

Board Book

January 19, 2023

MISSISSIPPI BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING

Board Meeting Outline

MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

MEETINGS SCHEDULE

Health Affairs Committee | January 18, 2023, 3:00p | IHL Board Room
IHL Board Meeting | January 19, 2023, 9:00a | IHL Board Room

CALL TO ORDER INVOCATION

Trustee Tom Duff
Trustee Ormella Cummings

MINUTES

November 17, 2022 Regular Board Meeting Minutes.....	5
December 8, 2022 Special Called Board Meeting Minutes.....	46

CONSENT AGENDAS | Trustee Tom Duff

FINANCE

1. DSU – Request for Approval to Enter a Services Agreement with Waste Management of Mississippi, Inc.	47
2. UM – Request for Approval to Amend a Services Agreement with Jackson Spalding, Inc.	48
3. UM – Request for Approval to Enter a Contractual Services Agreement with Safeguard World International Limited (Safeguard Global).....	51
4. UM – Request for Approval to Enter a Contractual Services Agreement with StarRez, Inc.	53
5. UMMC – Request for Approval of a Resolution Confirming Support for the Establishment and Operation of the Mississippi Burn Center at the University of Mississippi Medical Center.....	55
6. UMMC – Request for Approval to Amend a License and Support Agreement with Epic Systems Corporation.....	57
7. USM – Request for Approval to Enter a Food Service Agreement with Tony’s King of Steaks, Inc.	58

REAL ESTATE

Approval of Initiations of Projects/Appointments of Professionals

Bureau of Building Project

1. ASU – GS 101-326 – Miscellaneous Campus Repairs – President’s Residence, Design Professional – Shafer Zahner Zahner, PLLC.....	63
2. DSU – GS 102-266B – Campus HVAC Phase II, Design Professional – Engineering Resource Group	64
3. MUW – GS 104-209 – Fant Hall Renovation – Nursing Expansion, Design Professional – To Be Determined Through the Request for Qualifications Method.....	66

IHL Projects

4. UM – IHL 207-476B – Phase II Upgrade HVAC Controls – Natural Products and Faser Hall, Design Professional – Design Building and Engineering Services, LLC.....	67
5. UM – IHL 207-493 – South Oxford Center 4 th Floor School of Nursing, Design Professional – UM Department of Facilities Planning	68
6. UM – IHL 207-495 – Brevard Hall 201 Renovation, Design Professional – McCarty Architects, P.A.	70
7. UM – IHL 207-496 – Faser Hall 453 Lab Renovation, Design Professional – McCarty Architects, P.A.	71
8. UMMC – IHL 209-584 – Female Faculty Surgery Lounge, Design Professional – Cooke Douglass Farr Lemons Architects and Engineers, P.A.	72
9. UMMC – IHL 409-005 – New School of Nursing, Design Professional – Eley Guild Hardy Architects	73
10. USM – IHL 214-024 – Gulf Park Language & Speech Therapy Center, Design Professional – MP Design Group	75

Approval of Budget Increase and/or Change of Scope/Funding Source(s)

IHL Projects

11. MSU – IHL 205-328 – New Residence Hall, Design Professional – Weir Boerner Allin Architecture.....	76
12. MSU – IHL 405-002 – Jim and Thomas Duff Center, Design Professionals – Eley Guild Hardy / Dale Partners Joint Venture	78
13. UM – IHL 207-473 – Ole Miss Softball Complex Addition & Renovation, Design Professional – McCarty Architects, P.A.	79
14. UMMC – IHL 409-002 – New Boiler Room, Design Professional – Dean Architecture	81

Approval of Other Real Estate Request

15. MSU – Delete from Inventory Buildings #1534, #1574, #1575, and #1576 – Greenhouse & Storage Warehouses in Stoneville, MS.....	82
16. UM – Approval of Exterior Design of the Alpha Delta Pi House Addition.....	82

LEGAL

1. UM – Approval of Interlocal Agreement with Lafayette County, Mississippi and the City of Oxford, Mississippi	84
---	----

REGULAR AGENDAS

ACADEMIC AFFAIRS | Trustee Steven Cunningham

1. SYSTEM – Approval for First Reading of Proposed Amendment to Board Policy 617	91
--	----

ADMINISTRATION/POLICY | Commissioner Alfred Rankins, Jr.

1. SYSTEM – Appointment of Trustee Chip Morgan as a Representative to the Mississippi Commission for Volunteer Service.....	94
---	----

INFORMATION AGENDAS | Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. JSU – Intent to Offer Certificate Program – Public Health Informatics Graduate Certificate95

REAL ESTATE

1. SYSTEM – Real Estate Items Approved Subsequent to the November 17, 2022 Board Meeting

Delta State University	97
Mississippi State University	97
Mississippi University for Women	102
University of Mississippi	104
University of Mississippi Medical Center	108
University of Southern Mississippi.....	110
Education and Research Center	112

LEGAL

1. SYSTEM – Report of Payments to Outside Counsel113

ADMINISTRATION/POLICY

1. SYSTEM – Commissioner’s Notification of Approval.....120

PERSONNEL

1. Sabbatical (USM).....122

ADDITIONAL AGENDA ITEMS IF NECESSARY

OTHER BUSINESS/ANNOUNCEMENTS

EXECUTIVE SESSION IF DETERMINED NECESSARY

ADJOURNMENT

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 14, 2021, to each and every member of said Board said date being at least five days prior to this November 17, 2022 meeting. At the above-named place there were present the following members were present to wit: Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard (via Zoom), Ms. Jeanne Carter Luckey, Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree (via Zoom), Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Mr. Tom Duff, President. Dr. Ormella Cummings was absent. Trustee Starr introduced Reverend Morris Thompson, pastor of the Episcopal Church of the Mediator in Meridian, MS, to provide the invocation.

INTRODUCTION OF GUESTS

- President Tom Duff welcomed Dr. Joseph Paul to his first IHL Board meeting as president of The University of Southern Mississippi.
- President Duff introduced the following Student Government Association presidents attending the meeting: Christopher Epps from Alcorn State University, Lucia Chacon-Habis from Delta State University, Madison Cathey from Jackson State University, Kennedy Guest from Mississippi State University, and Lila Osman from the University of Mississippi.

APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Starr, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on October 20, 2022.

CONSENT AGENDAS

On motion by Trustee Morgan, seconded by Trustee McNair, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

ACADEMIC AFFAIRS

1. **SYSTEM** – Approved the degrees to be conferred in Fall 2022 provided each candidate has met all requirements for the degree.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Institution	Degree to be Conferred	Number	Subtotal	Total
Alcorn State University				
	<i>Undergraduate</i>		174	
	Associate of Science in Nursing	1		
	Bachelor of Science	130		
	Bachelor of Arts	22		
	Bachelor of Arts in Music	1		
	Bachelor of Music	1		
	Bachelor of Social Work	19		
	<i>Graduate</i>		71	
	Master of Arts in Teaching	11		
	Master of Business Administration	1		
	Master of Liberal Arts	2		
	Master of Science in Agriculture	9		
	Master of Science in Applied Science and Technology	14		
	Master of Science in Biology	9		
	Master of Science in Biotechnology	1		
	Master of Science in Computer and Information Science	3		
	Master of Science in Elementary Education	2		
	Master of Science in Secondary Education	11		
	Master of Science in Workforce Education Leadership	8		
	<i>Total Undergraduate Degrees</i>		174	
	<i>Total Graduate Degrees</i>		71	
	<i>Total Degrees</i>			245
Delta State University				
	<i>College of Arts and Sciences</i>		55	
	Bachelor of Applied Science	4		
	Bachelor of Arts	3		
	Bachelor of Fine Arts	2		
	Bachelor of Music	2		
	Bachelor of Music Education	3		
	Bachelor of Science	21		
	Bachelor of Science in Education	1		
	Bachelor of Science in Social Justice & Criminology	3		
	Bachelor of Science in Interdisciplinary Studies	10		
	Bachelor of University Studies	6		
	<i>College of Business and Aviation</i>		48	
	Bachelor of Applied Science	1		
	Bachelor of Business Administration	32		
	Bachelor of Commercial Aviation	15		
	<i>College of Education and Human Sciences</i>		61	
	Bachelor of Arts	6		
	Bachelor of Science	32		

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Institution	Degree to be Conferred	Number	Subtotal	Total
	Bachelor of Science in Education	23		
	<i>School of Nursing</i>		31	
	Bachelor of Science in Nursing	31		
	<i>School of Graduate Studies</i>		120	
	Master of Applied Science	1		
	Master of Arts in Liberal Studies	5		
	Master of Arts in Teaching	5		
	Master of Business Administration	19		
	Master of Commercial Aviation	7		
	Master of Education	22		
	Master of Professional Accountancy	4		
	Master of Science in Sport and Human Performance	13		
	Master of Science in Social Justice & Criminology	3		
	Master of Science in Natural Sciences	2		
	Educational Specialist	21		
	Doctor of Education	2		
	Doctor of Nursing Practice	15		
	<i>Total Undergraduate Degrees</i>		195	
	<i>Total Graduate Degrees</i>		120	
	<i>Total Degrees</i>			315
Jackson State University				
	<i>Undergraduate</i>		434	
	Bachelor of Arts	12		
	Bachelor of Business Administration	47		
	Bachelor of Music	2		
	Bachelor of Music Education	9		
	Bachelor of Science	297		
	Bachelor of Science Education	25		
	Bachelor of Social Work	42		
	<i>Graduate</i>		148	
	Master of Arts	7		
	Master of Arts in Teaching	9		
	Master of Business Administration	10		
	Master of Music Education	1		
	Master of Professional Accountancy	3		
	Master of Public Health	14		
	Master of Public Policy and Administration	8		
	Master of Science	33		
	Master of Science in Education	14		
	Master of Social Work	4		
	Specialist in Education	19		
	Doctor of Education	3		
	Doctor of Philosophy	22		

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Institution	Degree to be Conferred	Number	Subtotal	Total
	Doctor of Public Health	1		
	<i>Total Undergraduate Degrees</i>		434	
	<i>Total Graduate Degrees</i>		148	
	<i>Total Degrees</i>			582
Mississippi State University				
	<i>College of Agriculture and Life Sciences</i>		191	
	Bachelor of Science	139		
	Bachelor of Landscape Architecture	2		
	Master of Agriculture	4		
	Master of Agribusiness Management	3		
	Master of Science	35		
	Doctor of Philosophy	8		
	<i>College of Architecture, Art, and Design</i>		5	
	Bachelor of Fine Arts	4		
	Bachelor of Science	1		
	<i>College of Arts and Sciences</i>		353	
	Bachelor of Arts	107		
	Bachelor of Science	188		
	Bachelor of Applied Technology	1		
	Bachelor of Social Work	10		
	Master of Arts	2		
	Master of Science	29		
	Master of Public Policy and Administration	4		
	Doctor of Philosophy	12		
	<i>College of Business</i>		259	
	Bachelor of Business Administration	191		
	Master of Business Administration	66		
	Master of Science Information Systems	2		
	<i>College of Education</i>		277	
	Bachelor of Music Education	5		
	Bachelor of Science	184		
	Master of Arts in Teaching	1		
	Master of Arts in Teaching Secondary	32		
	Master of Arts in Teaching Special	8		
	Master of Music Education	1		
	Master of Science	29		
	Master of Science in Instructional Technology	2		
	Educational Specialist	10		
	Doctor of Philosophy	5		
	<i>College of Engineering</i>		300	
	Bachelor of Science	234		
	Master of Science	46		
	Master of Engineering	4		

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Institution	Degree to be Conferred	Number	Subtotal	Total
	Doctor of Philosophy	16		
	<i>College of Forest Resources</i>		44	
	Bachelor of Science	27		
	Master of Science	12		
	Doctor of Philosophy	5		
	<i>School of Accountancy</i>		32	
	Bachelor of Accountancy	23		
	Master of Professional Accountancy	5		
	Master of Taxation	4		
	<i>College of Veterinary Medicine</i>		6	
	Master of Science	5		
	Doctor of Philosophy	1		
	<i>Academic Affairs</i>		50	
	Bachelor of University Studies – C2C	21		
	Bachelor of Applied Science	27		
	Master of Science	2		
	<i>Total Undergraduate Degrees</i>		1,164	
	<i>Total Graduate Degrees</i>		353	
	<i>Total Degrees</i>			1,517
Mississippi University for Women				
	<i>Undergraduate</i>		146	
	Bachelor of Applied Science	21		
	Bachelor of Arts	4		
	Bachelor of Business Administration	32		
	Bachelor of Fine Arts	5		
	Bachelor of Music	3		
	Bachelor of Professional Studies	5		
	Bachelor of Science	51		
	Bachelor of Science in Nursing	25		
	<i>Graduate</i>		15	
	Master of Arts	2		
	Master of Business Administration	4		
	Master of Fine Arts	7		
	<i>Total Undergraduate Degrees</i>		146	
	<i>Total Graduate Degrees</i>		15	
	<i>Total Degrees</i>			161
Mississippi Valley State University				
	<i>Undergraduate</i>		75	
	Bachelor of Arts	19		
	Bachelor of Science	48		
	Bachelor of Social Work	8		
	<i>Graduate</i>		34	
	Master of Arts	17		

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Institution	Degree to be Conferred	Number	Subtotal	Total
	Master of Business Administration	5		
	Master of Science	12		
	<i>Total Undergraduate Degrees</i>		75	
	<i>Total Graduate Degrees</i>		34	
	<i>Total Degrees</i>			109
University of Mississippi				
	<i>College of Liberal Arts</i>		84	
	Bachelor of Arts	79		
	Bachelor of Fine Arts	2		
	Bachelor of Science	3		
	<i>School of Engineering</i>		27	
	Bachelor of Science in Civil Engineering	7		
	Bachelor of Science in Computer Engineering	1		
	Bachelor of Science in Computer Science	14		
	Bachelor of Science in Electrical Engineering	2		
	Bachelor of Science in Mechanical Engineering	2		
	Bachelor of Science in Geology	1		
	<i>School of Education</i>		3	
	Bachelor of Arts in Education	3		
	<i>School of Business</i>		139	
	Bachelor of Business Administration	139		
	<i>School of Accountancy</i>		21	
	Bachelor of Accountancy	21		
	<i>School of Applied Sciences</i>		74	
	Bachelor of Arts in Sport and Recreation Administration	7		
	Bachelor of Science	22		
	Bachelor of Science in Criminal Justice	26		
	Bachelor of Science in Exercise Science	10		
	Bachelor of Science in Law Studies	3		
	Bachelor of Science in Public Health & Health Sciences	4		
	Bachelor of Social Work	2		
	<i>School of Journalism and New Media</i>		38	
	Bachelor of Arts in Journalism	4		
	Bachelor of Science (IMC)	34		
	<i>General Studies</i>		45	
	Bachelor of Multi-Disciplinary Studies	34		
	Bachelor of University Studies	11		
	<i>Graduate School</i>		153	
	Master of Accountancy	8		
	Master of Accountancy and Data Analytics	4		
	Master of Arts	10		
	Master of Arts in Teaching	7		
	Master of Business Administration	21		

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Institution		Degree to be Conferred	Number	Subtotal	Total
		Master of Criminal Justice	4		
		Master of Education	17		
		Master of Fine Arts	1		
		Master of Music	4		
		Master of Science	31		
		Master of Taxation and Data Analytics	1		
		Specialist in Education	6		
		Doctor of Education	3		
		Doctor of Philosophy	36		
Law School				10	
		Juris Doctor	10		
Total Undergraduate Degrees				431	
Total Graduate/Professional Degrees				163	
Total Degrees					594
University of Mississippi Medical Center					
	Undergraduate			83	
		Bachelor of Science in Nursing	82		
		Bachelor of Science in Dental Hygiene	1		
Graduate/Professional				54	
		Master of Science in Biomedical Sciences	10		
		Master of Science in Population Health Science	1		
		Master of Science in Health Management	1		
		Master of Science in Nursing	25		
		Doctor of Nursing Practice	7		
		Doctor of Medicine	4		
		Doctor of Philosophy	6		
Total Undergraduate Degrees				83	
Total Graduate/Professional Degrees				54	
Total Degrees					137
University of Southern Mississippi					
	College of Arts and Sciences			388	
		Bachelor of Arts	87		
		Bachelor of Fine Arts	6		
		Bachelor of Liberal Studies	27		
		Bachelor of Music	1		
		Bachelor of Music Education	8		
		Bachelor of Science	156		
		Bachelor of University Studies	18		
		Master of Arts	4		
		Master of the Arts in Teaching of Language	5		
		Master of Music	1		
		Master of Music Education	2		
		Master of Science	48		

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Institution	Degree to be Conferred	Number	Subtotal	Total
	Doctor of Musical Arts	4		
	Doctor of Philosophy	21		
	<i>College of Business and Economic Development</i>		273	
	Bachelor of Applied Science	3		
	Bachelor of Science	34		
	Bachelor of Science in Business Administration	158		
	Master of Business Administration	43		
	Master of Professional Accountancy	7		
	Master of Science	21		
	Doctor of Philosophy	7		
	<i>College of Education and Human Sciences</i>		384	
	Bachelor of Arts	2		
	Bachelor of Science	220		
	Bachelor of Social Work	43		
	Master of Arts	2		
	Master of Education	23		
	Master of Library and Information Science	43		
	Master of Science	21		
	Specialist in Education	6		
	Doctor of Education	14		
	Doctor of Philosophy	10		
	<i>College of Nursing and Health Professions</i>		209	
	Bachelor of Arts	21		
	Bachelor of Science	41		
	Bachelor of Science in Nursing	70		
	Master of Public Health	38		
	Doctor of Nursing Practice	39		
	<i>Total Undergraduate Degrees</i>		895	
	<i>Total Graduate Degrees</i>		360	
	<i>Total Degrees</i>			1,255
Total Undergraduate Degrees			3,597	
Total Graduate Degrees			1,318	
System Total				4,915

*Note: System Total for fall 2022 represents an increase of 107 from fall 2021's total of 4,808.

FINANCE

- SYSTEM** – Approved the request to escalate the Ayers Endowment Diversity Program Budgets for Alcorn State University, Jackson State University, and Mississippi Valley State University. These escalations are needed to cover increased costs associated with program operating costs. The original budgets were approved at the June 2022 Board meeting. At that time, estimates of available funding were used to build the budget for these programs. Actual funding is now known, and the institutions have requested to revise their budgets to equal actual sources as shown. All funds budgeted within these programs

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

were generated from annual interest earnings of the *Ayers* Public and Private Endowment investments.

Alcorn State University

Object of Expenditure	Current Budget FY 2023	Budget Revision	Revised Budget FY 2023
Salaries, Wages & Fringe			
Benefits	\$ -		\$ -
Travel	-		-
Contractual Services	-		-
Commodities	-		-
Capital Outlay:			-
Equipment	-		-
Library Resources	-		-
Student Aid	287,813	32,670	320,483
Total	\$ 287,813	\$ 32,670	\$ 320,483

Jackson State University

Object of Expenditure	Current Budget FY 2023	Budget Revision	Revised Budget FY 2023
Salaries, Wages & Fringe			
Benefits	\$ 1,061,533		\$ 1,061,533
Travel	-		-
Contractual Services	825,000		825,000
Commodities	-		-
Capital Outlay:			-
Equipment	-		-
Library Resources	-		-
Student Aid	-	2,042,368	2,042,368
Total	\$ 1,886,533	\$ 2,042,368	\$ 3,928,901

Mississippi Valley State University

Object of Expenditure	Current Budget FY 2023	Budget Revision	Revised Budget FY 2023
Salaries, Wages & Fringe			
Benefits	\$ 67,246		\$ 67,246
Travel	6,000		6,000
Contractual Services	189,278		189,278
Commodities	44,000		44,000
Capital Outlay:			-
Equipment	-		-
Library Resources	-		-
Student Aid	569,258	13,522	582,780
Total	\$ 875,782	\$ 13,522	\$ 889,304

3. **SYSTEM** – Approved the request to enter a lease agreement with MS Hardware Master Tenant, LLC (MS Hardware) to lease approximately 2,090 square feet located on the 2nd floor, southeast corner of the MCITY Building located at 1622 Washington Street in Vicksburg, Mississippi. This space will be used by the four research universities for the purpose of technology transfer and entrepreneurial programs which may be connected to the U.S. Department of Defense and related federal research. The term of the Lease

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Agreement is three (3) years, from January 1, 2023 through December 31, 2025. The total estimated cost of the three (3) year term is \$150,000. IHL will pay a base rent of \$1,741.67 per month, with a two percent (2%) annual increase. IHL will also be responsible for additional rent in the amount of \$2,264.17 which is the estimate of the IHL proportional share of the operating cost MS Hardware will incur during the first calendar year. Additional rent shall not increase more than five percent (5%) per year. MS Hardware may include in additional rent payable for any year of this Lease that IHL's proportionate share of actual operating expenses for the preceding year that exceeded the amount of additional rent paid by the IHL during said preceding year. Likewise, if IHL's payments of additional rent during the preceding year exceeded IHL's proportionate share of actual operating expenses incurred by MS Hardware during said year, IHL shall be entitled to a credit in the calculation of the additional rent due in the succeeding year. During the 2022 Legislative Session, the Mississippi Legislature approved SB 3002 which appropriated \$1,000,000 to the research universities for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi. IHL will pay the Lease costs directly to MS Hardware; however, JSU, MSU, UM and USM will reimburse IHL from the funds appropriated by the Legislature for this purpose. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

