Board Book
January 21, 2021

MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
Board Meeting Outline
MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

MEETINGS
SCHEDULE

Health Affairs Committee | January 20, 2021 3:00p | Zoom

IHL Board Meeting | January 21, 2021, 9:00a | Zoom

CALL TO ORDER

INVOCATION

INTRODUCTION OF GUESTS

MINUTES
November 18, 2020 Special Called Meeting Minutes ........................................................................................................... 5
November 19, 2020 Regular Board Meeting Minutes .................................................................................................................. 6
December 10, 2020 Special Called Meeting Minutes .................................................................................................................. 54

CONSENT AGENDAS | Trustee Ford Dye

FINANCE
1. ASU – Request for Approval to Enter into an Agreement with EJSCS, Inc. d/b/a EJ’s Cleaning Services for the Natchez Campus .................................................................................................................. 61
2. JSU – Request for Approval to Enter a Lease Agreement with Xerox Burney Office Solutions .................................................................................................................. 62
3. MSU – Request for Approval to Enter a License Agreement with Informa UK Limited d/b/a Taylor & Francis Group .................................................................................................................. 64
4. MVSU – Request for Approval of a Resolution with Mississippi Department of Transportation ....................................................................................................................................... 66
5. UM – Request for Approval to Amend a Contractual Services Agreement with Carnegie Dartlet, LLC ....................................................................................................................................... 67
6. UM – Request for Approval to Enter a Lease Agreement with Poppenheimer Management, LLC ....................................................................................................................................... 68
7. UMMC – Request for Approval to Enter a Purchase Agreement with Acumed, LLC ....................................................................................................................................... 70
8. UMMC – Request for Approval to Enter a Master Agreement with Applied Statistics & Management Inc ....................................................................................................................................... 71
9. UMMC – Request for Approval to Enter a Pricing Agreement with BioFire Diagnostics, LLC ....................................................................................................................................... 74
10. UMMC – Request for Approval to Amend an Agreement with Epic Systems Corporation ....................................................................................................................................... 75
11. UMMC – Request for Approval for the Mississippi Methodist Hospital and Rehabilitation Center, Inc. to Sublease Space to Chick-Fil-A ....................................................................................................................................... 77
12. UMMC – Request for Approval to Enter an Agreement with nThrive Revenue Systems, LLC ....................................................................................................................................... 78
13. UMMC – Request for Approval to Enter a Product Purchase Agreement with Zimmer Biomet CMF & Thoracic, LLC ....................................................................................................................................... 80
14. USM – Request for Approval to Enter a Service Agreement with EBSCO Industries ....................................................................................................................................... 82
15. USM – Request for Approval to Enter a Lease Agreement with Reactive Surfaces, Ltd, LLP ................................................................. 84

REAL ESTATE
Approval of Initiations of Projects/Appointments of Professionals

Bureau of Building Project

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

Bureau of Building Project

Approval of Other Real Estate Requests
3. MSU – Approval to Purchase Property - Animal Emergency and Referral Center, 1009 Treetops Blvd, Flowood, MS ........................................................................................................... 91
4. MSU – Approval of Exterior Design of the CVM Facility Expansion ........................................................................................................ 93
5. MSU – Approval to Purchase Property a 4 Acre Tract of Land in the Sunplex Industrial Park in Jackson County, MS ......................................................................................... 95
6. MSU – Delete from Inventory Buildings #1668, #1669, #1670, #1671, #1672, and #1673 in Crystal Springs, MS .................................................. 97
7. USM – Delete from Inventory Buildings #889 and #890 in Hattiesburg, MS ................................................................................................. 97

LEGAL
1. UM – Approval to Contract with Brunini, Grantham, Grower & Hewes, PLLC as Outside Counsel ................................................................. 98

PERSONNEL
1. Employment (ASU, UM) .................................................................................................................. 99
2. Change of Status (ASU, USM) ........................................................................................................ 99

REGULAR AGENDAS

FINANCE | Trustee Tom Duff
1. UMMC – Request to Approve an Equipment Solutions Agreement with Stryker Sales Corporation and Howmedica Osteonics Corp. .................................................................................. 100
2. UMMC – Request for Approval of a Rental Agreement with Beckman Coulter, Inc .................................................................................. 101
3. UMMC – Request for Approval of a Services Agreement with Johnson Controls Fire Protection, LP .................................................................................. 103

LEGAL | Trustee Ann Lamar
1. UMMC – Approval to Settle IHL Self-Insured Worker’s Compensation Claim No. 55-37314-1 .................................................................................................................................. 107
2. UMMC – Approval to Settle IHL Self-Insured Worker’s Compensation Claim No. 55-42794-1 .................................................................................................................................. 107
ACADEMIC AFFAIRS
2. MSU – Intent to Offer an Existing Degree Program by Distance Learning: Master of Science in Chemical Engineering .................................................................108

FINANCE
1. JSU – Service Order to Mississippi Information Technology Services Telecommunication Services Agreement with Telepak Networks, Inc. d/b/a C Spire .................................................................109
2. UMMC – Mississippi Department of Information Technology Services Lease Agreement with Premier Healthcare Solutions, Inc. ..........................................................................................109
3. UMMC – Mississippi Department of Information Technology Services Agreement with Workday, Inc. ...........................................................................................................110
4. UM – Mississippi Department of Information Technology Services Agreement with Avaya, Inc. .....................................................................................................................110
5. UM – Mississippi Department of Information Technology Services Agreement with Carousel Industries of North America, Inc. ..................................................................................111

REAL ESTATE
1. SYSTEM – Real Estate Items Approved Subsequent to the November 19, 2020 Board Meeting Alcorn State University ..................................................................................................................113
   Mississippi State University ................................................................................................................113
   Mississippi Valley State University ......................................................................................................118
   University of Mississippi .....................................................................................................................118
   University of Southern Mississippi ........................................................................................................121

LEGAL
1. SYSTEM – Report of Payments to Outside Counsel ........................................................................124
2. MUW – Emergency Approval to Hire McDonald Hopkins as Outside Counsel ..............................132

ADMINISTRATION/POLICY
1. SYSTEM – Commissioner’s Notification of Approval ........................................................................133
2. SYSTEM – Report of Universities’ Use of Temporary Relief and Waiver of Approval Requirements Set Forth in IHL Board Policies 707Contracts and 905 Real Estate Management....................................................................................134

Personnel
1. UM – Sabbatical Leave .......................................................................................................................136

ADDITIONAL AGENDA ITEMS IF NECESSARY
OTHER BUSINESS/ANNOUNCEMENTS
EXECUTIVE SESSION IF DETERMINED NECESSARY
ADJOURNMENT
BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special called meeting held at the Board Office in Jackson, Mississippi at 5:00 p.m. on November 18, 2020, and pursuant to notice in writing, to each and every member of said Board. The following members participated: Dr. Steven Cunningham, Dr. Ford Dye, Mr. Shane Hooper (via Zoom), Ms. Ann H. Lamar, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker (via Zoom), and Dr. J. Walt Starr. Mr. Tom Duff was absent. The meeting was called to order by Dr. Ford Dye, President.

Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting in person or via Zoom. In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This meeting was called to discuss a personnel matter at Jackson State University.

EXECUTIVE SESSION

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

During Executive Session, the following matter was discussed.

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

On motion by Trustee Hooper, seconded by Trustee Martin, with Trustee Duff 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 Lamar, seconded by Trustee Cunningham, 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
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 December 10, 2019, to each and every member of said Board said date being at least five days prior to this November 19, 2020 meeting. At the above-named place there were present the following members to wit: Dr. Steven Cunningham, Mr. Tom Duff (via Zoom), Dr. Ford Dye, Mr. Shane Hooper (via Zoom), Ms. Ann H. Lamar, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker (via Zoom), and Dr. J. Walt Starr. The meeting was called to order by Dr. Ford Dye, President. Trustee Cunningham introduced Pastor Marcus T. Cathey with the West Point Church in Hattiesburg, MS, who provided the invocation.

Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting in person or via Zoom. In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This was a regular monthly meeting of the Board.

APPROVAL OF THE MINUTES

On motion by Trustee Morgan, seconded by Trustee McNair, with Trustee Parker absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on October 15, 2020.

CONSENT AGENDAS

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

ACADEMIC AFFAIRS

1. SYSTEM – Approved the proposed amendment to Board Policy 506 Course Requirements for final approval to align with Federal financial aid requirements and SACSCOC course requirements and waived the requirement for a second reading of this revision in accordance with Board Policy 201.0302 Procedures for Changing Board Policies and Adopting New Policies.

   506 COURSE REQUIREMENTS
   
   Course requirements shall include at a minimum the following:
   
   • The Board required minimum of 2,250 minutes per three semester hour course, which may include final exam time.
   
   • The number of weeks must meet Federal financial aid requirements and the Southern Association of Colleges and Schools Commission on Colleges requirements

2. UMMC – Approved the following new academic unit:
   Proposed Unit Title: Center for Innovation and Discovery in Addictions (CIDA)
Unit Location: Jackson, Mississippi
Six-year cost of implementation: $23,047,086
Effective date: January 1, 2021

3. **SYSTEM** – Approved the degrees to be conferred in Spring 2020 provided each candidate has met all requirements for the degree.

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## Institution | Degree to be Conferred | Number | Subtotal | Total
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**School of Accountancy** | Bachelor of Accountancy | 45 | | |
**School of Applied Sciences** | Bachelor of Arts in Sport and Recreation Administration | 9 | | |
| Bachelor of Science in Criminal Justice | 41 | | |
| Bachelor of Science in Exercise Science | 36 | | |
| Bachelor of Science | 33 | | |
| Bachelor of Social Work | 13 | | |
| Bachelor of Science in Law Studies | 5 | | |
**School of Journalism and New Media** | Bachelor of Arts in Journalism | 3 | | |
| Bachelor of Science (IMC) | 52 | | |
**General Studies** | Bachelor of Multi-Disciplinary Studies | 50 | | |
| Bachelor of University Studies | 22 | | |
**Graduate School** | Master of Accountancy | 5 | | |
| Master of Accountancy and Data Analytics | 3 | | |
| Master of Arts | 14 | | |
| Master of Business Administration | 11 | | |
| Master of Criminal Justice | 7 | | |
| Master of Education | 16 | | |
| Master of Music | 1 | | |
| Master of Science | 14 | | |
| Master of Social Work | 1 | | |
| Master of Taxation | 1 | | |
| Specialist in Education | 3 | | |
| Doctor of Education | 1 | | |
| Doctor of Philosophy | 22 | | |
**Law School** | Juris Doctor | 14 | | |
### Total Undergraduate Degrees | 669 |
### Total Graduate/Professional Degrees | 113 |
### Total Degrees | 782 |

### University of Mississippi Medical Center

#### Undergraduate

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</tr>
<tr>
<td>Doctor of Nursing Practice</td>
<td></td>
<td>27</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Doctor of Philosophy</td>
<td></td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Undergraduate Degrees</strong></td>
<td></td>
<td></td>
<td>713</td>
<td></td>
</tr>
</tbody>
</table>
FINANCE

4. SYSTEM – Approved the request to escalate the Ayers Endowment budgets within the Ayers Endowment Diversity Program for Alcorn State University, Jackson State University and Mississippi Valley State University. These Escalations are needed to cover increased costs associated with program operation costs. The original budgets were approved at the August 2020 Board meeting. At that time, estimates of available funding were used to build the budget for these programs. Actual funding is now known, and the institutions have requested to revise their budgets to equal actual sources as shown below. All funds budgeted within these programs were generated from annual interest earnings of the Ayers Public and Private Endowment investments.

Alcorn State University

<table>
<thead>
<tr>
<th>Object of Expenditure</th>
<th>Current Budget FY 2021</th>
<th>Budget Revision</th>
<th>Revised Budget FY 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages &amp; Fringe Benefits</td>
<td>$126,855</td>
<td>$126,855</td>
<td>$126,855</td>
</tr>
<tr>
<td>Travel</td>
<td>825,120</td>
<td>825,120</td>
<td>825,120</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Commodities</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Capital Outlay: Equipment</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Library Resources</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Student Aid</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Total</td>
<td>$611,730</td>
<td>$825,120</td>
<td>$1,436,850</td>
</tr>
</tbody>
</table>

Jackson State University

<table>
<thead>
<tr>
<th>Object of Expenditure</th>
<th>Current Budget FY 2021</th>
<th>Budget Revision</th>
<th>Revised Budget FY 2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages &amp; Fringe Benefits</td>
<td>$106,250</td>
<td>$106,250</td>
<td>$106,250</td>
</tr>
<tr>
<td>Travel</td>
<td>825,120</td>
<td>825,120</td>
<td>825,120</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Commodities</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Capital Outlay: Equipment</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Library Resources</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Student Aid</td>
<td>484,875</td>
<td>484,875</td>
<td>484,875</td>
</tr>
<tr>
<td>Total</td>
<td>$611,730</td>
<td>$825,120</td>
<td>$1,436,850</td>
</tr>
</tbody>
</table>
5. **MSU** – Approved the request to enter a contract with Schneider Electric IT Mission Critical Services, Inc. (Schneider MCS) to provide engineer and construction consulting services for IHL #205-310 High Performance Computing Data Center. Due to the size and complexity of the project, MSU desires an engineer and construction services consultant to assist the Owner during the preparation of the design and contract documents, cost estimation, bid evaluation, and construction inspection and progress. The contract will commence upon a mutually agreeable date between the parties and end at the completion of all services contemplated under the contract. The contract amount is $307,692.00. Funds for the contract are available from a grant through the Mississippi Development Authority to MSU in the amount of $30,000,000 as directed through H.B. 1730 (Reg. Sess. 2020). Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

6. **MSU** – Approved the request to enter a license agreement to subscribe to 58 electronic journals from Springer Nature Customer Service Center, LLC. These research-oriented journals are used by MSU faculty, staff, and students for educational and research purposes. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to prepay for the agreement as is common in the subscription industry. The term of the contract is for one year starting January 1, 2021 and ending December 31, 2021. The contract cost is $358,435.18. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

7. **MSU** – Approved the request to subscribe to 140 electronic journals from Wiley Subscription Services, Inc. These research-oriented journals are used by MSU faculty, staff, and students for educational and research purposes. The electronic journals will be used for educational and research purposes as well as Cochrane Digital Library which is essential to support the PA program. The term of the contract is three years from January 1, 2021 to December 31, 2023. The total three-year subscription cost is $1,362,270.57. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
8. UM – Approved the request for a budget escalation for the Mississippi Mineral Resources Institute to increase the FY 2021 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2022 budget request. The source of estimated revenue for this escalation will be special funds derived from external sources.

<table>
<thead>
<tr>
<th>University of Mississippi</th>
<th>FY 2021</th>
<th>Mississippi Mineral Resources Institute</th>
<th>by Major Object</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td>Current FY 2021 Operating Budget</td>
<td>Revision Escalation</td>
<td>Revised FY 2021 Operating Budget</td>
</tr>
<tr>
<td>Salaries, Wages, and Fringe Benefits</td>
<td>$305,781</td>
<td>$237,166</td>
<td>$542,947</td>
</tr>
<tr>
<td>Travel and Subsistence</td>
<td>1,500</td>
<td>24,560</td>
<td>26,060</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>20,000</td>
<td>266,068</td>
<td>286,068</td>
</tr>
<tr>
<td>Commodities</td>
<td>3,000</td>
<td>22,382</td>
<td>25,382</td>
</tr>
<tr>
<td>Capital Outlay: Non-Equipment</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Capital Outlay: Equipment</td>
<td>5,000</td>
<td>-</td>
<td>5,000</td>
</tr>
<tr>
<td>Mandatory Transfers</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Non-Mandatory Transfers</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Increase in Fund Balance</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

| Total                     | $335,281 | $550,176 | $885,457 |

9. UM – Approved the request for a budget escalation for the Research Institute of Pharmaceutical Sciences to increase the FY 2021 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2022 budget request. The source of estimated revenue for this escalation will be special funds will be derived from external sources.

<table>
<thead>
<tr>
<th>University of Mississippi</th>
<th>FY 2021</th>
<th>Research Institute of Pharmaceutical Sciences</th>
<th>by Major Object</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td>Current FY 2021 Operating Budget</td>
<td>Revision Escalation</td>
<td>Revised FY 2021 Operating Budget</td>
</tr>
<tr>
<td>Salaries, Wages, and Fringe Benefits</td>
<td>$1,578,120</td>
<td>$6,754,972</td>
<td>$8,333,092</td>
</tr>
<tr>
<td>Travel and Subsistence</td>
<td>23,384</td>
<td>134,811</td>
<td>138,195</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>183,190</td>
<td>4,839,581</td>
<td>5,023,780</td>
</tr>
<tr>
<td>Commodities</td>
<td>78,005</td>
<td>721,192</td>
<td>799,197</td>
</tr>
<tr>
<td>Capital Outlay: Non-Equipment</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Capital Outlay: Equipment</td>
<td>391,542</td>
<td>410,540</td>
<td>802,082</td>
</tr>
<tr>
<td>Mandatory Transfers</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Non-Mandatory Transfers</td>
<td>1,004,931</td>
<td>100,215</td>
<td>1,105,146</td>
</tr>
<tr>
<td>Increase in Fund Balance</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

| Total                     | $3,259,181 | $12,961,311 | $16,220,492 |

10. UM – Approved the request for a budget escalation for the Small Business Development Center to increase the FY 2021 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2022 budget request. The source of estimated revenue for this escalation will be special funds will be derived from external sources.
11. **UM** – Approved the request for a budget escalation for the Small Business Development Center to increase the FY 2020 budgetary spending authority appropriated for special funds to coincide with actual revenues generated and reported on the FY 2022 budget request. The revenue source for the escalation is funding derived from external sources including the SBA CARES Act and the OSBDC Portability Assistance Program.

<table>
<thead>
<tr>
<th>University of Mississippi</th>
<th>FY 2021 Small Business Development Center by Major Object</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category</td>
<td>Current FY 2021 Operating Budget</td>
</tr>
<tr>
<td>Salaries, Wages, and Fringe Benefits</td>
<td>$ 295,252</td>
</tr>
<tr>
<td>Travel and Subsistence</td>
<td>-</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>-</td>
</tr>
<tr>
<td>Commodities</td>
<td>986</td>
</tr>
<tr>
<td>Capital Outlay: Non-Equipment</td>
<td>-</td>
</tr>
<tr>
<td>Capital Outlay: Equipment</td>
<td>-</td>
</tr>
<tr>
<td>Mandatory Transfers</td>
<td>-</td>
</tr>
<tr>
<td>Non-Mandatory Transfers</td>
<td>-</td>
</tr>
<tr>
<td>Increase in Fund Balance</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$ 296,238</td>
</tr>
</tbody>
</table>

12. **UM** – Approved the request to enter a contract with Advanced Restoration Technology, Inc. for Roofing, Gutter and Masonry repair orders to be filled on an as needed basis in support of Facilities Management projects. This agreement is effective beginning on the initial approval date by the University and the IHL Board on November 19, 2020 and ending on November 18, 2021. It can be renewed annually not to exceed sixty (60) months in total. This contract is estimated at $250,000 per annum based on FY2019 & FY2020 actual spend and current funds availability. If all potential annual renewals are exercised, the estimated total amount for this contract is $1,250,000. This contract is funded with Educational and General funds (E&G). Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

13. **UM** – Approved the request for the University of Mississippi Bursar and Financial Aid Offices to enter a contract with Educational Computer Systems, Inc. (ECSI) to provide
inbound call center services. The Agreement shall be effective the date of the last signature on the agreement in November 2020 and end January 18, 2024. The service period of the implemented call center services will begin on January 19, 2021. This agreement may be extended for up to two successive two-year renewals upon the consent of both parties. The amount of the agreement is $396,000 per year for 3 years for a total of $1,188,000, plus one-time set-up fee of $5,000 to be paid with fifteen (15) days of contract signing. The Flat Rate Service Fee for each subsequent contract year will remain the same or less, unless ECSI has provided the School with notice of an increase in fees at least one hundred and twenty (120) days prior to the beginning of the next year. Any requested increases must be tied to a nationally recognized index such as the Consumer Price Index or other appropriate measure such as call volume growth and cannot exceed a maximum of 3% per year. If all renewals are exercised resulting in a seven-year contract and maximum price increases were incorporated, the total contract value (including the one-time set-up fee) would be $3,039,335. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to prepay the set-up fee. The contract will be funded by E&G sources. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

14. **UM** – Approved the request for the University of Mississippi School of Engineering (Biomedical) to amend its existing Lease Agreement for office space with the University of Mississippi Research Foundation (Insight Park). The Parties seek to amend Section 13 of their existing Lease Agreement to incorporate terms and conditions regarding the alterations, improvements, and modifications (collectively “the Improvements”) that the University will make to the leased premises, including the disposition of the Improvements upon the termination or expiration of the Lease Agreement, as amended. The Amended Lease Agreement is for five (5) years with the option to renew for three (3) additional years. The annual lease payment is $77,700 per year, resulting in a total contract amount of $621,600 if all renewals are exercised. The lease payments will be due at the beginning of each lease year. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to prepay the annual lease payment each year. The Biomedical Lab is being funded with UM School of Engineering funds and revenue generated from engagement with the medical device industry. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

15. **UMMC** – Approved the request to waive the annual audit requirement applicable to the IHL approved affiliation agreement with UMMC Research Development Foundation (RDF) for the fiscal year ending June 30, 2020. As per requirements stipulated in Board Policy 301.0806 D.9., staff have considered and reviewed the source documents for the following: 1) Both activities and assets of the RDF continue to remain low (approximately $22,000 as of September 2020); 2) Contracting for an external audit would represent a significant expense that, at this time, does not make sound financial or business sense, as the FY2019 audit cost $8,268 to complete; and 3) The RDF does not anticipate that the year-end financial statements for the current year will differ substantially from the financial statements as of the end of the most recently completed fiscal year.
16. **UMMC** – Approved the request to enter a reagent rental agreement with Beckman Coulter, Inc. (Beckman) for flow cytometry equipment used by UMMC’s pathology and transplant departments for a variety of clinical applications such as leukemia/lymphoma panels, monitoring of HIV, leukemia and lymphoma therapies, and organ transplant cross matching. The Board approved the request to amend the agreement as needed to revise terms related to volumes, commitments, and/or pricing due to a decrease in testing volumes, as well as to add or remove products under the agreement, without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the agreement is sixty-one (61) months, beginning January 1, 2021, and ending sixty (60) months after installation of the equipment, which is expected to be on or about February 1, 2021. The total estimated cost of the agreement over the sixty (61) month term is $2,825,000. UMMC has included a ten percent (10%) increase in year two for potential patient volume increases and a fifteen percent (15%) annual increase beginning in year three (3) for projected volume growth and annual price increases. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

17. **UMMC** – Approved the request to enter a Master Agreement with Cayuse, LLC (Cayuse) to license the use of grants management software for both pre-award and post-award grant management, including IACUC protocol management, IBC protocol management, and effort reporting. Cayuse will also provide professional services related to implementation and training. The Cayuse software system will manage UMMC’s growing portfolio of sponsored projects to maintain compliance with federal regulations and improve efficiencies within grants management. The term of the agreement is five (5) years, from December 1, 2020, to November 30, 2025. The total cost of the agreement over the five (5) year term is $1,015,000. Beginning in year two, the annual license and subscription fees increase four percent (4%). UMMC has included additional funds in the event of unforeseen delays in implementation that may add additional cost. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to prepay fifty percent (50%) of the annual license subscription upon execution of the agreement and the remaining fifty percent (50%) upon go-live of the software, as well as twenty-five percent (25%) of the professional services fees upon execution. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

18. **UMMC** – Approved the request to enter a Product Agreement with Johnson & Johnson Health Care Systems, Inc. for the purchase of various consumable commodities related to the use of the CARTO 3 Electrophysiology Mapping System. This system is used to provide 3-D Cardiac Mapping and Navigation of the heart and surrounding vessel as well as provides cardiac cryo-ablation procedures to be performed. The 3-D mapping assists physicians in locating the patients’ source of arrhythmia. The Board approved the request to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the agreement is two (2) years, from January 1, 2021, through December 31, 2022. The total estimated cost
over the two (2) year term is $775,000, which includes a twenty percent (20%) increase for potential volume growth. This Product Agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

19. **UMMC** – Approved the request to enter a Medical Office Building Lease with Madison HMA, LLC (Madison HMA), for 6,169 square feet of space located on the Merit Madison campus at 163 River Oaks Drive in Canton, Mississippi. The space will be used for clinic and office space for UMMC surgery providers and staff. The Board also approved the request to amend the lease as needed to remove furniture, fixtures, and equipment included in the lease without seeking prior Board approval, as long as adequate funds are available. The term of the agreement is five (5) years, beginning on the earlier of when UMMC opens for business in the space or the date of substantial completion of construction/renovation work, which is estimated to be January 1, 2021, and estimated to end December 31, 2025. The total potential cost of the lease is $1,031,941.62 over the five (5) year term. UMMC’s initial base rent is approximately $27.50 per square foot. In addition, UMMC will rent the existing furniture and equipment for UMMC’s use. UMMC has included additional potential costs for construction costs, increases in operating costs, and/or changes in valuation of furniture, fixtures, and equipment included in the base rent. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to prepay the monthly rent in advance each month. The agreement will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

20. **UMMC** – Approved the request to enter a Reference Laboratory Services Agreement with Mayo Collaborative Services, LLC d/b/a/ Mayo Clinic Laboratories (Mayo) to provide diagnostic reference laboratory testing. The Board authorized the request to add and/or remove tests from the schedule of tests and to update pricing as needed, as long as it does not increase the approved expenditure level. The term of the agreement is five (5) years, from December 1, 2020, through November 30, 2025. The total estimated cost over the five (5) year term is $27,900,000. This includes a fifteen percent (15%) annual increase beginning in year two (2) for potential patient volume and price modifications. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

21. **UMMC** – Approved the request to amend the Sales Agreement with One Lambda, Inc. (One Lambda) to add items and provisions regarding indemnification, insurance, and information security to the agreement. The agreement is for the purchase of reagents and consumables for use in UMMC’s HLA laboratory. These reagents and consumables will be used together with One Lambda’s Human leukocyte antigen (HLA) Fusion analysis software that UMMC owns. As the only HLA laboratory in the state of Mississippi, the UMMC HLA laboratory provides all the tissue typing and antibody screening services for the UMMC Transplant Center and the Mississippi Organ Recovery Agency. The HLA laboratory also performs HLA typing for the Bone Marrow Transplant Program and for various disease associations, including ankylosing spondylitis, celiac disease, and abacavir...
hypersensitivity (for HIV treatment). The Board authorized the request to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The amendment does not change the term of the agreement. It remains four (4) years and eleven (11) months, from February 1, 2017, through December 31, 2021. The total cost of the agreement remains unchanged at $10,237,748.20. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

22. **UMMC** – Approved the request to enter a Product Schedule 1002559 with Roche Diagnostics (Roche) for the lease of one (1) Roche 6800 laboratory instrument, the purchase of reagents and supplies needed for diagnostic testing on the leased equipment and owned equipment, service for both instruments, and training. The instruments and associated reagents and disposables are used to perform molecular tests such as Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV), Hepatitis C Virus (HCV), Severe Acute Respiratory Syndrome (SARS), and Cytomegalovirus (CMV) viral load/polymerase chain reaction (PCR) testing, allowing physicians to diagnose, treat, and monitor patients as they move through the disease process. The Board authorized the request to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of Product Schedule 1002559 is six (6) years, commencing December 1, 2020, and ending November 30, 2026, or five (5) years after date of installation of the last piece of equipment, whichever is later. The term of the Enterprise Agreement will commence when signed by both parties and will continue through the last expiration of a valid Schedule. The total estimated cost over the five (5) year term is $6,600,000. This includes a fifteen percent (15%) annual increase in supply costs and potential patient volume growth, beginning in year three (3) of the agreement. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

23. **USM** – Approved the request to enter a contract with Cloud Construct, LLC to design and build a web application in support of behavioral science research that will involve evidence-based intervention within educational settings. The purpose of the contract is to build a beta version of a new web application entitled “Good Behavior Game Technology (GBG Tech).” This work will encompass building the functionality of a teacher portal and administrator portal to support a teacher’s delivery of an evidence-based intervention, Good Behavior Game, within educational settings. The term of the contract will be for three (3) years beginning November 20, 2020 and ending November 19, 2023. The agreement may be extended for a fourth year if the funding agency approves a one-year no-cost extension, which would extend the end date through November 19, 2024. The total contract cost is estimated at $387,600. USM will pay under a time and materials model listed in Cloud Construct’s proposal. Cloud Construct will invoice actual costs to the client on a monthly basis as development work progresses. Payment will be issued on a monthly basis upon receipt of an approved invoice based on actual services rendered. If the application is hosted offsite, the annual hosting costs are estimated at $3,600, or up to
$14,400 total (if the agreement is extended to a fourth year). This contract will be federally funded through a grant from the Institutes of Education Sciences. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

24. **USM** – Approved the request to enter a contract with InfoEd International, Inc. for an electronic research administration and risk compliance software solution. The purpose of the agreement is to purchase a license for software to be used to simplify the creation, review, approval, and electronic submission of grant proposals, as well as reporting on proposal activity. Among other things, the software will provide a cloud-based solution for proposal development and system-to-system submission of proposal to Grants.gov, the primary portal for proposal submission to the federal government. Once implemented, the system is expected to deliver a 20 percent efficiency improvement in the research administrative process. The term of this contract will be five (5) years beginning December 1, 2020 and ending November 30, 2025. The total amount of the contract for the five (5) year period will be $344,559. This will include all professional services, product licenses, hosting, and support costs. These costs are broken down as follows: One-time Implementation and Data Migration Fees of $99,450, and recurring annual costs for licensing, hosting, and support totaling $245,109 for the 5-year term. The One-time Implementation Fees will be paid based on achieved milestones, while the recurring licensing, hosting, and support fees will be paid annually on the anniversary date of the contract, as well as at the beginning of the contract. The contract will be funded by Education and General funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**REAL ESTATE**

25. **ERC** – Approved the initiation of **GS 111-064, Replacement of Air Handlers and Hot/Chilled Water Lines**, and the appointment of Engineering Resource Group as the design professional. This project will replace the building’s Air Handler Units (AHU) which are original to the building (50 Years old). The industry life expectancy of these types of units is 30 to 35 years. Parts are not available for repairs and therefore replacement is needed. The heating and chilled water lines under ETV are original to the building (50 years) and have been stressed by the shifting soils. This stress will be reduced as excavation for the emergency sewer project is accomplished. The hot/chilled water lines will be relocated. The proposed project budget is $2,090,000. Funds are available from HB 1730, Laws of 2020 ($1,400,000); and SB 3065, Laws of 2019 ($690,000).

