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

MEETINGS SCHEDULE

Health Affairs Committee | October 20, 2021, 3:00p | MUW Campus
IHL Board Meeting | October 21, 2021, 9:00a | MUW Campus

CALL TO ORDER

Trustee Walt Starr

INVOCATION

Trustee Alfred McNair

PRESENTATION

President Nora Miller

MINUTES

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ADJOURNMENT
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 Old Waverly Golf Club in West Point, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on January 6, 2021, to each and every member of said Board said date being at least five days prior to this September 16, 2021 meeting. At the above-named place there were present the following members to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Dr. Walt Starr, President, with Trustee Duff providing the invocation.

APPROVAL OF THE MINUTES

On motion by Trustee Cunningham, seconded by Trustee Cummings, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on August 19, 2021 and August 27, 2021.

CONSENT AGENDAS

President Starr noted that item #1 the amendment to an agreement between Alcorn State University and ENNCloud Technologies, LLC was removed from the agenda at the request of the university. On motion by Trustee Martin, seconded by Trustee Cunningham, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas as amended.

FINANCE

1. ASU – Request to enter a one-year contract with ENNCloud Technologies, LLC for CIO Advisory Services, ERP Advisory Services, and Technical Project Management and Consulting Oversight Services. This is Statement of Work No. 003 (SOW 003) which is part of a Master Consulting Agreement (MCA) between the university and ENNCloud dated September 21, 2020. This is an extension where SOW 003 is made as part of the current MCA. The term of the contract begins September 1, 2021 and ends August 31, 2022. The scope of work for SOW 003 is $39,166.67 per month for a total of $470,000 for 12 months. The contract will be funded by E & G Funds. Final approval is contingent upon the receipt of the CP-1 exemption from the Mississippi Department of Information Technology Services. 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. (THIS ITEM WAS REMOVED FROM THE AGENDA.)

2. UMMC – Approved the request to enter a Master Purchase Agreement with Cochlear Americas to purchase otolaryngology auditory devices and ancillary products to be used in surgical procedures. These devices and products include cochlear implants, bone conduction systems, batteries, covers, hearing aids, etc., that will be used to treat pediatric and adult patients throughout UMMC. For patients with hearing impairments, the implant
does the work of the damaged parts of the inner ear in order to provide sound signals to the brain. The Board also approved the request for the institution to add or remove products covered by the agreement without seeking prior Board approval, as long as it does not increase the approved expenditure level. The term of the agreement is five (5) years, from October 1, 2021, through September 30, 2026. The total estimated cost of the agreement over the five (5) year term is $9,250,000. Beginning in year two (2), UMMC has included a twenty five percent (25%) increase for potential patient volume increases, as well as a two percent (2%) increase in the cost per case for annual price increases in years three (3) through five (5). Purchases will be made on an as-needed basis dependent upon patient need. 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.

3. **UMMC** – Approved the request to enter a Master Services Agreement with Press Ganey Associates, LLC d/b/a Press Ganey Associates, Inc. (Press Ganey). The Agreement allows UMMC to facilitate the measurement of the hospital and ambulatory clinics’ patient satisfaction as required by The Joint Commission and the Centers for Medicare and Medicaid Services (CMS). Press Ganey will conduct patient satisfaction surveys on behalf of UMMC, submit the data to CMS as required, and provide a vendor-hosted, web-based tool for UMMC’s use in reviewing and managing the resulting data, as well as tools for improving UMMC’s patient satisfaction. The term of the Master Services Agreement is five (5) years, from October 1, 2021, through September 30, 2026. The total estimated cost of the agreement over the five (5) year term is $2,100,000.00. The total survey fees are $1,723,669.34 over the term of the agreement with a three percent (3%) annual price increase beginning in year two (2). To account for any variable costs and additional support as needed, UMMC has also included an additional twenty percent (20%) of the projected annual cost of the survey fees beginning in year one (1). 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.

**REAL ESTATE**

4. **IHL System Office** – Approved the Facility Needs Request for the 2022 Legislative Session as prepared by each institution. These lists of campus priorities were developed in a similar manner as last year’s lists, with each university determining the top five ranking priorities of their respective campus. *(See Exhibit 1.)*

**LEGAL**

5. **ASU** – Approved the request to hire Ware|Immigration as outside counsel to perform services as necessary in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this contract will be one year beginning October 1, 2021, with rates as set out in the fee schedule below. The maximum amount payable under this agreement is $20,000. This firm carries professional liability
insurance coverage in the amount of $3,000,000 per claim with an annual aggregate of $3,000,000. This request has been reviewed and approved by the Office of the Attorney General.

### Schedule of Legal Fees for Academia

<table>
<thead>
<tr>
<th>Nonimmigrant Petitions and Processes</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>H-1B petition</td>
<td>$2,250.00*</td>
</tr>
<tr>
<td>H-1B extension or amendment petitions (we handled original petition)</td>
<td>$2,250.00*</td>
</tr>
<tr>
<td>H-1B withdrawal</td>
<td>$200.00</td>
</tr>
<tr>
<td>H-4 EAD (Employee may pay)</td>
<td>$750.00</td>
</tr>
<tr>
<td><em>additional legal fee of up to $2,500 may apply for substantive requests for evidence</em></td>
<td></td>
</tr>
<tr>
<td>TN petition or border/consulate processing</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>TN extension petition (we handled original)</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>E-3 petition or consular processing</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>E-3 extension petition (we handled original)</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>O-1 petition</td>
<td>$4,250.00</td>
</tr>
<tr>
<td>O-1 extension or amendment petition (we handled original)</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>J-1 waiver (IGA or hardship)</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>J-1 waiver (Conrad)</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>J-1 waiver (no objection)</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>I-539 Fee for Dependents (Employee may pay)</td>
<td>$750.00</td>
</tr>
</tbody>
</table>

### Permanent Residence Process with Labor Certification: Faculty

| Fee |
|--------------------------------------|-----|
| Special Handling labor certification | $3,000.00 |
| *(If position must be readvertised)* | $2,500.00 |
| Additional fee if audited            | $500-1,500.00 |
| Immigrant petition (I 140)           | $2,500.00 |

### Permanent Residence Process with Labor Certification: Non-Faculty

| Fee |
|--------------------------------------|-----|
| Labor certification                  | $5,000.00 |
| Additional fee if audited            | $500-1,500.00 |
| Additional fee if subject to supervised recruitment | $2,500.00 |
| Immigrant petition                   | $2,500.00 |

### Permanent Residence Process: Outstanding Professors and Researchers

| Fee |
|--------------------------------------|-----|
| Immigrant petition                   | $6,000.00 |

### Permanent Residence Process: National Interest Waiver

| Fee |
|--------------------------------------|-----|
| Immigrant petition                   | $6,000.00 |
| NIW or OP/OR RFE or NOID: case by case determination up to | $2,500.00 |

### Adjustment of Status (any Employment-Based Permanent Residence Matter)

| Fee |
|--------------------------------------|-----|
| Adjustment of status (AOS) and related applications (I-765, I-131, etc.), principal | $2,500.00 |
| “Standalone” AOS and related applications, principal | $3,000.00 |
| Adjustment of status and related applications, spouse, if together with principal application and I 140 | $1,500.00 |
| Adjustment of status of each child, concurrent with I 140 | $1,000.00 |
| “Standalone” adjustment of status, spouse (not concurrent with I-140) | $2,000.00 |
| “Standalone” adjustment of status, child | $2,000.00 |
| Reschedule biometrics appointment    | $150.00 |
6. **JSU** – Approved the request to hire Armstrong Law, LLC as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this agreement is one year beginning upon approval and execution, with rates as set out in the fee schedule below. The maximum amount payable under this agreement is $50,000. This firm carries professional liability insurance coverage in the amount of $1,000,000 per claim with an annual aggregate of $1,000,000. This request has been reviewed and approved by the Office of the Attorney General.

### Summary of Legal Fees

<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>“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-765, I-131) for employee</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee</td>
<td>$750.00</td>
</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.
<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<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><strong>Permanent resident status (&quot;green card&quot;/immigrant) processing</strong></td>
<td></td>
</tr>
<tr>
<td>-- &quot;Outstanding professors and researchers&quot; (labor certification not required)</td>
<td></td>
</tr>
<tr>
<td>Immigrant petition for alien worker (I-140) – for employee</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee</td>
<td>$ 750.00</td>
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<tr>
<td>Preparation for and attendance at USCIS interview</td>
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<td>$ 500.00</td>
</tr>
<tr>
<td><strong>Permanent resident status (&quot;green card&quot;/immigrant) processing</strong></td>
<td></td>
</tr>
<tr>
<td>-- &quot;extraordinary ability&quot; or &quot;National Interest Waiver&quot; (labor certification not required)</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-765, I-131) for employee</td>
<td>$1,500.00</td>
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<tr>
<td>Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee</td>
<td>$ 750.00</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><strong>Temporary status (nonimmigrant) processing</strong></td>
<td></td>
</tr>
<tr>
<td>H-1B “specialty occupation” petition</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>O-1 “extraordinary ability” petition</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>TN “NAFTA professional” petition</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Application for Waiver of J-1 Foreign Residence Requirement (based upon state Conrad 30 program)</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Application for Waiver of J-1 Foreign Residence Requirement (based upon extreme hardship)</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Application to extend or change nonimmigrant status (for dependents of employee who are in the US in another nonimmigrant status) when filed with I-129 Petition for primary</td>
<td>$ 500.00</td>
</tr>
</tbody>
</table>

7. **JSU** – Approved the request to hire Ware|Immigration as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this agreement is one year beginning upon approval and execution, with rates as set out in the fee schedule below. The maximum

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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.
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).
amount payable under this agreement is $50,000. This firm carries professional liability insurance coverage in the amount of $3,000,000 per claim with an annual aggregate of $3,000,000. This request has been reviewed and approved by the Office of the Attorney General.

**Schedule of Legal Fees for Academia**

<table>
<thead>
<tr>
<th>Petition Type</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>H-1B petition</td>
<td>$2,250.00*</td>
</tr>
<tr>
<td>H-1B extension or amendment petitions (we handled original petition)</td>
<td>$2,250.00*</td>
</tr>
<tr>
<td>H-1B withdrawal</td>
<td>$200.00</td>
</tr>
<tr>
<td>H-4 EAD (Employee may pay)</td>
<td>$750.00</td>
</tr>
<tr>
<td>*additional legal fee of up to $2,500 may apply for substantive requests for evidence</td>
<td></td>
</tr>
<tr>
<td>TN petition or border/consulate processing</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>TN extension petition (we handled original)</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>E-3 petition or consular processing</td>
<td>$2,250.00</td>
</tr>
<tr>
<td>E-3 extension petition (we handled original)</td>
<td>$2,250.00</td>
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<tr>
<td>O-1 petition</td>
<td>$4,250.00</td>
</tr>
<tr>
<td>O-1 extension or amendment petition (we handled original)</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>J-1 waiver (IGA or hardship)</td>
<td>$6,000.00</td>
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<tr>
<td>J-1 waiver (Conrad)</td>
<td>$6,000.00</td>
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<tr>
<td>J-1 waiver (no objection)</td>
<td>$1,500.00</td>
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<tr>
<td>I-539 Fee for Dependents (Employee may pay)</td>
<td>$750.00</td>
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<tr>
<td>Permanent Residence Process with Labor Certification: Faculty</td>
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<tr>
<td>Special Handling labor certification</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>(If position must be readvertised)</td>
<td>$2,500.00</td>
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<tr>
<td>Additional fee if audited</td>
<td>$500-1,500.00</td>
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<tr>
<td>Immigrant petition (I-140)</td>
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<tr>
<td>Permanent Residence Process with Labor Certification: Non-Faculty</td>
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<tr>
<td>Labor certification</td>
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<tr>
<td>Additional fee if audited</td>
<td>$500-1,500.00</td>
</tr>
<tr>
<td>Additional fee if subject to supervised recruitment</td>
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<td>Immigrant petition</td>
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<td>Permanent Residence Process: Outstanding Professors and Researchers</td>
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<tr>
<td>Immigrant petition</td>
<td>$6,000.00</td>
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<tr>
<td>Permanent Residence Process: National Interest Waiver</td>
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<tr>
<td>Immigrant petition</td>
<td>$6,000.00</td>
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<tr>
<td>NIW or OP/OR RFE or NOID: case by case determination up to</td>
<td>$2,500.00</td>
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<tr>
<td>Adjustment of Status (any Employment-Based Permanent Residence Matter)</td>
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<tr>
<td>Adjustment of status (AOS) and related applications (I-765, I-131, etc.), principal</td>
<td>$2,500.00</td>
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<td>“Standalone” AOS and related applications, principal</td>
<td>$3,000.00</td>
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<tr>
<td>Adjustment of status and related applications, spouse, if together with principal application and I-140</td>
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<tr>
<td>Adjustment of status of each child, concurrent with I-140</td>
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<tr>
<td>“Standalone” adjustment of status, spouse (not concurrent with I-140)</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>“Standalone” adjustment of status, child</td>
<td>$2,000.00</td>
</tr>
</tbody>
</table>
Reschedule biometrics appointment $150.00
Reschedule adjustment of status interview $150.00
I 485 J (standalone cases) $1,500.00

Employment Authorization and Advance Parole Renewal
Employment Authorization Renewal per individual $500.00
Advance Parole Renewal per individual $500.00

General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule
Such matters will be billed at our hourly rates:
David Ware per hour billed $350.00
WI Partners per hour billed $250.00
Associate Attorneys per hour billed $175.00
Paralegals per hour billed $100.00

8. MSU – Approved the request to modify the contract with Stites & Harbison, PLLC as follows: (1) Under Section VI. PAYMENT TERMS, the hourly rate of pay for Sean Ritchie shall increase to $320 per hour. This hourly rate was originally listed in error at $250 per hour. The maximum amount payable under this contract remains $75,000, and all other provisions of this agreement dated July 1, 2021, remain in effect. This firm carries professional liability insurance coverage in the amount of $30,000,000 per claim occurrence with an annual aggregate of $60,000,000. This modification has been reviewed and approved by the Office of the Office of the Attorney General.

PERSONNEL REPORT

9. Employment
Jackson State University
• Maurice Mangum, hired with tenure, Department Chair, Department of Political Science and Professor of Political Science; salary $100,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 1, 2021
• James Robinson, hired with tenure, Department Chair and Associate Professor, Department of Health, Physical Education and Recreation; salary $95,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 11, 2021
• KB Turner, hired with tenure, Dean of the College of Liberal Arts and Professor of Criminal Justice and Political Science, salary of $175,000 per annum, pro rata, E&G Funds; 12-month contract; effective August 11, 2021

Mississippi State University
John J. Green; hired with tenure; Professor and Director; Southern Rural Development Center; Department of Agricultural Economics; salary $190,000.00 per annum, pro rata; Designated and Restricted Funds; 12-month contract; effective August 1, 2021
10. Change of Status

Jackson State University
- Tracy Harris, from Interim Associate Dean; salary of $108,313 per annum, pro rata; E&G Funds; 12-month contract; to Interim Dean; salary of $130,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 15, 2021
- Millard Bingham, from Interim Dean; salary of $120,000 per annum, pro rata; E&G Funds; 12-month contract; to Associate Professor; salary of $84,000 per annum, pro rata; E&G Funds; 9-month contract; effective August 11, 2021

University of Mississippi
Shawnboda Mead; from Interim Vice Chancellor for Diversity and Community Engagement; salary of $133,900 per annum; pro rata; to Vice Chancellor for Diversity and Community Engagement; salary of $225,000 per annum; pro rata; twelve-month contract; effective September 24, 2021

REGULAR AGENDA

FINANCE AGENDA
Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Cunningham, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda.

1. MSU – Pursuant of the Department of Defense Regulations (DOD 5220.22-M dated 05/18/2016), the Board approved a Resolution that 1) requires certain present and future MSU officers both meet the requirements for eligibility for access to classified information and be processed for Personnel Security Clearance; and 2) permits formal exclusion of members of the IHL Board and Commissioner from both access to classified information disclosed to MSU and from processing for Personnel Security Clearance. Approval of the proposed Resolution and receipt of the Federal Security Clearance Designation will allow MSU access to NISP contracts without subjecting IHL Board members to the security clearance process. Upon approval of the proposed Resolution, MSU will be in adherence to the Department of Defense NISP for having a Facility Security Clearance (FCL). Having the FCL designation makes MSU eligible for contracts from the Department of Defense, Department of Homeland Security, Nuclear Regulatory Commission, NASA and other agencies under NISP. NISP was established by Executive Order in 1993 for the protection of classified information. The National Industrial Security Program Operating Manual prescribes the requirements, restrictions and other safeguards to prevent unauthorized disclosure of classified information. Legal Staff has reviewed the proposed resolution for compliance with applicable law and finds the same to be acceptable. A copy of the resolution is on file in the Board Office.
2. **JSU** – Pursuant of the Department of Defense Regulations, the Board approved a Resolution that 1) requires certain present and future JSU officers both meet the requirements for eligibility for access to classified information and be processed for Personnel Security Clearance; and 2) permits formal exclusion of members of the IHL Board and Commissioner from both access to classified information disclosed to JSU and from processing for Personnel Security Clearance. Upon approval of the proposed Resolution, JSU will be in adherence to the Department of Defense National Industrial Security Program (NISP) for having a Facility Security Clearance (FCL). Having the FCL designation makes JSU eligible for contracts from the Department of Defense, Department of Homeland Security, Nuclear Regulatory Commission, NASA and other agencies under the National Industrial Security Program (NISP). NISP was established by Executive Order in 1993 for the protection of classified information, and is applicable to all cleared contractor facilities, including JSU. With the FCL status, JSU's classified activities will be governed by the provisions of the National Industrial Security Program Operating Manual (NISPOM), which prescribes the requirements, restrictions, and other safeguards to prevent unauthorized disclosure of classified information. Legal Staff has reviewed the proposed resolution for compliance with applicable law and finds the same to be acceptable. A copy of the resolution is on file in the Board Office.

3. **UM** – Pursuant of the Department of Defense Regulations, the Board approved Resolution that 1) requires certain present and future UM officers both meet the requirements for eligibility for access to classified information and be processed for Personnel Security Clearance; and 2) permits formal exclusion of members of the IHL Board and Commissioner from both access to classified information disclosed to UM and from processing for Personnel Security Clearance. Approval of the proposed Resolution and receipt of the Federal Security Clearance designation will allow UM access to NISP contracts without subjecting IHL Board members to the security clearance process. Upon approval of the proposed Resolution, UM will be in adherence to the Department of Defense NISP for having a Facility Security Clearance (FCL). Having the FCL designation makes UM eligible for contracts from the Department of Defense, Department of Homeland Security, Nuclear Regulatory Commission, NASA and other agencies under NISP. NISP was established by Executive Order in 1993 for the protection of classified information, and is applicable to all cleared contractor facilities, including UM. With the FCL status, UM’s classified activities will be governed by the provisions of the National Industrial Security Program Operating Manual (NISPOM), which prescribes the requirements, restrictions, and other safeguards to prevent unauthorized disclosure of classified information. Legal Staff has reviewed the proposed resolution for compliance with applicable law and finds the same to be acceptable. A copy of the resolution is on file in the Board Office.
REAL ESTATE

1. SYSTEM – The Board received the Real Estate items that were approved by the Board staff subsequent to the August 19, 2021 Board meeting in accordance with Board Policy 904 Board Approval.  (See Exhibit 2.)

LEGAL

2. SYSTEM – The Board received a report of the payment of legal fees to outside counsel.  
(See Exhibit 3.)

ADMINISTRATION/POLICY

3. 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. MSU – On August 20, 2021, Commissioner Alfred Rankins, Jr. approved the Modification of Lease Agreement #12 between Mississippi State University and Mississippi State University Research & Technology Corporation for space at the NASA Stennis Space Center. This modification extends the term of the current agreement by one year beginning October 1, 2021 and ending September 30, 2022, and increases the monthly rental rate from $17.91 per square foot to $20.74 per square foot or $5,517.62 per month ($66,211.41 annually). All other provisions of the original lease agreement with its previous Modifications #1 through #11 remain unchanged. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.
   b. MSU – On September 2, 2021, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and the Biloxi Public School District. The lease is for approximately 8,000 square feet of surplus building space, consisting of six classrooms, bathrooms, work area and common space at Nichols Elementary School located on Division Street in Biloxi, MS. This space will be used for the Head Start programs in association with a federal grant received by the University. The lease term began August 1, 2021 and will expire May 31, 2022, at a cost of $4,000 per month to be paid in advance at the beginning of each month. The University is also responsible for janitorial services, routine maintenance, telephone, internet and related services, as well as a pro rata share of the annual expense for floor stripping and waxing, not to exceed $2,000. The Attorney General’s Office has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.
c. **UM** – On August 17, 2021, Commissioner Alfred Rankins, Jr. approved the Sublease Agreement between Phi Kappa Tau House Corporation at Ole Miss (Phi Tau) and Alpha Lambda Chapter of Pi Kappa Phi Fraternity (Pi Kappa) and the request to authorize the University of Mississippi Chancellor to execute the Prime Landlord’s Consent on behalf of the IHL Board of Trustees. The primary lease between UM and Phi Tau for the fraternity house located at 501 Fraternity Row was for 50 years beginning April 1, 2002 and will expire on March 31, 2052. Phi Tau ceased its chapter operations on the university campus in May 2021 and is not scheduled to return until May 2022, leaving the fraternity house located at lot #501 currently vacant. The term of this sublease will be August 20, 2021 through May 20, 2022. Base rent for this term is $7,000 per month. The Attorney General’s Office has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

d. **UMMC** – On August 11, 2021, Commissioner Alfred Rankins, Jr. approved the Rental Agreement between the University Mississippi Medical Center and Mississippi Tent & Party Rental, LLC for the provision of tents, walls, lights, doors, blocks and an HVAC system for the purpose of setting up and operating a field hospital on UMMC’s main campus. The initial term of the agreement is one month, which may be extended if circumstances require continued testing. UMMC is requesting approval of 2 months, at this time, from August 11, 2021 through October 10, 2021. The total cost for the 2 months, including one-time fees for floor purchasing, delivery and labor is $90,000, but UMMC request approval of an amount up to $99,999 should circumstances require an extension of the agreement. The IHL Associate Commissioner of Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law and Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.

**ANNOUNCEMENTS**

- President Starr noted the next Board meeting will be October 21, 2021 at the Mississippi University for Women campus.

**EXECUTIVE SESSION**

On motion by Trustee McNair, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Martin, seconded by Trustee Ogletree, 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 personnel matter at Mississippi State University.
Discussion of a personnel matter at the University of Southern Mississippi.

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

Trustee Duff made a motion to give Dr. Mark Keenum, President of Mississippi State University, a new employment contract with a start date of October 1, 2021 and an ending date of June 30, 2025, to include a state salary of $400,000 per year and a MSU Foundation salary supplement of $400,000 per year, each to be paid pro rata. In light of the Board’s desire to retain Dr. Keenum as President of Mississippi State University throughout the full employment contract term, Trustee Duff further moved that such new employment contract include a provision which provides that if Dr. Keenum remains employed as President through the end of his new employment contract, he is to then be paid an amount as additional retention pay, such amount to be determined by the MSU Foundation, up to a maximum amount of $800,000, which will be provided in full by the MSU Foundation to Mississippi State University and then to Dr. Keenum. Such retention pay is to be payable in full upon the completion of the ending date of his new employment contract and is to be paid only in the event Dr. Keenum remains employed as President of Mississippi State University through the last day of such employment contract. Lastly, Trustee Duff moved that Mississippi State University be required to report to the Board of Trustees the full amount of retention pay paid to Dr. Keenum within 30 days of such payment being made to Dr. Keenum. The motion was seconded by Trustee Morgan. All Trustees legally present and participating voted unanimously to approve.

The Board discussed a personnel matter at the University of Southern Mississippi. No action was taken.

On motion by Trustee Cummings, seconded by Trustee McNair, all Trustees legally present and participating voted unanimously to return to Open Session.

PRESENTATIONS

The Board received presentations from Dr. Alfred Rankins, Jr., Commissioner of Higher Education; Mr. Thomas Hudson, President of Jackson State University; and Dr. John Pearce, IHL Associate Commissioner of Finance.

At approximately 3:30 p.m. the Board recessed until 10 a.m. September 17, 2021.

The meeting reconvened at approximately 10 a.m., September 17, 2021. The following members were wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Mr. Bruce Martin, Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. Ms. Jeanne Carter Luckey and Dr. Alfred E. McNair, Jr. were absent.
PRESENTATIONS

The Board received a presentation from Mr. Van Gillespie, IHL Associate Commissioner for Legal Affairs, Risk Management and Special Projects Officer, regarding the new IHL form employment contract. (See Exhibit 4.) The Board also received a presentation from Ms. Bridget Breithaupt, Senior Executive Assistant to the Commissioner of Higher Education.

OTHER BUSINESS

A motion was made by Trustee Morgan to rescind the motion he made during the August 27, 2021 telephonic meeting of the Board regarding mandating COVID-19 vaccinations and to replace it with the following: except for clinical settings within institutions, centers, departments, and programs, institutions are directed to refrain from mandating the COVID-19 vaccination as a condition of enrollment or employment. It was seconded by Trustee Hal Parker. The motion passed on an 8 to 1 vote, with Trustees Tom Duff, Jeanne Luckey, and Alfred McNair absent and not voting. Board members voting for the motion were: Dr. Ormella Cummings, Ms. Teresa Hubbard, Mr. Bruce Martin, Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. Walt Starr. Trustee Steven Cunningham voted against the motion.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Rader, seconded by Trustee Cunningham, with Trustees Duff, Luckey, 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
EXHIBITS

<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Facility Needs Request for the 2022 Legislative Session.</td>
</tr>
<tr>
<td>2</td>
<td>Real Estate items that were approved by the IHL Board staff subsequent to the August 19, 2021 Board meeting.</td>
</tr>
<tr>
<td>3</td>
<td>Report of the payment of legal fees to outside counsel.</td>
</tr>
<tr>
<td>4</td>
<td>New IHL Form Employment Contract.</td>
</tr>
</tbody>
</table>
# Facilities Needs Requests for FY 2023
## 2022 Legislative Session

<table>
<thead>
<tr>
<th>University</th>
<th>University Priority</th>
<th>Project Description</th>
<th>Request Per Project</th>
<th>Total By University</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASU</td>
<td>1</td>
<td>Whitney Complex Wellness Center (Pre-Plan and Partial Funding)</td>
<td>$4,540,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Math &amp; Science Building Renovation <em>(New FY 2023 Addition)</em></td>
<td>$4,000,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Walter Washington Administration &amp; Classroom Renovation – Phase I</td>
<td>$5,900,000</td>
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</tr>
<tr>
<td></td>
<td>4</td>
<td>K.L. Simmons Technology Building</td>
<td>$4,900,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>Campus Infrastructure &amp; Envelope Repairs</td>
<td>$3,405,000</td>
<td>$22,745,000</td>
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<tr>
<td>ASU-AG</td>
<td>1</td>
<td>Poultry/Animal Science Building (Pre-Plan)</td>
<td>$465,000</td>
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<tr>
<td></td>
<td>2</td>
<td>Ag Facility Envelope and Infrastructure Repair</td>
<td>$1,702,500</td>
<td></td>
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<tr>
<td></td>
<td>3</td>
<td>Hydroponics Outreach and Research Greenhouse</td>
<td>$1,418,750</td>
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<tr>
<td></td>
<td>4</td>
<td>STEAM Outreach Center</td>
<td>$2,336,250</td>
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<td>5</td>
<td>Mechanical Repairs – Agriculture</td>
<td>$1,500,000</td>
<td>$7,422,500</td>
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<tr>
<td>DSU</td>
<td>1</td>
<td>Campus Wide HVAC Upgrade</td>
<td>$3,937,500</td>
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<td></td>
<td>2</td>
<td>ADA Compliance – BPAC Elevator</td>
<td>$1,702,500</td>
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<td></td>
<td>3</td>
<td>Campus Roofing Project <em>(New FY 2023 Addition)</em></td>
<td>$2,270,000</td>
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<td></td>
<td>4</td>
<td>Walter Sillers Coliseum Renovation</td>
<td>$2,837,500</td>
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<td>5</td>
<td>ADA Compliance – Campus Wide</td>
<td>$1,702,500</td>
<td>$12,450,000</td>
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<td>JSU</td>
<td>1</td>
<td>Student Center New Dining Facility</td>
<td>$12,000,000</td>
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<td>2</td>
<td>Rose McCoy Auditorium Renovation</td>
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<td>3</td>
<td>Campus Sustainability &amp; Infrastructure Improvements</td>
<td>$5,000,000</td>
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<td></td>
<td>4</td>
<td>Campus Safety Project <em>(New FY 2023 Addition)</em></td>
<td>$12,265,000</td>
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<td>5</td>
<td>College of Education &amp; Human Development <em>(New FY 2023 Addition)</em></td>
<td>$5,000,000</td>
<td>$37,265,000</td>
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<tr>
<td>MSU</td>
<td>1</td>
<td>New Facility for College of Architecture, Art and Design</td>
<td>$14,680,000</td>
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<tr>
<td></td>
<td>2</td>
<td>Renovation to Etheredge Hall</td>
<td>$20,000,000</td>
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<td></td>
<td>3</td>
<td>Renovation to Magruder Hall</td>
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<td></td>
<td>4</td>
<td>Renovation to Carpenter Hall</td>
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<td>5</td>
<td>Renovation to George Hall</td>
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<tr>
<td>MSU/DAFVM</td>
<td>1</td>
<td>Dorman Hall Renovation</td>
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<tr>
<td></td>
<td>2</td>
<td>Bost Extension Center / Technology Renovation</td>
<td>$13,500,000</td>
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<tr>
<td></td>
<td>3</td>
<td>Wise Center R&amp;R</td>
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<td></td>
<td>4</td>
<td>Animal Research Facility</td>
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<td></td>
<td>5</td>
<td>Plant Sciences Building</td>
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<tr>
<td>MUW</td>
<td>1</td>
<td>General R&amp;R</td>
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<tr>
<td></td>
<td>2</td>
<td>Old Pohl Gym Renovation--Preplan</td>
<td>$300,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Hogarth Center Renovation--Preplan</td>
<td>$300,000</td>
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<td></td>
<td></td>
<td></td>
<td>$3,100,000</td>
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<tr>
<td>MVSU</td>
<td>1</td>
<td>Charles Lackey Center Renovation</td>
<td>$10,196,573</td>
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<td></td>
<td>2</td>
<td>O.P. Lowe Education Building <em>(New FY 2023 Addition)</em></td>
<td>$19,752,195</td>
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<tr>
<td></td>
<td>3</td>
<td>Walter Sillers Fine Arts Building <em>(New FY 2023 Addition)</em></td>
<td>$9,427,305</td>
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</tbody>
</table>
## EXHIBIT 1
September 16, 2021