4. **JSU** – Approved the request to enter a Purchase Agreement with Logistics365, Inc. for the purpose of purchasing seven (7) all-terrain vehicles and accessories to be used by Jackson State University's Department of Public Safety for policing purposes. The lease agreement will commence upon execution by the Parties and continue until Logistics365, Inc.'s delivery of the vehicles. The amount of the agreement is \$347,082.33. The agreement will be paid from Education and General funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **MSU** – Approved the request to enter a new contract with 3 Enrollment Marketing to provide digital and email awareness marketing along with new market analysis for prospective students. The contract shall begin on the date signed by the parties and terminate on November 30, 2026. The maximum contract amount is \$2,000,000. The contract will be paid from General Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
6. **MSU** – Approved the request to enter a five-year lease for storage space located at 800 Louisville St, Suite A Starkville, MS 39759. The space will be used for storing library materials that need to be archived in a secure, climate-controlled location. The term of the contract is December 1, 2022 to November 30, 2027. The contract amount is \$175,000 and will be paid by E&G Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

7. **MSU** – Approved the request to enter a contract with Diversified Elevator for the purpose of providing elevator maintenance and repair services for all elevators at the MSU Starkville campus and the College of Architecture in Jackson, MS. The contract will commence on January 1, 2023 and will expire on December 31, 2027. The total anticipated cost per month will be \$37,930 plus necessary hourly rate services and future additional inventory costs. The total costs over the life of the contract are projected to be approximately \$4,075,800. The contract will be paid from General funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
8. **MSU** – Approved the request to enter an agreement with Innovative Construction Management, LLC (ICM) for construction manager advisor services related to the renovation of the West Lower Bowl of Davis Wade Stadium, IHL Project 205-325 (Project). The Board also approved the request to negotiate and incorporate supplemental and additional services that may become necessary during the Project and make other Project required modifications to the contract if any supplementary or additional services remain within the Project budget approved by the Board. The contract will commence upon execution and will expire one-year from the date of Substantial Completion of the Project. MSU estimates that the cost of ICM services will be approximately \$3,500,000.00, which includes preconstruction fees and construction services fee based on a percentage of the Cost of Work and General Conditions. The agreement will be paid from MSU Athletics Self-Generated Funds and/or EBC Bonds. 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.
9. **MSU** – Approved the request to enter a contract for professional services agreement with Frontier Strategies, LLC, for advertising agency services to MSU's Office of Nutrition Education for the implementation of the social marketing campaign *HappyHealthy*. The term of the contract begins December 1, 2022 and ends September 30, 2023. This agreement may be renewed in one (1) year increments upon agreement of both parties in writing and the availability of funding, for up to four (4) additional years. Total expenditures shall not to exceed \$5 million and shall be based upon the amount and availability of funding for the project as approved each fiscal year by the U.S. Department of Agriculture and the Mississippi Department of Human Services. The professional services agreement will be funded by a subgrant between the Mississippi Department of Human Services and Mississippi State University. The funding source for the subgrant is the United States Department of Agriculture. 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.
10. **MSU** – Approved the request enter a commissioning agent contract with Sinergi Integrated Building Science, LLC for the design and construction of the Kinesiology and Autism Building (The Jim and Thomas Duff Center). The term of the contract will be November 21, 2022 through the end of applicable warranty period and settlement of any warranty claims. This is a percentage-based contract determined by the cost of project construction. The estimated fees are \$450,000. This contract will be paid out of the following project funds: H.B 1649, Laws of 2018 (\$10,000,000); S.B.3005, Laws of 2019 (\$10,000,000);

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

H.B. 1730, Laws of 2020 (\$10,000,000); S.B. 2948, Laws of 2021 (\$5,000,000); Private Funding (\$15,000,000); and University Funds (5,000,000). 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.

11. **MUW** – Approved the request to enter a management agreement with Sodexo Management, Inc. to provide dining and catering management services for its food service operations and to manage and operate vending operations for the university. The 10 month agreement begins January 1, 2023 and ends December 31, 2032. This is a revenue contract. An annual sales commission will be calculated on a net sales basis (before tax) which will vary depending on sales volumes of each of the following:

Guest Meal Sales	8% of Net Sales
Client and Third-Party Functions	5% of Net Sales
Client and Third-Party Conferences	5% of Net Sales
Declining Balance (DCB)	8% of Net Sales
Retail Sales	8% of Net Sales
High School Meal Plan (F)	8% of Net Sales
Vending Sales	12% of Net Sales

Projected revenue from commissions is anticipated to be \$700,000 over the term of the contract. 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.

12. **MVSU** – Approved the request to escalate the E&G Budget to purchase signage for the campus, create full-time Dual Enrollment/Early College Coordinator and a part-time GHEC Coordinator position, and to purchase two vehicles to be used for recruiting.

Major Object Category	Current Budget	Increase/(Decrease)	Revised Budget
Total Salaries, Wages, and Fringe Benefits	\$ 23,653,919	\$ 95,023	\$ 23,748,942
Travel and Subsistence	774,557	-	774,557
Contractual Services	22,789,444	-	22,789,444
Commodities	1,195,108	235,000	1,430,108
Capital Outlay	351,999	57,977	409,976
Mandatory Transfers	160,000	-	160,000
Non-Mandatory Transfers	(365,027)	-	(365,027)
Increase in Fund Balance	-	-	-
Total Uses of Funding	\$ 48,560,000	\$ 388,000	\$ 48,948,000

13. **UM** – Approved the request for the University's J.D. Williams Library to continue a contract with the American Chemical Society. The purpose of this contract is to secure perpetual access to electronic journal content for an unlimited number of authorized users and to cap the rate of price increase on those journals to 3% each year for life of the contract. With this contract the annual hosting fees associated with the archives perpetual purchase are waived. The term of the contract is January 1, 2023 to December 31, 2025. The contract cost will be \$106,013 in year 2023; \$109,193 in year 2024; and \$112,469 in year 2025. Pursuant to Board Policy 707.03, Approval of Prepayment for Goods and Services, the Board also approved the request to allow prepayment of the annual payment

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

each year. The contract will be paid by the library's materials budget which is derived from E&G funds and from specified endowments. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

14. **UM** – Approved the request for the University and the Institute of Child Nutrition (ICN) to enter a contractual services agreement with Docebo NA, Inc. The ICN is a national institute providing free training for child nutrition professionals across the country. The Learning Management System (online course system) provided for in this contract is used by these professionals to obtain free professional development and continuing professional education hours. The term of the order form is from December 14, 2022 through December 13, 2025. This order form has a total value of \$485,052. The contract will be funded by federal funds (USDA Administration and Staffing Grant). Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
15. **UM** – Approved the request to amend a contractual services agreement with Salesforce, Inc. to continue providing access to the Tableau platform which is utilized by UM to publish key statistical data and metrics. The term of the order form is from November 18, 2022 through November 17, 2023. This order form has a total value of \$90,300. The total value under the previous order forms under the Master Services Agreement is \$563,760. The contract will be paid by E&G funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
16. **UM** – Approved the request to enter a contract with STM Charters, Inc. for passenger charter air transportation and related services for the Ole Miss Men's Basketball team for the 2022/2023 men's basketball season. Services will be provided by Hillwood Airways ACMI and Air Charter Express. The contract will begin on November 21, 2022 and end on March 4, 2023. The contract amount is \$387,150 billed in two installments. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
17. **UM** – Approved the request to enter a contract with STM Charters, Inc. for passenger charter air transportation and related services for the Ole Miss Women's Basketball team for the 2022/2023 women's basketball season. Services will be provided by Hillwood Airways ACMI and Air Charter Express. The contract will begin on December 3, 2022 and end on February 16, 2023. The contract amount is \$346,640 billed in two installments. The funding source for this contract is self-generated intercollegiate athletic revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
18. **UMMC** – Approved the request to waive the annual audit requirement applicable to the IHL approved affiliation agreement with UMMC Research Development Foundation (RDF) for the fiscal year ending June 30, 2023. As per the requirements stipulated in Board Policy 301.0806 University Foundation/Affiliated Entity Activities, D. General Requirements of Affiliation Agreements, Subsection 9, staff have considered and reviewed the source documents for the following: Both activities and assets of the RDF continue to

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

remain low (approximately \$8,567 as of September 2022); Contracting for an external audit would represent a significant expense that, at this time, does not make found financial or business sense, as the audit will cost \$8,750 to complete; and The RDF does not anticipate that the year-end financial statements for the current year will differ substantially from the financial statements as of the end of the most recently completed fiscal year.

19. **UMMC** – Approved the request to enter a new Medical Office Building Lease (Lease) with Greenwood Internal Medicine Associates (GIMA) to lease approximately 7,532 square feet of clinical space located at 408 West Market Street, Greenwood, Mississippi, for use as an internal medicine outpatient clinic. The term of the agreement is sixty (60) months, from December 1, 2022, through November 30, 2027. The total anticipated cost of the Lease is \$616,067.17 over the sixty (60) month term. UMMC's base rent will be \$9,856.21 per month or \$118,382.52 annually with a two percent (2%) increase beginning in year two (2). The agreement will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
20. **USM** – Approved Amendment Two to the Reimbursable Space Act Agreement between The National Aeronautics and Space Administration John C. Stennis Space Center (NASA) and the Board of Trustees of State Institutions of Higher Learning for the Center of Higher Learning and Related University Activities (IHL). Under this Agreement, NASA provides space for IHL through the Center of Higher Learning to facilitate the continued education of the NASA workforce. This Agreement further addresses the terms and conditions for non-academic activities which the IHL has authorized, pursuant to approval by NASA. The Purpose of Amendment Two is to increase the term of the existing Reimbursable Space Act Agreement by one additional year, from the existing five (5) year term to a total of six (6) years, and correspondingly increase the financial obligation on a pro-rata basis for the one (1) additional year. The extension of the Reimbursable Space Act Agreement will likewise extend the term of the Use Permit and Host-Tenant Agreement. The proposed Amendment Two will extend the term of the Reimbursable Space Act Agreement by one additional year, from the existing five (5) year term to a total of six (6) years. The proposed Amendment Two will increase the financial obligation from the existing \$3,648,000.00 as provided in Amendment One to \$4,377,600 for reimbursement to NASA for NASA to carry out its responsibilities the over the term of the Agreement. This estimated total cost is based on the historical costs for the last five years of the Agreement and reflects expenditures by both the Center of Higher Learning and the USM Division of Marine Science. These expenditures are for floor space, utilities, badging and security, telecommunications and other costs associated with being a tenant at the Stennis Space Center. The amendment will be funded by State of Mississippi Appropriations for Center of Higher Learning, Education and general funds for the Department of Marine Sciences. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

REAL ESTATE

21. **DSU** – Approved the initiation of GS 102-281, ADA Compliance for Bologna Performing Arts Center, and the appointment of Burris-Wagnon Architects as the design professional. The project will include the installation of an elevator, construction of new handicap ramps, and the addition of restrooms. The proposed project budget is \$1,702,500. Funds are available from HB 1353, Laws of 2022 (\$1,702,500).
22. **DSU** – Approved the initiation of GS 102-282, Renovation of Foundation Hall, and the appointment of Burris-Wagnon Architects as the design professional. The scope of the project includes the renovation of Foundation Hall by repainting the interior, replacing flooring, upgrading hot water distribution along with other items. No renovations have occurred since original construction. The proposed project budget is \$177,603.87. Funds are available from HB 1649, Laws of 2018 (\$7,192.00); SB 3065, Laws of 2019 (\$57,658.27); and HB 1730, Laws of 2020 (\$112,753.60).
23. **MVSU** – Approved the initiation of GS 106-265 (B), Campus Roofing Phase II, and the appointment of Shafer-Zahner-Shafer, PLLC as the design professional. The scope of the project includes roof repairs at the following buildings in order of priority: O.P. Lowe Education Building, Business Education Building, F.L. Wright Math and Science Building, Walter Sillers Fine Arts, L.S. Rogers, Aquatic Building, and Industrial Technology. The proposed project budget is \$3 million. Funds are available from SB 3002, Laws of 2022 (\$3,000,000).
24. **MSU** – Approved the initiation of IHL 205-329, Sanderson Center Renovation and Repairs, and the appointment of WBA Architecture, PLLC as the design professional. The project is intended to renovate the Sanderson Center to maximize the use of space by modifying existing exercise spaces to meet current demands, to improve storage, to make necessary building system repairs, and to upgrade interior finishes (flooring, lights, and paint) to provide a modern university recreation center. The proposed project budget is \$2.5 million. Funds are available from University Designated Funds (\$2,500,000).
25. **MSU** – Approved the initiation of IHL 405-006, Bost Drive Extension for CAAD, and the appointment of Neel-Schaffer, Engineers and Planners, Inc., as the design professional. The project will extend Bost Drive to connect at the intersection of College View Drive and Bailey Howell Drive. This connection will improve vehicular circulation around the perimeter of campus and enhance pedestrian and bicycle safety. The proposed project budget is \$2 million. Funds are available from SB 2971, Laws of 2021 (\$2,000,000).
26. **UMMC** – Approved the request to increase the budget for IHL 209-566, Patient Care Units Expansion, from \$12,733,495 to \$15,000,000 for an increase of \$2,266,505, and to modify the scope of the project. The funding source of the project will remain the same. The escalation in the project budget is required based on the revised scope of the project. The Board previously approved the scope to include the build-out of the remaining half of the 7th floor of the Adult Hospital for Medical / Surgical beds while providing design only for future Day Surgery, Psychiatric and ICU buildouts. The new scope of work will include only the following: build-out the south wing of the 6th floor shell space in the Adult Tower for Med/Surg beds and will provide final design only to build-out the 6th floor shell space in the Critical Care Tower for ICU beds. Funds are available from UMMC SSA [Shared Services Account] Building Improvements – Patient Care Revenue (\$15,000,000).

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

27. **UMMC** – Approved the request to increase the budget for IHL 209-576, MS Center for Medically Fragile Children, from \$12,500,000 to \$15,900,000 for an increase of \$3,400,000. The Board also approved the request to modify the funding sources to include HB 1730, Laws of 2020, and Children’s of Mississippi Philanthropy to allow for the budget increase. The escalation in the project budget is required based on the design professional’s latest Schematic Design estimate of cost. This project will provide the first pediatric skilled nursing facility in the state of Mississippi and will include patient rooms, support areas and outdoor space. Funds are available from HB 1160, Laws of 2019 (\$12,500,000); HB 1730, Laws of 2020 (\$2,000,000); and Children’s of Mississippi Philanthropy (\$1,400,000).
28. **DSU** – Approved the request to delete from inventory and demolish the Court of Governors which include Building #52A, 52B, 52C, and 52D. Court of governors was built in 1970 to serve as a men's residence hall. It comprises four three-story buildings with the first floors located below ground level with a total of 56,348 square feet. The buildings have been vacant since June 2017 and are in a state of disrepair with copious amounts of mold in the interior. The demolition of this facility will provide for green space and possible future expansion. The approval letter has been received from the Mississippi Department of Archives and History stating Court of Governors is not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
29. **MSU** – Approved the exterior design for the Davis Wade Stadium South End Renovation on the university campus. This project which is funded by the MSU Bulldog Club will include the renovation of the existing M-Club to relocate the media and press from the 200-level located on the west side of Davis Wade Stadium to the M-Club. A copy of the renderings is included in the *November 17, 2022 Board Working File*.
30. **MSU** – Approved the request to delete from inventory Buildings #1474 and #1475 located in Raymond, MS. Both buildings consist of a residence and a garage that were constructed in 1947. These buildings are in poor condition and are not cost effective to repair. The approval letter has been received from the Mississippi Department of Archives and History stating Buildings #1474 and #1475 are not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
31. **UM** – Approved the request to sell 0.067 acres of land located at 100 Depot Street in Oxford, MS to Depot Street Investments, for a sale price of \$8,877.50. The property is directly below and adjacent to the rear of a building recently purchased and now owned by Depot Street Investments. Currently the building encroaches upon land owned by the University of Mississippi and there is no existing buffer between the building footprint and the lands owned by the University along the pedestrian trail (known as Whirlpool Trail or Campus Rail Trail). The sales price of \$8,877.50 is the average of two appraisals which were in the amount of \$9,000.00 and \$8,755.00, respectively. This property is a fraction of the Southeast Quarter of Section 20, Township 8 South, Range 3 West, Lafayette County, Mississippi. This property contains 0.067 acres more or less and is described in more detail as follows: Beginning at a 1/2” iron pin set being located 324.82 feet West of and 1468.77 feet North of an existing 1/2” iron pin being accepted as the Southeast Corner of said Section 20; run thence North 30°42’40” East a distance of 43.96 feet to a 1/2” iron

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

pin set; thence South 59°13'57" East a distance of 3.64 feet to a 1/2" iron pin set; 2 thence North 31°08'37" East a distance of 131.30 feet to a 1/2" iron pin set on the South right of way of West Jackson Avenue; thence South 53°51'20" East along said right of way a distance of 15.26 feet to an existing 3/8" iron pin; thence South 30°42'40" West leaving said right of way a distance of 173.79 feet to an existing 3/8" iron pin; thence North 59°21'37" West a distance of 19.82 feet the point of beginning. All bearings are determined by solar observation. In accordance with the terms and conditions of this Agreement, the Seller agrees to sell and convey to the Buyer by quitclaim deed all of the Seller's rights and interest in the Property reflected in the survey attached as Exhibit "A" of the agreement and described above with all the Seller's rights and interests including but not limited to all rights under the soil, and the improvements to the Property including all fixtures and appurtenances not otherwise expressly excluded. The Seller's obligations are contingent upon it having received approval from the IHL Board for the sale of the Property at their meeting on November 17, 2022. A Phase I Environmental Site Assessment is not required for the sale of property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

32. **UM** – Approved the request to purchase 44.5 acres of land located off Taylor Road in Oxford, MS from Southeast Ventures, LLC, for a sale price of \$649,000. The property is directly at the end of the S. Campus Rail Trail (Whirlpool Trail) which is owned by the University of Mississippi. The acreage also fronts Old Taylor Rd at several points along the Eastern boundary. This property is valuable to the University in that real estate in close proximity to the University campus is in high demand, low in supply and is generally priced high accordingly. This property, with existing connectivity by the trail, which is owned by UM, offers opportunity for future expansion at an affordable price point, since the land is not already fully developed. The sales price of \$649,000 is less than the average of two independent appraisals which was \$691,250. The first appraisal was \$804,000 and the second appraisal was \$578,500. Following is the property description:

Tract 1: A tract of land being a fraction of the Northwest Quarter (NW 1/4) of Section 12, Township 9 South, Range 4 West, Lafayette County, Mississippi

Tract 2: A tract of land being a fraction of the Northwest Quarter (NW 1/4) of Section 12, Township 9 South, Range 4 West, Lafayette County, Mississippi

Tract 3: A tract of land being a fraction of the Northwest Quarter (NW 1/4 J of Section 12, Township 9 South, Range 4 West, Lafayette County, Mississippi, said tract describing all that part of the original 100.00-foot-wide right-of-way of the Illinois Central Railroad Company's abandoned Jackson District, beginning at the North line of Section 12 extending South to the centerline of Thacker Mountain Road

Tract 4: A fraction of the Northwest Quarter of Section 12, Township 9 South, Range 4 West, Lafayette County, Mississippi

Tract 5: A fraction of the Northwest Quarter of Section 12, Township 9 South) Range 4 West, Lafayette County, Mississippi

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

The terms of sale include purchasing 44.5 acres of land along with an abandoned house for a \$649,000 purchase price. This purchase is supported by the average of 2 independent appraisals, which resulted in a valuation of \$691,250. The purchase is to occur through UM Cash Reserves or equivalents, without external financing terms. A Phase I Environmental Site Assessment (ESA) is required for the acquisition of property. The Phase I report was performed on the 44.5-acre tract of land located at the corner of Old Taylor Road and Thacker Mountain Road. No recognized environmental conditions were identified in connection with the subject property. The property did contain an approximately 2,000 square foot abandoned wooden residential structure on the southern portion of the site. The asbestos and lead paint survey identified the residential structure on the property had four (4) homogenous areas of asbestos containing materials within the building and lead was identified on various paint surfaces in two areas of the building. UM should notify the contractor of findings and follow all local, state, and federal regulations and requirements regarding the removal of such materials. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

33. **UM** – Approved the lease between the University of Mississippi Research Foundation (Insight Park) and the School of Engineering at the University of Mississippi. Pursuant to Board Policy 707.03, Approval of Prepayment for Goods and Services, the Board also approved the request to allow prepayment of the annual lease payment each year. The Smith and Werfel Labs currently share 880 square feet of wet chemistry space in Thad Cochran Research Center West (TCRC W). However, this space has become vastly over-committed based on our number of personnel and externally funded projects. Additionally, the laboratory space in TCRC W is not designed to facilitate biomolecular studies, which make up at least half of the work done in groups. Therefore, the School of Engineering needs to move into a lab space that can accommodate its growing research groups, help accomplish the work proposed in multiple ongoing grant projects and is flexible enough to facilitate both chemical and biological research. The University of Mississippi School of Engineering will lease 62,000 square feet, state of the art Class A building in the Lessor's research park, Insight Park with existing parking and ingress and egress thereto. The lease term is five (5) years commencing on or before December 1, 2022, with the option to renew annually for two additional years following the primary five-year term. No deposit is required, and the lease rate is \$75,000 annually, resulting in a total lease amount of \$525,000 if all renewals are exercised. The total annual rent will be \$75,000. The total rent if the primary term and all renewals are exercised is \$525,000. The funding will come from multiple sources: State appropriated funds, E&G Funds, and self-generated funds. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

LEGAL

34. **JSU** – Approved the request for Taft Advisors, LLC to lobby on behalf of the university outside of the State of Mississippi in accordance with Board Policy 201.0506 Political Activity.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

35. **SYSTEM** – Approved the updated Operational Guidelines for the IHL Self-Insured Workers’ Compensation Program. The IHL Self-Insured Workers’ Compensation Plan is an approved self-insurer which exists for the purpose of insuring the system entities against liabilities arising under workers’ compensation laws. The current operational guidelines were approved in 2001 and established a delegation of settlement authority to the Commissioner and the IHL Director of Risk Management in an amount up to \$50,000 per claim. The updated operational guidelines increase the delegated settlement authority from up to \$50,000 per claim to up to \$200,000 per claim. The updated Operational Guidelines is included in the bound *November 17, 2022 Board Working File*.

