific Requirements 2. a. NCLEX-RN® Pass Rate **80% or above** required; ADN program pass rate 78.59%

- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/14

- **REASON:** MSN program non-compliant with one out of six ACEN Accreditation Standards: Standard 4. Curriculum

- **CONDITION:** must submit a follow-up report to ACEN in spring 2015

- **REASON:** School non-compliant with IHL Standard I. Mission and Administrative Organization. State Specific Requirements 2. b. unencumbered current license to practice in Mississippi

- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/14

2 Itawamba Community College

- **REASON:** program non-compliant with one out of six ACEN Accreditation Standards: Standard 6. Outcomes

- **CONDITION:** must submit a follow-up report to ACEN in fall 2014

3 Mississippi Delta Community College

- **REASON:** program non-compliant with one out of six ACEN Accreditation Standards: Standard 6. Outcomes

- **CONDITION:** must submit a follow-up report to ACEN in fall 2015

4 Mississippi Gulf Coast Community College

- **REASON:** program non-compliant with IHL Standard II. Faculty and Staff. State Specific Requirements 2.a. master’s degree with a major in nursing

- **CONDITION:** must satisfactorily address the area(s) of concern/deficiency through the development of a performance improvement plan by 6/30/14

5 Southwest Mississippi Community College

- **REASON:** program non-compliant with two out of six ACEN Accreditation Standards: Standard 4. Curriculum and Standard 6. Outcomes

- **CONDITION:** must submit a follow-up report to ACEN in fall 2014

**STAFF RECOMMENDATION:** Board staff recommends approval of this item.
1. SYSTEM – APPROVAL OF A CONTRACTUAL SERVICES AGREEMENT

**Agenda Item Request:** The Mississippi Institutions of Higher Learning’s Executive Office (IHL) requests approval to renew its property insurance coverage with **Affiliated FM Insurance Company** and **Axis Surplus Insurance Company**.

**Contractor’s Legal Name:** Affiliated FM Insurance Company and Axis Surplus Insurance Company.

**History of Contract:** In 2009, the Board approved a system-wide approach to insuring the system's buildings. Since 2012, all campus buildings have been covered through this program. Affiliated FM Insurance Company has provided the primary property coverage and Axis Surplus Insurance Company has provided necessary Wind and Flood coverage.

Due to a reduction in our average premium rate, this renewal will cover approximately five percent more property value while costing approximately three percent more in premium. While indications may change, the total property premium for 2014-2015 will be approximately $6,555,886. This amount is $170,396 more than the 2013-2014 expiring premium. However, the system has increased its total insured value from $9.12 Billion in 2013-2014 to $9.54 Billion for this renewal, which is an increase of $422 million.

**Specific type of contract:** This is a renewal of property insurance coverage.

**Purpose:** The purpose of the contract is to insure system properties in the most cost effective manner while meeting each university’s individual coverage needs.

**Scope of Work:** The insurer will provide property insurance coverage during the policy year in exchange for the payment of premiums by the universities and IHL.

**Term of contract:** The contract is a one-year insurance policy beginning May 31, 2014, and terminating May 31, 2015.

**Termination Options:** IHL may cancel the policy at any time. Upon cancellation by IHL, the insurer will return unearned premium at 90% of the pro-rata basis. The insurer may cancel the policy by providing a 60-day written notice, except that only 10 days of advance written notice is required in the event of nonpayment of premium. If terminated by the insurer, the pro-rata basis of any unearned premium is returned.

**Contract Amount:** The premium is approximately $6,555,886, subject to increase or decrease through the term of the policy as universities add or decrease coverage.
Funding Source for Contract: Each university and the Board Office pays its respective share of the premium which is billed and paid directly between the insurance company and the insured.

Contractor Selection Process: A competitive process was utilized. IHL’s approved Broker, Willis of North Carolina, Inc., solicited quotes from the insurance market. All markets other than the incumbent company declined to quote.

The following summarizes responses from the insurance markets which declined to quote. Declined due to pricing indicates that the carrier felt that it could not offer a quote which would be competitive with our existing rate.

- Chubb: declined due to pricing and loss experience;
- Fireman’s Fund: declined due to pricing;
- Lexington/AIG: declined due to pricing and a Mississippi statutory restriction in regard to the use of a non-admitted market when there is a company licensed by the Mississippi Department of Insurance that will write the coverage;
- Liberty: declined due to pricing;
- Swiss Re: declined due to pricing;
- Travelers: declined due to pricing and loss experience;
- XL: declined due to pricing; and
- Zurich: indicated a non-competitive rate in excess of $0.05 per $100.