<table>
<thead>
<tr>
<th>University</th>
<th>University Priority</th>
<th>Project Description</th>
<th>Request Per Project</th>
<th>Total By University</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>F.L. Wright Math and Science Renovation</td>
<td>$12,471,442</td>
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<td>UM</td>
<td>4</td>
<td>W.A. Butts Social Science Building (New FY 2023 Addition)</td>
<td>$11,849,933</td>
<td>$63,697,447</td>
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<tr>
<td>UM</td>
<td>1</td>
<td>School of Accountancy Expansion</td>
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<td>UM</td>
<td>2</td>
<td>Northwest Campus Mechanical Plant (Electrical Phase II)</td>
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<td>UM</td>
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<td>Hume Hall</td>
<td>$23,500,000</td>
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<td>UM</td>
<td>4</td>
<td>Peabody Hall</td>
<td>$15,100,000</td>
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<td>UM</td>
<td>5</td>
<td>Shoemaker Hall</td>
<td>$62,000,000</td>
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<td><strong>Total</strong></td>
<td><strong>$118,300,000</strong></td>
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<td>UMMC</td>
<td>1</td>
<td>Critical Infrastructure Needs</td>
<td>$18,250,000</td>
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<tr>
<td>UMMC</td>
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<td>Elevator Upgrades</td>
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<td>UMMC</td>
<td>3</td>
<td>Campus Wayfinding Implementation</td>
<td>$2,000,000</td>
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<tr>
<td>UMMC</td>
<td>4</td>
<td>Parking Lot &amp; Street Repairs/Repave</td>
<td>$2,500,000</td>
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<td>UMMC</td>
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<td><strong>Total</strong></td>
<td><strong>$26,250,000</strong></td>
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<td>USM</td>
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<td>Science Research Building</td>
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<td>USM</td>
<td>2</td>
<td>Southern Hall – Restoration &amp; Renovation (Pre-Plan)</td>
<td>$500,000</td>
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<tr>
<td>USM</td>
<td>3</td>
<td>Kennard Washington Hall Renovation (Pre-Plan)</td>
<td>$625,000</td>
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<tr>
<td>USM</td>
<td>4</td>
<td>Harkins Hall Renovation (Pre-Plan)</td>
<td>$300,000</td>
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<tr>
<td>USM</td>
<td>5</td>
<td>Fritzsche-Gibbs Hall Renovation (Pre-Plan) (New FY 2023 Addition)</td>
<td>$175,000</td>
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<td>USM</td>
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<td><strong>Total</strong></td>
<td><strong>$41,600,000</strong></td>
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<td>USM-Gulf</td>
<td>1</td>
<td>Halstead campus Repairs and Renovations - GCRL</td>
<td>$300,000</td>
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<td>Coast</td>
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<td>USM-Coastal Operations R&amp;R (Pre-Plan)</td>
<td>$454,000</td>
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<td>USM-Gulf</td>
<td>3</td>
<td>Gulf Park Science Building Addition (Pre-Plan)</td>
<td>$283,750</td>
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<td>Coast</td>
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<td>Lighting Enhancement Project – Halstead &amp; Cedar Point Campuses (New FY 2023 Addition)</td>
<td>$283,500</td>
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<td>USM-Gulf</td>
<td>5</td>
<td>New Physical Plant and UPD Facility (Pre-Plan) (New FY 2023 Addition)</td>
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<td>USM-Gulf</td>
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<td><strong>Total</strong></td>
<td><strong>$1,446,500</strong></td>
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<td>ERC</td>
<td>1</td>
<td>Replace/Refurbish Campus Chillers</td>
<td>$1,400,000</td>
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<td></td>
<td>2</td>
<td>Repave Parking Garage/Repair JSU Exit Stairs</td>
<td>$1,600,000</td>
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<tr>
<td></td>
<td>3</td>
<td>Renovation of Mechanical, Electrical, Fire Sprinkler, Fire Alarm, Lighting &amp; Ceiling at the Edsel E. Thrash Universities Center</td>
<td>$3,300,000</td>
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<td><strong>Total</strong></td>
<td><strong>$6,300,000</strong></td>
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<td></td>
<td><strong>Total</strong></td>
<td><strong>$482,962,197</strong></td>
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</tbody>
</table>

Note: All projects in bold represent life safety and/or ADA code compliance projects.
EXHIBIT 2
September 16, 2021

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE AUGUST 19, 2021 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 101-310 - NEW FACULTY AND STAFF HOUSING
   NOTE: This is a Bureau of Building project
   Approval Request #1: Change Order #8
   Board staff approved Change Order #8 in the amount of $6,088.72 and twenty-six (26) additional days to the contract of Ergon Construction Group.
   Approval Status & Date: APPROVED, August 12, 2021
   Change Order Description: Change Order #8 includes the following items: added shortest rods to raise the ceiling fans; credit for electrical allowance for activation work; and twenty-six (26) days to the contract.
   Change Order Justification: These changes are necessary due to user/owner requested modifications; and days for work as indicated herein.

   Approval Request #2: Change Order #9
   Board staff approved Change Order #9 in the amount of $11,759.20 and zero (0) additional days to the contract of Ergon Construction Group.
   Approval Status & Date: APPROVED, August 31, 2021
   Change Order Description: Change Order #9 includes the following items: changed the interior Masonite doors from five (5) warranty to seven (7) years warranty; provided a digital communicator and ethernet cable connection in each fire alarm system control panel.
   Change Order Justification: These changes are necessary due to changes in requirements or recommendations by governmental agencies and user/owner requested modifications.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of $743,247.96.

Project Initiation Date: April 20, 2017
Design Professional: Architecture South
General Contractor: Ergon Construction Group
Total Project Budget: $10,500,000.00
DELTA STATE UNIVERSITY

2. **DSU- GS 102-272 - RESIDENCE HALL IMPROVEMENTS (LAWLER-HARKINS)**
   
   NOTE: This is a Bureau of Building project
   
   Approval Request #1: Change Order #1
   
   Board staff approved Change Order #1 in the amount of $22,055.29 and zero (0) additional days to the contract of Alliant Construction, a division of Ergon Construction Group, Inc.
   
   Approval Status & Date: APPROVED, September 2, 2021
   
   Change Order Description: Change Order #1 includes the following items: credit for replacing vinyl tile (EVT) with luxury vinyl tile (LVT); replaced the ceilings in the 1st floor corridors of Lawler-Harkins; replaced the damaged ceiling tile and relocated salvageable tiles; installed twenty-five (25) additional feet of underground chilled water pipe; replaced four (4) 2-1/2” boiler gate valves; removed and replaced damaged gypsum board; installed twelve (12) 20”x72” mirrors; and re-sized tarnished mirrors from dorm rooms.
   
   Change Order Justification: These changes are necessary due to latent job site conditions and user/owner requested modifications.
   
   Total Project Change Orders and Amount: One (1) change order for a total amount of $22,055.29.
   
   Project Initiation Date: June 20, 2013
   
   Design Professional: Burris/Wagnon Architects, P.A.
   
   General Contractor: Alliant Construction, a division of Ergon Construction Group, Inc.
   
   Total Project Budget: $2,789,722.85

3. **DSU- GS 102-276 - RESIDENCE HALL IMPROVEMENTS (CAIN, TATUM, FUGLER, HAMMETT, BRUMBY CASTLE)**
   
   NOTE: This is a Bureau of Building project
   
   Approval Request #1: Change Order #1
   
   Board staff approved Change Order #1 in the amount of $27,216.10 and zero (0) additional days to the contract of Conerly Construction, Inc.
   
   Approval Status & Date: APPROVED, August 17, 2021
   
   Change Order Description: Change Order #1 includes the following items: removed vinyl composition tile (VCT) and changed the selected collection of luxury vinyl tile (LVT); added wire mold for the installation of the “C” fixtures; abated insulated piping in the boiler room; gypsum repairs and painting of the end wall at Brumby-Castle; removed/replaced four (4) door leaves, reinstalled existing hardware, and installed new glass.
   
   Change Order Justification: These changes were necessary due to latent job site conditions and user/owner requested modifications.
   
   Total Project Change Orders and Amount: One (1) change order for a total amount of $27,216.10.
EXHIBIT 2  
September 16, 2021

Project Initiation Date: January 17, 2019  
Design Professional: Burris/Wagnon Architects, P.A.  
General Contractor: Conerly Construction, Inc.  
Total Project Budget: $2,186,092.77

MISSISSIPPI UNIVERSITY FOR WOMEN

4. MUW- GS 104-197 – ELECTRICAL SYSTEM UPGRADE
NOTE: This is a Bureau of Building project
Approval Request #1: Change Order #2
Board staff approved Change Order #2 in the amount of $4,817.32 and sixteen (16) additional days to the contract of Webster Electric Company, LLC.
Approval Status & Date: APPROVED, August 31, 2021
Change Order Description: Change Order #2 includes the following items: repairs made to the existing pad-mounted transformer serving the Fant Library and sixteen (16) days to the contract.
Change Order Justification: These changes were necessary due to latent job site conditions and days for work as indicated herein.
Total Project Change Orders and Amount: Two (2) change orders for a total amount of $52,123.56.
Approval Status & Date: APPROVED, August 31, 2021
Project Initiation Date: March 15, 2019
Design Professional: Atwell and Gent, P.A.
General Contractor: Webster Electric Company, LLC
Total Project Budget: $2,500,000.00

UNIVERSITY OF MISSISSIPPI

5. UM- IHL #207-456 – BREVARD HALL 3RD FLOOR BIOMED DEPARTMENT
Approval Request #1: Change Order #3
Board staff approved Change Order #3 in the credit amount of 8,000.00 and zero (0) additional days to the contract of R.A. Sharp Construction Company, LLC.
Approval Status & Date: APPROVED, August 9, 2021
Change Order Description: Change Order #3 includes the following item: liquidated damages of sixteen (16) days at $500.00 per day deducted from the contract amount.
Change Order Justification: This change was necessary due to changes in requirements or recommendations by governmental agencies.
Total Project Change Orders and Amount: Three (3) change orders for a total amount of $110.49.
Project Initiation Date: August 15, 2019
Design Professional: McCarty Architects, P.A.
General Contractor: R.A. Sharp Construction Company, LLC
Total Project Budget: $1,300,000.00
6. UM-IHL #207-457 – TRACK AND FIELD LOCKER ROOMS – PKG F
   GENERAL WORKS
Approval Request #1: Change Order #1
Board staff approved Change Order #1 in the amount of $2,010.00 and zero (0) additional days to the contract of McCarty King Construction Company.
Approval Status & Date: APPROVED, August 18, 2021
Change Order Description: Change Order #1 includes the following items: installed four (4) additional steel angles to stabilize support columns for the mechanical screen wall at the roof.
Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications.
Total Project Change Orders and Amount: One (1) change order for a total amount of $2,010.00.
Project Initiation Date: February 21, 2019
Design Professional: Weir Boerner Allin Architecture
General Contractor: McCarty King Construction Company
Total Phased Budget: $884,523.87
Total Project Budget: $3,700,000.00

7. UM-IHL #207-457 – TRACK AND FIELD LOCKER ROOMS – PKG I
   MECHANICAL AND PLUMBING
Approval Request #1: Change Order #1
Board staff approved Change Order #1 in the amount of $1,547.23 and zero (0) additional days to the contract of Upchurch Plumbing, Inc.
Approval Status & Date: APPROVED, August 9, 2021
Change Order Description: Change Order #1 includes the following items: added a new floor drain under the ice maker and added a water line to the ice maker.
Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications.
Total Project Change Orders and Amount: One (1) change order for a total amount of $2,010.00.
Project Initiation Date: February 21, 2019
Design Professional: Weir Boerner Allin Architecture
General Contractor: McCarty King Construction Company
Total Phased Budget: $607,095.80
Total Project Budget: $3,700,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

8. USM-IHL 210-248 – INVERTEBRATE GROWOUT II RENOVATION
   Approval Request #2: Contract Documents
Board staff approved Contract Documents as submitted by McCarty Architects, P.A.
Approval Status & Date: APPROVED, August 17, 2021
Approval Request #3: Advertise
Board staff approved request to advertise for receipt of bids.
Approval Status & Date: APPROVED, August 17, 2021
Project Initiation Date: May 14, 2021
Design Professional: McCarty Architects, P.A.
General Contractor: TBD.
Total Project Budget: $10,000,000.00
SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 7/20/21 and 7/20/21) from the funds of Mississippi State University. (These statements, in the amounts of $68.75 and $893.75, represent services and expenses in connection with general legal advice.)

TOTAL DUE...........................................................................$ 962.50

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/22/21 and 8/10/21) from the funds of the University of Mississippi. (These statements, in the amounts of $737.50 and $1,504.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE...........................................................................$ 2,242.00

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 8/4/21) from the funds of the University of Mississippi. (This statement, in the amount of $860.40, represents services and expenses in connection with general legal advice.)

TOTAL DUE...........................................................................$ 860.40

Payment of legal fees for professional services rendered by Wise Carter (statement dated 8/10/21) from the funds of the University of Mississippi. (This statement, in the amount of $63,246.69, represents services and expenses in connection with general legal advice.)

TOTAL DUE...........................................................................$ 63,246.69

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/21/21, 7/21/21, 7/21/21 and 7/21/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $489.50, $16,449.06, $6,119.75 and $236.00, represent services and expenses in connection with legal advice.)

TOTAL DUE...........................................................................$ 23,294.31

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 7/13/21 and 7/31/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $3,468.50 and $792.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE...........................................................................$ 4,260.50
Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 6/25/21, 6/25/21, 7/27/21 and 7/27/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $346.50, $445.50, $82.50 and $165.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE……………………………….…….………………$ 1,039.50

Payment of legal fees for professional services rendered by Hagwood Adelman Tipton, PC (statements dated 7/16/21, 7/16/21, 7/16/21, 7/16/21, 8/6/21, 8/6/21, 8/6/21, 8/6/21, 8/6/21 and 8/6/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $69.20, $355.00, $123.00, $3,317.48, $1,369.50, $3,346.70, $474.60, $1,632.54, $3,316.10 and $644.40, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE……………………………….…….………………$ 14,648.52

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 7/1/21 and 8/4/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $15,823.50 and $563.10, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE……………………………….…….………………$ 16,386.60

Payment of legal fees for professional services rendered by Page Kruger & Holland (statements dated 7/14/21, 7/14/21, 8/11/21, 8/11/21 and 8/11/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $132.00, $148.50, $726.00, $16.50 and $379.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE……………………………….…….………………$ 1,402.50

Payment of legal fees for professional services rendered by Steen Dalehite & Pace (statements dated 7/30/21 and 8/12/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $763.00 and $76.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE……………………………….…….………………$ 839.50

Payment of legal fees for professional services rendered by Waller Lansden Dortch & Davis, LLP (statements dated 5/27/21 and 7/9/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $442.50 and $265.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE……………………………….…….………………$ 708.00
Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 6/16/21, 7/14/21, 8/13/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,023.00, $120.00, and $504.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE........................................................................................................$ 1,647.00

Payment of legal fees for professional services rendered by Whitfield Law Group (statements dated 7/7/21, 7/7/21, 8/3/21 and 8/3/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $7,985.80, $792.00, $3,502.20 and $15,944.80, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE........................................................................................................$ 28,224.80

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 8/6/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of $3,787.68, represents services and expenses in connection with general legal advice.)

TOTAL DUE........................................................................................................$ 3,787.68

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 8/10/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of $1,858.70, represents services and expenses in connection with legal advice.)

TOTAL DUE........................................................................................................$ 1,858.70

Payment of legal fees for professional services rendered by Wise Carter (statements dated 8/23/21 and 8/23/21) from the funds of the University of Southern Mississippi. (These statements, in the amounts of $1,170.50 and $156.00, represent services and expenses in connection with legal advice.)

TOTAL DUE........................................................................................................$ 1,326.50

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

Payment of legal fees for professional services rendered by Conley Rose (statement dated 8/15/21) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Face Mask” - $1,150.00.)

TOTAL DUE........................................................................................................$ 1,150.00
Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statement dated 8/6/21) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Occidiofungin Formulations and Uses Thereof” - $1,646.00.)

TOTAL DUE...........................................................................$ 1,646.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/22/21 and 7/30/21) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Stuttering Inhibition Method and Device” - $1,327.50; and “Catalent Pharma Solutions Licensing” - $2,065.00, respectively).

TOTAL DUE...........................................................................$ 3,392.50

Payment of legal fees for professional services rendered by Thomas|Horstemeyer (statements dated 7/29/21 and 7/29/21) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Natural Product Formulations with Improved Residual Insect Repellent/Deterrent Activity” - $1,350.00; and “Devices for the Pulsed Delivery of Bioactive Agents and Methods for Using Same” - $3,150.00).

TOTAL DUE...........................................................................$ 4,500.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/22/21, 7/22/21, 7/22/21, 7/22/21, 7/22/21, 7/22/21, 7/26/21, 8/19/21 and 8/19/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,592.00, $26.00, $702.00, $572.50, $1,303.13, $312.00, $52.00, $1,081.00, $312.00 and $9,782.25, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE...........................................................................$ 15,734.88

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 4/21/21, 7/14/21 and 7/14/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,033.00, $2,670.00 and $200.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE...........................................................................$ 3,903.00
EMPLOYMENT CONTRACT
MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

This Employment Contract is made and entered into by and between The Mississippi Board of Trustees of State Institutions of Higher Learning, hereinafter referred to as the Board, (University), hereinafter referred to as the University, and (First, Middle, Last Name), hereinafter referred to as the Employee. The Board is hereby using its authority to form an employee/employer relationship between the University and the Employee.

The Employee is hereby employed as (Business Title), of (Department), in the (School), (College), at the University, for the period beginning (Contract Begin Date), and ending on (Contract End Date), at and for the sum of (Annual Salary).

This employment contract is subject to the following terms and conditions:

1. The laws of the State of Mississippi and the policies and by-laws of the Board.

2. The Board reserves the right to increase or decrease said salary at any time during the life of this contract. Any decrease shall be made only when and if necessary to keep expenditures of the University within that part of the legislative appropriation allotted to the University for the period covered by this contract and shall be effective only from and after the date of the passage of an order by the Board.

3. The Board shall have the authority to terminate this contract at any time for the following:
   a. financial exigencies as declared by the Board;
   b. termination or reduction of programs, academic or administrative units as approved by the Board;
   c. malfeasance, inefficiency or contumacious conduct; or
   d. for other cause.

4. In the event the Employee abrogates this contract for his/her convenience, the Board shall then fix the time and conditions of termination.

5. Any action for breach of this Employment Contract or related to Employees’ employment or separation of employment shall be brought in a state court located in (university’s main campus location) County or a federal court located in the federal district which includes (university’s main campus location) County.

6. To the extent the University or the University’s College, Department or Unit has an employee and/or faculty handbook, the handbook(s) does not constitute a contract, nor is it incorporated by reference.
7. The terms and conditions of any supplement, addendum or other appendage to this Employment Contract are hereby incorporated by reference.

8. Special Provisions: **Attached clauses:**

In witness whereof, the parties hereto have executed this *Employment Contract* on this the ______day of ____________________, 20__.  

_______________________________        ________________
(EMPLOYEE)                        (INSTITUTIONAL EXECUTIVE OFFICER, ON BEHALF OF THE UNIVERSITY AND THE BOARD)
1. MVSU – MODIFICATION OF EXISTING ACADEMIC DEGREE PROGRAMS

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

In accordance with Board policy 503, Mississippi Valley State University submits requests for the modification of existing academic degree programs.

CONSOLIDATING AND RENAMING

A. Current Program Titles and CIP Codes, Sequences:
   Bachelor of Science (BS) in History (54.0101, 5717),
   Bachelor of Arts (BA) in Government and Politics (45.1001, 5858), and
   Bachelor of Arts (BA) in Sociology (45.1101, 5396)

   Proposed Consolidated and Renamed Program Title: Bachelor of Arts (BA) in Integrated Social Sciences
   Proposed CIP Code: 45.0000
   Effective Date: August 2022

   Rationale: The primary reason for the consolidation is the programs’ decreasing ability to survive as independent programs, a situation not unique to MVSU or Mississippi; humanities and social science programs across the country have seen declining enrollment. The number of students collectively enrolled in the last six years in the programs to be consolidated is 275. MVSU estimates that 106 students will graduate from this new program within the next six years. All students in the consolidated degree program will take four core classes: a writing class, two methods classes, and a seminar. Students will select one of the three disciplines as their primary field while also taking courses in the other disciplines. The goal is to produce graduates with a varied yet strong set of skills that will prepare them to enter the workforce or pursue graduate education. The consolidated program will not require additional faculty. Two coordinator positions will be eliminated, and those faculty will be able to teach more classes without hiring additional faculty.

DELETING

B. Program Title: Bachelor of Arts (BA) in Government and Politics
   CIP Code, Sequence: 45.1001, 5858
   Deletion date: MVSU is requesting the deletion of this program effective August 2022.

C. Program Title: Bachelor of Arts (BA) in Sociology
   CIP Code, Sequence: 45.1101, 5396
   Deletion date: MVSU is requesting the deletion of this program effective August 2022.
2. SYSTEM – MODIFICATION OF EXISTING ACADEMIC UNITS

RENNAMING

A. **MSU** – Current Unit Title: Global Center for Aquatic Food Security  
   Proposed Unit Title: **Global Center for Aquatic Health and Food Security**  
   Unit Location: College of Veterinary Medicine  
   Effective Date: October 1, 2021  
   Cost of implementation: $1,500  
   Rationale: Subsequent to the formation of the Global Center for Aquatic Food Security, the scope of work under the Center has expanded. Previously, the Center was focused on aquaculture and fisheries to support food security (human consumption). The scope has now expanded to include health of protected and endangered aquatic species (environmental management), with considerable ongoing work focused on health of marine mammals and sea turtles in the Gulf of Mexico. Additionally, with the growth of the program and added aquatic animal health-focused faculty, growth is anticipated in projects related to other aquatic species important for environmental management. It is important that the name of the Center accurately reflects this expanded scope of work, especially given the charismatic nature of the protected marine mammals and sea turtles.

B. **UM** – Current Unit Title: Arch Dalrymple III Department of History  
   Proposed Unit Title: **Department of History**  
   Effective Date: October 21, 2021  
   Degree programs offered within Unit: BA, MA, PhD  
   Rationale: The donor has requested that the Arch Dalrymple III name be removed from the department. The donor has asked that the funds donated remain at the University of Mississippi Foundation. Administration of the unit and degree programs within the department will remain unchanged.

C. **UM** – Current Unit Title: Magee Center for AOD Research  
   Proposed Unit Title: **Jackie and Faser Triplett Center for AOD Research**  
   Unit Location: William Magee Institute for Student Wellbeing at the University of Mississippi  
   Effective Date: November 1, 2021  
   Cost of implementation: $0. The Center will generate revenue to cover costs and new initiatives.  
   Rationale: The Center was originally named for the family of William Magee, in honor of the family's support of UM's William Magee Institute for Wellbeing and the student-centric William Magee Center for AOD and Wellness Education. The Magee family envisioned that UM, through this research center, would become a nationally recognized leader in comprehensive research benefiting those with AOD addictions. This proposal to rename the research center honors Jackie and Faser Triplett and recognizes the generous gifts of time, leadership, and financial support their children have provided as
the organizational structure of the research center is established and the center begins fulfilling its research mission. The Magee family fully supports amending the name.

D. **UM** – Current Unit Title: University Counseling Center
   Proposed Unit Title: **Bessie and Leland Speed Counseling Center**
   Unit Location: Division of Student Affairs
   Effective Date: November 1, 2021
   Cost of implementation: $0. The Center will generate revenue to cover costs and new initiatives.
   Rationale: The University Counseling Center is a professional facility offered by UM to assist students, faculty, and staff with various forms of life stressors which interrupt day-to-day functioning. Funds generated through the Bessie Speed Center for Alcohol and Drug Education Endowment Fund support the center's programming and services. These specifically include outreach programs that provide alcohol and other drug (AOD) education to students, and individual assessment and intervention sessions for students affected by alcohol or substance use syndromes. The endowment fund was established in 1988 through the support Bessie and Leland Speed. Their planned gifts will provide additional contributions to the fund at the time of their deaths. This request to change the name of the counseling center to the Bessie and Leland Speed Counseling Center honors the generosity of Bessie and Leland Speed to UM and further recognizes the intent of their endowment and its alignment with the services of the university's counseling center.

**RENAMING (As a result of ten-year review of approved Institutes and Centers)**

E. **ASU** – Current Title: Small Farm Development Center
   Proposed Title: **Mississippi Small Farm and Agribusiness Center**
   Scope: Limited Scope and Outreach
   Type: Type 1 (Academic, Teaching, or Research)

F. **DSU** – Current Title: Center for Interdisciplinary Geospatial Information Technologies
   Proposed Title: **Center for Geospatial Studies**
   Scope: Extensive Scope and Outreach
   Type: Type 1 (Academic, Teaching, or Research)
   URL: [http://www.deltastate.edu/artsandsciences/geospatial-information-technologies/](http://www.deltastate.edu/artsandsciences/geospatial-information-technologies/)

G. **DSU** – Current Title: Center for Teaching and Learning
   Proposed Title: **Gertrude C. Ford Center for Teaching and Learning**
   Scope: Limited Scope and Outreach
   Type: Type 2 (Student, Faculty, or Community Service)
H. JSU – Current Title: Center for Academic and Professional Studies (CAPS)
Proposed Title: Center for Academic and Professional Success (CAPS)
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
URL: https://www.jsums.edu/business/center-for-academic-and-professional-success/

I. JSU – Current Title: Center for Excellence in Education
Proposed Title: Center for Teacher Quality
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
URL: https://www.jsums.edu/teacherquality/

J. JSU – Current Title: CREST Interdisciplinary Center for Nanotoxicity (ICN)
Proposed Title: NSF-CREST Interdisciplinary Center for Nanotoxicity (ICN)
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
URL: http://icnanotox.org/welcome-to-the-icn-in-jackson/

K. JSU – Current Title: Fannie Lou Hamer Institute on Citizenship and Democracy
Proposed Title: Fannie Lou Hamer National Institute on Citizenship and Democracy
Scope: Extensive Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
URL: https://www.flhinstitute.org/

L. JSU – Current Title: Veteran Services Center
Proposed Title: Veterans and Military Student Support Center
Scope: Limited Scope and Outreach
Type: Type 2 (Student, Faculty, or Community Service)
URL: https://www.jsums.edu/veteranscenter/

M. JSU – Current Title: Center for Student Leadership and Involvement
Proposed Title: Center for Student Engagement and Leadership
Scope: Limited Scope and Outreach
Type: Type 2 (Student, Faculty, or Community Service)
URL: https://www.jsums.edu/studentlife/the-center-for-student-engagement-and-involvement/

N. MSU – Current Title: Carl Small Town Center
Proposed Title: **Fred Carl Jr. Small Town Center**  
Scope: Extensive Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)  
URL: [http://carlsmalltowncenter.org/](http://carlsmalltowncenter.org/)

O. **MSU** – Current Title: Entrepreneurship Center  
Proposed Title: **Center for Entrepreneurship and Outreach**  
Scope: Limited Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)  
URL: [http://www.ecenter.msstate.edu/](http://www.ecenter.msstate.edu/)

P. **MSU** – Current Title: Transportation Research Center  
Proposed Title: **Mississippi Transportation Research Center**  
Scope: Limited Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)  
URL: [http://www.cee.msstate.edu/research/mtrc/](http://www.cee.msstate.edu/research/mtrc/)

Q. **MSU** – Current Title: Water Resources Research Institute  
Proposed Title: **Mississippi Water Resources Research Institute**  
Scope: Limited Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)  
URL: [http://www.wrri.msstate.edu/index.asp](http://www.wrri.msstate.edu/index.asp)  
Funding Source: State Appropriation  
Name In Appropriation: Water Resources Institute and Mississippi Water Resources Institute

R. **UM** – Current Title: Thomas Jefferson Center for the Study of American Ideals and Institutions  
Proposed Title: **Declaration of Independence Center for the Study of American Freedom**  
Scope: Limited Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)  
URL: [https://independence.olemiss.edu/](https://independence.olemiss.edu/)

S. **UMMC** – Current Title: Children's of Mississippi Center for the Advancement of Youth  
Proposed Title: **Center for the Advancement of Youth**  
Scope: Extensive Scope and Outreach  
Type: Type 1 (Academic, Teaching, or Research)  
URL: [https://www.umc.edu/Research/Centers-and-Institutes/Centers/Center-for-the-Advancement-of-Youth/Home.html](https://www.umc.edu/Research/Centers-and-Institutes/Centers/Center-for-the-Advancement-of-Youth/Home.html)

T. **UMMC** – Current Title: Center for Telehealth  
Proposed Title: **UMMC Center for Telehealth**  
Scope: Extensive Scope and Outreach
U. UMMC – Current Title: Neuroscience Institute
   Proposed Title: **UMMC Neuro Institute**
   Scope: Extensive Scope and Outreach
   Type: Type 1 (Academic, Teaching, or Research)
   URL: None

V. USM – Current Title: Center for Undergraduate Research
   Proposed Title: **Drapeau Center for Undergraduate Research**
   Scope: Limited Scope and Outreach
   Type: Type 2 (Student, Faculty, or Community Service)
   URL: https://www.usm.edu/undergraduate-research/drapeau-center.php

W. USM – Current Title: National Food Service Management Institute
   Proposed Title: **Institute of Child Nutrition – Applied Research Division**
   Scope: Extensive Scope and Outreach
   Type: Type 1 (Academic, Teaching, or Research)
   URL: https://theicn.org/research

X. USM – Current Title: Learning Enhancement Center
   Proposed Title: **Center for Faculty Development**
   Scope: Limited Scope and Outreach
   Type: Type 2 (Student, Faculty, or Community Service)
   URL: https://www.usm.edu/faculty-development/index.php

Y. USM - Current Title: Center for the Study of War and Society
   Proposed Title: **Dale Center for the Study of War and Society**
   Scope: Limited Scope and Outreach
   Type: Type 2 (Student, Faculty, or Community Service)
   URL: https://www.usm.edu/dale-center-war-society/

Z. USM - Current Title: Community Counseling and Assessment
   Proposed Title: **Center for Behavioral Health**
   Scope: Limited Scope and Outreach
   Type: Type 2 (Student, Faculty, or Community Service)
   URL: https://www.usm.edu/behavioral-health-clinic/

AA. USM - Current Title: University Clinic for Family Therapy
   Proposed Title: **Center for Family Therapy**
Scope: Limited Scope and Outreach
Type: Type 2 (Student, Faculty, or Community Service)
URL: https://www.usm.edu/child-development-family-sciences/university-clinic-family-therapy.php

STAFF RECOMMENDATION: Board staff recommends approval of items 1-2.
1. **ASU–APPROVAL TO AMEND AN AGREEMENT WITH ENNCLoud TECHNOLOGIES, LLC**

**Agenda Item Request:** Alcorn State University requests approval to enter a one-year contract with ENNCloud Technologies, LLC for CIO Advisory Services, ERP Advisory Services, and Technical Project Management and Consulting Oversight Services.