26. **UM** – Approved the initiation of **IHL 207-468, Art, Theatre, & Film Department Facilities** for the College of Liberal Arts to begin the programming and planning process to develop a Master Plan for the Art, Theatre, & Film Departments. The conditions of facilities occupied by these departments are declining, the spaces are spread throughout campus in several buildings, and the needs of the programs are growing at a steady pace. The design professional, which will be selected using the Request for Qualifications method, will assist the University in determining architectural space programming, phasing concepts, and budgeting for the entire Art, Theatre, & Film Departments. This plan will
be used to obtain donor and funding support for a phase 1 project. Once the planning phase is complete, a subsequent agenda item to appoint the design professional and increase the budget as required to reflect the established scope of work of the phase 1 project will be submitted for Board approval. The proposed project budget is $185,000. Funds are available from Private Gifts ($185,000).

27. **MUW** – Approved the request to increase the project budget for **GS 104-188, Culinary Arts**, from $5,955,613 to $19,955,613 for an increase of $14,000,000 and to add HB 1730, Laws of 2020 as a funding source to allow for the budget increase. This increase is needed to cover costs associated with the project and to expand the contract to include construction documents and construction. This project involves the complete construction of a new 50,000 square foot building to house the university’s premier culinary arts program and provide adequate parking space. The project includes adequate kitchen space, restaurant dining, classrooms, office space, and conference/meeting rooms. The project would address building systems, site drainage, etc. Surveys/abatement and all applicable codes will be addressed. Funds are available from MUW Funds ($25,000); SB 2906, Laws of 2015 ($285,613); SB 3065, Laws of 2019 ($6,645,000); and HB 1730, Laws of 2020 ($13,000,000).

28. **IHL SYSTEM OFFICE** – As required by Senate Bill #2867, Laws of 2019, the Board approved the annual renewal of approval of Mississippi State University, the University of Mississippi, and the University of Mississippi Medical Center as being qualified and capable to procure and administer state funded construction and maintenance projects for FY2021. The IHL Staff has reviewed the qualifications of the above referenced universities regarding the required selection criteria and recommended approval to self-administer state funded construction, renovation, and maintenance projects.

**LEGAL**

29. **JSU** – Pending approval by the Attorney General, the Board approved the request to enter a short-term contract with Armstrong Law, LLC as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. This short-term agreement began July 25, 2020 and ended September 1, 2020 to cover a gap in the contract period. The rates for services are set out in the Fee Schedule below with a maximum amount payable under the contract of $50,000. This firm carries errors and omissions professional liability insurance coverage in the amount of $1,000,000 per occurrence with an annual aggregate of $1,000,000.
## Summary of Legal Fees - Jackson State University

<table>
<thead>
<tr>
<th>Type of Immigration Processing</th>
<th>Attorney’s Fees¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent resident status (“green card”/immigrant) processing – labor certification required²</td>
<td></td>
</tr>
<tr>
<td>“Special handling” labor certification for faculty (teaching positions only) – using original recruitment</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>“Special handling” labor certification for faculty (teaching positions only) – re-recruitment³</td>
<td>$2,500.00</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Type of Immigration Processing</td>
<td>Attorney’s Fees</td>
</tr>
<tr>
<td>“Basic recruitment” labor certification for non-teaching positions</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Audit response (if required by US Department of Labor)</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Immigrant petition for alien worker (I-140) – for employee</td>
<td>$2,800.00</td>
</tr>
<tr>
<td>Application to adjust status (I-485) and related applications if applicable (I-944, I-765, I-131) for employee</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Application to adjust status (I-485) and related applications if applicable (I-944, I-765, I-131) for each dependent of employee</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Preparation for and attendance at USCIS interview</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Application to renew employment authorization and/or advance parole (per application)</td>
<td>$500.00</td>
</tr>
<tr>
<td>Permanent resident status (“green card”/immigrant) processing – “Outstanding professors and researchers” (labor certification not required)⁴</td>
<td></td>
</tr>
<tr>
<td>Immigrant petition for alien worker (I-140) – for employee</td>
<td>$5,000.00</td>
</tr>
<tr>
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<td>Application to renew employment authorization and/or advance parole (per application)</td>
<td>$500.00</td>
</tr>
<tr>
<td>Permanent resident status (“green card”/immigrant) processing – “extraordinary ability” or “National Interest Waiver” (labor certification not required)⁵</td>
<td></td>
</tr>
<tr>
<td>Immigrant petition for alien worker (I-140) – for employee</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Application to adjust status (I-485) and related applications if applicable (I-944, I-765, I-131) for employee</td>
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</tr>
<tr>
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</tr>
</tbody>
</table>

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

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

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

⁴ Employee may pay fees and costs because labor certification is not required for this process.

⁵ Employee may pay fees and costs because labor certification is not required for this process.
application to renew employment authorization and/or advance parole (per application) $ 500.00

Temporary status (nonimmigrant) processing

H-1B “specialty occupation” petition 6 $2,000.00
O-1 “extraordinary ability” petition $4,500.00
TN “NAFTA professional” petition $2,500.00

Application for Waiver of J-1 Foreign Residence Requirement (based upon state Conrad 30 program) $6,000.00
Application for Waiver of J-1 Foreign Residence Requirement (based upon extreme hardship) $6,000.00
Application to extend or change nonimmigrant status (for dependents of employee who are in the US in another nonimmigrant status) when filed with I-129 Petition for primary $500.00

30. MVSU – Approved a revised affiliation agreement between MVSU and the MVSU V Club. The Board approved the proposed Affiliation Agreement at its March 2020 regular meeting. Since that time, Mississippi Valley State University revised the agreement to more accurately describe the athletic support and services the V-Club will provide the University. The proposed affiliation agreement meets the requirements of Board Policy 301.0806 University Foundation/Affiliated Entity Activities. The Attorney General’s Office has reviewed the agreement and found it to be in compliance with applicable law and IHL Board of Trustees Policies and Bylaws.

31. USM – Approved the request to hire Caves & Caves, PLLC to serve as Title IX hearing officers. The contracts provide for Caves & Caves, PLLC to perform services related to acting as hearing officers for Title IX proceedings at the University. The hourly rate to be charged is $195.00 per hour for Partners and $90.00 per hour for legal assistants. In addition to attorneys’ fees, the firm will be entitled to reimbursement of reasonable expenses. The term of this Contractual Agreement will end on June 30, 2022. The maximum expenditure of attorneys’ fees authorized under this Contract is $20,000.00 from the effective date through June 30, 2021, and $20,000.00 from July 1, 2021, through June 30, 2022, for a total maximum amount of $40,000.00 over the life of the Contract. These fees and expenses may be paid from funds from indirect costs associated from various University grants and/or University general operating accounts. Caves & Caves, PLLC, maintains Professional Liability insurance coverage with limits of liability of $1,000,000 per occurrence with an annual aggregate of $1,000,000. This request has been approved by the Office of the Attorney General.

32. USM – Pending approval by the Attorney General, the Board approved the request to hire Colette A. Oldmixon, P.A., to perform services related to acting as hearing officers for Title IX proceedings at the University. The hourly rate to be charged is $195.00 per hour for Partners and $90.00 per hour for legal assistants. In addition to attorneys’ fees, the firm will be entitled to reimbursement of reasonable expenses. The term of this Contractual Agreement will end on June 30, 2022. The maximum expenditure of attorneys’ fees authorized under this Contract is $20,000.00 from the effective date through June 30, 2021,

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6 Regulations require employer to pay all costs relating to H-1B filing, including attorney’s fees and filing fees (however, employee may pay “premium processing request” filing fee if desired).
and $20,000.00 from July 1, 2021, through June 30, 2022, for a total maximum amount of $40,000.00 over the life of the Contract. These fees and expenses may be paid from funds from indirect costs associated from various University grants and/or University general operating accounts. Colette A. Oldmixon, P.A., maintains Professional Liability insurance coverage with limits of liability of $1,000,000 per occurrence with an annual aggregate of $2,000,000.

PERSONNEL REPORT

33. Employment

Mississippi Valley State University
Thomas Calhoun; Vice President for Enrollment Management and Student Affairs; salary of $105,000 per annum, pro rata; E&G Funds; 12-month contract; effective October 1, 2020

34. Change of Status

Mississippi State University
Rasheda Chanel Boddie-Forbes, from Assistant Vice President for Multicultural Affairs & Director of Holmes Cultural Diversity Center; salary of $135,252 per annum, pro rata; E&G Funds; to Vice President for Access, Diversity & Inclusion; salary of $215,000 per annum, pro rata; E&G Funds; 12-month contract; effective September 22, 2020

35. Sabbatical

Alcorn State University
FROM: Tahir Rashid; Associate Professor of Agriculture; from salary $65,142 per annum, pro rata; E&G Funds; 9-month contract; to salary $0 for sabbatical period; USDA-ARS Funds; effective September 30, 2019 to August 31, 2020; professional development [Originally approved by IHL Board October 17, 2019]
CORRECTED: Tahir Rashid; Associate Professor of Agriculture; from salary $65,142 per annum, pro rata; E&G Funds; 9-month contract; to salary $0 for sabbatical period; effective September 30, 2019 to February 28, 2021; USDA-ARS Funds; professional development

ADMINISTRATION/POLICY

36. ASU – Approved the request to bestow one honorary degree at the next commencement ceremony to be held in Fall 2020. Supporting documents are on file at the Board Office.
On motion by Trustee Duff, seconded by Trustee Lamar, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. Trustee Gee Ogletree recused himself from discussing or voting on items #2 - #7 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. Trustee Bruce Martin recused himself from discussing or voting on item #7 on the Finance Agenda and was placed in the Zoom waiting room before there was any discussion or vote regarding the same. On motion by Trustee Duff, seconded by Trustee McNair, with Trustees Martin and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve item #2 - #7. Trustee Ogletree returned to the room and Trustee Martin was readmitted into the Zoom meeting following the conclusion of the discussion and vote on items #2 - #7 on the Finance Agenda.

1. SYSTEM – Approved the request to provide all institutions through May 31, 2021 temporary relief and waive requirements for approval of items, matters, contracts, purchases, leases, prepayments and any other agreement otherwise requiring approval by the Board of Trustees or Commissioner pursuant to Board Policy 707 Contracts (to include policies 707.01, 707.02 and 707.03) and Board Policy 905 Real Estate Management, when compliance with the Board approval requirements of these policies would impede the institution’s ability to promptly and effectively provide for the safety and health of its students, employees and guests in dealing with the COVID-19 pandemic. This request is for a temporary period during the state of emergency caused by the COVID-19 pandemic, through May 31, 2021, for the health and well-being of students, employees, and guests on all IHL campuses and facilities. This waiver supersedes and replaces the waiver granted to the University of Mississippi Medical Center approved on March 19, 2020 and for all institutions approved on September 4, 2020. The previous waiver approved by the Board on September 4, 2020 will expire on December 31, 2020. Through the October 2020 Board meeting there have been 27 contracts entered into through this waiver. Board Policy 707 Contracts governs, among other things, the contracts and leases entered by the institutions. Specifically, it requires, in part, that any land acquisitions exceeding $100,000, any leases in an amount greater than $100,000, and all other land, personal property, and services contracts requiring an aggregate expenditure of more than $250,000 require approval by the Board of Trustees. This policy also governs approvals required for prepayments and for some revenue contracts. Board Policy 905 Real Estate Management further governs, among other things, the purchase and sale of land and leases of property and requires a Phase I or more detailed Environmental Report. The Board also delegated authority to the Commissioner, through May 31, 2021, to approve waivers on behalf of the Board of any other Board policy or practice requirements to enable the institutions to promptly and effectively deal with any issues related to the COVID-19 pandemic and to allow them to operate more efficiently during this public health crisis. The following processes govern this waiver and temporary delegation. All such contracts, leases, purchases, and other
items be reported to the Board as information items in such form and such detail as may be required for other contracts otherwise requiring approval by the Board or Commissioner,

a. All such contracts, leases, purchases, and other items be reported to the Board as information items in such form and such detail as may be required for other contracts otherwise requiring approval by the Board or Commissioner,

b. Legal staff from each institution or a special assistant Attorney General is to provide a legal opinion as to compliance with applicable law for each contract/lease/legally binding document entered into,

c. Each action taken for items otherwise requiring approval by the Board or Commissioner must include a specific justification explaining the necessity related to the COVID-19 pandemic when reported to the Board as information,

d. For requests to the Commissioner for waivers of policies other than Board Policies 707 Contracts and 905 Real Estate Management, the institution must present a justification to the Commissioner explaining why extraordinary waiver of policies and practices is warranted as it relates to the COVID-19 pandemic, and

e. The Commissioner shall notify the Board when the temporary period no longer warrants extraordinary waiver of the requirements of the Board’s Policies should the public health crisis caused by COVID-19 end sooner than May 31, 2021.

2. MVSU – Approved the request to enter a new food service management agreement with Thompson Hospitality Services, LLC. The purpose of this amendment is to change certain terms, specifically investment by the vendor, pricing, establishment of funds for repairs and maintenance, and In-kind services. The contract shall commence on July 1, 2021 and conclude on June 30, 2031. The contract is estimated to produce $4,713,000 in revenue, including a capital investment $2,900,000. A breakdown of costs is included in the bound November 19, 2020 Board Working File. The contract will be paid by student fees collected for dining. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

3. SYSTEM – Approved the request to purchase workers’ compensation excess insurance and employer’s liability insurance from Safety National Casualty Company. The broker will be Arthur J. Gallagher. This is a contract for workers’ compensation insurance coverage in excess of the primary self-insured retention of $1,000,000 per occurrence. The term of the policy is December 1, 2020 through November 30, 2021. This is a one-year policy with a conditional option for a second-year renewal at the same rate. If renewed, the second policy year would end November 30, 2022. The estimated premium is $361,143 for the one-year term based upon an annual payroll of $1,597,977,367. If the optional renewal is elected by IHL, the total cost for the two years will be approximately $722,286. The exact cost may fluctuate as it is based upon annual payroll. This insurance is paid for by the IHL Self-Insured Workers’ Compensation Plan. The Plan collects assessments annually from each university, including UMMC, and the Board Office. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
4. **UMMC** – Approved the request to enter a Customer Optimization Plus Program Agreement (Co-Op Agreement) and MAX Sensor Remanufacturing Program Agreement (Reman Agreement) with Covidien Sales LLC, a Medtronic company (Covidien) for the purchase and placement of commodities and equipment related to pulse oximetry monitoring, capnography, and cerebral/somatic monitoring, as well as service for the equipment, and to participate in the remanufacturing program to return and/or purchase remanufactured sensors. Under the Co-Op Agreement, UMMC will earn credits for its purchases of commodities that will be applied against the purchase of the equipment. The purpose of the Reman Agreement is to participate in the remanufacturing program to return and/or purchase remanufactured sensors. The term of both the Co-Op Agreement and the Reman Agreement is three (3) years, from December 1, 2020, through November 30, 2023. The estimated cost of the three (3) year Co-Op Agreement is $6,372,000. This amount is based upon UMMC’s historical purchase volume for the consumables, plus eighteen percent (18%) annual volume growth. There is no additional cost for the Reman Agreement. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to prepay the equipment service on an annual basis. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

5. **UMMC** – Approved the request to enter a Locally Negotiated Agreement with Covidien Sales LLC, a Medtronic company (Covidien) to purchase electrosurgery, vessel sealing, smoke evacuation, ultrasonic cutting, and hardware products at discounted rates. These devices are basic and advanced hardware and associated products used primarily in the Operating Room to control bleeding, sealing, and cutting blood vessels during minor to extensive procedures. The Board granted the University the authority to add and/or remove products from the agreement as needed, as long as it does not increase the approved expenditure level. The term of the Agreement is three (3) years, from December 1, 2020, through November 30, 2023. The total estimated cost of the Agreement over the three (3) year term is $4,150,000. UMMC based its calculation on historical purchases, plus twenty percent (20%) volume growth each year of the Agreement. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

6. **UMMC** – Approved the request to amend the Product Purchase Agreement with Medtronic USA, Inc. (Medtronic) to extend the term of the agreement, add products, and add an information security provision in the agreement. The agreement is for the purchase of Transcutaneous Aortic Valve Replacement (TAVR) products. TAVR devices are used in UMMC’s Adult Catheterization Lab to repair or replace the aortic valve in a patient’s heart when their aortic valve is not functioning properly. The Board granted the University the authority to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the amended agreement is four (4) years, from March 1, 2019, through February 28, 2023. The original agreement was for a term of two (2) years beginning March 1, 2019. The amendment extends the term for an additional two (2) years through February 28, 2023.
The total amended cost of the agreement over the extended term is $2,470,000. The total approved cost of the original agreement was $1,706,250.00. The first amendment will add an additional $763,750. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

7. SYSTEM – Approved the request to contract for property insurance brokerage services with Arthur J. Gallagher (Gallagher). The purpose is to utilize the services of a property insurance broker in order to maximize coverages, minimize insurance costs, and to provide other related consulting services to the IHL system. This is a four-year contract (unless terminated earlier) which will coincide with the next four property insurance policy annual terms, which renew each year in May. Services will be provided prior to the policy terms, as well as during them, and work will first begin soon after Board approval. Generally, the services will be performed from approximately January 1, 2020, through December 31, 2025, although payment is part of the premium based on the policy years. The aggregate contract amount is $780,000 over four years, which will coincide with the policy years 2021-2022, 2022-2023, 2023-2024, and 2024-2025. The annual fee is $195,000. This is $20,000 less per year than our current fee. Each university and the Board Office are directly billed for their respective share of this contract cost when system-wide insurance is purchased. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

REAL ESTATE AGENDA
Presented by Trustee Chip Morgan, Chair

Trustee Shane Hooper recused himself from discussing or voting on item #1 on the Real Estate Agenda and was placed in the Zoom waiting room before there was any discussion or vote regarding the same. On motion by Trustee Starr, seconded by Trustee Cunningham, with Trustees Duff and Hooper absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Real Estate Agenda. Trustee Hooper was readmitted to the Zoom meeting following the conclusion of the discussion and vote on item #1 on the Real Estate Agenda.

1. MSU – Approved the initiation of IHL 213-145 – Aquatic Food Research Center, and the appointment McCarty Architects as the design professional. This project will construct an Aquatic Food Research Center on the Mississippi Gulf Coast. The complex will be built in phases as funding is secured. Phase I of the project will construct office space and laboratory space. The proposed project budget is $3 million. Funds are available from the Restore Act MDEQ ($3,000,000).
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 19, 2020

LEGAL AGENDA
Presented by Trustee Ann Lamar, Chair

On motion by Trustee Cunningham, seconded by Trustee Starr, with Trustee Duff absent and not voting, all Trustees legally present and participating voted unanimously to move item #1 to the Executive Session Agenda.

1. UMMC – Settlement of Tort Claim No. 3383. (THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)

ADMINISTRATION/POLICY AGENDA
Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Morgan, seconded by Trustee Cunningham, with Trustee Duff absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda.

1. SYSTEM – Approved the Board meeting dates and locations for January through December 2021, as follows:
   Thursday, January 21, 2021  Board Office
   Thursday, February 18, 2021 Board Office
   Thursday, March 18, 2021  Board Office
   Thursday, April 15, 2021  Board Office
   Thursday, May 20, 2021  Board Office
   Thursday, June 17, 2021  Board Office
   Thursday, July 15, 2021  Subject to Call
   Thursday, August 19, 2021 Board Office
   Thursday, September 16, 2021 Board Retreat
   Thursday, October 21, 2021 Board Office
   Thursday, November 18, 2021 Board Office
   Thursday, December 16, 2021 Subject to Call

INFORMATION AGENDAS
Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. SYSTEM – Certificate Programs
   Intent to Offer
   a. MSU – Program Title: Companion Animal Management Certificate
      Responsible Academic Unit: Department of Animal & Dairy Sciences
      Level: Other
      Total credit hours: 15
      CIP Code: 01.0901
Effective date: August 2020

Delete

b. **DSU** – Program title: Nurse Administrator
   Responsible academic unit: Robert E. Smith School of Nursing
   Level: Post-master’s
   CIP code, sequence: 51.3802, 8087
   Effective date: Fall 2020

2. **SYSTEM** – The Board received the annual report on institutional accreditation. A table summarizing the system accreditation activity for the period beginning July 1, 2019 and ending June 30, 2020 is included in the bound November 19, 2020 Board Working File.

3. **STATE** – The Board received the annual report of the Halbrook Awards for Academic Achievement Among Athletes for 2019-2020.

<table>
<thead>
<tr>
<th>David C. Halbrook Awards for Academic Achievement Among Athletes²</th>
<th>Mississippi State University and University of Southern Mississippi</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public University Division – Men (tie)</td>
<td></td>
</tr>
<tr>
<td>Alcorn State University</td>
<td>Joda Hargrove (Biol/Phy Therapy)</td>
</tr>
<tr>
<td>Delta State University</td>
<td>Zach Zediker (HPE-Sports Mgmt)</td>
</tr>
<tr>
<td>Jackson State University</td>
<td>Jacob Thomas (Accounting)</td>
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<tr>
<td>Mississippi State University</td>
<td>Brandon Hawkins (Biology)</td>
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<tr>
<td>University of Mississippi</td>
<td>Andrew Raspo (Managerial Fin)</td>
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<tr>
<td>University of Southern Mississippi</td>
<td>Alex Nelms (Biol Sci/Chem minor)</td>
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<tr>
<td>Independent College Division Overall</td>
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<tr>
<td>Millsaps College</td>
<td></td>
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<tr>
<td>Community and Junior College Division Overall (tie)</td>
<td></td>
</tr>
<tr>
<td>Itawamba Community College and Northwest Mississippi Community College</td>
<td></td>
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</tbody>
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<table>
<thead>
<tr>
<th>John C. and Ernestine McCall Halbrook Improvement Award²</th>
<th>Tougalo College</th>
</tr>
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<tr>
<td>Public University Division</td>
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<table>
<thead>
<tr>
<th>David M. Halbrook Certificate Award for Academic Achievement Among Athletes²</th>
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<tbody>
<tr>
<td>Institution</td>
<td>Male Recipient</td>
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<tr>
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<tr>
<td><strong>Public Division</strong></td>
<td></td>
</tr>
<tr>
<td>Alcorn State University</td>
<td>Troymain Crosby (Sports Mgmt)</td>
</tr>
<tr>
<td>Delta State University</td>
<td>Zach Zediker (HPE-Sports Mgmt)</td>
</tr>
<tr>
<td>Jackson State University</td>
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<tr>
<td>Mississippi State University</td>
<td>Curtis Thompson (Mathematics)</td>
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<tr>
<td>Mississippi University for Women</td>
<td>Jacob Thomas (Accounting)</td>
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<tr>
<td>Mississippi Valley State University</td>
<td>Brandon Hawkins (Biology)</td>
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<tr>
<td><strong>Ind. Division</strong></td>
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<tr>
<td>Belhaven University</td>
<td>Mayowa “Mario” Asaggunla</td>
</tr>
<tr>
<td>Blue Mountain College</td>
<td>James Shea</td>
</tr>
<tr>
<td>Millsaps College</td>
<td>Brandon Beck</td>
</tr>
<tr>
<td>Mississippi College</td>
<td>Jonathan J. Jones</td>
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<tr>
<td>Rust College</td>
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<td>Coahoma Community College</td>
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<td>Copiah-Lincoln Comm. College</td>
<td>Kylar Fielder</td>
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<td>East Central Community College</td>
<td>Dylan Barnett</td>
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FINANCE

4. SYSTEM – In accordance with the JAKE AYERS, JR. ET.AL. and United States of America v RONNIE MUSGROVE, GOVERNOR, STATE OF MISSISSIPPI, ET.AL. Settlement (aka: Ayers Settlement Agreement), the Board, through its counsel, shall provide to lead counsel for the private plaintiffs and counsel for the United States an annual disclosure report reflecting specified line-item information. This document is due October 1 of each year and has been presented to the Court. The report is on file in the Board Office.