ADMINISTRATION/POLICY

36. **ASU** – Approved the request to bestow one honorary degree at its 2022 Fall commencement ceremony. Supporting documents are on file at the Board Office.

REGULAR AGENDAS

ACADEMIC AFFAIRS

Presented by Trustee Steven Cunningham, Chair

On motion by Trustee Cunningham, seconded by Trustee McNair, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda.

1. **SYSTEM** – Approved the following recommended actions based on the Academic Productivity Reviews.
 - a. Continue with Stipulation

The following 4 academic programs are subject to additional review by the IHL Office of Academic and Student Affairs (OASA) for two years to assess progress toward future productivity.

 - JSU – Master of Science in Education (MSEd) in School Counseling (CIP Code, Seq: 13.1101, 4038)
 - MSU – Bachelor of Science (BS) in Environmental Science in Agricultural Systems (CIP Code, Seq: 03.0101, 5842)
 - MSU – Bachelor of Science (BS) in Natural Resource and Environmental Conservation (CIP Code, Seq: 03.0101, 5843)
 - USM – Master of Science (MS) in Geology (CIP Code, Seq: 40.0601, 4380)
 - b. Suspend

Although students may earn degrees from suspended academic programs, no additional students will be accepted into these majors. If the institution does not request that a suspended program be deleted or removed from suspension within three (3) academic years, OASA will recommend to the Board that the program be

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

deleted from the academic program inventory. Unless a request is made by the institution, this program will be recommended for deletion in October 2025.

- ASU – Master of Science (MS) in Biotechnology (CIP Code, Seq: 19.0501, 5032)

c. Delete

- ASU – Bachelor of Arts (BA) in Sociology (CIP Code, Seq: 45.1101, 5043)
- JSU – Bachelor of Arts (BA) in Urban Studies (CIP Code, Seq: 45.1201, 5163)
- JSU – Bachelor of Science (BS) in Educational Technology (CIP Code, Seq: 13.0501, 5713)
- JSU – Master of Science (MS) in Environmental Science (CIP Code, Seq: 03.0103, 4056)
- JSU – Master of Science in Education (MSEd) in Secondary Education (CIP Code, Seq: 13.1205, 4041)
- MSU – Bachelor of Science (BS) in Business Technology (CIP Code, Seq: 13.1303, 5695)
- MSU – Bachelor of Science (BS) in Human Sciences (CIP Code, Seq: 19.0101, 5245)
- MSU – Doctor of Philosophy (PhD) in Applied Economics (CIP Code, Seq: 45.0601, 1190)
- USM – Bachelor of Science in Business Administration (BSBA) in Economics (CIP Code, Seq: 52.0601, 5536)

FINANCE AGENDA

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee Starr, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. Trustee Gee Ogletree noted that he is abstaining from discussing or voting on items #2, #3, #7, and #8 on the Finance Agenda as he was out of the country and unable to review the documents provided last week. Trustee Ogletree also recused himself from discussing or voting on items #4 - 6 on the Finance Agenda and was placed in the Zoom waiting room before there was any discussion or vote regarding the same. On motion by Trustee Parker, seconded by Trustee Starr, with Trustees Martin and Ogletree absent and not voting, and with Trustee Hubbard participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #2-8. Trustee Ogletree was readmitted to the Zoom meeting following the discussion and vote on items #2-8 on the Finance Agenda.

1. **SYSTEM** – Approved the request for IHL to purchase workers' compensation excess insurance and employer's liability insurance from Safety National Casualty Company. The broker will be Arthur J. Gallagher. The policy will provide workers' compensation insurance coverage in excess of the primary self-insured retention of \$1,000,000 per occurrence. The one-year policy will be from December 1, 2022, through November 30,

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

2023. The estimated premium is \$359,292 for the one-year term based upon an annual payroll of \$1,642,855,491. The exact cost may fluctuate as it is based upon annual payroll. This insurance is paid for by the IHL Self-Insured Workers' Compensation Plan. The Plan collects assessments annually from each university, including UMMC, and the Board Office. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

2. **DSU** – Approved the request to enter an agreement with Blues Air, LLC to formalize the operating and financial relationship related to the U.S. department of Education Congressional award that funds the Agricultural Flight Operation training. This is the first year of the award. The term of the agreement is three years upon signature. The agreement is for \$20,300 per student not to exceed \$203,006 per year for three years for a total of \$609,018. The agreement will be paid from the funds from the Department of Education Congressional award. 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. **UM** – Approved the request to enter a contract with Innovative Construction Management for the University of Mississippi new Ole Miss Softball Complex. The term of the contract is November 21, 2022, through twelve (12) months after Substantial Completion of the Ole Miss Softball Complex construction contract. Based on current design timeline and construction timeline estimate, the projected contract value is \$1,644,929.59. This will fluctuate with actual construction contract values and any time extensions granted during construction. The funding source for this contract is Self-Generated Athletic Revenues. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
4. **UMMC** – Approved the request to enter a Product Purchase Agreement (Agreement) with Advanced Accelerator Applications USA, Inc. (AAA) to purchase LUTATHERA and PLUVICTO, which are radiopharmaceutical drugs used in Nuclear Medicine for the treatment of cancer patients. LUTATHERA is used for the treatment of neuroendocrine tumors, including painful bone lesions in adult and pediatric patients. PLUVICTO is used for the treatment of prostate cancer in adult patients. Radiopharmaceuticals are used for various purposes such as the destruction of cancer cells or pain treatment. The Board also approved the request to allow the institution to amend the Agreement without seeking prior Board approval if adequate funds are available. The term of the Agreement is three (3) years, from December 1, 2022, through November 30, 2025. The estimated cost of the Agreement is \$42,175,000.00 over the three (3) year term. Beginning in year two (2), UMMC has included a forty percent (40%) increase for potential patient volume and cost increases. Once per calendar year, AAA may increase pricing, any such increase shall be directly proportional to the nationwide published Wholesale Acquisition Cost of the product. 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.
5. **UMMC** – Approved the request to enter a Product Sale Agreement with Airgas USA, LLC (Airgas). The agreement is for the purchase of cylinder medical gas and rental of the cylinders used to house the medical gas. Medical gases are consumed by adult and

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

pediatric patients in inpatient and outpatient care areas at UMMC facilities in Jackson, Grenada, and Lexington. The Board also approved the request to allow the institution to add or remove products under the agreement without seeking prior Board approval if it does not increase the approved expenditure level. The term of the agreement is five (5) years, from December 1, 2022, through November 30, 2027. The new estimated total cost over the five (5) year term is \$1,400,000. Beginning in year 2, UMMC has included fifteen percent (15%) increase for volume and price changes. After the first eighteen months of the agreement, Airgas shall increase the prices by four percent (4%) per year. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

6. **UMMC** – Approved the request to amend the Locally Negotiated Agreement with Covidien Sales LLC, a Medtronic company (Covidien) to extend the term, revise UMMC's purchase commitment, add an ultrasonic cutting product growth rebate, and replace a portion of the product list as well as the sample product standardization template. The agreement is for the purchase of electrosurgery, vessel sealing, smoke evacuation, ultrasonic cutting, and hardware products. These devices are basic and advanced hardware and associated products used primarily in the Operating Room to control bleeding, sealing, and cutting blood vessels during minor to extensive procedures. The Board also approved the request to allow the institution to add and remove products from the agreement as needed, as long as it does not increase the approved expenditure level. The term of the amended agreement is four (4) years, from December 1, 2020, through November 30, 2024. The original agreement was for a three (3) year term, ending November 30, 2023. The amendment will extend the term one (1) additional year through November 30, 2024. The total estimated cost of the amended agreement is \$6,125,000. The original estimated cost of the three (3) year term was \$4,150,000. During the extended term, UMMC anticipates the need for an additional \$1,975,000. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
7. **USM** – The Board granted retroactive approval of an Amendment to a partnership and licensing agreement with Assessment Technologies Institute, LLC. (ATI) that provides critical learning resources for the College of Nursing's student population. The purpose of this contract is to provide USM Nursing students access to comprehensive assessment and review programs, practice and proctored assessments, clinical judgment practice, focused review modules, video case studies, simulations, National Council Licensure Examination (NCLEX) reviews, as well as other comprehensive learning resources and tools. Additionally, ATI's remediation component allows the identification of at-risk students much earlier in the program and provide them with individualized remediation plans. The term of the contract is for 36 months—August 1, 2021 through August 31, 2024. For use of ATI Products and Services, the University is assessed a fee of per RN student enrolled. The fees range from \$1,387 per RN student for the December 2021 class, to \$2,775 per RN student for the May 2022 and subsequent classes. Amendment One adjusts the payment schedule for certain nursing program class cohorts to extend the required payments over three or four semesters as indicated, without impacting the total amount due. This

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

agreement is funded solely through student course fees. Because this agreement has already been executed, Legal Staff has not reviewed the proposed agreement for compliance with applicable law. The agreement is on file in the Board Office.

8. **USM** – Approved the request to amend a service contract with the University of Southern Mississippi Research Foundation (“USMRF”) for Blue Tech Accelerator Critical Infrastructure Phase I. The purpose of the contract is to provide for the first phase of critical infrastructure for the Blue Tech Accelerator Program, and the proposed Amendment 1 will extend the term for an additional two (2) years and three (3) months through December 31, 2024 and add an additional \$500,000 in authorized expenditure. The proposed Amendment 1 provides that the University will reimburse USMRF for actual costs incurred by USMRF to accomplish the Scope of Work in amounts not to exceed \$1,200,000. Institutional funds including funds generated through indirect cost recovery will be utilized to fund the additional activities authorized by this Amendment. 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.

LEGAL AGENDA

Presented by Trustee Gee Ogletree, Chair

On motion by Trustee McNair, seconded by Trustee Morgan, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to move item #1 to the Executive Session Agenda.

1. **UMMC** – Settlement of IHL Tort Claim No. 3274. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Rader, seconded by Trustee Starr with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Approved the Board meeting dates and locations for January through December 2023 as follows:

Thursday, January 19, 2023	Board Office
Thursday, February 16, 2023	Board Office
Thursday, March 23, 2023	University of Southern Mississippi Gulf Park Campus
Thursday, April 20, 2023	Board Office
Thursday, May 18, 2023	Board Office
Thursday, June 15, 2023	Board Office

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Thursday, July 20, 2023	Subject to Call
Thursday, August 17, 2023	Board Office
Thursday, September 21, 2023	Board Retreat
Thursday, October 19, 2023	Board Office
Thursday, November 16, 2023	Alcorn State University
Thursday, December 21, 2023	Subject to Call

Should committee meetings be held, they will most likely occur on the Wednesday prior to the Board meeting dates.

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. **MSU** – Intent to Offer Existing Degree Programs by Distance Learning
 - a. Bachelor of Science (BS) in Human Development and Family Science, Youth Development
Total credit hours: 124
CIP Code, Sequence: 19.0701, 5862
Cost to offer by distance learning: \$105,000
Effective date: August 2023

FINANCE

2. **SYSTEM** – As part of the *Ayers* Settlement Agreement, publicly and privately funded endowments were created for the benefit of Alcorn State University, Jackson State University, and Mississippi Valley State University. The *Ayers* Investment Report summarizes the activity in the endowment accounts for FY 2022. The report is on file in the Board Office.

REAL ESTATE

3. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the October 20, 2022 Board meeting in accordance with Board Policy 904 Board Approval. (See **Exhibit 1.**)

LEGAL

4. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See **Exhibit 2.**)
5. **UM** – Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved UM’s request to enter into a contract for professional legal services with the law firm of Lightfoot, Franklin & White LLC, as outside counsel, pursuant to IHL Board Policy 1102.04, to advise and assist the university regarding NCAA matters. The contract will be effective through June 30, 2023. The hourly rates are \$455 for a senior partner, \$435 for a junior partner, \$235 for an NCAA specialist, and \$225 for technical support, with a

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

maximum amount payable of \$75,000. This firm carries professional liability insurance coverage in the amount of \$10,000,000 per claim with an annual aggregate of \$20,000,000. This approval was contingent upon approval by the Office of the Attorney General.

ADMINISTRATION/POLICY

6. SYSTEM – 2022 Fall Commencement Schedules

Alcorn State University

Time/Date: 9:00 a.m., Saturday, December 10, 2022
Location: Jack Spinks and Marino Casem Stadium
Speaker: Ms. Demetha Sanders, SVP Human Resources-Head of Employee Lifecycle, Atlassian

Delta State University

Graduate; Undergraduate School of Nursing

Time/Date: 10:00 a.m., Friday, December 9, 2022
Location: Bologna Performing Arts Center
Speaker: Dr. Tomeka Harbin, 2022 recipient of S. E. Kossman Outstanding Teacher Award, Delta State University

Undergraduate

Time/Date: 2:00 p.m., Friday, December 9, 2022
Location: Bologna Performing Arts Center
Speaker: Dr. Tomeka Harbin, 2022 recipient of S. E. Kossman Outstanding Teacher Award, Delta State University

Jackson State University

Time/Date: 10:00 a.m., Friday, December 9, 2022
Location: Lee E. Williams Athletics and Assembly Center
Speaker: TBD

Mississippi State University

Meridian Campus

Time/Date: 11:00 a.m., Thursday, December 8, 2022
Location: MSU Riley Center
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

Starkville Campus

College of Architecture, Art and Design; College of Arts and Sciences, College of Education; and Academic Affairs

Time/Date: 9:30 a.m., Friday, December 9, 2022
Location: Humphrey Coliseum
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

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

Time/Date: 3:30 p.m., Friday, December 9, 2022
Location: Humphrey Coliseum
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

Mississippi University for Women

Time/Date: 11:00 a.m., Friday, December 2, 2022
Location: Rent Auditorium, Whitfield Hall
Speaker: No Speaker

Mississippi Valley State University

Time/Date: 10:00 a.m., Saturday, December 10, 2022
Location: Rice-Totten Stadium
Speaker: Mr. Brent Leggs, Executive Director of the African American Cultural Heritage Action Fund and Senior Vice President of the National Trust for Historic Preservation

The University of Southern Mississippi

There will be no speakers.

Graduate Students – All Colleges

Time/Date: 6:00 p.m., Thursday, December 8, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS

Undergraduates – College of Arts and Sciences and College of Nursing and Health Professions

Time/Date: 9:00 a.m., Friday, December 9, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS

Undergraduates – College of Business and Economic Development and College of Education and Human Sciences

Time/Date: 2:00 p.m., Friday December 9, 2022
Location: Bernard Reed Green Coliseum, Hattiesburg, MS

**HEALTH AFFAIRS
COMMITTEE REPORT
Wednesday, November 16, 2022**

Committee members participated in the meeting in person or via Zoom. The meeting was called to order by Chairman Walt Starr at approximately 3:00 p.m. The following items were discussed.

1. Chairman Starr recognized Dr. Mike Henderson, Chief Medical Officer at the University of Mississippi Medical Center, who is retiring soon, and provided highlights from Dr. Henderson's career at UMMC which began in 2015 with a vision to improve and standardize clinical quality. Chairman Starr thanked Dr. Henderson for his contributions that have reshaped UMMC's culture of quality and safety.
2. The Committee discussed the monthly financial summary and strategic goal dashboard. The Committee received a Quarterly Quality update and a marketing update. **No action was taken.**
3. Executive Session
On motion by Trustee McNair, with Trustees Cummings, Ogletree, and Parker absent and not voting and with Trustees Cunningham, Hubbard, and Martin participating via Zoom, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

McNair, seconded by Trustee Rader, with Trustees Cummings, Ogletree, and Parker absent and not voting and with Trustees Cunningham, Hubbard, and Martin participating via Zoom, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of strategic business plans related to a public hospital.

During Executive Session, the following matters were discussed:

The Committee discussed the strategic business plans related to a public hospital. **No action was taken.**

On motion by Trustee McNair, seconded by Trustee Rader, with Trustees Cummings, Ogletree, Martin, and Parker absent and not voting and with Trustees Cunningham and Hubbard participating via Zoom, all Committee members legally present and participating voted unanimously to return to open session.

4. On motion by Trustee McNair, seconded by Trustee Cunningham, with Trustees Cummings, Ogletree, Martin, and Parker absent and not voting and with Trustees Cunningham and Hubbard participating via Zoom, all Committee members legally present and participating voted unanimously to adjourn.

The following Committee members were present: Dr. Walt Starr (Chair), Dr. Steven Cunningham (via Zoom), Mr. Tom Duff, Ms. Teresa Hubbard (via Zoom), Ms. Jeanne Luckey, Mr. Bruce Martin (via Zoom), Dr. Alfred McNair, Mr. Chip Morgan, and Mr. Gregg Rader. Dr. Ormella Cummings, Mr. Gee Ogletree, and Mr. Hal Parker were absent.

ANNOUNCEMENTS

- President Duff announced the next meeting will be January 19, 2023.
- Trustee Ogletree was granted a point of personal privilege and welcomed Dr. Joseph Paul, President of The University of Southern Mississippi, to the meeting.

EXECUTIVE SESSION

On motion by Trustee McNair, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Luckey, seconded by Trustee McNair, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

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

Discussion of a personnel matter at Delta State University.

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

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

On motion by Trustee McNair, seconded by Trustee Cunningham, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve the settlement of the Tort Claim No. 2374 styled as *Bridgett Williams, wrongful death beneficiary of Vernon Rainey, vs. the University of Mississippi Medical Center, et al.*, as recommended by counsel.

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

On motion by Trustee McNair, seconded by Trustee Parker, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to return to Open Session.

On motion by Trustee Hubbard, seconded by Trustee Morgan, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to approve engage a search consultant for the Delta State University President Search.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee McNair, seconded by Trustee Cunningham, with Trustee Martin absent and not voting and with Trustees Hubbard and Ogletree participating via Zoom, all Trustees legally present and participating voted unanimously to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 17, 2022**

EXHIBITS

- | | |
|-----------|---|
| Exhibit 1 | Real Estate items that were approved by the IHL Board staff subsequent to the October 20, 2022 Board meeting. |
| Exhibit 2 | Report of the payment of legal fees to outside counsel. |

EXHIBIT 1

November 17, 2022

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE OCTOBER 20, 2022 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.

MISSISSIPPI STATE UNIVERSITY

1. MSU- IHL #205-307 – PLAN ADDITIONAL OFFICES RASPET FLIGHT LAB

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Architecture South.

Approval Status & Date: APPROVED, November 2, 2022

Project Initiation Date: August 18, 2022

Design Professional: Architecture South

General Contractor: TBD

Total Project Budget: \$180,000.00

2. MSU- IHL #205-308 – CVM EXPANSION TO THE ANIMAL EMERGENCY & REFERRAL CENTER

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$7,184.00 and one hundred ninety-six (196) additional days to the contract of The ArCon Group, LLC.

Approval Status & Date: APPROVED, November 1, 2022

Change Order Description: Change Order #2 includes the following items: modifications made to the scope of work and one hundred ninety-six days to the contract.

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

Total Project Change Orders and Amount: Two (2 change orders for a total amount of \$565,724.09.

Project Initiation Date: May 18, 2017

Design Professional: Machado/Patano, PLLC

General Contractor: The ArCon Group, LLC

Total Project Budget: \$5,600,000.00

EXHIBIT 1

November 17, 2022

3. **MSU- IHL #205-311 – TRANSPORTATION ALTERNATIVES PROJECT COLLEGEVIEW CONNECTOR**

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,600,979.81 to the apparent low bidder, Burns Dirt Construction, Inc.

Approval Status & Date: APPROVED, October 7, 2022

Project Initiation Date: May 20, 2021

Design Professional: Neel Shaffer

General Contractor: Burns Dirt Construction, Inc.

Total Project Budget: \$2,000,000.00

4. **MSU- IHL #205-313 – HULL HALL RE-ROOF**

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Shafer Zahner Zahner Office of Architecture

Approval Status & Date: APPROVED, October 7, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 7, 2022

Project Initiation Date: May 20, 2021

Design Professional: Shafer Zahner Zahner Office of Architecture

General Contractor: TBD

Total Project Budget: \$1,400,000.00

5. **MSU- IHL #205-321 – SUMMER 2022 PAVING**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$227,971.76 and fourteen (14) additional days to the contract of Gregory Companies LLC, dba Murphee Paving.

Approval Status & Date: APPROVED, October 7, 2022

Change Order Description: Change Order #1 includes the following items: added president's overlay; added Morrill Road base repairs; added additional excavation to the center gated drive island; added a 2.5' width road widening strip; added a sidewalk, curb and gutter along Magruder street; added inlet repairs on Magruder street; added additional gated drive island; and fourteen (14) days to the contract.

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

Approval Request #2: Change Order #2

Board staff approved Change Order #2 in the amount of \$59,832.35 and zero (0) additional days to the contract of Gregory Companies LLC, dba Murphee Paving.

Approval Status & Date: APPROVED, October 7, 2022

Change Order Description: Change Order #2 includes the following items: credited original lump sum amount to the contract per CO #1; removed the asphaltic joint sealant and credited; quantity adjustment for existing manholes (3); added a lump sum amount for trench repair additions; adjusted quantity for removal of curb (all types), removal of concrete sidewalk (all sizes), combo curb & gutter installation, concrete sidewalk

EXHIBIT 1

November 17, 2022

installation, concrete drive installation, Nyloplast basins, inlets, & tops (all types), hot bituminous pavement surface course; hot bituminous pavement base course; cold milling of bituminous pavement (all depths), 4" thermoplastic traffic stripe (cont. white or yellow), 4" thermoplastic detail stripe (white or yellow); and relocation of a light pole.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$287,804.11.