Staff Recommendation: Board staff recommends approval of this item.

2. SYSTEM – REQUEST FOR APPROVAL OF FY 2016 PROPOSED FUNDING PRIORITIES

Proposed funding priorities are required for the 2015 Legislative Budget Request (LBR). The proposed funding priorities will be presented under a separate cover.

STAFF RECOMMENDATION: Based on Board Policy 701.03, Budget and Planning Priorities, the Commissioner, after consultation with the Institutional Executive Officers, shall prepare and submit an annual statement of system planning and budget priorities for consideration and approval by the Board. Board staff recommends approval of this item.
3. SYSTEM – APPROVAL TO CHANGE BOARD POLICY TO ADD AUTHORITY TO PREPAY EXPENSES UPON CERTAIN CONDITIONS

Agenda Item Request: During the 2014 Legislative Session, the Legislature approved House Bill 433 which authorizes the Board of Trustees to approve prepayment of expenditures provided the Board adopts rules and regulations consistent with those established by the Mississippi Department of Finance and Administration. The proposed new policy will be added as Section 707.03 under Policy Section 707 Contracts.

707.03 APPROVAL OF PREPAYMENT FOR GOODS OR SERVICES
Pursuant to Miss. Code Ann. § 7-7-27 (1972), as amended, the Board of Trustees of State Institutions of Higher Learning (IHL) may permit prepayment for goods or services not yet received. The procedures regarding such waivers applicable to the IHL Executive Office and the various state universities are:

1) The Commissioner is delegated the authority to approve such prepayment/waivers on behalf of the Board.

2) Written permission from the Commissioner must be obtained prior to making prepayment or contracting to make prepayment of goods or services before such goods or services are received.

3) The requestor must submit a written request to the Commissioner explaining the circumstances or reasons why the waiver is being sought. A copy of the invoice or contract showing the prepayment terms must be attached to the request.

4) Registration fees for conventions and conferences and deposits for hotel fees may be paid in advance and do not require permission/waiver by the Commissioner.

5) If federal funds are to be used to prepay multi-year services or licensing, the requestor must ensure that the prepayment conforms to the federal grant regulations and requirements. The requestor must provide documentation to the Commissioner, as part of the written request for a waiver, indicating that the prepayment conforms to the federal grant regulations and requirements.

6) A waiver from the Commissioner is not required in order to pre-pay a single payment within a fiscal year for the rental of a post office box, membership dues, subscriptions and software maintenance fees.

7) A waiver from the Commissioner is not required in order to pre-pay up to twelve monthly payments in a fiscal year for rent (i.e., land, buildings, office space, office equipment, etc.).
maintenance fees, operating fees, (i.e., application service provider [ASP] fees) and leases (i.e., vehicle or equipment).

8) All multi-year prepayments require a waiver granted by the Commissioner.

Based on Board Policy 201.0302, Procedures for Changing Board Policies and Adopting New Policies, “no new policies nor policy revisions introduced for the first time shall be adopted until a subsequent meeting.” Board staff recommends approval of this item for FIRST reading.

4. DSU-APPROVAL OF CONTRACTUAL SERVICES AGREEMENT

Agenda Item Request: Delta State University (DSU) requests approval to restate and extend its existing contract with Aramark Educational Services, LLC, for their food service management agreement.

Contractor’s Legal Name: Aramark Educational Services, LLC

History of Contract: DSU and Aramark entered into an IHL Board approved 10-year contract in June of 2004 to operate and provide food services at DSU. The current agreement is set to expire on June 30, 2014.

Specific type of contract: Food Service Management Outsourcing Agreement

Purpose: The purpose of this contract amendment is to maintain uninterrupted food services on DSU’s Cleveland campus, while obtaining additional financial commitments from Aramark in the form of capital investments, scholarships, catering credits, meal allowances, etc…which are all considered essential to the University’s commitment of providing outstanding food services for its campus constituents. The proposed amendment will extend the current agreement 5 additional years, from July 1, 2014 through June 30, 2019.

