

Board Book

October 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

Academic Affairs Committee | October 18, 2023, 2:00p | IHL Board Room
Health Affairs Committee | October 18, 2023, 3:00p | IHL Board Room
IHL Board Meeting | October 19, 2023, 9:00a | IHL Board Room

CALL TO ORDER INVOCATION

Trustee Bruce Martin.
Trustee Gregg Rader

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ADJOURNMENT

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 21 - 22, 2023**

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 Ballroom in the White House Hotel in Biloxi, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2022, to each and every member of said Board said date being at least five days prior to this September 21-22, 2023 meeting. At the above-named place, the following members were present to wit: Dr. Ormella Cummings, Dr. Steven Cunningham (via Zoom), Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr (via Zoom). The meeting was called to order by Dr. Alfred McNair, President, with Trustee Gee Ogletree providing the invocation.

APPROVAL OF THE MINUTES

On motion by Trustee Cummings, seconded by Trustee Parker, with Trustee Starr absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on August 17, 2023 and the committee meeting held on August 29, 2023.

CONSENT AGENDAS

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

FINANCE

1. **JSU** – Approved the request to enter into a master services agreement with EAB Global, Inc. (EAB) for the Navigate Student Success software. The term of the contract is October 1, 2023, through September 30, 2027. The contract may be extended for 3 additional 1-year terms for a total term of 4-7 years if all renewals are exercised. The total contract cost is \$637,728. A breakdown of costs is included in the *September 21-22, 2023 Board Working File*. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment in accordance with the terms of the agreement. This contract cost includes all optional renewal periods. The agreement will be funded with Title III 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.
2. **USM** – Granted retroactive approval to enter into a license agreement to subscribe to SciFinder™, an extensive database for chemistry, biochemistry, chemical engineering, materials science, nanotechnology, physics, environmental science, and other science and engineering disciplines from Chemical Abstracts Service (CAS). These research-oriented journals and information resources are used by USM faculty, staff, and students for educational and research purposes. The term of this contract will be three (3) years

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beginning September 1, 2023 and ending August 31, 2026. The total contract cost is \$396,380. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment in accordance with the terms of the agreement. This contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

LEGAL

3. **JSU** – Approved the request to amend its consulting agreement with Worth Thomas d/b/a W.T. Consultants, LLC, to provide a full scope of legislative liaison services within the State of Mississippi. The parties wish to amend the payment and reporting provisions in paragraphs 4. and 8. of the agreement and other minor typographical edits. The amended language relates to the timing of required reports from the lobbyist, the required content of those reports, and that payment to the lobbyist is conditioned upon providing the required reports and upon providing them on time. All other terms of the agreement remain unchanged with the term of the agreement being one year from July 1, 2023 through June 30, 2024 and a contract amount of \$90,000 to be paid in quarterly installments of \$22,500 each. This fee will be paid with self-generated funds of the JSU Development Foundation allocated for JSU Program Support. The Attorney General’s Office has reviewed the agreement and found same to be compliant with applicable law and Board policy.

PERSONNEL REPORT

4. **Employment**

Alcorn State University

Emanuel Barnes; *part-time, rehired retiree*; Interim Vice President for Student Affairs and Enrollment Management; salary \$70,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 1, 2023

Mississippi Valley State University

Michael Switzer; Vice President for Facilities Management and Capital Projects; salary of \$115,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 14, 2023

5. **Sabbatical**

Jackson State University

- Yongfeng Zhao, Associate Professor of Chemistry; *from* salary \$63,127.83 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$31,563.92 for sabbatical period; E&G Funds; effective August 9, 2023 to May 6, 2024; professional development

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- Bessie House-Soremekun, Professor of Political Sciences; *from* salary \$99,421.88 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 9, 2023 to December 31, 2023; professional development
- Lommarsh Roopnarine, Professor of History & Philosophy; *from* \$73,947.20 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective January 1, 2024 to May 6, 2024; professional development

REGULAR AGENDAS

ACADEMIC AFFAIRS

Presented by Trustee Hal Parker, Chair

A motion was made by Trustee Parker, seconded by Trustee Ogletree to approve items #1 - #3 as submitted on the Academic Affairs Agenda. In accordance with Board Policy 301.0510 Meeting Rules of Order, subsection C. Quorums, Agenda Rulings of Presiding Officer and Delay, subsection 4. Delay of Board Consideration, Trustee Tom Duff invoked the privilege of delaying consideration of items #1 - #3 on the Academic Affairs Regular Agenda until the next meeting.

1. **SYSTEM** – The Board discussed proposed amendments to Board Policy 201.0507 Campus Locations and Programs, subsection C Establishment of Off-Campus Instructional Programs Authorized; Attendance for first reading.