5. SYSTEM – As part of the Ayers Settlement Agreement, publicly and privately funded endowments were created for the benefit of Alcorn State University, Jackson State University, and Mississippi Valley State University. The Ayers Investment Report summarizes the activity in the endowment accounts for FY 2020. The report is on file in the Board Office.

6. UMMC – Mississippi Department of Information Technology Services (ITS), as contracting agent for UMMC, entered a Service Agreement with Elekta Inc. (Elekta). The agreement is for maintenance and support of the MOSAIQ software used in UMMC’s Radiation Oncology department. The term of the agreement is three (3) years, from July 1, 2020, through June 30, 2023. The total cost of the three (3) year agreement is $619,957.58.

7. ASU - Alcorn State University entered a contract with the EJSCS, Inc. d/b/a EJ’S Cleaning Services for custodial services for 6 university buildings contract as approved at the October 15, 2020 IHL Board meeting. Due to several variables including: The Fall 2020 break; the Thanksgiving and Christmas Holiday schedules; and the associated low projected traffic flow in the respective buildings, a determination was made that the original November start date would not generate the most desired outcomes. Therefore, the start date has been adjusted to begin on January 1, 2021 and end December 31, 2021. There were no substantial changes to the terms and conditions of the contract, except the date
change. ASU also removed the optional clause in the contract that would have allowed the university to lease custodial equipment to the contractor. All other contract terms and conditions as well as the contract amount remained the same. The total contract cost is $328,999.98 with monthly payments in the amount of $27,416.66.

REAL ESTATE
8. SYSTEM – The Board received the Real Estate items that were approved by the Board staff subsequent to the October 15, 2020 Board meeting in accordance with Board Policy 904 Board Approval. *(See Exhibit 1.)*

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

ADMINISTRATION/POLICY
10. SYSTEM – 2020 Fall Commencement Schedules.

**Alcorn State University**
*2020 Spring Graduates and Golden Class of 1970 Commencement*
Time/Date: 10:00 a.m., Saturday, November 21, 2020
Location: Spinks-Casem Stadium
Speaker: Mr. Bonner Upshaw III, Co-founder and CEO, Trion Solutions, Inc.

**Delta State University**
*2020 Summer and Fall Graduates Commencement*
Time/Date: 2:00 p.m., Saturday, November 21, 2020
Location: Spinks-Casem Stadium
Speaker: Mr. Bonner Upshaw III, Co-founder and CEO, Trion Solutions, Inc.

**Mississippi State University**
*Starkville Campus*
**College of Arts and Sciences**
Time/Date: 8 a.m., Wednesday, November 25, 2020
Location: Humphrey Coliseum
Speaker: Dr. Mark Keenum, President, Mississippi State University

**College of Architecture, Art and Design; College of Education; University Studies; and ACCESS Program**
Time/Date: 11 a.m., Wednesday, November 25, 2020
Location: Humphrey Coliseum
Speaker: Dr. Mark Keenum, President, Mississippi State University

**College of Agriculture and Life Sciences and College of Business**
Time/Date: 2 p.m., Wednesday, November 25, 2020
Location: Humphrey Coliseum
Speaker: Dr. Mark Keenum, President, Mississippi State University
11. SYSTEM – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.

   a. JSU – On October 30, 2020, Commissioner Alfred Rankins, Jr. approved the request for Jackson State University to grant a ten foot (10’) wide right-of-way instrument conveying a permanent utility easement and related right-of-way to Entergy Mississippi, Inc. for the purpose of running additional utility lines to the University of Mississippi Medical Center on JSU owned property adjacent to Mississippi Veterans of Memorial Stadium (North Easement). The Office of the Attorney General has reviewed the easement and found the same to be in compliance with applicable state law. This request is compliant with IHL Board Policy 707.01 Land, Property, and Service Contracts.

   b. JSU – On October 30, 2020, Commissioner Alfred Rankins, Jr. approved the request for Jackson State University to grant a sixteen foot (16’) wide right-of-way instrument conveying a permanent utility easement and related right-of-way to Entergy Mississippi, Inc. for the purpose of running additional utility lines to the University of Mississippi Medical Center on JSU owned property adjacent to Mississippi Veterans Memorial Stadium (West Easement). The Office of the Attorney General has reviewed the easement and found the same to be in compliance with applicable state law. This request is compliant with IHL Board Policy 707.01 Land, Property, and Service Contracts.

   c. MSU – On October 2, 2020, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and MTB Properties, LLC for office space located at 114 E Main Street in Starkville for use by the MSU Entrepreneurship Center. The term of the agreement is one year beginning October 1, 2020, with an option to renew for two additional one-year periods without an increase in the monthly rate. The rent is $2,750 per month due on the first of each month. The IHL Associate Commissioner for Legal Affairs reviewed this item and
found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

d. **MVSU** – On November 9, 2020, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi Valley State University and Rashad Spurlock for space within the Jacob Aron Student Center in which to offer licensed beautician/barber services. The term of the lease is four months to begin January 4, 2021 and end May 28, 2021 for $125 per month due on or before the first day of each month. The Attorney General’s Office reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

e. **UM** – On October 2, 2020, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Mississippi and Joe Poppenheimer Management, LLC for approximately 7,500 square feet of space in Southaven, MS for use by the UM DeSoto Campus for office space and graduate seminar classroom space. The initial term of the lease is four months beginning October 1, 2020 and ending January 31, 2021 at a cost of $11,690 per month payable in advance on the first day of the month. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

f. **UM** – On October 2, 2020, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Mississippi and Gaylon Reed for two parcels of land located on Reed Road in Marks, MS for use as a research test site for the National Center for Physical Acoustics. The initial term of the lease begins October 1, 2020 and ends May 31, 2021 at a cost of $3,600 with options for four annual renewals extending the lease term until May 31, 2025 at a cost of $3,600 per year payable in advance on the first day of the term. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

g. **UM** – On October 15, 2020, Commissioner Alfred Rankins, Jr. approved the Amended Lease Agreement between the University of Mississippi and Tau of Chi Omega Fraternity House Corporation (“House Association”) for the lease of the Chi Omega House located on sorority lot no. 256 on the University of Mississippi Oxford campus and described in detail in Exhibit A to the Amended Lease. The House Association seeks to renovate the Chi Omega sorority house constructed at this site and to extend the termination date of the original lease from July 31, 2039 to July 31, 2069. This lease amendment is necessary for financing being sought by the House Association for this renovation. Further amendments were made to the following sections: an updated notice provision, complete agreement, modification, governing law, non-availability of funds, indemnification and force majeure. The cost of the lease is $50 annually due on or before July 1st of each year the amended lease is in effect. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.
h. UM – On October 15, 2020, Commissioner Alfred Rankins, Jr. approved the Sublease Agreement between the University of Mississippi, Kappa Alpha Theta Fraternity, Inc. (KAT), and Mississippi Sigma Chi Association (Sigma Chi). The primary lease between UM and Epsilon Zeta House Corporation of Kappa Alpha Theta was for 50 years beginning May 21, 1979 and will expire on May 20, 2029. In 2018, the Epsilon Zeta Chapter of Kappa Alpha Theta closed its chapter of operations at UM, and in May 2019 the IHL Board approved an Assignment and Assumption of the lease to Kappa Alpha Theta Fraternity, Inc. KAT entered into a sublease for that sorority residential facility with Delta Rho Chapter House Association of Kappa Kappa Gamma in May 2019. The sublease expired on June 30, 2020. KAT now seeks to sublease this facility to Mississippi Sigma Chi Association. The term of this sublease will be October 10, 2020 through May 10, 2021. Base rent for this term is $35,000 payable in $5,000 monthly installments. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

i. UM – On October 15, 2020, Commissioner Alfred Rankins, Jr. approved the Amendment to Concession License between the University of Mississippi and Boston Concessions Group, Inc. d/b/a Centerplate. This is an extension of an existing revenue generating contract that will extend the term of that agreement until June 30, 2025. All commission terms remain unchanged from the original contract for non-alcoholic beverages and food concessions. This amendment adds a 50% commission for beer and light wine. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

j. UM – On November 9, 2020, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between UM’s McLean Institute for Public Service and Community Engagement and the UM Research Foundation (Insight Park) for office space at Insight Park to be used by the McLean Institute’s CEED Initiative. The term of the lease is one year beginning November 1, 2020, with an option to renew for three (3) additional one-year terms, at a cost of $10,200 per year payable at the beginning of each lease year. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

k. UM – On November 9, 2020, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between UM’s School of Business – MS Small Business Development Center (MS-SBDC) and the Monroe County Chamber of Commerce for office space for use by MS-SBDC staff working remotely in the Monroe County area. The term of the lease is one year beginning November 1, 2020, with an option for renewal for one (1) additional year, at a cost of $200 per month payable at the beginning of each month. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property,
and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

l. **UMMC** – On October 15, 2020, Commissioner Alfred Rankins, Jr. approved Amendment No. 1 to the Part-Time Space Occupancy Lease Agreement between the University of Mississippi Medical Center and Cardiology Associates of North Mississippi, P.A. and the request to continue to make prepayments as part of that agreement. The existing lease is for approximately 749 square feet of clinic space at 499 Midtown Point in Tupelo, MS for use as a cardiology transplant clinic for one day per month with a termination date of May 31, 2025. This amendment increases the monthly rental rate from the existing $68.91 to $355.91 and will now include the services of a Registered Nurse, employed by the Landlord, during the occupancy periods. Monthly payments continue to be due on the first day of each month. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

m. **UMMC** – On October 15, 2020, Commissioner Alfred Rankins, Jr. approved the Medical Office Building Lease Agreement between the University of Mississippi Medical Center and Downer Clinic, LLC with a request to make prepayments as part of that agreement. The lease is for approximately 4,050 square feet of clinic space located at 110 Tchula Street in Lexington, MS in which to operate UMMC’s Rural Health Clinic. This is a new lease with a term of two years beginning November 1, 2020 at a cost of $4,000 per month due in advance. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

n. **UMMC** – On November 5, 2020, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Mississippi Medical Center and Hometown Diagnostics, LLC for 822 square feet of lab and office space in the incubator facility of UMMC’s Translational Research Center. This is a revenue generating lease. The term of the lease is 12 months beginning November 1, 2020, and Hometown will pay a monthly rent in the amount of $2,449.48. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

o. **UMMC** – On November 5, 2020, Commissioner Alfred Rankins, Jr. approved the Part-Time Space Occupancy Lease Agreement between the University of Mississippi Medical Center and North Mississippi Medical Center, Inc. to sublease approximately 160 square feet of UMMC’s leased clinic space in the Tupelo Pediatric Clinic to NMMC for use in performing echocardiograms. The term of the agreement is 12 months beginning December 15, 2020. The prime lease between UMMC and Journal, Inc. will expire August 31, 2021. The sublease is subordinate to the prime lease and will expire at the same time unless the prime lease is renewed. The anticipated revenue is $2,510.76 over the one-year term. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.
p. **UMMC** – On November 5, 2020, Commissioner Alfred Rankins, Jr. approved the Part-Time Space Occupancy Lease Agreement between the University of Mississippi Medical Center and North Mississippi Medical Center, Inc. to sublease approximately 944 square feet of UMMC’s leased clinic space in the Tupelo Pediatric Clinic to NMMC for post-discharge NICU patient evaluations. The term of the agreement is 12 months beginning November 1, 2020. The prime lease between UMMC and Journal, Inc. will expire August 31, 2021. The sublease is subordinate to the prime lease and will expire at the same time unless the prime lease is renewed. The anticipated revenue is $2,052.48 over the one-year term. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

q. **USM** – On October 2, 2020, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Southern Mississippi and TC HELEASE, LLC for approximately .06 of an acre of university-owned property located at 3319 Hardy Street in Hattiesburg, MS for use by the lessee to expand parking for a medical clinic located adjacent on non-university owned property. The term of the lease begins October 1, 2020 with a term of 60 months at a cost to lessee of $50 per month. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

r. **SYSTEM** – On October 23, 2020, Commissioner Alfred Rankins, Jr. approved the Independent Contractor Agreement between the Mississippi Board of Trustees of State Institutions of Higher Learning and Michael Berg and the request to make prepayment under that agreement in the amount of $5,000, which represents one-half of the compensation for services rendered due under that agreement. This agreement is for research consulting services with a term to begin upon approval and execution and continue until the completion of services. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

**PERSONNEL**

12. **Sabbatical**

**University of Mississippi**

FROM: Feng Wang; Associate Professor of Computer and Information Science; from salary $95,297 per annum, pro rata; E&G Funds; 9-month contract to salary $47,649 for sabbatical period; E&G Funds; effective January 19, 2021 to May 8, 2021; professional development

[Originally approved by IHL Board February 20, 2020]

CORRECTED: This item was rescinded.
The meeting was called to order by Chairman Walt Starr at approximately 3:00 p.m. The following items were discussed.

1. The Committee discussed the CARES Act Funds, received an update on COVID-19, discussed the status of the UMMC schools, received an update on the Air Ambulance service, received an update on the completion of the Kathy and Joe Sanderson Tower at Children’s of Mississippi on the UMMC campus, discussed state funding for hospitals, discussed the monthly financial summary for UMMC, received a Mississippi Legislative update, and received a report on the quarterly quality/patient experience. **No action was taken.**

2. Executive Session
   On motion by Trustee Ogletree, seconded by Trustee Cunningham, with Trustees Duff, Hooper, and Parker absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Morgan, seconded by Trustee Cunningham, with Trustees Duff, Hooper, McNair, and Parker absent and not voting, all Committee members legally present and participating voted unanimously to enter Executive Session for the reason reported to the public and stated in these minutes, as follows:
   Discussion of the strategic business plans related to a public hospital.
   During Executive Session, the following matters were discussed:
   The Committee discussed the strategic business plans related to a public hospital. **No action was taken.**
   On motion by Trustee Dye, seconded by Trustee Cunningham, with Trustees Duff, Hooper, and McNair absent and not voting, all Committee members legally present and participating voted unanimously to return to open session.

3. By consensus, the Committee adjourned at approximately 5:00 p.m.

The following trustees were present: Dr. Walt Starr (Chair), Dr. Steven Cunningham, Mr. Tom Duff (via Zoom), Dr. Ford Dye, Ms. Ann H. Lamar, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, and Mr. Gee Ogletree. Trustees Shane Hooper and Hal Parker were absent.

**ANNOUNCEMENT**

- President Dye announced that the next meeting of the Board will be held January 21, 2021 at the Board Office.
EXECUTIVE SESSION

On motion by Trustee Lamar, with Trustee Duff absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Lamar, seconded by Trustee Cunningham, all Trustees legally present and participating voted unanimously to enter Executive Session for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a litigation matter at the University of Mississippi Medical Center.
Discussion of one personnel matter at Jackson State University.
Discussion of one personnel matter at the University of Mississippi Medical Center.
Discussion of one personnel matter at the Board Office.

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

On motion by Trustee McNair, seconded by Trustee Cunningham, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3383 styled as Tikeka Davis vs. University of Mississippi Medical Center, et al., as recommended by counsel.

On motion by Trustee Cunningham, seconded by Trustee Hooper, all Trustees legally present and participating voted unanimously to approve hiring Thomas Hudson as President of JSU effective December 1, 2020, to give him a four-year employment contract as President of Jackson State University with a state salary of $300,000 and a foundation salary supplement in an amount to be negotiated by the Commissioner, and to approve reimbursement of up to $15,000 for moving expenses for Dr. Hudson to move him into the President’s home at JSU.

On motion by Trustee Dye, seconded by Trustee Starr, all Trustees legally present and participating voted unanimously to grant approval of the Chancellor’s request for the Chancellor to give Dr. Lou Ann Woodward, Vice Chancellor of the University of Mississippi Medical Center, a four-year employment contract.

On motion by Trustee Hooper, seconded by Trustee Martin, all Trustees legally present and participating voted unanimously to approve a salary increase for Dr. Alfred Rankins, Jr., Commissioner of Higher Education, from $358,312.50 to $420,000 effective January 1, 2021.

On motion by Trustee Cunningham, seconded by Trustee Lamar, all Trustees legally present and participating voted unanimously to return to Open Session.
ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Hooper, seconded by Trustee Starr, 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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<th>Exhibit</th>
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<tr>
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<td>Real Estate items that were approved by the IHL Board staff subsequent to the October 15, 2020 Board meeting.</td>
</tr>
<tr>
<td>Exhibit 2</td>
<td>Report of the payment of legal fees to outside counsel.</td>
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</table>
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE OCTOBER 15, 2020 BOARD MEETING SUBMISSION DEADLINE

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

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

ALCORN STATE UNIVERSITY

1. **ASU- GS 101-297 – Technology Classroom Building**
   NOTE: This is a Bureau of Building project
   Approval Request #1: Change Order #7
   Board staff approved Change Order #71 in the amount of $158,535.25 and ninety (90) additional days to the contract of Flagstar Construction Company.
   Approval Status & Date: APPROVED, October 22, 2020
   Change Order Description: Change Order #7 includes the following items: repurposed room 108 Food Service to a computer lab; modifications made to the south wing department suite and the east wing suite; deleted the reception desk and added a donor wall; and ninety (90) days to the contract.
   Change Order Justification: These changes were necessary due to user/owner requested modifications and days for work as indicated herein.
   Total Project Change Orders and Amount: Seven (7) change orders for a total amount of $213,562.12.
   Project Initiation Date: June 20, 2013
   Design Professional: Allred Stolarski Architects
   General Contractor: Flagstar Construction Company
   Total Project Budget: $23,200,000.00

2. **ASU- GS 101-310 – New Faculty and Staff Housing**
   NOTE: This is a Bureau of Building project
   Approval Request #1: Change Order #4
   Board staff approved Change Order #4 in the amount of $427,493.00 and one hundred thirty-three (133) additional days to the contract of Ergon Construction Group.
   Approval Status & Date: APPROVED, October 19, 2020
   Change Order Description: Change Order #4 includes the following items: provided solid surface countertops and backsplash at ranges in lieu of plastic laminate; provided...
security access fencing including underground raceway, gate operators on concrete pads, bollards, curb and gutter and ornamental fencing with two (2) sets of double swing gates; provided underground raceways for conduit for site security cameras; provided site security cameras; provided composite wood privacy fencing at patios for two buildings; provided lighting for signage at the entrance; provided signage at the entrance to include brick columns, stone caps, brick infill, foundations, and brick columns at both the north and south entry gates; provided executive finishes for units in building 1A units A,B,C to include wood stairs, solid surface countertops and dishwasher connections; provided executive finishes for Unit 4C including solid surface countertops & dishwasher connections; relocated post indicator valve & fire department connections from the entry sidewalks to building 3 & 4 to the end of the buildings; provided door bells for all units including strobe lighting for units 3B & 4C; provided medicine cabinets for standard bathrooms; provided lighting over the washer & dryer in Unit 4B; and one hundred thirty-three days to the contract.

Change Order Justification: These changes were necessary due to error and omissions in the plans and specifications; user/owner requested modifications; twenty-one (21) weather-related days, twenty-eight (28) Covid related delays and days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of $660,667.80.

Project Initiation Date: April 20, 2017
Design Professional: Architecture South
General Contractor: Ergon Construction Group
Total Project Budget: $10,000,000.00

DELTA STATE UNIVERSITY

3. **DSU- GS 102-266 – HVAC Improvements (Aquatic Center)**

   NOTE: This is a Bureau of Building project

   **UNAPPROVAL Request #1: Schematic Design Documents**
   Board staff did not approve the Schematic Design Documents as submitted by Engineering Source Group, Inc.
   Approval Status & Date: NOT APPROVED, October 13, 2020

   **UNAPPROVAL Request #2: Design Development Documents**
   Board staff did not approve the Design Development Documents as submitted by Engineering Resource Group, Inc.
   Approval Status & Date: NOT APPROVED, October 13, 2020

   **UNAPPROVAL Request #3: Contract Documents**
   Board staff did not approve Contract Documents as submitted by Engineering Resource Group, Inc.
   Approval Status & Date: NOT APPROVED, October 13, 2020

   **UNAPPROVAL Request #4: Award of Construction Contract**
Board staff did not approve the Award of Contract in the amount of $1,118,150.00 to the apparent low bidder, Upchurch Plumbing Inc.

**Approval Status & Date:** NOT APPROVED, October 13, 2020  
**Project Initiation Date:** January 17, 2019  
**Design Professional:** Engineering Resource Group  
**General Contractor:** Upchurch Plumbing, Inc.  
**Total Project Budget:** $1,500,000.00

4. **DSU- GS 102-266 – HVAC Improvements (Aquatic Center)**  
   **NOTE:** This is a Bureau of Building project  
   **Approval Request #1: Change Order #1**  
   Board staff approved Change Order #1 in the credit amount of $557.00 and two hundred seventy (270) additional days to the contract of Upchurch Plumbing, Inc.  
   **Approval Status & Date:** APPROVED, October 14, 2020  
   **Change Order Description:** Change Order #1 includes the following items: credit for base bid and integrations amount below the allowance and two hundred seventy (270) days to the contract.  
   **Change Order Justification:** These changes were necessary due to user/owner requested modifications and days for work as indicated herein.  
   **Total Project Change Orders and Amount:** One (1) change order for a total credit amount of $557.00.  
   **Project Initiation Date:** January 17, 2019  
   **Design Professional:** Engineering Resource Group, Inc.  
   **General Contractor:** Upchurch Plumbing, Inc.  
   **Total Project Budget:** $1,500,000.00

**MISSISSIPPI STATE UNIVERSITY**

5. **MSU– IHL 205-287 – Parking Garage North - Rebid**  
   **Approval Request #1: Change Order #1**  
   Board staff approved Change Order #1 in the amount of $74,763.13 and fifty-one (51) additional days to the contract of Amason & Associates, Inc.  
   **Approval Status & Date:** APPROVED, October 14, 2020  
   **Change Order Description:** Change Order #1 includes the following items: work associated with unsuitable soils and dewatering; storm drainage modifications for a storm drain at the west side of project site; soil undercut and backfill at the southeast corner of structure and at a column line; foundation modifications at the electrical and data room; beam reinforcement revisions near the main entry where precast panels bear on beams; north stair tower beam modifications to tie beams into the wall; modifications to PT cable layout along a line and two columns; and fifty-one days to the contract.  
   **Change Order Justification:** These changes were necessary due to errors and omissions in the plans & specifications; latent job site conditions; forty-three (43) weather-related delays and days for work as indicated herein.
Total Project Change Orders and Amount: One (1) change order for a total amount of $74,763.13.
Project Initiation Date: April 21, 2016
Design Professional: McCarty Architects, Professional Association
General Contractor: Amason & Associates, Inc.
Total Project Budget: $16,000,000.00

6. MSU- IHL 205-297– Butler Hall Mechanical, ADA Improvements and Exterior Envelope Modifications
Approval Request #1: Award of Construction Contract
Board staff approved the Award of Contract in the amount of $3,571,767.00 to the apparent low bidder, Brislin, Inc.
Approval Status & Date: APPROVED, October 1, 2020
Project Initiation Date: December 10, 2019
Design Professional: Cooke, Douglas Farr Lemons Architects & Engineers
General Contractor: Brislin, Inc.
Total Project Budget: $4,100,000.00

7. MSU- IHL 205-308– CVM Facility Expansion
Approval Request #1: Design Development Documents
Board staff approved the Design Development Documents as submitted by Machado Patano, PLLC.
Approval Status & Date: APPROVED, October 28, 2020
Project Initiation Date: April 16, 2020
Design Professional: Machado Patano, PLLC
General Contractor: TBD
Total Project Budget: $5,600,000.00

8. MSU- IHL 405-001– Music Building Re-Bid
(Corrected Information Agenda from September 17, 2020)
Approval Request #1: Change Order #1
Board staff approved Change Order #1 in the amount of $47,703.00 and twenty-eight (28) additional days to the contract of Mac’s Construction Company, Inc.
Approval Status & Date: APPROVED, August 26, 2020
Change Order Description: Change Order #1 includes the following items: removed unsuitable soils and replaced with geotextile fabric and sand; credit issued to swap RCP pipe with HP pipe; rerouted an existing storm drain into the proposed storm drain system; rerouted a storm drain in conflict with the electrical duct bank on the north side of the building and twenty-eight (28) days to the contract.
Change Order Justification: This change was necessary due to latent job site conditions and days for work as indicated herein.
Total Project Change Orders and Amount: One (1) change order for a total amount of $47,703.00.
Project Initiation Date: May 18, 2017
9. **MSU- IHL 413-002 (GS #113-149)– Forest & Wildlife Facilities**
   
   **Approval Request #1: Contract Documents**
   Board staff approved Contract Documents as submitted by Shafer Zahner Zahner
   
   **Approval Status & Date: APPROVED, August 17, 2020**

   **Approval Request #2: Advertise**
   Board staff approved request to advertise for receipt of bids.
   
   **Approval Status & Date: APPROVED, August 17, 2020**

   **Project Initiation Date:** March 1, 2019
   
   **Design Professional:** Shafer Zahner Zahner
   
   **General Contractor:** TBD
   
   **Total Project Budget:** $5,172,500.00

**MISSISSIPPI VALLEY STATE UNIVERSITY**

10. **MVSU – GS 106-258 – Academic Skills Structural Remediation Phase II**
   
   **NOTE:** This is a Bureau of Building project
   
   **Approval Request #1: Contract Documents**
   Board staff approved Contract Documents as submitted by Architecture South
   
   **Approval Status & Date:** APPROVED, October 5, 2020

   **Project Initiation Date:** October 15, 2015
   
   **Design Professional:** Architecture South
   
   **General Contractor:** TBD
   
   **Total Project Budget:** $3,797,243.50

**UNIVERSITY OF MISSISSIPPI**

11. **UM- IHL 207-449– Lyceum Exterior Window Restoration**
   
   **Approval Request #1: Award of Construction Contract**
   Board staff approved the Award of Contract in the amount of $878,835.00 to the apparent low bidder, Tombigbee Contractors, LLC.
   