Scope of Work: Under the agreement, Aramark will make the following contribution highlights:

- Aramark will make additional financial Capital Investments of $1,515,000 to DSU’s current dining facilities. A schedule of expected financial investments is presented below:
Aramark will contribute over $1.5 million to the University in the form of designated contributions. These contributions will be used by the institution to offset dining service utilities, equipment replacement and repairs, student programming and scholarships, and various catering credits for campus groups (Presidential events, Athletic events, Student Recruiting events, etc…). A summary of these contribution estimates follows:

<table>
<thead>
<tr>
<th>Operating Period</th>
<th>Amount of Commitment</th>
<th>Proposed Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 2014</td>
<td>$500,000</td>
<td>Unrestricted Grant</td>
</tr>
<tr>
<td>May 2014</td>
<td>670,000</td>
<td>Renovations at Mill Dining, Nowell Student Union and Young Maudlin Cafeteria facilities</td>
</tr>
<tr>
<td>May 2014</td>
<td>345,000</td>
<td>Young Maudlin Cafeteria renovations</td>
</tr>
<tr>
<td>Total</td>
<td>$1,515,000</td>
<td></td>
</tr>
</tbody>
</table>

- Aramark will pay the University a 12% net sales commission on all meal plan revenue, along with a 4% to 6% net sales commission on other dining service retail sales annually. Additional sales commissions will be earned on all catering, camp and concession sales.

The University estimates that this will generate approximately $2.3 million over the 5-year extension.
In order to generate the expected meal plan sales commission, DSU is requesting permission to adjust their available meal plan offerings to the following plans, effective July 1, 2014:

<table>
<thead>
<tr>
<th>Operating Year</th>
<th>Estimated Sales Commissions</th>
<th>Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1 (2015)</td>
<td>$ 421,000</td>
<td>12.0% of net receipts (meal plan sales); 4% - 6% of net receipts (retail sales); 25% of concession sales; 12% of camp and catering sales</td>
</tr>
<tr>
<td>Year 2 (2016)</td>
<td>440,000</td>
<td></td>
</tr>
<tr>
<td>Year 3 (2017)</td>
<td>460,000</td>
<td></td>
</tr>
<tr>
<td>Year 4 (2018)</td>
<td>479,000</td>
<td></td>
</tr>
<tr>
<td>Year 5 (2019)</td>
<td>500,000</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$ 2,300,000</td>
<td></td>
</tr>
</tbody>
</table>

**Term of contract:** The contract extension is for five (5) years, beginning July 1, 2014, and ending June 30, 2019.

**Termination Options:** Termination options include the following:

- by either party at any time upon ninety (90) days written notice;
- by DSU in the event of insolvency, unavailability of funds, or the filing of a petition in bankruptcy by or against Aramark;
- failure by Aramark to comply with the federal E-Verify Program; and
- In the event that the contract is early terminated, DSU will be required to reimburse Aramark for any unamortized balances remaining in its financial Capital Investment.
Contract Amount: This is a revenue producing contract for DSU. It is estimated that the University could receive $5.3 million in revenue benefits over the course of the 5-year extension.

Funding Source for Contract: This is a revenue producing contract.

Contractor Selection Process: DSU chose not to undertake a Request for Proposal (RFP) process as Aramark offered an amendment to a current agreement. The original agreement with Aramark in 2004 was executed after an exhaustive RFP process. The amendment offered by the vendor did include a 5-year extension of the current agreement. DSU’s has stated their relationship with Aramark has been extremely strong over the past nine years. University, faculty and student satisfaction with the vendor’s performance has consistently remained very high.

Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required 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.

5. UMMC- APPROVAL OF CONTRACTUAL SERVICES AGREEMENTS

a. Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend its current lease agreement with Hertz Jackson Two, LLC (Hertz), successor to Parkway Joint Venture, LLC. The amendment is intended to increase the amount of leased space to accommodate the increase in the telehealth services (eICU, emergency telehealth and etc.) UMMC is providing to hospitals across the state.

Contractor’s Legal Name: Hertz Jackson Two, LLC

History of Contract: UMMC is currently in a lease agreement with Hertz. The lease agreement was approved by the Board in August 2009. The current lease agreement is effective September 1, 2009, through August 31, 2014. The estimated cost of the original lease agreement was $432,787.94.

In January 2011, UMMC requested and the Board approved an increase to the estimated cost up to $456,337.12. The purpose of the increase was to cover the cost of a generator and associated structural changes, which was needed to ensure that the critical eICU Services provided in this leased space would not cease, should the building lose electrical services.

Specific type of contract: This is an amendment to an existing lease agreement.
Purpose: The main tenants to this amendment is to provide an increase in leased space from 2,765 square feet to 5,796 square feet as well as to exercise an opportunity to extend the general lease an additional five (5) years. The need for the increased space is a result of an increase in telehealth services (eICU, telehealth for emergency departments and etc.) being provided to hospitals across the state by UMMC. This increased need has translated into increased staffing and thus the need for additional leased space to house the additional UMMC staff.