Project Initiation Date: May 19, 2022

Design Professional: Neel-Schaffer, Engineers and Planners, Inc.

General Contractor: Gregory Companies LLC, dba Murphee Paving

Total Project Budget: \$2,500,000.00

6. **MSU- IHL #205-325 – DAVIS WADE STADIUM RENOVATIONS**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by LPK Architects, P.A.

Approval Status & Date: APPROVED, October 26, 2022

Project Initiation Date: August 18, 2022

Design Professional: LPK Architects, P.A.

General Contractor: TBD

Total Project Budget: \$25,000,000.00

7. **MSU- IHL #205-328 NEW RESIDENCE HALL**

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 25, 2022 to initiate a project, New Residence Hall and to appoint Wier Boerner Allin Architecture as the design professional. The total project budget is \$400,000.00 (Design Fees Only). Funding is provided by University Designated Funds (\$400,000).

Interim Approval Status & Date: APPROVED, October 25, 2022

Project Initiation Date: July 3, 2022

Design Professional: Wier Boerner Allin Architecture

General Contractor: TBD

Total Project Budget: \$400,000.00

8. **MSU- IHL #405-001 – MUSIC BUILDING RE-BID**

Approval Request #1: Change Order #8

Board staff approved Change Order #8 in the amount of \$122,592.00 and zero (0) additional days to the contract of Mac's Construction Company, Inc.

Approval Status & Date: APPROVED, October 13, 2022

Change Order Description: Change Order #8 includes the following items: corrected grades and curb inlet installation at Hardy Road; installed additional acoustical wall panels; installed revised north parking lot light pole footings; installed Zypex

EXHIBIT 1

November 17, 2022

waterproofing wall coating at the lecture hall basement walls; and modified the existing fence panel to incorporate a gate at the band field.

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

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$565,724.09.

Project Initiation Date: May 18, 2017

Design Professional: Allred Stolarski Architects

General Contractor: Mac's Construction Company, Inc.

Total Project Budget: 21,000,000.00

UNIVERSITY OF MISSISSIPPI

9. UM- IHL #207-440 – NEW BAND PRACTICE FIELD

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 16, 2022 to increase the project budget from \$3,500,000.00 to \$5,440,000.00 an increase of \$1,940,000.00.

Interim Approval Status & Date: APPROVED, October 16, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$4,649,000.00 to the apparent low bidder, Roberts Builders, Inc.

Approval Status & Date: APPROVED, October 17, 2022

Project Initiation Date: November 16, 2017

Design Professional: Holcombe Norton Partners, LLC.

General Contractor: Roberts Builders, Inc.

Total Project Budget: \$5,440,000.00

10. UM- IHL #207-474 – SOC – COSTUME SHOP RELOCATION

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$5,142.06 and zero (0) additional days to the contract of JP Corp General Contractors.

Approval Status & Date: APPROVED, October 13, 2022

Change Order Description: Change Order #2 includes the following items: repaired unforeseen, damaged existing floor.

Change Order Justification: This change was necessary due to a latent job site condition.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$22,118.36.

Project Initiation Date: January 20, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: JP Corp General Contractors

Total Project Budget: \$1,378,790.00

EXHIBIT 1

November 17, 2022

11. UM- IHL #207-485 – JAC-CENTER FOR GRAPHENE RESEARCH RENOVATION

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, October 13, 2022

Project Initiation Date: August 18, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$2,000,000.00

12. UM- IHL #407-002 – DATA CENTER FACILITY RENOVATION

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Duvall Decker Architects, P.A.

Approval Status & Date: APPROVED, NOVEMBER 2, 2022

Project Initiation Date: June 20, 2019

Design Professional: Duvall Decker Architects, P.A.

General Contractor: TBD

Total Project Budget: \$30,000,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

13. UMMC - IHL #209-581 – CHILDREN’S CANCER CLINIC RENOVATION

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as Cooke Douglas Farr Lemons Architects & Engineers, P.A.

Approval Status & Date: APPROVED, October 13, 2022

Project Initiation Date: April 25, 2019

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, P.A.

General Contractor: TBD

Total Project Budget: \$3,000,000.00

14. UMMC- IHL #209-583 – NEUROSURGERY OFFICE RENOVATION

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 16, 2022 to initiate and appoint JBHM as the design professional for this project.

Interim Approval Status & Date: APPROVED, October 16, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$999,999.00 to the apparent low bidder, Fountain Construction Co., Inc.

Approval Status & Date: APPROVED, October 17, 2022

Project Initiation Date: October 16, 2022

EXHIBIT 1

November 17, 2022

Design Professional: JBHM Architecture

General Contractor: Fountain Construction Co., Inc.

Total Project Budget: \$1,550,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

15. USM- GS #108-300 – HICKMAN HALL RENOVATION

NOTE: This is a Bureau of Building project

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, October 27, 2022

Project Initiation Date: May 20, 2021

Design Professional: Burris Wagnon Architects, P.A.

General Contractor: TBD

Total Project Budget: \$11,350,000.00

EXHIBIT 2

November 17, 2022

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 Bradley Arant Boult Cummings, LLP (statement dated 9/7/22) from the funds of Mississippi State University. (This statement, in the amount of \$150.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 150.00

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 10/14/22 and 10/17/22) from the funds of Mississippi State University. (These statements, in the amounts of \$1,350.00 and \$1,200.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,550.00

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statement dated 9/13/22) from the funds of Mississippi State University. (This statement, in the amount of \$2,622.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,622.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/22, 10/1/22 and 10/1/22) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00, \$2,500.00 and \$39.99, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 5,039.99

Payment of legal fees for professional services rendered by The Winfield Law Firm, P.A. (statements dated 10/22/22 and 10/22/22) from the funds of Mississippi State University. (These statements, in the amounts of \$7,200.00 and \$2,137.50, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 9,337.50

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/28/22, 9/28/22, 9/28/22, 10/26/22 and 10/26/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$413.00, \$4,495.50, \$5,959.00, \$7,233.00 and \$5,044.50, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 23,145.00

EXHIBIT 2

November 17, 2022

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 10/12/22) from the funds of the University of Mississippi. (This statement, in the amount of \$1,841.88, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,841.88

Payment of legal fees for professional services rendered by Nelson Mullins (statement dated 10/11/22) from the funds of the University of Mississippi. (This statement, in the amount of \$11,131.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 11,131.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/22, 10/1/22, 10/1/22 and 10/1/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$106.94, \$49.65, \$154.17 and \$2,350.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 2,660.76

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 5/20/22, 7/18/22, 8/24/22, 8/24/22, 9/9/22, 9/9/22, 9/9/22, 9/9/22, 9/21/22, 9/23/22, 9/26/22, 10/11/22, 10/12/22, 10/12/22, 10/12/22 and 10/12/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$15,880.50, \$13,872.00, \$39,934.00, \$6,668.52, \$560.50, \$17,341.50, \$636.00, \$10,328.10, \$8,938.50, \$19,907.62, \$1,497.00, \$3,038.50, \$446.70, \$826.00, \$2,803.20 and \$265.50, respectively, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 142,944.44

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 9/16/22, 9/16/22 and 9/21/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$9,229.58, \$4,976.44 and \$1,989.27, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 16,195.29

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 9/28/22, 9/28/22 and 9/28/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$99.00, \$49.50 and \$9,633.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 9,781.50

Payment of legal fees for professional services rendered by Hagwood and Tipton, P.C. (statements dated 6/3/22, 8/15/22, 8/15/22, 8/15/22, 8/15/22, 9/14/22, 9/14/22, 10/11/22 and

EXHIBIT 2

November 17, 2022

10/20/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,328.50, \$363.00, \$2,421.60, \$825.00, \$1,620.00, \$594.00, \$132.00, \$3,622.50 and \$4,200.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 20,106.60

Payment of legal fees for professional services rendered by King & Spalding, LLP (statements dated 7/27/22, 8/25/22 and 9/21/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$66,600.00, \$63,976.04 and \$29,877.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 160,453.04

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 9/8/22 and 10/21/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$985.50 and \$2,127.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,113.00

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 9/1/22, 9/1/22, 10/4/22, 10/4/22 and 10/11/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$5,629.30, \$330.00, \$1,440.00, \$1,551.00 and \$33.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,983.30

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 10/14/22, 10/17/22, 10/17/22 and 10/17/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$70.09, \$3,613.50, \$1,299.00 and \$181.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,983.30

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 8/18/22, 9/9/22, 9/13/22, 9/13/22, 9/13/22, 9/22/22, 9/22/22, 9/27/22, 9/28/22, 10/11/22, 10/19/22, 10/19/22, 10/20/22, 10/21/22, 10/21/22, 10/26/22 and 11/2/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,552.50, \$132.50, \$12,218.60, \$14,811.95, \$4,219.10, \$2,134.85, \$3,396.45, \$9,354.50, \$5,121.75, \$9,597.63, \$66.00, \$26.50, \$12,506.78, \$4,818.00, \$1,069.50, \$3,074.00 and \$40,769.50 respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 126,870.11

EXHIBIT 2

November 17, 2022

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 10/12/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$58.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 58.50

Payment of legal fees for professional services rendered by Butler|Snow (statement date 10/12/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$10,250.22, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 10,250.22

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 10/12/22 and 10/12/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,892.38 and \$2,820.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,712.38

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/22, 10/1/22, 10/1/22, 10/1/22, 10/1/22 and 10/1/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$59.73, \$230.00, \$25.08, \$30.88, \$90.90 and \$59.48, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 496.07

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/16/22, 9/16/22 and 9/16/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: "High Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High Current Applications" - \$28.50; "Live Attenuated Edwardsiella ictaluri Vaccine and Method of Using Same" - \$28.50; and "Recombinant Fimbrial Protein of Aeromonas hydrophila as Vaccine in Catfish" - \$706.00.)

TOTAL DUE.....\$ 763.00

EXHIBIT 2

November 17, 2022

Payment of legal fees for professional services rendered by Conley Rose (statement dated 10/6/22) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “Wearable Flexible Sensor Motion Capture System” - \$355.00.)

TOTAL DUE.....\$ 355.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 10/12/22, 10/12/22 and 10/13/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Occidiofungin Formulations and Uses Thereof” - \$1,569.00; “Vaccine Compositions Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$2,630.50; and Theinylpiperidine Donor NIR & II Xanthene-Based Dye for Imaging” - \$8,150.00, respectively.)

TOTAL DUE.....\$ 12,349.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/28/22, 7/28/22, 9/20/22 and 9/20/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods of Use Thereof” - \$1,552.00; “Cottonseed Oil Polymer” - \$659.50; “Cottonseed Oil Polymer” - \$604.50; and “Unsymmetrical CCC-NHC Pincer Metal Complexes and Applications” - \$228.00, respectively.)

TOTAL DUE.....\$ 3,044.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 6/29/22, 8/29/22, 8/29/22, 8/29/22, 8/29/22, 9/19/22, 9/19/22, 9/19/22, 9/19/22 and 9/19/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,142.50, \$2,319.00, \$635.00, \$52.00, \$180.50, \$875.50, \$1,575.50, \$3,916.00, \$3,959.50 and \$5,612.00, respectively, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 23,267.50

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 8/23/22, 8/23/22, 8/23/22 and 8/23/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$291.25, \$140.00, \$250.00 and \$200.00, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 881.25

EXHIBIT 2

November 17, 2022

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 10/11/22, 10/11/22 and 10/11/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$652.50; Thiol-Based Post-Modifications of Conjugated Polymers” - \$240.00; and “Conjugated Polymer Sensors Using the Inner Filter Effect” - \$2,080.50, respectively).

TOTAL DUE.....	\$	2,973.00
-----------------------	-----------	-----------------

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
December 8, 2022**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special called meeting held via Zoom at the Board Office in Jackson, Mississippi at 4:00 p.m. on December 8, 2022, and pursuant to notice in writing, to each and every member of said Board. The following members participated: Mr. Tom Duff, 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. Dr. Ormella Cummings, Dr. Steven Cunningham, Ms. Teresa Hubbard, and Ms. Jeanne Carter Luckey were absent. The meeting was called to order by Mr. Tom Duff, President.

To comply with Miss. Code Ann., §25-41-5, as amended, all votes taken during this Zoom meeting were recorded by name in a rollcall. The meeting was held to discuss a financial matter.

FINANCE AGENDA

Presented by Trustee Hal Parker, Chair

On motion by Trustee Rader, seconded by Trustee Martin, with Trustees Cummings, Cunningham, Hubbard, and Luckey absent and not voting and with all other trustees participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda.

1. **UM** – Approved the request to enter a contract with STM Charters, Inc., for passenger charter air transportation for the football team, supporting personnel, and related services to the 2022 TaxAct Bowl in Houston, TX. The contract will begin on December 25, 2022 and end on December 29, 2022. The contract amount is \$310,500 billed in one installment. The funding source for this contract is a bowl participation distribution from the Southeastern Conference for the TaxAct Bowl. 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.

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee McNair, seconded by Trustee Morgan, with Trustees Cummings, Cunningham, Hubbard, and Luckey absent and not voting and with all other trustees participating via Zoom, 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

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

1. DSU- REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH WASTE MANAGEMENT OF MISSISSIPPI, INC.

Agenda Item Request: Delta State University requests approval to enter into a contract with **Waste Management of Mississippi Inc.**, for collection and disposal of solid waste on its campus.

Contractor's Legal Name: Waste Management of Mississippi, Inc.

History of Contract: The contract is a professional services agreement between Delta State University and Waste Management of Mississippi Inc. This is a new agreement between both parties. Republic Services previously maintained a contract to provide said services for Delta State University.

Specific Type of Contract: This is a professional services contract.

Purpose: The purpose of this contract is to secure solid waste disposal services for Delta State University. Waste Management of Mississippi will provide the services for the greater campus community including facility services, the cafeteria, and student housing.

Scope of Work: The agreement provides solid waste collection and disposal services for faculty- staff apartments, DSU-North Campus Baseball, Hill Apartments, campus union, cafeteria, and facilities maintenance. Additional locations may be serviced for an additional fee.

Date	VCR code	District	Account Name	Svc Address	City	State	quantity	Container size	Service Level	Service days	Base Rate
11.7.2022	NBC	374	DSU- Faculty Staff Apts	201 Canal Ave	Cleveland	MS	1	8FL	x2	T/F	\$ 366.74
11.7.2022	NBC	374	DSU- North Campus Baseball	1005 Stadium Dr	Cleveland	MS	1	30yd OT	HAUL	ONC	\$ 695.00
									RENT	month	\$ 90.00
									DEL		N/C
									REL		\$ 250.00
									TRP		\$ 250.00
									DISP	Ton	\$ 64.00
11.7.2022	NBC	374	DSU - Hill Qpts	201 Canal Ave	Cleveland	MS	1	8 FL	x2	T / F	\$ 336.74
11.7.2022	NBC	374	DSU - Campus Union	1003 Coahoma St	Cleveland	MS	1	8FL	x3	M W F	\$ 544.49
11.7.2022	NBC	374	DSU - Cafeteria	1003 Washington Ave	Cleveland	MS	2	8 FL	x3	M W F	\$ 1,088.98
11.7.2022	NBC	374	DSU- facilities Maintenance	1417 Maple St	Cleveland	MS	1	40yd OT	HAUL	ONC	\$ 715.00
									RENT	month	\$ 140.00
									DEL		\$ 250.00
									REL		\$ 250.00
									TRP		\$ 250.00
									DISP	ton	\$ 64.00

Delivery- \$215.00

Overage \$ 175.00
Extra PU KFB = 235.00

FUEL exempt
ENV exempt
RCR exempt

Delta State University estimates cost of \$88,882.40 per year or \$444,412.00 over the five-year life of the contract.

Term of Contract: The term of the contract is five (5) years from February 1, 2023.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

Termination Options: The agreement can be terminated by Delta State University if Waste Management of Mississippi fails to satisfy their service guarantee or with 30 days written notice to the company. The company can terminate the contract if Delta State University fails to pay as stipulated in the contract for more than fifteen days or fails to remedy any breach of services with Delta State University with five days written notice. The company can also terminate the contract with fifteen days written notice if Delta State University appoints an alternative company to handle its waste management services.

Contract Amount: The agreement stipulates the cost of collection and disposal of solid waste as displayed in item six of this document.

Funding Source for Contract: This contract will be funded by revenue by the University's auxiliary units.

Contractor Selection Process: Delta State University secured the services of Waste Management of Mississippi for the collection and disposal of its solid waste through an RFP in July 2022. Three vendors responded to the bid with two submitting valid proposals. A committee, consisting of six members, reviewed each proposal. The review resulted in Waste Management of Mississippi receiving the highest rating out of the proposals submitted to the University. Waste Management was not the lowest bid. However, the other vendor failed to provide all required information within proposal submitted which greatly diminished its score. This resulted in the Waste Management receiving the bid because of its higher score on the score matrix.

STAFF RECOMMENDATION: Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

2. UM-REQUEST FOR APPROVAL TO AMEND A SERVICES AGREEMENT WITH JACKSON SPALDING, INC.

Agenda Item Request: The University of Mississippi Office of University Marketing and Communications requests approval to amend the University's current contract with **Jackson Spalding, LLC.**, an Atlanta-based marketing communications agency (the "Amendment").

Contractor's Legal Name: Jackson Spalding, Inc.

History of Contract: UM is currently under the original contract (the "Original Contract") which was approved by the IHL Board in October of 2020.

Specific Type of Contract: This is an amendment to a contract for communications consulting services.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

Purpose: The purpose of this Amendment is to increase the cost retainer included in the Original Contract to provide assistance on a number of communications items related to the National Center for Cannabis Research and Education.

Scope of Work: Jackson Spalding (Agency) shall provide to The University of Mississippi (UM or Client) certain issues management services as and when such services are needed related to the National Center for Cannabis Research and Education. Agency and UM each acknowledge that the precise scope of the Services will evolve and depend upon facts and circumstances that are not entirely foreseeable as of the date of the Agreement. Any work and budget shall be submitted to and approved by UM prior to start of work. The initial services are anticipated to include, but are not limited to:

- Messaging Framework
- Create Brand Look
- Microsite Development
- Video Development

Term of Contract: The terms of this Amendment will begin when the Amendment is executed and end upon the expiration of the term of the Original Contract (October 15, 2023).

Termination Options: The Amendment will remain in effect until terminated by either party on the earlier of (i) the date of the Original Contract terminates or (ii) upon sixty (60) days' written notice by either party, unless earlier terminated in accordance with the Original Contract. The Original Contract may be terminated at any time after the first ninety (90) days of the initial term, without cause, by providing at least sixty (60) days' prior written notice to the other party. The Original Contract may also be terminated for cause before the expiration date of the term on written notice:

1. by Agency, if Client fails to pay any amount when due hereunder and such failure continues for fifteen (15) days after Client's receipt of written notice of nonpayment;
2. by either Party, if the other Party materially breaches any provision of the Original Contract and either the breach cannot be cured or, if the breach can be cured, it is not cured by the breaching party within thirty (30) days after the breaching Party's receipt of written notice of such breach; or
3. by either Party, if the other Party (A) becomes insolvent, (B) is generally unable to pay, or fails to pay, its debts as they become due, (C) files, or has filed against it, a petition for voluntary or involuntary bankruptcy or pursuant to any other insolvency law, (D) makes or seeks to make a general assignment for the benefit of its creditors, or (E) applies for, or consents to, the appointment of a trustee, receiver or custodian for a substantial part of its property or business.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

The non-affected Party may terminate the Original Contract and/or any affected SOW if such failure or delay caused by or resulting from force majeure continues for a period of thirty (30) days or more, except where the circumstance beyond the Party's control is a pandemic, University closure or disruption of operations, or local, state or federal executive order, than the Party shall have the right to terminate upon written notice to the other. Should there be no funds available for any succeeding funding period; the contract will be cancelled as of the end of the funding period with no further obligation on the part of UM. The Original Contract is cancellable with thirty (30) days' notice to the vendor at the end of the fiscal period in the event funds are not appropriated by the funding authority.

Contract Amount: The total spend under this Amendment, inclusive of any and all fees and expenses specified herein, shall not exceed \$67,000.

Funding Source for Contract: Funding for this Amendment will be provided through educational & general funds.

Contractor Selection Process: In the fall of 2019, the Office of University Marketing and Communications solicited proposals from six agencies with crisis and issues management capabilities. Those agencies were: BGR Public Relations, The Cirlot Agency, FTI Strategic Communications, Jackson Spalding, Inc., Kith, and Strategic Marketing Group LLC. The university reviewed the proposals with an eye toward deep media expertise, proven crisis communications capabilities, and experience in higher education and intercollegiate athletics. Jackson Spalding's proven experience with leading organizations across the Southeast and the caliber of its counsel were decisive factors in their selection. Cost was also a key consideration. Three of the agencies were representative of the rates that national agencies charge Fortune 500 clients, and we were not comfortable committing at those levels. After evaluating the firms on the merits, we concluded that Jackson Spalding offered the best combination of price, relevant experience, ability for us to manage our spend, and scale to serve the breadth of services that we needed to support the university and its leadership in this area.

The university team chose Jackson Spalding and entered into a one-year contract with the intent of using this time period to gauge fit with the university and its leadership team. The university is very pleased with the services provided and now seeks to amend the contract with Jackson Spalding to add additional work. Since part of the new scope of work includes creating a microsite and videos, the university obtained second quotes for those items to ensure competitive cost and quality. The university team reviewed the quotes for the microsite creation and the video production and chose Jackson Spalding as the best vendor for those products based on the cost and quality criteria.

STAFF RECOMMENDATION: Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

3. UM – REQUEST FOR APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES AGREEMENT WITH SAFEGUARD WORLD INTERNATIONAL LIMITED (SAFEGUARD GLOBAL)

Agenda Item Request: The University of Mississippi (“UM”) and the Division of Administration and Finance request approval to enter into a contract with **Safeguard World International Limited (“Safeguard Global”)**.