**Contractor’s Legal Name:** ENNCloud Technologies, LLC

**History of Contract:** This is Statement of Work No. 003 which is part of a Master Consulting Agreement between Alcorn State University and ENNCloud Technologies dated 9/21/2020. The original Master Services Agreement contained Statement of Work No. 001 for CIO Advisory Services at a 12-month term (September 2020-August 2021) and cost of $222,500 and Statement of Work No. 002 for Remote ERP Consulting Oversight at an 8-month term with project cost (February 2021-September 2021) of $10,000.

**Specific Type of Contract:** This is an extension where Statement of Work No. 003 is made as part of the current Master Consulting Agreement with Alcorn State University and ENNCloud Technologies, LLC.

**Scope of Work:** Statement of Work Number 003 provides strategic IT oversight through CIO Advisory Services that delivers IT Governance facilitation and aligns technology resource allocations with institutional strategy to achieve improved student experiences, streamlined faculty IT service delivery, and administrative business process automation. In addition, ERP Advisory Services will provide ERP change management, communications planning, and develop a Cloud Strategy for ERP and non-ERP applications. Third, IT consulting oversight to ensure documentation standards, and knowledge transfer occurs between 3rd party contracted technology consultants and ASU IT resources. As part of this service, ENNCloud Technologies will initiate and prioritize consultant engagements, review consulting services specifications, and verify timely status reporting. ENNCloud Technologies will also provide an Innovation Plan with next generation updates to the FY 2021-2022 IT Strategic Roadmap delivered in Statement of Work No. 001.

**Term of Contract:** One year, starting October 1, 2021 through August 31, 2022.

**Contract Amount:** The scope of work for Statement of Work No. 003 is $39,166.67 per month for a total of $470,000 for 12 months.

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

**Termination Options:** The university may terminate the contract for cause and for unavailability of funds.
Contractor Selection Process: The contractor was selected by the university administration due to their experience in CIO Strategic Advisory Services and Cloud Computing Consulting.

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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

2. **MSU-APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH THE MISSISSIPPI STATE UNIVERSITY RESEARCH AND TECHNOLOGY CORPORATION**

**Agenda Item Request:** Mississippi State University requests Board approval to enter into a Lease Agreement with the Mississippi State University Research and Technology Corporation (RTC) for the real property located at 301 Research Boulevard in the Thad Cochran Research, Technology, and Economic Development Park.

**Contractor’s Legal Name:** Mississippi State University Research and Technology Corporation.

**History of Contract:** This is a new lease agreement.

**Specific Type of Contract:** This is a 20-year lease agreement for 10.05 acres of real property located at 301 Research Boulevard in the Thad Cochran Research, Technology, and Economic Development Park in Starkville, MS. The leased premises includes an approximately 43,000 square foot office building and supporting parking. The office building will be improved by RTC to meet the unique needs of MSU prior to commencement of the 20-year lease term.

**Purpose:** MSU’s Office of Research and Economic Development and its support units and research centers are in need of additional multi-functional space for various administrative offices and research centers to have suitable space for offices and research labs. The office building recently purchased by RTC will satisfy these needs.

**Scope of Work:** MSU will lease 10.05 acres of real property and improvements, which includes a 43,000 square foot office building.
Term of Contract: Twenty (20) year term, beginning on the date the premises is delivered to MSU for occupancy after all necessary improvements and buildout are finalized by RTC.

Contract Amount: $46,750 per month for 43,000 square feet of office and lab space for 20 years for a total of $11,220,000, plus actual utility costs.

Funding Source for Contract: E&G and grant funds

Termination Options: MSU may terminate the lease agreement for the following reasons:
- RTC defaults on the lease and has not cured the default within 60 days of notice.
- Upon 45-day notice if premises is totally or substantially destroyed by fire, the elements or otherwise so as to render the premises untenable.
- Upon 30-day notice if adequate space becomes available in any state-owned building.

Contractor Selection Process: 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 21, 2021

3. **UM - APPROVAL TO ESCALATE THE FOLLOWING BUDGETS**

   a. **UM - APPROVAL TO ESCALATE THE BUDGET FOR THE MISSISSIPPI MINERAL RESOURCES INSTITUTE FOR FY 2022**

   University of Mississippi
   FY 2022 Mississippi Mineral Resources Institute by Major Object

<table>
<thead>
<tr>
<th>Category</th>
<th>Current FY 2022 Operating Budget</th>
<th>Revision/Escalation</th>
<th>Revised FY 2022 Operating Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages, and Fringe Benefits</td>
<td>$305,264</td>
<td>$273,774</td>
<td>$579,038</td>
</tr>
<tr>
<td>Travel and Subsistence</td>
<td>1,500</td>
<td>25,544</td>
<td>27,044</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>20,000</td>
<td>340,638</td>
<td>360,638</td>
</tr>
<tr>
<td>Commodities</td>
<td>10,725</td>
<td>19,737</td>
<td>30,462</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>
<tr>
<td>Total</td>
<td>$342,489</td>
<td>$659,693</td>
<td>$1,002,188</td>
</tr>
</tbody>
</table>

   A budget escalation is requested to increase FY 2022 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2023 budget request. The source of estimated revenue for this escalation will be special funds derived from external sources.

   **STAFF RECOMMENDATION:** Based on Board Policy 701.06, *Budget Escalations and Revisions*, all escalations of annual budgets must be approved by the Board of Trustees. Board staff recommends approval of this item.
b. UM – APPROVAL TO ESCALATE THE BUDGET FOR THE SMALL BUSINESS DEVELOPMENT CENTER FOR FY 2022

University of Mississippi
FY 2022 Small Business Development Center by Major Object

<table>
<thead>
<tr>
<th>Category</th>
<th>Current FY 2022 Operating Budget</th>
<th>Revision/Escalation</th>
<th>Revised FY 2022 Operating Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages, and Fringe Benefits</td>
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<td>$849,727</td>
<td>$1,161,051</td>
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<tr>
<td>Travel and Subsistence</td>
<td>-</td>
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<tr>
<td>Contractual Services</td>
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<td>569,886</td>
<td>569,886</td>
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<tr>
<td>Commodities</td>
<td>789</td>
<td>39,211</td>
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<td>Capital Outlay: Non-Equipment</td>
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</tr>
<tr>
<td>Capital Outlay: Equipment</td>
<td>-</td>
<td>12,000</td>
<td>12,000</td>
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<tr>
<td>Mandatory Transfers</td>
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<tr>
<td>Non-Mandatory Transfers</td>
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<td>-</td>
</tr>
<tr>
<td>Increase in Fund Balance</td>
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<td>-</td>
<td>-</td>
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<tr>
<td>Total</td>
<td>$312,113</td>
<td>$1,520,824</td>
<td>$1,832,937</td>
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</table>

A budget escalation is requested to increase FY 2022 budgetary spending authority appropriated for special funds to coincide with estimated revenues and expenditures reported on the FY 2023 budget request. The source of estimated revenue for this escalation will be special funds derived from external sources.

STAFF RECOMMENDATION: Based on Board Policy 701.06, Budget Escalations and Revisions, all escalations of annual budgets must be approved by the Board of Trustees. Board staff recommends approval of this item.
c. **UM – APPROVAL TO ESCALATE THE BUDGET FOR THE SMALL BUSINESS DEVELOPMENT CENTER FOR FY 2021**

University of Mississippi  
FY 2021 Small Business Development Center by Major Object

<table>
<thead>
<tr>
<th>Category</th>
<th>Current FY 2021 Operating Budget</th>
<th>Revision/escalation</th>
<th>Revised FY 2021 Operating Budget</th>
</tr>
</thead>
<tbody>
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<td>Salaries, Wages, and Fringe Benefits</td>
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<td>$1,107,29</td>
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<tr>
<td>Travel and Subsistence</td>
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<td>(8,820)</td>
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<td>Contractual Services</td>
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<tr>
<td>Commodities</td>
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<tr>
<td>Capital Outlay, Non-Equipment</td>
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<td>-</td>
</tr>
<tr>
<td>Capital Outlay, Equipment</td>
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<td>24,96</td>
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<tr>
<td>Mandatory Transfers</td>
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<td>Non-Mandatory Transfers</td>
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</tr>
<tr>
<td>Increase in Fund Balance</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>$527,171</strong></td>
<td><strong>$2,149,274</strong></td>
</tr>
</tbody>
</table>

A budget escalation is requested to increase FY 2021 budgetary spending authority appropriated for special funds to coincide with actual revenues generated and reported on the FY 2023 budget request. The revenue source for this escalation is funding derived from external sources, including the SEA CORE Program, the SEACARES Act, and the OSBDC Portability Assistance Program.

**STAFF RECOMMENDATION:** Based on Board Policy 701.06, *Budget Escalations and Revisions*, all escalations of annual budgets must be approved by the Board of Trustees. Board staff recommends approval of this item.

4. **UM-APPROVAL TO AMEND A CONTRACTUAL SERVICES AGREEMENT WITH THE COCA-COLA NORTH AMERICAN AND CCBCC OPERATIONS, LLC**

**Agenda Item Request:** The University of Mississippi requests approval to amend a contract with **The Coca-Cola Company and CCBCC Operations, LLC** that was approved in October 2019 and further seeks retroactive approval effective April 23, 2021. The purpose of the amendment is to adjust the sponsorship agreement with The Coca-Cola Company due to changes in schedules and attendance for FY2021 during COVID-19.

**Contractor’s Legal Name:** The Coca-Cola Company acting by and through Coca-Cola North America and CCBCC Operations, LLC
History of Contract: The University of Mississippi entered into a contract with The Coca-Cola Company and The Coca-Cola Bottling Company of Memphis, Tennessee on July 1, 1996. This was an exclusive sponsorship agreement which expired June 30, 2004. The minimum amount of revenue for the contract was $3,740,581. The next contract was with The Coca-Cola Company and Coca-Cola Enterprises, Inc. d/b/a Coca-Cola Bottling Company of Sardis for the term of July 1, 2004 through June 30, 2009. The minimum amount of revenue was $1,562,500 plus commissions and growth rebates. The next contract was with The Coca-Cola Company and Coca-Cola Enterprises, Inc. d/b/a Coca-Cola Bottling Company of Memphis for the term October 1, 2009 through September 30, 2019. The minimum amount of revenue for that contract was $4,210,000 plus commissions and rebates.

The current proposed contract term remains unchanged from November 1, 2019 to October 31, 2029.

Specific Type of Contract: This is an amendment to a sponsorship agreement.

Purpose: The purpose of the amendment is to adjust the sponsorship agreement with The Coca-Cola Company due to changes in schedules and attendance for FY2021 during COVID-19. Due to the Covid19 pandemic, neither party could comply with the stated agreement for FY2021. The University began working with representatives from The Coca-Cola Company and CCBCC Operations. The attendance percentage that was allowed to attend athletic events was drastically reduced by state and SEC mandate. In response to a request from Coca-Cola, the university negotiated the following benefits and enhancements to the contract in exchange for the concessions requested: co-branding with Starship robots on Oxford campus, a co-branded vending machine in Peabody Hall, grab and go availability for summer 2021, Coca-Cola logos on dance marathon and Ole Miss Dining staff t-shirts, promotion of a virtual March Madness bracket challenge in spring 2021, Coca-Cola signage in hoop area during Women’s Basketball games in 2021-2022 season, a social media campaign for the 2021 football season, and a tent village with Coca-Cola branding for the 2022 baseball season.

Scope of Work: This amendment modifies the sponsorship fees due to the University for Agreement Year Two of the original contract approved in October 2019 as a result of the COVID-19 pandemic.

Term of Contract: This term of this amendment is for one year from November 1, 2020 to October 31, 2021.

Termination Options: The University may terminate the contract if the Company or Bottler does not pay, if the Sponsor breaches, or if the Sponsor becomes insolvent or bankrupt. The Sponsor may terminate the contract if the University or Multimedia Rights Holder breaches, if the University becomes insolvent or bankrupt, if the University loses
authority to convey rights in the Agreement, if the campus closes, or if athletics activities cease.

**Contract Amount:** This contract is a revenue sharing arrangement that provides the University of Mississippi with a minimum of $7,219,385 over the life of the contract plus commission on vending sales and rebates for specific products sold by Aramark and Barnes & Noble. Please see the table below including sponsorship fees/commission/other consideration over the 10-year period of the agreement.

<table>
<thead>
<tr>
<th>Yr of Contract</th>
<th>Annual Sponsorship - Campus (UM)</th>
<th>Annual Sponsorship - Athletics (IMSS)</th>
<th>Athletic Marketing Commitment</th>
<th>Campus Marketing Commitment</th>
<th>Average Annual Commissions</th>
<th>Average Annual Rebates</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$335,000</td>
<td>$395,000</td>
<td>$20,000</td>
<td>$22,500</td>
<td>$262,325</td>
<td>$1,281</td>
<td>$1,040,106</td>
</tr>
<tr>
<td>2</td>
<td>$383,347</td>
<td>$201,036</td>
<td>$20,000</td>
<td>$22,500</td>
<td>$262,325</td>
<td>$1,281</td>
<td>$709,491</td>
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<td>$383,000</td>
<td>$395,000</td>
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<tr>
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<td>$383,000</td>
<td>$395,000</td>
<td>$20,000</td>
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As a result of the amendment, the total amount provided to the University over the life of the contract was decreased from $7,550,000 to $7,219,385. The value of the added benefits and enhancements added $161,928 to the amount received by the University over the originally proposed amount according to Coca-Cola’s interpretation of losses during FY2021.

**Funding Source for Contract:** A funding source is not applicable for this contract as it is a revenue sharing agreement.

**Contractor Selection Process:** The University has enjoyed a long-standing, beneficial contract with The Coca-Cola Company and CCBC Operations, LLC and believes it is advantageous to amend the previously approved sponsorship agreement.

**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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
5. **UM- APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH NICHOLAS SERVICES, LLC**

**Agenda Item Request:** The University of Mississippi ("UM") requests that the Board of Trustees of State Institutions of Higher Learning ("IHL") approve a lease agreement between UM and Nicholas Services, LLC d/b/a Nicholas Air ("Nicholas Air") for a 250' x 290' parcel of land located on the west side of the University-Oxford Airport’s East Apron/Ramp area. The purpose of this request is to permit Nicholas Air to construct an airport hangar at the University/Oxford Airport which will provide significant economic opportunity for UM as well as the City of Oxford.

**Contractor’s Legal Name:** Nicholas Services, LLC d/b/a Nicholas Air

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

**Specific Type of Contract:** This is a Lease Agreement

**Purpose:** The purpose of this request is to permit Nicholas Air to construct an airport hangar at the University/Oxford Airport which will provide significant economic opportunity for UM as well as the City of Oxford.

**Scope of the Project:** This is a lease agreement for a 250' x 290' parcel of land located on the west side of the University-Oxford Airport’s East Apron/Ramp area. Nicholas Air will also have the right of first refusal to an adjacent 250' x 290' parcel. Nicholas Air plans to construct an airport hangar on the property. Nicholas Air will also pay for any and all necessary improvements for utilities and ingress/egress access to the Airport’s East Apron/Ramp area in support of aircraft operations on the hangar property. The lease is for a term of fifty (50) years with a renewal option of an additional fifty (50) years. An annual rental fee of Forty-Three Thousand Five-Hundred Dollars and 00/100 ($43,500.00) shall be due on the first day of the month following the rent commencement date. Concurrent with the beginning of each successive five (5) year period, the rental fee shall be increased by 1½% for a total increase of no more than 7½% over the course of the 50-year term. The annual rental rate shall be reduced for the first five years to One Hundred Dollars and 00/100 ($100.00) due to Nicholas Air paying the total cost of all improvements for utilities as well as ingress and egress to the hangar property.

**Termination Options:** UM may terminate this Agreement with 365 days’ written notice and will pay Nicholas Air the total appraised value of any improvements placed on the hangar property. UM may also terminate this Agreement should Nicholas Air default in the performance of its obligations under in the Agreement.

**Term:** 50 years

**Funding Source(s) for Project:** This is a revenue lease
Contractor Selection Process: 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

6. UM – APPROVAL TO ENTER INTO CONTRACTUAL SERVICES AGREEMENT WITH STM CHARTERS, INC. (MEN’S BASKETBALL)

Agenda Item Request: The University of Mississippi Athletics Department requests approval to enter into a contract with STM Charters, Inc. for passenger charter air transportation and related services for the Ole Miss Men’s Basketball team. Services to be provided by Express Jet Airlines and Air Charter Express.

Contractor’s Legal Name: STM Charters, Inc.

History of Contract: This contract is new for the 2021/2022 men’s basketball season.

Specific Type of Contract: The agreement is for charter air transportation and related services.

Purpose: The purpose of the contract is to provide passenger charter air transportation and related services for the 2021/2022 men’s basketball season.

Scope of Work: STM Charters, Inc. will provide passenger charter air transportation and related services for the 2021/2022 men’s basketball season.

Term of Contract: The contract will begin on November 17, 2021 and end on March 1, 2022.

Termination Options: Either party may terminate this Agreement upon written notice if the other party fails to perform any of its obligations and such failure continues unremedied for a period of ten (10) business days following the receipt by the non-performing party of the written notice of such non-performance. Either party may terminate the Agreement, upon ten (10) days written notice, without further liability to any other party in the event Force Majeure causes the continued performance of this Agreement to be impractical, inadvisable or unprofitable. The Agreement may also be terminated in the event Customer fails to make any payment required pursuant to the terms of the Payment Schedule and with thirty days’ notice if funds are not appropriated.
Contract Amount: The contract amount is $459,500 billed in two installments.

Funding Source for Contract: The funding source for this contract is self-generated intercollegiate athletic revenues.

Contractor Selection Process: The Contractor was selected through invited proposals. Five airline companies offered proposals through STM Charter Services: RVR Aviation, Meregrass, ACE, and Express Jet Airlines. Express Jet Airlines was selected for every trip but one because they were the only company to offer a 50-passenger plane option. Air Charter Express was selected for the game against Auburn because 50-passenger planes cannot land at the Auburn, Alabama airport.

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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

7. UM – APPROVAL TO ENTER INTO CONTRACTUAL SERVICES AGREEMENT WITH STM CHARTERS, INC. (WOMEN'S BASKETBALL)

Agenda Item Request: The University of Mississippi Athletics Department requests approval to enter into a contract with STM Charters, Inc. for passenger charter air transportation and related services for the Ole Miss Women’s Basketball team. Services to be provided by Breeze Airways, Express Jet Airlines and Air Charter Express.

Contractor’s Legal Name: STM Charters, Inc.

History of Contract: This contract is new for the 2021/2022 women’s basketball season.

Specific Type of Contract: The agreement is for charter air transportation and related services.

Purpose: The purpose of the contract is to provide passenger charter air transportation and related services for the 2021/2022 women’s basketball season.

Scope of Work: STM Charters, Inc. will provide passenger charter air transportation and related services for the 2021/2022 women’s basketball season.

Term of Contract: The contract will begin on November 24, 2021 and end on February 24, 2022.
Termination Options: Either party may terminate this Agreement upon written notice if the other party fails to perform any of its obligations and such failure continues unremedied for a period of ten (10) business days following the receipt by the non-performing party of the written notice of such non-performance. Either party may terminate the Agreement, upon ten (10) days written notice, without further liability to any other party in the event Force Majeure causes the continued performance of this Agreement to be impractical, inadvisable or unprofitable. The Agreement may also be terminated in the event Customer fails to make any payment required pursuant to the terms of the Payment Schedule and with thirty days’ notice if funds are not appropriated.

Contract Amount: The contract amount is $422,500 billed in two installments.

Funding Source for Contract: The funding source for this contract is self-generated intercollegiate athletic revenues.

Contractor Selection Process: The Contractor was selected through invited proposals. Five airline companies offered proposals through STM Charter Services: RVR Aviation, Meregrass, ACE, Express Jet Airlines and Breeze Airways. Express Jet Airlines was selected for every trip but two because they were the only company to offer a 50-passenger plane option. Breeze Airways was selected for the trip to Oakland, California because Express Jet Airlines could not offer services for that trip. Also, Breeze Airways was the only carrier who offered a non-stop flight to California and who had aircraft that could accommodate the weights needed for the team and the equipment. Air Charter Express was selected for the game against Auburn because 50-passenger planes cannot land at the Auburn, Alabama airport.

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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

8. UM-APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES AGREEMENT WITH THE CBORD GROUP INC.

Agenda Item Request: The University of Mississippi-Contractual Services Management department requests approval to enter into a contract with The CBORD Group, Inc. to continue offering service and support for the University’s One Card system.

Contractor’s Legal Name: The CBORD Group, Inc.
History of Contract: This is a new contract. In the late 1990’s, Griffin and ICAM merged to create a company known today as CBORD. At the time of this merger, CBORD was the only provider offering a system to support the University’s needs for an enterprise system ID card which allowed students, faculty, and staff to purchase food, books, and complete other financial transactions on and off-campus. This system also needed to provide security of campus buildings through access control driven by the ID card. As the system has evolved over the years, other competitors have entered the market including Blackboard and Atrium. The University decided to investigate if there was something in the marketplace to improve our existing system by issuing a Request for Proposals in January 2021.

Specific Type of Contract: This is a service contract.

Purpose: The purpose of this contract is to continue offering service and support for the University’s One Card system.

Scope of Work: This contract gives the University a non-transferrable, non-exclusive license to operate and use CBORD proprietary software on University devices for the University’s sole benefit. This includes client server and web-based application licenses. The University will have the nonexclusive, non-assignable, royalty free, worldwide limited right to use CBORD online services solely for the University’s internal business operations and subject to the terms of this contract. The system is for faculty, staff, and students to purchase food, books, and complete other financial transactions both on and off campus in the city of Oxford, Mississippi. This system provides the official ID card for all Ole Miss students, faculty, and staff for all University of Mississippi campuses. The system is designed to integrate with various systems throughout campus. These systems include Oracle Hospitality MICROS and Avigilon Control Center. The One Card system helps provide essential products and services, provide the infrastructure needed to support the operation of University’s services to students, staff, and visitors, provide safety and security through access control, is cost and time efficient due to integrated systems, and a long-term scalable solution that continues to grow and improve.

Term of Contract: The term of this agreement begins October 21, 2021 and ends on October 20, 2026.

Termination Options: This contract may be terminated at any time upon the giving of written notice by either party in the event that the other party fails to commence remedying any default under this contract for a period of more than thirty (30) days after the aggrieved party has given the other party written notice specifying such default; or by either party to the other party at least sixty (60) days prior to the end of the Minimum Term or the then-current Renewal Term of its intent not to renew the contract; or upon the convenience of either party upon at least sixty (60) days written notice.
Neither party shall be responsible for any failure or delay of performance under this contract where such failure or delay is caused by acts of God, acts of terror, flood, fire, University closure, COVID-19 or other pandemic, epidemic, infectious disease, non-delivery, or delays in delivery by any other supplier of goods or services, non-CBORD specific network or telecommunications failure or congestion, or any other causes beyond such Party's reasonable control. If any such force majeure event occurs for more than sixty (60) days, either Party may terminate this contract upon written notice to the other without any further liability thereto.

The University may terminate this contract in the event that funds associated for payment under the contract become unavailable due to a decrease or change in the legislative appropriation. The University must notify CBORD within five (5) business of the change in status and will work with Vendor to provide payment for any services already rendered.

The University may terminate the contract with CBORD if warranties provided to comply with the Mississippi Employment Protection Act are breached.

**Contract Amount:** The maximum amount of this contract will be $1,190,000.

**Funding Source for Contract** Funding for this contract is derived from both General and Educational funds and self-generated funds.

**Contractor Selection Process:** The CBORD Group was selected through RFP 661 issued in January 2021. The University evaluated the two proposals received according to total cost for the system including installation, operation, service and support; depth and quality of vendor experience; quality of vendor reference contacts; ability of the vendor system to integrate with the existing institution network and infrastructure; quality and reliability of system hardware; and quality and accessibility of vendor training and support. CBORD was the higher scoring and lower cost proposal in the selection process.

**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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
UM-APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES AGREEMENT WITH WORLD FUEL SERVICES, INC.

Agenda Item Request: The University of Mississippi requests approval to enter into a contract with World Fuel Services, Inc. for the purchase of aviation fuels at the University’s fixed-based operation site at the University-Oxford Airport.

Contractor’s Legal Name: World Fuel Services, Inc.

History of Contract: This is a new agreement. The University of Mississippi entered into a similar Fuel Supply Agreement with World Fuel Services, Inc. dated October 1, 2011, which was amended as of December 13, 2016.

Specific Type of Contract: This contract is for the purchase of aviation fuels.

Purpose: This contract is for the purchase of aviation fuels at the University’s fixed-based operation site at the University-Oxford Airport.

Scope of Work: The scope of work includes supplying branded and unbranded aviation gasoline, jet fuel and other products at the University-Oxford Airport.

Term of Contract: This Agreement shall be for an initial term of five (5) years beginning on the Effective Date (the “Initial Term”). If at the end of the Initial Term, University has not purchased at least 1,020,000 gallons of combined aviation fuel from Seller, the Agreement will automatically renew for one or more subsequent annual terms until University has purchased at least the Required Minimum Gallons. If upon the expiration of the Initial Term or any annual renewal term, the University has purchased the Required Minimum Gallons, then this Agreement shall renew for subsequent annual periods upon written agreement of the parties at least ninety (90) days prior to the end of the Initial Term or the applicable Subsequent Term.

Termination Options: The University may terminate upon seven (7) days’ prior notice if any one or more of the following occurs and Seller fails to cure such breach within the applicable notice period: (i) Seller breaches or defaults on any covenant, condition or other provision of this Agreement, the branding agreement, note, security agreement, lease, or any other agreement of the parties; (ii) Seller fails to make deliveries under the terms of this Agreement; (iii) willful adulteration, commingling, mislabeling or misbranding of aviation fuels by Seller or unlawful, fraudulent or deceptive acts or practices or criminal misconduct by Seller relevant to Seller’s performance of this Agreement occur; or (iv) Seller becomes insolvent, files a voluntary petition in bankruptcy, makes an assignment for the benefit of creditors, is adjudicated bankrupt, permits a receiver to be appointed, or permits or suffers a material disposition of its assets. The University may also terminate for unavailability of funds.
Contract Amount: The price per gallon for products sold will be based on market-based pricing and volume purchased.

Funding Source for Contract: The funding source is merchandise for resale.

Contractor Selection Process: The contractor is the current provider. The purchases are exempt from a bid process as commodities purchased for resale.

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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

10. UMMC – APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH ASURAGEN, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Volume Commitment Agreement with Asuragen, Inc. (Asuragen) for the purchase of kits to test for the BCR-ABL fusion gene (BCR-ABL). The BCR-ABL gene is found in most patients with chronic myelogenous leukemia and in some patients with acute lymphoblastic leukemia. The test kits allow UMMC’s molecular pathology laboratory to identify the presence of the BCR-ABL gene so that the appropriate leukemia type can be identified, monitor treatment and recurrence, and detect resistance to therapy. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor’s Legal Name: Asuragen, Inc.

History of Contract: This is a new agreement with Asuragen. UMMC previously contracted with Asuragen to purchase this test at a cost less than $250,000, which did not require Board approval. The previous agreement expired August 31, 2021. Prior to the expiration, UMMC purchased sufficient additional products to utilize while the new agreement was finalized.

Specific Type of Contract: This is a new Volume Commitment Agreement.

Purpose: This purpose of this agreement is for the purchase of kits to test for the BCR-ABL fusion gene (BCR-ABL). The BCR-ABL gene is found in most patients with
chronic myelogenous leukemia and in some patients with acute lymphoblastic leukemia. The test kits allow UMMC’s molecular pathology laboratory to diagnose these forms of leukemia, monitor treatment and recurrence, and detect resistance to therapy.

**Scope of Work:** Under the agreement, Asuragen will provide the BCR-ABL test kits. Under the agreement, UMMC will purchase a committed volume of test kits each year.