   **Approval Status & Date:** APPROVED, October 1, 2020

   **Project Initiation Date:** August 15, 2019
   
   **Design Professional:** Eley Guild Hardy Architects, P.A.
   
   **General Contractor:** Tombigbee Contractors, LLC
   
   **Total Project Budget:** $1,725,000.00
12. **USM- GS 108-285– Cook Library Renovation (Phase 2)**
   NOTE: This is a Bureau of Building project
   Approval Request #1: Change Order #4
   Board staff approved Change Order #4 in the amount of $489,874.43 and thirty (30) additional days to the contract of Codaray Construction, LLC.
   Approval Status & Date: APPROVED, October 19, 2020
   Change Order Description: Change Order #4 includes the following items: installed wood base at the lobby stair; changes to technical services; installed power and data; omission of mobile partitions from DeGrummond Gallery; retrofitting of existing variable airflow valve boxes in the writing center; installed additional steel in an elevator; installed a new generator; replaced modular partitions with permanent sound-rated partitions at Title IX Conference Room; and thirty (30) days to the contract.
   Change Order Justification: These changes were due to errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.
   Total Project Change Orders and Amount: Four (4) change orders for a total amount of $552,865.43.
   Project Initiation Date: January 18, 2018
   Design Professional: Wier Boerner Allin Architecture
   General Contractor: Codaray Construction, LLC
   Phased Project Budget: $9,807,980.01
   Total Project Budget: $12,132,980.00

13. **USM- GS 108-296 – Kinesiology Building Renovation**
   NOTE: This is a Bureau of Building project
   Approval Request #1: Schematic Design Documents
   Board staff approved the Schematic Design Documents as submitted by Albert & Robinson Architects.
   Approval Status & Date: Approved, October 8, 2020
   Project Initiation Date: March 19, 2020
   Design Professional: Albert & Robinson Architects
   General Contractor: TBD
   Total Project Budget: $133,000.00 (Design Fees only)

14. **USM- IHL 208-338 – Pinehaven Apartments Demolition**
    UNAPPROVAL Request #1: Award of Construction Contract
    Board staff did not approve the Award of Contract in the amount of $1,170,800.00 to the apparent low bidder, Codaray Construction, LLC.
    Approval Status & Date: NOT APPROVED, October 1, 2020
    Project Initiation Date: February 21, 2019
    Design Professional: Perkins & Williamson Architecture, PLLC
    General Contractor: Codaray Construction, LLC
Total Project Budget: $1,415,000.00

IHL SYSTEM OFFICE

15. IHL- GS 111-056 – Paul B. Johnson Roof Replacement
NOTE: This is a Bureau of Building project
Approval Request #1: Change Order #2
Board staff approved Change Order #2 in the amount of $7,080.00 and zero (0) additional
days to the contract of Mandal’s, Inc.
Approval Status & Date: APPROVED, October 22, 2020
Change Order Description: Change Order #2 includes the following items: additional
waterproofing and cleaning done.
Change Order Justification: This change was necessary due to latent job site conditions.
Total Project Change Orders and Amount: Two (2) change orders for a total amount of
$37,897.20.
Project Initiation Date: May 16, 2019
Design Professional: JBHM Architects
General Contractor: Mandal’s, Inc.
Total Project Budget: $750,000.00
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 Ware Immigration (statements dated 9/1/20, 9/1/20 and 10/1/20) from the funds of Alcorn State University. (These statements, in the amounts of $32.25, $32.25 and $500.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.............................................................................$  564.50

Payment of legal fees for professional services rendered by Butler Snow (statement dated 9/8/20) from the funds of Mississippi State University. (This statement, in the amount of $2,389.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.............................................................................$  2,389.50

Payment of legal fees for professional services rendered by Ware Immigration (statement dated 9/1/20) from the funds of Mississippi State University. (This statement, in the amount of $2,000.00, represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE.............................................................................$  2,000.00

Payment of legal fees for professional services rendered by Butler Snow, LLP (statements dated 9/10/20, 9/28/20 and 9/28/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $7,512.75, $18,571.20 and $147.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.............................................................................$  26,231.45

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statement dated 9/16/20) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $1,712.37, represents services and expenses in connection with legal advice.)

TOTAL DUE.............................................................................$  1,712.37
Payment of legal fees for professional services rendered by Hagwood Adelman Tipton, PC (statements dated 8/19/20, 8/19/20, 8/19/20, 9/15/20 and 9/15/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $235.30, $307.30, $279.70, $373.00 and $72.05, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE......................................................$ 1,267.35

Payment of legal fees for professional services rendered by Hogan|Lovells (statements dated 7/31/20 and 9/21/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $2,754.70 and $2,674.30, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE......................................................$ 5,429.00

Payment of legal fees for professional services rendered by Steen, Dalehite and Pace (statements dated 9/21/20 and 9/21/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $3,052.50 and $1,353.00, represent services and expenses in connection with legal advice.)

TOTAL DUE......................................................$ 4,405.50

Payment of legal fees for professional services rendered by Taylor Wellons Politz Duhe, APLC (five statements dated 9/25/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,129.50, $66.00, $496.50, $1,779.00 and $1,744.50, represent services and expenses in connection with legal advice.)

TOTAL DUE......................................................$ 5,215.50

Payment of legal fees for professional services rendered by Watkins & Eager (two statements dated 9/23/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $315.00 and $792.00, represent services and expenses in connection with legal advice.)

TOTAL DUE......................................................$ 1,107.00

Payment of legal fees for professional services rendered by Whitfield Law Group (two statements dated 9/11/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,105.50 and $14,008.50, represent services and expenses in connection with legal advice.)

TOTAL DUE......................................................$ 15,114.00
Payment of legal fees for professional services rendered by Bryan Nelson Schroeder Castigliola and Banahan (statements dated 9/16/20 and 10/12/20) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $1,215.00 and $4,376.10, represent services and expenses in connection with legal advice.)

TOTAL DUE………………………………………………………….. $ 5,591.10

Payment of legal fees for professional services rendered by Butler Snow (statements dated 9/3/20, 10/5/20 and 10/9/20) from the funds of the University of Southern Mississippi. (These statements, in the amount of $14,214.33, $206.50 and $2,404.38, represent services and expenses in connection with legal advice.)

TOTAL DUE………………………………………………………….. $ 16,825.21

Payment of legal fees for professional services rendered by Dornan Law Office (statement dated 9/22/20) from the funds of the University of Southern Mississippi. (This statement, in the amount of $7,123.50, represents services and expenses in connection with legal advice.)

TOTAL DUE………………………………………………………….. $ 7,123.50

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 10/8/20) from the funds of the University of Southern Mississippi. (This statement, in the amount of $1,338.15, represents services and expenses in connection with legal advice.)

TOTAL DUE………………………………………………………….. $ 1,338.15

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 9/1/20, 10/1/20, 10/1/20, 10/1/20 and 10/1/20) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $33.00, $130.78, $23.66, $1,500.00 and $142.56, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE………………………………………………………….. $ 1,830.00

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

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (two statements dated 10/7/20) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - $1,050.00; and “Occidiofungin Formulations and Uses Thereof” - $1,683.00.)

TOTAL DUE………………………………………………………….. $ 2,733.00
Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/28/20, 8/20/28, 9/21/20, 9/21/20, 9/28/20 and 9/28/20) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods for Use of Same” - $88.00; and “Cottonseed Oil Polymer” - $28.50; “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods of Use Thereof” - $919.94; “Unsymmetrical Salts, CCC-NHC Pincer Metal Complexes, and Methods of Use Thereof” - $297.50; “Cottonseed Oil Polymer” - $190.00; and “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods of Use Thereof” - $50.00, respectively)

TOTAL DUE.................................................................$ 1,573.94
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
December 10, 2020

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special called meeting held via teleconference at the Board Office in Jackson, Mississippi at 5:00 p.m. on December 10, 2020, and pursuant to notice in writing, to each and every member of said Board. The following members participated: Dr. Steven Cunningham (by phone), Tom Duff (via phone), Mr. Shane Hooper (by phone), Ms. Ann H. Lamar (by phone), Ms. Jeanne Carter Luckey (by phone), Mr. Bruce Martin (by phone), Dr. Alfred E. McNair, Jr. (by phone), Mr. Chip Morgan (by phone), Mr. Gee Ogletree (by phone), Mr. Hal Parker (by phone), and Dr. J. Walt Starr (by phone). Dr. Ford Dye was absent. Trustee Ford Dye is not participating in this meeting due to a potential conflict of interest. The meeting was called to order by Dr. Walt Starr, Vice President.

Due to recommendations from the Mississippi State Department of Health for social distancing due to COVID-19, members of the Board participated in the meeting by phone. In accordance with Miss. Code Ann., §25-41-5, as amended, all votes taken during this meeting were recorded by name in a rollcall. This meeting was called to consider expenditures/requests for reimbursement related to the CARES Act funds, which may be provided through UMMC to various hospitals for residency programs as set out in HB 1782.

FINANCE AGENDA

A motion was made by Trustee Duff, seconded by Trustee McNair, to accept the recommendation that the requests submitted in items #1 - #3 on the Finance Agenda do not comply with the requirements of HB 1782 and the CARES Act. The motion passed on an 8 to 1 vote. Board members voting for the motion were: Dr. Steven Cunningham, Mr. Tom Duff, Mrs. Jeanne Luckey, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. Walt Starr. Mrs. Ann Lamar voted against the motion. Mr. Shane Hooper abstained from voting. Dr. Ford Dye and Mr. Bruce Martin were absent and not voting.

1. UMMC – The University of Mississippi Medical Center (UMMC) through the Office of Mississippi Physician Workforce (OMPW) requests Board consideration of expenditure reimbursement requests received from Baptist Memorial Hospital – North Mississippi, Inc. (Baptist). The Board is requested to determine and certify whether the expenditures submitted are in compliance with the Coronavirus Aid, Relief, and Economic Security Act of 2020, related United States Treasury Guidance, and additional Federal laws and regulations as may be applicable. The determination and certification are required by the Board as provided in H.B. 1782, 2020 Regular Session in order to allow the Department of Finance and Administration and the State Treasurer’s Office to disburse funds to the hospitals. The reimbursement requests were submitted to Harper, Rains, Knight & Company, P.A. (HRK), the firm jointly contracted by IHL and UMMC to conduct a review and ensure compliance with H.B. 1782. HRK has provided its assessment and recommendation of the reimbursement requests to IHL and UMMC. UMMC now submits these requests to the Board, along with the recommendation from HRK, for formal determination of compliance and related certification. Pursuant to Mississippi Code Annotated § 41-123-1, et seq., OMPW has the authority to award financial support to any
hospital or entity with demonstrated commitment and resources to establish and operate an Accreditation Council on Graduate Medical Education (ACGME) accredited residency program. OMPW will assist in the creation and/or support of ACGME accredited training programs in the State of Mississippi based on needs analysis and criteria established by OMPW and the advisory board while maintaining a strong and continued priority focused on family medicine. Through H.B. 1782, 2020 Regular Session, the Mississippi Legislature appropriated funding for OMPW to start or expand physician residency programs at five (5) hospitals. On October 1, 2020, the Board approved separate contracts for this purpose with Baptist Memorial Hospital – North Mississippi, Inc. (Baptist), Delta Regional Medical Center (DRMC), Memorial Hospital at Gulfport (MHG), Mississippi State Hospital, and North Mississippi Medical Center, Inc. (NMMC). According to Section 9 of H.B. 1782, “(a) as a condition of receiving and expending the funds appropriated to the agency under this act, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the agency under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the CARES Act.” In order to assist the Board to make the certification required, the IHL Board office and UMMC jointly engaged HRK, a CPA firm with expertise in compliance with the CARES Act, to review the specific requests for reimbursements submitted by the hospitals. On November 24, 2020, OMPW received requests for reimbursements from three (3) hospitals and provided them to HRK for review. On December 3, 2020, HRK provided their analysis of these expenditures to the IHL staff and UMMC.

HRK Recommendation: HRK submitted two (2) memos to IHL staff and UMMC regarding this hospital’s requests for reimbursement. One memo contained an analysis with a conclusion on the eligibility of the proposed plans/budgets submitted with the hospital’s application and an additional memo with a conclusion on the eligibility of the expenditure reimbursement request. HRK concluded that the submitted expenditures do not comply with the joint requirements of H.B. 1782 and the CARES Act. HRK recommends that the Board disallow each of the expenditure reimbursement requests.

UMMC Recommendation: UMMC staff reviewed the information submitted by the hospital and reviewed the analysis submitted by HRK. UMMC does not disagree with the conclusions reached by HRK, an expert in compliance with the CARES Act. Consistent with the recommendation of the engaged expert, HRK, UMMC recommends that the Board determine that the requests submitted do not comply with the requirements of H.B. 1782 and the CARES Act.

IHL Staff Recommendation: Board staff reviewed the information provided by the hospital along with the recommendations provided by HRK and UMMC. Board staff recommends the Board adopt the recommendations of HRK and UMMC and determine that the requests submitted do not comply with the requirements of H.B. 1782 and the CARES Act.

2. UMMC – The University of Mississippi Medical Center (UMMC) through the Office of Mississippi Physician Workforce (OMPW) requests Board consideration of expenditure reimbursement requests received from North Mississippi Medical Center, Inc. (NMMC). The Board is requested to determine and certify whether the expenditures submitted are in compliance with the Coronavirus Aid, Relief, and Economic Security Act of 2020, related
United States Treasury Guidance, and additional Federal laws and regulations as may be applicable. The determination and certification are required by the Board as provided in H.B. 1782, 2020 Regular Session in order to allow the Department of Finance and Administration and the State Treasurer’s Office to disburse funds to the hospitals. The reimbursement requests were submitted to Harper, Rains, Knight & Company, P.A. (HRK), the firm jointly contracted by IHL and UMMC to conduct a review and ensure compliance with H.B. 1782. HRK has provided its assessment and recommendation of the reimbursement requests to IHL and UMMC. UMMC now submits these requests to the Board, along with the recommendation from HRK, for formal determination of compliance and related certification. Pursuant to Mississippi Code Annotated § 41-123-1, et seq., OMPW has the authority to award financial support to any hospital or entity with demonstrated commitment and resources to establish and operate an Accreditation Council on Graduate Medical Education (ACGME) accredited residency program. OMPW will assist in the creation and/or support of ACGME accredited training programs in the State of Mississippi based on needs analysis and criteria established by OMPW and the advisory board while maintaining a strong and continued priority focused on family medicine. Through H.B. 1782, 2020 Regular Session, the Mississippi Legislature appropriated funding for OMPW to start or expand physician residency programs at five (5) hospitals. On October 1, 2020, the Board approved separate contracts for this purpose with Baptist Memorial Hospital – North Mississippi, Inc. (Baptist), Delta Regional Medical Center (DRMC), Memorial Hospital at Gulfport (MHG), Mississippi State Hospital, and North Mississippi Medical Center, Inc. (NMMC). According to Section 9 of H.B. 1782, “(a)s a condition of receiving and expending the funds appropriated to the agency under this act, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the agency under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the CARES Act.” In order to assist the Board to make the certification required, the IHL Board office and UMMC jointly engaged HRK, a CPA firm with expertise in compliance with the CARES Act, to review the specific requests for reimbursements submitted by the hospitals. On November 24, 2020, OMPW received requests for reimbursements from three (3) hospitals and provided them to HRK for review. On December 3, 2020, HRK provided their analysis of these expenditures to the IHL staff and UMMC.

**HRK Recommendation:** HRK submitted two (2) memos to IHL staff and UMMC regarding this hospital’s requests for reimbursement. One memo contained an analysis with a conclusion on the eligibility of the proposed plans/budgets submitted with the hospital’s application and an additional memo with a conclusion on the eligibility of the expenditure reimbursement request. HRK concluded that the submitted expenditures do not comply with the joint requirements of H.B. 1782 and the CARES Act. HRK recommends that the Board disallow each of the expenditure reimbursement requests.

**UMMC Recommendation:** UMMC staff reviewed the information submitted by the hospital and reviewed the analysis submitted by HRK. UMMC does not disagree with the conclusions reached by HRK, an expert in compliance with the CARES Act. Consistent with the recommendation of the engaged expert, HRK, UMMC recommends that the Board
determine that the requests submitted do not comply with the requirements of H.B. 1782 and the CARES Act.

IHL Staff Recommendation: Board staff reviewed the information provided by the hospital along with the recommendations provided by HRK and UMMC. Board staff recommends the Board adopt the recommendations of HRK and UMMC and determine that the requests submitted do not comply with the requirements of H.B. 1782 and the CARES Act.

3. UMMC – The University of Mississippi Medical Center (UMMC) through the Office of Mississippi Physician Workforce (OMPW) requests Board consideration of expenditure reimbursement requests received from Delta Regional Medical Center (DRMC). The Board is requested to determine and certify whether the expenditures submitted are in compliance with the Coronavirus Aid, Relief, and Economic Security Act of 2020, related United States Treasury Guidance, and additional Federal laws and regulations as may be applicable. The determination and certification are required by the Board as provided in H.B. 1782, 2020 Regular Session in order to allow the Department of Finance and Administration and the State Treasurer’s Office to disburse funds to the hospitals. The reimbursement requests were submitted to Harper, Rains, Knight & Company, P.A. (HRK), the firm jointly contracted by IHL and UMMC to conduct a review and ensure compliance with H.B. 1782. HRK has provided its assessment and recommendation of the reimbursement requests to IHL and UMMC. UMMC now submits these requests to the Board, along with the recommendation from HRK, for formal determination of compliance and related certification. Pursuant to Mississippi Code Annotated § 41-123-1, et seq., OMPW has the authority to award financial support to any hospital or entity with demonstrated commitment and resources to establish and operate an Accreditation Council on Graduate Medical Education (ACGME) accredited residency program. OMPW will assist in the creation and/or support of ACGME accredited training programs in the State of Mississippi based on needs analysis and criteria established by OMPW and the advisory board while maintaining a strong and continued priority focused on family medicine. Through H.B. 1782, 2020 Regular Session, the Mississippi Legislature appropriated funding for OMPW to start or expand physician residency programs at five (5) hospitals. On October 1, 2020, the Board approved separate contracts for this purpose with Baptist Memorial Hospital – North Mississippi, Inc. (Baptist), Delta Regional Medical Center (DRMC), Memorial Hospital at Gulfport (MHG), Mississippi State Hospital, and North Mississippi Medical Center, Inc. (NMMC). According to Section 9 of H.B. 1782, “(a) as a condition of receiving and expending the funds appropriated to the agency under this act, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the agency under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the CARES Act.” In order to assist the Board to make the certification required, the IHL Board office and UMMC jointly engaged HRK, a CPA firm with expertise in compliance with the CARES Act, to review the specific requests for reimbursements submitted by the hospitals. On December 8, 2020, DRMC submitted its requests for reimbursements. HRK provided their analysis to UMMC and IHL staff on December 9, 2020.
HRK Recommendation: HRK submitted two (2) memos to IHL staff and UMMC regarding this hospital’s requests for reimbursement. One memo contained an analysis with a conclusion on the eligibility of the proposed plans/budgets submitted with the hospital’s application and an additional memo with a conclusion on the eligibility of the expenditure reimbursement request. HRK concluded that the submitted expenditures do not comply with the joint requirements of H.B. 1782 and the CARES Act. HRK recommends that the Board disallow each of the expenditure reimbursement requests.

UMMC Recommendation: UMMC staff reviewed the information submitted by the hospitals and reviewed the analysis submitted by HRK. UMMC does not disagree with the conclusions reached by HRK, an expert in compliance with the CARES Act. Consistent with the recommendation of the engaged expert, HRK, UMMC recommends that the Board determine that the requests submitted do not comply with the requirements of H.B. 1782 and the CARES Act.

IHL Staff Recommendation: Board staff reviewed the information provided by the hospital along with the recommendations provided by HRK and UMMC. Board staff recommends the Board adopt the recommendations of HRK and UMMC and determine that the requests submitted do not comply with the requirements of H.B. 1782 and the CARES Act.

Trustee Alfred McNair recused himself from discussing or voting on item #4 on the Finance Agenda by disconnecting from the call before there was any discussion or vote regarding the same.

A motion was made by Trustee Duff, seconded by Trustee Ogletree, to accept the recommendation that the request submitted in item #4 on the Finance Agenda does not comply with the requirements of HB 1782 and the CARES Act. The motion passed on a 7 to 1 vote. Board members voting for the motion were: Dr. Steven Cunningham, Mr. Tom Duff, Mrs. Jeanne Luckey, Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. Walt Starr. Mrs. Ann Lamar voted against the motion. Mr. Shane Hooper abstained from voting. Dr. Ford Dye, Mr. Bruce Martin, and Dr. Alfred McNair were absent and not voting.

4. UMMC – The University of Mississippi Medical Center (UMMC) through the Office of Mississippi Physician Workforce (OMPW) requests Board consideration of expenditure reimbursement requests received from Memorial Hospital at Gulfport (MHG). The Board is requested to determine and certify whether the expenditures submitted are in compliance with the Coronavirus Aid, Relief, and Economic Security Act of 2020, related United States Treasury Guidance, and additional Federal laws and regulations as may be applicable. The determination and certification are required by the Board as provided in H.B. 1782, 2020 Regular Session in order to allow the Department of Finance and Administration and the State Treasurer’s Office to disburse funds to the hospitals. The reimbursement requests were submitted to Harper, Rains, Knight & Company, P.A. (HRK), the firm jointly contracted by IHL and UMMC to conduct a review and ensure compliance with H.B. 1782. HRK has provided its assessment and recommendation of the reimbursement requests to IHL and UMMC. UMMC now submits these requests to the Board, along with the recommendation from HRK, for formal determination of compliance and related certification. Pursuant to Mississippi Code Annotated § 41-123-1, et seq,
OMPW has the authority to award financial support to any hospital or entity with demonstrated commitment and resources to establish and operate an Accreditation Council on Graduate Medical Education (ACGME) accredited residency program. OMPW will assist in the creation and/or support of ACGME accredited training programs in the State of Mississippi based on needs analysis and criteria established by OMPW and the advisory board while maintaining a strong and continued priority focused on family medicine. Through H.B. 1782, 2020 Regular Session, the Mississippi Legislature appropriated funding for OMPW to start or expand physician residency programs at five (5) hospitals. On October 1, 2020, the Board approved separate contracts for this purpose with Baptist Memorial Hospital – North Mississippi, Inc. (Baptist), Delta Regional Medical Center (DRMC), Memorial Hospital at Gulfport (MHG), Mississippi State Hospital, and North Mississippi Medical Center, Inc. (NMMC). According to Section 9 of H.B. 1782, “(a) as a condition of receiving and expending the funds appropriated to the agency under this act, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the agency under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the CARES Act.” In order to assist the Board to make the certification required, the IHL Board office and UMMC jointly engaged HRK, a CPA firm with expertise in compliance with the CARES Act, to review the specific requests for reimbursements submitted by the hospitals. On November 24, 2020, OMPW received requests for reimbursements from three (3) hospitals and provided them to HRK for review. On December 3, 2020, HRK provided their analysis of these expenditures to the IHL staff and UMMC.

**HRK Recommendation:** HRK submitted two (2) memos to IHL staff and UMMC regarding this hospital’s requests for reimbursement. One memo contained an analysis with a conclusion on the eligibility of the proposed plans/budgets submitted with the hospital’s application and an additional memo with a conclusion on the eligibility of the expenditure reimbursement request. HRK concluded that the submitted expenditures do not comply with the joint requirements of H.B. 1782 and the CARES Act. HRK recommends that the Board disallow each of the expenditure reimbursement requests.

**UMMC Recommendation:** UMMC staff reviewed the information submitted by the hospitals and reviewed the analysis submitted by HRK. UMMC does not disagree with the conclusions reached by HRK, an expert in compliance with the CARES Act. Consistent with the recommendation of the engaged expert, HRK, UMMC recommends that the Board determine that the requests submitted do not comply with the requirements of H.B. 1782 and the CARES Act.

**IHL Staff Recommendation:** Board staff reviewed the information provided by the hospital along with the recommendations provided by HRK and UMMC. Board staff recommends the Board adopt the recommendations of HRK and UMMC and determine that the requests submitted do not comply with the requirements of H.B. 1782 and the CARES Act.
MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
December 10, 2020

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Hooper, seconded by Trustee Lamar, with Trustees Dye, Martin, and McNair 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
1. **ASU – REQUEST TO ENTER INTO AN AGREEMENT WITH EJSCS, INC. D/B/A EJ’S CLEANING SERVICES FOR THE NATCHEZ CAMPUS**

**Agenda Item Request:** Alcorn State University requests approval to enter into a one-year contract with **EJSCS, Inc. d/b/a EJ’S Cleaning Services** for custodial services for 3 university buildings.

**Contractor’s Legal Name:** EJSCS, Inc. D/B/A EJ’S Cleaning Services

**History of Contract:** This is a new contract.

**Specific Type of Contract:** This is a new contract for custodial services for 3 university buildings on the Natchez Campus including the Cora Balmat School of Nursing, the W.K. Kellogg Nursing Building, and the Nursing Dormitory. These three buildings comprise 76,472 square feet.

**Purpose:** The purpose of this contract is to provide custodial services for 3 university buildings including the Cora Balmat School of Nursing, the W.K. Kellogg Nursing Building, and the Nursing Dormitory. These three buildings comprise 76,472 square feet.

**Scope of Work:** This contract provides custodial services for 3 university buildings including the Cora Balmat School of Nursing, the W.K. Kellogg Nursing Building, and the Nursing Dormitory. These three buildings comprise 76,472 square feet. Daily cleaning services will be provided Monday-Friday during regular business hours and the dormitory will also be cleaned on Saturdays and Sundays from 1:00 p.m.-5:00 p.m. The contractor will be responsible for providing labor, equipment, and materials (with the exception of toilet tissue, paper towels, and hand soap).

The contractor must provide on-site supervision. The contractor must fulfill a task and frequency schedule as provided during the solicitation for bids.

**Term of Contract:** One year, starting 2/1/2021 and ending 1/31/2022. The contract allows for the renewal of four additional one year terms upon mutual agreement of the parties.

**Contract Amount:** If the university chooses the option to renew, the total contract cost over the course of five years is $352,176. The total contract amount for year 1 is $69,600 with monthly payments in the amount of $5800. The contract amount escalates to a total yearly amount of $70,992 for years three, four, and five. The anticipated contract amounts for each year are listed below:

- Year 1: $69,600
- Year 2: $69,600
- Year 3: $70,992
Funding Source for Contract: The contract will be funded by university building maintenance funds.

Termination Options: The university may terminate the contract (1) for default and (2) for unavailability of funds.