Scope of Work: In addition to increased space, the amendment will cause Hertz to provide:

- one (1) reserved parking space to UMMC as no additional cost;
- carpet cleaning, up to 4 times annually, per UMMC’s request, and painting of walls up to 2 times per year;
- an allowance, from Hertz, of up to $35,051.00 (treated as drawdown by UMMC) in leasehold improvements;
- drawdown contribution from Hertz of $10,000 for furniture;
- a reduction in the cost per square feet from $21.38 to $18.50; and
- extend the lease term to May 31, 2019.

Term of contract: This amendment will start on June 1, 2014 through May 31, 2019. This will bring the total term of the agreement since inception (September 2009) to approximately ten (10) years.

Termination Options: The termination options under the contract include:

- UMMC may terminate at the end of any fiscal period in the event funds are not appropriated by the funding authority;
- For default, as defined in the contract, by tenant after provision of appropriate cure period, as specified in the contract;
- For non-compliance with E-verify; and
- UMMC shall have the option to early terminate this lease as of the May 31, 2016, upon 180 days prior written notice.
Contract Amount: The estimated cost of the amendment will be $557,575.20. The breakdown of cost is as follows:

<table>
<thead>
<tr>
<th>Cost Description/Amounts</th>
<th>Cost Per year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1 Base Rent/Sq. Feet</td>
<td>$18.50</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>4%</td>
</tr>
<tr>
<td>Year 2 Base Rent/Sq. Feet</td>
<td>$18.50</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>4%</td>
</tr>
<tr>
<td>Year 3 Base Rent/Sq. Feet</td>
<td>$18.50</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>4%</td>
</tr>
<tr>
<td>Year 4 Base Rent/Sq. Feet</td>
<td>$18.50</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>4%</td>
</tr>
<tr>
<td>Year 5 Base Rent/Sq. Feet</td>
<td>$18.50</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>4%</td>
</tr>
<tr>
<td>Total Expense Over Term</td>
<td>$557,575.20</td>
</tr>
</tbody>
</table>

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

Contractor Selection Process: UMMC is currently in a lease agreement with Hertz. Staff Recommendation: Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of leases in an amount greater than $100,000. This agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

b. Agenda Item Request: The University of Mississippi Medical Center (“UMMC”) requests approval to enter into a ground lease with The Meridian at Fondren, LLC (“The Meridian”) for the development of a mixed use development, including residential apartments, retail, and office space. Corresponding agenda item related to The Meridian at Fondren is on the Real Estate Regular Agenda.

Contractor’s Legal Name: The Meridian at Fondren, LLC
History of Contract: This is a new ground lease for the property known as “North Lakeland.” Currently, the property consists of seven (7) buildings containing UMMC clinics and department offices on approximately 4.4 acres. Under UMMC’s Master Plan, these buildings would be replaced by a mixed use development. In June of 2012, UMMC began the process of selecting a developer for the mixed use development. After receiving proposals through a Request for Qualifications and Request for Proposals, SKD Development was chosen to develop, construct, own, and manage the mixed use facility. SKD Development consisted primarily of Stewart Speed, Kassinger Development Group, State Street Group, Niles Bolton Associates, and Neel-Schaffer. SKD Development created the entity The Meridian at Fondren, LLC, to move forward with the project. The Meridian, UMMC, and the adjacent neighborhood have communicated and resolved all issues related to covenants or concerns.

Due to concerns regarding the length of the total lease term, the Legislature passed Senate Bill No. 2803, 2014 Regular Session, which authorizes the Board to lease the property for a forty-year term with two optional twenty-year renewal periods. The first renewal period is at the option of the Lessee and the second renewal period is at the option of the Lessor. The bill was effective upon passage and was approved by the Governor.

Specific type of contract: This is a new ground lease agreement.

Purpose: The purpose of the ground lease agreement is for The Meridian developers to develop, construct, own, and manage a mixed use facility on UMMC property for the benefit of UMMC students, faculty, and employees, as well as the Jackson community. The mixed use facility will include residential apartments, retail space, and office space.

Scope of Work: Under the agreement, The Meridian is responsible for:

- Payments:
  - All monies due under the triple net lease, including charges, expenses, costs, and outlays of every nature and kind related to the premises and/or improvements thereon; and
  - All operating expenses of the development;
- Demolition and removal of existing structures;
- Construction, plans for which are to be submitted to UMMC for prior approval:
  - Approximately 10,000 square feet of street level office and retail space;
  - Approximately 224 “Class A” apartment homes;
  - Structured and surface parking, of which UMMC shall be guaranteed eight (8) spaces; and
o Landscaping and green space buffers;

- Maintenance and management of the premises:
  - General and day-to-day maintenance and repair of the premises; and
  - Lease space to non-residential tenants upon prior written approval from UMMC.