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

**Termination Options:** The Agreement may be terminated for the following:
- by either party, immediately, upon written notice to the other party of a breach and such breach continues for 60 days after the other Party’s receipt of notice of breach (or 30 days in the case of a failure to make any payment due hereunder);
- by either party if one party becomes insolvent, files a petition for bankruptcy or commences or has commenced against it proceedings relating to bankruptcy, receivership, reorganization or assignment for the benefit of creditors;
- by Asuragen, after the first contract year, in the event UMMC fails to meet the minimum order requirement for the preceding contract year;
- by either party, after the first year of the contract, with or without cause, upon 90 days’ written notice to other party;
- by UMMC, if Asuragen is unable to provide goods due for thirty (30) consecutive days to a continuing force majeure event; and
- by Asuragen, immediately upon UMMC’s breach of the confidentiality requirements of the agreement.

**Contract Amount:** The total estimated cost of the agreement over the three year term is $400,000. UMMC has included a fifteen percent (15%) annual increase beginning in year two (2) for potential price and volume increases.

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

**Contractor Selection Process:** The Asuragen BCR-ABL test kits qualify as clinical commodities under Miss Code Ann. §31-7-1, which are 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

11. **UMMC – APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH BECKMAN COULTER, INC.**

**Agenda Item:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a purchase agreement with Beckman Coulter, Inc. (Beckman Coulter) to purchase disposables required to perform a variety of tests on the Biomek i7 Automated Workstations, which automate the pipetting function required for testing COVID-19 samples allowing staff to move on to other parts of the testing process, thereby improving testing turnaround time and increasing overall testing capacity. UMMC also requests approval to add or remove products covered by the Agreement without requiring prior submission for Board approval, so long as it does not increase the approved expenditure level.

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

**History of Contract:** Pursuant to the waiver approved by the Board on March 19, 2020, on September 24, 2020, UMMC entered into an agreement with Beckman Coulter to purchase disposables required to perform COVID-19 testing on the Biomek i7 Automated Workstations. When the equipment was received and installed at UMMC, Beckman Coulter realized it had inadvertently omitted some items from the original agreement that were required for use with the equipment. Thus, on November 25, 2020, the UMMC amended its agreement with Beckman Coulter to add additional disposable items to the agreement. Under this proposed agreement, the equipment will also be used to automate the pipetting function for sequencing testing of solid tumors, leukemia, and lymphomas. The agreement expires on September 23, 2021.

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

**Purpose:** The purpose of the agreement is to purchase disposables required to perform a variety of tests on the Biomek i7 Automated Workstations, which automate the pipetting function required for testing COVID-19 samples allowing staff to move on to other parts of the testing process, thereby improving testing turnaround time and increasing overall testing capacity.

**Scope of Work:** Under the agreement, Beckman Coulter will provide disposables for use on the Biomek i7 Automated Workstations owned by UMMC.

**Term of Contract:** The term of this agreement is one (1) year, from November 1, 2021, through October 31, 2022.
Termination Options: Termination options include the following:
- by UMMC upon thirty (30) days written notice to Beckman Coulter; and
- in the event of insufficient funds.

Contract Amount: The total estimated cost for the one (1) year term is $425,000.00.

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

Contractor Selection Process: The disposables used with the Biomek i7 Automated Workstations qualify as clinical commodities under Miss Code Ann §31-7-l, which are 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

12. **UMMC – APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH BOSTON SCIENTIFIC CORPORATION**

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval enter into a Neuromodulation Purchase Agreement with Boston Scientific Corporation (Boston Scientific) for the purchase of neuromodulation Verteflex Procedure (“VFX”) products. The neuromodulation products are used to treat patients with chronic low back pain that does not respond to more conservative treatment options and who either are not candidates for or opt out of a fusion surgery. UMMC also requests approval to add or remove products covered by the Agreement without seeking prior Board approval as long as it does not increase the approved expenditure level.

Contractor’s Legal Name: Boston Scientific Corporation

History of Contract: This is a new contract with Boston Scientific for neuromodulation products. This will be a new procedure for UMMC. To date, patients with chronic low back pain have the option of steroid injections or ablation procedures, and those who did not respond were referred for surgery or maintained on long term opioid therapy. The neuromodulation Verteflex procedure offers another treatment option for patients who either are not a candidate for surgery or choose not to have the surgery with subsequent prolonged rehabilitation. It is an outpatient procedure that has shown promising results in lieu of open surgery.
Specific Type of Contract: This is a new Neuromodulation Purchase Agreement.

Purpose: The purpose of the Agreement is to purchase neuromodulation VFX products. The neuromodulation products are used to treat patients with chronic low back pain that does not respond to more conservative treatment options and who either are not candidates for or opt out of a fusion surgery.

Scope of Work: Under the agreement, Boston Scientific will provide the neuromodulation products at discounted pricing.

Term of Contract: The term of the Agreement is three (3) years, from November 1, 2021, through October 31, 2024.

Termination Options: Termination options include the following:
- by either party to at any time by providing with thirty (30) days’ advanced, written notice to the other party;
- in the event of insufficient funds;
- by either party upon notice of a breach, if the breach remains uncured for thirty (30) days.

Contract Amount: The total cost of the Agreement over the three (3) year term $600,000. UMMC has included a fifteen percent (15%) increase beginning in year two (2) for potential volume growth.

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

Contractor Selection Process: The Boston Scientific neuromodulation products qualify as clinical commodities under Miss Code Ann. §31-7-1, which are 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
UMMC – APPROVAL TO AMEND A SERVICES AGREEMENT WITH CARE INNOVATIONS, LLC

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into Amendment #2 to the Remote Care Management Services Agreement with Intel-GE Care Innovations, LLC (now Care Innovations, LLC) to extend the term of the agreement for one (1) additional year. The agreement provides remote patient monitoring (RPM) “kits” to be used by patients enrolled in the RPM program provided through UMMC’s Department of Telehealth. The RPM kit allows the care team at UMMC to interact with enrolled patients in their homes by using a primary electronic device with connectivity, and incorporating data with peripherals (blood glucose monitor, blood pressure machine, scale, etc.) that are either wired or wireless.

Contractor’s Legal Name: Care Innovations, LLC

History of Contract: On October 15, 2015, the Board approved the Remote Care Management Services Agreement with Care Innovations for RPM. The term of the agreement was five (5) years, from November 1, 2015, through October 31, 2020. On August 20, 2020, the Board approved Amendment #1 to the Remote Care Management Services Agreement to extend the term one (1) year, as well as add provisions for insurance, information security, and governmental entity. The amended term of the agreement was six (6) years, from November 1, 2015, through October 31, 2020. The total approved cost remained $41,410,000.00.

Specific Type of Contract: This is Amendment #2 to the Remote Care Management Services Agreement.

Purpose: The purpose of Amendment #2 is to extend the term of the current agreement by one (1) year. The amendment will allow UMMC to continue to provide RPM for patients needing such service, as well as allow transfer of patient health data. The purpose of RPM is to improve the health of patients, lower hospital admissions, and decrease healthcare costs.

Scope of Work: Under the amended agreement, Care Innovations will continue to provide:

- License to the Maestro Care Suite;
- Training on the use of the Maestro Care Suite for UMMC personnel;
- Program management;
- Customer support to both patients and UMMC;
- Co-marketing of the program with UMMC;
- Use of the Health Harmony System (RPM Kits) to enrolled patients;
- Repurposing of peripheral devices; and
Term of Contract: The term of Amendment #2 is one (1) year, beginning November 1, 2021. The total term of the amended agreement is seven (7) years, from November 1, 2015, through October 31, 2022.

Termination Options: Terminations options include the following:
- By either party at any time upon 180 day written notice;
- In the event of default and failure to cure the default;
- In the event Care Innovations shall become banned from governmental programs;
- In the event of reduction of available funds to UMMC, the contract may be terminated without penalty to UMMC;
- Failure by Care Innovations to comply with the federal E-Verify program;
- Failure of Care Innovations to comply with the Business Associate Agreement.

Contract Amount: There is no additional cost related to Amendment #2. The total cost of the agreement remains $41,410,000.

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

Contractor Selection Process: UMMC is currently contracted with Care Innovations.

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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

14. UMMC – APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH DIASORIN, INC.

Agenda Item: The University of Mississippi Medical Center (UMMC) seeks to enter a Product Supply Agreement with DiaSorin, Inc. (DiaSorin) for the use of two (2) DiaSorin Liaison instruments, service of the instruments, and purchase of reagents and disposables used with the instruments. The instruments will allow UMMC to test for a variety of infectious diseases through serologic testing, microbial pathogen testing, and antigen testing. Currently, UMMC uses manual, labor-intensive techniques for these tests, as well as uses multiple instruments that are nearing end of life. The DiaSorin Liaison instruments will allow consolidation of testing into one (1) platform that utilizes modern technology. UMMC also requests approval to add
or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

**Contractor’s Legal Name:** DiaSorin, Inc.

**History of Contract:** This is a new agreement with DiaSorin for instruments, reagents, disposables and service. On August 24, 2014, the Board approved a contract with BioRad Laboratories, Inc. (BioRad) for the rental of a BioPlex 2200 System, Evolis Microplate Processor, and related equipment, as well as the purchase of consumables and service for the systems. On November 1, 2017, the Board approved the first amendment to the BioRad agreement, which reduced UMMC’s commitment to purchase certain tests, reduced the costs for tests, added new tests and assays currently performed on other platforms at UMMC or sent to outside reference laboratories, provided additional training of the Evolis system, clarified the Agreement start date, and reduced the approved amount. On June 18, 2020, the Board approved the second amendment to update pricing and services, revise items, amend provisions on insurance and indemnification, and add information security language. On June 20, 2021, the Board approved the third amendment to extend the term of the agreement. The current agreement expires on June 30, 2022, and will be replaced by the DiaSorin Liaison agreement.

In addition to this request, UMMC has submitted for consideration a separate purchase agreement with QIAGEN LLC (QIAGEN) to purchase the Quantiferon-TB Gold Plus laboratory reagent and associated consumables used with the DiaSorin Liaison Instruments.

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

**Purpose:** The purpose of the agreement is to use two (2) DiaSorin Liaison instruments, provide service on the instruments, and purchase reagents and disposables used with the instruments. The instruments will allow UMMC to test for a variety of infectious diseases through serologic testing, microbial pathogen testing, and antigen testing. Currently, UMMC uses manual, labor-intensive techniques for these tests, as well as uses multiple instruments that are nearing end of life. The DiaSorin Liaison instruments will allow consolidation of testing into one (1) platform that utilizes modern technology.

**Scope of Work:** Under the agreement, DiaSorin will provide two (2) DiaSorin Liaison instruments and service in exchange for UMMC’s purchase of related reagents and disposables.

Under the agreement, UMMC will purchase a minimum of $196,033.48 of reagents per year.

**Term of Contract:** The term of the agreement is five (5) years and five months (5), from November 1, 2021, through sixty (60) months after the equipment is installed.
and validated, which is expected to be on or about late March 2022 for an expected termination date of approximately March 31, 2027.

**Termination Options:** The termination options are:
- by DiaSorin, in the event that there is a breach that requires the indemnification of UMMC that cannot be remedied;
- by UMMC, if DiaSorin is unable to provide goods or services required hereunder for a period of thirty (30) consecutive days as a result of a continuing force majeure event;
- by either party, immediately, in the event of insolvency or bankruptcy of the other party, or the appointment of a receiver, trustee, liquidator, or sequestrator of the other party;
- by the non-breaching party, upon written notice of the breach, if the breaching party fails to remedy the breach within thirty (30) days following receipt of the notice; and
- in the event of insufficient funds.

**Contract Amount:** The total estimated cost of the agreement over the five (5) year term is $2,350,000. Beginning in year two (2), UMMC has included a fifteen percent (15%) increase for potential patient volume and price increases. DiaSorin may increase pricing once annually up to three percent (3%).

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

**Contractor Selection Process:** The purchase of reagents and disposables used with the DiaSorin Liaison instruments qualify as clinical commodities under Miss Code Ann §31-7-l, which are 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

15. **UMMC-APPROVAL TO AMEND A LICENSE AND SUPPORT AGREEMENT WITH EPIC SYSTEMS CORPORATION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into Amendment No. 28 to the License and Support Agreement with Epic Systems Corporation (Epic) to migrate the current InterSystems Caché licenses to InterSystems IRIS licenses. This will allow UMMC flexibility to
change data center architecture whenever needed without having to buy new InterSystems licenses each time a change is made to the server platform.

**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 No. 28 to the License and Support Agreement.

**Purpose:** The purpose of Amendment No. 28 is to migrate the current InterSystems Caché licenses to the InterSystems IRIS licenses. The current InterSystems Caché licenses are specific to a particular servicer platform. The InterSystems IRIS licenses are platform-independent, which allows UMMC flexibility to change data center architecture whenever needed without having to buy new InterSystems licenses each time a change is made to the server platform.

**Scope of Work:** Under Amendment No. 28, Epic will:

- Provide the upgrade from the existing Caché licenses to platform-independent IRIS licenses.

**Term of Contract:** The term of Amendment No. 28 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 of Amendment No. 28 is $175,000.00. 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. Legal Staff has reviewed the proposed Agreement for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

16. **UMMC-APPROVAL TO ENTER INTO AN AGREEMENT WITH INFOBLOX INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Infoblox Inc. (Infoblox)** for the purchase of software subscription, hardware, and maintenance that provides for dynamic name resolution services (DNS). DNS is a service that automatically and periodically updates internet protocol addresses, which is necessary to ensure that UMMC devices can connect to the network timely and securely. The license, maintenance, and hardware is being purchased through Infoblox’s authorized reseller MoreDirect, Inc. d/b/a Connection. Pursuant to IHL policy 707.3 Approval of Prepayment for Goods or Services, UMMC also requests a waiver to prepay the five (5) year license fee and maintenance fees.

**Contractor’s Legal Name:** Infoblox Inc.

**History of Contract:** This is a new agreement for the purchase of the software subscription, hardware, and maintenance for dynamic name resolution services. Previously, UMMC purchased the software subscription and maintenance on an annual basis through MoreDirect. Under the proposed agreement, UMMC will be able to update the existing hardware and secure services for multiple years.

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

**Purpose:** The purpose of the agreement is to provide the software subscription, hardware, and maintenance for a dynamic name resolution services (DNS). DNS is a service that automatically and periodically updates internet
protocol addresses, which is necessary to ensure that UMMC devices can connect to the network timely and securely.

**Scope of Work:** Under the agreement, Infoblox will provide a non-exclusive, non-transferable subscription license to use the software, hardware, and support and maintenance on the software and hardware.

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

**Termination Options:** The Standard Terms and Conditions may be terminated as follows:
- by UMMC for non-availability of funds;
- By either party may terminate if the other party materially breaches any material provision and such breach is not remedied within 60 days (or 10 days in the case of non-payment) after receipt by the defaulting party of a notice thereof from the other party; and
- In the event of a force majeure event.

The Support and Maintenance may be terminated as follows:
- By Infoblox upon thirty (30) days’ prior written notice to the other, provided that such termination by Infoblox will not apply to any pre-paid Maintenance period purchased by UMMC; and
- By UMMC upon thirty (30) days’ prior written notice to Infoblox.

**Contract Amount:** The cost of the agreement over the five (5) year term is $360,000.00. This cost includes prepayment of maintenance and support of $356,780.53 and other potential fees such as travel.

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

**Contractor Selection Process:** Infoblox provides the software subscription, hardware, and maintenance for purchase through its authorized reseller MoreDirect, Inc. d/b/a Connection, who is an approved vendor contracted with Vizient, one of UMMC’s group purchasing organizations (GPO).

**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 for compliance with
applicable law and finds same to be acceptable. Board staff recommends approval of this item.

17. UMMC-APPROVAL TO ESCALATE THE BUDGET FOR THE SCHOOL OF MEDICINE FOR FY 2021

UMMC is requesting approval to escalate the FY 2021 operating budget to account for expenditures originally budgeted in the Hospital. The Hospital budget is decreased by the same amount.

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<tr>
<th>Category</th>
<th>Current Budget</th>
<th>Increase/(Decrease)</th>
<th>Revised Budget</th>
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<td>Wages</td>
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<td>Non-Equipment</td>
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<td>Non-Mandatory Transfers</td>
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<td>Total Non-Mandatory Transfers</td>
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<td>Increase in Fund Balance</td>
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STAFF RECOMMENDATION: Based on Board Policy 701.06, *Budget Escalations and Revisions*, all escalations of annual budgets must be approved by the Board of Trustees. Board staff recommends approval of this item.

18. UMMC-APPROVAL TO AMEND A GROUND LEASE AGREEMENT WITH THE MERIDIAN AT FONDREN, LCC

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend the Amended and Restated Ground Lease Agreement with The Meridian at Fondren, LLC (The Meridian) to remove certain minimum requirements for commercial space. The ground lease is for a mixed use development, including residential apartments, retail, and office space.
Contractor’s Legal Name: The Meridian at Fondren, LLC

History of Contract: On April 24, 2014, the Board approved the ground lease with The Meridian. On April 18, 2019, the Board approved the Amended and Restated Ground Lease Agreement. In March 2021, the Mississippi Legislature and Governor approved House Bill 8 to amend Section 1, Chapter 456, Laws of 2014, to remove the requirement that the mixed use development have a minimum square footage of designated street-level commercial space. The Meridian at Fondren would like to convert unused commercial space to additional residential apartments.

Specific Type of Contract: This is the first amendment to the Amended and Restated Ground Lease Agreement.

Purpose: The purpose of the amendment is to remove certain minimum requirements for commercial space at The Meridian. The current ground lease was for the development, construction, ownership, and management a mixed use facility on UMMC property for the benefit of UMMC students, faculty, and employees, as well as the Jackson community.

Scope of Work: Under the amended and restated agreement, The Meridian remains responsible for:

- Payments:
  - All monies due under the triple net lease, including charges, expenses, costs, and outlays of every nature and kind related to the premises and/or improvements thereon; and
  - All operating expenses of the development;
- Operation and management of the premises which includes:
  - Approximately 224 “Class A” apartment homes;
  - One (1) unit for the exclusive use of UMMC;
  - Structured and surface parking, of which UMMC has eight (8) guaranteed spaces; and
  - Landscaping and green space buffers;
  - General and day-to-day maintenance and repair of the premises; and
  - Lease space to commercial tenants only upon prior written approval from UMMC.

UMMC remains responsible for:

- Lease the property to The Meridian for the project as described above; and
- Execute such documents as are reasonably required by The Meridian’s lender.
Term of Contract: The amendment does not change the term of the ground lease. This is a forty (40) year ground lease with the option of two (2) twenty (20) year renewal terms. The effective dates of the ground lease are June 1, 2013, through May 31, 2053.

Termination Options: The contract may be terminated:
- Either party may cancel the agreement with thirty (30) days prior written notice to the other party;
- In the event of any reduction in available funds to UMMC, the contract may be terminated without penalty to UMMC; and,
- Failure by The Meridian to comply with the federal E-Verify Program.

Contract Amount: The total estimated revenue to be earned under the ground lease agreement remains approximately $9,480,140.00.

Funding Source for Contract: This is a revenue lease agreement.

Contractor Selection Process: UMMC is currently contracted with The Meridian.

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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Memorandum of Understanding (MOU) with MoreDirect, Inc. d/b/a Connection (Connection) for maintenance and support services to be provided by Cisco Systems, Inc. (Cisco). This will allow Cisco to provide maintenance and technical support on UMMC’s network infrastructure hardware and software. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, UMMC also requests a waiver to allow prepayment for three (3) years of maintenance.

Contractor’s Legal Name: MoreDirect, Inc. d/b/a Connection

History of Contract: On August 16, 2018, the Board approved a MOU with Connection for maintenance and support to be provided by Cisco on UMMC’s existing network infrastructure hardware and software. The term of the MOU was three (3) years, from September 1, 2018, to August 31, 2021. UMMC has entered into a separate MOU with Connection to provide maintenance and support for the network equipment upon
expiration of the 2018 agreement, from August 1, 2021, through October 31, 2021. The MOU is less than $250,000 and did not require Board approval. The MOU allowed service and support on the equipment to continue while UMMC explored options to restructure agreements for its ongoing maintenance and support needs.

On June 17, 2021, the Board approved a Letter Agreement with Cisco for the purchase of additional network infrastructure hardware and software. The new equipment will remain under warranty until June 30, 2024. Upon expiration of the warranty, the equipment will be covered under the maintenance and support of the proposed agreement.

**Specific Type of Contract:** This is a new Memorandum of Understanding.

**Purpose:** The purpose of this MOU is to allow Cisco, through its reseller Connection, to provide maintenance and technical support service on UMMC’s existing network infrastructure hardware and software. The covered equipment includes firewalls, routers, switches, and other equipment that encompasses UMMC’s network infrastructure. This network supports communications for UMMC users and datacenters. This infrastructure has continued to grow over the years to include new or acquired buildings, increased security, and redundancy for reliability. Any failure of this equipment can and has directly influenced the ability of UMMC to conduct daily operations.

**Scope of Work:** Under the MOU, Cisco will provide maintenance and technical support service to UMMC’s network infrastructure. Cisco will:
- Provide 24x7 access to the Technical Assistance Center (TAC);
- Manage problems according to severity;
- Provide work-around solutions or patches to reported software problems using reasonable commercial efforts;
- Provide replacement parts for failed equipment; and
- Provide updates for software associated with the system.

**Term of Contract:** The term of the MOU is three (3) years, from November 1, 2021, through October 31, 2024. The Master Service Agreement was effective October 16, 2017, and continues through December 31, 2024.

**Termination Options:** The Master Service Agreement may be terminated as follows:
- By Connection for UMMC’s failure to pay;
- By Connection if it is unable to furnish any parts or acquire technical data required to repair and/or service any item of computer hardware products, then Connection may cancel coverage for that item under the Agreement and will refund payment for the remaining days of coverage under the Agreement, on a pro rata basis;
By either party at any time if the other party breaches any material provision and fails within fourteen (14) days after receipt of notice of default to correct such default promptly or to commence corrective action reasonably acceptable to the aggrieved party and proceed with diligence to completion;

After the initial term, unless dates are otherwise designated for specific services, including subscription services, either party shall have the right to terminate without cause, without penalty, and without liability for any damages as a result of such termination at any time giving the other party at least thirty (30) days prior written notice of such termination; and

In the event Connection fails to comply with the federal E-verify Program.

Contract Amount: The total cost of the agreement is $1,698,441.63.

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

Contractor Selection Process: Connection 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

20. UMMC-APPROVAL TO ENTER INTO A PRICING AGREEMENT WITH NUVASIVE SPECIALIZED ORTHOPEDICS, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Pricing Agreement with NuVasive Specialized Orthopedics, Inc. (NuVasive) for the purchase of the PRECICE® limb lengthening system used to treat pediatric patients with limb length discrepancy. UMMC also requests approval to amend the Agreement to add or remove products covered by the Agreement without requiring prior submission for Board approval, so long as it does not increase the approved expenditure level.

Contractor’s Legal Name: NuVasive Specialized Orthopedics, Inc.

History of Contract: This is a new contract with NuVasive for the PRECICE® limb lengthening system. UMMC currently purchases the products on
an as needed basis without a contract. NuVasive now requires a contract in exchange for discounted pricing.

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

**Purpose:** The purpose of the Agreement is to purchase the PRECICE® limb lengthening system used to treat pediatric patients with limb length discrepancy.

**Scope of Work:** Under the Agreement, NuVasive will provide the PRECICE® limb lengthening system products at discounted pricing. UMMC will place orders on an as-needed basis without a purchase commitment.

**Term of Contract:** The term of the Agreement is five (5) years, from November 1, 2021, through October 31, 2026. The initial term of the Agreement is one (1) year, with four (4) additional one (1) year renewal terms for a total term of five (5) years.

**Termination Options:** Either party may terminate the Agreement upon forty-five (45) days’ written notice prior to the start date of a new contract year.

**Contract Amount:** The total estimated cost of the Agreement over the (5) year term is $1,850,000. Beginning in year two (2), UMMC has included a fifteen percent (15%) increase for potential patient volume and price increases. NuVasive may increase prices up to three percent (3%) per year.

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

**Contractor Selection Process:** The PRECICE® limb lengthening system products qualify as clinical commodities under Miss Code Ann §31-7-l, which are 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

21. **UMMC-APPROVAL TO ENTER INTO A MASTER SERVICES AGREEMENT WITH PATHSTONE PARTNERS, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Master Services Agreement with Pathstone Partners, LLC
(Pathstone) for consulting services related to the identification, development, and implementation of margin improvement initiatives to achieve a minimum of $15,000,000 in financial savings. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods and Services, UMMC also requests waiver to allow prepayment of the base fee.

Contractor’s Legal Name: Pathstone Partners, LLC

History of Contract: This is a new agreement to engage outside expertise to identify and develop cost savings opportunities and assist in the implementation and the achievement of margin improvement for UMMC in the area of non-labor expenses.

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

Purpose: The purpose of the agreement is to seek outside expertise and implementation services to achieve a $15,000,000 expense reduction and margin improvement for UMMC. The agreement defines the process that will be used to identify and implement savings initiatives. The engagement will define opportunities for expense reduction, develop savings strategies, and assist in the implementation of those strategies to achieve or exceed the targeted $15,000,000 in margin improvement.

Scope of Work: Under the agreement, Pathstone will:
- support UMMC to identify and implement Initiatives to achieve projected Benefit Targets;
- provide services to enable UMMC to identify and implement Initiatives and Opportunities that deliver margin improvement in purchase, insourced and outsourced services, utilization, and revenue;
- upon UMMC’s approval, develop a Workplan for each Initiative to align activities, milestones, responsible parties, and timelines to manage implementation progress;
- develop and refine Initiative implementation documents and tools to align with the implementation strategy;
- lead and participate in key implementation support activities;
- develop a Benefits Measurement Document for each Initiative and facilitate review with appropriate UMMC Reviewers;
- meet with UMMC at least once a quarter; and
- work with UMMC throughout the term of the agreement to identify additional Opportunities to maintain an inventory of Initiatives to meet the milestones.

UMMC will:
- develop a project governance structure to ensure executive and leadership sponsorship and management decision making on timely basis necessary for successful delivery of services;
- include Pathstone in relevant Executive Leadership and Management meetings; and
• provide Pathstone with access to data, locations, internal tools and resources to enable Pathstone to work effectively within the project timeline.

**Term of Contract:** The term of the agreement is two (2) years and six (6) months, from November 1, 2021, through April 30, 2024.

**Termination Options:** Termination options include the following:
- upon agreement of the parties;
- by either party upon thirty (30) days’ written notice;
- by either party in the event the other party refuses or fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions or commits any other substantial breach of the contract if not cured within ten (10) days;
- immediately upon Pathstone’s breach of any of the following ongoing representations and warranties that Pathstone, 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 program;
  - 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 it being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
  - if Pathstone is to receive any patients’ personal health information, Pathstone 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 total estimated cost of the agreement over the two (2) year, six (6) month term is $2,950,000. The Benefit Target of savings is $15,000,000, divided equally into two (2) phases. In each phase, UMMC will pay a base fee that constitutes eighteen percent (18%) of $6,000,000. For Implemented Benefits above $6,000,000, up to a maximum of an additional $1,500,000, UMMC will pay a contingency fee of
eighteen percent (18%). UMMC has also included a maximum of $250,000 for potential travel and expenses during the term.

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

**Contractor Selection Process:** Pathstone was selected based on market analysis of several vendors offering similar services.

**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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

22. **UMMC-APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH QIAGEN LLC**

**Agenda Item:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a new Purchase Agreement with QIAGEN LLC (QIAGEN) to purchase the Quantiferon-TB Gold Plus laboratory reagent and associated consumables. These reagents will be used on instruments provided by DiaSorin, Inc. (DiaSori). The Quantiferon reagent is used to test for latent tuberculosis and infections that are transmitted congenitally, sexually, or through intravenous drug use. UMMC also requests approval to add or remove products covered by the agreement without requiring prior submission for Board approval, so long as it does not increase the approved expenditure level.

**Contractor’s Legal Name:** QIAGEN LLC

**History of Contract:** UMMC is currently contracted with QIAGEN for the purchase of Quantiferon reagents used with the BioPlex2200 system manufactured by BioRad Laboratories, Inc. currently in place at UMMC. The existing agreement with QIAGEN costs less than $250,000 over the term and therefore did not require IHL approval. With the transition to the Diasorin instruments, UMMC anticipates QIAGEN purchases now to exceed $250,000. The proposed agreement will replace the existing agreement with QIAGEN.

In addition to this request, UMMC has submitted for consideration a separate product supply agreement with DoaSorin, Inc (DiaSorin) for the use of two (2) DiaSorin Liaison instruments, service of the instruments, and purchase of reagents and disposables used...
with the instruments. The QIAGEN Quantiferon-TB Gold Plus laboratory reagent and associated consumables will be used with the DiaSorin Liaison Instruments.

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

**Purpose:** The purpose of the agreement is to purchase the Quantiferon-TB Gold Plus laboratory reagent and associated disposables. These reagents will be used on instruments provided by DiaSorin, Inc. (DiaSorin). The Quantiferon reagent is used to test for latent tuberculosis and infections that are transmitted congenitally, sexually, or through intravenous drug use.

**Scope of Work:** Under the agreement, QIAGEN will provide the Quantiferon-TB Gold Plus laboratory reagent and associated disposables.

Under the agreement, UMMC will purchase a minimum of 4,800 Quantiferon-TB Gold Plus laboratory tests per year.

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

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

- by either party if upon a force majeure event that continues for twenty (20) or more days;
- by QIAGEN with respect to any unaccepted or undeliverable portion of a shipment if UMMC fails to accept or pay for shipment or delivery, or in the event a dispute arises concerning QIAGEN’s performance hereunder;
- by either party, upon written notice to the defaulting party, if the defaulting party is in material default as to its performance or obligations or covenants under this Agreement;
- by UMMC upon at least sixty (60) days’ prior written notice to QIAGEN;
- in the event of insufficient funds;
- by either party, upon written notice to the other party, if a party becomes insolvent, makes an assignment for the benefit of its creditors, or has any case or proceeding voluntarily initiated by or commenced against or other action taken by or against it in bankruptcy or seeking reorganization, liquidation, dissolution of winding-up or any other relief under any bankruptcy, insolvency, reorganization or other similar act or law of any jurisdiction now or hereafter in effect, and any such event shall have continued for sixty (60) days undismissed, unbonded and undischarged; and
- QIAGEN may cancel an order if UMMC fails to make payment when due or otherwise defaults hereunder.
Contract Amount: The total estimated cost of the agreement over the five (5) year term is $1,950,000. Beginning in year two (2), UMMC has included a fifteen percent (15%) increase for potential patient volume and price increases. QIAGEN may increase the price of the products by three percent (3%) each year.