Contractor’s Legal Name: **Safeguard World International Limited (“Safeguard Global”)**

History of Contract: An RFP for the project with a submission deadline of September 15th, 2022 was completed with the selected vendor notified on October 12th, 2022.

Specific Type of Contract: This contract is to provide UM with global employment outsourcing, contracting, and payroll processing for contracted employees that reside outside of the United States.

Purpose: The purpose of the contractual relationship is to allow UM to legally engage and contract with faculty and staff that reside outside of the United States while they provide instruction and research for various departments and schools on campus.

Scope of Work: Safeguard Global will provide global employment outsourcing services for the employment of an individual, identified by Client, in a particular country. Safeguard Global will act as employer of record, ensuring all appropriate licenses and/or registrations necessary for employment in each country are completed. Safeguard Global will facilitate distribution of payments for compensation and reimbursement of expenses. In addition, Safeguard Global will ensure compliance with applicable rules and regulations governing the reporting and payment of Employer/Employee Social Costs and any other employment statutory payments.

Term of Contract: The term of this Agreement shall be one (1) year commencing the Effective Date as defined above, and/or as indicated upon the formal issuance of a Purchase Order. At the end of one (1) year, this Agreement shall automatically renew for a maximum of four (4) additional one-year terms. This Agreement is valid for a maximum of five (5) years.

Termination Options:

Termination of the Agreement for Convenience: Either Party may terminate this Agreement by providing at least ninety (90) days’ prior written notice, or if the termination is initiated by Client, Client may choose to provide payment in lieu of such notice in the amount of the Worker’s Global Outsourcing Fees for a period of ninety (90) days.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

Termination of the Agreement for Cause: Without prejudice to any other rights or remedies to which the Parties may be entitled, this Agreement may be terminated for cause as follows:

Failure to Make Payment: Safeguard Global may terminate this Agreement immediately, if Client fails to pay any Fees when due, and such failure continues for a period of thirty (30) days after Safeguard Global notifies Client in writing of such failure;

Uncured Material Breach: Either Party may terminate this Agreement if the other Party commits a material breach of the Agreement and (if such a breach is remediable) fails to remedy that breach within thirty (30) days of that Party being notified in writing of the breach;

Insolvency Issues: Either Party may terminate this Agreement immediately if the other Party suspends, or threatens to suspend, payment of its debts, is unable to pay its debts as they fall due, or has a receiver or manager, administrator or administrative receiver appointed of its undertaking or any part thereof or otherwise takes the benefit of any other statutory provision for the time being in force for the relief of insolvent debtors, or any proceedings are otherwise commenced relating to the insolvency or possible insolvency of the other Party or any event occurs or proceeding is taken with respect to the other Party in any jurisdiction to which it is subject that has an effect equivalent or similar to the events mentioned.

Cease Business: Either Party may terminate this Agreement immediately if the other Party ceases, or threatens to cease, to do business or trade.

Contract Amount: The total amount payable, pursuant to this Agreement, shall not exceed two and a half million dollars (\$2,500,000) during the Term of this Agreement.

Funding Source for Contract: The contract will be funded by existing E&G budget funds of departments that require the outsourcing of faculty or staff.

Contractor Selection Process: An RFP process was conducted inviting qualified vendors to participate, and all responses were reviewed and scored by a committee. Two vendors submitted proposals, and they were scored based on their ability to meet the requirements of the RFP. Selection criteria included experience, cost, countries served, and vendor profile. Overall, across all evaluation areas, Safeguard Global received the highest score. While Safeguard Global was not the lowest cost provider, the pricing models across comparable providers are not exactly apples to apples. For instance, the other respondent indicated in their responses that for some countries due to complexities there could be other charges, and as such, the MSA may need to be adjusted. Safeguard did not indicate any uncertain or unpredictable cost structure. Additionally, the areas where Safeguard excelled were:

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

- 1) 14 years of experience with clientele that included Higher Education / University partners. Global Employment Outsourcing is their specialty, and the company was founded on this business model.
- 2) Coverage of 179+ countries and in-house expertise in Global Employment Outsourcing in these countries (whereas the other respondent would have a secondary partnership for such).
- 3) Competitive and transparent cost structure for initial setup and ongoing costs, without uncertain or unpredictable fees.
- 4) Over 1500 personnel have been hired for Higher Education and/or Governmental roles since 2020 through Safeguard and they have 150 Higher Ed clientele / partners and provided references of similar clients as the University of MS.

STAFF RECOMMENDATION: Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

4. UM – REQUEST FOR APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES AGREEMENT WITH STARREZ, INC.

Agenda Item Request: The University of Mississippi Department of Student Housing (“Student Housing”) requests approval to enter into a contract with **StarRez, Inc.**

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

History of Contract: This is a new contract.

Specific Type of Contract: This contract is for services provided by a cloud-based university student housing assignments management system.

Purpose: This contract provides for mitigation of the housing management solution to a cloud-based system, allowing for future adaptability at a more rapid pace

Scope of Work: The contractor will provide a cloud-based university student housing assignments management system that will enable Student Housing to maximize staff time, money, and effort by effectively managing the application process, contracts assignments, and communication processes. This includes maintaining personal student information, managing multiple year applications, managing multiple housing contracts with the ability to e-sign contracts for both students and parents of students under the age of 18, managing and tracking occupancy, managing group assignments, managing wait lists, having multiple ways to create and assignment, and having a customizable pro-rate tool for billing.

Term of Contract: The term of this contract will begin on the day it is signed and ends five years from that date.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

Termination Options: This Agreement commences on the Commencement Date and remains in force for a period of five (5) years. Either party may immediately terminate this Agreement or a SOW if (a) the other party materially breaches any of the terms of this Agreement and fails to remedy such breach within sixty (60) days' written notice of such breach or (b) the other party is the subject of an Insolvency Event. Should there be no funds available for any succeeding funding period; the contract will be cancelled as of the end of the funding period with no obligation on the part of the university. The contract is cancellable with thirty (30) days' notice to the vendor at the end of the fiscal period in the event funds are not available.

Contract Amount: The contract amount for five (5) years is \$609,393.60.

Year One Subscription: \$72,086.26

Year Two Subscription: \$123,847.62

Year Three Subscription: \$130,605.68

Year Four Subscription: \$137,701.64

Year Five Subscription: \$145,152.40

Total Five-Year Cost: \$609,393.60

Student Housing is anticipating the construction of new buildings which will add additional bed spaces covered by this contract during the next five (5) years. These bed spaces will require additional licenses and add to the cost of the contract. StarRez has agreed to lock in the price at \$30/bed space which can be purchased in increments of fifty (50). In addition, there could be additional modules that Student Housing does not currently use that would be beneficial to the operation of the department. If purchased, these modules could increase the annual subscription cost, adding to the overall 5 year total.

Funding Source for Contract: The funding source this contract will be self-generated Student Housing revenue.

Contractor Selection Process: A Request for Proposals (RFP 703) was issued for a Housing Management System, Cloud-Based. StarRez was the only company that responded to the RFP. It also met all needs specified in the RFP. University of Mississippi has used StarRez in the past on a server-based system and has been happy with services provided.

STAFF RECOMMENDATION: Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

5. UMMC – REQUEST FOR APPROVAL OF A RESOLUTION CONFIRMING SUPPORT FOR THE ESTABLISHMENT AND OPERATION OF THE MISSISSIPPI BURN CENTER AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests a resolution confirming support for the establishment and operation of the Mississippi Burn Center (“Center”) at UMMC as well as confirmation that adequate funds are available for that purpose. The Joseph M. Still Burn Center at the Merit Health Central closed on October 14, 2022. Consequently, Mississippians no longer have access to an in-state burn center. As the state’s only academic medical center and level-1 trauma center, UMMC is well positioned to fill the void caused by the recent closure.

History: In the 2007 Regular Legislative Session, the Mississippi Legislature passed House bill 567, authorizing UMMC to establish the Center. The bill was subsequently signed into law by Governor Haley Barbour. The only burn center located in Mississippi, the Joseph M. Still Burn Center at the Merit Health Central, closed on October 14, 2022. Consequently, Mississippians no longer have access to an in-state burn center. UMMC seeks to fulfill the legislatures intent that it establishes and operate the Center.

Specific Type of Request: This is a resolution to confirm support for the establishment and operation of the Center at UMMC as well as confirmation that adequate funds are available for that purpose.

Purpose: The primary purpose of the resolution is confirmation of support for UMMC’s efforts to establish and operate the Center, as provided in 2007 Mississippi House Bill 567, and the confirmation that adequate funds are available for that purpose.

Scope of Work: UMMC will establish and operate the Center.

Below is a text of the Resolution.

MISSISSIPPI BURN CENTER RESOLUTION

STATE OF MISSISSIPPI
COUNTY OF HINDS

On the 19th day of January 2023, at a meeting of the Board of Trustees of State Institutions of Higher Learning, held in Jackson, Mississippi, in Hinds County, with a quorum of members present, the following matters were taken into consideration:

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

- I. **WHEREAS**, this governing body acknowledges and understands that the Mississippi Legislature passed Mississippi House Bill 567, authorizing the University of Mississippi Medical Center to establish the “Mississippi Burn Center,” in its 2007 Regular Legislative Session, and that the bill was subsequently signed into law by Governor Haley Barbour.
- II. **WHEREAS**, the purpose of the Center is for the treatment of burn victims.
- III. **WHEREAS**, the University of Mississippi Medical Center seeks to fulfill the Legislature’s intent that it establishes and operate the Center.
- IV. **WHEREAS**, the University of Mississippi Medical Center has performed an assessment of planned operations to confirm financial sustainability of the Center.

NOW, THEREFORE BE IT

- I. **RESOLVED** that the Board of Trustees of State Institutions of Higher Learning fully supports the efforts of the University of Mississippi Medical Center to establish and operate the Mississippi Burn Center, as provided in 2007 Mississippi House Bill 567; and be it further
- II. **RESOLVED** that the Board of Trustees of State Institutions of Higher Learning has determined that adequate funds are available from public and/or private sources for the annual operation cost of the Mississippi Burn Center; and be it further
- III. **RESOLVED** that the Board of Trustees of State Institutions of Higher Learning has determined that UMMC is committed to the provision of burn care through its operation of the Mississippi Burn Center as intended by the Legislature.

The above resolution was passed by a majority of those members present and voting in accordance with applicable laws, bylaws, policies, and procedures of this governing body.

This the 19th day of January 2023.

TOM DUFF PRESIDENT

ACKNOWLEDGMENT

STATE OF MISSISSIPPI COUNTY OF _

Personally appeared before me, the undersigned authority in and for the said county and state, on this_ day of January 2023, within my jurisdiction, the within named Tom Duff, who acknowledged that he executed the above and foregoing instrument.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

Notary Public

SEAL

My Commission Expires: _

STAFF RECOMMENDATION: Legal Staff has reviewed the proposed resolution for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

6. UMMC –REQUEST FOR APPROVAL TO AMEND A LICENSE AND SUPPORT AGREEMENT WITH EPIC SYSTEMS CORPORATION (EPIC)

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into Amendment No. 31 to the License and Support Agreement with **Epic Systems Corporation (Epic)** to add license volumes for additional interfaces. This increase will allow UMMC to add additional interfaces used for various third-party applications throughout UMMC. These interfaces allow for the exchange of information from the third-party application to Epic for storage in the patients' medical record. Pursuant to IHL policy 707.03 *Approval of Prepayment for Goods or Services*, UMMC also requests a waiver to allow prepayment of volume fees for the additional interfaces.

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 \$118,880,932.99. A complete history of the Epic contract is on file at the Board office.

On August 18, 2022, the Board approved a previous Amendment No. 31 to add license volumes and maintenance and support for the current program property. This amendment was to allow UMMC to add Memorial Health System to its Community Connect Program. However, UMMC and Memorial did not move forward with the Community Connect project and the amendment was not executed.

Specific Type of Contract: This is Amendment No. 31 to the License and Support Agreement.

Purpose: The purpose of Amendment No. 31 to the License and Support Agreement with Epic Systems Corporation (Epic) to add license volumes and maintenance support for the

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

additional interfaces. This increase will allow UMMC to interface various third-party applications as needed within the Institution.

Scope of Work: Under Amendment No. 31, Epic will:

- Provide the software license and support for the license program property under the current agreement; and
- Provide ongoing maintenance and support for the licenses.

Term of Contract: The term of Amendment No. 31 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 total cost for Amendment 31 is \$156,000.00 and is already accounted for in the overall cost. The total cost of the Agreement remains \$118,888,932.99.

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

Contractor Selection Process: UMMC is currently contracted with Epic.

STAFF RECOMMENDATION: Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

7. USM – REQUEST FOR APPROVAL TO ENTER INTO A FOOD SERVICE AGREEMENT WITH TONY’S KING OF STEAKS, INC.

Agenda Item Request: The University of Southern Mississippi requests Board approval of a food services agreement for its Gulf Coast Research Laboratory (GCRL) facility.

Contractor’s Legal Name: Tony’s King of Steaks, Inc.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

History of Contract: The contractor was awarded a food service provider contract that was approved by the IHL Board in May 2017 for a total of five years. This request is to renew the services of this provider for up to another five years.

Specific Type of Contract: This is a food service contract for the constituents of the GCRL.

Purpose: The primary purpose of the contract is for the contractor to supply meals for students attending USM's Summer Field Program (SFP) and Coastal Sciences Camps (CSC), as well as serving as the sole provider of food services for all catered events with more than 20 participants on GCRL's campus during the period of the contract. The contractor will be allowed to prepare and serve additional items to visiting students and USM program participants while at GCRL. The short-order walk-in business will be managed and operated solely at the discretion of the contractor.

Scope of Work: The scope of work for this contract is to provide food service in compliance with all appropriate state health certification and food safety regulations to students attending the USM programs, specifically in the summer, but also, at the contractor's discretion, to other constituents such as faculty, staff, and visitors.

Term of Contract: The term of this contract will be from January 19, 2023 through December 31, 2025, with the option to renew for two (2) additional one-year periods.

Termination Options: Both Parties can terminate after giving 60 days' written notice to the other with or without cause. Also, if the Contractor fails to remain compliant with the Mississippi Employment Protection Act (E-Verify), USM can terminate the contract. Finally, under force majeure, if an event continues uninterrupted for a period exceeding six (6) calendar months, either party may elect to terminate this 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.

Contract Amount: The total contract amount is estimated at \$450,000. The amount may vary based on student enrollment and general demand, but includes a \$30,000 contingency for commodity and labor fluctuations. The unit pricing of the meals per SFP student, per day, will be \$29.35. USM will be invoiced for the number of students served under the SFP Meal Plan at the end of each month. Additionally, USM will pay the Contractor for individual meals provided to SFP instructors, Teaching Assistants, or SFP program personnel and for individual meals reserved under the Marine Education Center's CSC programs at the following rates: Breakfast \$8.35, Lunch \$9.90, and Dinner \$11.10.

Funding Source for Contract: This contract will be funded by revenue generated from college students, public school groups, various program participants, and other campus activities requiring meals.

Contractor Selection Process: This contractor was chosen as the best overall value because of (1) its proven ability to provide service on a variety of levels, (2) the quality of

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
January 19, 2023

food, and (3) the reasonableness of their pricing. Because of the GCRL's unique food service needs, attracting a reliable and consistent food service provider capable of meeting our needs has been challenging in the past.

STAFF RECOMMENDATION: Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

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

Board Policy §902, Initiation of Construction Projects

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

Board Policy §904(A), Board Approval

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

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

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

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

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

Board Policy §905(A), Real Estate Management

Prior Board approval is required for the execution of all easements or non-oil, non-gas and non-mineral leases in an amount greater than \$100,000. The Commissioner is authorized to approve leases (other than oil, gas and mineral leases) or easements in amounts equal to or less than \$100,000. The Commissioner may further delegate the Commissioner's approval authority regarding easements and leases to the applicable IEO or his/her designee(s) provided that the requirements of Policy 707.01 D. are met. Board approval is required for timber sales in an amount greater than \$500,000. For timber sales of an amount \$500,000 or less, the Chair of the Real Estate Committee is authorized to approve sales on behalf of the Board upon satisfactory legal review and recommendation from the Commissioner. Board approval prior to the execution of the contract is required for all other land contracts requiring an aggregate total expenditure of more than \$250,000. Requests for approval of land contracts shall include property descriptions, terms of purchase, lease or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.

Board Policy §905(B), Real Estate Management

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

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

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

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. ASU – GS 101-326 – MISCELLANEOUS CAMPUS REPAIRS - PRESIDENT'S RESIDENCE

Project Request: Alcorn State University requests approval to initiate a project, Miscellaneous Campus Repairs – President's Residence, and to appoint Shafer Zahner Zahner, PLLC as the design professional for the project.

Proposed Design Professional: Shafer Zahner Zahner, PLLC

General Contractor: MS Brown and Root Industrial Services, LLC

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.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$1,000,000 per claim and \$2,000,000 aggregate.

Purpose: Alcorn State University 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. This is a Job Order Contracting (JOC) project.

Project Scope: This project will allow for demolition work, installation of new shingle roof, and related membrane roofing system, installation of new windows, painting, and a host of related work associated with needed/required repairs to the interior and exterior of the President's house.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

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

Project Initiation Date: January 19, 2023

Date of Original Construction: 1999

Date of Last Renovation: N/A

Project Budget:

		<i>Estimated</i>
Construction Cost:	\$	810,674.00
Architectural and Engineering Fees:		40,534.00
Misc. Project Costs:		200.00
Furniture & Equipment Costs:		0.00
Contingency:		<u>398,592.00</u>
Total Project Budget	\$	1,250,000.00

Funding Source(s): ASU Local Fund [Auxiliary] (\$322,860.91); HB 1730, L'20 (\$275,000); SB 3065, L'19 (\$611,077.96); SB 2851, L'13 (\$17,999.40); DFA Statewide Critical R&R [2019] (\$12,575.16); DFA Statewide Critical R&R [2018] (\$10,486.57)

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

2. DSU – GS 102-266B – CAMPUS HVAC PHASE II

Project Request: Delta State University requests approval to initiate a project, Campus HVAC Phase II, and to appoint Engineering Resource Group as the design professional for the project.

Proposed Design Professional: Engineering Resource Group

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.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$1,000,000 per claim and \$1,000,000 aggregate.

Purpose: Delta State University 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: This project will allow for repairs and replacement of failed HVAC systems throughout the DSU campus.

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

Project Initiation Date: January 19, 2023

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 2,500,000.00
Architectural and Engineering Fees:	150,000.00
Misc. Project Costs:	0.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>250,000.00</u>
Total Project Budget	\$ 2,900,000.00

Funding Source(s): HB 1353, Laws of 2022 (\$2,900,000)

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

3. MUW – GS 104-209 – FANT HALL RENOVATION – NURSING EXPANSION

Project Request: Mississippi University for Women requests approval to initiate a project, Fant Hall Renovation -Nursing Expansion.

Proposed Design Professional: TBD

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. MUW will use the RFQ method for selection of the design professional and bring the selected design professional back to the Board for approval at a future Board Meeting.

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

Project Scope: This project involves capital improvements to an existing, unoccupied building, Fant Hall. Fant Hall, built in 1927 and formerly utilized as a residence hall, is located directly across the street from the Campus Health Center and Martin Hall, which houses the Nursing Programs. Capital improvements to Fant Hall would enable the University to bring an existing, historic building back to life and retrofit the space (which has four floors and contains 44,900 square feet) to create permanent classroom spaces and other academic support areas, faculty offices, additional simulation labs, and group study spaces, as well as living, learning communities on the upper floors to prepare students for the demands of the profession. As demonstrated with the utilization of other buildings on campus, the University is well- experienced in retrofitting historic buildings to face today's students' needs.

Mississippi University for Women 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: January 19, 2023

Date of Original Construction: 1927

Date of Last Renovation: 2002

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Project Budget: (Design Fees Only)

		<u>Estimated</u>
Construction Cost:	\$	0.00
Architectural and Engineering Fees:		500,000.00
Misc. Project Costs:		0.00
Furniture & Equipment Costs:		0.00
Contingency:		<u>0.00</u>
Total Project Budget	\$	500,000.00

Funding Source(s): SB 3002, Laws of 2022 (\$500,000)

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

IHL PROJECTS

4. UM – IHL 207-476B – PHASE II UPGRADE HVAC CONTROLS – NATURAL PRODUCTS AND FASER HALL

Project Request: The University of Mississippi requests approval to initiate a project, Phase II Upgrade HVAC Controls – Natural Products and Faser Hall, and to appoint Design Build and Engineering Services, LLC (DBES) as the design professional for the project.

Proposed Design Professional: Design Build and Engineering Services, LLC

Selection Method: The project budget is anticipated to exceed \$3M therefore it is required that the university use the RFQ method for selecting the design professional. DBES was appointed during the February 2022 meeting of the IHL Board for the prior phase of this project. Because it is in the interests of the University of Mississippi to move forward with its science and research programs, the university is seeking to retain the professional for Phase II.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$1,000,000 per claim and \$2,000,000 aggregate.

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. Construction will be by the Trane Corporation as part of its existing Energy Savings Performance Contract (ESPC).

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Project Scope: The scope of Phase II is HVAC related. It covers retrofit and control upgrades to laboratory supply-air valves (Phoenix), exhaust-air valves (Phoenix), fume hoods, exhaust fans, controls integration into the new energy management platform along with new sensors, actuators, controllers, and valves for the in-scope equipment. Last, the equipment will be tested and balanced, and the supply-valve heating-water coils will be cleaned.