Contractor Selection Process: A request for bids was issued on September 11, 2020 for custodial services for the Natchez Campus. Bids were opened on October 1, 2020. Four bids were received from firms located throughout the United States. Bids ranged from the lowest bid of $69,600 (EJSCS) to the highest bid of $149,664 (Axe National).

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. Legal Staff has reviewed the proposed Agreement between Alcorn State University and EJSCS, Inc. D/B/A EJ’S Cleaning Services for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

2. **JSU-REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH XEROX BURNEY OFFICE SOLUTIONS**

Agenda Item Request: Jackson State University requests approval to enter into a lease agreement with Xerox / Burney Office Solutions, for the lease of 152 multifunctional copier devices.

Contractor’s Legal Name: XEROX / Burney Office Solutions

History of Contract: This is a new lease agreement. The existing lease agreement with Berney Office Solution, A Xerox Company expires on March 31, 2021. JSU requested approval by the Department of Information Technology Services (ITS) of an exemption to lease the equipment from the Mississippi Department of Finance and Administration, Office of Purchasing, Travel and Fleet Management State Contract. Said exemption was approved by the ITS Board on December 17, 2020.

Specific Type of Contract: Lease Agreement

Purpose: The Mississippi Department of Finance and Administration negotiated a state contract with Xerox / Berney Office Solutions in 2017. JSU seeks approval to establish a new copier lease agreement with the vendor, XEROX, through DFA negotiated contract
number 8200050625. The use of the state contract will allow the university to replenish its current multifunctional equipment and services. This procurement will assist departments at JSU by allowing them to continue effective and efficient delivery of education services. This acquisition is aimed at lowering our multifunctional equipment costs along with improving customer service and vendor communication.

**Scope of Work:** To provide copying, printing, and scanning services to all JSU campuses. JSU’s proposed solution consists of 152 multifunctional devices that include: Xerox secure access, HID card readers, Xerox smart document travel software, server fax kits for Right Fax integration, on-site maintenance, toner, supplies, and services. All multifunctional devices are equipped with network print, copy, color scan, server fax, 4x paper trays, 2/3 hole-punch, and staple. Xerox will provide JSU with a total solution across all campuses. We will have the ability to accurately monitor and measure the daily usage of the multifunctional devices, create rule based printing to increase productivity, have full on-site maintenance with helpdesk capabilities and regularly scheduled reviews to ensure all initiatives are completed.

**Term of Contract:** The agreement will become effective April 1, 2021 and terminate on March 31, 2026.

Termination Options: The contract may be terminated under the following conditions:

- Mutual agreement
- Upon default of a term by either party and failure to cure within thirty (30) days
- For non-appropriation of funds by the Mississippi Legislature

**Contract Amount:** PROJECT COST / RESOURCE ESTIMATE SUMMARY. Five year pricing with the start date of April 1, 2021 through the end date March 31, 2026.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Cost</th>
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<tr>
<td>2022</td>
<td>$285,312.00</td>
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<tr>
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</tr>
<tr>
<td><strong>Total</strong></td>
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</table>

This rate includes 152 multifunctional devices, Xerox secure access, HID care reader, Xerox smart document travel software, server-fax kits for Right fax integration, on-site maintenance, toner, supplies, and services.

**Funding Source for Contract:** Education and General
Contractor Selection Process: JSU established a Campus-wide Copier Committee to evaluate current and future requirements. Several copier companies on the DFA negotiated contract list were contacted and invited to do presentations on the campus with representatives from the JSU Division of Information Technology. They included Cannon, Advantage Business Systems, Ricoh, Xerox, HP, and Toshiba. Due to Covid-19, no onsite presentations were held. JSU IT held a technical presentation for the committee and requested that the committee rank the vendors on a scale of 1 to N (N equals the number of Vendors that were evaluated). The committee ranked the companies based on 1) their responses to committee questions 2) best technical solution, 3) one common interface on all devices across the campus, 4) customer service and 5) cost. The top 3 rated vendors were invited to provide a virtual presentation to the committee. Following the presentation, the committee voted to keep the incumbent company, based on the proposed updated technical solution, customer service, and contract cost.

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. Legal Staff has reviewed the proposed Agreement between Jackson State University and Xerox Business Solutions Southeast Company for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

3. MSU– REQUEST FOR APPROVAL TO ENTER INTO A LICENSE AGREEMENT WITH TAYLOR & FRANCIS GROUP

Agenda Item Request: Mississippi State University requests approval to enter into a Journals Institutional License Agreement allowing MSU to subscribe to electronic journals from Taylor & Francis. These research-oriented journals are used by MSU faculty, staff and students for educational and research purposes.

Contractor’s Legal Name: Informa UK Limited d/b/a Taylor & Francis Group (Taylor &Francis)

History of Contract: MSU historically has subscribed to Taylor & Francis journals on an individual title basis through our subscription agent. Due to the impact of COVID-19, MSU has more closely scrutinized usage and cost of these journals and have determined that the most cost-effective way to maintain our current subscriptions and reduce inflation costs in future years is to enter into a comprehensive multi-year license agreement. The multi-year agreement allows the MSU Library to lock in a lower annual escalation, resulting in a savings to MSU of approximately $25,000.
Specific Type of Contract: This is a new multi-year license agreement for journal subscriptions.

Purpose: The purpose of the agreement is to license access to 73 electronic journals used for educational and research purposes.

Scope of Work: Taylor & Francis will provide all MSU faculty, staff and students with access to 73 journals. During the license term, patrons will have access to the current electronic file and retrospective content.


Termination Options:

- In the event either party materially breaches the agreement, the non-breaching party may terminate the agreement upon thirty (30) days written notice to the breaching party.

- Either party may terminate the agreement if the other party becomes insolvent or becomes subject to receivership, liquidation or similar external administration or ceases to carry on business or threatens to do any of these things or suffers any analogous event in any jurisdiction.

- Either party may terminate upon the occasion of a Force Majeure event.

Contract Amount: The total three-year subscription cost is $305,444.54.

Funding Source for Contract: The contract will be funded by E&G funds.

Contractor Selection Process: These journals are only published by Taylor & Francis. They are not available by other publishers.

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. Legal Staff has reviewed the proposed Agreement between Informa UK Limited d/b/a Taylor & Francis Group and Mississippi State University for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
4. **MVSU – REQUEST FOR APPROVAL OF RESOLUTION WITH MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

Mississippi Valley State University requests approval of a resolution authorizing the filing of an application to the Mississippi Department of Transportation for a grant to assist in providing transportation services.

Through an agreement with the Mississippi Department of Transportation and the Federal Transit Administration, Mississippi Valley State University provides public transportation services in eight (8) Delta counties: Carroll, Grenada, Holmes, Humphreys, Leflore, Sunflower, Tallahatchie and Washington.

The mass transit system serves as a vital means of transportation for students to attend the university. The resolution is shown below.

**AUTHORIZING RESOLUTION**

The Board of Trustees of State Institutions of Higher Learning, herein after referred to as the BOARD, which is the governing body of Mississippi Valley State University (herein after referred to as the Applicant), is aware of the provisions of 49 U.S.C. 5311 of the Federal Transit Act and the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), Moving Ahead for Progress in the 21st Century (MAP-21) and Fixing America’s Surface Transportation (FAST) Act. The Board hereby duly authorizes Jerryl Briggs, acting as the President of Mississippi Valley State University, on behalf of the Applicant to file an application with the Mississippi Department of Transportation for a 5311 Rural Areas Transportation Program grant funded as it relates to the Coronavirus (COVID-19) Aid, Relief, and Economic Security (CARES) Act to prevent, prepare for, or respond to public transportation related impact of the COVID 19 emergency. The BOARD also does hereby certify that the Applicant is eligible to apply for this grant and is not aware of any reasons or conditions that prohibit the Applicant organization nor any of its staff, officers or directors from receiving, administering or disbursing federal funds. (1) The Board agrees to comply with the Federal Transit Administration’s and The Mississippi Department of Transportation’s requirements as contained in the award agreement; (2) the Applicant will carry out the project as described in the approved application. By this resolution the Board also officially authorizes Mississippi Valley State University to execute a contract agreement with the Mississippi Department of Transportation.

Approved and adopted this ______ day of _________________________, 20____

(Chairman/President)
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. Legal Staff has reviewed the proposed Agreement between Mississippi Department of Transportation and Mississippi Valley State University for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

5. **UM – REQUEST FOR APPROVAL TO AMEND A CONTRACTUAL SERVICES AGREEMENT WITH CARNEGIE DARTLET, LLC**

**Agenda Item Request:** The University of Mississippi Office of Admissions requests approval to amend a contract with Carnegie Dartlet, LLC.

**Contractor’s Legal Name:** Carnegie Dartlet, LLC

**History of Contract:** UM is currently under a Master Service Agreement with Carnegie Dartlet, LLC approved by the IHL Board in March of 2019. The addition of Statement of Work #2 was approved by the IHL Board in November of 2019. Statement of Work #3 and Amendment #1 were approved by the IHL Board in January of 2020. Statement of Work #4 and Amendment #2 were approved by the IHL Board in October 2020.

**Specific Type of Contract:** This is an amendment to the Master Service Agreement to add a new Statement of Work #5.

**Purpose:** This contract amendment includes Statement of Work #5 (SOW5) which will provide lead generation service to generate prospective student interest for student recruitment and enrollment.

**Scope of Work:** The statement of work details services provided over a twelve month period to include prospective student lead generation through online platforms which highlight the university in various academic interest areas.
Term of Contract: The current MSA was scheduled to expire on March 22, 2021, but Amendment #2 extended the end date of the MSA to March 22, 2025. SOW5 has a twelve-month term.

Termination Options: As part of the Master Service Agreement, the amendment can be canceled for convenience by either party. The effective date of cancellation shall be sixty (60) days from the date of written notice of intent to cancel. In addition, this Agreement may be canceled with fourteen (14) days’ notice due to a breach of the terms of the Agreement. It may also be terminated immediately for bankruptcy, assignment for benefit of creditors, or if a receiver is appointed to control the business of the other party. This contract may be canceled for non-availability of funds in the event that the funds used to pay for the contract become unavailable due to a change or decrease in the legislative appropriation to The University of Mississippi.

Contract Amount: The amount of SOW5 is $25,899.38. This addition would increase the total amount of the existing Agreement to a sum not to exceed $913,462.38.

Funding Source for Contract: The source of funding for the contract will be Educational & General funds.

Contractor Selection Process: The Office of Admissions identified this lead generation service after consulting with Carnegie Dartlet to identify strategies for increasing prospective student inquiries.

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. Legal Staff has reviewed the proposed Agreement between Carnegie Dartlet, LLC and the University of Mississippi for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

6. UM – REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH POPPENHEIMER MANAGEMENT, LLC

Project Request: The University of Mississippi- DeSoto Campus requests approval to enter into a lease agreement with Joe Poppenheimer Management, LLC to lease approximately 7,500 square feet of space in Southaven, MS for use by the UM-DeSoto Campus. Pursuant to Board Policy 707.03, Approval of Prepayment for Goods and Services, UM also requests a waiver to allow prepayment of the annual lease payment at the beginning of each year.

Vendor Name: Joe Poppenheimer Management, LLC
Purpose: The University of Mississippi- DeSoto Campus is seeking board approval to lease space for use by the UM-Desoto campus.

Terms: The scope of work entails leasing 7,500 square feet of space located on Church Road in Southaven, MS. Lessor will provide for water, sewer, and waste services and all fees associated with the lighting of the parking lot area. UM is responsible for payment of all other electrical services. The term of the Lease Agreement is February 1, 2021 to January 31, 2024. The rent to be paid under this lease is $140,280 per year, which equates to $420,840 for the three-year term.

Termination Options: This lease may be terminated for a decrease in state funds, in the event space becomes available in a State-owned building, upon an event that renders the building untenable, for noncompliance with federal statutes, state statutes or local ordinances, for default, for not disposing of hazardous materials, chemicals or odors, and upon mutual agreement.

History of Lease: The original lease (#1) contract was for two bays in a shopping strip type building with a term of three years from 10/1/2007 – 9/30/2010. The lease contract was amended to include one additional bay (for a total of three bays) and extended to a term ending 9/30/2011. Lease #1 was extended again from 10/1/2011 to 9/30/2014. Lease #1 was amended to include 1 additional bay (for a total of four bays) beginning 4/1/2014 to 9/30/2014. Another original lease (#2) contract for three additional bays was approved for a term of three years from 8/1/2011 – 7/31/2014 and extended two months until 9/30/2014. UM applied for and received DFA PPRB and RPM approval to combine the two leases into one lease for all seven bays and extend the term from 10/1/2014 to 9/30/2017. That lease, for all seven bays for three years (10/1/14 – 9/30/17) was approved by the IHL Board at their September 2014 meeting. The lease was extended again from 10/1/17 to 9/30/20 by the IHL Board at their August 2017 meeting. The lease was extended again from 10/01/20 to 01/31/2021 with approval from the IHL Commissioner. These bays are connecting and are used as one unit for faculty offices and student support services.

The University of Mississippi is acting in accordance with Board Policy §905(A), Real Estate Management, that requires prior Board approval for the execution of all easements or non-oil, non-gas and non-mineral leases in an amount greater than $100,000.

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. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. Legal Staff Has reviewed the proposed Agreement between Joe Poppenheimer Management, LLC and The University of Mississippi for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
7. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH ACUMED, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Purchase Agreement with *Acumed, LLC* (*Acumed*) for the purchase of upper extremity fixation implants, as well as ankle and foot plating used during orthopedic surgical procedures for adult patients. Upper extremity includes the shoulder, scapula, humerus, elbow, and clavicle bone components. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level.

**Contractor’s Legal Name:** Acumed, LLC

**History of Contract:** This is a new purchase agreement with Acumed. Currently, UMMC purchases these products on an as-needed basis without a contract. Acumed now requires an executed agreement in order to extend discounted pricing.

**Specific Type of Contract:** This is a new Purchase Agreement.

**Purpose:** The purpose of the agreement is to purchase upper extremity fixation implants, as well as ankle and foot plating used during orthopedic surgical procedures for adult patients. Upper extremity includes the shoulder, scapula, humerus, elbow, and clavicle bone components.

**Scope of Work:** Under this agreement, Acumed will provide instrumentation and implants for discounted pricing for orthopedic surgical procedures.

**Term of Contract:** The term of the agreement is two (2) years, from February 1, 2021, to January 31, 2023.

**Termination Options:** Termination options include the following:
- by the non-breaching party, upon thirty (30) days’ written notice of the occurrence of a breach if not cured within the thirty (30) day period;
- by UMMC with or without cause upon sixty (60) days’ written notice to Acumed;
- in the event of insufficient funds;
- by either party if:
  - any distress or execution is levied on any of the other party’s property or assets;
  - the other party makes or offers to make any arrangement or composition with creditors;
  - any resolution or petition to wind up the other party’s business is passed or presented or if a receiver or administrative receiver of such
party’s undertaking, property or assets is appointed or a petition presented for the appointment of an administrator or, if an individual, such party has a bankruptcy order made against him or her; or
   o the other party is subject to any proceedings, which are equivalent or substantially similar to any of the proceedings under the preceding under any applicable jurisdiction; and
• by Acumed if UMMC is delinquent in payment of any amounts under this Agreement.

**Contract Amount:** The estimated cost of the agreement is $1,700,000 over the two (2) year term. This includes a ten percent (10%) annual increase to allow for potential volume increases.

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

**Contractor Selection Process:** The upper extremity fixation implants, ankle plating, and foot plating qualify as clinical commodities under Miss Code Ann §31-7-l, which is exempted from procurement requirements under §31-7-13.

**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. Legal Staff has reviewed the proposed Agreement between Acumed, LLC and the University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

8. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A MASTER AGREEMENT WITH APPLIED STATISTICS & MANAGEMENT INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Master Agreement with Applied Statistics & Management, Inc. (ASM) for the use of its credentialing, privileging, provider enrollment and data management software. ASM will also provide professional services related to implementation, data conversion, training and support. The system will be used to verify physician credentials, report staff demographics, track expiring credentials, notate derogatory items and automate correspondence related to credential and privilege information. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods and Services, UMMC also requests a waiver to allow prepayment of $106,385.66 upon execution of the agreement.

**Contractor’s Legal Name:** Applied Statistics & Management Inc.
**History of Contract:** This is a new agreement with ASM to purchase software subscription, support, professional services, training, hosting and maintenance. UMMC previously contracted with VerityStream, Inc. (formerly Echo, Inc.) for similar services through the MS Department of Information Technology Services. In December 2019, UMMC issued Request for Proposal (RFP) No. 1268, Physician Credentialing. Four (4) bidders submitted proposals, including ASM. Proposals were evaluated based upon cost and quality so that the lowest and best proposal would be selected. The UMMC selection committee selected ASM as the awarded bidder.

**Specific Type of Contract:** This is a new Master Agreement.

**Purpose:** The purpose of the agreement is for the use of ASM’s hosted physician credentialing software. The system will be used to verify physician credentials, report staff demographics, track expiring credentials, notate derogatory items and automate correspondence related to credential and privilege information.

**Scope of Work:** Under the agreement, ASM will provide:
- licenses and subscription for MD-Staff for the Web, Managed Care Enrollment, E>Priv, MD-App, Virtual Committee, MD-Query, MD-Directory and MD-Stat;
- implementation services related to each module;
- custom report designs,
- two (2) days onsite training and ten (10) hours of online training; and
- telephone, email and remote support

UMMC will:
- provide personnel with first-line maintenance and support services for the application modules as well as related training, technical and professional services; and
- be responsible for maintaining, updating and uploading its data.

**Term of Contract:** The term of the agreement is three (3) years, from February 1, 2021, through January 31, 2024.

**Termination Options:** The agreement may be terminated as follows:
- By ASM if UMMC’s account becomes more than forty-five (45) days or more overdue;
- By either party upon written notice if the other party breaches the agreement and fails to cure the breach within thirty (30) days;
- By either party upon ninety (90) days’ written notice to the other party;
- By UMMC in the event of any reduction in available funds; and
By UMMC if ASM is unable to provide services under the agreement for a period of thirty (30) consecutive days as a result of a continuing force majeure event.

**Contract Amount:** The total cost of the agreement over the three (3) year term is $319,157. A payment of $106,385.66 is due upon contract execution, beginning in year two (2) the annual cost will be $106,385.67.

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

**Contractor Selection Process:** In December 2019, UMMC conducted RFP 1268, Physician Credentialing. Four (4) bidders submitted proposals, including ASM, TractManager, VerityStream and Verge Health. Proposals were evaluated based upon cost and responses to specifications so that the lowest and best proposal would be selected. The ASM portfolio included more tools than the other bidders to accomplish the credentialing and privileging process in a more efficient and compliant manner. ASM provided workflow improvements to conduct more of the credentialing process in an electronic format versus a more manual process. The ASM product will allow UMMC to trim five manual steps to three steps. ASM provides privileging content and a more streamlined development of privileging content based on industry standards than the other vendors were able to provide. Included in the offering from ASM is a module that addresses the use of two different databases for quality and peer review that are currently in use and allows for big picture data for each provider in one place, which was not available from the other vendors. Finally, the integration of credentialing and provider enrollment into the one product that ASM offers creates additional efficiencies and establishes a more consistent source of truth for provider data not only for enrollment purposes, but for provider directories, privileging, and reports.

The UMMC selection committee selected ASM as the awarded bidder. The following reflects the scoring for the proposals. The overall score indicated below is based upon criteria including cost as well as other factors.

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<th>Bidder</th>
<th>RFP Score</th>
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<td>Verge Health</td>
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**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. Based on Board Policy 707.03, *Approval of...*
Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. Legal Staff has reviewed the proposed Agreement between Applied Statistics & Management Inc and the University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

9. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A PRICING AGREEMENT WITH BIOFIRE DIAGNOSTICS, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a pricing agreement with *Bio Fire Diagnostics, LLC* (BioFire) for the purchase of reagent kits for film array analyzers owned by UMMC and used in its Bacteriology/Microbiology Laboratory. The reagent kits will be used to assist in the diagnosis of respiratory infections, bloodstream infections, meningitis, encephalitis, and gastroenteritis in adult and pediatric patients. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level.

**Contractor’s Legal Name:** BioFire Diagnostics, LLC

**History of Contract:** This is a new pricing agreement with BioFire for purchases of these items. UMMC currently purchases the reagent kits without requirement of a contract. BioFire now offers discounted pricing in exchange for UMMC’s commitment to purchase a certain volume of reagents each year.

UMMC has a separate agreement with BioFire for service and maintenance of the analyzers that UMMC owns. The total cost of the service contract is less than $250,000, which did not require Board approval.

**Specific Type of Contract:** This is a new pricing agreement.

**Purpose:** The purpose of the agreement is to purchase reagent kits for the film array analyzers used in UMMC’s Bacteriology/Microbiology Laboratory. The reagent kits will be used to assist in the diagnosis of respiratory infections, bloodstream infections, meningitis, encephalitis, and gastroenteritis in adult and pediatric patients.

**Scope of Work:** Under the agreement, BioFire will provide reagent kits at discounted pricing. UMMC agrees to purchase a minimum amount of reagents each year.

**Term of Contract:** The term of the agreement is five (5) years, from February 1, 2021, through January 31, 2026.
Termination Options: The agreement may be terminated by UMMC upon thirty (30) days’ written notice to BioFire.

Contract Amount: The total estimated cost over the five (5) year term is $3,775,000.00, which includes a ten percent (10%) increase beginning in year two (2) to allow for potential increases in patient testing volume.

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

Contractor Selection Process: The reagent kits qualify as clinical commodities under Miss Code Ann §31-7-1, which is exempted from procurement requirements under §31-7-13.

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. Legal Staff has reviewed the proposed Agreement between BioFire Diagnostics, LLC and the University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

10. UMMC – REQUEST FOR APPROVAL TO AMEND AN AGREEMENT WITH EPIC SYSTEMS CORPORATION

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into Amendment Twenty-Three (23) to the License and Support Agreement with Epic Systems Corporation (Epic) to add the EpicCare Inpatient – Infection Control (Bugsey) license to the current licensed program property. This module will allow UMMC to use analytics to predict outbreaks early, manage and treat infections, and meet regulatory standards from the Centers for Disease Control (CDC). Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, UMMC also requests a waiver to allow prepayment of license fees for the Infection Control License set at fifty percent (50%) of the total license fee.

Contractor’s Legal Name: Epic Systems Corporation

History of Contract: On August 19, 2010, the Board approved the original License and Support Agreement with Epic for licensing and support of UMMC’s electronic health record. The agreement subsequently has been amended upon Board approval. The term of the amended agreement is nine (9) years, from August 23, 2010, through August 22, 2024, with an estimated total cost of $105,083,182.99. A complete history of the Epic contract is on file at the Board office.
Specific Type of Contract: This is Amendment Twenty-Three (23) to the current license and support agreement.

Purpose: The purpose of Amendment Twenty-Three (23) is to add the EpicCare Inpatient – Infection Control (Bugsey) license to the current licensed program property. This module will allow UMMC to use analytics to predict outbreaks early, manage and treat infections, and meet regulatory standards from the Centers for Disease Control (CDC).

Scope of Work: Under the Amendment, Epic will provide:
- License and subscription to the cognitive computing developer platform;
- Ongoing maintenance and support for the licensed module; and
- Cognitive computing cloud services.

Term of Contract: The term of Amendment Twenty-Three (23) will begin upon execution and end coterminous with the current agreement term ending August 22, 2024.

Termination Options: The License and Support Agreement may be terminated as follows:
- Upon ninety (90) days’ notice prior to the end of an annual term;
- Breach due to failure of system to operate properly after warranty, provided a forty-five (45) day warranty period is allowed for Epic to cure such breach;
- Upon notice of infringement claim against Epic, if Epic is unable to modify the infringing program property or to provide UMMC with an appropriate replacement program;
- Upon bankruptcy, insolvency and the like;
- Upon material breach of the agreement after the breaching party has been allowed sixty (60) days to cure the breach after receiving written notice of the breach.

Contract Amount: The estimated cost for Amendment Twenty-Three (23) is $302,580.00. The previously approved cost of the entire Agreement included projections for this type of additional license. The total estimated cost of the Agreement remains $105,083,182.99.

Funding Source for Contract: This agreement will be funded by general funds.

Contractor Selection Process: UMMC is currently contracted with Epic.

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. Based on Board Policy 707.03, Approval of
Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. Legal Staff has reviewed the proposed Agreement between Epic Systems Corporation and the University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

11. UMMC – REQUEST FOR APPROVAL FROM THE MISSISSIPPI METHODIST HOSPITAL AND REHABILITATION CENTER, INC. TO SUBLEASE SPACE TO CHICK-FIL-A

Agenda Item Request: The Mississippi Methodist Hospital and Rehabilitation Center, Inc. (MMRC) requests approval to sublease approximately 2,328 square feet of their leased premises to Chick-fil-A for the operation of a retail food establishment located in the Methodist Rehabilitation Center (MRC Building) located on UMMC’s main campus at 1350 E. Woodrow Wilson Drive, Jackson, Mississippi. The Lease dated July 6, 1970 between MMRC and the State of Mississippi requires MMRC to obtain approval from UMMC, IHL, and the Department of Finance and Administration for any sublease. MMRC previously subleased this space for the operations of a McDonald’s. That lease has expired and MMRC desires to lease the space for operation of a Chick-fil-A.

Contractor’s Legal Name: Mississippi Methodist Hospital and Rehabilitation Center, Inc.

History of Contract: Since July 6, 1970, MMRC has leased space from UMMC on UMMC’s main campus at 1350 E. Woodrow Wilson Drive, Jackson, Mississippi. MMRC previously subleased this space for the operations of a McDonald’s. That lease has expired and MMRC desires to lease the space for operation of a Chick-fil-A. Section 4.C of the Lease dated July 6, 1970 between MMRC and the State of Mississippi requires MMRC to obtain approval from UMMC, IHL, and the Department of Finance and Administration for any sublease.

Specific Type of Contract: Not applicable.

Purpose: The purpose of this request is to allow MMRC to sublease approximately 2,328 square feet of their leased premises to Chick-fil-A for the operation of a retail food establishment located in the Methodist Rehabilitation Center (MRC Building) located on UMMC’s main campus at 1350 E. Woodrow Wilson Drive, Jackson, Mississippi.

Scope of Work: Not applicable.

Term of Contract: The proposed sublease between MMRC and Chick-fil-A would be for an initial term of five (5) years with four (four) renewal options of five (5) years each for a
total potential term of twenty-five (25) years. The sublease will at all times be subordinate to the lease, which expires July 5, 2069.