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

Contractor Selection Process: The Quantiferon-TB Gold Plus and associated disposables qualify as clinical commodities under Miss Code Ann §31-7-l, which are 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

23. UMMC-APPROVAL TO ENTER INTO A PRODUCT SCHEDULE WITH ROCHE DIAGNOSTICS CORPORATION

Agenda Item: The University of Mississippi Medical Center (UMMC) requests approval to enter into a new Product Schedule with Roche Diagnostics Corporation (Roche) for the purchase of immunohistochemistry (IHC) reagents and ancillary products used in tissue staining, as well as service on four (4) UMMC-owned IHC instruments. The stains are used to stain tissue, allowing the pathologist to view tissue morphology (structure) or to look for the presence or prevalence of a particular type of cell. UMMC also requests approval to add or remove products covered by the Product Schedule without requiring prior submission for Board approval, so 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 instrument service on an annual basis and prepayment of decontamination services on a quarterly basis.

Contractor’s Legal Name: Roche Diagnostics Corporation

History of Contract: On October 20, 2016, the Board approved Schedule 138355 between UMMC and Roche for the purchase of immunohistochemistry (IHC) reagents and ancillary products used in tissue staining. On August 17, 2017, the Board approved an amendment to Schedule 138355 to add five (5) additional reagents for UMMC to purchase under the Schedule. Schedule 138355 will expire on November 9, 2021.
On May 21, 2020, the Board approved Enterprise Agreement 142109 with Roche to establish the general business and legal terms for future Schedules between the parties. The Enterprise Agreement is incorporated into each Schedule, but in the event of a conflict, the terms of the Schedule control. Therefore, each Schedule is treated as a separate, standalone agreement.

UMMC is currently contracted with Roche for the service of the UMMC-owned IHC instruments. The existing agreement with Roche costs less than $250,000 over the term and therefore did not require IHL approval. The proposed agreement will replace the existing service agreement with Roche.

**Specific Type of Contract:** This is a new Product Schedule.

**Purpose:** The purpose of the agreement is to purchase of immunohistochemistry (IHC) reagents and ancillary products used in tissue staining, as well as service on four (4) UMMC-owned IHC instruments. The stains are used to stain tissue, allowing the pathologist to view tissue morphology (structure) or to look for the presence or prevalence of a particular type of cell.

**Scope of Work:** Under the agreement, Roche Diagnostics will provide special staining reagents, ancillaries, and service for UMMC’s Roche Ventana instruments.

**Term of Contract:** The term of the agreement is two (2) years, from November 1, 2021, through October 31, 2023.

**Termination Options:** The termination options contained in the Enterprise Agreement include the following:

- by Roche in the event of a default by UMMC;
- by UMMC in the event of default by Roche  UMMC may terminate the applicable Schedule or the Enterprise Agreement;
- by UMMC in the event a product is continuously unavailable for ninety (90) days due to a force majeure event;
- by UMMC in the event of a reduction in funds if UMMC provides written proof to Roche showing that it lost appropriations, and as a consequence it will no longer be purchasing the products under the applicable Schedule;
- by UMMC, if Roche does not comply with the integration services warranty and Roche does not correct the failure within forty-five (45) days of the warranty notice, UMMC may terminate in the following thirty (30) days;
- by Roche if UMMC does any of the following and does not correct the problem in 30 days:
  - UMMC engages in activities that Roche reasonably deems a risk to the security or integrity of Roche, the services or any personal information, or that are prohibited pursuant to the agreement,
UMMC fails to pay the fees/payments on any applicable schedule, and
UMMC fails to comply with any of the terms and conditions of the agreement; and

- upon written notice to Roche of a material breach of the agreement or violation of the HIPAA Regulations that remains uncured following ten (10) days written notice, or immediately if cure is not possible, in the event Roche improperly uses or discloses protected health information.

The Product Schedule may be terminated by either party upon ninety (90) days written notice, after the first year of the agreement.

The Service portion of the agreement may be terminated by UMMC at any time upon ninety (90) days advance written notice to Roche.

**Contract Amount:** The total estimated cost of the Agreement over the two (2) year term is $2,925,000. UMMC has included a ten percent (10%) increase in year two (2) for potential patient volume and price increases. Roche may increase pricing once annually based on the Consumer Price Index for All Urban Consumers (CPI-U), or four percent (4%), whichever is less.

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

**Contractor Selection Process:** The Roche IHC reagents and ancillary products qualify as clinical commodities under Miss Code Ann §31-7-l, which are 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. 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

24. **UMMC-APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH SIEMENS MEDICAL SOLUTIONS USA, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an Integrated Service Management Agreement with
Siemens Medical Solutions USA, Inc. (Siemens) to provide service and maintenance repair for UMMC-owned medical imaging equipment manufactured by General Electric (GE). This equipment includes: CT scanners, PET/CT, ultrasound machines, nuclear medicine gamma cameras, and X-ray equipment. UMMC also requests approval to amend the Agreement without seeking prior Board approval to add or remove equipment covered by the Agreement, as long as it does not increase the approved expenditure level. Additionally, as long as it does not increase the approved expenditure level, UMMC requests approval to amend the Agreement without seeking prior Board approval to update the pricing of the monthly service fees, as within sixty (60) days of the start date, Siemens will perform a reconciliation assessment of the condition of the equipment to be serviced. Finally, pursuant to IHL policy 707.03 Approval of Prepayment for Goods and Services, UMMC requests a waiver to allow prepayment of service on a monthly basis.

Contractor’s Legal Name: Siemens Medical Solutions USA, Inc.

History of Contract: This is a new contract with Siemens for the coverage of the GE equipment owned by UMMC. On April 21, 2016, the Board approved a five (5) year service agreement with GE Healthcare for service and maintenance on various piece of diagnostic imaging equipment located on main campus. The agreement expired April 30, 2021. UMMC sought competitive price quotes from both Siemens and GE, and Siemens is able to provide the required services at a lower cost.

Specific Type of Contract: This is a new Integrated Service Management Agreement.

Purpose: The purpose of this Agreement is to provide service and maintenance repair for UMMC-owned medical imaging equipment manufactured by GE. This equipment includes: CT scanners, PET/CT, ultrasound machines, nuclear medicine gamma cameras, and x-ray equipment. The Agreement provides for planned maintenance inspections as well as unscheduled repair services for the imaging equipment, ensuring that the equipment is maintained in safe working order according to the manufacturer’s recommendations and maximize the uptime of the equipment.

Scope of Work: Under the Agreement, Siemens will:
- provide service and maintenance for twenty (20) pieces of UMMC owned medical imaging equipment;
- provide preventative maintenance annually in accordance with the manufacturer’s recommendations; and
- provide a Client Service Manager to UMMC.

Term of Contract: The term of the Agreement is five (5) years, from November 1, 2021, through October 31, 2026.

Termination Options: The Agreement may be terminated as follows:
by either party, if the equipment volume or type is significantly changed during the first sixty (60) days after commencement of the agreement, if the parties cannot agree on modifications to the Agreement, including but not limited to pricing.

- by customer for any specific piece of Equipment from this Agreement upon thirty (30) days’ written notice to Siemens;
- by UMMC, without cause, as long as UMMC is not in default under this Agreement
  - during the second (2nd) year of the Agreement term by providing no less than ninety (90) days prior written notice to Siemens and by paying to Siemens a cancellation fee equal to 15% of the amount of the remaining payments UMMC would have made under the Agreement had it continued through expiration;
  - during the third (3rd) year of the Agreement term by providing no less than one hundred eighty (180) days prior written notice to Siemens and by paying to Siemens a cancellation fee equal to 10% of the amount of the remaining payments UMMC would have made under the Agreement had it continued through expiration; or
  - during the fourth (4th) year of the Agreement term by providing no less than one hundred eighty (180) days prior written notice to Siemens and by paying to Siemens a cancellation fee equal to 5% of the amount of the remaining payments UMMC would have made under the Agreement had it continued through expiration;
- by Siemens if UMMC:
  - fails to make any payment due Siemens within fifteen (15) days of receipt of notice from Siemens that the payment was not made within the applicable payment period;
  - does not to perform any other obligation under this Agreement within thirty (30) days of receipt of notice from Siemens;
  - does not grant Siemens reasonable access to the Equipment
  - has the commencement of any insolvency, bankruptcy or similar proceedings by or against it
- by UMMC if Siemens:
  - fails to perform any material obligation under this Agreement for a period of thirty (30) days after written notice from the Customer describing such breach is received by Siemens,
  - has commencement of any insolvency, bankruptcy or similar proceedings by or against it
- by UMMC, on the appropriate date each year, in the event of insufficient funds, if UMMC gives Siemens written notice of the exercise of such option immediately upon Customer’s receipt of notice of such non-appropriation but in no event later than thirty (30) days prior to the Termination Date, (ii) provides Siemens with written evidence of such non-appropriation;
• by UMMC for Cause if Siemens, its officers, directors and employees are excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs; and
• by UMMC upon written notice to Siemens of a material breach of the Agreement or violation of the HIPAA Regulations that remains uncured following ten (10) days written notice, or immediately if cure is not possible, in the event Siemens improperly uses or discloses protected health information.

The Siemens Remote Service (SRS) may be terminated as follows:
• by either party in writing at any time, giving a notice period of 4 weeks; and
• by either party, immediately for breach of the SRS terms if such breach will not be cured for a period of fourteen (14) days from receipt of notice of the breach of the other party.

Contract Amount: The total estimated cost of the Agreement over the five (5) year term is $2,275,000. The initial cost of service on the imaging equipment is $2,124,573.54 to be paid in monthly installments. Within sixty (60) days of the start date of the agreement, Siemens will perform a reconciliation assessment of the condition of the equipment to be serviced, as the condition may have significantly changed from the time of initial proposal, which may impact the level of service required and pricing therefor. UMMC has included an additional ten percent (10%) beginning in year 1 to account for potential price increases due to equipment condition changes. UMMC has also included an additional five percent (5%) increase beginning in year 2 for potential price increases up to CPI, as well as an annual fifteen percent (15%) for variable fees for required service, repair, consumables and accessories not included in the service plan.

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

Contractor Selection Process: Siemens has certified GE personnel to service the medical imaging equipment pursuant to the manufacturer’s standards. UMMC sought competitive price quotes from both Siemens and GE, and Siemens is able to provide the required services at a lower 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. 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 for compliance with
applicable law and finds same to be acceptable. Board staff recommends approval of this item.

25. **UMMC-APPROVAL TO ENTER INTO A RENTAL AGREEMENT WITH STRYKER SALES LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a new Rental Agreement with Stryker Sales, LLC (Stryker) for the lease of endoscopic equipment used to perform minimally invasive procedures using small incisions throughout the body.

**Contractor’s Legal Name:** Stryker Sales LLC

**History of Contract:** This is a new agreement with Stryker for the lease of endoscopic and laparoscopic equipment. Currently UMMC utilizes equipment purchased in 2011 and 2012 that is nearing the end of its useful life. As endoscopic and laparoscopic video and camera technology evolves quickly, UMMC seeks to enter this agreement at this time to upgrade all adult operating rooms to the latest technology.

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

**Purpose:** The purpose of the agreement is to lease endoscopic equipment including camera systems, scopes, light sources, insufflators, and video and laparoscopic equipment used to perform minimally invasive procedures using small incisions throughout the body. General surgical procedures using laparoscopic equipment require visual aids such as cameras, scopes, and lights to allow image to transfer from the surgical site to the camera. The image travels by way of rigid scopes which are attached to the camera.

**Scope of Work:** Under the agreement, Stryker will provide the endoscopic and laparoscopic equipment as well as service of equipment.

**Term of Contract:** The term of the agreement is three (3) years and seven days beginning November 1, 2021, through thirty-six months from the delivery of the equipment which is expected to be on or about November 8, 2021.

**Termination Options:** The agreement may be terminated as follows:
- by UMMC in the first two (2) months of the agreement upon written notice to Stryker;
- by UMMC upon default by Stryker;
- by UMMC upon sixty (60) days’ written notice; and
- by UMMC if Stryker cannot provide the equipment for a period of thirty (30) consecutive days due to an ongoing force majeure event.
**Contract Amount:** The total cost of the agreement over the three (3) year and seven (7) day term is $4,025,000. The flat monthly rate for lease and service of the equipment is $108,372.28. UMMC also has included a three percent (3%) overage as contingency for lost equipment or other incidental expenses under the agreement.

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

**Contractor Selection Process:** The Stryker products qualify as clinical commodities under Miss Code Ann. §31-7-1, which are exempted from procurement requirements under §31-7-13. Service of the leased equipment may only be performed by Stryker.

**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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
26. **USM – APPROVAL TO ESCALATE THE FOLLOWING BUDGETS**

   **a. USM – APPROVAL TO ESCALATE THE ON CAMPUS BUDGET FOR FY 2021 (HATTIESBURG)**

   University of Southern Mississippi  
   FY 2021 - Hattiesburg Budget by Major Object

<table>
<thead>
<tr>
<th>Category</th>
<th>Current Budget</th>
<th>Escalation/Revision</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages, and Fringe Benefits</td>
<td>130,779,051</td>
<td>(10,495,485)</td>
<td>120,283,566</td>
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<tr>
<td>Travel and Subsistence</td>
<td>1,004,604</td>
<td>(910,667)</td>
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<tr>
<td>Contractual Services</td>
<td>40,126,610</td>
<td>905,800</td>
<td>41,032,410</td>
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<tr>
<td>Commodities</td>
<td>3,170,415</td>
<td>877,296</td>
<td>4,047,711</td>
</tr>
<tr>
<td>Capital Outlay - Non Equipment</td>
<td>122,887</td>
<td>(41,946)</td>
<td>80,941</td>
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<tr>
<td>Capital Outlay - Equipment</td>
<td>648,586</td>
<td>(397,833)</td>
<td>250,753</td>
</tr>
<tr>
<td>Mandatory Transfers</td>
<td>487,400</td>
<td>(220,000)</td>
<td>267,400</td>
</tr>
<tr>
<td>Non-Mandatory Transfers</td>
<td>2,637,273</td>
<td>10,913,314</td>
<td>13,550,587</td>
</tr>
</tbody>
</table>

   The University of Southern Mississippi is requesting an escalation of $630,479 in the Hattiesburg Educational and General Fund budget for fiscal year 2021, increasing the total budget from $178,976,826 to $179,607,305. The increased expenses shown above were supported by increased revenues from Student Tuition and Fees. The budget request details are attached.

**STAFF RECOMMENDATION:** Based on Board Policy 701.06, *Budget Escalations and Revisions*, all escalations of annual budgets must be approved by the Board of Trustees. Board staff recommends approval of this item.
b. **USM – APPROVAL TO ESCALATE THE ON CAMPUS BUDGET FOR FY 2021 (GULF PARK)**

University of Southern Mississippi  
FY 2021 - Gulf Park Budget by Major Object

<table>
<thead>
<tr>
<th>Category</th>
<th>Current Budget</th>
<th>Escalation/Revision</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages, and Fringe Benefits</td>
<td>16,426,140</td>
<td>(3,334,514)</td>
<td>13,091,626</td>
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<tr>
<td>Travel and Subsistence</td>
<td>128,797</td>
<td>(118,218)</td>
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<td>Contractual Services</td>
<td>4,229,236</td>
<td>(521,849)</td>
<td>3,707,387</td>
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<tr>
<td>Commodities</td>
<td>563,889</td>
<td>18,033</td>
<td>581,922</td>
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<tr>
<td>Capital Outlay - Non Equipment</td>
<td>65,200</td>
<td>(4,016)</td>
<td>61,184</td>
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<td>Capital Outlay - Equipment</td>
<td>25,842</td>
<td>66,888</td>
<td>92,730</td>
</tr>
<tr>
<td>Mandatory Transfers</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Non-Mandatory Transfers</td>
<td>800,000</td>
<td>6,712,526</td>
<td>7,512,526</td>
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<td></td>
<td>22,239,104</td>
<td>2,818,850</td>
<td>25,057,954</td>
</tr>
</tbody>
</table>

The University of Southern Mississippi is requesting an escalation of $2,818,850 in the Gulf Park Educational and General Fund budget for fiscal year 2021, increasing the total budget from $22,239,104 to $25,057,954. The increased expenses shown above were supported by increased revenues from Student Tuition and Fees. The budget request details are attached.

**STAFF RECOMMENDATION:** Based on Board Policy 701.06, *Budget Escalations and Revisions*, all escalations of annual budgets must be approved by the Board of Trustees. Board staff recommends approval of this item.
c. **USM – APPROVAL TO ESCALATE THE GULF COAST RESEARCH LAB BUDGET FOR FY 2021**

University of Southern Mississippi
FY 2021 - Gulf Coast Research Lab (GCRL) Budget by Major Object

<table>
<thead>
<tr>
<th>Category</th>
<th>Current Budget</th>
<th>Escalation/Revision</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages, and Fringe Benefits</td>
<td>6,131,840</td>
<td>(594,754)</td>
<td>5,537,086</td>
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<tr>
<td>Travel and Subsistence</td>
<td>91,933</td>
<td>(58,467)</td>
<td>33,466</td>
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<tr>
<td>Contractual Services</td>
<td>2,372,103</td>
<td>(426,228)</td>
<td>1,945,875</td>
</tr>
<tr>
<td>Commodities</td>
<td>783,375</td>
<td>(201,714)</td>
<td>581,661</td>
</tr>
<tr>
<td>Capital Outlay - Non Equipment</td>
<td>10,000</td>
<td>(2,865)</td>
<td>7,135</td>
</tr>
<tr>
<td>Capital Outlay - Equipment</td>
<td>88,715</td>
<td>(65,130)</td>
<td>23,585</td>
</tr>
<tr>
<td>Mandatory Transfers</td>
<td>175,000</td>
<td>-</td>
<td>175,000</td>
</tr>
<tr>
<td>Non-Mandatory Transfers</td>
<td>-</td>
<td>1,694,641</td>
<td>1,694,641</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9,652,966</strong></td>
<td><strong>345,483</strong></td>
<td><strong>9,998,449</strong></td>
</tr>
</tbody>
</table>

The University of Southern Mississippi is requesting an escalation of $345,483 in the Gulf Coast Research Lab Educational and General Fund budget for fiscal year 2021, increasing the total budget from 9,652,966 to 9,998,449. The increased expenses shown above were supported by increased revenues from Student Tuition and Fees and Other sources. The budget request details are attached.

**STAFF RECOMMENDATION**: Based on Board Policy 701.06, *Budget Escalations and Revisions*, all escalations of annual budgets must be approved by the Board of Trustees. Board staff recommends approval of this item.

27. **USM – APPROVAL TO ENTER INTO A MASTER SERVICES AGREEMENT WITH TECHNOLUTIONS, INC.**

**Agenda Item Request**: The University of Southern Mississippi requests Board approval of a new contract with Technolutions, Inc. for a Student Recruitment and Customer Relationship Management (CRM) system called Slate. The five-year contract will provide USM with a means to continue to effectively manage its student recruitment process. 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**: Technolutions, Inc.
History of Contract: This is a new contract. An RFP was issued in March 2021 and based on the lowest and best proposal received, the ITS approved and issued a CP1 in the amount of $820,000.00, CP-1 20210268. This new system will replace the University’s current system, Radius.

Specific Type of Contract: This will be a software licensing Master Services Agreement. The initial implementation will include the following services: Professional services, product configuration & implementation, training, migration of existing student data; integration of the new CRM product with the University’s third-party products - Cashnet, Peoplesoft, SSO, EAP; hosting and support of the Slate product, and product licensing for Technolution’s Slate CRM.

Purpose: The purpose of the agreement is to purchase a license for software to be used to manage the student recruitment processes that will replace the current system, Radius. Four recruitment areas will use this system to collect, input, and manage data on prospective undergraduate, graduate, international, and online students. Applicant data will be exported from this system to populate the University’s ERP, Peoplesoft. A web portal will be available for students to submit their application and supporting documentation. This software is a cloud-based solution that is accessible anywhere in the world that has internet service.

Scope of Work: The scope of the work will include providing product licensing, integration, and ongoing support related to the following.

- Comprehensive CRM for the entire student lifecycle
- Outreach and Marketing
- Events and Travel Scheduling
- Communications
- Reporting and Data
- Student Applications and Forms
- Data Management
- Single Sign-On (SSO) Capability

Term of Contract: The term of this contract will be five (5) years, from November 1, 2021, through June 30, 2026. All contracts are based on Technolutions’s fiscal year, therefore year one is prorated to start November 1 instead of July 1.

Termination Options: Termination by either party shall be subject to the notice requirements set forth in the Agreement.

The term of the Agreement shall commence on the Effective Date and will terminate on June 30, 2026, unless (i) as of such date there is a Schedule in force with Contracted Services outstanding, in which case the term of Agreement shall continue until Provider has satisfied all obligations under such Schedule or the Agreement is otherwise terminated by USM in accordance with its terms, (ii) Agreement is extended by the
mutual written agreement of the parties, or (iii) Agreement earlier terminated as otherwise provided by the Agreement.

USM may terminate the Agreement or any Schedule with or without cause, at any time, by providing not less than sixty (60) days written notice to Provider. In the event of termination by USM in accordance with this subsection, USM will pay Provider any compensation due through the date of termination.

If an event of force majeure continues uninterrupted for a period exceeding six (6) calendar months, either party may elect to terminate the Agreement upon notice to the other, but such right of termination, if not exercised, shall expire immediately upon the discontinuance of the event of force majeure.

Within five (5) business days of termination or expiration of the Agreement, Provider will surrender to USM any and all records, drafts, notes, memorandum, documents, and other tangible information, existing in any medium, which relate to the Contracted Services provided hereunder or were supplied by USM to Provider in connection with the Contracted Services provided hereunder including, but not limited to, USM’s Confidential Information, and all copies, reprints, or reproductions thereof made by Provider in its possession or under its control (the “Data”). The Data is and shall remain the exclusive property of USM.

In the event of expiration or termination of the Agreement, to the extent Provider has any continuing obligations under any Schedule, Provider shall, at no charge to Client, reasonably cooperate with Client and its designees to ensure a smooth transition of the Data to Client or its designee. Provider is obligated to provide the data in a format reasonably acceptable to Client.

**Contract Amount:** Total amount of the contract for the five (5) year period will be $700,068.00. These costs consist of recurring annual costs for licensing, hosting, and support under two schedules, Undergraduate and Graduate. The licensing, hosting, and support fees will be paid annually on the anniversary date of the contract (July 1), as well as at the beginning of the contract.

<table>
<thead>
<tr>
<th>Year</th>
<th>Due Date</th>
<th>Undergraduate</th>
<th>Graduate</th>
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<td>4</td>
<td>July 1, 2024</td>
<td>$100,000</td>
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</table>
Funding Source for Contract: The contract will be funded by Education and General funds.

Contractor Selection Process: The vendor was selected via the University’s standard Request for Proposal (RFP) process. The Student Recruitment CRM RFP was published March 12th and opened March 31st after receiving ITS approval for the CP1 in the amount up to $820,000.00, CP-1 20210268, contract IT20210116. The RFP review committee reviewed and scored the five proposals received following the process documented in the RFP.

Based on the committee’s evaluation and scoring of the vendors that met the requirements, the lowest cost was Technolutions. Three of the vendors’ costs were more than 30 percent higher than Technolutions over the five-year period. One vendor did not meet all the requirements based on bid responses and review by the committee members.

The review team met to discuss the results and identify any items that needed clarification. At that point Technolutions was the frontrunner. The review team completed reference calls to various colleges that use the Slate product. The Slate product was highly recommended. Technolutions has extensive experience in Higher Education, working with over 1,400 schools over the past 25 years. This vendor was scored the highest, clearly had the lowest cost, and was highly qualified to meet the University’s requirements.

The vendors were evaluated on the following criteria: meeting the RFP requirements, cost, service level agreement, references, and proposed delivery schedule and project plan.

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 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 detailed 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 §919, Pre-requisites for Building Modification or Demolition

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

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

IHL PROJECTS .................................................................

1. UM – IHL 207-470 – OXFORD-UNIVERSITY STADIUM (SWAYZE FIELD) – ADA RAMP

Project Request: The University of Mississippi requests approval to initiate a project, Oxford-University Stadium (Swayze Field) – ADA Ramp, and to appoint A2H, PLLC as the design professional.

Proposed Project Professional: A2H, PLLC

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.

Purpose: The University of Mississippi is seeking to initiate the project and appoint the design professional as required by Board Policy. This will allow the university to proceed with the design phase of the project.

Project Scope: The Oxford-University Stadium has undergone many changes since its original opening date in 1989. The scope of this project is to provide an ADA compliant route from the designated ADA parking lot to the stadium.

The University of Mississippi is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.
Project Initiation Date: October 21, 2021

Date of Original Construction: 1989

Date of Last Renovation: 2018

Proposed Project Budget:

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Total Project Budget: $1,000,000.00

Proposed Funding Source(s): Internal R&R ($1,000,000)

Staff Recommendation: Board staff recommends approval of this item.

2. UM – IHL 207-472 – VAUGHT-HEMINGWAY STADIUM WEST SIDE ADDITIONS & RENOVATIONS

Project Request: The University of Mississippi requests approval to initiate a project, Vaught-Hemingway Stadium West Side Additions & Renovations.

Proposed Project Professional: TBD through the RFQ Method

Selection Method: The project budget is anticipated to exceed $3M therefore it is required that the university use the RFQ method for the selection of the design professional.

Purpose: The University of Mississippi is seeking to initiate the project as required by Board Policy. This will allow the university to proceed with the RFQ method for the selection of the design professional for the project.

Project Scope: The project will demolish a portion of the existing west side grandstand and press box structure to construct new spaces as site and budget permit. New programmatic needs include: Service Areas (Commissary, Loading Dock, Stadium Storage, and Kitchen), Premium Areas (Field Club/Seating, Ledge Seating,
Loge Boxes, and Clubs/Suites of varying size), and Press Box for north/south functions.

The exact scope of work is not known at this time. The intention of this request is to hire the design professional. The design professional will assist the University in determining the project scope and budget; and finally produce design/construction documents for the scope determined. Initially, funds will be used for design only. The University will submit a subsequent Board agenda item at a later date to increase the budget as required to reflect the established scope of work.

The University of Mississippi is seeking to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** October 21, 2021

**Date of Original Construction:** 1937

**Date of Last Renovation:** 2016 (End Zone)

**Proposed Project Budget:**

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<td>Contingency:</td>
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**Total Project Budget** $ 1,500,000.00

**Proposed Funding Source(s):** UM Athletics / OMAF Foundation ($1,500,000)

*Staff Recommendation: Board staff recommends approval of this item.*
3. **UM – IHL 207-473 – OLE MISS SOFTBALL COMPLEX RENOVATION**

**Project Request:** The University of Mississippi requests approval to initiate a project, Ole Miss Softball Complex Renovation.

**Proposed Project Professional:** TBD through the RFQ Method

**Selection Method:** The project budget is anticipated to exceed $3M therefore it is required that the university use the RFQ method for the selection of the design professional.

**Purpose:** The University of Mississippi is seeking to initiate the project as required by Board Policy. This will allow the university to proceed with the RFQ method for the selection of the design professional for the project.

**Project Scope:** The project will renovate the existing Ole Miss Softball Complex to address site issues and programmatic deficiencies. Site issues include limited parking, drainage problems, and ADA accessibility compliance.

Programmatic needs include additional concessions, additional restrooms, and permanent Radio/TV Production/Broadcast support. The existing seating is also in need of cosmetic and structural upgrades.

The exact scope of work is not known at this time. The intention of this request is to hire the design professional. The design professional will assist the University in determining the project scope and budget; and finally produce design/construction documents for the scope determined. Initially, funds will be used for design only. The University will submit a subsequent Board agenda item at a later date to increase the budget as required to reflect the established scope of work.

The University of Mississippi is seeking to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** October 21, 2021

**Date of Original Construction:** 1998

**Date of Last Renovation:** 2006
Proposed Project Budget:

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<tr>
<td>Contingency:</td>
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</tbody>
</table>

Total Project Budget $1,500,000.00

Proposed Funding Source(s): UM Athletics / OMAF Foundation ($1,500,000)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF OTHER REAL ESTATE REQUESTS

4. **MSU – ALPHA CHI OMEGA HOUSE - APPROVAL OF EXTERIOR DESIGN**

Project Request: Mississippi State University requests approval of the exterior design for the proposed Alpha Chi Omega Sorority house on the campus of MSU.

Design Professional: SCM Architects (Little Rock, Arkansas)

Purpose: Mississippi State University is seeking approval of the exterior rendering for the proposed Alpha Chi Omega house project as required by board policy. This project is entirely funded by the Alpha Chi Omega Sorority and is being built on leased university land, within the sorority park, at MSU.

Project Scope: Alpha Chi Omega will construct a new sorority house on the campus of MSU.

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.

Staff Recommendation: Board staff recommends approval of this item.
Front of Proposed Alpha Chi Omega House:
1. **UMMC – APPROVAL TO AMEND CONTRACT WITH THE WHITFIELD LAW GROUP, PLLC AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests permission to amend its current agreement for legal services with the Whitfield Law Group, PLLC to increase the maximum amount payable from $600,000 to $800,000 because of increased use of the firm for employment law issues. All other terms of the 3-year agreement will remain the same. This request has been reviewed and approved by the Office of the Attorney General.