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: January 19, 2023

Date of Original Construction: Natural Products: 2002 / Faser 1969

Date of Last Renovation: Natural Products 2019 / Faser 2019

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 4,533,000.00
Architectural and Engineering Fees:	357,000.00
Misc. Project Costs:	35,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>375,000.00</u>
Total Project Budget	\$ 5,300,000.00

Funding Source(s): Internal R&R and Capital Appropriations (\$5,300,000)

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

5. UM – IHL 207-493 – SOUTH OXFORD CENTER 4TH FLOOR SCHOOL OF NURSING

Project Request: The University of Mississippi requests approval to initiate a project, South Oxford Center 4th Floor School of Nursing, and to appoint University of Mississippi Department of Facilities Planning as the design professional for the project.

Proposed Design Professional: UM Department of Facilities Planning

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023

Selection Method: The project budget exceeds \$3M; however, due to the extensive time already spent by the Department of Facilities Planning in planning, designing, and budgeting this project, it is determined to be more cost efficient and time effective for Facilities Planning to complete the project construction documents with in-house resources rather than hiring an outside professional. The project will then be advertised for public bidding to contractors.

Insurance Coverage: N/A due to the university using its in house team for the design work on the project.

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 project consists of renovating 13,700 square feet of the 4th floor of the University's South Oxford Center to accommodate the expansion of the UMMC School of Nursing program in North Mississippi.

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: January 19, 2023

Date of Original Construction: 1990 5-Story West Tower

Date of Last Renovation: 2022 (6,000 SF on 4th Floor West Tower)

Project Budget:

	<u><i>Estimated</i></u>
Construction Cost:	\$ 2,126,603.00
Architectural and Engineering Fees:	86,997.00
Misc. Project Costs:	211,825.00
Furniture & Equipment Costs:	861,200.00
Contingency:	<u>657,325.00</u>
Total Project Budget	\$ 3,943,950.00

Funding Source(s): General Funds (\$3,943,950)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Staff Recommendation: Board Staff recommends approval of this item.

6. UM – IHL 207-495 – BREVARD HALL 201 RENOVATION

Project Request: The University of Mississippi requests approval to initiate a project, Brevard Hall 201 Renovation, and to appoint McCarty Architects, P.A. as the design professional for the project.

Proposed Design Professional: McCarty Architects, P.A.

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that the university use the RFQ method for selecting the design professional. McCarty Architects were selected due to their recent work with the Bio-Med program on another project in Brevard Hall and the primary use for this space will be the Bio-Med program.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$2,000,000 aggregate.

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 scope of the project will be to renovate the existing classroom 201, and three existing adjacent office spaces into a multi-disciplinary research lab.

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: January 19, 2023

Date of Original Construction: 1923

Date of Last Renovation: 2021

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Project Budget:

		<u>Estimated</u>
Construction Cost:	\$	525,000.00
Architectural and Engineering Fees:		45,000.00
Misc. Project Costs:		100,000.00
Furniture & Equipment Costs:		200,000.00
Contingency:		<u>130,000.00</u>
Total Project Budget	\$	1,000,000.00

Funding Source(s): SB 3002, Laws of 2022 (\$1,000,000)

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

7. UM – IHL 207-496 – FASER HALL 453 LAB RENOVATION

Project Request: The University of Mississippi requests approval to initiate a project, Faser Hall 453 Lab Renovation, and to appoint McCarty Architects, P.A. as the design professional for the project.

Proposed Design Professional: McCarty Architects, P.A.

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that the university use the RFQ method for selecting the design professional. McCarty Architects were selected due to their previous work on labs.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$2,000,000 aggregate.

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 scope of the project will renovate a lab in Faser Hall to match the existing laboratory setup in Shoemaker Hall.

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.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Project Initiation Date: January 19, 2023

Date of Original Construction: 1969

Date of Last Renovation: 2007

Project Budget:

	<u><i>Estimated</i></u>
Construction Cost:	\$ 525,000.00
Architectural and Engineering Fees:	45,000.00
Misc. Project Costs:	100,000.00
Furniture & Equipment Costs:	200,000.00
Contingency:	<u>130,000.00</u>
Total Project Budget	\$ 1,000,000.00

Funding Source(s): SB 3002, Laws of 2022 (\$1,000,000)

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

8. UMMC – IHL 209-584 – FEMALE FACULTY SURGERY LOUNGE

Project Request: The University of Mississippi Medical Center requests approval to initiate a project, Female Faculty Surgery Lounge, and to appoint Cooke Douglass Farr Lemons (CDFL) Architects and Engineers, P.A. as the design professional for the project.

Proposed Design Professional: Cooke Douglass Farr Lemons Architects and Engineers, P.A.

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that the university use the RFQ method for the selection of the design professional. UMMC utilized a selection committee internal to the Facilities Services Department.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$2,000,000 aggregate.

Purpose: The University of Mississippi Medical Center 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.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Project Scope: This project is intended to renovate the lounge and locker room portion of the surgery department to provide an equitable space for male and female faculty surgery lounges.

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

Project Initiation Date: January 19, 2023

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 1,124,000.00
Architectural and Engineering Fees:	95,500.00
Misc. Project Costs:	52,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>228,000.00</u>
Total Project Budget	\$ 1,500,000.00

Funding Source(s): UMMC Patient Generated Revenues (\$1,500,000)

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

9. UMMC – IHL 409-005 – NEW SCHOOL OF NURSING

Project Request: The University of Mississippi Medical Center requests approval to initiate a project, New School of Nursing, and to appoint Eley Guild Hardy Architects as the design professional for the project.

Proposed Design Professional: Eley Guild Hardy Architects

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. UMMC utilized the RFQ method for selecting the design professional.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$4,000,000 aggregate.

Purpose: The University of Mississippi Medical Center 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: This is a project to construct a new School of Nursing to replace the existing School of Nursing that was constructed in 1965.

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

Project Initiation Date: January 19, 2023

Date of Original Construction: N/A (New Building)

Date of Last Renovation: N/A (New Building)

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 53,500,000.00
Architectural and Engineering Fees:	3,500,000.00
Misc. Project Costs:	5,000,000.00
Furniture & Equipment Costs:	500,000.00
Contingency:	<u>2,500,000.00</u>
Total Project Budget	\$ 65,000,000.00

Funding Source(s): SB 3010, Laws of 2022 -ARPA Funding (\$55,000,000); UMMC Patient Generated Revenues (\$10,000,000)

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

10. USM – IHL 214-024 – GULF PARK LANGUAGE & SPEECH THERAPY CENTER

Project Request: The University of Southern Mississippi requests approval to appoint MP Design Group as the design professional for the Gulf Park Language & Speech Therapy Center project.

Proposed Design Professional: MP Design Group

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. The University of Southern Mississippi used the RFQ method for selecting the design professional.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$1,000,000 per claim and \$2,000,000 aggregate.

Purpose: The University of Southern Mississippi is seeking to appoint the design professional as required by Board Policy. This will allow the university to proceed with the design phase of the project. The project will house The Children's Center for Communication and Development and the DuBard School for Language Disorders.

Project Scope: The project would comprise designing and constructing a two-story facility (approximately 20,000 square feet) on the Gulf Park Campus. The Children's Center will provide specialized equipment and cost-free innovative therapies and services to infants, toddlers, and preschoolers under five. The DuBard School's programming will serve students aged 3-13 with severe language-speech disorders, including developmental aphasia and childhood apraxia of speech, deafness, hearing impairments, and the written language disorder of dyslexia. These in-person and outpatient programs are vital for developing young children with disabilities and provide education, training, and support for families, university students, and professionals. Expanding these programs will decrease travel time for children participating on the Hattiesburg campus and located closer to the coast. It would help meet the growing needs demonstrated by increased inquiries and waiting lists.

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

Project Initiation Date: June 16, 2022

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Date of Original Construction: N/A (New Building)

Date of Last Renovation: N/A

Project Budget:

	<i><u>Estimated</u></i>
Construction Cost:	\$ 6,226,860.00
Architectural and Engineering Fees:	385,000.00
Misc. Project Costs:	1,008,140.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>280,000.00</u>
Total Project Budget	\$ 7,900,000.00

Funding Source(s): Community Project Funding/Congressionally Directed Spending (CDS) projects funding from the US Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA) as part of the Consolidated Appropriations Act, 2022 (PL 117-103) (\$7,900,000)

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

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

IHL PROJECTS

11. MSU – IHL 205-328 – NEW RESIDENCE HALL

Project Request: Mississippi State University is requesting approval to increase the budget from \$400,000 to \$60,000,000 for an increase in the amount of \$59,600,000. In addition, MSU request to modify the funding source to include EBC bonds in the amount of \$59,600,000 to allow for the project budget increase.

Current Project Phase: Design Phase

Design Professional: Weir Boerner Allin Architecture

General Contractor: TBD

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per occurrence and \$2,000,000 aggregate.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Purpose/Justification: The purpose of this request is to increase the project budget in order to allow the university to proceed from design to construction with the addition of EBC Bonds as a funding source.

Project Scope: The project is intended to design and construct a new residence hall on the north side of campus between Barr Avenue and Hurst Lane. The new facility will include approximately 400 beds, a dining venue, office space and multipurpose space for classes, programs, and training sessions. The residence hall will be occupied prior to the Fall semester of 2025.

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

Project Initiation Date: October 25, 2022 (*Interim Approval*)

Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 0.00	\$ 50,000,000.00	\$ 50,000,000.00
Architectural and Engineering Fees	\$ 400,000.00	\$ 3,000,000.00	\$ 2,600,000.00
Miscellaneous Project Costs	\$ 0.00	\$ 2,000,000.00	\$ 2,000,000.00
Furniture & Equipment Costs	\$ 0.00	\$ 1,500,000.00	\$ 1,500,000.00
Contingency	\$ 0.00	\$ 3,500,000.00	\$ 3,500,000.00
Total Project Budget	\$ 400,000.00	\$ 60,000,000.00	\$ 59,600,000.00

Proposed Funding Source(s): University Designated Funds (\$400,000); EBC Bonds (\$59,600,000) – pending approval

Staff Recommendation: *Board staff recommends approval of this item. The use of EBC Bonds are pending subject to the University meeting the requirements set forth in Board Policy §906, Educational Building Corporations.*

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

12. MSU – IHL 405-002 – JIM AND THOMAS DUFF CENTER

Project Request: Mississippi State University is requesting approval to increase the budget from \$55,000,000 to \$62,000,000 for an increase in the amount of \$7,000,000. In addition, MSU request to modify the funding source to include funds from SB 3002, Laws of 2022 in the amount of \$7,000,000 to allow for the project budget increase.

Current Project Phase: Design Phase

Design Professional: Eley Guild Hardy / Dale Partners Joint Venture

General Contractor: TBD

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per occurrence and \$4,000,000 aggregate.

Purpose/Justification: The purpose of this request is to increase the project budget in order to allow the university to add additional state funding to the project that was approved by the Legislature in the 2022 Session.

Project Scope: The Jim and Thomas Duff Center will be the home to Mississippi State University's Autism and Developmental Disabilities Clinic, Disability Resource Center, Access Program, and the College of Education's Department of Kinesiology. The state-of-the-art facility will provide offices, classrooms, and laboratories that will allow students to have hands-on, real-life training in the areas of physical and developmental disabilities as well as kinesiology. The 100,000 square foot Jim and Thomas Duff Center and the programs within it will positively impact the lives of Mississippi children and their families with broad and far-reaching implications for generations to come.

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

Project Initiation Date: February 21, 2019

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 49,975,958.00	\$ 53,000,000.00	\$ 3,024,042.00
Architectural and Engineering Fees	\$ 3,000,000.00	\$ 3,500,000.00	\$ 500,000.00
Miscellaneous Project Costs	\$ 750,000.00	\$ 2,500,000.00	\$ 1,750,000.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 1,274,042.00	\$ 3,000,000.00	\$ 1,725,958.00
Total Project Budget	\$ 55,000,000.00	\$ 62,000,000.00	\$ 7,000,000.00

Proposed Funding Source(s): HB 1649, Laws of 2018 (\$10,000,000); SB 3005, Laws of 2019 (\$10,000,000); HB 1730, Laws of 2020 (\$10,000,000); SB 2948, Laws of 2021 (\$5,000,000); Private Funding (\$15,000,000); University Funds (\$5,000,000); SB 3002, Laws of 2022 (\$7,000,000)

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

13. UM – IHL 207-473 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION

Project Request: The University of Mississippi is requesting approval to increase the budget from a design fee only budget of \$1,500,000 to \$25,000,000 for an increase in the amount of \$23,500,000. In addition, UM request to modify the scope of the project to include the construction of a new softball stadium in addition to renovation.

Current Project Phase: Design Phase

Design Professional: McCarty Architects

General Contractor: Innovative Construction Management, LLC (CM Advisor)

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per occurrence and \$2,000,000 aggregate.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Purpose/Justification: The escalation in the project budget is required to transition from pre-planning to design and construction. The current budget was an estimate of design fees only while the full project scope was developed with design team. The budget has since been updated based on the design professional's conceptual estimate of the established project scope. A change in the project scope is necessary to include new construction in addition to renovation.

Project Scope: The project will construct a new softball stadium, complete with associated amenities (dugouts, seating, press box, restrooms, etc.) and renovate the existing indoor team facility, playing field, and concessions/restrooms building as budget permits. Stadium design will include coaches' offices, training/treatment space, team lounge, and locker rooms.

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

Project Initiation Date: October 21, 2021

Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 0.00	\$ 19,216,340.00	\$ 19,216,340.00
Architectural and Engineering Fees	\$ 1,500,000.00	\$ 1,434,815.00	\$ (65,185.00)
Miscellaneous Project Costs	\$ 0.00	\$ 725,215.00	\$ 725,215.00
Furniture & Equipment Costs	\$ 0.00	\$ 557,000.00	\$ 557,000.00
Contingency	\$ 0.00	\$ 3,066,630.00	\$ 3,066,630.00
Total Project Budget	\$ 1,500,000.00	\$ 25,000,000.00	\$ 23,500,000.00

Proposed Funding Source(s): Self-Generated Athletic Revenues (\$25,000,000) – UM Athletics / OMAF Foundation

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

14. UMMC – IHL 409-002 – NEW BOILER ROOM

Project Request: The University of Mississippi Medical Center is requesting approval to increase the budget from \$3,557,376 to \$6,407,376 for an increase in the amount of \$2,850,000. In addition, UMMC request to add SB 2971, Laws of 2021 and HHB 1353, Laws of 2022 as funding sources to allow for the budget increase.

Current Project Phase: Design Phase

Design Professional: Dean Architecture

General Contractor: TBD

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per occurrence and \$2,000,000 aggregate.

Purpose/Justification: The escalation in the project budget is required due to the latest professional cost estimate.

Project Scope: The project will serve to supplement the heating hot water capacity on campus by the installation of a series of boilers decentralized from the main plant.

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

Project Initiation Date: October 2, 2021 (*Interim Approval*)

Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 3,123,000.00	\$ 5,585,494.00	\$ 2,462,494.00
Architectural and Engineering Fees	\$ 244,257.00	\$ 494,573.00	\$ 250,316.00
Miscellaneous Project Costs	\$ 20,270.00	\$ 20,000.00	\$ (270.00)
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 169,849.00	\$ 307,309.00	\$ 137,460.00
Total Project Budget	\$ 3,557,376.00	\$ 6,407,376.00	\$ 2,850,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Proposed Funding Source(s): HB 1730, Laws of 2020 (\$3,857,376); SB 2971, Laws of 2021 (\$800,000); HB 1353, Laws of 2022 (\$1,750,000)

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

APPROVAL OF OTHER REAL ESTATE REQUESTS

15. MSU – DELETE FROM INVENTORY – BUILDING #1534, BUILDING #1574, BUILDING #1575, AND BUILDING #1576 – GREENHOUSE & STORAGE WAREHOUSES – STONEVILLE, MS

Agenda Request: Mississippi State University requests approval to delete from inventory Building #1534, Building #1574, Building #1575, and Building #1576.

Justification: Building #1534 is an old greenhouse complex that was constructed in 1964. Buildings #1574, #1575, and #1576 are all old gin storage warehouses that were constructed in 1937. The buildings are located at Stoneville, MS. These buildings are all in poor condition and are not cost-effective for the university to repair.

The approval letter has been received from the Mississippi Department of Archives and History stating Building #1534, Building #1574, Building #1575, and Building #1576 are not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

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

16. UM – ALPHA DELTA PI HOUSE ADDITION– APPROVAL OF EXTERIOR DESIGN

Project Request: The University of Mississippi requests approval of the exterior design for the front elevation of the Alpha Delta Pi Addition on the campus of UM.

Design Professional: Alpha Delta Pi has hired PryorMorrow, PC, as the design professional through private funding. There will be no state funds used for this project.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 19, 2023**

Purpose: The University of Mississippi is seeking approval of the exterior rendering for the proposed renovation to the Alpha Delta Pi house.

Project Scope: The project will add bedrooms and a chapter room to the existing house.

Funding Source(s): Funded by Alpha Delta Pi

The University of Mississippi 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.

Rendering: Alpha Delta Pi Addition



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
JANUARY 19, 2023**

1. **UM – APPROVAL OF INTERLOCAL AGREEMENT WITH LAFAYETTE
COUNTY, MISSISSIPPI AND THE CITY OF OXFORD, MISSISSIPPI**

The University of Mississippi requests approval to enter into an amended Interlocal Agreement with Lafayette County, Mississippi (County) and the City of Oxford, Mississippi (City) for the operation of a Drug Enforcement Unit, under the direct operational control of a Control Group, designed to create a cooperative law enforcement effort to concentrate and focus drug enforcement efforts in Lafayette County, Mississippi. An amendment to a prior version of this agreement was approved by the Board in November 2021, but UM says that due to a clerical error that amendment was never fully executed and they have continued to operate under the prior agreement. That unexecuted amended agreement set out each agency's contribution in the amount of \$150,000 for the use and benefit of the Task Force on an annual fiscal year basis, the same amount that had been paid annually since 2018. This request seeks approval to increase that contribution to \$175,000 annually per agency. The term of the agreement is one year upon approval by the Board and the Office of the Attorney General and may be renewed on a year to year basis by agreement of the parties.

STATE OF MISSISSIPPI

COUNTY OF LAFAYETTE

INTERLOCAL AGREEMENT

This Agreement, as amended, is made and entered into this date by and between the Board of Supervisors of Lafayette County, Mississippi, Lafayette County Sheriff Joey East, the Mayor and the Board of Aldermen of Oxford, Mississippi, and the University of Mississippi, all in their official capacities only.

WITNESS THAT:

WHEREAS, the Board of Supervisors of Lafayette County, Mississippi is the governing authority thereof, and whereas, Sheriff Joey East is the Chief Law Enforcement Officer in Lafayette County, and whereas, the Mayor and Board of Aldermen of the City of Oxford, Mississippi are the governing authorities thereof, and whereas, the Board of Trustees of the Institutions of Higher Learning is the governing authority of the University of Mississippi, and WHEREAS, the parties hereto recognize the need for focused drug enforcement activity within the county, and believe the formation of a Drug Enforcement Unit, pursuant to the authority granted under the "Inter-local Cooperation Act of 1974 (codified at Miss. Code Ann. §17-13-1, *et seq.*), will be to their mutual advantage; and

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
JANUARY 19, 2023

WHEREAS, the parties hereto wish to facilitate the county wide operation of said Multi- Jurisdictional Enforcement Unit while at the same time centralizing command and control of said unit; and

WHEREAS, the parties hereto entered into an agreement on February 2, 1988 as to the funding, operation and control of said Drug Enforcement Unit and now desire to amend said Agreement as follows:

I.

The governmental authorities of Lafayette County, Mississippi, Oxford, Mississippi, and the University of Mississippi as well as the Lafayette County Sheriff's Department, the Oxford Police Department, and the University of Mississippi Police Department agree to mutually support a Drug Enforcement Unit funded jointly by the Federal Government, Lafayette County, Mississippi, the City of Oxford, Mississippi and the University of Mississippi, said Drug Enforcement Unit to have county-wide jurisdictional authority. The purpose of said Drug Enforcement Unit shall be to focus and concentrate enforcement efforts and assets and bring the same to bear on drug violators operating in the Lafayette County, Mississippi area.

II.

The Drug Enforcement Unit shall be under the direct operational control of a Control Group consisting of Sheriff of Lafayette County, Mississippi or his designee, Chief of Police, City of Oxford, Mississippi or his designee and Chief of Police, University of Mississippi or his designee with the express understanding that the officer in charge of the Drug Enforcement Unit shall be directly responsible, on a day-to-day operational basis, to the Sheriff, Lafayette County, Oxford, Mississippi.

III.

All parties' signatory to this Agreement are authorized to enter into same pursuant to the hereinabove referenced "Inter-local Cooperation Act of 1974." This Agreement shall take effect upon the date of approval by the Attorney General of Mississippi and terminate one year from the date of such approval. This Agreement may be renewed by these parties on a year to year basis hereto, provided, however, that any modifications of this Agreement before renewal shall be approved by the said Attorney General before implementation of the modification.

IV.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
JANUARY 19, 2023

The purpose of this Agreement is the establishment of a Drug Enforcement Unit, which will operate in Lafayette County to more effectively and efficiently enforce the criminal laws of the State of Mississippi regarding controlled substance for the reasons and discharge of the duties set forth in the preamble to the Agreement.

V.

This agreement envisions a cooperative law enforcement effort designed to concentrate and focus drug enforcement efforts in Lafayette County, Mississippi. The law enforcement agencies of the three governmental authorities each enjoy specific statutory authority under which they are empowered to enforce the drug laws of the State of Mississippi. Specific statutory authority for the Sheriff of Lafayette County is contained in Chapter 25 of Title 19, Miss. Code Ann. (1972) as amended. Further, the Legislature of the State of Mississippi had declared that the primary law enforcement officer in the State of Mississippi is the duly qualified and elected Sheriff thereof, Miss. Code Ann. §45-3-21. Specific statutory authority for drug enforcement actions by the City of Oxford Police Department are contained in Chapter 21 of Title 21, Miss. Code Ann. (1972), as amended. (See Miss. Code Ann. Section 21-21-1) Specific statutory authority for drug enforcement activity by the University of Mississippi Police Department is contained in Chapter 105 of Title 37, Miss. Code Ann. (1972), as amended. (See Miss. Code Ann. Section 37-105-3 and 37-105-9)

VI.