UMMC agrees to:

- Lease the property to The Meridian for the project as described above;
- Execute such documents as are reasonably required by The Meridian’s lender; and
- Apply a credit against lease payments for the reasonable costs incurred in the abatement of environmental existing hazards and geotechnical testing on the premises, up to the sum of $57,500.00.

**Term of contract:** This is a forty (40) year ground lease with the option of two (2) twenty (20) year renewal terms. The first renewal term is at the option of The Meridian; the second renewal term is at the option of UMMC. The initial term of the ground lease is expected to be May 1, 2014, through April 30, 2054.

**Termination Options:** The contract may be terminated:

- In the event that UMMC and The Meridian cannot agree upon the form of assurance obligations, The Meridian and UMMC shall each have the right to terminate the Lease upon 30 days written notice;
- In the event that UMMC refuses to approve the plans and specifications submitted by The Meridian, The Meridian shall have the right to terminate the Lease within 60 days following receipt of such disapproval from UMMC;
- In the event that The Meridian is unable to begin construction of the improvements within one hundred twenty (120) days following the turnover date, then UMMC may terminate the Lease upon written notice to The Meridian;
- If during the Lease Terms, fee title to all of the premises or to all of the improvements, or the entire leasehold estate of The Meridian is taken under the power of eminent domain by any public or quasi-public agency or entity, the Lease shall terminate as of the date legal title becomes vested in the agency or entity exercising the power of eminent domain;
- If at any time during the term of the Lease a taking occurs that is less than a total taking and affects a material portion of the improvements, The Meridian may terminate the Lease without liability to either party;
• UMMC may terminate the Lease if The Meridian shall license or sublet the premises or any part thereof or sell, assign or transfer the Lease without the prior written consent of UMMC, except for the routine letting of residential space;
• UMMC may terminate the Lease following the occurrence of an event of default by The Meridian; and,
• In the event that The Meridian is unable to secure adequate financing for construction of the improvements within one hundred twenty (120) days following the turnover date, then either The Meridian or UMMC shall have the right to terminate the Lease by giving written notice of such termination to the other party.

Contract Amount: The total estimated revenue to be earned under the ground lease agreement is approximately $9,480,140.00 before any deductions for credits for environmental hazards and geotechnical testing of an amount up to $57,500.

<table>
<thead>
<tr>
<th>Annual</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 1</td>
<td>$21,000</td>
</tr>
<tr>
<td>Year 2</td>
<td>$42,000</td>
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<tr>
<td>Year 3</td>
<td>$63,000</td>
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<tr>
<td>Years 4-10</td>
<td>$84,000</td>
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<tr>
<td>Years 11-20</td>
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<td>Years 21-30</td>
<td>$101,640</td>
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<td>Years 31-40</td>
<td>$111,804</td>
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<tr>
<td>Years 41-50*</td>
<td>$122,984</td>
</tr>
<tr>
<td>Years 51-60*</td>
<td>$135,283</td>
</tr>
<tr>
<td>Years 61-70*</td>
<td>$148,811</td>
</tr>
<tr>
<td>Years 71-80*</td>
<td>$163,692</td>
</tr>
<tr>
<td>Total</td>
<td>$9,480,140</td>
</tr>
</tbody>
</table>

*If renewal option is elected.
Funding Source for Contract: This is a revenue lease agreement.

Contractor Selection Process: The selection of a developer for the mixed use development project was a two-step process. UMMC issued a Request for Qualifications (RFQ) in June of 2012. Four developers responded: Mattiace Properties, Oxbow/City Development/Yates, Provident Development, and SKD Development. SKD Development consisted primarily of Stewart Speed, Kassinger Development Group, State Street Group, Niles Bolton Associates, and Neel-Schaffer. As the first step in the selection process, all four developers were qualified in August 2012.

The second step in the selection process was via a Request for Proposal (RFP), which was issued in September 2012. Only those developers qualified in the first step received a copy of the RFP. Three of the developers submitted proposals. Mattiace Properties notified UMMC prior to the proposal deadline that it would be unable to participate further in the proposal process for unstated reasons.

The developers gave presentations of their proposals in early January 2013. After reviewing all proposals and presentations, the selection committee chose to award the project to SKD Development. SKD Development subsequently created The Meridian at Fondren, LLC, to move forward with the project.

Staff Recommendation: Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of leases in an amount greater than $100,000. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item contingent upon Board approval of Real Estate Regular agenda item #1.
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 §904(A), Board Approval*

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.