**Termination Options:** Not applicable.

**Contract Amount:** Not applicable. MMRC’s lease payments to UMMC remain intact.

**Funding Source for Contract:** Not applicable.

**Contractor Selection Process:** Not applicable.

**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. Legal Staff has reviewed the proposed Agreement between Mississippi Methodist Hospital and Rehabilitation Center, Inc and The University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

12. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH nThrive Revenue Systems, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Master Agreement and associated Statement of Work (SOW) with *nThrive Revenue Systems, LLC (nThrive)* to provide a comprehensive claims management system and associated professional services. Under the agreement, nThrive will provide a web-based software application that will help UMMC to manage claims, reduce rejection and denials, and submit claims electronically to payors. Under the agreement, nThrive will also provide professional claims management services related to Account Receivable, Eligibility and Benefits Management, and Patient Access Management Services.

**Contractor’s Legal Name:** nThrive Revenue Systems, LLC

**History of Contract:** On August 20, 2015, the Board approved a Master Agreement and associated Statement of Work (SOW) with *MedAssets Net Revenue Systems, LLC (n/k/a nThrive)* for a comprehensive claims management solution with MedAssets Net Revenue Systems, LLC (n/k/a nThrive). The term of the Master Agreement began September 1, 2015, through August 31, 2020. The total approved cost of the agreement was $3,132,872.80.

On January 18, 2018, the Board approved Amendment One (1) to the Master Agreement that added Embedded Claims Conversion Services. The term of the agreement remained unchanged, and the total approved cost increased to $3,152,872.80. On October
18, 2018, the Board approved Amendment Two (2) to the Master Agreement and Amendment One (1) to the SOW to add Additional Claims services. The term of the agreement remained the same. The total cost of the approved agreement increased to $3,227,872.80.

In approximately May 2020, Vizient and nThrive began negotiating a new GPO agreement. On September 1, 2020, UMMC entered into a new agreement for the claims management software and claims management services for a short term to allow Vizient and nThrive to finalize negotiations, which were completed in November 2020. UMMC’s current agreement will expire January 31, 2021, with a cost less than $250,000.00.

Specific Type of Contract: This is a new Master Agreement and associated Statement of Work (SOW).

Purpose: The purpose of the Master Agreement and SOW is to provide a comprehensive claims management system and associated claims management services. Under the agreement, nThrive will provide a web-based software application that will help UMMC to manage claims, reduce rejection and denials, and submit claims electronically to payors. Under the agreement, nThrive will also provide professional services related to Account Receivable, Eligibility and Benefits Management, and Patient Access Management Services.

Scope of Work: Under the Agreement, nThrive will provide:
- A comprehensive claims management software that includes: Embedded Claims Management, Claims Management Professional, Claims Analyzer, Payor Growth Package, and Medicare Direct Claims Management – Medicare DDE software;
- Historical data and restoring purged claims analyzer data;
- Ongoing support and maintenance of the system;
- Training and education;
- Data purging; and
- Professional services as needed.

UMMC will:
- Provide all required data; and
- Make its applicable personnel available to answer questions and promptly provide requested documents;
- Participate in service related meetings;
- Contribute to system and data integrity testing; and
- Assist nThrive with any activities or tasks required to complete the nThrive services.

Term of Contract: The Master Agreement is effective February 1, 2021, and will expire with the last effective SOW. The term of the SOW is three (3) years with the option to
renew for two (2) additional years. The total term of the SOW will begin February 1, 2021, and end January 31, 2026.

**Termination Options:** The agreement may be terminated as follows:
- By UMMC in the event of a reduction in funding;
- By either party for a material breach if breaching party cannot remedy the breach within thirty (30) days of notice by the non-breaching party; and
- Failure of nThrive to comply with E-verify requirements.

**Contract Amount:** The cost of the agreement over the five (5) year term is $3,560,000. The annual subscription fees includes a base volume of claims. UMMC has included in its total an annual five percent (5%) increase for additional claims to be processed, as well as estimated additional services UMMC may request during the term of the agreement. Beginning in year 2, nThrive may increase pricing by the lesser of five (5%) or the percentage change for the applicable one year period of the All Items Figure of the Consumer Price Index, All Urban Consumers, U.S. City Average.

**Funding Source for Contract:** This agreement will be funded by patient revenue.

**Contractor Selection Process:** nThrive is an approved vendor contracted with Vizient, UMMC’s primary Group Purchasing Organization (GPO), pursuant to Miss. Code Ann § 31-7-13(m)(x).

**Staff Recommendation:** Based on Board Policy 707.01, *Land, Property, and Service Contracts*, board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Legal Staff has reviewed the proposed Agreement between nThrive Revenue Systems, LLC and the University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

13. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A PRODUCT PURCHASE AGREEMENT WITH ZIMMER BIOMET CMF & THORACIC, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Product Purchase Agreement with Zimmer Biomet CMF & Thoracic, LLC (Zimmer) for the purchase and consignment of sternal closure and stabilization products as well as rib fixation products. These components are necessary to stabilize fractured ribs or other traumatic injuries to the sternum in adult and pediatric patients. UMMC also requests approval to amend the agreement as needed to add or remove products without seeking prior Board approval as long as it does not increase the approved expenditure level.
Contractor’s Legal Name: Zimmer Biomet CMF & Thoracic, LLC

History of Contract: This is a new Purchase Agreement with Zimmer. Currently, UMMC purchases these products on an as-needed basis without a contract. Zimmer now requires an executed agreement in order to extend discounted pricing.

Specific Type of Contract: This is a new Product Purchase Agreement.

Purpose: The purpose of this agreement is to purchase and consign sternal closure and stabilization products as well as rib fixation products. These components are necessary to stabilize fractured ribs or other traumatic injuries to the sternum in adult and pediatric patients.

Scope of Work: Under the agreement, Zimmer will provide sternal closure and stabilization products as well as rib fixation products, including, but not limited to, implants, supplies such as plates and screws, and instrumentation to UMMC. The products will be placed on consignment at UMMC for ease of access and use. In exchange for discounted pricing, UMMC commits to purchase eighty-five percent (85%) of its total purchases of sternal closure and stabilization products from Zimmer.

Term of Contract: The term of the agreement is five (5) years, from February 1, 2021, through January 31, 2026.

Termination Options: Termination options include the following:
- by the non-breaching party immediately in the instance of a breach of confidential information;
- by UMMC, upon sixty (60) days’ written notice to Zimmer, if Zimmer discontinues a product and the parties are unable to reach agreement on an amendment regarding the discontinued products;
- by either party, if a force majeure event continues in excess of ninety (90) days, and the parties cannot arrive at a compromise;
- by either party due to a breach of the agreement by the other party, if the breaching party does not cure such breach within thirty (30) days after receipt of notice specifying the nature of the breach;
- by either party, with or without cause, upon sixty (60) days’ prior written notice to the other party;
- by either party if the other party becomes insolvent or bankrupt, or becomes the subject of any proceedings under state, federal or foreign law for the relief of debtors, or makes any assignment for the benefit of creditors;
- by UMMC, due to discontinuation of products; and
- in the event of a reduction in funds.

Termination options for the consignment portion of the agreement include the following:
by either party upon thirty (30) days prior written notice to the other party; and
automatically upon the termination or expiration of the Product Purchase Agreement.

**Contract Amount:** The total estimated cost of the agreement is $1,700,000 over the five (5) year term. This includes a twenty percent (20%) annual increase to allow for patient volume change.

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

**Contractor Selection Process:** The sternal closure, rib fixation, and stabilization components qualify as clinical commodities under Miss Code Ann §31-7-1, which is exempted from procurement requirements under §31-7-13.

**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. Legal Staff has reviewed the proposed Agreement between Zimmer Biomet CMF & Thoracic, LLC and the University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

14. **USM – REQUEST FOR APPROVAL TO ENTER INTO A SERVICE AGREEMENT WITH EBSCO INDUSTRIES**

**Agenda Item Request:** The University of Southern Mississippi (USM) requests approval to contract with EBSCO Information Services (hereinafter called EBSCO) for subscription management services for print and electronic resources. Additionally, in accordance with IHL Board Policy 707.03 Approval of Prepayment for Goods or Services, USM requests the Board’s approval to make multi-year prepayments at the beginning of each contract year.

**Contractor’s Legal Name:** EBSCO Industries, dba EBSCO Information Services

**History of Contract:** USM has used EBSCO since 1994. The first written service agreement was a three year agreement beginning January 2012 and ending December 2014 with the option of a one year renewal extending the contract through December 2015. The 2012 agreement was submitted to IHL for retroactive approval in October 2013. In October 2015 the agreement was approved by the IHL Board for five additional years.

**Specific Type of Contract:** This is a renewal of an existing service agreement.
Purpose: EBSCO allows for consolidation of ordering, invoicing, claiming, and renewals for print and electronic subscriptions from the different publishers of subscribed titles. EBSCO provides subscription management tools, statistical data, and reports that are useful in selecting and evaluating titles. They also provide assistance with activation, licensing, and registration requirements for e-journals and e-packages.

Scope of Work: On behalf of USM, EBSCO manages ordering, invoicing, claiming, and renewals for approximately 636 individual print and electronic journals, as well as eight (8) e-packages containing thousands of titles. In addition, EBSCO provides tools, statistical data, and reports that are used in the management and evaluation of subscriptions.

Term of Contract: The contract has a five-year term. Start date: January 1, 2021. End date: December 31, 2025.

Termination Options:
1. Written notification of intent to cancel may be given to either party by September 30 of the year preceding the renewal date. Otherwise, the agreement will be considered renewed by mutual consent of both parties for each following subscription year thereafter.
2. If EBSCO is not performing to reasonably accepted standards for a subscription agency, EBSCO will be notified of its performance deficiencies and be given a reasonable period in which to correct such deficiencies. If EBSCO fails to correct such performance deficiencies, USM shall have the right to terminate the Agreement.
3. EBSCO shall have the right to terminate the agreement if USM fails to pay its invoices according to EBSCO’s payment terms or materially change its ordering of content to the point where, in EBSCO’s sole judgment, the financial incentive to perform is no longer present.
4. Either party may terminate this Agreement, provided all contracted services are paid in full, with at least 30 days prior written notice to the other party stating such party’s intention to terminate this Agreement.

Contract Amount: The projected amount for 2021 is $700,000. Amounts for subsequent renewal years are estimated below using a five (5) percent inflation factor. Inflation, cancellation, publisher rate changes, and other factors may result in changes to the subscribed titles and the monetary value of the contract each renewal year.

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<tr>
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<td>$810,338</td>
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<td>2025</td>
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</table>
Funding Source for Contract: Funding for this agreement comes from university Educational & General funds.

Contractor Selection Process: MS Code Section 31-7-13(m)(xiv) provides that library books and other reference materials are exempt from state bid requirements. EBSCO was selected because they are the leading provider of print and electronic subscriptions and provide cost-effective subscription management solutions. The current service charge from EBSCO is reduced by over 1.6% from previous agreements with EBSCO and represents a better value to the university.

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. Legal Staff has reviewed the proposed Agreement between EBSCO Industries, dba EBSCO Information Services and the University of Southern Mississippi for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

15. USM – REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH REACTIVE SURFACES, LTD, LLP

Agenda Item Request: The University of Southern Mississippi (USM) is requesting Board approval of a lease agreement between USM and Reactive Surfaces, Ltd., LLP (Company), a Texas limited liability partnership registered in Mississippi. Company wishes to lease approximately 1,707 square feet of office space at USM’s Accelerator for an Initial Term of three years and up to two consecutive, one year renewal terms. Annual rent for the first year of the Initial Term will be for the amount of $(25,605.00). The second year of the Initial Term will be for the annual amount of $(34,140.00). The third year of the Initial Term will be for the annual amount of $(42,675.00). Annual Rent for the Renewal Terms, if any, will be for the amount of $(49,350.00) per year. Company is interested in pursuing development and commercialization of bio-based functional additives for coatings.

Contractor’s Legal Name: Reactive Surfaces, Ltd., LLP

History of Contract: This is a new lease agreement to replace expiring lease dated March 16, 2016.

Specific Type of Contract: New lease agreement

Purpose: The purpose is to provide income for USM and to lease space in USM’s Accelerator building to compatible businesses with USM’s other tenants.
Scope of Work: USM will provide Company office and lab space of approximately 1,707 square feet. Company will pay a total rent in the amount of $(102,420.00) for the three-year Initial Term, and $(49,350.00) for each Renewal Term, if any.

Term of Contract: A three-year Initial Term with up to two one-year renewal terms.

Termination Options: Either party may terminate upon sixty (60) days’ notice prior to the expiration of the initial term or any renewal term. USM and Company have a right to terminate the lease upon damage rendering the leased premises untenantable; breach of compliance with the Mississippi Employment Protection Act, Section 71-11-1, et seq of the Mississippi Code Annotated (Supp 2008); or an Event of Default by the other party. Company may terminate the Lease prior to the expiration of a Term or any Renewal Term by giving no less than sixty (60) days written notice, and tendering payment of a lease termination fee in the amount of $2,500.

Contract Amount: Total rent for the initial term(s) and renewal(s) is $(201,120.00).

Funding Source for Contract: The Accelerator building was constructed with federal grant funds.

Contractor Selection Process: N/A

Cost Benefit Analysis: N/A

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. Legal Staff has reviewed the proposed Agreement between Reactive Surfaces, Ltd., LLP and the University of Southern Mississippi for compliance with applicable law and finds same to be acceptable. 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 easements or non-oil, non-gas and non-mineral leases in an amount greater than $100,000. The Commissioner is authorized to approve leases (other than oil, gas and mineral leases) or easements in amounts equal to or less than $100,000. The Commissioner may further delegate the Commissioner’s approval authority regarding easements and leases to the applicable IEO or his/her designee(s) provided that the requirements of Policy 707.01 D. are met. Board approval is required for timber sales in an amount greater than $500,000. For timber sales of an amount $500,000 or less, the Chair of the Real Estate Committee is authorized to approve sales on behalf of the Board upon satisfactory legal review and recommendation from the Commissioner. Board approval prior to the execution of the contract is required for all other land contracts requiring an aggregate total expenditure of more than $250,000. Requests 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 §905(B), Real Estate Management**

Prior to Board consideration of the purchase or acceptance of real estate from any source, a Phase I or more detail Environmental Report shall be completed by qualified personnel and submitted to the Board’s Real Estate and Facilities Office. In the event hazardous substances are confirmed as having existed in the past or as presently existing, the Board reserves the right to cancel the transaction without liability, or to permit the other party or parties to remove the hazardous substances at its or their expense in a manner sufficient to receive a “no further action” letter from the State’s Department of Environmental Quality.
Board Policy §917, Naming of Buildings and Facilities

Board approval must be obtained prior to naming or re-naming any institutional building or facility. However, assigning generic names which are descriptive of the functions served by a building—such as “University Athletic Training Facility” or “Chemistry Building”—does not require Board approval, unless the building has an existing non-generic name which is to be changed or modified. Board approval must also be obtained prior to naming or re-naming any building or facility built on university property leased to a university affiliated entity, a private developer or any other individual or entity.

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BURUEAU OF BUILDING PROJECTS

1. ASU – GS 101-324 – Campus Lighting and Security Improvements

   **Project Request:** Alcorn State University requests approval to initiate a project, Campus Lighting and Security Improvements, and to appoint Schultz & Wynne, P.A. as the design professional.

   **Proposed Project Professional:** Schultz & Wynne, P.A.

   **Selection Method:** The project budget is not anticipated to exceed $3M therefore it is not required that the university use the RFQ method for the selection of the design professional. ASU used the small project selection process at the Bureau of Building.

   **Purpose:** Alcorn State University is seeking to initiate the project and appoint the design professional as required by Board Policy in order to proceed with the design phase of the project.

   **Project Scope:** This project will provide improved exterior site lighting for roadway, sidewalk, and gathering areas on the Lorman campus at ASU. Other security enhancements will be added, as necessary to include, but not limited to security cameras, emergency kiosks, and other security upgrades.

   Alcorn 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: January 21, 2021

Date of Original Construction: N/A

Date of Last Renovation: N/A

Proposed Project Budget:

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<td><strong>Total Project Budget</strong></td>
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Proposed Funding Source(s): HB 1730, Laws of 2020 ($2,250,000)

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

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

BUREAU OF BUILDING PROJECTS ..........................................................

2. USM – GS 108-296 – Kinesiology Building Renovation

*Project Request:* The University of Southern Mississippi is requesting approval to increase the budget from a pre-plan budget of $133,000 to a more accurate project budget of $7,788,125 for an increase in the amount of $7,655,125 and to modify the scope of the project. In addition, USM requests approval to add HB 1649, Laws of 2018 and HB 1730, Laws of 2020 as a funding sources to the project to allow for the budget increase.

*Current Project Phase:* Design Phase

*Design Professional:* Albert and Associates Architects, P.A.

*General Contractor:* TBD
Purpose/Justification: This increase is needed to cover costs associated with the project now that the university has preplanned the project. The University of Southern Mississippi is also modifying the scope of the project now that full funding for the project is available.

Project Scope: The project scope includes the renovation, furnishing and equipping of classrooms, laboratories, offices, and student areas in the Kinesiology Building. The project will also include modifications to restrooms, elevator, HVAC, mechanical, electrical, and communications systems of the building. The renovations will bring the facilities into compliance with applicable codes (IBC, ADA, life safety, etc.) and current programming requirements. The University of Southern Mississippi is modifying the scope of the project to include a 3,000 square foot addition that will serve as a court room.

History of the Project: Relocation of the School of Criminal Justice and Forensic Science from its current location in Arthell Kelley Hall has been an institutional priority due to its proneness to flooding. As such, the School’s needs were previously included in the original space programming for the renovation of Greene Hall. The University’s recent academic reorganization impacted Greene Hall during early phases of construction. The School of Criminal Justice and Forensic Science was removed from the project and replaced by another unit that was more closely aligned with the new College of Education and Human Sciences. This project is a by-product of that impact. It will provide the School of Criminal Justice and Forensic Science with functional space, carefully designed labs, increased faculty office space, a self-contained building identity, and a location convenient to adjacent programs with which the unit interfaces.

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

Project Initiation Date: March 19, 2020
Proposed Project Budget:

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<td>$ 133,000.00</td>
<td>$ 7,788,125.00</td>
<td>$ 7,655,125.00</td>
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Proposed Funding Source(s): HB 1649, Laws of 2018 ($50,000); SB 3065, Laws of 2019 ($3,300,000); HB 1730, Laws of 2020 ($4,438,125)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF OTHER REAL ESTATE REQUESTS

3. MSU – Approval of Purchase of Property – Animal Emergency and Referral Center – 1009 Treetops Blvd – Flowood, MS

Project Request: Mississippi State University requests approval to purchase real property located at 1009 Treetops Blvd, Flowood, Mississippi from the private corporation, MSU-CVM Clinical Outreach Services, Inc. for a purchase price of $1,350,000. In addition, MSU is requesting to waive the requirement contained in Board Policy §905 to obtain a Phase I environmental report because the property has been operated and managed by University employees since it was leased in 2008 and then purchased in 2016. A clean Phase I report was obtained prior to MSU leasing the building in 2008.

Purpose: MSU-CVM Clinical Outreach Services, Inc. was formed in 2008 to expand the options available for hiring and retaining specialized veterinarians in an effort to expand the options for veterinary students to receive training. Students began a rotation at the Animal Emergency and Referral Center at that time which was leased to Clinical Outreach Services by a private practice. In 2016, Clinical Outreach
Services purchased the building and practice. Over the past year, the University has hired all employees of Clinical Outreach Services and has taken over management and operation of the Center. Once this sale is complete, Clinical Outreach Services will be dissolved and any remaining assets of the Corporation will be turned over to the University. The University will then own and operate the facility like all other University properties and will have the added legal protections of state entities.

**Appraisals:** Mississippi State University received two independent property appraisals for the property. The first appraisal was in the amount of $1,350,000. The second appraisal was in the amount of $1,400,000. The average of the two appraisals was $1,375,000. Mississippi State University is purchasing the property for $1,350,000 which is below the average of the two appraisals.

**Property Description:** The property is the Animal Emergency and Referral Center located at 1009 Treetops Blvd. in Flowood, Mississippi and contains --- acres.

**Terms:** Mississippi State University will purchase the real property for $1,350,000. The closing shall be held on or before March 31, 2021, or as agreed to by the Parties. The possession date by MSU shall be the date of closing.

**Termination Options:** Either party may terminate this contract anytime by providing written notice to the other party.

**Environmental Phase I:** MSU is requesting that the Phase I Environmental Site Assessment (ESA) requirement be waived by the Board of Trustees due to receiving a clean Phase I ESA prior to leasing the property in 2008.

A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The purchase price of property shall not exceed the average of the two appraisals.

**Staff Recommendation:** The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable. Board staff recommends approval of this item.
4. **MSU – CVM Facility Expansion – Approval of Exterior Design**

**Project Request:** Mississippi State University requests approval of the exterior design for the CVM Facility Expansion project. *(See Renderings on following pages)*

**Design Professional:** Machado Patano, PLLC

**Purpose:** Mississippi State University is seeking approval of the exterior rendering for the College of Veterinary Medicine (CVM) Facility Expansion project as required by board policy.

**Project Scope:** The project will consist of an approximately 12,000 square foot expansion of the Animal Emergency and Referral Center in Flowood, MS.

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

**Project Budget:**

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<th>Item</th>
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<td>Architectural and Engineering Fees:</td>
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<td>Misc. Project Costs:</td>
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**Total Project Budget** $ 5,600,000.00

**Funding Source(s):** Internal Funds ($5,600,000)

*Staff Recommendation: Board staff recommends approval of this item.*
Rendering 1: Ariel view of New Addition

Rendering 2: New Addition
5. **MSU – Approval of Purchase of Property – 4 Acre Tract of Land – Sunplex Industrial Park – Jackson County, MS**

**Project Request:** Mississippi State University requests approval to purchase a 4 acre tract of land located within the Sunplex Industrial Park from the Jackson County Port Authority and Jackson County, Mississippi for a purchase price of $200,000.

**Purpose:** MSU, for and on behalf of its Costal Research and Extension Center, desires to purchase a tract of land in Jackson County’s Sunplex Industrial Park for the purpose of constructing the Northern Gulf Aquatic Food Research Center.

**Appraisals:** Mississippi State University received two independent property appraisals for the property. The first appraisal was in the amount of $280,000. The second appraisal was in the amount of $300,000. The average of the two appraisals was $290,000. Mississippi State University is purchasing the property for $200,000 which is below the average of the two appraisals.
Property Description: The subject property, as referenced above, is located within the Sunplex Industrial Park, at the northwest corner of Sunscape Drive and Highway 57 within Gautier, Jackson County, Mississippi and is further identified as tax parcel number 07165004.000. The subject site comprises 4.00 acres of vacant (unimproved), cleared land, and is part of a larger parcel comprising 7.96 acres owned by the Jackson County Port Authority.

The legal description is as follows: COMMENCING FROM A CONCRETE MONUMENT AT THE NORTHEAST CORNER OF LOT 4 OF THE SUNPLEX INDUSTRIAL PARK SUBDIVISION, SAID LOT ALSO BEING LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 19, T-7-S, R-7-W, JACKSON COUNTY, MISSISSIPPI.

Terms: Mississippi State University will purchase the real property for $200,000. The closing shall be held on or before February 15, 2021, or as agreed to by the Parties. The possession date by MSU shall be the date of closing. In the event MSU has not constructed a building on the property within 3 years of closing, the Sellers reserve the right to buy back the property for the purchase price. In the event MSU ceases operation for a period of 18 months, the Sellers reserve the right to buy back the property for fair market value. The Sellers also will have the right of first refusal in the event MSU seeks to sell or convey the property.

Termination Options: MSU may terminate the contract if the Phase I environmental report is not satisfactory or due to a title defect that cannot be cured by the Seller. The purchase of the property is subject to approval by the IHL Board of Trustees and the agreement may be terminated in the event the IHL Board has not approved the purchase agreement by January 30, 2021.

Environmental Phase I: A Phase I Environmental Site Assessment (ESA) has been conducted and no adverse environmental conditions were identified.

A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The purchase price of property shall not exceed the average of the two appraisals.

Staff Recommendation: The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable. Board staff recommends approval of this item.
6. **MSU – Delete from Inventory – Building #1668, #1669, #1670, #1671, #1672, and #1673 – Crystal Springs, MS**

   **Project Request:** Mississippi State University requests approval to delete from inventory Building #1668, #1669, #1670, #1671, #1672, and #1673. These are greenhouses located in Crystal Springs, Mississippi that are no longer needed by the university.

   **Justification:** MSU is demolishing these metal frame with plastic covering greenhouses because they are in poor condition and no longer needed.

   The approval letter has been received from the Mississippi Department of Archives and History stating Buildings #1668-#1673 are not eligible for designation as a Mississippi Landmark. 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 – Delete from Inventory – Building #889 and Building #890 – Hattiesburg, MS**

   **Project Request:** The University of Southern Mississippi requests approval to delete from inventory Building #889 and Building #890. These are houses located at 407 and 409 N37th Avenue in Hattiesburg.

   **Justification:** USM is demolishing these houses located at 407 and 409 N37th Avenue. Both houses are vacant and in disrepair. Both sites will be used by the university to provide parking and/or be used as future expansion space for the university.

   The approval letter has been received from the Mississippi Department of Archives and History stating Building #889 and Building #890 are not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the Office of Real Estate and Facilities. The University of Southern Mississippi 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.
1. **UM – APPROVAL TO CONTRACT WITH BRUNINI, GRANTHAM, GROWER & HEWES, PLLC AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to enter into a contract for legal services with the law firm of Brunini, Grantham, Grower & Hewes, PLLC for the provision of legal advice and counsel on complex commercial construction matters, including legal issues related to the construction of the Jim and Thomas Duff Center for Science and Technology Innovation. The term of the agreement will be January 1, 2021 through June 30, 2021, with hourly rates for partners and associates being $300 and $200, respectively. The total aggregate expenditures under the legal services agreement for FY 2021 will not exceed $75,000. This firm carries professional liability insurance coverage in the amount of $15,000,000 per claim with a $30,000,000 annual aggregate. This request is pending approval with the Attorney General.

**STAFF RECOMMENDATION:** Pending approval by the Attorney General, Board Staff recommends approval of this item.
APPROVAL OF PERSONNEL ACTION REQUEST

1. **Employment**

   **Alcorn State University**
   Shirley D. Evers-Manly; Interim Dean, School of Nursing; salary $165,000 per annum, pro rata; E&G Funds; 6-month contract; effective January 1, 2021

   **University of Mississippi**
   Steven Holley; Vice Chancellor for Administration and Finance; salary $322,000 per annum, pro rata; 12-month contract; effective February 1, 2021

   Eduardo Prieto; Vice Chancellor for Enrollment Management; salary $250,000 per annum, pro rata; 12-month contract; effective March 15, 2021

2. **Change of Status**

   **Alcorn State University**
   Benedict Udemgba; *from* Professor of Business Administration; salary $95,000 per annum, pro rata; E&G Funds; 9-month contract; *to* Interim Dean and Professor of Business Administration of Business Administration; salary $110,000 per annum, pro rata; E&G Funds; 6-month contract; effective January 1, 2021 – June 30, 2021

   **University of Southern Mississippi**
   Thomas Hutchinson; *from* Director of Office of Online Learning; salary $90,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Dean of Online Learning and Enrollment; salary $98,000 per annum, pro rata; E&G Funds; 12-month contract; effective January 4, 2021
1. UMMC – REQUEST TO APPROVE AN EQUIPMENT SOLUTIONS AGREEMENT WITH STRYKER SALES CORPORATION AND HOWMEDICA OSTEONICS CORP.