This task force will be staffed with four (4) full-time, permanently assigned investigators (each investigator will be commissioned as a Deputy Sheriff of Lafayette County), one of whom will be designated the Officer in Charge, who will, in addition to his other duties, oversee the day-to-day task force operations from the headquarters office, which will be established in Oxford, Mississippi, and who will maintain accurate records on all task force activities, intelligence information and expenditures of funds. This Officer in Charge shall be under the direction and supervision of the Sheriff of Lafayette County, Mississippi. The Chief of the Oxford Police Department or his designee will function as the Project Coordinator, and Control Group hereinafter discussed. The task force will also employ one full-time secretary who will assist in the coordination of task force activities. Any of the parties to this Agreement may place on duty with the task force additional investigators and office staff but must continue to be responsible for the salary and expense of such person(s); moreover, any person assigned will be under the operational control of the Control Group.

(a) As to its powers and authority, the Lafayette County Drug Enforcement Unit shall have only the power and authority granted the sheriffs by statute in the enforcement of the criminal laws regarding controlled substances, and

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
JANUARY 19, 2023

the investigators shall exercise only the power and authority by the Control Group. The Drug Enforcement Unit will be an independent unit from the Sheriff and Police Departments and will operate an intelligence function separately from that of other departments; however, exchange of intelligence information will be conducted among the Task Force and local, state and federal law enforcement agencies.

(b) The Control Group will assign personnel, set policy for the task force operations, determine fund distribution and prioritize targets for investigation.

VII.

Each governing authority as defined by §17-13-5 of the Mississippi Code of 1972, Annotated, as amended, of each party to this Agreement has approved the entering into this Agreement by resolution entered on its minutes. This Agreement shall be submitted to the Attorney General of Mississippi for approval, and when approved, a copy shall immediately be filed with each of the following: The Chancery Clerk of the County wherein this Agreement is located; the Secretary of State; the State Department of Audit; and the Office of Criminal Justice Planning.

VIII.

Each party hereto agrees to continue its participation on this project throughout the agreement period specified in Paragraph III, and further agrees to give notice in writing to all other parties, forwarded by registered mail, return receipt requested, at least ninety (90) days before Agreement expires of any intention not to renew this Agreement. No amendment to this Agreement shall be effective until it is set forth in writing and adopted by all parties hereto in this manner provided by law for each.

IX.

The purchase, identification and disposal of any and all personal property and the disposition thereof upon termination of this Agreement shall be in accordance with standards established by the Governor's Office of Federal-State Programs (hereinafter "Federal-State Programs") and in accordance with rules and regulations of the State Department of Audit.

X.

The Drug Enforcement Unit will be financed by grant funds and a lawfully budgeted commitment of funding reflected in the budgets of the governing authorities party to this Agreement, to be disbursed only upon proper order of the respective boards for claims and payroll duly and lawfully considered in accordance with its

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
JANUARY 19, 2023

established budget, claims and purchasing procedures as required by state law and State Audit Department rules and regulations. In addition to grant funds received in support of this Task Force, each governmental entity to this Agreement does hereby agree to contribute the collective sum of \$525,000.00 on a pro rata basis (Lafayette County - \$175,000; the City of Oxford - \$175,000; and the University of Mississippi - \$175,000), said amounts to be appropriated for the use and benefit of the Task Force on an annual fiscal year basis. The Task Force unit does not have authority to own or hold assets independently of the governing authorities' party to the Agreement. Rather, the party governing authorities own assets which are, per this Agreement, made available for use by the Task Force.

XI.

All seized and forfeited property will be dispersed of in accordance with Mississippi State Statute 41-29-181.

XII.

If one party withdraws from the Drug Unit, the other parties may continue to use all the property in the possession of the Drug Unit. However, in the event the Drug Unit is dismantled, each party shall be entitled to the return of property specifically contributed by that party. As to property purchased with joint funds, the parties shall either split the property evenly, or if that is not possible, substitute an item of equal value. If the parties cannot determine the equitable distribution at the time another party cease participation, the parties shall mutually agree upon a third party neutral with law enforcement background and experience to determine equitable distribution of such property.

XIII.

In accordance with Miss Code Ann. §17-13-9(d), the City Clerk of the City of Oxford, Mississippi, is hereby designated to receive, disburse, and account for the joint funds of the undertaking.

XIV.

The County of Lafayette, City of Oxford and University of Mississippi, the Lafayette County Sheriff's Department, the Oxford Police Department and the University of Mississippi Police Department will cooperate to support the Drug Enforcement Unit and will endeavor to minimize jurisdictional entanglements and unreasonable management interference. On the other hand, it is clearly and unequivocally agreed and understood that the Drug Enforcement Unit shall be under the direct command and control of the Control Group as aforesaid and ultimately the Sheriff of Lafayette County.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
JANUARY 19, 2023**

WITNESS THE SIGNATURES OF THE PARTIES, this the ____ day of
_____, 2023.

THE BOARD OF SUPERVISORS OF
LAFAYETTE COUNTY, MISSISSIPPI

BY: _____
MIKE ROBERTS, PRESIDENT
BOARD OF SUPERVISORS
LAFAYETTE COUNTY, MISSISSIPPI

LAFAYETTE COUNTY SHERIFF JOEY EAST

BY: _____
JOEY EAST
SHERIFF, LAFAYETTE COUNTY, MISSISSIPPI

MAYOR AND BOARD OF ALDERMAN OF THE
CITY OF OXFORD, MISSISSIPPI

BY: _____
ROBYN TANNEHILL, MAYOR
CITY OF OXFORD, MISSISSIPPI

THE UNIVERSITY OF MISSISSIPPI

BY: _____
DR. GLENN F. BOYCE
CHANCELLOR
UNIVERSITY OF MISSISSIPPI

ACKNOWLEDGED BY:

JEFF MCCUTCHEN
CHIEF, OXFORD POLICE DEPARTMENT

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
JANUARY 19, 2023**

DANIEL SANFORD
CHIEF, UNIVERSITY POLICE DEPARTMENT

STAFF RECOMMENDATION: Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. Board Staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
JANUARY 19, 2023**

1. **SYSTEM – APPROVAL FOR FIRST READING OF PROPOSED AMENDMENT TO BOARD POLICY 617 – TEXTBOOK POLICY**

Board approval for first reading is requested for a proposed amendment to Board Policy §617 – Textbook Policy.

Rationale for proposed amendment: The IHL textbook policy was created in 2010 and specifies a plan for policy implementation based on section 133 of the Higher Education Act. Universities implemented all procedures to be in compliance, and they continue to make progress in seeking out the best textbook prices and solutions for their students. The proposed amendments to the policy remove the steps necessary to be in compliance and will allow the Office of Academic and Student Affairs to work with the Chief Academic Officers to develop current, more relevant metrics to assess what is being done in an effort to continue improving textbook services for our students.

617 TEXTBOOK POLICY

~~This Textbook Policy establishes minimum system-wide guidelines and goals aimed at addressing~~ Each institution shall develop and maintain an institutional textbook policy for the purposes of lowering the cost of course materials and increasing the transparency of course material prices. The textbook policies and procedures shall be in ensuring compliance with Section 133 of the federal Higher Education Opportunity Act (HEOA) of 1965, of 2008, as amended, and effective on July 1, 2010.

Annually, each institution shall submit the institution's textbook policy and a report of textbook purchase and rental options available to students including the textbook cost per credit hour for the various options that are available.

~~By June 1, 2010 each institution in the IHL system shall establish a written policy that includes the following provisions. In this policy, the term textbook is meant to include various types of course materials, including software, electronic files, supplemental materials, and course packs.~~

~~1. **Textbook Adoption Deadlines**— Each institution shall establish firm deadlines and procedures for the adoption of textbooks for upcoming semesters. These deadlines and procedures shall be set to enable the institution to fully comply with the HEOA of 2008, including the requirement that textbook information (including ISBN and prices) be provided to students at the time of registration.~~

~~Requirements:~~

- ~~● Institutions shall establish adoption deadlines that are no later than the beginning of the registration period for succeeding semesters and that provide~~

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
JANUARY 19, 2023**

sufficient time to work with affiliated bookstores to meet the HEOA posting requirements. Additionally, these adoption deadlines shall be at least 40 days prior to the end of the preceding semester, whenever possible, as dictated by registration schedules.

- ~~The adoption process will include the indication of whether a textbook is required or recommended and should include to the extent possible an indication of whether an alternate (e.g., earlier) edition of the textbook may be used. Timely adoption of textbooks is required for the following course types: lecture, lecture/lab, laboratory, and recitation/discussion. These course types, as designated and defined by the IHL Data Dictionary, are generally assumed to be courses with textbook requirements. Any other courses which at individual institutions historically require textbooks shall be included in the individual institution's adoption policy.~~
- ~~Department chairs/heads will be responsible for ensuring that all pertinent courses under their authority have adoptions submitted by the deadline, even in instances where no instructor has been assigned for a course section as of the announced adoption deadline date.~~
- ~~Departments shall be strongly encouraged to adopt the same course materials for all sections of each course.~~

2. Minimum Adoption Periods — ~~Each institution shall establish guidelines that promote a minimum adoption period for textbooks. In this section, textbook refers specifically to a book that is resalable, as opposed to one-time usage materials (e.g., workbooks) or books that have limited resale value.~~

- ~~Institutions shall set guidelines for a minimum three-year adoption period for lower division courses. These guidelines may include reasonable exceptions to this requirement for instances when editions go out of print, when substantive changes are made in either the course description or the textbook, or when there is a significant change in the body of knowledge pertinent to the course. Procedures for the authorization of exceptions should include approval at the dean level, after recommendation from a department chair/head.~~
- ~~Guidelines shall encourage a minimum textbook adoption period of at least two years for upper division courses. However, it is recognized that, to provide current scholarship in a global marketplace, upper division courses will have more advanced and changing content, that students often wish to build a personal library of books in their major, and that there is a more limited potential for establishing a favorable local buy-back market for such upper division textbooks. Because of these factors, institutional policy will balance the benefits of a minimum adoption period with the selection of the best available textbook.~~

3. Dissemination of Textbook Information — ~~Institutions shall be responsible for providing information on best practices in textbook adoptions to faculty and for providing advice to students on ways to save money on textbook purchases.~~

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
JANUARY 19, 2023**

- ~~The institutions or affiliated bookstores shall provide faculty with information and tools for the selection of textbooks, including pricing information and the availability of alternative formats for course materials (e.g., whether textbooks are available in electronic versions) and of separately available components of a bundled textbook;~~
 - ~~The institutions or affiliated bookstores shall provide students with tips on purchasing textbooks, including the availability of electronic versions, the availability of unbundled textbook components, buy-back and exchange policies, and price-matching policies. Institutions shall provide this information, including an explanation of the significance of ISBNs, to entering freshmen during orientations or within 30 days prior to the beginning of the fall semester.~~
 - ~~The institutions or affiliated bookstores shall provide faculty and students with results from surveys of student satisfaction with textbooks.~~
4. ~~**Assessment of Progress**—Institutions shall develop procedures to assess the success of the above practices in containing the costs of textbooks. These procedures shall include analyses and reports appropriate to assessing compliance with this policy, as well as identifying and improving system and institutional practices.~~
- ~~Assessment strategies shall include: the inclusion of questions on student surveys (e.g., course evaluations) about the value of assigned textbooks; production of reports of the extent of compliance of each institution with the adoption deadlines; information about the costs of the textbooks for the top twenty (highest enrollment) courses; the volume of buy-back purchases at the affiliated bookstores; the number of electronic versions of textbooks being used; and surveys (student and faculty) of the ability of the affiliated bookstore to provide adequate stocking of books.~~
 - ~~By April 1, 2010 the institutional executive officer of each institution will name a textbook coordinator who will be responsible for the implementation and administration of this policy.~~
 - ~~Annually, the textbook coordinator will submit such assessment information as required by the assessment plan as an annual assessment report to the Commissioner or his/her designee.~~
 - ~~The annual assessment report will be made available on the website of the subject institution, as well as on the System website.~~

(BT Minutes, 2/2010; 3/2010)

STAFF RECOMMENDATION: Board staff recommends approval of this item as a first read.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ADMINISTRATION/POLICY
January 19, 2023**

1. **SYSTEM – APPOINTMENT OF TRUSTEE CHIP MORGAN AS A REPRESENTATIVE TO THE MISSISSIPPI COMMISSION FOR VOLUNTEER SERVICE**

In accordance with Miss. Code § 43-55-1 et seq., one member of the IHL Board of Trustees serves as a representative on the Mississippi Commission for Volunteer Service (MCVS) with voting rights. MCVS was established to encourage community service and volunteer participation as a means of community and state problem-solving; to promote and support voluntary citizen involvement in government and private programs throughout the state; to provide a means by which the state may develop a coordinated, unified plan in response to the National and Community Service Act of 1993; to develop a long-term, comprehensive vision and plan of action for community service initiatives in Mississippi primarily focused in the areas of education, public safety, human needs and the environment; and to serve as the state's liaison to national and state organizations that support its mission. Members serve three-year terms. Commission members are allowed to serve two consecutive terms before having to step down for a year.

On September 20, 2018, Trustee Gee Ogletree was appointed to serve as the representative from October 1, 2018 through September 30, 2021. On August 19, 2021, Trustee Ogletree was reappointed for the term October 1, 2021 – September 2024. Trustee Ogletree is no longer able to serve in this capacity. Board approval is requested to appoint Trustee Chip Morgan to serve the remaining term of Trustee Ogletree's tenure which is January 1, 2023 through September 30, 2024. It should be noted that Trustee Morgan's tenure on the IHL Board ends May 7, 2024. A new representative will be appointed prior to this time.

Staff Recommendation: Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ACADEMIC AFFAIRS
JANUARY 19, 2023**

1. **JSU – INTENT TO OFFER CERTIFICATE PROGRAM**

A. Program title: **Public Health Informatics Graduate Certificate**

Responsible academic unit: School of Public Health

Level: post-baccalaureate

Total credit hours: 15

CIP code: 51.2201

Effective date: Summer 2023

Program summary: The Public Health Informatics Graduate Certificate Program prepares students to plan, manage, and evaluate public health care services; to function as public health professionals in public agencies, the private sector, and other settings; and to provide leadership in the field of public health. Includes instruction in epidemiology, biostatistics, public health principles, preventive medicine, health policy and regulations, health care services and related administrative functions, public health law enforcement, health economics and budgeting, public communications, and professional standards and ethics.

STAFF RECOMMENDATION: Board staff recommends this item be accepted as information.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
NOVEMBER 17, 2022 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.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

DELTA STATE UNIVERSITY

1. DSU- GS #102-271 - NURSING SCHOOL EXPANSION AND RENOVATION

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$29,824.80 and ten (10) additional days to the contract of Richard Womack Construction, LLC.

Approval Status & Date: APPROVED, November 17, 2022

Change Order Description: Change Order #3 includes the following: installed additional conduits and pull boxes for cameras at the parking lot and ten (10) days to the contract.

Change Order Justification: This change was due to user/owner requested modifications and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$365,316.44.

Project Initiation Date: February 18, 2021

Design Professional: Eley Guild Hardy Architects – Jackson P.A.

General Contractor: Richard Womack Constructions, LLC

Total Project Budget: \$11,875,000.00

MISSISSIPPI STATE UNIVERSITY

2. MSU- IHL #205-283 – ADDITION AND RENOVATION TO HUMPHREY COLISEUM

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$479,141.93 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, December 12, 2022

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

Change Order Description: Change Order #3 includes the following: constructed temporary concrete walks & entrances to the Mize Center's west & east entrance doors; fit-out of the HVAC and electrical systems provisions for the MDF communications room and removal of existing dimming and ballast system; furnished custom vinyl flooring; installed galvanized steel angles (lintels) at various locations where concrete canopies were removed; credit issued for damages caused by the earthwork contractor; credit for the unused portion of the roofing contingency; additional framework, steel reinforcing and concrete relating to changes at the retaining wall structures located at the NW and NE existing retaining walls; and relocated the domestic water piping at the camera platform.

Change Order Justification: These changes were due to latent jobsite conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$720,4311.73.

Project Initiation Date: June 16, 2018

Design Professional: Dale Partners Architects, P.A.

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$50,000,000.00

3. MSU- IHL #205-313 – HULL HALL RE-ROOF

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,270,800.00 to the apparent low bidder, Roofing Solutions, LLC.

Approval Status & Date: APPROVED, December 8, 2022

Project Initiation Date: May 20, 2021

Design Professional: Shafer-Zahner-Zahner, PLLC

General Contractor: Roofing Solutions, LLC

Total Project Budget: \$1,400,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

4. MSU- IHL #205-321 – SUMMER PAVING 2022

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Neel-Schaffer.

Approval Status & Date: APPROVED, November 16, 2022

Project Initiation Date: May 19, 2022

Design Professional: Neel-Schaffer

General Contractor: TBD

Total Project Budget: \$2,500,000.00

5. MSU- IHL #205-331 – WALKER HALL FIRST FLOOR RENOVATION

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Dunaway/Williams Architects.

Approval Status & Date: APPROVED, November 2, 2022

Project Initiation Date: October 20, 2022

Design Professional: Dunaway/Williams Architects

General Contractor: TBD

Total Project Budget: \$2,200,000.00

6. MSU- IHL #405-002– KINESIOLOGY AND AUTISM SERVICES BUILDING

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Dale Partners

Approval Status & Date: APPROVED, December 5, 2022

Project Initiation Date: March 1, 2019

Design Professional: Dale Partners

General Contractor: TBD

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

Total Project Budget: \$55,000,000.00

7. MSU- IHL #405-004 –HIGH PERFORMANCE COMPUTING AND DATA CENTER

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Dale Partners

Approval Status & Date: APPROVED, November 14, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 14, 2022

Project Initiation Date: October 19, 2020

Design Professional: Dale Partners

General Contractor: TBD

Total Project Budget: \$38,000,000.00

8. MSU- IHL #405-005 –STONE CHILLED WATER LOOP EXTENSION

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Engineering Resource Group, Inc.

Approval Status & Date: APPROVED, November 22, 2022

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 22, 2022

Project Initiation Date: July 27, 2021

Design Professional: Engineering Resource Group, Inc.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

General Contractor: TBD
Total Project Budget: \$2,000,000.00

9. MSU- IHL #413-001 – BALLEW HALL RENOVATION

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$10,220,487.00 to the apparent low bidder, Ethos Contracting Group, LLC

Approval Status & Date: APPROVED, December 6, 2022

Project Initiation Date: August 20, 2020
Design Professional: Belinda Stewart Architects
General Contractor: Ethos Contracting Group, LLC
Total Project Budget: \$12,000,000.00

10. MSU- IHL #413-003– DORMAN HALL RENOVATION

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by JH&H Architects

Approval Status & Date: APPROVED, January 3, 2023

Project Initiation Date: February 18, 2021
Design Professional: JH&H Architects
General Contractor: TBD
Total Project Budget: \$31,000,000.00

11. MSU- IHL #413-144 – SUSTAINABLE BIOPRODUCTS PH II (BLDG. 4/GENERAL WORKS)

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$97,725.69 and forty-two (42) additional days to the contract of Construction Services, Inc.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

Approval Status & Date: APPROVED, January 3, 2023

Change Order Description: Change Order #4 includes the following: termite treatment performed in various buildings; fireworks software upgraded; a beam was repaired at a building; poured two pads for future package units; additional treatment for three poles in a fenced area of a building; added a 5 foot sidewalk; electrical work done; added ADA parking and a sidewalk at a building; replaced a pole; credit issued for overcharge of tax, bonds & insurance on a change order; and forty-two (42) days to the contract.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$720,4311.73.

Project Initiation Date: June 18, 2020

Design Professional: PryorMorrow PC

General Contractor: Construction Services, Inc.

Phased Project Budget: \$3,700,000.00

Total Project Budget: \$5,000,000.00

12. MSU 2022 TEN-YEAR MASTER PLAN UPDATE

Approval Request #1: Master Plan

Board staff approved the ten-year Master Plan Update.

Approval Status & Date: APPROVED, January 9, 2023

MISSISSIPPI UNIVERSITY FOR WOMEN

13. MUW- GS #104-188 – CULINARY ARTS

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023

Board staff approved Change Order #2 in the amount of \$94,311.02 and thirty-six (36) additional days to the contract of West Brothers Construction, LLC.

Approval Status & Date: APPROVED, December 19, 2022

Change Order Description: Change Order #2 includes the following: provided roof deck edge infill; used Suprema roofing materials; added a box beam to the exterior curtain wall system; omitted HVAC control systems workstation for a credit; omitted a wood wall panel at a dining area for a credit; relocated a door; added hot water tempering kit to a dishwasher; omitted toilet tissue dispensers for a credit; raised a manhole; extended an exterior wall framing sheathing; installed electrical service to overhead doors; provided an exhaust fan with required electrical supply in a janitor's room; and thirty-six weather related days to the contract.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; and weather delays as indicated herein.

Total Project Change Orders and Amount: Two change orders for a total amount of \$105,776.57.

Project Initiation Date: June 18, 2015

Design Professional: JBHM Architects, P.A.

General Contractor: West Brothers Construction LLC

Total Project Budget: \$19,555,613.00

14. MUW- IHL #204-135 – RESIDENCE HALL HVAC IMPROVEMENTS

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on November 22, 2022 to approve the initiation and appoint of Dewberry/Edmonds Engineers, Inc. as the design professional for the Residence Hall HVAC Improvements project.