**APPROVAL OF OTHER REAL ESTATE REQUESTS**

1. **UMMC – Approval of The Meridian at Fondren Development Related Items**

   a. **Delete from Inventory and Demolish Buildings LJ (768 Lakeland), LG, LE, LF (802 Lakeland), LC (828 Lakeland), LD (826 Lakeland), LH (838R Lakeland)**

   **Project Request:** The University of Mississippi Medical Center requests approval to delete Buildings LJ (768 Lakeland), LG, LE, LF (802 Lakeland), LC (828 Lakeland), LD (826 Lakeland), LH (838R Lakeland) from inventory and demolish them.
**Purpose:** The purpose of this request is to obtain approval of the demolition of seven existing buildings along the north side of Lakeland drive as part of the Meridian at Fondren Development Package. The development project will provide for the demolition of buildings LJ(768 Lakeland), LG, LE, LF(802 Lakeland), LC(828 Lakeland), LD(826 Lakeland) and LH(838R Lakeland).

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. The University of Mississippi Medical Center is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

**Staff Recommendation:** Board staff recommends approval of this item contingent upon Board approval of Finance Regular agenda item #5b.

**b. Approval of the Exterior Design for “The Meridian”**

**Project Request:** The University of Mississippi Medical Center requests approval of the exterior design of the proposed Meridian. *(See Renderings of Building on Page 3)*

**Purpose:** The University of Mississippi Medical Center is seeking Board approval of the project’s exterior design. The project is currently in the design phase. By a separate agenda item, UMMC is requesting to enter into a ground lease with the Meridian at Fondren, LLC for the development of a mixed use development on the property north of Lakeland Drive. Pursuant to that request approval, UMMC also is seeking approval of the proposed exterior design.

The University of Mississippi Medical Center 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.

**Staff Recommendation:** Board staff recommends approval of this item contingent upon Board approval of Finance Regular agenda item #5b.
Rendering 1: View of Front Entrance and West of Building Facing Lakeland Drive

Rendering 2: East Elevation of Building
1. **UMMC - APPROVAL TO SETTLE TORT CLAIM**

The University of Mississippi Medical Center is seeking Board approval for settlement of Tort Claim No. 1947.

2. **UMMC - APPROVAL TO SETTLE TORT CLAIMS**

The University of Mississippi Medical Center is seeking Board approval for settlement of Tort Claims No. 1596 and 1596A
INFORMATION

AGENDAS
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
April 24, 2014 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.
1. **ASU– GS 101-294 – Fire Sprinkler**

   **Staff Approval #1:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Contract Documents as submitted by Atherton Engineers, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval #2:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved request to advertise for receipt of bids. Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval Date:** April 9, 2014

   **Project Initiation Date:** March 21, 2013

   **Design Professional:** Atherton Engineers

   **General Contractor:** TBD

   **Project Budget:** $2,292,079.00

2. **MSU– GS 105-345 (GC002) – MSU Classroom Building with Parking (Mechanical)**

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #1 in the amount of $5,205.34 and eighty-five (85) additional days to the contract of Upchurch Plumbing, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval Date:** April 1, 2014

   **Change Order Justification:** Change Order #1 is necessary to install flowable fill in the former diesel tunnel from the building to the end of the tunnel & waterproof, time extension for delayed HVAC submittals concerning the ice storage tanks, credit for eliminating backflow preventer, credit for eliminating piping no longer needed as part of the modified system and modification of hilti anchors needed for the support of the interior mezzanine.

   **Total Project Change Orders and Amount:** One (1) change order for a total amount of $5,205.34.
Project Initiation Date: August 19, 2010

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Upchurch Plumbing, Inc.

Project Budget: $41,314,339.00

3. MSU–GS 105-348 – EMC Implementation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Schematic Design Documents as submitted by Atwell & Gent, P.A. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved a waiver of Design Development Documents. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 16, 2014

Project Initiation Date: October 18, 2012

Design Professional: Atwell & Gent, P.A.

General Contractor: TBD

Project Budget: $1,525,000.00

4. MSU–IHL 205-272 (Phase One Base Building) – Campus Services Shop Building

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Contract Documents as submitted by Michael T. Muzzi, AIA, AUA, design professional.

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

Staff Approval Date: April 16, 2014
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 #8 in the amount of $17,282.83 and thirty-one (31) 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: April 11, 2014

Change Order Justification: Change Order #8 is necessary to repair two HVAC units to be used for temporary air during the Phase 2 project, re-circuit & control the existing light pole at the NW corner of the site that was disrupted by revisions to the site drainage due to latent conditions, to compensate the steel supplier for additional detailing costs, and to add 15 days to the contract time due to weather delays.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of $111,587.60.