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) request approval to enter into a new Equipment Solutions Agreement with Stryker Sales Corporation, acting through its Navigation Division, and Stryker Spine, a part of Howmedica Osteonics Corp. (collectively, Stryker), for the placement of the Stryker Nav3 surgical navigation platform and the Ziehm Imaging Vision RFD 3D mobile C-arm scanner, as well as the purchase of spine implants, surgical supplies and accessories. The navigation platform and mobile C-arm scanner are used during cranial and spinal surgeries to provide minimally invasive surgical approaches, improve imaging and visualization for the surgeon, and reduce operative time needed for placement of spinal implants, which can improve outcomes for both adult and pediatric surgeries. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level.

**Contractor’s Legal Name:** Stryker Sales Corporation and Howmedica Osteonics Corp.

**History of Contract:** This is a new Equipment Solutions Agreement with Stryker. Currently UMMC uses intra-operative x-ray imaging without an intra-operative guidance system for spine surgery, which is the current standard of care, but it does not provide the technological advances available under this agreement. As the complexity of spine cases has significantly increased over the past several years, this new technology will allow more efficient and accurate treatment of complex spine cases.

**Specific Type of Contract:** This is a new Equipment Solutions Agreement.

**Purpose:** The purpose of the agreement is for the placement of the Stryker Nav3 surgical navigation platform and the Ziehm Imaging Vision RFD 3D mobile C-arm scanner, as well as the purchase of spine implants, surgical supplies and accessories. The navigation platform and mobile C-arm scanner are used during cranial and spinal surgeries to provide minimally invasive surgical approaches, improve imaging and visualization for the surgeon, and reduce operative time needed for placement of spinal implants, which can improve outcomes for both adult and pediatric surgeries.

**Scope of Work:** Under the agreement, Stryker will place the surgical navigation platform and mobile scanner at UMMC. UMMC agrees to purchase a minimum amount of spine implants, batteries and disposables.

**Term of Contract:** The term of the agreement is four (4) years, from February 1, 2021, through January 31, 2025.
Termination Options: Termination options include the following:

- by Stryker if UMMC does not meet its commitment and does not notify Stryker of how UMMC wants to resolve the matter within thirty (30) days of receiving notification of the unmet commitment;
- by Stryker if UMMC uses reprocessed or non-Stryker disposable products or accessories with the equipment;
- by mutual written agreement of the parties;
- by the non-breaching party, upon the breach of a material obligation which is not cured within thirty (30) days from the date of written notice to the breaching party;
- by either party in the event of the other’s insolvency, reorganization, liquidation, or if a valid application is made to have the other party declared bankrupt, or if a receiver or trustee is appointed for such other party;
- by UMMC upon thirty (30) days written notice to Stryker; and
- in the event of insufficient funds.

Contract Amount: The total estimated cost over the four (4) year term is $13,200,000. This includes a thirty percent (30%) annual increase to allow for volume growth.

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

Contractor Selection Process: The surgical navigation platform, mobile scanner, spine implants, surgical supplies and accessories qualify as clinical commodities under Miss Code Ann §31-7-l, which is exempted from procurement requirements under §31-7-13.

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. Legal Staff has reviewed the proposed Agreement between Stryker Sales Corporation and Howmedica Osteonics Corp. and the University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

2. UMMC– REQUEST FOR APPROVAL FOR A RENTAL AGREEMENT WITH BECKMAN COULTER, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Rental Agreement with Beckman Coulter, Inc. (Beckman) for the lease of one (1) iQ2000 Workcell instrument, one (1) Aution Max AX-430 instrument, the IQ Body Fluids module, as well as the purchase of associated reagents and service of the equipment. These instruments are used to perform the visual, chemical, and
microscopic examination of urine. These tests help diagnose and/or monitor several diseases and conditions, such as kidney disorders and urinary tract infections. Additionally, UMMC requests approval to add or remove products under the agreement without seeking prior Board approval, as long as it does not increase the approved expenditure level. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods and Services, UMMC also requests a waiver to allow prepayment of the service fee on a monthly basis.

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

**History of Contract:** This is a new agreement with Beckman Coulter. UMMC owns two (2) pieces of urinalysis equipment that will be traded in as a part of this agreement, as they are outdated and in need of replacement. UMMC currently purchases the associated reagents for the equipment without requirement of a contract.

**Specific Type of Contract:** This is a new Rental Agreement.

**Purpose:** The purpose of the agreement is to lease one (1) iQ2000 Workcell instrument, one (1) Aution Max AX-430 instrument, the IQ Body Fluids Module, as well as purchase associated reagents and service of the equipment. These instruments are used to perform the visual, chemical, and microscopic examination of urine. These tests help diagnose and/or monitor several diseases and conditions, such as kidney disorders and urinary tract infections.

**Scope of Work:** Under the agreement, Beckman Coulter will:

- lease one (1) iQ2000 Workcell instrument, one (1) Aution Max AX-430 instrument, the IQ Body Fluids Module;
- provide training and service for the equipment; and
- provide reagents for use with the instruments.

Under the agreement, UMMC will purchase a minimum amount of reagents each year.

**Term of Contract:** The term of the agreement is approximately five (5) years and one (1) month, from February 1 through sixty (60) months after installation of the equipment, which is expected to be on or about March 1, 2021.

**Termination Options:** The agreement may be terminated as follows:

- in the event of a reduction of funds available to UMMC; and
- the non-defaulting party may terminate any or all portions of the agreement, upon default of the other party, if the defaulting party fails to cure the breach within thirty (30) days after receipt of written notice from the non-breaching Party
Contract Amount: The total estimated cost over the five (5) year term is $800,000. UMMC has included a fifteen percent (15%) annual increase beginning in year 2 for potential price and patient volume increases. Beginning October 2023, Beckman may increase pricing annually under the agreement by the lesser of three percent (3%) or the rate of inflation as indicated in the medical care expenditure category in the Consumer Price Index for all Urban Consumers (CPI).

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

Contractor Selection Process: Beckman is an approved vendor contracted with Intalere, Inc., one of UMMC’s group purchasing organizations (GPO) pursuant to Miss. Code Ann. § 31-7-13(m)(x).

Staff Recommendation: Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Based on Board Policy 707.03, Approval of Prepayment for Goods and Services, Board approval of a prepayment/waiver is required at the same time permission is sought from the Board under Board Policy 707.01. Legal Staff has reviewed the proposed Agreement between Beckman Coulter, Inc and the University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

3. UMMC– REQUEST FOR APPROVAL FOR A SERVICES AGREEMENT WITH JOHNSON CONTROLS FIRE PROTECTION, LP

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Planned Services Agreement with Johnson Controls Fire Protection, LP (JCI) to provide 24/7 labor coverage for the fire alarm detection systems, as well as test and inspection services for the fire sprinkler systems at various UMMC locations. UMMC also requests approval to amend the agreement as needed to add or remove locations without seeking prior Board approval as long as adequate funds are available.

Contractor’s Legal Name: Johnson Controls Fire Protection, LP

History of Contract: Prior to this request, UMMC has purchased individual service plans for the various fire alarm detection systems and fire sprinkler systems throughout UMMC’s facilities. Each agreement was below $250,000 and did not require Board approval. This agreement will combine three (3) separate service agreements into one (1) service plan.

Specific Type of Contract: This is a new Planned Services Agreement.
Purpose: The purpose of the agreement is to service UMMC’s fire alarm detection systems and fire sprinkler systems. This agreement will ensure that all of UMMC’s facilities have sufficient and properly functioning fire alarm and sprinkler systems.

Scope of Work: Under the agreement, JCI will provide the following services:
- 24/7 Fire Alarm Detection Systems Labor Coverage for the covered locations which includes:
  - Annual Fire Alarm Control Panel service
  - Annual battery service
  - Annual Duct Smoke Detector service
  - Annual Smoke Detector service
  - Annual Pull Station service
  - Annual Audio/Visual Unit service
  - Annual Door Holder/Magnet service
  - Annual Heat Detector service
  - Annual Annunciator service
  - Annual Beam Detectors service
  - Quarterly Waterflow Electronic Test
  - Quarterly Tamper Switch Electronic Test
  - Annual Elevator Recall service
- Fire Sprinkler Test and Inspect Basic Service for the covered locations which includes:
  - Annual Preaction System (Farmer’s Market)
  - Annual Deluge System (Guyton)
  - Quarterly Wet Sprinkler (Brandon Wellness)
  - Quarterly Wet Sprinkler (Flowood Wellness)

UMMC will be responsible for providing the following:
- access to the Beam Detector in the School of Medicine; and
- purchase of batteries for wiring initiating and notification peripheral devices.

Term of Contract: The term of the agreement is five (5) years, from February 1, 2021, through January 31, 2026.

Termination Options: Termination options include:
- By UMMC within fifteen days prior to the effective date of a unapproved price increase;
- By agreement of the parties;
- Failure by JCI to comply with the federal E-Verify program;
- By UMMC with or without cause upon thirty (60) days’ written notice to JCI;
Board of Trustees of State Institutions of Higher Learning
Regular Agenda
Finance
January 21, 2021

- By UMMC in the event JCI refuses or fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions, commits any other substantial breach of the contract if not cured within ten (10) days;
- Immediately upon JCI’s breach of any of the following ongoing representations and warranties that JCI, its officers, directors and employees:
  - are not currently excluded, debarred, or otherwise ineligible to participate in any federal healthcare programs or any state healthcare programs;
  - have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs;
  - are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list;
  - are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Contractor being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
  - if JCI is to receive any patients' personal health information, JCI represents and warrants that it has implemented safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected;
- By UMMC upon thirty (30) days’ written notice in the event of a reduction in funds; and
- In the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (30) days.

Contract Amount: The estimated total cost of the agreement over the five (5) year term is $1,930,000. UMMC has included in its calculation an annual ten percent (10%) increase for variable costs such as part replacement and unscheduled service calls and potential additional locations to be serviced.

Funding Source for Contract: The contract will be funded by general funds.

Contractor Selection Process: Johnson Controls Fire Protection, LP is an approved vendor contracted with Vizient, one of UMMC’s group purchasing organizations (GPO) pursuant to Miss. Code Ann § 31-7-13(m)(x).

Staff Recommendation: Based on Board Policy 707.01, Land, Property, and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than $250,000. Legal Staff has reviewed the proposed Agreement.
between Johnson Controls Fire Protection, LP and the University of Mississippi Medical Center for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
1. **UMMC – APPROVAL TO SETTLE WORKERS’ COMPENSATION CLAIM**

   The IHL Self-Insured Workers’ Compensation Program is seeking Board approval for settlement of Claim No. 55-37314-1 for The University of Mississippi Medical Center.

2. **UMMC – APPROVAL TO SETTLE WORKERS’ COMPENSATION CLAIM**

   The IHL Self-Insured Workers’ Compensation Program is seeking Board approval for settlement of Claim No. 55-42794-1 for The University of Mississippi Medical Center.
1. **UM – INTENT TO OFFER A CERTIFICATE PROGRAM**
   Program title: **Intercollegiate Athletic Administration**
   Responsible academic unit: School of Applied Sciences, Department of Health, Exercise Science and Recreation Management
   Level: Post-baccalaureate
   Total credit hours: 12
   CIP code: 31.0504
   Effective date: May 2021
   Rationale: This certificate program is a post-baccalaureate, fully online web-based program. Courses are offered in 8-week terms, within the existing academic calendar format, so that learners may complete the certificate in as little as 16 weeks or as long as two years. This certificate program is designed for individuals with backgrounds in business, administration, management, higher education, marketing and communications, and other related areas that are seeking an advanced understanding of intercollegiate athletics administration. The IAA certificate is tailored to enhance professional competencies in NCAA governance, internal operations, external operations, and leadership skills with emphases in collegiate athletic organizations.

2. **MSU – INTENT TO OFFER AN EXISTING DEGREE PROGRAM BY DISTANCE LEARNING**
   Master of Science (MS) in Chemical Engineering
   Total credit hours: 31
   CIP code, sequence: 14.0701, 4119
   Cost to offer by distance learning: $10,000
   Number of students expected to enroll in first six years: 43
   Number of students expected to graduate in first six years: 23
   Effective date: January 2021

**STAFF RECOMMENDATION:** Board staff recommends items 1-2 be accepted as information.
1. **JSU-SERVICE ORDER TO MISSISSIPPI INFORMATION TECHNOLOGY SERVICES TELECOMMUNICATION SERVICES AGREEMENT WITH TELEPAK NETWORKS, INC. d/b/a C SPIRE**

Jackson State University entered into a Service Order to the Telecommunication Services Agreement between MS-ITS and Telepak Networks, Inc. d/b/a C Spire for Voice over Internet Protocol (VoIP) handsets, hosted VoIP lines and Power over Ethernet switches for Jackson State University (JSU). The Attorney General’s staff assigned to the MS-ITS reviewed the agreement prior to execution. The Telecommunication Services Agreement is between Telepak Networks, Inc. d/b/a C Spire and MS-ITS behalf of JSU.

2. **UMMC – MS DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES LEASE AGREEMENT WITH PREMIER HEALTHCARE SOLUTIONS, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval for the Mississippi Department of Information Technology Services (ITS), as contracting agent for UMMC, to enter into Amendment Two (2) to the Performance Suite Solutions Subscription Agreement. Amendment Two (2) will provide the PremierConnect Hosting services for UMMC’s current Clinical Surveillance Solution. The clinical surveillance is real time clinical surveillance that enables clinicians to proactively identify at risk patients, prioritize actions for improved patient care, and improve efficiencies to obtain department and organizational initiatives through customizable tools.

**Contractor’s Legal Name:** Premier Healthcare Solutions, Inc.

**Specific Type of Contract:** This is Amendment Two (2) to the Performance Suite Solutions Subscription Agreement.

**Purpose:** The purpose of Amendment Two (2) is provide the PremierConnect Hosting services for UMMC’s current Clinical Surveillance Solution. The Clinical Surveillance Solution provides the clinical surveillance powered by TheraDoc, infection control assistant, and pharmacy assistant items. The clinical surveillance is real time clinical surveillance that enables clinicians to proactively identify at risk patients, prioritize actions for improved patient care, and “get back time” to impact department and organizational initiatives through customizable tools. The infection control assistant is a surveillance workflow built for infection prevention. This workflow empowers the infection preventionist to engage data to identify areas for improvement in care, control infection outbreaks, and standardize documentation for regulatory reporting. The pharmacy assistant is a surveillance workflow to gain medication insights to help find, assess and act on patients of interest to minimize adverse drug events, improve antimicrobial stewardship, manage anticoagulants, reduce LOS, and decrease the cost of care and document initiatives around improved patient care.
Term of Contract: The term of Amendment Two (2) is nineteen (19) months. The term of the amended Performance Suite Solutions Subscription Agreement remains six (6) years, beginning November 1, 2017, and ending June 30, 2022.

Contract Amount: The estimated cost of Amendment Two (2) is $24,720.00. The total overall cost of the Performance Suite Solutions Subscription Agreement is $1,168,096.00.

3. UMMC – MS DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES AGREEMENT WITH WORKDAY, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval for the Mississippi Department of Information Technology Services (ITS), as contracting agent for UMMC, to enter into Order Form 00227047.0 under the current Master Subscription Agreement with Workday, Inc. (Workday) for Innovation Services. Innovation Services will allow UMMC to use modules that will improve homepage functionality for individual users and allow for greater report generation by the end user.

Contractor’s Legal Name: Workday, Inc.

Specific Type of Contract: This is Order Form 00227047.0 to the current Master Subscription Agreement.

Purpose: The purpose of Order Form 00227047.0 is to provide Innovation Services to UMMC, which will enhance and improve the end-user experience in Workday. Innovation Services will allow UMMC to use modules that will improve homepage functionality for individual users and allow for greater report generation by the end user.

Term of Contract: The term of the Order Form is one (1) year, from October 26, 2020, through October 25, 2021.

Contract Amount: There is no cost for Order Form 00227047.0. The total cost of the Master Subscription Agreement remains $11,172,957.00.

4. UM – MS DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES AGREEMENT WITH AVAYA INC.

Agenda Item Request: The University of Mississippi (UM) requests approval of the Mississippi Department of Information Technology Services (ITS), as contracting agent for the University of Mississippi, entering into a supplement (Customer Order Form) to the master purchase agreement with Avaya, Inc. to purchase licensing and support to upgrade UM’s current phone system and voicemail system to the latest Avaya release.
UM’s current software platform is at end of support, and patches are no longer available for security vulnerabilities and other service impacting events. This upgrade will provide a fully support architecture with all of the latest security practices and protocols and will allow expansion and additions as required, utilizing SIP protocols and VoIP services to further support communications for all UM campuses.

Contractor’s Legal Name: AVAYA Inc.

Specific Type of Contract: This is a supplement to the ITS master purchase agreement.

Purpose: The purpose of this supplement is to allow UM to upgrade our phone and voicemail system to the latest Avaya release and purchase software licensing and support for 49 months. This terms of the supplement coincide with the ITS contract terms.

Term of Contract: The term of this supplement is four years, one month (49 months), beginning December 1, 2020.

Contract Amount: The estimated cost of this supplement is $817,344.50.

5. UM – MS DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES AGREEMENT WITH CAROUSEL INDUSTRIES OF NORTH AMERICA, INC.

Agenda Item Request: The University of Mississippi (UM) requests approval of the Mississippi Department of Information Technology Services (ITS), as contracting agent for the University of Mississippi, entering into a supplement to the master purchase agreement with Carousel Industries of North America, Inc (Carousel) to install Avaya equipment to upgrade UM’s existing Avaya Aura R6 to the latest Avaya release, R8.1.x and to provide Carousel support for call center/call recording software.

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

Specific Type of Contract: This is a supplement to the ITS master purchase agreement.

Purpose: The purpose of this supplement is to allow UM to upgrade the current phone system and purchase three (3) years of support for new call center/call recording software.

Term of Contract: This is a one-time purchase of professional services for installation and support for a term of three (3) years, beginning January 1, 2021.

Contract Amount: The estimated cost of this supplement and support contract is $265,842.71
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE `NOVEMBER 19, 2020 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 until the budget increase is approved by the Board.
1. ASU-GS 101-310 – New Faculty and Staff Housing

   NOTE: This is a Bureau of Building project

   Approval Request #1: Change Order #5

   Board staff approved Change Order #5 in the amount of $16,344.00 and ten (10) additional days to the contract of Ergon Construction Group, Inc.

   Approval Status & Date: APPROVED, November 18, 2020

   Change Order Description: Change Order #5 includes the following items: installed four (4) total security cameras, two (2) at the north gate and two (2) at the south gate. One (1) for driver face and one (1) for car tag documentation to include programming of the new cameras into the CCTV server in the security office and a three (3) year manufacturer’s warranty on the cameras and a one (1) year warranty on the installation; and ten (10) days to the contract.

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

   Total Project Change Orders and Amount: Five (5) change orders for a total amount of $677,011.80.

   Project Initiation Date: April 20, 2017
   Design Professional: Architecture South, P.A.
   General Contractor: Ergon Construction Group, Inc.
   Total Project Budget: $10,400,000.00

2. MSU–GS 113-141 – ADS & Poultry Complex

   Approval Request #1: Change Order #4

   Board staff approved Change Order #4 in the amount of $33,925.46 and one hundred twenty-two (122) additional days to the contract of Amason & Associates, Inc.
Approval Status & Date: APPROVED, November 25, 2020

Change Order Description: Change Order #4 includes the following items: added emergency stops at the boilers; added a sidewalk section connecting to the ADS sidewalk at the NW corner of the ADS building; added irrigation sleeves under paving at three (3) locations & extended the irrigation water line; added door closures on ten (10) lab doors; modified existing drains along the seat wall; removed a portion of the existing retaining wall footing that conflicts with the new curb & gutter; placed concrete paving along the existing seatwell east of the connectors; added a shunt trip breaker at the kitchen hood; painted the interior cast stone at the connector corridor & four locations; grout rub at exposed slab edge at the connector building; added valance trim over the dust collector to cover ductwork; added frost window film to four (4) windows in the animal room; and one hundred twenty-two (122) days to the contract.

Change Order Justification: These changes were necessary due to errors and omissions in the plans & specifications; latent job site conditions; user/owner requested modifications; ninety-one COVID-related delays; three (3) weather-related delays and days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of $306,207.26.

Project Initiation Date: April 16, 2015
Design Professional: McCarty Architects, Professional Association
General Contractor: Amason & Associates, Inc.
Total Project Budget: $27,500,000.00


Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of $28,762.31 and forty-four (44) additional days to the contract of Burns Dirt Construction, Inc.

Approval Status & Date: APPROVED, November 18, 2020

Change Order Description: Change Order #1 includes the following items: removed and replaced two (2) sewer manholes; tied the existing sidewalk along Magruder Street to the existing sidewalk in front of the Academic Advising Center on the southwest corner of Magruder Street and Morgan Avenue; added a sidewalk from the existing sidewalk north
of the Psychology Clinic to the rear entrance of the Psychology Clinic for access from the parking north of the Psychology Clinic; removed three (3) Tulip Poplars to match the tree spacing along Stone Boulevard; and forty-four (44) days to the contract.

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

Total Project Change Orders and Amount:  One (1) change order for a total amount of $28,762.31.

Project Initiation Date:  August 17, 2017
Design Professional:  Garver, LLC
General Contractor:  Burns Dirt Construction, Inc.
Total Project Budget:  $3,300,000.00

4. MSU-IHL 205-291– Transit Facility

Approval Request #1 (INTERIM):  In accordance with Board Policy §904 (B) Board Approval, Interim Chair Approval was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on November 18, 2020 to approve the budget increase on the Transit Facility project from $4,500,000.00 to $4,950,000.00, for an increase of $450,000.00.

Interim Approval Status & Date:  APPROVED, November 18, 2020

Approval Request #2:  Award of Construction Contract

Board staff approved the Award of Contract in the amount of $3,965,000.00 to the apparent low bidder, J. T. Harrison Construction Co., Inc.

Approval Status & Date:  APPROVED, December 1, 2020

Project Initiation Date:  April 18, 2019
Design Professional:  Shafer-Zahner-Zahner
General Contractor:  J. T. Harrison Construction Co., Inc.
Total Project Budget:  $4,950,000.00
5. **MSU- IHL 205-297– Butler Hall Mechanical, ADA Improvements and Exterior Window Replacement**

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

Board staff approved Change Order #1 in the amount of $81,287.50 and eight (8) additional days to the contract of Brislin, Inc.

**Approval Status & Date:** APPROVED, December 14, 2020

**Change Order Description:** Change Order #1 includes the following items: moved out, stored and moved back in loose furniture, decorations, tv’s computers, etc. and eight (8) days to the contract.

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

**Total Project Change Orders and Amount:** One (1) change order for a total amount of $81,287.50.

**Project Initiation Date:** December 5, 2019
**Design Professional:** Cook Douglass Farr lemons Architects & Engineers, P.A.
**General Contractor:** Brislin, Inc.
**Total Project Budget:** $4,100,000.00


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

Board staff approved the Schematic Design Documents as submitted by Pickering Firm, Inc.

**Approval Status & Date:** APPROVED, November 4, 2020

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

Board staff approved the Design Development Documents as submitted by Pickering Firm, Inc.

**Approval Status & Date:** APPROVED, November 4, 2020
Approval Request #3: Contract Documents

Board staff approved Contract Documents as submitted by Pickering Firm, Inc.

Approval Status & Date: APPROVED, December 16, 2020

Approval Request #4: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 16, 2020

Project Initiation Date: June 18, 2020
Design Professional: Pickering Firm, Inc.
General Contractor: TBD
Total Project Budget: $2,000,000.00

7. MSU- IHL 405-002– Kinesiology Building/Center for Student Support and Autism Services (Kinesiology Building/Autism Building)

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, Interim Chair Approval was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on December 21, 2020 to approve the budget increase on the Kinesiology Building/Autism Building project from $900,000.00 to $55,000,000.00, for an increase of $54,100,000.00 and to change the name of the project to Kinesiology Building/Center for Student Support and Autism Services and to increase the scope of the work to include Student Support Services..

Interim Approval Status & Date: APPROVED, December 21, 2020

Project Initiation Date: April 18, 2019
Design Professional: Eley Guild Hardy/Dale Partners a Joint Venture
General Contractor: TBD
Total Project Budget: $55,000,000.00
8. **MSU- IHL 413-002 (GS #113-149) – Forest & Wildlife Facilities**

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

   Board staff approved the Award of Contract in the amount of $3,813,374.00 to the apparent low bidder, West Brothers Construction, Inc.

   **Approval Status & Date:** APPROVED, November 20, 2020

   **Project Initiation Date:** March 1, 2019
   **Design Professional:** Shafer-Zahner-Zahner
   **General Contractor:** West Brothers Construction, Inc.
   **Total Project Budget:** $5,172,500.00

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9. **MVSU – GS 106-258 – Academic Skills Structural Remediation PH II**

   NOTE: This is a Bureau of Building project

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

   Board staff approved the Award of Contract in the amount of $1,137,000.00 to the apparent low bidder, Roy Collins Construction Co., Inc.

   **Approval Status & Date:** APPROVED, December 21, 2020

   **Project Initiation Date:** March 1, 2019
   **Design Professional:** Architecture South
   **General Contractor:** Roy Collins Construction Co., Inc.
   **Total Project Budget:** $5,172,500.00

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10. **UM- GS 107-317 – Johnson Commons East Renovation**

    NOTE: This is a Bureau of Building project
Approval Request #1: Change Order #6

Board staff approved Change Order #6 in the amount of $1,330.20 and three hundred thirty-four (334) additional days to the contract of Legacy Construction Services.

Approval Status & Date: APPROVED, November 4, 2020

Change Order Description: Change Order #6 includes the following items: installed a threshold at a door; and three hundred thirty-four days to the contract.

Change Order Justification: These changes were necessary due to latent job site conditions; user/owner requested modifications; thirty-five weather related delays and days for work as indicated herein and days for work as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of $402,663.71.

Project Initiation Date: November 15, 2012
Design Professional: Belinda Stewart Architects, P.A.
General Contractor: Legacy Construction Services
Total Project Budget: $8,745,000.00

11. UM- GS 107-317– Johnson Commons East Renovation

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Wier Boerner Allin Architecture.