**STAFF RECOMMENDATION:** Board Staff recommends approval of this item.
APPROVAL OF PERSONNEL ACTION REQUEST

1. **Employment**

   **Alcorn State University**
   Joyce Buckner-Brown; *hired with Tenure*; Associate Provost for Undergraduate Education and Student Success, Department of Business Administration; salary $135,000 per annum, pro rata; E&G Funds; 12-month contract; effective September 1, 2021

   Charles Richardson; *hired with Tenure*; Dean of the School of Business, Department of Business Administration; salary $145,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 15, 2021

2. **Change of Status**

   **University of Southern Mississippi**
   Gordon Cannon; *from* Vice President for Research; salary $253,000 per annum, pro rata; E&G Funds; 12-month contract; *to* Interim Provost and Senior Vice President for Academic Affairs; salary $300,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2022

   Kelly Lucas; *from* Associate Vice President for Research, Coastal Operations; salary $195,000 per annum, pro rata; E&G and Grant Funds; 12-month contract; *to* Interim Vice President for Research; salary $220,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2022

3. **Sabbatical**

   **University of Mississippi**
   FROM: Robert Holt; Professor of Geology and Geological Engineering; *from* salary $104,150 per annum, pro rata; E&G Funds; 9-month contract; *to* salary $52,075 for sabbatical period; E&G Funds; effective August 20, 2020 to December 31, 2020 and August 19, 2021 to December 31, 2021; professional development

   [Originally approved by IHL Board February 20, 2020; amended February 18, 2021]
   CORRECTED: Robert Holt; Professor of Geology and Geological Engineering; *from* salary $104,150 per annum, pro rata; E&G Funds; 9-month contract; *to* salary $52,075 for sabbatical period; E&G Funds; effective August 20, 2020 to December 31, 2020 and January 18, 2022 to May 7, 2022; professional development
1. **MUW – APPROVAL OF REVISIONS TO MISSION STATEMENT**

The current and proposed mission statements for the Mississippi University for Women are below. The proposed revisions are submitted for the Board’s consideration.

**Current Mission Statement**
Mississippi University for Women (MUW), a public institution since 1884, provides high quality undergraduate and graduate education for women and men in a variety of liberal arts and professional programs, while maintaining its historic commitment to academic and leadership development for women. MUW emphasizes a personalized learning environment in all of its educational programs, which are offered through the College of Arts, Sciences, and Education*, College of Business and Professional Studies, and College of Nursing and Health Sciences. MUW delivers selected programs and courses through distance education formats to provide educational opportunities throughout Mississippi and the United States, while addressing the unique educational and public service needs of northeast Mississippi and adjoining counties in northwest Alabama. MUW supports research, scholarship, and creativity to enhance faculty development and student learning and to advance knowledge in the disciplines offered by the university.

**Proposed Mission Statement**
Mississippi University for Women (MUW), a public institution since 1884, provides high quality undergraduate and graduate education for women and men in a variety of liberal arts and professional programs, while maintaining its historic commitment to academic and leadership development for women. MUW emphasizes a personalized learning environment in all of its educational programs, which are offered through the College of Arts, Sciences, and Education*, College of Business and Professional Studies, and College of Nursing and Health Sciences. MUW delivers selected programs and courses through distance education formats to provide educational opportunities throughout Mississippi and the United States, while addressing the unique educational and public service needs of northeast Mississippi and adjoining counties in northwest Alabama. MUW supports research, scholarship, and creativity to enhance faculty development and student learning and to advance knowledge in the disciplines offered by the university.

Emphasizing a personalized learning experience, the University engages in a variety of instructional methodologies to provide educational opportunities in a diverse and inclusive environment. The institution promotes research, scholarship, and creativity to enhance student development and achievement as a platform for lifelong education and growth.

**Staff Recommendation:** Board staff recommends approval of this item.
1. **ASU – APPROVAL OF STAGE III – QUALIFY FOR FULL ACCREDITATION FOR THE DOCTOR OF NURSING PRACTICE (DNP) PROGRAM**

   In accordance with (a) and (b), Miss. Code (1991 Supp. § 37-129-1, et seq.) which “empowers the Board of Trustees of State Institutions of Higher Learning to establish rules and regulations and promulgate uniform standards for accreditation of schools of nursing.”

   Approval is requested for Stage III Application- Qualify for Full Accreditation for the Doctor of Nursing Practice (DNP) program for Alcorn State University.

   On May 16, 2019, the Board of Trustees for the State Institutions of Higher Learning (IHL) approved the status of Initial Accreditation for the Doctor of Nursing Practice (DNP) program at Alcorn State University (ASU).

   ASU has completed the third stage in the process for establishing a new degree program option. A recommendation of approval of Stage III allows the school of nursing to qualify for full accreditation for the DNP program.

   Stage III in the process for establishing a new degree program option includes a site visit during the last semester of the first graduating class in conjunction with the national nursing accrediting body, submission of program outcomes to include degree completion rate, graduate employment information, and application for Stage III Qualify for Full Accreditation. The state survey team consisting of representatives from the Accreditation Review and Evaluation Committee of the Mississippi Council of Deans and Directors of Schools of Nursing (MCDDSN) and the IHL Director of Nursing Education conducted a virtual site visit on September 15-18, 2020, in conjunction with the Accreditation Commission for Education in Nursing (ACEN), to validate the application for full accreditation and all materials pertaining to the DNP program. ASU submitted the final report from ACEN granting Initial Accreditation, with the next evaluation visit in Fall 2025, a completed application for Stage III and supportive evidence to qualify the DNP program for full accreditation.

   **STAFF RECOMMENDATION:** Board staff recommends approval of item 1.

2. **SYSTEM – REQUEST TO ADD NEW INSTITUTES AND CENTERS**

   Board Policy 502: New Academic Programs and Units states: “Requests to establish new degree programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers. In developing such guidelines and procedures, the Commissioner shall consider state, system, and institutional priorities, institutional missions, institutional performance, comparative funding, market demand, and other appropriate criteria.”
In accordance with Board policy and the approved Academic Guidelines for establishing and modifying institutes and centers, Delta State University, Jackson State University, Mississippi State University, University of Mississippi, and University of Southern Mississippi request approval for the creation of the following institutes and centers at their respective institutions.

A. **DSU – Delta Educational Opportunity Center (DEOC)**
   - Scope: Limited Scope and Outreach
   - Type: Type 2 (Student, Faculty, or Community Service)
   - URL: [https://www.deltastate.edu/cced/delta-educational-opportunity-center/](https://www.deltastate.edu/cced/delta-educational-opportunity-center/)

   Purpose: Delta Educational Opportunity Center (DEOC) is a federal TRIO program designed to increase the awareness of postsecondary educational opportunities available to low-income and economically-disadvantaged high school students and adults. This is a participant-focused center of excellence that serves as an invaluable resource for underrepresented and disconnected populations. Participants can take advantage of FREE ACT Registration and Prep, Postsecondary Application Assistance, and FAFSA & MS State Aid Application Assistance.

B. **JSU – Institute for Multimodal Transportation (IMTrans)**
   - Scope: Extensive Scope and Outreach
   - Type: Type 1 (Academic, Teaching, or Research)
   - URL: [https://www.jsums.edu/civilengineering/civil-engineering-facilities/](https://www.jsums.edu/civilengineering/civil-engineering-facilities/)

   Purpose: The IMTrans at JSU is one of the Title III University Transportation Centers, supported by the Research & Innovative Technology Administration of the U.S. Department of Transportation. The major objective of IMTrans is to develop innovative programs in transportation education and research to serve the special needs of the state of Mississippi and our community. IMTrans serves the community through transportation education, research, and technology transfer.

C. **JSU – STEM STARS Institute**
   - Scope: Extensive Scope and Outreach
   - Type: Type 2 (Student, Faculty, or Community Service)
   - URL: [https://www.jsums.edu/teacherquality/stem-stars-institute/](https://www.jsums.edu/teacherquality/stem-stars-institute/)

   Purpose: The Science, Technology, Engineering, and Mathematics Scholars Teacher Academy Resident System (STEM STARS) Institute recruits traditional and non-traditional students with a solid background in Science, Technology, Engineering, and Mathematics.
D. MSU – Center for Governmental and Community Development
Scope: Extensive Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Location: Mississippi State University Extension Service, which is located within the Division of Agriculture, Forestry, and Veterinary Medicine
URL: http://gcd.extension.msstate.edu/

Purpose: The center’s staff design and deliver educational programs, training activities, information, and technical assistance in response to the high priority economic and community development needs of Mississippi communities and their citizens. Participants in GCD programs include local government leaders, community-based organizations, state and local agencies, and business enterprises. The activities of the center help the university build strong partnerships with agencies, institutions, organizations, and foundations that have a shared commitment to strengthening the well-being of Mississippi communities and the work of local government officials.

The GCD mission also includes providing community leaders, organizations, agencies, businesses, and citizens with high quality, science-based information on economic and community development topics. This is accomplished through a variety of communications channels, including newsletters, web sites, trade magazines, and special reports.

E. MSU - Child Development and Family Studies Center
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching or Research)
URL: https://www.humansci.msstate.edu/cdfsc/
Unit Location: The School of Human Science

Purpose: To advance early childhood initiatives through professional development and outreach, and to promote early child-care as an educational undertaking by childhood professionals, parents, and child-care centers.

F. MSU – Congressional and Political Research Center
Scope: Extensive Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Location: University Libraries
URL: https://www.library.msstate.edu/cprc
Purpose: The Congressional and Political Research Center provides access to materials from national, state, and local lawmakers, politicians, activists, and researchers. Collections include correspondence, photographs, oral histories, memorabilia, and more.

G. MSU – Early Childhood Institute
Scope: Extensive Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
URL: http://www.educ.msstate.edu/cni/eci/partners/childhood/
Unit Location: The School of Human Science

Purpose: To advance early childhood initiatives through professional development and outreach, and to promote early child-care as an educational undertaking by childhood professionals, parents, and child-care centers.

H. MSU – Food and Agricultural Collaboratory for Transforming Food Supply (FACTS)
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Unit Location: Division of Agriculture, Forestry, and Veterinary Medicine
URL: https://www.dafvm.msstate.edu/wearefacts

Purpose: The Collaboratory aspires to leverage the synergies from multiple academic disciplines to tackle some of the most pressing food, forestry, and agricultural-based production and distribution challenges to efficiently, reliably, and sustainably deliver safe and affordable end products to the consumers while fostering economic development.

I. MSU – High Performance Computing Collaboratory (HPC²)
Scope: Extensive Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Unit Location: Thad Cochran Research, Technology and Economic Development Park
URL: https://www.hpc.msstate.edu/

Purpose: The High Performance Computing Collaboratory (HPC²), an evolution of the MSU NSF Engineering Research Center (ERC) for Computational Field Simulation, at Mississippi State University is a coalition of member institutes and centers that share a common core objective of advancing the state-of-the-art in computational science and engineering using high performance computing; a common approach to research that embraces a multi-disciplinary, team-oriented concept; and a commitment to a full partnership between education, research, and service. The mission of the HPC² is to serve the University, State, and Nation through excellence in computational science and engineering.
The HPC² is comprised of seven independent centers/institutes with the common characteristics of a multi-disciplinary, team-oriented effort that is strategically involved in the application and advancement of computational science and engineering using high performance computing. The Collaboratory is housed at the facility known as the Malcolm A. Portera High Performance Computing Center.

- Alliance for System Safety of UAS through Research Excellence (ASSURE)
- Center for Cyber Innovation (CCI)
- Center for Computational Sciences (CCS)
- Geosystems Research Institute (GRI)
- Institute for Computational Research in Engineering and Science (ICRES)
  - Center for Advanced Vehicular Systems (CAVS)
  - CAVS Extension (CAVS-E)
  - Institute for Imaging & Analytical Technologies (FAT)
  - Institute for Systems Engineering Research (ISER)
- Institute for Genomics, Biocomputing & Biotechnology (IGBB)
- Northern Gulf Institute (NGI)

J. **MSU – MaxxSouth Digital Media Center**
Scope: Limited Scope and Outreach
Type: Type 2 (Student, Faculty, or Community Service)
Unit Location: University Libraries
URL: [https://www.library.msstate.edu/dmc](https://www.library.msstate.edu/dmc)

Purpose: To empower MSU students, faculty, and staff to develop skills in design, production, creation, and editing. Staff in the center provide a collaborative space for teaching and learning, the latest technology and equipment, and the help needed to use them.

K. **MSU – Southern Regional Aquaculture Center (SRAC)**
Scope: Extensive Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Unit Location: Delta Research and Extension Center, Stoneville, Mississippi
URL: [https://srac.msstate.edu/](https://srac.msstate.edu/)

Purpose: The Southern Regional Aquaculture Center (SRAC) is one of five Regional Aquaculture Centers established by Congress. The designated regions are Tropical/Subtropical, Western, Northeastern, North Central, and Southern. Authorization for establishment of these Centers by USDA was provided in Title XIV of the Agriculture & Food Act of 1980 and the Food Security Act of 1985 (Subtitle L, Section 1475[d]). SRAC is an administrative unit that serves thirteen states and two territories including: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North
Carolina, Oklahoma, Puerto Rico, South Carolina, Tennessee, Texas, U.S. Virgin Islands, and Virginia.

The Southern Regional Aquaculture Center is sponsored by the USDA National Institute of Food and Agriculture (NIFA). Projects that are developed and funded by SRAC are based on industry needs and are designed to directly impact commercial aquaculture development in the Southern Region.

L. MSU – Veteran Business Outreach Center (VBOC)
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Unit Location: College of Business, McCool Hall
URL: https://www.vboc.msstate.edu/

Purpose: The VBOC at MSU serves active duty transitioning service members / spouse as well as Guard, Reserve, Veterans of all eras and military-connected family members in Mississippi, Alabama, and Louisiana.

The mission of the VBOC is to increase awareness of entrepreneurial development services through the Boots to Business Transitioning Assistance Program (TAP) and other training and outreach activities; to facilitate access to entrepreneurial development services in collaboration with other SBA resource partners, including federal, state and local entrepreneurial development entities; and to inspire action that leads to entrepreneurial business development, economic freedom, personal and professional well-being.

The VBOC is funded through a cooperative agreement with the U.S. Small Business Administration.

M. UM – The Center for Insurance Transformation
Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Unit Location: School of Business Administration
Effective date: August 2022
Total number of current faculty/ Total number of new faculty: 2/0
Total number of current staff/ Total number of new staff: 1 new part-time staff member
Six-year cost of implementation: $521,354 (To be funded entirely with funding from the insurance industry)

Purpose: The Center for Insurance Transformation at the University of Mississippi will provide the Risk Management and Insurance program with opportunities to transform the
lives of a diverse group of students at institutions throughout the state by providing more opportunities to enter the insurance industry. In doing so, it will transform communities and the insurance industry. The Risk Management and Insurance program is recognized as a Global Center of Insurance Excellence and has well-developed programs and relationships that can be extended to students at other institutions. The Center will leverage the strengths of the Risk Management and Insurance program and will coordinate three key planned initiatives focused on reaching a larger group of Mississippians. First, the Center will coordinate the planned Insurance Certificate program that will be offered to students at the other public institutions in the state that do not have insurance programs. This effort will increase the number and diversity of students who are qualified to enter the industry. Second, the Center will coordinate planned high school and community college outreach programs that will inform students about the tremendous career opportunities in the insurance industry and provide them with educational options and support. Third, this Center will coordinate planned programs within the University of Mississippi that are aimed at attracting more students to the Risk Management and Insurance major.

N. **UM – The Center for Practical Ethics**

Scope: Limited Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Unit Location: To be determined
Effective date: January 2022
Total number of current faculty/ Total number of new faculty: 0/3
Total number of current staff/ Total number of new staff: 0/3
Six-year cost of implementation: $4,141,141.31 from university funds, private donations, and grants

Purpose: The Center for Practical Ethics focuses on pragmatic solutions to pressing and contentious moral and political issues through intensive research, collaboration and dialogue, and ethical analysis. This focus on practical ethical guidance pervades the public-facing, educational, and productive pillars of the Center. The Center fosters civil dialogue on a range of ethical issues through events and programming open to the campus community and the public through its public-facing pillar. The Center supports integrated and applied ethics education across all areas of inquiry through undergraduate General Education and graduate studies within its educational pillar. The Center serves as a resource for citizens, the campus community, private industry, and government on substantively researched ethical policy questions across areas as diverse as business, education, media, economics, engineering, the environment, health care, law, the military, technology, and computer science. Through each of these pillars, the Center fosters collaboration between engaged citizens, students, industry experts, faculty, and alumni to provide regional, national, and international leadership on practical ethics.
O. USM – Center for Military Veterans, Service Members and Families
   Scope: Limited Scope and Outreach
   Type: Type 2 (Student, Faculty, or Community Service)
   URL: https://www.usm.edu/military-veterans/about-center-military-veterans-service-members-and-families.php

   Purpose: The Center for Military Veterans, Service Members and Families provides guidance and support as military-connected students move through the admission process, graduation, and career placement. Student Veterans learn and grow in an environment dedicated to their unique perspective. This level of attention successfully attracts military veterans, service members, and their families to pursue their academic and professional development interests at The University of Southern Mississippi.

   STAFF RECOMMENDATION: Board staff recommends approval of item 2.

3. SYSTEM – FINAL APPROVAL OF PROPOSED AMENDMENT TO BOARD POLICY 507 – ACCREDITATION

   A proposed amendment to Board Policy §507 – ACCREDITATION was approved for first reading by the Board in August 2021. The proposed amendment includes the level of professional accreditation that is available to Educator Preparation Providers (EPPs). EPPs are units consisting of multiple academic/licensure programs, not simply programs. The proposed amendment is presented for final Board approval.

507 ACCREDITATION

   All institutions under the governance of the Board shall maintain regional accreditation with the Southern Association of College and Schools (SACS), Commission on Colleges. Institutions shall endeavor to acquire accreditation for all programs and units for which professional accreditation is available and shall comply with the procedures as set forth in 508 below.


4. SYSTEM – FINAL APPROVAL OF PROPOSED DELETION OF BOARD POLICY 517 – EDUCATOR PREPARATION PROGRAMS

   The proposed deletion of Board Policy §517 – EDUCATOR PREPARATION PROGRAMS was approved for first reading by the Board in August 2021. The proposed amendment to Board Policy §507 – ACCREDITATION ensures that Educator Preparation Providers shall
acquire accreditation for their academic units. No other academic programs or disciplines are specifically referenced in Board Policy. This eliminates the need for a separate accreditation policy for education programs. Board Policy §517, as written, gives the Mississippi Department of Education the authority to approve the national accreditor for all IHL educator preparation programs. The Council for Higher Education Accreditation has approved more than one accreditor for educator preparation providers, and IHL educator preparation providers want to retain the authority to select the accreditor appropriate for their units. The proposed deletion is presented for final Board approval.

517 EDUCATOR PREPARATION PROGRAMS

All educator preparation programs shall be appropriately accredited by the national accrediting body approved by the Mississippi Department of Education and meet all Mississippi Department of Education standards so program graduates may receive appropriate licensure from the Mississippi Department of Education.

(BT Minutes, 3/2008; 2/2018)

5. SYSTEM – FINAL APPROVAL OF PROPOSED DELETION OF BOARD POLICY

518 – QUALITY ASSURANCE POLICY FOR BEGINNING TEACHERS

The proposed deletion of Board Policy §518 – QUALITY ASSURANCE POLICY FOR BEGINNING TEACHERS was approved for first reading by the Board in August 2021. No other academic programs or disciplines are specifically referenced in Board Policy. The Mississippi Department of Education (MDE) program approval process by the Licensure Commission and the annual review of Educator Preparation Providers by MDE ensures candidates have the coursework, exams, and internships required. The proposed deletion is presented for final Board approval.

518 QUALITY ASSURANCE POLICY FOR BEGINNING TEACHERS

Each institution will assure that its graduates:

- Have completed an accredited educator preparation program, passed the entrance and exit examinations, and successfully completed a supervised student teaching experience in a K-12 setting;
- Have sufficient subject matter knowledge in all areas included on their teaching certificate;
- Can demonstrate success in bringing students from diverse cultural, ethnic, international, and socio-economic groups to high levels of learning;
• Are able to use telecommunication and information technologies as tools for learning; and
• Can maintain an environment conducive to learning.

Within the first two years after graduation, the university will provide additional training to any graduate who is teaching in-field, endorsed at the appropriate grade level, and is judged by both the employing Mississippi school district and the university school district liaison to need such training to be more effective. This training will be provided at no cost to the teacher or to the school district and will employ an individualized plan with specified learning outcomes agreed upon between the school district and the university.

Before remediation is requested by the school district, there must be at least two formal assessments, documentation of professional development provided by the school, a copy of the professional improvement plan, and a written explanation of the principal’s rationale for referring the teacher to the university.

This policy does not apply in situations where the teacher has been given an unreasonable number of assignments, an out-of-field assignment, an excessive number of students, or when other contextual arrangements exist which conflict with the idea of minimal and necessary support for beginning teachers.

(BT Minutes, 4/2001; 3/2008)

6. **SYSTEM – FINAL APPROVAL OF PROPOSED DELETION OF BOARD POLICY 519 – QUALITY ASSURANCE POLICY FOR BEGINNING ADMINISTRATORS**

The proposed deletion of Board Policy §519 – QUALITY ASSURANCE POLICY FOR BEGINNING ADMINISTRATORS was approved for first reading by the Board in August 2021. No other academic programs or disciplines are specifically referenced in Board Policy. The Mississippi Department of Education (MDE) program approval process by the Licensure Commission and the annual review of Educator Preparation Providers by MDE ensures candidates have the coursework, exams, and internships required. The proposed deletion is presented for final Board approval.

**519 QUALITY ASSURANCE POLICY FOR BEGINNING ADMINISTRATORS**

Each institution will assure that its graduates:

• have completed an accredited administrator preparation program, passed the entrance and exit examinations, and successfully completed a supervised student teaching experience in a K-12 setting.
have sufficient subject leadership knowledge in all areas included on their administrator certificate;

• can demonstrate successful leadership in bringing students from diverse cultural, ethnic, international, and socio-economic groups to high levels of learning;

• are able to use telecommunication and information technologies as tools for learning; and

• can maintain an environment conducive to learning.

Within the first two years after graduation, the university will provide additional training to any graduate who is employed as a building principal/assistant principal and is judged by the employing Mississippi school district and the university school district liaison to need such training to be more effective. This training will be provided at no cost to the principal/assistant principal or to the school district and will employ an individualized plan with specified learning leadership outcomes agreed upon between the school district and the university.

Before remediation is requested by the school district, there must be at least two formal assessments, documentation of professional development provided by the school, a copy of the professional improvement plan, and a written explanation of the superintendent’s rationale for referring the principal/assistant principal to the university.

This policy does not apply in situations where the principal/assistant principal has been given an unreasonable number of assignments or when other contextual arrangements exist which conflict with the idea of minimal and necessary support for beginning principal/assistant principals.

(BT Minutes, 3/2001; 3/2008)

STAFF RECOMMENDATION: Board staff recommends approval of items 3-6.
1. **MSU- APPROVAL TO ENTER INTO AN AIR CHARTER AGREEMENT WITH CHARTER LOGISTICS GROUP, LLC (MEN'S BASKETBALL)**

**Agenda Item Request:** MSU requests approval to enter into a contract with Charter Logistics Group, LLC for the purpose of air transportation services for the MSU Men’s Basketball team during the 2021-22 season. MSU requests approval to pay a deposit prior to the flights. Prepayment is very common and most often required in this industry.

**Contractor’s Legal Name:** Charter Logistics Group, LLC

**History of Contract:** MSU has a need for air charter services for the MSU Men’s Basketball team to and from the appropriate locations for games during the 2021-22 season. MSU has used this firm previously and has been satisfied with their services.

**Specific Type of Contract:** Air charter services agreement.

**Purpose:** Provide air transportation for MSU Men’s Basketball.

**Scope of Work:** Charter Logistics Group, LLC will provide jet aircraft transportation to transport the MSU Men’s Basketball team and appropriate staff. The agreement includes 10 round trip flights as shown in the appendix included.

**Term of Contract:** Contract shall commence on the date the contract is signed by both parties and terminate on the date of the last flight as set forth in the agreement.

**Contract Amount:** The total for all charters will be $375,725.00.

**Funding Source for Contract:** Athletic Department self-generated funds.

**Termination Options:** The continuance of the Contract with MSU is based upon the availability of funds. Therefore, this contract can be cancelled by MSU with thirty (30) days’ notice to the Contractor at the end of the fiscal period in the event funds are not appropriated by the funding authority.

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

MSU may terminate the Contract for Contractor’s failure to comply with the Mississippi Employment Protection Act.

The Contract may be terminated by either party upon the occasion of a Force Majeure event.
Charter Logistics Group, LLC may cancel any one or more flights in the event of: Customer failing to make payment when due; Customer fails to comply with the agreement; or, Customer makes any material misrepresentations.

**Contractor Selection Process:** MSU has used this firm previously and is satisfied with their costs and services. Multiple quotes were sought out, and Charter Logistics Group, LLC provided the lowest overall cost for the 2021-22 season.

**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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

2. **MSU- APPROVAL TO ENTER INTO AN AIR CHARTER AGREEMENT WITH CHARTER LOGISTICS GROUP, LLC (WOMEN’S BASKETBALL)**

**Agenda Item Request:** MSU requests approval to enter into a contract with Charter Logistics Group, LLC for the purpose of air transportation services for the MSU Women’s Basketball team during the 2021-22 season. MSU requests approval to pay a deposit prior to the flights. Prepayment is very common and most often required in this industry.

**Contractor’s Legal Name:** Charter Logistics Group, LLC

**History of Contract:** MSU has a need for air charter services for the MSU Women’s Basketball team to and from the appropriate locations for games during the 2021-22 season. MSU has used this firm previously and has been satisfied with their services.

**Specific Type of Contract:** Air charter services agreement.

**Purpose:** Provide air transportation for MSU Women’s Basketball.

**Scope of Work:** Charter Logistics Group, LLC will provide jet aircraft transportation to transport the MSU Women’s Basketball team and appropriate staff. The agreement includes 10 round trip flights as shown in the appendix included.

**Term of Contract:** Contract shall commence on the date the contract is signed by both parties and terminate on the date of the last flight as set forth in the agreement.

**Contract Amount:** The total for all charters will be $266,200.00

**Funding Source for Contract:** Athletic Department self-generated funds.
**Termination Options:** The continuance of the Contract with MSU is based upon the availability of funds. Therefore, this contract can be cancelled by MSU with thirty (30) days’ notice to the Contractor at the end of the fiscal period in the event funds are not appropriated by the funding authority.

In the event either party materially breaches the contract, the non-breaching party may terminate the contract upon thirty (30) days written notice to the breaching party. MSU may terminate the Contract for Contractor’s failure to comply with the Mississippi Employment Protection Act.

The Contract may be terminated by either party upon the occasion of a Force Majeure event.

Charter Logistics Group, LLC may cancel any one or more flights in the event of: Customer failing to make payment when due; Customer fails to comply with the agreement; or, Customer makes any material misrepresentations.

**Contractor Selection Process:** MSU has used this firm previously and is satisfied with their costs and services. Multiple quotes were sought out, and Charter Logistics Group, LLC provided the lowest overall cost for the 2021-22 season.

**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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

3. **UMMC- APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH MEDI-PHYSICS, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Purchase Agreement with Medi-Physics, Inc., d/b/a GE Healthcare (GE) to purchase the DaTscan radiopharmaceutical for the evaluation of Parkinson’s disease in adult 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:** Medi-Physics, Inc.

**History of Contract:** This is a new Purchase Agreement with GE for DaTscan radiopharmaceuticals. UMMC currently purchases DaTscan on an as-
needed basis without requirement of a contract. In order to receive the quarterly rebate, GE requires a contract.

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

**Purpose:** The purpose of the Agreement is to purchase the DaTscan radiopharmaceutical for the evaluation of Parkinson’s disease in adult patients and receive a rebate for purchases.

**Scope of Work:** Under the agreement, GE will
- provide DaTscan radiopharmaceuticals to UMMC as needed; and
- provide a rebate based on calendar quarter purchases.

**Term of Contract:** The term of the agreement is thirty-six (36) months, from November 1, 2021, through October 31, 2024.

**Termination Options:** Termination options include the following:
- by either party upon ninety (90) days’ written notice to the other party;
- by either party, immediately upon written notice, if the other party becomes bankrupt or goes into liquidation.

**Contract Amount:** The total estimated cost of the Agreement over the thirty-six (36) month term is $550,000. Beginning in year two (2), UMMC has included a five percent (5%) increase for potential price increases and a ten percent (10%) increase to allow for potential volume increases. Based upon the number of purchases in a calendar quarter, GE will apply a percentage discount off of the list price and refund the difference to UMMC as a rebate payment.

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

**Vendor Selection Process:** GE 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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
4. **UMMC-APPROVAL TO ENTER INTO A MASTER AGREEMENT WITH MERGE HEALTHCARE SOLUTIONS, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Master Agreement with Merge Healthcare Solutions Inc, an IBM Company (Merge) for the purchase of Merge Cardio Core Picture Archiving and Communications System (PACS). This agreement is for the software license, implementation, and software support and maintenance of the PACS system. The PACS system is an electronic medical image management system used to store, maintain, and manage all cardiac images for interpretation and archiving. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods or Services, UMMC also requests a waiver to allow prepayment for seventy-five percent (75%) of the initial first year cost of the system.

**Contractor’s Legal Name:** Merge Healthcare Solutions Inc.

**History of Contract:** This is a new purchase agreement. UMMC previously contracted with Lumedx Corporation (Lumedx) for a cardiovascular IT data management system. In August of 2014, the Board approved an agreement with Lumedx for a term of five (5) years, from September 1, 2014 to August 31, 2019. While UMMC conducted a Request for Proposal (RFP) for a new system, on September 1, 2019, UMMC entered into a two (2) year agreement with Lumedx for software licensing, support, and maintenance of UMMC’s existing Cardio PACS system. The cost of the agreement was less than $250,000 and did not require approval.

In December 2019, UMMC issued Request for Proposal (RFP) No. 1267. Merge was selected as the best option based on the specifications of the system.

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

**Purpose:** The purpose of the Master Agreement is to purchase the Cardio Core PACS System applications, licenses, and associated software and services for the management, storage, archiving, and access of all cardiovascular imaging for UMMC.