Project Initiation Date: October 17, 2013

Design Professional: Michael T. Muzzi, AIA, AUA

General Contractor: TBD

Project Budget: $2,000,000.00

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

   **Staff Approval:** In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of $67,782.20 and zero (0) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

   **Staff Approval Date:** April 7, 2014

   **Change Order Justification:** Change Order #1 is necessary to switch from TPO to a modified bitumen roof and to switch from prefinished metal to masonry.

   **Total Project Change Orders and Amount:** One (1) change order for a total amount of $67,782.20.

   **Project Initiation Date:** January 20, 2011

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

   **General Contractor:** Evan Johnson & Sons Construction, Inc.

   **Project Budget:** $17,775,000.00

7. **UM – GS 107-308 – Union Addition & Renovation**

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

   **Staff Approval Date:** April 14, 2014

   **Project Initiation Date:** August 186, 2011

   **Design Professional:** Eley Guild Hardy Architects

   **General Contractor:** TBD

   **Project Budget:** $50,000,000.00
8. UM–IHL 207-361 – Lamar Hall Phase IIB

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #4 in the amount of $192,488.58 and thirty-nine (39) additional days to the contract of D. Carroll Construction, LLC.

Staff Approval Date: April 14, 2014

Change Order Justification: Change Order #4 is necessary to repair the existing fire rated partitions that were not properly built/sealed during the original building construction, change carpet to match the existing finishes from the Phase I construction, additional sprinkler heads at the existing stairwells & abandoned elevator shafts per code, to extend the boiler stack above the existing stairwell walls per code, installing recessed can lights in the central monumental stair, install door & hardware between offices 253 & 252, and adding additional power/data to multiple locations, additional fire dampers at the Writing Center not shown on drawings, demolition of doors & walls at Suite B and at the third floor not show on drawings, additional data & power at classroom tech #368, relocation of VAV boxes from the corridor to rooms 205 & 275.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of $544,261.93.

Project Initiation Date: August 16, 2012

Design Professional: Barlow Eddy Jenkins Architects, P.A.

General Contractor: D. Carroll Construction, LLC

Project Budget: $7,800,000.00

9. UMMC – IHL 209-544 – Translational Research Center

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Schematic Design Documents as submitted by Foil Wyatt Architects and Planners.

Staff Approval Date: April 2, 2014

Project Initiation Date: November 17, 2011
Design Professional: Foil Wyatt Architects and Planners

General Contractor: TBD

Project Budget: $43,032,000.00


Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Waiver of Design Development Documents as submitted by Foil Wyatt Architects and Planners.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Contract Documents as submitted by Foil Wyatt Architects and Planners, design professional.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved request to advertise for receipt of bids.

Staff Approval Date: April 2, 2014

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects and Planners

General Contractor: TBD

Project Budget: $43,032,000.00
11. UMHC– IHL 209-548 – School of Medicine - Utilities

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #2 in the amount of $6,082.00 and zero (0) additional days to the contract of Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #3 in the amount of $4,551.00 and zero (0) additional days to the contract of Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture.

Staff Approval Date: April 11, 2014

Change Order Justification: Change Order #2 is necessary to change material for approximately 270 linear feet of underground, double-wall fuel oil piping to eliminate steel outer cladding, and to utilize the reinforced fiberglass for outer cladding material. Change Order #3 is necessary to change material for all 3-in header piping, 2-in branch piping, valves, fittings, and specialties that are part of the water softener skid. The skid supports, hangers, and configuration will be modified to accommodate PVC piping.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of $19,405.00.

Project Initiation Date: August 15, 2013

Design Professional: Cooke Douglass Farr Lemons – Eley Guild Hardy – A Joint Venture

General Contractor: Fountain Construction Company, Inc.

Project Budget: $10,000,000.00
12. UMMC– IHL 209-550 – Wiser Women’s Urgent Care Renovation

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

Staff Approval Date: April 16, 2014

Project Initiation Date: January 16, 2014

Design Professional: The McCarty Company Design Group, P.A.

General Contractor: TBD

Project Budget: $1,682,000.00

13. USM– GS 108-261 – School of Nursing Building

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Hanco Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 11, 2014

Project Initiation Date: September 17, 2009

Design Professional: Studio South/Eley Guild Hardy Architects

General Contractor: Hanco Corporation

Project Budget: $30,000,000.00

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved Change Order #12 in the amount of $315,939.79 and ten (10) additional days to the contract of Hanco Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: April 1, 2014

Change Order Justification: Change Order #12 is necessary to change the cement terrazzo to epoxy terrazzo on the first floor, changing two marker boards to tempered glass visual display boards, electrical changes to the elevators that are required, providing additional steel to support architectural precast concrete at the west porch and electrical circuit changes that are required.