Approval Status & Date: APPROVED, November 9, 2020

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 9, 2020

Project Initiation Date: June 18, 2020
Design Professional: Wier Boerner Allin Architecture
General Contractor: TBD
Total Project Budget: $2,975,000.00
12. UM- IHL 207-459– Insight Park Biomedical Engineering

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Daniel Design Studio, P.C.

Approval Status & Date: APPROVED, November 9, 2020

Approval Request #2: Design Development Documents

Board staff approved the Design Development Documents as submitted by Daniel Design Studio, P.C.McCarty Architects, P.A.

Approval Status & Date: APPROVED, November 9, 2020

Approval Request #3: Contract Documents

Board staff approved Contract Documents as submitted by Daniel Design Studio, P.C.

Approval Status & Date: APPROVED, November 23, 2020

Approval Request #4: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 23, 2020

Project Initiation Date: June 18, 2020
Design Professional: Daniel Design Studio, P.C.
General Contractor: TBD
Total Project Budget: $1,100,000.00
13. USM- GS 108-285–Cook Library Renovation (Phase 2)

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of $107,455.20 and zero (0) additional days to the contract of Codaray Construction, LLC.

Approval Status & Date: APPROVED, November 18, 2020

Change Order Description: Change Order #5 includes the following items: added fire alarm devices and an area of rescue phones.

Change Order Justification: These changes were due to changes in requirements or recommendations by governmental agencies and user/owner requested modifications.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of $660,320.63.

Project Initiation Date: January 18, 2018
Design Professional: Wier Boerner Allin Architecture
General Contractor: Codaray Construction, LLC
Phased Project Budget: $9,807,980.01
Total Project Budget: $12,132,980.00

14. USM- GS 108-287–McCain Library Envelope Repairs

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of $8,897.98 and six (6) additional days to the contract of Mitchco Construction, Inc.

Approval Status & Date: APPROVED, November 18, 2020

Change Order Description: Change Order #3 includes the following items: relocated the interior portion of the mini-split from the negative storage space to the room immediately
south; concrete was cut on the northeast corner of the building and extended an electric
circuit to the existing landscape area to the east; terminated this circuit so that it can be
extended in the future by USM to connect to a landscape controller; patched all concrete
and finish once completed; installed a new electrical circuit and outlet on the existing east
wall of the shelf storage area for future archival freezer equipment; repaired the existing
conduit and junction box that was damaged during the south sidewalk demolitions;
removed the existing carpet, mastic, and wall base in the area immediately adjacent to the
new millwork and sink in the basement; prepared the area and installed new epoxy
flooring; installed a new wall base and a transition strip at the newly created carpet edge;
and six (6) days to the contract.

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

Total Project Change Orders and Amount: Six (6) change orders for a total amount of
$284,473.98.

Project Initiation Date: August 16, 2018
Design Professional: Shafer-Zahner-Zahner, PLLC
General Contractor: Mitchco Construction, Inc.
Total Project Budget: $2,050,000.00

15. USM- IHL 208-337 – Union Plaza Renovation (Rebid)

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of $12,095.44 and zero (0)
additional days to the contract of Culpepper Construction & Masonry, LLC.

Approval Status & Date: APPROVED, November 18, 2020

Change Order Description: Change Order #2 includes the following items: deducted the
miscellaneous project underruns; credit due to overcharge in overhead and profit; added
miscellaneous project overruns; removed two (2) existing in-ground light fixtures and
installed two (2) new in-ground light fixtures in the front of the ticket office; installed a
4” conduit sleeve under the new concrete paving for future comcast cabling; cleaned out
and removed the wood barrier located on the underside of the upper deck west football
stadium ramp.
Change Order Justification: These changes were necessary due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of $37,897.20.

Project Initiation Date: May 16, 2019
Design Professional: Neel-Schaffer, Inc.
General Contractor: Culpepper Construction & Masonry, LLC
Total Project Budget: $2,400,000.00

16. USM - IHL #210-248- Invertebrate Growout II Renovation

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, December 15, 2020

Project Initiation Date: November 15, 2018
Design Professional: McCarty Architects, P.A.
General Contractor: TBD
Total Project Budget: $10,000,000.00
1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 10/26/20 and 11/1/20) from the funds of Alcorn State University. (These statements, in the amounts of $460.00 and $2,000.00, respectively, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE……………………………………………...$  2,460.00

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 11/13/20 and 12/11/20) from the funds of Mississippi State University. (These statements, in the amounts of $206.25 and $206.25, represent services and expenses in connection with general legal advice.)

TOTAL DUE……………………………………………...$  412.50

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 10/1/20, 10/1/20, 10/1/20, 10/1/20, 10/1/20, 10/1/20, 10/1/20 and 11/1/20) from the funds of Mississippi State University. (These statements, in the amounts of $2,500.00, $2,000.00, $100.00, $2,500.00, $2,500.00, $2,500.00, $200.00 and $3,000.00, represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE……………………………………………...$  15,300.00

Payment of legal fees for professional services rendered by the Winfield Law Firm (two statements dated 9/10/20) from the funds of Mississippi State University. (These statements, in the amounts of $699.00 and $5,102.00, represent services and expenses in connection with legal advice.)

TOTAL DUE……………………………………………...$  5,801.00

Payment of legal fees for professional services rendered by Butler Snow (statements dated 7/8/20 and 7/24/20) from the funds of the University of Mississippi. (These statements, in the amounts of $383.50 and $3,156.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE……………………………………………...$  3,540.00

Payment of legal fees for professional services rendered by Hand Arendall Harrison Sale, LLC (three statements dated 10/30/20) from the funds of the University of Mississippi. (These
statements, in the amounts of $212.00, $6,075.00, and $2,813.00, represent services and expenses in connection with general legal advice.)

**TOTAL DUE**...........................................................................................................$ 9,100.00

Payment of legal fees for professional services rendered by Holland & Knight (statements dated 8/12/20 and 9/4/20) from the funds of the University of Mississippi. (These statements, in the amounts of $3,202.50 and $315.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE**...........................................................................................................$ 3,517.50

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 9/4/20, 9/4/20, 10/12/20 and 10/12/20) from the funds of the University of Mississippi. (These statements, in the amounts of $860.59, $2,631.50, $2,228.34 and $28,950.50, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE**...........................................................................................................$ 34,670.93

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 9/1/20, 10/1/20, 10/1/20, 10/1/20 and 10/1/20) from the funds of the University of Mississippi. (These statements, in the amounts of $100.00, $89.72, $34.83, $2,500.00 and $4,500.00, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE**...........................................................................................................$ 7,224.55

Payment of legal fees for professional services rendered by Butler Snow (statements dated 9/28/20, 10/8/20, 10/8/20, 10/8/20, 10/16/20, 10/21/20, 10/21/20, 10/29/20, 11/12/20, 11/2/20, 11/12/20, 11/12/20 and 11/16/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,710.00, $40,000.00, $297.92, $2,160.18, $22,763.30, $190.00, $2,599.25, $11,652.50, $649.00, $19.00, $2,212.50, $2,258.75, $885.00 and $8,569.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE**...........................................................................................................$ 95,966.40

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 10/22/20, 10/29/20, 10/30/20, 10/30/20, 10/30/20 and 11/24/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts $4,048.55, $5,315.90, $1,634.20, $2,139.20, $429.00, and $5,786.60, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE**...........................................................................................................$ 19,353.45
Payment of legal fees for professional services rendered by Gore Kilpatrick & Dambrino, PLLC (statements dated 10/29/20, 10/29/20, 11/25/20 and 11/25/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $346.50, $148.50, $264.00 and $82.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE ............................................................................. $ 841.50

Payment of legal fees for professional services rendered by Hagwood Adelman Tipton, PC (statements dated 8/19/20, 8/19/20, 8/31/20, 9/15/20, 9/15/20, 9/15/20, 10/5/20, 10/5/20, 10/5/20, 10/21/20, 10/21/20, 11/4/20, 11/6/20, 11/6/20, 11/6/20, 11/6/20, 11/6/20, 11/6/20, 11/17/20, 12/4/20, 12/4/20 and 12/4/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,049.50, $120.10, $298.90, $49.50, $148.50, $3,669.80, $547.00, $115.50, $1,271.40, $309.50, $92.80, $2,607.00, $3,415.45, $6,781.25, $49.50, $1,927.80, $876.00, $498.60, $2,410.60, $807.65, $2,278.75, $936.40, $218.30 and $1,639.40, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE ............................................................................. $ 32,117.20

Payment of legal fees for professional services rendered by Hogan Lovells (statements dated 10/23/20 and 11/18/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $10,960.00 and $14,161.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE ............................................................................. $ 25,121.00

Payment of legal fees for professional services rendered by Jones Walker, LLP (statement dated 10/30/20) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $2,317.50, represents services and expenses in connection with legal advice.)

TOTAL DUE ............................................................................. $ 2,317.50

Payment of legal fees for professional services rendered by Page Kruger & Holland (statements dated 11/4/20, 11/18/20, 11/18/20, 11/18/20, 11/19/20, 11/19/20, 11/19/20 and 11/19/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,738.50, $49.50, $49.50, $99.00, $429.00, $16.50, $1,249.50 and $12,956.04, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE ............................................................................. $ 16,587.54

Payment of legal fees for professional services rendered by Steen, Dalehite and Pace (statements dated 10/15/20, 10/15/20 and 10/16/20) from the funds of the University of Mississippi Medical
Payment of legal fees for professional services rendered by Taylor, Wellons, Politz, Duhe, APLC (statements dated 9/25/20, 10/30/20, 10/30/20, 10/30/20, 10/30/20, 10/30/20, 10/30/20 and 10/30/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,107.00, $472.50, $607.50, $790.50, $451.50, $396.00, $396.00, $445.50 and $580.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................................................$ 5,247.00

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 10/7/20, 10/30/20, 10/30/20, 10/30/20, 11/9/20, 11/25/20, 11/25/20, 11/25/20 and 11/25/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $648.00, $264.00, $163.50, $1,022.78, $49.50, $102.48, $15.00, $99.00 and $447.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................................................$ 2,811.26

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 10/1/20, 10/2/20, 10/2/20, 11/2/20, 11/3/20, 11/3/20, 11/3/20, 11/3/20, 11/3/20, 11/3/20, 11/16/20, 11/18/20, 12/1/20, 12/1/20, 12/3/20, 12/3/20, 12/3/20 and 12/3/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $18,474.80, $14,717.40, $26,979.80, $177.00, $1,287.00, $1,562.50, $7,631.80, $1,369.50, $3,273.00, $5,874.20, $1,694.35, $8,050.00, $13,507.20, $280.50, $10,330.50, $6,232.00, $4,067.70 and $829.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................................................$ 161,586.15

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statements dated 11/11/20 and 12/15/20) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $1,443.00 and $2,514.60, represent services and expenses in connection with legal advice.)

TOTAL DUE.................................................................................................$ 3,957.60
Payment of legal fees for professional services rendered by Richard & Thomas, PLLC (statement dated 12/17/20) from the funds of the University of Southern Mississippi. (This statement, in the amount of $375.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE……………………………………………………$ 375.00**

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 11/11/20, 12/1/20 and 12/1/20) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $31.79, $43.51, and $2,500.00, represent services and expenses in connection with immigration/labor certifications.)

**TOTAL DUE……………………………………………………$ 2,575.30**

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

Payment of legal fees for professional services rendered by Larry Schemmel (eight statements dated 11/6/20) from the funds of Mississippi State University. (These statements represent the reimbursement of fees and expenses incurred in connection with the following patents: “Compositions of Food Grade Coatings to Control Pest Infestations and Methods of Applications” - $325.00; “Tracking Method for Containers Having Removable Closures” - $865.00; “Compositions of Food Grade Coatings to Control Pest Infestations and Methods of Applications” - $50.00; “Engineered Coal Char” - $140.00; “Design, Synthesis, and Photophysical Properties of a Novel Nir II Dye for Biological Imaging and Optoelectronic Devices” - $70.00; “Catalysts and Process for Liquid Hydrocarbon Fuel Production” - $900.00; Nano-Structured Catalysts” - $350.00; and Polymeric-Coated Electrodes for Sensing of Oil and other Analytes in Liquid and Methods of Making” - $70.00.)

**TOTAL DUE……………………………………………………$ 2,770.00**

Payment of legal fees for professional services rendered by Butler Snow (statements dated 10/16/20, 10/16/20, 11/19/20, 11/19/20, 11/19/20, 11/19/20, 11/19/20, 12/18/20, 12/18/20 and 12/18/20) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Recombinant Fimbrial Protein of Aeromonas Hydrophila as Vaccine in Catfish” - $1,246.50; “Live Attenuated Edwardsiella Ictaluri Vaccine and Method of Using Same” - $449.00; IP and Regulatory Matters - $12,301.50; “Silicon Carbide and Related Wide Bandgap Transistors on Semi-Insulating Epitaxy for High-Speed, High-Power Applications” - $19.00; “Pelvic Floor Strength Assessment Device” - $66.50; “Sequence Specific Phage-Based Antimicrobials” - $750.00; “Live Attenuated Edwardsiella Ictaluri Vaccine and Method of Using Same” - $798.00; “Pelvic Floor Strength
Assessment Device” - $625.00; “Sequence Specific Phage-Based Antimicrobials” - $608.50; and “IP and Regulatory Matters” - $649.00.)

TOTAL DUE……………………………………………………$ 17,513.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (four statements dated 10/21/20) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - $325.00; “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - $502.00; “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - $450.00; and “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - $315.00.)

TOTAL DUE……………………………………………………$ 1,592.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/29/20, 10/29/20, 11/16/20, 11/16/20 and 12/21/20) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Symmetrical CCC-NHC Pincer Metal Complexes and Symmetrical Bimetallic Complexes $1,047.50; “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - $793.50; “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - $178.50; “Cottonseed Oil Polymer” - $38.00; and “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods of Use Thereof” - $38.00.)

TOTAL DUE……………………………………………………$ 2,095.50

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statement dated 8/4/20) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: “Systems and Methods for Detecting Transient Acoustic Signals - $227.94.)

TOTAL DUE……………………………………………………$ 227.94

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/8/20, 7/8/20, 7/24/20, 8/28/20, 8/28/20, 8/28/20, 9/8/20, 9/17/20, 10/19/20, 10/21/20, 10/28/20, 10/28/20 and 10/29/20) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Trademark Maintenance for Athletic Logos – Prowler, Territory and Fins” - $6,188.50; “Trademark Matters” - $3,953.00; “Trademark Matters” - $1,806.00; “Trademark Matters” - $10,290.59; “The Grove Collection Trademark” - $1,345.00; “Emerald Bioscience, Inc. –
License” - $1,445.50; and “Stuttering Inhibition Method and Device” - $1,917.50, “Trademark Matters” - $2,855.50; “Emerald Bioscience, Inc. Licenses UM8930 & UM5050” - $1,298.00; “Trademark Matters” - $678.50, “Cache Mapping Technology Matter” - $324.50; “Stuttering Inhibition Method and Device” - $147.50; and Stuttering Inhibition Method and Device” - $590.00, respectively.)

TOTAL DUE…………………………………………………………$ 32,840.09

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 6/12/20, 6/12/20, 6/12/20, 6/12/20, 6/26/20, 6/29/20, 6/30/20, 6/30/20, 7/2/20, 7/3/20, 7/17/20, 8/4/20, 8/4/20, 8/5/20, 8/5/20, 8/7/20, 8/14/20, 8/14/20, 8/14/20, 8/19/20, 8/19/20, 8/19/20, 8/19/20, 8/19/20, 8/26/20, 8/26/20, 8/28/20, 8/29/20, 9/1/20, 9/5/20, 9/7/20, 9/7/20, 9/9/20, 9/30/20, 10/9/20, 10/11/20, 10/22/10, 10/12/20, 10/21/20, 10/20/20, 10/29/20, 11/9/20, 11/9/20, 11/9/20, 11/9/20, 11/9/20, 11/10/20/11/10/20, 11/10/20, 11/11/20, 11/11/20, 11/11/20 and 11/11/20) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Biologically Active Cannabidiol Analogs” - $2,712.00; “Biologically Active Cannabidiol Analogs” - $2,711.00; “Biologically Active Cannabidiol Analogs” - $2,710.00; “Biologically Active Cannabidiol Analogs” - $2,709.00; “Biologically Active Cannabidiol Analogs” - $2,708.00; “Composition for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - $1,777.00; “Biologically Active Cannabidiol Analogs” - $2,897.00; “Biologically Active Cannabidiol Analogs” - $1,393.00; “Biologically Active Cannabidiol Analogs” - $1,993.00; “Biologically Active Cannabidiol Analogs” - $2,943.55; Highly Selective Sigma Receptor Ligands and Radioligands as Probes in Nociceptive Processing and the Pathophysiological Study of Memory Deficits and Cognitive Disorders” - $1,121.50; “Potent Immunostimulants from Microalgea” - $1,698.00; “Potent Immunostimulants from Microalgea” - $1,863.00; “Potent Immunostimulants from Microalgea” - $2,233.00; “Natural Product Formulations with Improved Residual Insect Repellent/Deterrent Activity” - $200.00; “L-γ-Methyleneglutamine Compounds and Methods of Use” - $150.00; “Potent Immunostimulants from Microalgea” - $1,411.00; “Potent Immunostimulants from Microalgea” - $1,147.00; “Highly Selective Sigma Receptor Radioligands” - $1,200.00; “Compositions for Prevention/Prophylactic
Treatment of Poison Ivy Dermatitis” - $525.00; “Natural Product Formulations with Improved Residual Insect Repellent/Deterrent Activity” - $200.00; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - $1,789.50; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Biologically Active Cannabidiol Analogs” - $200.00; “Highly Selective Sigma Receptor Ligands and Radioligands as Probes in Nociceptive Processing and the Pathophysiological Study of Memory Deficits and Cognitive Disorders” - $2,306.00; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - $5,446.00; “L-gamma-Methyleneglutamine Compounds and Methods of Use” - $2,270.00; “Biologically Active Cannabidiol Analogs” - $862.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00; “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00, and “Compositions Containing Delta-9-THC-Amino Acid Esters and Process of Preparation” - $200.00, respectively.)

TOTAL DUE............................................................................................$ 74,734.62

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 9/22/20, 10/30/20, 10/30/20, 10/30/20, 10/30/20, 10/30/20, 10/30/20, 11/24/20, 11/24/20, 11/24/20, 11/24/20, 11/24/20, 11/24/20 and 11/24/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $960.00, $38.00, $38.00, $2,635.79, $9.50, $918.00, $388.00, $373.50, $9.50, $9.50, $750.00, $2,077.00, $913.00, $200.00, $716.23, $938.00, $26.00, $9.50, $38.00, $60.00, $594.58, $185.96, $583.29, $4,912.22, $38.00, $38.00 and $357.61, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE............................................................................................$ 17,817.18

Payment of legal fees for professional services rendered by Workman Nydegger (3 statements dated 10/22/20) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $3,500.00, $200.00 and $331.50, represent services and expenses in connection with intellectual property patents.)
2. **MUW – EMERGENCY APPROVAL TO HIRE McDonald Hopkins as Outside Counsel**

Trustee Ann Lamar, as Board Legal Committee Chair, on behalf of the Board, has approved the university’s emergency request to contract with attorney Jim Grizczak of McDonald Hopkins as outside counsel to provide legal services related to a cyber incident. The term of the contract began November 24, 2020 and will expire November 23, 2021, unless extended by written agreement of the parties and approved by the Office of the Attorney General. Services are provided at an hourly rate of $365 for partners and $290 for associates, with a maximum amount payable under the contract of $50,000. MUW is insured for cyber incident response and carries a deductible for legal services related to a covered incident of $5,000. Therefore, MUW will not be responsible for more than $5,000 of the $50,000 maximum amount payable under the contract. McDonald Hopkins carries professional liability coverage in the amount of $5,000,000 per occurrence and $5,000,000 annual aggregate.
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 review in the Board Office.

a. **MSU** – On November 30, 2020, Commissioner Alfred Rankins, Jr. approved the District Office Lease between Mississippi State University and Congressman Michael Guest for approximately 150 square feet of office space on the MSU-Meridian Riley Campus. This is a revenue generating agreement with a term of two years beginning January 3, 2021. Monthly rent will be $270.40 per month for the first 12 months and will increase by 4% for the second 12-month period. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

b. **UM** – On November 30, 2020, Commissioner Alfred Rankins, Jr. approved the Assignment of Lease Agreement between Taylor Capital Ventures, LP and 328 Properties, LLC for Airport Hangar Lot #7 at the University airport. The University entered into a Lease Agreement with Carothers Construction, Inc. on July 1, 2004 for the subject property. Carothers Construction in turn assigned the lease to Taylor Capital Ventures, LP on March 22, 2017, with Taylor Capital assuming all of the covenants, terms, and conditions of the Lease Agreement. Taylor Capital now seeks to enter into an Assignment of Lease Agreement with 328 Properties, LLC. The annual rent, as set out in Article II of the Lease Agreement in 2004, was $2,250, or $0.05 per square foot, for each of the first five years and has increased by one- and one-half percent applied to each consecutive five-year period. These increases are to continue for each consecutive five-year period until said increases have reached a total of seven- and one-half percent of the original rental fee of $0.05 per square foot. The termination of the assignment is the same as that stated in the Lease Agreement, which is July 31, 2054. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

c. **UMMC** – On December 15, 2020, Commissioner Alfred Rankins, Jr. approved the Part-Time Space Occupancy Lease Agreement between the University of Mississippi Medical Center and Copiah Medical Associates for approximately 1,878 square feet of clinic space in which UMMC will provide cardiology services to patients in the Crystal Springs area. This agreement is for an initial term of one year and will automatically renew for four additional consecutive one-year periods at a cost of $172.84 per month based on one day occupancy per month, with a 2% increase at the beginning of each renewal term. The total cost of the agreement is $10,794. Rent is due and payable on the first day of each month. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services.

d. **UMMC** – On December 15, 2020, Commissioner Alfred Rankins, Jr. approved the Part-Time Space Occupancy Lease Agreement, including the revised insurance provision, between the University of Mississippi Medical Center and
North Mississippi Medical Center, Inc. to sublease approximately 160 square feet of UMMC’s leased clinic space in the Tupelo Pediatric Clinic to NMMC for use in performing echocardiograms. This agreement was previously approved by you on November 4, 2020 but a subsequent discovery of an error in the insurance provision resulted in new request. All other terms of the agreement are unchanged. The term of the agreement is 12 months beginning December 15, 2020. The prime lease between UMMC and Journal, Inc. will expire August 31, 2021. The sublease is subordinate to the prime lease and will expire at the same time unless the prime lease is renewed. The anticipated revenue is $2,510.76 over the one-year term. The IHL Associate Commissioner for Legal Affairs reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts.

2. SYSTEM – REPORT OF UNIVERSITIES’ USE OF TEMPORARY RELIEF AND WAIVER OF APPROVAL REQUIREMENTS SET FORTH IN IHL BOARD POLICIES 707 CONTRACTS AND 905 REAL ESTATE MANAGEMENT

On March 19, 2020, the IHL Board granted UMMC a temporary relief and waiver of requirements for approval of items, matters, contracts, purchases, leases, prepayments and any other agreement otherwise requiring approval by the Board of Trustees or Commissioner pursuant to Board Policy 707 Contracts (to include policies 707.01 Land, Property, and Service Contracts; 707.02 Other Official Documents, and 707.03 Approval of Prepayment for Goods or Services) and Board Policy 905 Real Estate Management during the state of emergency caused by the COVID-19 pandemic. This waiver is superseded and replaced by the waiver granted to all institutions approved on September 4, 2020 and described below.

At the special called Board meeting on September 4, 2020, the IHL Board provided all institutions, through December 31, 2020, temporary relief and waiver of requirements for approval of items, matters, contracts, purchases, leases, prepayments and any other agreement otherwise requiring approval by the Board of Trustees or Commissioner pursuant to Board Policy 707 Contracts (to include policies 707.01 Land, Property, and Service Contracts; 707.02 Other Official Documents, and 707.03 Approval of Prepayment for Goods or Services) and Board Policy 905 Real Estate Management, when compliance with the Board or Commissioner approval requirements of these policies would impede the institution’s ability to promptly and effectively provide for the safety and health of its students, employees and guests in dealing with the COVID-19 pandemic. This waiver is for a temporary period during the state of emergency caused by the COVID-19 pandemic, through December 31, 2020, for the health and well-being of students, employees, and guests on all IHL campuses and facilities. All such contracts, leases, purchases, and other items that are within the parameters of this waiver and temporary delegation are to be reported to the Board as information items. A summary of the items that have been submitted for reporting to the Board is as follows:
a. ASU – On December 23, 2020, ASU amended the contract with Sodexo Operations, LLC that was approved at the August 18, 2018 IHL Board meeting. The five-year contract is for management and operation of the food services for the students, faculty, staff, employees, visitors, and guests on the Lorman Campus. The term of the contract is from September 1, 2018 through July 31, 2023 and shall be subject to renewal for one (1) additional five (5) year term upon approval by the Board. This is a revenue contract. The amendment temporarily modifies the financial terms of the Agreement to address changes reasonably required by the overall impact of the COVID-19 pandemic. This amendment is effective retroactive to September 1, 2020, and thereafter, unless amended. The contract amendment has been reviewed and approved by the Attorney General’s Office for compliance with applicable laws.

b. MSU – On December 3, 2020, MSU entered a contract with Starkville Hotel Group II, LLC, for exclusive use of the Comfort Suites space for students under quarantine due to the COVID-19 pandemic during the spring 2021 semester. The term of the contract is from December 11, 2020 through April 30, 2021. The cost of the contract is $704,520 and will be paid with General funds. The COVID-19 pandemic continues to dictate the University be prepared for additional quarantines during the spring semester of 2021. MSU had contracts with three hotels to provide temporary housing for the quarantine of students related to the pandemic. The decision was made to reduce the number of hotel contracts to one. The Starkville Hotel Group II, LLC agreed to this new contract. It is essential that this contract be executed prior to the next IHL Board meeting, thus justifying the waiver of Board Policy 707 Contracts. The contract amendment has been reviewed and approved by MSU’s Office of General Counsel for compliance with applicable laws.
PERSONNEL ACTION REPORT

1. **Sabbatical**

   **University of Mississippi**
   FROM: Breese Quinn; Professor of Physics and Director of the Multimessenger Astrophysics Center; *from* salary $91,465 per annum, pro rata; E&G Funds; 9-month contract; *to* salary $45,733 per annum, pro rata during sabbatical period; E&G Funds; effective August 20, 2020 to December 31, 2020 and January 19, 2021 to May 8, 2021; professional development

   [Originally approved by IHL Board February 20, 2020]

   CORRECTED: Breese Quinn; Professor of Physics and Director of the Multimessenger Astrophysics Center; *from* salary $91,465 per annum, pro rata; E&G Funds; 9-month contract; *to* salary $45,733 per annum, pro rata during sabbatical period; E&G Funds; effective **August 20, 2020 to December 31, 2020**: professional development