201.0507 Campus Locations and Programs

C. Establishment of Off-Campus Instructional Programs Authorized; Attendance

The Board may establish off-campus ~~instructional~~ degree-granting academic programs for universities if, in its opinion, such action is in the best interest of quality education for the State of Mississippi and the university system. ~~However, a~~ An existing Board-approved institutional degree-granting academic program may only be offered at any Board-approved off-campus instructional site for that institution after the institution first without obtains additional Board approval to offer the program at a specific institutional off-campus instructional site. Such approval shall only be sought after successful compliance with ~~Even so, the requirements of 201.0507 E. below regarding “Off-Campus Conflicts” shall still apply.~~

Attendance at an off-campus instructional site or through distance learning shall fulfill residency requirements.

2. **SYSTEM** – The Board discussed proposed amendments to Board Policy 501 Academic Programs and Units for first reading.

501 Academic Programs and Units

All new curricula, departments, on-campus and off-campus degree-granting academic programs of study, ~~organized research or services~~ being proposed by any or all of the institutions must be submitted to the Board and must be approved by the Board before being initiated. This provision shall apply regardless of whether or not the curricula, department, degree-granting academic program of study are presently offered at an on-campus or an off-campus instructional site of an institution and being proposed to be offered at another instructional site of that same institution.

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3. **SYSTEM** – The Board discussed proposed amendments to Board Policy 502 New Academic Programs and Units for first reading.

502 New Academic Programs and Units

Requests to establish new on-campus and off-campus degree-granting academic programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers. In developing such guidelines and procedures, the Commissioner shall consider: potential harm to existing similar degree-granting academic programs, colleges, schools, departments, institutes, and centers at other state institutions; state, system, and institutional priorities; institutional missions; institutional performance; comparative funding; market demand; and other appropriate criteria.

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

LEGAL

1. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. (See Exhibit 1.)

ADMINISTRATION/POLICY

2. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.
- a. **JSU** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets that do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 8, 2023, Commissioner Alfred Rankins, Jr. approved the revisions for the FY 2023 *Ayers* academic programs after conducting a review of the same. It appears that these revisions are necessary to align 2023 budgets to individual program needs for the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic staff have reviewed and approved these revisions which contain no increases in the total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
 - b. **MSU** – On August 8, 2023, Commissioner Alfred Rankins, Jr., approved the request to advertise and receive bids for the harvest of timber from Mississippi State University's John W. Starr Memorial Forest, Oktibbeha County, MS and to award contracts to the highest bidder who satisfies all additional bid requirements. This sale will be a pay-as-cut, sealed bid for felled timber located on approximately 21 acres of land in the University's John W. Starr Memorial Forest, Oktibbeha County, MS. This sale will be for the cutting and removal of trees felled during the 2023 Mid-South Forestry Equipment show. This sale will remove felled pine sawtimber

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trees in this stand ranging from 16-26 inches DBH. All felled timber must be removed by Saturday, September 30, 2023. The Office of the Attorney General has reviewed the timber sales request and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. In accordance with Board Policy 905 Real Estate Management and Policy 707.01, all timber sales that do not exceed \$500,000 may be approved by the Chair of the Real Estate Committee upon satisfactory legal review and recommendation by the Commissioner. Trustee Chip Morgan, Chair of the Real Estate Committee, approved the timber sales request noted above. A copy of the documents is on file in the IHL Board Office.

- c. **MSU** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On August 11, 2023, Commissioner Alfred Rankins, Jr. approved Mississippi State University’s OP 95.501 Traffic and Parking Rules and Regulations for Academic Year 2023-2024. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed and approved the documents.
- d. **MSU** – On August 11, 2023, Commissioner Alfred Rankins, Jr. approved the new Lease Agreement between Mississippi State University and EDR College View, MS LLC to lease up to 6 apartment bedrooms to be used as housing for University students who have signed housing agreements with the University. The term of the lease is August 12, 2023 through July 31, 2024 and the annual contract cost will not exceed \$55,000. The University will be billed for each room that is occupied. Three rooms are available at \$710 per month, per room and 3 rooms are available at \$700 per month, per room. While the expected monthly total is \$4,230, this amount will be reduced if any of the rooms are not occupied. 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.
- e. **MSU** – On August 28, 2023, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and O’Keefe Commercial for space on Lessor’s D’Iberville property in which to operate a Resource and Referral Center under a grant awarded to MSU by the Mississippi Department of Human Services. The initial term of the lease is two years beginning August 15, 2023 through August 14, 2025. Rent for the first year is \$42,120 to be paid in 12 equal monthly installments due on the first day of each month. Rent for the second year is \$30,840 to be paid in 12 equal monthly installments due on the first day of each calendar 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.