**Scope of Work:** Under the agreement, Merge will:
- Provide UMMC with a non-exclusive, non-sublicensable, non-transferable software license;
- Provide software support and maintenance; and
- Provide support and professional services for the implementation of the system.

**Term of Contract:** The term of the agreement is three (3) years, from November 1, 2021, to October 31, 2024.
Termination Options: The agreement may be terminated as follows:
- By either party (i) without cause on at least one month’s notice to the other party after expiration or termination of its obligations under the Agreement; or (ii) immediately for cause if the other party is in material breach of the Agreement, provided the party who is not complying is given notice and reasonably time to comply, which period shall be no less than ten (10) days;
- By Merge if UMMC fails to pay;
- By UMMC for the non-availability of funds;
- By UMMC without cause provided ninety (90) days’ prior written notice to Merge; and
- By either party for force majeure event; and
- By UMMC in the event Merge breaches the BAA.

Contract Amount: The total cost of the agreement is $2,000,000.00. The first year cost of the agreement is $1,449,354.16 with ongoing annual maintenance fees of $359,227.29. UMMC has included an additional ten percent (10%) of the contract cost for variable fees such as additional travel and implementation overages.

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

Contractor Selection Process: In December 2019, upon approval by ITS, UMMC conducted Request for Proposal (RFP) No. 1267 for a new Radiology PACS, Cardiology PACS, and Vendor Neutral Archive (VNA). UMMC cancelled the Radiology PACS and VNA portion of the RFP. Eight (8) bidders submitted proposals to the Cardiology PACS component of the RFP, including Change Healthcare, IBM/Merge, Sectra, Philips Healthcare, Siemens Medical, Fuji, AGFA and Canon Vital. Sectra’s proposal was rejected as non-responsive for failing to respond to mandatory specifications regarding data migration of current images. Both Fuji and AGFA were eliminated based on cost. The following reflects the scoring for the remaining responsive proposals. The overall score indicated below is based upon criteria including cost as well as other factors.

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Cost</th>
<th>Overall Score Out of 100</th>
</tr>
</thead>
<tbody>
<tr>
<td>IBM/Merge</td>
<td>$1,345,887.46</td>
<td>83.19</td>
</tr>
<tr>
<td>Change Healthcare</td>
<td>$1,212,576.00</td>
<td>82.56</td>
</tr>
<tr>
<td>Philips Healthcare</td>
<td>$1,173,490.00</td>
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</tr>
<tr>
<td>Canon Vital</td>
<td>$2,290,550.00</td>
<td>55.26</td>
</tr>
<tr>
<td>Siemens Medical</td>
<td>$2,226,600.00</td>
<td>43.50</td>
</tr>
</tbody>
</table>

While Merge was not the lowest proposal, it offered the best functionality and overall usability of the system as confirmed through demonstration of the systems. The Merge
system had functionality that allows for immediate transfer of image measurements to the system interface as soon as each measurement is completed, which provides real-time updated data from each measurement during the echocardiogram reading session.

The cost of the overall agreement is higher than the RFP cost above as UMMC added additional licenses that enhanced 3D imaging features.

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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.

5. USM – APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES AGREEMENT WITH ARAMARK EDUCATIONAL SERVICES, LLC FOR FOOD SERVICE MANAGEMENT

Agenda Item Request: The University of Southern Mississippi (USM) requests approval to amend and extend its existing contract with Aramark Educational Services, LLC, for the management of athletic concessions.

Contractor’s Legal Name: Aramark Educational Services, LLC

History of Contract: USM and Aramark entered an IHL Board approved contract in February 2008 to manage concessions for USM Athletics. That contract was amended in August 2014 with an eight-year extension. The current agreement is set to expire on June 30, 2022.

Specific Type of Contract: Athletic Concessions Outsourcing Agreement

Purpose: The purpose of this contract amendment is to adjust the commission structure to reflect the beer and light wine sales and to adjust commission on all other concession items to enable Aramark to make capital investment in the existing infrastructure and equipment.

Scope of Work: Under the amended agreement, Aramark will continue as USM’s concessionaire for an additional eight years beyond the current term set to expire June 30, 2022. Financial highlights of the extension are as follows:
Aramark will provide three hundred fifty thousand dollars ($350,000) in capital investment funds to be used toward improvements in existing concession facilities and equipment.

- The current annual Sales Commission percentages will be adjusted to 30% of net sales for Beer and Light Wine and 20% of net sales for all other concession items.

**Term of Contract:** The contract extension is for eight (8) years, beginning July 1, 2022, and ending June 30, 2030. The effective date of this amendment will be upon board approval, October 2021.

**Termination Options:** Either party may terminate the agreement with or without cause upon 90 days written notice. The first 30 days are allotted for discussion of the reasons for termination and the remaining 60 days are the remaining termination period. If USM desires to terminate the concessions agreement prior to the end of the contract period, USM will be required to reimburse Aramark for the unamortized balance of its capital investment.

**Contract Amount:** This is a revenue producing contract to USM. It is estimated that the University will receive approximately $1.9 million in revenue benefits over the term of the contract.

The revenue over the life of the contract will be realized as follows:

1. Projected Sales Commission Total - $1,554,746
2. Concessions Capital Investments - $350,000

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Projected Commission</th>
<th>Capital Investment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>$141,000</td>
<td>$350,000.00</td>
</tr>
<tr>
<td>2023</td>
<td>$148,050</td>
<td></td>
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<tr>
<td>2024</td>
<td>$155,453</td>
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<td>2029</td>
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<td></td>
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<tr>
<td>2030</td>
<td>$208,321</td>
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<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>$1,554,746</strong></td>
<td><strong>$350,000.00</strong></td>
</tr>
</tbody>
</table>

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

**Contractor Selection Process:** In 2008, Aramark was the contracted food service provider for the university campus and already involved in concessions, therefore no request for proposal was issued. An agreement was reached based on experience and negotiated financial offerings and subsequently amended in 2014.
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 for compliance with applicable law and finds same to be acceptable. Board staff recommends approval of this item.
1. **DSU – APPROVAL TO SETTLE IHL SELF-INSURED WORKERS’ COMPENSATION CLAIM**

   The IHL Self-Insured Workers’ Compensation Program is seeking Board approval for settlement of Claim No. 55-42278-1 for Delta State University.

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

   The University of Mississippi Medical Center is seeking Board approval for settlement of tort claim number 3453.
1. **JSU – INTENT TO OFFER EXISTING DEGREE PROGRAMS BY DISTANCE LEARNING**

Board Policy 509 states: “All distance learning courses and programs shall be in accord with Southern Association of Colleges and Schools, Commission on Colleges (SACSCOC) Principles of Accreditation and Council of Regional Accrediting Commissions Interregional Guidelines for the Evaluation of Distance Education.

*Unless otherwise provided, all Board and university policies, standards, and guidelines for on and off campus instruction apply to distance learning.*”

In accordance with Board policy, Jackson State University’s intent to offer already approved degree programs by distance learning is presented to the Board for information.

A. **Master of Arts (MA) in Political Science**
   - Total credit hours: 36
   - CIP Code, Sequence: 45.1001, 4061
   - Cost to offer by distance learning: $0
   - Effective date: August 2022

B. **Master of Public Accountancy (MPA) in Accounting**
   - Total credit hours: 30
   - CIP Code, Sequence: 52.0301, 4029
   - Cost to offer by distance learning: $0
   - Effective date: August 2022

2. **MSU – INTENT TO OFFER CERTIFICATE PROGRAMS**

A. Program title: **General Biology Certificate**
   - Responsible academic unit: Department of Biological Sciences, College of Arts and Sciences
   - Level: Post-baccalaureate
   - Type certificate: vocational, credit-bearing program
   - Total credit hours: 18
   - CIP code: 26.0101
   - Effective date: January 2022

   **Rationale:** This graduate certificate is targeted at high school science teachers who wish to complete subject area graduate credit hours within the field of Biology. The graduate certificate may also be beneficial to community college faculty that need additional graduate credit hours in the field of Biology for instructional purposes. This is part of the MS in General Biology degree program and can serve as a stand-alone graduate certificate but may not fulfill credentialing needs for higher education teaching without additional qualifications.
B. Program title: Gerontology Certificate
   Responsible academic unit: School of Human Sciences, College of Agriculture and Life Sciences
   Level: Post-baccalaureate
   Total credit hours: 12 (minimum)
   CIP code: 30.1101
   Effective date: January 2022
   Rationale: This graduate certificate is a multidisciplinary approach to provide students with current factual and theoretical data relating to aging. The program is available both to degree and non-degree graduate students. A certificate is awarded upon the completion of 9 hours of specified coursework, 6 hours of approved electives, and 3 hours of research or directed individual study. For those students earning the certification in conjunction with an advanced degree in such disciplines as sociology, psychology, counseling, etc., the program would also constitute a gerontology concentration within the respective discipline.

C. Program title: Precision Agriculture Certificate
   Responsible academic unit: Plant and Soil Sciences, Agricultural and Biological Engineering
   Level: Post-Baccalaureate and Post-Master’s
   Type certificate: vocational, credit-bearing program
   Total credit hours: 16
   CIP code: 01.1101
   Effective date: January 2022
   Rationale: There is a need to train students in the broad array of precision agriculture technologies. This certificate program complements the MSU Plant and Soil Sciences/Agricultural and Biological Engineering crop production and Agricultural Engineering majors, research, and other majors taught across the College of Agriculture and Life Sciences departments. This certificate program is appropriate for both undergraduate and graduate students. This certificate features emerging technologies in decision-based agricultural planning and implementation. A minimum of 16 hours are required with at least 10-12 credit hours specific to Precision Agriculture coursework and six additional electives or optional courses.

D. Program title: Trauma-Informed Child Advocacy Certificate
   Responsible academic unit: School of Human Sciences, College of Agriculture and Life Sciences
   Level: Post-baccalaureate
   Total credit hours: 12 (minimum)
   CIP code: 19.0708
   Effective date: January 2022
   Rationale: Professionals working with children and families need training in trauma-informed practices. This certificate program complements the MSU Human Development Family Studies (HDFS) degree and other majors taught across departments and colleges by providing state of the science techniques used to assist and advocate for
children and families who have experienced trauma. The certificate requires a minimum of 12 hours of coursework (4 courses) focused on trauma and risk, child advocacy, human behavior, and behavioral strategies, and/or family functioning.

### 3. SYSTEM – ANNUAL REPORT ON INSTITUTIONAL ACCREDITATION

In accordance with Board Policy 508 (2): Accreditation Procedures “The Commissioner of Higher Education shall report to the Board at least annually, through its Academic Affairs Committee, on each accreditation visit or change in accreditation status of each university,” the table below summarizes system accreditation activity beginning July 1, 2020, and ending June 30, 2021.

<table>
<thead>
<tr>
<th>Institution/Area</th>
<th>Accreditation Agency</th>
<th>Date of Visit or Notification of Status Change</th>
<th>Reason for Visit or Status Change</th>
<th>Institutional Action</th>
<th>Accreditation Agency Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcorn State University</td>
<td>Association of Technology, Management, and Applied Engineering (ATMAE)</td>
<td>(April 2016)</td>
<td>Continuing Accreditation</td>
<td>Submitted report on standards that received partial compliance</td>
<td>Approved. Accredited until November 2022</td>
</tr>
<tr>
<td>School of Arts and Sciences Department of Fine Arts, Music Degree Program</td>
<td>National Association of Schools of Music (NASM)</td>
<td>(July 6, 2016)</td>
<td>Accreditation for Renewal of Membership (accreditation)</td>
<td>No Action</td>
<td>Application accepted and renewal granted. Next full review AY 2023-2024</td>
</tr>
<tr>
<td>School of Arts and Sciences Department of Social Work, BSW</td>
<td>Council on Social Work Education (CSWE)</td>
<td>(November 21, 2016)</td>
<td>Continuing Accreditation</td>
<td>No Action</td>
<td>Accreditation Reaffirmed for 8 years thru June 2024</td>
</tr>
<tr>
<td>School of Education and Psychology</td>
<td>Mississippi Department of Education (MDE)</td>
<td>June 2021</td>
<td>Continuing State Department of Education Annual Process and Performance Review</td>
<td>No Action</td>
<td>No additional reporting required before next Annual Review</td>
</tr>
<tr>
<td>School of Education and Psychology</td>
<td>Council for the Accreditation of Educator Preparation (CAEP)</td>
<td>(November 2018)</td>
<td>Continuing Accreditation</td>
<td>Rejoinder</td>
<td>Approved Accreditation thru 2022</td>
</tr>
<tr>
<td>School of Nursing Doctor of Nursing Practice (DNP) Program</td>
<td>Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)</td>
<td>September 2020</td>
<td>Continuing Accreditation</td>
<td>No Action</td>
<td>Report Accepted</td>
</tr>
<tr>
<td>School of Nursing Doctor of Nursing Practice (DNP) Program</td>
<td>Accreditation Commission for Education in Nursing (ACEN)</td>
<td>May 2021</td>
<td>Initial Accreditation</td>
<td>Report Submitted</td>
<td>Report Accepted; next visit Fall 2025</td>
</tr>
<tr>
<td>Institution/Area</td>
<td>Accreditation Agency</td>
<td>Date of Visit or Notification of Status Change</td>
<td>Reason for Visit or Status Change</td>
<td>Institutional Action</td>
<td>Accreditation Agency Action</td>
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</tr>
<tr>
<td>School of Nursing ASN Program</td>
<td>Accreditation Commission for Education in Nursing (ACEN)</td>
<td>April 2021</td>
<td>Continuing Accreditation</td>
<td>No Action</td>
<td>No Action; Accredited until Spring 2023 (next review)</td>
</tr>
<tr>
<td>School of Nursing BSN Program</td>
<td>Accreditation Commission for Education in Nursing (ACEN)</td>
<td>April 2021</td>
<td>Continuing Accreditation</td>
<td>No Action</td>
<td>No Action; Accredited until Fall 2023 (next review)</td>
</tr>
<tr>
<td>School of Nursing MSN Program</td>
<td>Accreditation Commission for Education in Nursing (ACEN)</td>
<td>April 2021</td>
<td>Continuing Accreditation with Conditions</td>
<td>Substantive Change</td>
<td>Report Accepted; Follow-up Report due October 15, 2022</td>
</tr>
<tr>
<td>Institutional</td>
<td>Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)</td>
<td>March 2021</td>
<td>Decennial Review</td>
<td>No Action</td>
<td>Status to be voted on by the SACSCOC Board of Trustees December 2021</td>
</tr>
</tbody>
</table>

**Delta State University**

<table>
<thead>
<tr>
<th>Institution/Area</th>
<th>Accreditation Agency</th>
<th>Date of Visit or Notification of Status Change</th>
<th>Reason for Visit or Status Change</th>
<th>Institutional Action</th>
<th>Accreditation Agency Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>College of Business and Aviation Department of Commercial Aviation Bachelor of Commercial Aviation–Aviation Management and Flight Operations</td>
<td>Aviation Accreditation Board International (ABBI)</td>
<td>February 2021</td>
<td>Continuing Accreditation</td>
<td>Periodic Report</td>
<td>Continuing Accreditation for 5 years (2025) (Reaffirmation Application February 2023)</td>
</tr>
<tr>
<td>Robert E. Smith School of Nursing BSN, MSN, DNP degree programs, and Post-Graduate APRN Certificate program</td>
<td>Commission on Collegiate Nursing Education (CCNE)</td>
<td>October 2020</td>
<td>Continuing Accreditation</td>
<td>(Self-Study with Appendices submitted January 2020)</td>
<td>Final Report – Approved Continued Accreditation for 10 years (12/31/2030)</td>
</tr>
<tr>
<td></td>
<td>MS Institutions of Higher Learning (IHL)</td>
<td>January 2021</td>
<td>Continuing Accreditation</td>
<td>(Self-Study with Appendices submitted January 2020)</td>
<td>Report accepted for continued accreditation as approved by CCNE</td>
</tr>
<tr>
<td>Change Status for Chair of Nursing (CON)</td>
<td>MS Institutions of Higher Learning (IHL)</td>
<td>September 2020</td>
<td>IHL notification</td>
<td>Substantive Change Notification</td>
<td>Report Accepted</td>
</tr>
<tr>
<td>Closure of Nurse Administrator role concentration in the MSN degree and Post-Master’s Certificate Programs</td>
<td>MS Institutions of Higher Learning (IHL)</td>
<td>September 2020</td>
<td>IHL notification</td>
<td>Substantive Change Notification</td>
<td>Report Accepted</td>
</tr>
<tr>
<td>Commission on Collegiate Nursing Education (CCNE)</td>
<td></td>
<td>October 2020</td>
<td>Annual Progress Report to AACN/CCNE</td>
<td>Report Accepted (additional reporting required by April 2022)</td>
<td></td>
</tr>
<tr>
<td>Institution/Area</td>
<td>Accreditation Agency</td>
<td>Date of Visit or Notification of Status Change</td>
<td>Reason for Visit or Status Change</td>
<td>Institutional Action</td>
<td>Accreditation Agency Action</td>
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</tr>
<tr>
<td>Closure of Nurse Administrator role concentration in the MSN Degree and Post-Master’s Certificate programs and admission criteria changes for MSN and DNP Degree programs, and Post-Master’s Certificate Programs</td>
<td>Commission on Collegiate Nursing Education (CCNE)</td>
<td>January 2021</td>
<td>CCNE Notification</td>
<td>Substantive Change Notification</td>
<td>Report Accepted</td>
</tr>
<tr>
<td>BSN, MSN, and DNP programs</td>
<td>MS Institutions of Higher Learning (IHL)</td>
<td>May 2021</td>
<td>Continuing Accreditation</td>
<td>Annual Progress Report submitted October 2020</td>
<td>Continuing Accreditation</td>
</tr>
<tr>
<td>College of Education and Human Sciences MEd in Clinical Mental Health and School Counseling</td>
<td>Council for the Accreditation of Counseling and Related Educational Programs (CACREP)</td>
<td>August 13, 2020</td>
<td>Reaccreditation</td>
<td>Rejoinder work completed</td>
<td>Programs received Full Accreditation for 8 years</td>
</tr>
<tr>
<td>College of Education and Human Sciences Hamilton-White Child Development Center</td>
<td>National Association for the Education of Young Children (NAEYC)</td>
<td>January 2021</td>
<td>Continuing Accreditation</td>
<td>Reaccreditation Visit (Annual report submitted January 2020)</td>
<td>Continued Accreditation until February 1, 2026</td>
</tr>
<tr>
<td>College of Arts and Sciences Department of Music</td>
<td>National Association of Schools of Music (NASM)</td>
<td>(Spring 2013)</td>
<td>Continuing Accreditation</td>
<td>No Action</td>
<td>Approved through 2024 with an approved one-year extension of the next review.</td>
</tr>
<tr>
<td>College of Arts and Sciences Social Work BSW Degree</td>
<td>Council on Social Work Education (CSWE)</td>
<td>(Spring 2022)</td>
<td>Reaffirmation of Accreditation</td>
<td>Self-Study Document Due December 1, 2021</td>
<td>(Results anticipated October 2022)</td>
</tr>
<tr>
<td>Institution/Area</td>
<td>Accreditation Agency</td>
<td>Date of Visit or Notification of Status Change</td>
<td>Reason for Visit or Status Change</td>
<td>Institutional Action</td>
<td>Accreditation Agency Action</td>
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</tr>
</tbody>
</table>
| College of Arts and Sciences Department of Art Digital Media Arts BFA degree-Animation concentration BFA Studio Arts degree-Printmaking concentration | National Association of Schools of Art and Design (NASAD) | 2021-2022 (March 1, 2022) | Continuing Accreditation | Self-Study will be done and sent to NASAD by February 1, 2022  
| | | | | (Final Plan approval for Digital Media Arts degree; and Applications for Plan approval for Animation concentration and Printmaking concentration submitted 2/1/19) | Approved Animation Concentration Plan for the Digital Media Arts BFA degree to offer Animation as a concentration to enroll students. (Further documentation for graduates is needed by Fall 2022.) |
| | | | | | Approved Printmaking Concentration Plan to offer Printmaking as a concentration under the BFA Studio Arts degree to enroll students. (Further documentation for graduates is needed by Fall 2022.) |
| College of Arts and Sciences STEM Division, Geospatial Center Bachelor of Applied Science in Geospatial Analysis and Intelligence | United States Geospatial Intelligence Foundation (USGIF) | (July 2019) | Initial Accreditation | Annual Reporting with annual membership fee ($2,500/year) | Approved Accreditation through 2023 with annual reporting and membership fee |
| College of Arts and Sciences STEM Division, Geospatial Center Certificate in Geospatial Analysis and Intelligence | United States Geospatial Intelligence Foundation (USGIF) | (July 2019) | Initial Accreditation | Annual Reporting with annual membership fee ($2,500/year) | Approved Accreditation through 2023 with annual reporting and membership fee |
| Institutional | Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) | April 1, 2021 | Continuing Accreditation | Submission of Fifth-Year Referral Report | Pending |

Jackson State University
<table>
<thead>
<tr>
<th>Institution/Area</th>
<th>Accreditation Agency</th>
<th>Date of Visit or Notification of Status Change</th>
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<th>Institutional Action</th>
<th>Accreditation Agency Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institutional</td>
<td>Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)</td>
<td>September 8, 2020</td>
<td>Accreditation Reaffirmation</td>
<td>Submit Compliance Certification</td>
<td>Official vote to be announced December 7, 2021</td>
</tr>
<tr>
<td></td>
<td></td>
<td>November 3-6, 2020</td>
<td></td>
<td>Off-Site Review</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>February 9, 2021</td>
<td></td>
<td>Focused Report &amp; QEP</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>March 23-25, 2021</td>
<td></td>
<td>On-Site Review</td>
<td></td>
</tr>
<tr>
<td>College of Business</td>
<td>Association to Advance Collegiate Schools of Business (AACSB)</td>
<td>February 28- March 2, 2021</td>
<td>Continuing Accreditation</td>
<td>Periodic Report</td>
<td>Approved Accreditation thru 2025-2026</td>
</tr>
<tr>
<td>College of Education and Human Development Teacher Education Program</td>
<td>Mississippi Department of Education (MDE)</td>
<td>June 2021</td>
<td>Continuing State Department of Education Annual Process and Performance Review</td>
<td>Recommended for Board approval</td>
<td>No additional reporting required before next affirmation</td>
</tr>
<tr>
<td>College of Liberal Arts Master of Public Policy and Administration</td>
<td>Network of Schools of Public Policy and Administration (NSPPA)</td>
<td>October 2020</td>
<td>Continuing Accreditation</td>
<td>Periodic Report</td>
<td>Results Pending</td>
</tr>
<tr>
<td>College of Liberal Arts Clinical Psychology, PhD</td>
<td>American Psychological Association (APA)</td>
<td>April 2021</td>
<td>Continuing Accreditation</td>
<td>Self-study Report submitted October 2020</td>
<td>Notice of Site Visit delay to fall 2022 due to Covid</td>
</tr>
</tbody>
</table>

**Mississippi State University**

<table>
<thead>
<tr>
<th>Institution/Area</th>
<th>Accreditation Agency</th>
<th>Date of Visit or Notification of Status Change</th>
<th>Reason for Visit or Status Change</th>
<th>Institutional Action</th>
<th>Accreditation Agency Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>College of Business</td>
<td>AACSB International (AACSB)</td>
<td>(February 2017)</td>
<td>Continuing Accreditation</td>
<td>Five-year Accreditation</td>
<td>Continuing Accreditation for 5 years (2022)</td>
</tr>
<tr>
<td>School of Accountancy</td>
<td>AACSB International (AACSB)</td>
<td>(February 2017)</td>
<td>Continuing Accreditation</td>
<td>Five-year Accreditation</td>
<td>Continuing Accreditation for 5 years (2022)</td>
</tr>
<tr>
<td>College of Architecture, Art, and Design Interior Design Program</td>
<td>Council for Interior Design Accreditation (CIDA)</td>
<td>(November 2-5, 2019)</td>
<td>Continuing Accreditation</td>
<td>Program Analysis Report (PAR)</td>
<td>Approved for 6 years (Spring 2026)</td>
</tr>
<tr>
<td>College of Arts and Sciences Department of Communication Concentration in Public Relations</td>
<td>Public Relations Society of America (PRSA)</td>
<td>April 12-13, 2021</td>
<td>Initial Accreditation</td>
<td>Applied for certification and scheduled site visit with agency</td>
<td>Site visit conducted April 12-13, 2021. Report received May 26, 2021. Certification pending board approval in August 2021.</td>
</tr>
<tr>
<td>College of Arts and Sciences Department of Political Science and public Administration MPPA Program</td>
<td>Network of Schools of Public Policy, Affairs and Administration (NASPAA)</td>
<td>August 12, 2020</td>
<td>Continuing Accreditation</td>
<td>Annual Accreditation Maintenance Report</td>
<td>MPPA Program fully accredited for 7 years (September 1/2018-August 31, 2025) (NASPAA Accreditation letter last received July 30, 2018.)</td>
</tr>
<tr>
<td>Institution/Area</td>
<td>Accreditation Agency</td>
<td>Date of Visit or Notification of Status Change</td>
<td>Reason for Visit or Status Change</td>
<td>Institutional Action</td>
<td>Accreditation Agency Action</td>
</tr>
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</tr>
<tr>
<td>College of Arts and Sciences Psychology</td>
<td>American Psychological Association (APA)</td>
<td>(May 2016)</td>
<td>Continuing Accreditation</td>
<td>Annual Accreditation Maintenance Report submitted August 24, 2020</td>
<td>Accreditation for 5 years (2022)</td>
</tr>
<tr>
<td>Mississippi University for Women</td>
<td></td>
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</tr>
<tr>
<td>School of Education</td>
<td>Council for Accreditation for Educator Preparation (CAEP) Mississippi Department of Education (MDE)</td>
<td>November 2020</td>
<td>Continuing Accreditation</td>
<td>Periodic Report * Preparing response to address areas for improvement Periodic Report</td>
<td>Probationary Accreditation for Initial-Licensure and Accreditation with Stipulations at the Advanced Level* Continuing Accreditation</td>
</tr>
<tr>
<td>College of Nursing and Health Science Baccalaureate Degree program APRN Certificate program, Master’s program, and DNP</td>
<td>Commission on Collegiate Nursing Education (CCNE)</td>
<td>(February 2020 *Notified October 2019)</td>
<td>Continuing Accreditation</td>
<td>10-Year Compliance Report</td>
<td>Continuing Accreditation for 10 years (December 31, 2030)</td>
</tr>
<tr>
<td>Mississippi Valley State University</td>
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</tr>
<tr>
<td>College of Education Teacher Education Program</td>
<td>Mississippi Department of Education (MDE)</td>
<td>April 2021</td>
<td>Continuing State Department of Education Annual Process and Performance Review</td>
<td>Reaffirmation Site Visit No Action</td>
<td>No additional reporting required before next affirmation</td>
</tr>
<tr>
<td>College of Education Teacher Education Department</td>
<td>Council for the Accreditation of Educator Preparation (CAEP)</td>
<td>April 2021</td>
<td>Continuing Accreditation</td>
<td>Reaffirmation site Visit No Action</td>
<td>Accreditation Approved thru Spring 2028. No additional reporting required before next affirmation.</td>
</tr>
</tbody>
</table>