Total Project Change Orders and Amount: Twelve (12) change orders for a total amount of $841,700.55.

Project Initiation Date: March 2, 2005

Design Professional: Studio South/Eley Guild Hardy Architects

General Contractor: Hanco Corporation

Project Budget: $34,000,000.00
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 Shulman, Rogers, Gandal, Pordy & Ecker (statement dated 3/24/14) from the funds of Mississippi State University. (This statement, in the amount of $422.24, represents services and expenses in connection with the Nextel/Spring Rebanding Project.)

TOTAL DUE..........................................................$  422.24

Payment of legal fees for professional services rendered by Ware/Gasparian (statements dated 4/1/14 and 4/3/14) from the funds of Mississippi State University. (These statements, in the amounts of $93.00 and $2,000.00, respectively, represent services and expenses in connection with labor certifications.)

TOTAL DUE..........................................................$  2,093.00

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statement dated 3/20/14) from the funds of the University of Mississippi Medical Center. (This statement in the amount of $7,640.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE..........................................................$  7,640.00

Payment of legal fees for professional services rendered by Jones Walker (statements dated 3/3/14 and 3/21/14) from the funds of the University of Mississippi Medical Center. (These statements in the amounts of $143.50 and $266.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE..........................................................$  410.00

Payment of legal fees for professional services rendered by Kitchens, Hardwick & Ray (statements dated 4/5/14, 4/5/14, 4/5/14, 4/5/14, 4/7/14 and 4/7/14) from the funds of the University of Mississippi Medical Center. (These statements in the amounts of $1,699.50, $6,022.50, $891.00, $660.00, $1,105.50 and $445.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE..........................................................$ 10,824.00.
Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 3/24/14) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $15,670.88, $1,206.60 and $96.00, represent services and expenses in connection with legal advice.)

TOTAL DUE………………………………………………..$ 16,973.48

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 4/8/14) from the funds of the University of Southern Mississippi. (This statement, in the amount of $16.50, represents services and expenses in connection with legal advice.)

TOTAL DUE………………………………………………..$ 16.50

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

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/15/13, 11/15/13, 12/18/13, 1/14/14, 2/18/14, 2/18/14, 2/18/14, 2/18/14, 2/18/14, 2/18/14, 3/17/14, 3/17/14, 3/17/14, 3/17/14 and 3/17/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $2,615.00, $5,956.00, $3,729.50, $50.00, $435.00, $560.50, $3,017.50, $303.00, $570.00, $543.00, $28.50, $74.00, $38.00 and $36.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE………………………………………………..$ 17,956.00

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statement dated 3/24/14) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the following patent: “Trademark Application for the Centennial Anniversary” - $1,200.00.)

TOTAL DUE………………………………………………..$ 1,200.00
1. **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 April 22, 2014, the Commissioner granted retroactive approval to amend a lease agreement with the United States of America (USA) acting by and through the Agricultural Research Service. MSU has stated that a period of staff transition in the department which originated the agreement caused the delay in submission of the agreement to IHL. This agreement is for the lease of approximately 30.7 acres of land on the McNeill sub-unit of MSU’s South Mississippi Branch Experiment Station, Coastal Research and Extension Center in Pearl River County, MS. The acreage will be used by the USA for the cultivation and research of small fruits, vegetables and ornamental vegetation. The annual lease renewal term will potentially run for a period of ten (10) years, October 1, 2013 through September 30, 2023. Annual renewal is available at the option of the USA/Lessee upon thirty (30) days notice to MSU and subsequent approval by the Commissioner. The USA will pay MSU a nominal rent fee of $1 yearly and will maintain the cultivated acreage. The Executive Office legal staff have reviewed and approved the contract documents.

b. **MSU** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than $100,000.” On April 24, 2014, the Commissioner approved the request by MSU on behalf of its Delta Research and Extension Center (DREC) to enter into a lease agreement with Rex Livingston (Lessor). The agreement is for the lease of approximately 22 acres of land in Washington County, MS. The land, which is located adjacent to DREC, will be used to conduct row crop research. The primary lease term will commence upon execution by both parties and run through March 31, 2015. Upon mutual agreement of the parties, the lease will be renewed for a maximum of four (4) one year terms or through March 31, 2019. MSU will pay $4,400 annually for the lease of the acreage. The total cost for the five (5) year lease term is $22,000. In addition to rent costs, MSU will return the acreage to its prior condition at the conclusion of the lease term. This agreement is funded by
Section 32 Funds. The Executive Office legal staff have reviewed and approved the contract documents.

c. **SYSTEM** - On April 24, 2014, the Commissioner reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning January 1, 2014 and ending March 31, 2014. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.