Interim Approval Status & Date: APPROVED, November 22, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,169,000.00 to the apparent low bidder, Air Control Engineering, Inc.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

Approval Status & Date: APPROVED, November 22, 2022

Project Initiation Date: November 22, 2022

Design Professional: Dewberry/ Edmonds Engineers, Inc.

General Contractor: Air Control Engineering, Inc.

Total Project Budget: \$1,366,830.00

UNIVERSITY OF MISSISSIPPI

15. UM- IHL #207-449 – LYCEUM EXTERIOR WINDOW RESTORATION

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$211,688.99 and one hundred ten (110) additional days to the contract of Tombigbee Contractors, LLC.

Approval Status & Date: APPROVED, January 6, 2023

Change Order Description: Change Order #4 includes the following: replaced deteriorated capitals; repaired remaining capitals; repaired column shafts; one hundred ten (110) days to the contract.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$720,4311.73.

Project Initiation Date: February 21, 2019

Design Professional: Eley Guild Hardy Architect, P.A.

General Contractor: Tombigbee Contractors, LLC

Total Project Budget: \$1,725,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

16. UM- IHL #207-474 – SOC – COSTUME SHOP RELOCATION

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$18,086.21 and two (2) additional days to the contract of JP Corp General Contractors.

Approval Status & Date: APPROVED, November 16, 2022

Change Order Description: Change Order #3 includes the following items: added hardware to double entry doors; added variable airflow valves and ductwork; removed and replaced flooring in the wet paint/dye room and two (2) days to the contract.

Change Order Justification: This change was necessary due to errors and omissions in the plans and specifications; user/owner requested modification and days for work as indicated herein.

Approval Request #2: Change Order #4

Board staff approved Change Order #4 in the amount of \$6,354.34 and six (6) additional days to the contract of JP Corp General Contractors.

Approval Status & Date: APPROVED, November 18, 2022

Change Order Description: Change Order #4 includes the following items: asbestos abatement done; skimmed the wall in the wet/dye room and six (6) days added to the contract.

Change Order Justification: This change was necessary due to latent jobsite conditions and days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$46,558.91.

Project Initiation Date: January 20, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: JP Corp General Contractors

Total Project Budget: \$1,378,790.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

17. UM- IHL #207-482 – FASER HALL – ROOF 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 November 17, 2022 to increase the project budget from \$1,450,000.00 to \$2,570,000.00, for an increase of \$1,120,000.00.

Interim Approval Status & Date: APPROVED, November 17, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,960,973.00 to the apparent low bidder, B Four Plied, Inc.

Approval Status & Date: APPROVED, November 30, 2022

Project Initiation Date: May 19, 2022

Design Professional: Shaffer-Zahner-Zahner

General Contractor: B Four Plied, Inc.

Total Project Budget: \$2,570,000.00

18. UM- IHL #207-483 – NW MECHANICAL PLANT (ELECTRICAL PHASE II)

Approval Request #1: (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on November 22, 2022 to appoint Atwell and Gent, P.A. as the design professional for the project.

Approval Status & Date: APPROVED, November 22, 2022

Project Initiation Date: June 16, 2022

Design Professional: Atwell and Gent, P.A.

General Contractor: TBD

Total Project Budget: \$500,000.00 (Design Fees Only)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

**19. UM- IHL #207-485– JAC-CENTER FOR GRAPHENE RESEARCH
RENOVATION**

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, December 12, 2022

Project Initiation Date: August 18, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$2,000,000.00

20. UM- IHL #207-497 – NEW STUDENT HOUSING)

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 January 6, 2023 to initiate and appoint McCarty Architects as the design professional for the project.

Approval Status & Date: APPROVED, January 6, 2023

Project Initiation Date: January 6, 2023

Design Professional: McCarty Architects

General Contractor: TBD

Total Project Budget: \$1,000,000.00

21. UM- IHL #207-498 – NW MECHANICAL PLANT (MECHANICAL PHASE III)

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 January 6, 2023 to initiate and appoint Eley Guild Hardy Architects as the design professional for the project.

Approval Status & Date: APPROVED, January 6, 2023

Project Initiation Date: August 18, 2022

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

Design Professional: Eley Guild Hardy Architects
General Contractor: TBD
Total Project Budget: \$1,000,000.0000

22. UM- IHL #407-002– DATA CENTER FACILITY RENOVATION

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, January 3, 2023

Project Initiation Date: June 20, 2019
Design Professional: Duvall Decker Architects, P.A.
General Contractor: TBD
Total Project Budget: \$30,000,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

23. UMMC - IHL #209-578 – GROSS ANATOMY PHASE III

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$724,500.00 to the apparent low bidder, Sunbelt General Contractors.

Approval Status & Date: APPROVED, November 30, 2022

Project Initiation Date: December 9, 2021
Design Professional: Dean and Dean Architecture
General Contractor: Sunbelt General Contractors
Total Project Budget: \$1,700,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

24. UMMC - IHL #209-579A – RIDGELAND CAMPUS EARLY SITE PACKAGE

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on December 3, 2022 to approve the initiation and appoint Cooke Douglas Farr Lemons Architects and Engineers as design professional for the Ridgeland Campus Early Site Package.

Approval Status & Date: APPROVED, December 3, 2022

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,548,179.00 to the apparent low bidder, Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, December 3, 2022

Project Initiation Date: August 18, 2022

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, P.A.

General Contractor: Hemphill Construction Company, Inc.

Total Project Budget: \$1,612,800.00

25. UMMC - IHL #209-581 – CHILDREN’S CANCER CLINIC RENOVATION

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on December 3, 2022 to approve the budget increase from \$3,000,000.00 to \$6,000,000.00, for an increase of \$3,000,000.00 for the Children’s Cancer Clinic Renovation project.

Approval Status & Date: APPROVED, December 3, 2022

Approval Request #2: Contract Documents

Board staff approved Contract Documents as submitted by Cook Douglas Farr Lemons Architects & Engineers, P.A.

Approval Status & Date: APPROVED, December 16, 2022

Approval Request #3: Advertise

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 16, 2022

Project Initiation Date: April 21, 2022

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers, P.A.

General Contractor: TBD

Total Project Budget: \$6,000,000.00

26. UMMC- IHL #409-002 – NEW BOILER ROOM

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Dean and Dean Architecture.

Approval Status & Date: APPROVED, December 15, 2022

Project Initiation Date: October 2, 2021

Design Professional: Dean and Dean Architecture

General Contractor: TBD

Total Project Budget: \$6,407,376.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

27. USM- GS #108-300– HICKMAN HALL RENOVATION

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, October 27, 2022

Project Initiation Date: June 20, 2019

Design Professional: Burris Wagnon Architects, P. A.

General Contractor: TBD

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

Total Project Budget: \$11,350,000.00

28. USM- GS #114-023 – SCIENCE BUILDING INFILTRATION REPAIRS

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$17,297.46 and five (5) additional days to the contract of Century Construction Group.

Approval Status & Date: APPROVED, November 21, 2022

Change Order Description: Change Order #2 includes the following items: provided base of wall water proofing to the west side of the building and five (5) days to the contract.

Change Order Justification: This change was necessary due to latent jobsite conditions and days for work as indicated herein.

Approval Request #2: Change Order #3

Board staff approved Change Order #3 in the amount of \$0.00 and sixty (60) additional days to the contract of Century Construction Group.

Approval Status & Date: APPROVED, November 21, 2022

Change Order Description: Change Order #3 includes the following items: added sixty (60) days to the contract.

Change Order Justification: This change was necessary due to weather-related delays.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$46,558.91.

Project Initiation Date: February 5, 2021

Design Professional: Shafer-Zahner-Zahner

General Contractor: Century Construction Group

Total Project Budget: \$3,604,891.38

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 19, 2023**

29. ERC-GS #111-064, MECHANICAL IMPROVEMENTS

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on December 15, 2022 to approve the budget increase from \$2,106,144.69 to \$2,773,946.69, for an increase of \$667.802.00 for the Mechanical Improvements project.

Approval Status & Date: APPROVED, December 15, 2022

Project Initiation Date: November 19, 2020

Design Professional: Engineering Resource Group

General Contractor: TBD

Total Project Budget: \$2,773,946.69

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
LEGAL
INFORMATION AGENDA
JANUARY 19, 2023**

1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Balch & Bingham, LLP (statements dated 10/17/22, 11/10/22 and 12/7/22) from the funds of the Mississippi Board of Trustees of State Institutions of Higher Learning. (These statements, in the amounts of \$22,623.80, \$10,125.00 and \$1,774.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 34,522.80

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 11/10/22) from the funds of Mississippi State University. (This statement, in the amount of \$2,088.60, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,088.60

Payment of legal fees for professional services rendered by Copeland, Cook, Taylor & Bush (statement dated 11/11/22) from the funds of Mississippi State University. (This statement, in the amount of \$4,778.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 4,778.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/22 and 11/1/22) from the funds of Mississippi State University. (These statements, in the amounts of \$100.00 and \$2,000.00, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 2,100.00

Payment of legal fees for professional services rendered by Brunini (statement dated 12/14/22) from the funds of the University of Mississippi. (This statement, in the amount of \$375.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 375.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 11/23/22 and 12/15/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,889.10 and \$1,428.00, respectively, represent services and expenses in connection with general legal advice.)

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
LEGAL
INFORMATION AGENDA
JANUARY 19, 2023

TOTAL DUE.....\$ 3,317.10

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 11/9/22) from the funds of the University of Mississippi. (This statement, in the amount of \$825.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 825.00

Payment of legal fees for professional services rendered by Nelson Mullins Riley & Scarborough, LLP (statement dated 12/12/22) from the funds of the University of Mississippi. (This statement, in the amount of \$252.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 252.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/22, 11/1/22, 11/1/22, 12/1/22, 12/1/22, 12/1/22, 12/1/22 and 12/1/22) from the funds of the University of Mississippi. (These statements, in the amounts of \$53.41, \$71.10, \$601.00, \$30.81, \$2,250.00, \$50.11, \$87.50 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 5,644.93

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/26/22, 10/12/22, 10/12/22, 10/12/22, 10/12/22, 10/12/22, 10/12/22, 10/14/22, 10/14/22, 10/14/22, 10/14/22, 10/17/22, 10/24/22, 10/25/22, 10/25/22, 10/28/22, 10/28/22, 10/31/22, 11/4/22, 11/4/22, 11/11/22, 11/14/22, 11/16/22, 11/18/22, 11/22/22 and 11/22/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$887.50, \$1,135.00, \$33.00, \$166.60, \$517.75, \$162.00, \$607.50, \$295.00, \$3,923.50, \$4,326.50, \$1,506.10, \$354.00, \$18,201.50, \$11,073.11, \$5,442.20, \$30,240.90, \$3,068.09, \$1,270.50, \$17,251.60, \$250.00, \$33.00, \$4,505.15, \$14,174.00, \$1,062.00, \$3,367.00, \$2,684.90 and \$54.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 126,592.50

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 11/16/22, 11/16/22, 11/16/22, 11/21/22, 11/21/22, 11/21/22, 11/21/22, 11/21/22 and 11/21/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,019.50, \$693.00, \$3,042.70, \$1,371.65, \$3,960.00, \$1,369.50, \$346.50, \$974.30 and \$4,238.12, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 19,015.27

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
LEGAL
INFORMATION AGENDA
JANUARY 19, 2023**

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 10/27/22, 10/27/22, 11/30/22, 11/30/22 and 11/30/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$49.50, \$82.50, \$66.00, \$82.50 and \$313.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 594.00

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 7/31/22, 8/15/22, 8/15/22, 9/14/22, 9/14/22, 9/14/22, 9/14/22, 10/17/22, 10/17/22, 10/17/22, 10/17/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22 and 12/5/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,540.00, \$666.00, \$846.10, \$1,073.70, \$455.40, \$3,835.60, \$2,415.50, \$1,834.00, \$66.00, \$11,287.82, \$632.10, \$960.00, \$1,023.00, \$6,630.55, \$1,485.00, \$2,597.25, \$2,861.89, \$684.10 and \$3,780.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 44,674.01

Payment of legal fees for professional services rendered by Heidelberg Patterson Welch PLLC (statements dated 9/13/22, 10/17/22, 11/7/22 and 12/9/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$39,100.50, \$2,832.00, \$2,153.50 and \$977.40 respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 45,063.40

Payment of legal fees for professional services rendered by Mayo Mallette PLLC (statements dated 10/21/22, 10/21/22, 10/21/22, 11/4/22, 11/4/22, 11/7/22 and 12/2/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,687.20, \$17,655.00, \$23,126.30, \$1,527.50, \$291.00, \$67,477.37 and \$1,577.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 115,341.87

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 10/11/22, 11/9/22, 11/9/22, 12/1/22, 12/1/22, 12/1/22, 12/1/22 and 12/1/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,424.90, \$99.00, \$594.00, \$540.00, \$1,440.00, \$268.40, \$429.00 and \$33.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 7,828.30

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
LEGAL
INFORMATION AGENDA
JANUARY 19, 2023

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 11/8/22, 11/30/22, 11/30/22, 11/30/22, 11/30/22 and 12/5/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$231.00, \$990.00, \$216.00, \$185.00, \$5,950.00 and \$280.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 7,852.50

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 10/11/22, 10/19/22, 10/21/22, 11/3/22, 11/7/22, 11/15/22, 11/15/22, 11/15/22, 11/17/22, 11/17/22, 11/22/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/2/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22, 12/5/22 and 12/5/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$8,316.33, \$8,356.19, \$66.00, \$240.00, \$1,270.00, \$6,882.34, \$28,507.60, \$5,703.97, \$12,985.30, \$1,156.13, \$2,199.50, \$825.00, \$2,776.50, \$155.00, \$3,853.70, \$7,771.25, \$750.00, \$106.00, \$297.00, \$178.50, \$4,770.29, \$14,085.34, \$3,416.36, \$106.00, \$722.40, \$33.00, \$61.50 and \$4,154.10, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 119,745.30

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 11/17/22) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$3,150.52, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,150.52

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 11/7/22 and 12/7/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$6,665.09 and \$4,348.63, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 11,013.72

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/22, 11/1/22, 11/1/22, 12/1/22, 12/1/22 and 12/1/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$2,250.00, \$2,250.00, \$3,551.00, \$39.46, \$59.05 and \$2,250.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 10,399.51

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
LEGAL
INFORMATION AGENDA
JANUARY 19, 2023

Payment of legal fees for professional services rendered by Wise Carter (statements dated 11/14/22 and 11/14/22) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$98.64 and \$40.20, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 138.84

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/26/22, 11/23/22 and 11/23/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Hemagglutinin Substitution Increases Thermostability and Improves Yields of 2009 H1N1 Influenza A. Virus in Cells” - \$118.00; “Sequence Specific Phage-Based Antimicrobials” - \$265.50; and “Hemagglutinin Substitution Increases Thermostability and Improves Yields of 2009 H1N1 Influenza A Virus in Cells” - \$1,795.00.)

TOTAL DUE.....\$ 2,178.50

Payment of legal fees for professional services rendered by Conley Rose (statements dated 12/6/22 and 12/6/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Wearable Flexible Sensor Motion Capture System” - \$1,377.50; and “Method and System for a Quantum Oracle to Obtain the Number of Quantum Ground States” - \$387.00.)

TOTAL DUE.....\$ 1,764.50

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 11/10/22, 11/10/22, 11/10/22 and 11/10/22) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$2,134.00; “Occidiofungin Formations and Uses Thereof” - \$1,258.00; “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$595.00; and “mRNA Treatment to Induce Expression of Relaxin for Productive Applications in Animals and Humans” - \$6,771.50.)

TOTAL DUE.....\$ 10,758.50

Payment of legal fees for professional services rendered by Quarles & Brady (statement dated 11/16/22) from the funds of Mississippi State University. (This statement represents services

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
LEGAL
INFORMATION AGENDA
JANUARY 19, 2023

and expenses in connection with the following patent or intellectual property matter: “Rice Cultivar: - \$7,980.00.)

TOTAL DUE.....\$ 7,980.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 10/26/22, 11/14/22, 11/14/22, 11/14/22, 11/14/22, 11/14/22, 11/14/22, 11/14/22, 11/22/22 and 11/22/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$364.00, \$3,010.50, \$527.50, \$597.40, \$1,994.50, \$531.50, \$561.50, \$573.50, \$898.50, \$1,226.50, \$104.00, \$656.50, \$496.50, \$514.50, \$543.50, \$133.00, \$38.00, \$114.00 and \$335.50, respectively, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 13,220.90

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 10/10/22, 10/10/22, 12/1/22, 12/1/22, 12/1/22, 12/1/22 and 12/1/22) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$200.00, \$1,753.50, \$975.00, \$987.38, \$200.00, \$510.00 and \$187.50, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 4,813.38

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/26/22, 10/26/22, 10/26/22 and 10/26/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Chevron Oronite Patent Maintenance” - \$147.50; “Phenyl phosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$115.00; “Gulf Blue Trademark” - \$907.00; and “Process to Produce Highly Porous Carbon” - \$432.50).

TOTAL DUE.....\$ 1,602.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 11/10/22, 11/10/22, 11/10/22, 11/10/22 and 11/10/22) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “General Intellectual Property Matters” - \$175.00; “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$350.00; “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$900.00; “Thiol-Based Post-Modification of Conjugated Polymers” - \$440.00; and “Macrocycle Embedded Organic Electronic Matrices for Anion Detection” - \$70.00).

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
LEGAL
INFORMATION AGENDA
JANUARY 19, 2023

TOTAL DUE.....\$ 1,935.00

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
January 19, 2023

1. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL

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

- a. **MSU** – On November 18, 2022, Commissioner Alfred Rankins, Jr., approved a Rental Agreement between Mississippi State University and Litchfield Carlyle, LLC for office space located at 1867 Crane Ridge Drive, Suite 100A in Jackson, MS for use by the office of Nutrition Education in Hinds, Rankin and Madison Counties in Mississippi. The term of the agreement is three years from January 1, 2023 through December 31, 2025 at a cost of \$2,344.04 per month, payable in advance on or before the 5th day of each month. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- b. **MSU** – On November 22, 2022, Commissioner Alfred Rankins, Jr., approved a Farm Lease between Mississippi Agriculture and Forestry Station (MAFES)/Mississippi State University and Prevost Farms, LLC for use of 58 acres of farmland located at the Brown Loam Branch Experiment Station in Raymond, MS, for crop farming. This is a new revenue-generating lease and will be effective November 1, 2022 through December 31, 2023 with an option for up to four one-year extensions by mutual agreement of all parties. The contractor will pay \$87.50 per acre (\$5,075) annually due on November 1 of each year. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management 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 document is on file in the IHL Board Office.
- c. **MSU** – On November 22, 2022, Commissioner Alfred Rankins, Jr., approved a Farm Lease between Mississippi Agriculture and Forestry Station (MAFES)/Mississippi State University and Miles Bridgers for use of approximately 107 acres of farmland located at the Brown Loam Branch Experiment Station in Raymond, MS, for crop farming. This is a renewal of an existing revenue-generating lease and will be effective November 1, 2022 through December 31, 2023 with an option for up to four one-year extensions by mutual agreement of all parties. The contractor will pay \$72 per acre (\$7,704) annually due on November 1 of each year. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management 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 document is on file in the IHL Board Office.
- d. **MSU** – On December 9, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Southwest Mississippi Community College for building space on the Southwest Mississippi Community College campus. The term of the lease is one-year beginning October 1, 2022, at a cost of \$19,431.96. The IHL Senior Associate

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
January 19, 2023

Commissioner for Legal Affairs and Risk Management 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 document is on file in the IHL Board Office.

- e. **MSU** – On December 13, 2022, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and MSU Research & Technology Corporation for 2,326 square feet of office space in the Thad Cochran Research, Technology and Economic Development Park, as temporary office space for the Raspet Flight Research Laboratory. The term of the lease is one year beginning March 1, 2023, at a cost of \$2,300 per month in rent, payable in advance on the first calendar day of each month, plus an estimated \$700 per month for the pro-rata share of costs for utilities and janitorial services. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the Agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- f. **UM** – On November 30, 2022, Commissioner Alfred Rankins, Jr., approved a Facilities Use Agreement between the University of Mississippi and Live Nation Worldwide, Inc. for the use of Vaught-Hemingway Stadium and the Sandy and John Black Pavilion located on the campus of the University of Mississippi for the performance of a live entertainment event and related activities. The term of the agreement is from April 16, 2023 through April 25, 2023. This is a revenue generating lease with the lessor paying a \$100,000 license fee for use of the facility, a \$150,000 venue operation and utility fee for staffing and utilities within the venue during the term of the agreement. In addition, the university will receive forty percent (40%) of all revenue generated by the event. The Attorney General's Office staff 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 document is on file in the IHL Board Office.
- g. **UM** – On December 13, 2022, Commissioner Alfred Rankins, Jr., approved an amendment to the Facilities Use Agreement between the University of Mississippi and Live Nation Worldwide, Inc. previously approved on November 30, 2022. This amendment adds one day to the term of the Agreement to allow for an additional concert by the same artist at Vaught-Hemingway Stadium. The parties to the Agreement remain the same - the University of Mississippi and Live Nation Worldwide, Inc. The term of the amended agreement is from April 16, 2023 through April 27, 2023. The revenue-generating fees for the use of the facility and associated utilities remain the same; however, the revenue-sharing terms have been amended in favor of the University by expanding the types of revenue sources. The Attorney General's Office staff 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 document is on file in the IHL Board Office.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
PERSONNEL
January 19, 2023

PERSONNEL ACTION REPORT

1. **Sabbatical**

University of Southern Mississippi

FROM: Westley Follett; Associate Professor of History; *from* salary of \$59,416 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$29,708 for sabbatical period; E&G Funds; effective January 3, 2022 to May 13, 2022; professional development

[Originally approved by IHL Board March 19, 2020; Revision approved June 18, 2020]

CORRECTED: This item was rescinded.