**University of Mississippi**
<table>
<thead>
<tr>
<th>Institution/Area</th>
<th>Accreditation Agency</th>
<th>Date of Visit or Notification of Status Change</th>
<th>Reason for Visit or Status Change</th>
<th>Institutional Action</th>
<th>Accreditation Agency Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Psychology</td>
<td>American Psychological Association, Committee on Accreditation (APACoA)</td>
<td>May 2021</td>
<td>Continuing Accreditation</td>
<td></td>
<td>Accreditation agency action forthcoming</td>
</tr>
<tr>
<td>Computer and Information Science</td>
<td>Computing Accreditation Commission of ABET</td>
<td>November 2020</td>
<td>Continuing Accreditation</td>
<td>No Action</td>
<td>Continuing Accreditation for 6 years (September 30, 2027)</td>
</tr>
<tr>
<td>University of Mississippi Medical Center</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional</td>
<td>Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)</td>
<td>June 24, 2021</td>
<td>Substantive Change</td>
<td>Notification that DeSoto is no longer an off-site instructional campus</td>
<td>No response at this time</td>
</tr>
<tr>
<td>Health Informatics and Information Management (HIIM), BS</td>
<td>Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM)</td>
<td>(Next visit 2027)</td>
<td>Continuing Accreditation</td>
<td>Annual Program Report – Recommended Institutional Marketing to take a bigger role in communicating about the program</td>
<td>Continued Accreditation until 2027</td>
</tr>
<tr>
<td>Medical Laboratory Science (MLS), BS</td>
<td>National Accrediting Agency for Clinical Laboratory Sciences (NAACLS)</td>
<td>(Next visit 2027)</td>
<td>Continuing Accreditation</td>
<td>Annual Report</td>
<td>Continued Accreditation until 2027</td>
</tr>
<tr>
<td>Radiologic Sciences (RS), BS</td>
<td>Joint Review Committee on Education in Radiologic Technology (JRCERT)</td>
<td>(Next visit 2022)</td>
<td>Continuing Accreditation</td>
<td>Annual Report</td>
<td>Continued Accreditation until 2022</td>
</tr>
<tr>
<td>Magnetic Resonance Imaging (MRI) Master of Science</td>
<td>Joint Review Committee on Education in Radiologic Technology (JRCERT)</td>
<td>(Next visit 2027)</td>
<td>Continuing Accreditation</td>
<td>Annual Report</td>
<td>Continued Accreditation until 2027</td>
</tr>
<tr>
<td>Nuclear Medicine Technology (NMT) Master of Science</td>
<td>Joint Review Committee on Educational Programs in Nuclear Medicine Technology (JRCNMT)</td>
<td>July 16-17, 2020</td>
<td>Continuing Accreditation</td>
<td>Annual Report</td>
<td>Continued Accreditation until 2027</td>
</tr>
<tr>
<td>Institution/Area</td>
<td>Accreditation Agency</td>
<td>Date of Visit or Notification of Status Change</td>
<td>Reason for Visit or Status Change</td>
<td>Institutional Action</td>
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</tr>
<tr>
<td>Informatics and Information Management (MHIIM) Master of Health</td>
<td>Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM)</td>
<td>(Next visit 2026 for “Informatics” Tract)</td>
<td>Continuing Accreditation</td>
<td>Annual Report</td>
<td>Continued Accreditation until 2026</td>
</tr>
<tr>
<td>Doctor of Occupational Therapy (OTD) New Program Summer 2018</td>
<td>Accreditation Council for Occupational Therapy Education (ACOTE)</td>
<td>November 2-4, 2020</td>
<td>Initial Accreditation</td>
<td>No Action</td>
<td>Continued Accreditation until 2027</td>
</tr>
<tr>
<td>Master of Occupational Therapy</td>
<td>Accreditation Council for Occupational Therapy Education (ACOTE)</td>
<td>October 12, 2020 Notice to ACOTE of voluntary withdrawal December 23, 2020 Notice to SACSCOC of voluntary withdrawal</td>
<td>Discontinue Accreditation of MOT (transition to new doctoral entry level)</td>
<td>Voluntary withdrawal of accreditation for Master of Occupational Therapy as Doctor of Occupational Therapy program was initially accredited</td>
<td>Accepted Voluntary Withdrawal of MOT Program Accreditation December 4, 2020</td>
</tr>
<tr>
<td>Doctor of Physical Therapy (DPT)</td>
<td>Commission on Accreditation in Physical Therapy Education (CAPTE)</td>
<td>Next visit 2021</td>
<td>Continuing Accreditation</td>
<td>Annual Report</td>
<td>Continued Accreditation until 2021</td>
</tr>
<tr>
<td>Physical Therapy-Sports Residency</td>
<td>American Board of Physical Therapy Residency and Fellowship Education (ABPTRFE)</td>
<td>(Next visit 2025)</td>
<td>Continuing Accreditation</td>
<td>Annual Report</td>
<td>Continued Accreditation until 2025</td>
</tr>
<tr>
<td>Physical Therapy-Neurologic Residency</td>
<td>American Board of Physical Therapy Residency and Fellowship Education (ABPTRFE)</td>
<td>(Next visit 2026)</td>
<td>Continuing Accreditation</td>
<td>Annual Report</td>
<td>Continued Accreditation until 2026</td>
</tr>
<tr>
<td>University of Southern Mississippi</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institution/Area</td>
<td>Accreditation Agency</td>
<td>Date of Visit or Notification of Status Change</td>
<td>Reason for Visit or Status Change</td>
<td>Institutional Action</td>
<td>Accreditation Agency Action</td>
</tr>
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</tr>
<tr>
<td>Construction Management, BS</td>
<td>American Council for Construction Education (ACCE)</td>
<td>September 18, 2020</td>
<td>Extension of Accreditation</td>
<td>Submitted Request</td>
<td>Approved 12-month Extension</td>
</tr>
<tr>
<td>Economic Development Graduate Certificate</td>
<td>Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)</td>
<td>February 10, 2021</td>
<td>Joint academic arrangement with University of North Texas, Dallas</td>
<td>Submitted Notification</td>
<td>Approved</td>
</tr>
<tr>
<td>Counseling Psychology, MS</td>
<td>American Psychological Association (APA)</td>
<td>March 16, 2021</td>
<td>Covid-19</td>
<td>Submitted Responses to Self-Study Review</td>
<td>Site Visit moved to Winter 2022</td>
</tr>
<tr>
<td>Marine Research Center</td>
<td>Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)</td>
<td>May 10, 2021</td>
<td>Off-campus teaching site</td>
<td>Submitted Prospectus</td>
<td>Approved</td>
</tr>
<tr>
<td>Professional Education Unit</td>
<td>Council for Accreditation of Educator Preparation (CAAEP)</td>
<td>May 14, 2021</td>
<td>Accreditation</td>
<td>Submitted Report and hosted virtual site visit</td>
<td>Accreditation</td>
</tr>
<tr>
<td>Nursing, BSN</td>
<td>Mississippi Institutions of Higher Learning (IHL)</td>
<td>May 24, 2021</td>
<td>Continuing Accreditation</td>
<td>Submitted Annual Report</td>
<td>Continue Accreditation</td>
</tr>
<tr>
<td>Nursing, MSN</td>
<td>Mississippi Institutions of Higher Learning (IHL)</td>
<td>May 24, 2021</td>
<td>Continuing Accreditation</td>
<td>Submitted Annual Report</td>
<td>Continue Accreditation</td>
</tr>
<tr>
<td>Nursing, DNP</td>
<td>Mississippi Institutions of Higher Learning (IHL)</td>
<td>May 24, 2021</td>
<td>Continuing Accreditation</td>
<td>Submitted Annual Report</td>
<td>Continue Accreditation</td>
</tr>
<tr>
<td>Speech and Hearing Sciences Speech-Language Pathology, MS</td>
<td>Council on Academic Accreditation (CAA)</td>
<td>June 29, 2021</td>
<td>Continuing Accreditation</td>
<td>Submitted Annual Report</td>
<td>Continue Accreditation</td>
</tr>
<tr>
<td>Audiology Clinical, AuD</td>
<td>Council on Academic Accreditation (CAA)</td>
<td>June 29, 2021</td>
<td>Continuing Accreditation</td>
<td>Submitted Annual Report</td>
<td>Continue Accreditation</td>
</tr>
<tr>
<td>Institution/Area</td>
<td>Accreditation Agency</td>
<td>Date of Visit or Notification of Status Change</td>
<td>Reason for Visit or Status Change</td>
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<tr>
<td>Electronics Engineering Technology, BS</td>
<td>Accrediting Board for Engineering and Technology (ABET) Engineering Technology Accreditation Commission (ETAC)</td>
<td>June 30, 2021</td>
<td>Program Closure</td>
<td>Submitted Termination Plan</td>
<td>Awaiting Responses</td>
</tr>
<tr>
<td>Computer Engineering Technology, BS</td>
<td>Accrediting Board for Engineering and Technology (ABET) Engineering Technology Accreditation Commission (ETAC)</td>
<td>June 30, 202</td>
<td>Program Closure</td>
<td>Submitted Termination Plan</td>
<td>Awaiting Response</td>
</tr>
<tr>
<td>Construction Engineering Technology, BS</td>
<td>Accrediting Board for Engineering and Technology (ABET) Engineering Technology Accreditation Commission (ETAC)</td>
<td>June 30, 2021</td>
<td>Program Closure</td>
<td>Submitted termination Plan</td>
<td>Awaiting Response</td>
</tr>
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</table>

**STAFF RECOMMENDATION:** Board staff recommends these items be accepted as information.
1. **SYSTEM-2021 AYERS ACCOUNTABILITY MANUAL**

   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.

   Under separate cover.

2. **UMMC—APPROVAL OF AMENDMENT TO MASTER ACUTE CLIENT AGREEMENT WITH ALLSCRIPTS HEALTHCARE, LLC**

   **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 #3 to the Master Acute Client Agreement with Allscripts Healthcare, LLC (Allscripts) to assign the agreement to Strata Decision Technology, LLC, extend the term of the agreement for an additional two (2) years, adjust the annual fees, add a new section regarding the Mississippi Accountability and Transparency Act of 2008, and to update the notice provision section. This agreement provides licenses to the EPSi software used in creating UMMC’s annual operating budget.

   **Contractor’s Legal Name:** Allscripts Healthcare, LLC

   **Specific Type of contract:** This is Amendment #3 to the current Master Acute Client Agreement.

   **Purpose:** The purpose of Amendment #3 is to assign the agreement to Strata Decision Technology, LLC, extend the term of the agreement for an additional two (2) years, adjust the annual fees, add a new section regarding the Mississippi Accountability and Transparency Act of 2008, and to update the notice provision section.

   **Term of Contract:** The total term of the amended Master Acute Client Agreement is now ten (10) years, from July 1, 2013, through June 30, 2023.

   **Contract Amount:** The cost of Amendment #3 is $315,750. The total cost of the amended Master Acute Client Agreement is $3,409,720.43.
3. **UMMC – APPROVAL TO AMEND A LEASE AGREEMENT WITH TOSHIBA AMERICA BUSINESS SOLUTIONS, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center requests approval for the Mississippi Department of Information Technology Services (ITS), as contracting agent for the University of Mississippi Medical Center (UMMC), to enter into Amendment #2 to the Lease Agreement with Toshiba America Business Solutions, Inc. (Toshiba). This Amendment #2 will extend the term of the current Lease Agreement for an additional five (5) years, update the total maximum cost under the agreement, and update the notice provision.

**Contractor’s Legal Name:** Toshiba America Business Solutions, Inc.

**Specific Type of Contract:** This is Amendment #2 to the current lease agreement.

**Purpose:** The purpose of Amendment #2 is to extend the term of the Lease Agreement for an additional five (5) years, update the total maximum cost under the agreement, and update the notice provision.

**Term of Contract:** The term of Amendment #2 is five (5) years, from August 10, 2021, to August 9, 2026. The total term of the amended Lease Agreement is ten (10) years, from August 10, 2016, to August 9, 2026.

**Contract Amount:** The cost of Amendment #2 is $6,366,172.20. The total cost of the amended Lease Agreement is $12,906,387.30.
SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE SEPTEMBER 16, 2021 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.
DELTA STATE UNIVERSITY

1. **DSU-GS 102-266 – HVAC IMPROVEMENTS (AQUATIC CENTER)**

   NOTE: This is a Bureau of Building project

   **Approval Request #1: Change Order #4**

   Board staff approved Change Order #4 in the amount of $3,432.00 and sixty-six (66) additional days to the contract of Upchurch Plumbing, Inc.

   **Approval Status & Date:** APPROVED, September 22, 2021

   **Change Order Description:** Change Order #4 includes the following items: installed four (4) isolated ground bars in 4-480/277 bolt panels; removed neutral wire from an equipment panel in the same room as the MDP; and sixty-six (66) days to the contract.

   **Change Order Justification:** These changes are necessary due to latent job site conditions; and days for work as indicated herein.

   **Total Project Change Orders and Amount:** Four (4) change orders for a total amount of $17,031.98.

   **Project Initiation Date:** January 17, 2019
   **Design Professional:** Engineering Resource Group
   **General Contractor:** Upchurch Plumbing, Inc.
   **Total Project Budget:** $1,500,000.00

MISISSIPPI STATE UNIVERSITY

2. **MSU-IHL 205-283 – ADDITION AND RENOVATION OF HUMPHREY COLISEUM PHASE ONE**

   **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 September 9, 2021 to change the scope of work and to construct the project in two phases.
Approval Status & Date:  APPROVED, September 22, 2021

Project Initiation Date:  June 16, 2018
Design Professional:  Dale Partners Architects, P.A.
General Contractor:  Brasfield & Gorrie, LLC (CMAR)
Total Project Budget:  $50,000,000.00

3.  MSU- IHL #205-297 – BUTLER HALL MECHANICAL, ADA IMPROVEMENTS AND EXTERIOR WINDOWS

Approval Request #1:  Change Order #1

Board staff approved Change Order #3 in the credit amount of $66,681.81 and zero (0) additional days to the contract of Brislin, Inc.

Approval Status & Date:  APPROVED, October 12, 2021

Change Order Description:  Change Order #3 includes the following items: remove and refeed the existing power receptacles; relocate the wire mold power receptacles; modify the existing wiring and circuits to pump VFDs & provided 208v/3ph power in lieu of 208v/1ph; credit for discrepancy in controls bids and controls allowance; added sensors to control HVAC units; and removed the bottom course of the concrete masonry unit at the window stools.

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

Total Project Change Orders and Amount:  Three (3) change orders for a total amount of $523,298,313,468.11.

Project Initiation Date:  December 5, 2019
Design Professional:  Cooke Douglass Farr Lemons Architects & Engineers
General Contractor:  Brislin, Inc.
Total Phased Budget:  $4,643,600.00
Total Project Budget:  $3,700,000.00
4. MSU- IHL 205-309 – MSU ICE PLANT EXPANSION

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 September 22, 2021 to increase the budget from $6,500,000.00 to $7,387,000.00, for an increase of $887,000.00.

Approval Status & Date: APPROVED, September 22, 2021

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of $6,570,000.00 to the apparent low bidder, Brislin, Inc.

Approval Status & Date: APPROVED, October 12, 2021

Project Initiation Date: August 20, 2009
Design Professional: Engineering resource Group, Inc.
General Contractor: TBD
Total Project Budget: $7,387,000.00

5. MSU- IHL 413-144– SUSTAINABLE BIOPRODUCTS FACILITIES PH II (BUILDING 4/GENERAL WORKS)

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of $2,159,000.00 to the apparent low bidder, Construction Services, Inc.

Approval Status & Date: APPROVED, July 16, 2021
Project Initiation Date: June 18, 2020
Design Professional: Pryor Morrow Architects, Engineers, Interior Design
General Contractor: Construction Services, Inc.
Phased Project Budget: $3,700,000.00
Total Project Budget: $5,000,000.00
6. **UM-IHL #207-457 – TRACK AND FIELD LOCKER ROOMS – PKG J ELECTRICAL**

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

   Board staff approved Change Order #1 in the amount of $3,468.11 and zero (0) additional days to the contract of Advanced Electric.

   **Approval Status & Date:** APPROVED, September 24, 2021

   **Change Order Description:** Change Order #1 includes the following items: provided a new fire alarm panel in the new building in lieu of tying into the existing panel in the adjacent building; additional exploration of an existing electrical duct bank.

   **Change Order Justification:** These changes were necessary due to latent job site conditions and user/owner requested modifications.

   **Total Project Change Orders and Amount:** One (1) change order for a total amount of $3,468.11.

   **Project Initiation Date:** February 21, 2019
   **Design Professional:** Weir Boerner Allin Architecture
   **General Contractor:** Advanced Electric
   **Total Phased Budget:** $415,718.22
   **Total Project Budget:** $3,700,000.00

7. **UM-IHL #207-461 – STOCKARD HALL – AC VAV BOXES REPLACEMENT & CONTROLS UPGRADE**

   **Approval Request #1: Change Order #2**

   Board staff approved Change Order #2 in the amount of $0.00 and thirty-nine (39) additional days to the contract of Tri-Star Companies, Inc.

   **Approval Status & Date:** APPROVED, October 11, 2021

   **Change Order Description:** Change Order #2 includes the following items: additional contract days were added due to material delays.
Change Order Justification: These changes were necessary due to user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of $33,653.40.

Project Initiation Date: February 20, 2020
Design Professional: Corbett Legge & Associates, PLLC
General Contractor: Tri-Star Companies, Inc.
Total Project Budget: $1,200,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

8. UMMC-IHL #209-561– CAMPUS HVAC UPGRADES FY18

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of $81,384.10 and three hundred eighty-one (381) additional days to the contract of Fountain Construction Co., Inc.

Approval Status & Date: APPROVED, September 14, 2021

Change Order Description: Change Order #2 includes the following items: replaced a panel in the acute wing; changed out three (3) variable airflow valves; and three hundred eighty-one (381) days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of $193,706.10.

Project Initiation Date: October 19, 2017
Design Professional: Engineering Resource Group
General Contractor: Fountain Construction Co., Inc.
Total Project Budget: $7,800,000.00
9. **UMMC- IHL 409-002 – BOILER REPLACEMENT**

**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 October 2, 2021 to initiate this project and approval of the design professional.

**Approval Status & Date:** APPROVED, October 2, 2021

**Project Initiation Date:** October 2, 2021  
**Design Professional:** Dean & Dean Architects, P.A.  
**General Contractor:** TBD  
**Total Project Budget:** $3,557,376.00

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**UNIVERSITY OF SOUTHERN MISSISSIPPI**

10. **USM- GS 208-341 – HARDY STREET CROSSWALK AND MEDIAN IMPROVEMENTS**

**NOTE:** This is a Bureau of Building project

**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 September 9, 2021 to initiate this project and approval of the design professional.

**Approval Status & Date:** APPROVED, September 9, 2021

**Project Initiation Date:** September 9, 2021  
**Design Professional:** Neel-Schaffer  
**General Contractor:** N/A  
**Total Project Budget:** $1,007,017.60
SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware|Immigration (statement dated 9/1/21) from the funds of Alcorn State University. (This statement, in the amount of $2,250.00, represents services and expenses in connection with immigration/labor certification.)

TOTAL DUE..............................................................$ 2,250.00

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 8/16/21, 9/28/21 and 9/28/21) from the funds of Mississippi State University. (These statements, in the amounts of $1,612.50, $412.50 and $2,543.75, respectively, represents services and expenses in connection with general legal advice.)

TOTAL DUE..............................................................$ 4,568.75

Payment of legal fees for professional services rendered by Ware|Immigration (statement dated 9/1/21) from the funds of Mississippi State University. (This statement, in the amount of $2,500.00, represents services and expenses in connection with immigration/labor certification.)

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/27/21, 8/31/21 and 9/14/21) from the funds of the University of Mississippi. (These statements, in the amounts of $7,651.48, $914.50 and $295.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE..............................................................$ 8,860.98

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 9/7/21) from the funds of the University of Mississippi. (This statement, in the amount of $990.89, represents services and expenses in connection with general legal advice.)

TOTAL DUE..............................................................$ 990.89

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 5/1/21 and 8/1/21) from the funds of the University of Mississippi. (These statements, in the amounts of $4,500.00 and $33.77, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE..............................................................$ 4,533.77
Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell & Berkowitz, PC (statement dated 9/7/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $4,472.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE**...............................$ 4,472.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/23/21, 8/23/21, 9/10/21 and 9/10/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $7,858.25, $1,297.60, $147.50 and $796.50, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE**...............................$ 10,099.85

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 7/31/21, 9/10/21 and 9/14/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $18,014.70, $1,703.98 and $11,076.80, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE**...............................$ 30,795.48

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 8/25/21 and 8/25/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $82.50 and $957.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE**...............................$ 1,039.50

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 9/8/21, 9/8/21 and 9/8/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $148.50, $2,263.24 and $264.00, represent services and expenses in connection with legal advice.)

**TOTAL DUE**...............................$ 2,675.74

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statement dated 9/3/21) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of $841.50, represents services and expenses in connection with legal advice.)

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

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 7/27/21, 8/16/21 and 9/15/21) from the funds of the University of Mississippi Medical Center.
Payment of legal fees for professional services rendered by Taylor, Wellons, Politz, Duhe, APLC (statements dated 8/19/21, 8/19/21, 8/19/21, 8/19/21, 8/19/21, 8/19/21 and 8/19/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $162.00, $230.10, $726.00, $81.00, $2,584.70, $1,249.50 and $339.90, represent services and expenses in connection with legal advice.)

TOTAL DUE..................................................$ 5,373.20

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 9/16/21, 9/16/21 and 9/16/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $2,029.50, $984.00, $164.60, represent services and expenses in connection with legal advice.)

TOTAL DUE..................................................$ 3,178.10

Payment of legal fees for professional services rendered by the Whitfield Law Group (statements dated 8/6/21, 9/13/21, 9/23/21, 9/23/21 and 9/23/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $1,645.10, $1,958.70, $6,562.40, $3,082.70 and $7,226.10, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE..................................................$ 20,475.00

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 9/13/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of $1,287.00, represents services and expenses in connection with legal advice.)

TOTAL DUE..................................................$ 1,287.00

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 9/9/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of $6,310.20, represents services and expenses in connection with legal advice.)

TOTAL DUE..................................................$ 6,310.20

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/21, 8/1/21, 8/1/21, 8/1/21, 8/1/21, 9/1/21, 9/1/21, 9/1/21, 9/1/21, 9/1/21, 9/1/21, 9/1/21 and 9/1/21) from the funds of the University of Southern Mississippi. (These statements, in the
amounts of $27.00, $50.73, $50.73, $47.83, $71.39, $47.07, $50.63, $26.94, $26.94, $50.63, $70.32, $2,250.00 and $2,250.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE…………………………………………………………$ 5,020.21

Payment of legal fees for professional services rendered by Wise Carter (statement dated 9/15/21) from the funds of the University of Southern Mississippi. (This statement, in the amount of $273.51, represents services and expenses in connection with legal advice.)

TOTAL DUE…………………………………………………………$ 273.51

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/31/21, 9/16/21, 9/16/21 and 9/16/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Live Attenuated Catfish Vaccine and Method of Making” - $710.50; “Elusieve Processing CIP Application” - $1,245.50; “Live Attenuated Catfish Vaccine” - $1,179.00; and “Live Attenuated Edwardsiella Ictaluri Vaccine and Method of Using Same” - $161.50, respectively.)

TOTAL DUE…………………………………………………………$ 3,296.50

Payment of legal fees for professional services rendered by Conley Rose (statements dated 6/15/21, 6/15/21, 6/15/21, 9/8/21 and 9/8/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Plug & Play Mount” - $2,618.66; “Wire Tie Downs” - $2,618.66; “Spool Enclosure” - $2,963.66; “Lookahead-Aware Active Noise Cancellation True Wireless Stereo Earbuds” - $1,150.00; and “Face Mask Testing” - $2,421.14, respectively.)

TOTAL DUE…………………………………………………………$ 11,772.12

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dates 9/15/21, 9/15/21 and 9/15/21) 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” - $2,019.00; “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - $385.00; and International Application No. PCT/US21/32963 - $355.00)

TOTAL DUE…………………………………………………………$ 2,759.00
Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/24/21, 8/24/21, 8/26/21, 9/22/21 and 9/29/21) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Unsymmetric CCC-HNC Pincer Metal Complexes and Methods of Use Thereof” - $96.00; “Synthesis of Optically Active Indoline Derivatives via Ruthenium (II)-Catalyzed Enantioselective C-H Functionalization” - $76.00; “Symmetrical CCC-NHC Pincer Metal Complexes and Symmetrical Bimetallic Complexes” - $192.00; “Symmetrical CCC-NHC Pincer Metal Complexes and Symmetrical Bimetallic Complexes” - $76.00; and “Coal Char-Production Properties” - $9,241.50, respectively.)

TOTAL DUE…………………………………………………$ 9,681.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/22/21, 8/19/21, 8/19/21, 8/19/21, 8/19/21, 8/19/21, 8/19/21, 8/19/21, 8/19/21, 8/19/21 and 9/22/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $2,000.19, $312.00, $497.50, $50.00, $225.00, $472.50, $208.00, $8,127.50, $2,691.50 $3,832.34 and $520.00, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE…………………………………………………$ 18,936.53

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 8/20/21 and 8/20/21) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of $3,709.46 and $420.00, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE…………………………………………………$ 4,129.46

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 8/27/21) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with the following patent: “Self-Repairing Oxetane-Substituted Chitosan Polyurethane Networks” - $1,277.50).

TOTAL DUE…………………………………………………$ 1,277.50
1. **SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL**

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

   a. **JSU** – On September 3, 2021, Commissioner Alfred Rankins, Jr., approved the request to grant a thirty-foot-wide permanent utility easement and related right-of-way to Telepak Networks, Inc., d/b/a C-Spire to permit the installation of C-Spire Fiber System and related services lines and access pedestals or hand holes on the right-of-way and easement herein granted on property owned by JSU known as the Mississippi Veterans Memorial Stadium. The IHL Office of Real Estate and Facilities reviewed and recommends the request. The Office of the Attorney General has reviewed the easement and found the same to be compliant with applicable state law, Board Policy 707.01 Land, Property, and Service Contracts, and Policy 905 Real Estate Management subsection (a). A copy of the documents is on file in the IHL Board Office.

   b. **MSU** – On September 21, 2021, Commissioner Alfred Rankins, Jr., approved the Rent Agreement between Mississippi State University and R&R Rental Properties, LLC for storage space located at 400 Industrial Park Road, Section J, in Starkville to be used for Student Competition teams, Outreach coordinator and storage. The term of the Agreement is three years beginning November 1, 2021 at a cost of $2,450 per month to be paid at the beginning of each month. The Office of the Attorney General has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.

   c. **MSU** – On October 1, 2021, Commissioner Alfred Rankins, Jr., approved the Addendum #1 to the Lease Agreement between Mississippi State University and the State of Mississippi, Military Department for approximately 842 square feet of office space located in the MSU High Performance Computing Building for use by the Mississippi National Guard. This is a 12-month extension of an existing lease effective February 1, 2022 through January 31, 2023 at a cost of $1 per year. The IHL Associate Commissioner for Legal Affairs has reviewed the agreement and found the same to be compliant with applicable state law. A copy of the documents is on file in the IHL Board Office.

   d. **MSU** – On October 1, 2021, Commissioner Alfred Rankins, Jr., granted retroactive approval of a Lease Amendment between the Mississippi Agriculture and Forestry Station (MAFES)/Mississippi State University and the U.S. Agricultural Research Services (ARS) and the U.S. Department of Agriculture (USDA). This is a renewal of an existing lease that expired on August 31, 2021, and retroactive approval to be effective September 1, 2021 through August 31, 2022. Annual renewal options through August 31, 2026, are included. The leased space is 4,776 square feet of greenhouse space at the Delta Branch Experiment Station in Washington County at a rate of $1 per annum. The IHL Associate Commissioner for Legal Affairs has reviewed the lease terms and found
e. **UM** – On October 1, 2021, Commissioner Alfred Rankins, Jr., approved the Easement between Beta Beta House Corporation of Beta Theta Pi Fraternity (Beta) and Mississippi Sigma Chi Association (Sigma Chi), which will allow Sigma Chi access to the property within the easement, which is located between an existing wooden fence and Sigma Chi’s residential facility and includes the driveway access to Sigma Chi’s residential facility. The primary lease for the property is between IHL/UM and Beta for a 50-year term with an option to renew for a 25-year term. The Commissioner also approved the request for the University Chancellor to execute the Prime Landlord’s Consent on behalf of the IHL Board. The Office of the Attorney General has reviewed the Easement and found the same to be compliant with Board Policy 707.01 Land, Property. A copy of the document is on file in the IHL Board Office.

f. **UMMC** – On October 1, 2021, Commissioner Alfred Rankins, Jr., approved the Medical Office Building Lease between the University of Mississippi Medical Center and Anderson Regional Medical Center to lease approximately 2,429 square feet of clinic space in Meridian, MS for use as a pediatric specialty clinic. The term of the lease is 2-years beginning November 5, 2021 through November 4, 2023. Base monthly rent for the first year is $20.00 per square foot and will increase to $20.84 per square foot for the second year, for a total cost of $99,200.36 over the two-year term of the lease. Monthly rent payments are due in advance at the beginning of each month. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and 707.03 Approval of Prepayment for Goods or Services. A copy of the documents is on file in the IHL Board Office.

g. **UMMC** – On October 1, 2021, Commissioner Alfred Rankins, Jr., approved the Lease between the University of Mississippi Medical Center and Hometown Diagnostics, LLC for 833 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, 2021, and Hometown will pay a monthly rent in the amount of $2,449.48. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

h. **UMMC** – On October 1, 2021, Commissioner Alfred Rankins, Jr., approved the Part-Time Space Occupancy Lease between the University of Mississippi Medical Center and North Mississippi Medical Center, Inc. (NMMC) for the sublease of approximately 944 square feet of clinic space in the Tupelo Pediatric Clinic in Tupelo, MS currently being leased by UMMC. The term of the agreement is one year effective November 1, 2021 through October 31, 2022. NMMC will utilize five exam rooms on the 1st and 3rd Tuesday of each month at a rental rate of $88.08 per day, two days each month, generating an anticipated $2,113.92 in...
revenue over the term of the agreement. The IHL Associate Commissioner for Legal Affairs has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the documents is on file in the IHL Board Office.

i. **USM** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On September 10, 2021, Commissioner Alfred Rankins, Jr. approved the final revisions to the Stennis Center for Higher Learning Budget, Mississippi Polymer Institute Budget, and the Auxiliary Enterprises Budget for Fiscal Year 2021. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budget but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

j. **SYSTEM** – On October 1, 2021, Commissioner Alfred Rankins, Jr. reviewed and approved the Quarterly Employment Reports, FY21 Q4, which lists all hires and all separations for the period beginning April 1, 2021 and ending June 30, 2021. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of this report will be maintained in the IHL Department of Finance and Administration.

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 August 19, 2021, the IHL Board granted all institutions through December 31, 2021 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 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 through December 31, 2021, for the health and well-being of students, employees, and guests on all IHL campuses and facilities. Previously, the Board approved this waiver for UMMC effective March 19, 2020. This waiver was expanded to all institutions on September 4, 2020 with an original expiration date of December 31, 2020. At the November 19, 2020 meeting, this waiver was extended through May 31, 2021. On May 31, 2021 the temporary waiver expired for all institutions. 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 approved the request that authority be delegated to the Commissioner, through December 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. A summary of the items that have been submitted for reporting to the Board is as follows:

a. **USM** – To effectively provide for the safety and health of its student-athletes and employees in dealing with the COVID-19 pandemic, on July 31, 2020 USM entered a contract with Vivature, Inc. to facilitate the supply of COVID-19 testing equipment and associated testing kits to its Athletic Department. Student-athlete testing was required by the NCAA, and the University had to quickly establish a source of supply in a very short period of time. In an effort to expedite the process of obtaining the equipment and testing kits, USM sought the assistance of a supplier with whom it already had a relationship. The pricing agreement became effective upon signing and is for a one-year period with an option to renew for up to one additional one-year period. USM obtained a P-1 from the Mississippi Department of Finance and Administration to spend $58,100 on the initial order, but as testing requirements increased, the total amount increased due to the inclusion of other sports programs. On August 19, 2020, a change order was issued to increase the number of testing kits which increased the overall cost to $183,600, and on October 13 and 27, 2020, two additional orders were placed for $266,500 each for more testing kits. On April 1, 2021 an order totaling $900,000 was issued to meet the estimated testing needs of the spring and fall sports, bringing the total expenditures to approximately $1,616,600. The purchases were funded by using CARES funds. The contract has been reviewed by USM’s Office of General Counsel for compliance with applicable laws.