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- f. **MSU** – On August 28, 2023, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and Hinds Community College for the Vicksburg Campus Banks Classroom #3 in which to provide space for a Resource and Referral Center operated by the University in accordance with the terms of a grant awarded by the Mississippi Department of Human Services. The term of the lease is 12 months from September 1, 2023 through August 30, 2024, at a cost of \$2,500 per month payable on the first 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.
- g. **MSU** – On August 28, 2023, Commissioner Alfred Rankins, Jr. approved Lease Amendment #14 between Mississippi State University and MSU Research & Technology Corporation for 3,192.45 square feet of Class A office space at the NASA Stennis Space Center. This modification extends the term of the current agreement by one year beginning October 1, 2023 and ending September 30, 2024, and increases the monthly rental rate from \$21.05 per square foot or \$5,600.09 per month to \$21.16 per square foot or \$5,629.35 per month (\$67,552.24 annually). All other provisions of the original lease agreement with its previous Modifications #1 through #13 remain unchanged. 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.
- h. **MSU** – On August 28, 2023, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and MTB Properties for retail storefront space at 114 East Main Street, Starkville, MS, in which to operate the student-run Retail Product Accelerator. The initial term of the lease is 24 months at a cost of \$2,750 per month payable on the first 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.
- i. **MVSU** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 8, 2023, Commissioner Alfred Rankins, Jr. approved the revisions for the FY 2023 *Ayers* academic programs after conducting a review of the same. It appears that these revisions are necessary to align 2023 budgets to individual program needs for the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic

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staff have reviewed and approved these revisions which contain no increases in the total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

- j. **MVSU** – On August 11, 2023, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi Valley State University and Rashad Spurlock for space within the Jacob Aron Student Center in which to offer licensed beautician/barber services. The term of the lease is 9.5 months beginning August 15, 2023 and ending May 31, 2024. Rent is \$150 per month due on or before the first 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. A copy of the document is on file in the IHL Board Office.
- k. **USM** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 18, 2023, Commissioner Alfred Rankins, Jr. approved the revisions the On Campus (Hattiesburg) Budget, the Off Campus (Gulf Park) Budget, the Children’s Center for Communication and Development Budget, the Dubard School Budget, the Auxiliary Enterprises Budget, the Stennis Center for Higher Learning Budget, the Mississippi Polymer Institute Budget, and the Gulf Coast Research Lab Budget for Fiscal Year 2023. The IHL Executive Office finance staff have reviewed and approved these revisions. These budget revisions contain no increases in the total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.

ANNOUNCEMENTS

President McNair announced the next Board meeting will be October 19, 2023 in Jackson.

PRESENTATION

The Board received a presentation from Dr. Jay A. Perman, Chancellor of the University System of Maryland.

EXECUTIVE SESSION

On motion by Trustee Ogletree, seconded by Trustee Hubbard, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Rader, seconded by Trustee Cummings, 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:

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Discussion of a personnel matter related to the job performance of a person holding a specific position at the IHL Board Office.

Discussion of a personnel matter related to the job performance of a person holding a specific position at Alcorn State University.

Discussion of a personnel matter related to the job performance of a person holding a specific position at Delta State University.

Discussion of a personnel matter related to the job performance of a person holding a specific position at Jackson State University.

Discussion of a personnel matter related to the job performance of a person holding a specific position at Mississippi State University.

Discussion of a personnel matter related to the job performance of a person holding a specific position at Mississippi University for Women.

Discussion of a personnel matter related to the job performance of a person holding a specific position at Mississippi Valley State University.

Discussion of a personnel matter related to the job performance of a person holding a specific position at the University of Mississippi.

Discussion of a personnel matter related to the job performance of a person holding a specific position at the University of Southern Mississippi.

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

The Board discussed a personnel matter related to the job performance of a person holding a specific position at the IHL Board Office. On motion by Trustee Cummings, seconded by Trustee Rader, all Trustees legally present and participating voted unanimously to give Dr. Alfred Rankins, Jr., Commissioner of Higher Education, a new four-year employment contract with a start date of October 1, 2023 and a 5% increase in annual state salary.

The Board discussed a personnel matter related to the job performance of a person holding a specific position at Alcorn State University. **No action was taken.**

The Board discussed a personnel matter related to the job performance of a person holding a specific position at Delta State University. **No action was taken.**

The Board discussed a personnel matter related to the job performance of a person holding a specific position at Jackson State University. **No action was taken.**

The Board discussed a personnel matter related to the job performance of a person holding a specific position at Mississippi State University. **No action was taken.**

The Board discussed a personnel matter related to the job performance of a person holding a specific position at Mississippi University for Women. **No action was taken.**

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The Board discussed a personnel matter related to the job performance of a person holding a specific position at Mississippi Valley State University. **No action was taken.**

The Board discussed a personnel matter related to the job performance of a person holding a specific position at the University of Mississippi. **No action was taken.**

The Board discussed a personnel matter related to the job performance of a person holding a specific position at the University of Southern Mississippi. **No action was taken.**

On motion by Trustee Cummings, seconded by Trustee Parker, with Trustee Cunningham absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

PRESENTATIONS

The Board received reports from each institutional executive officer of the eight public universities.

On motion by Trustee Ogletree, seconded by Trustee Cummings, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to recess the meeting until 9:00 a.m. on September 22, 2023.

The meeting reconvened at approximately 9:00 a.m., on September 22, 2023. The following members were present to wit: Dr. Ormella Cummings, Dr. Steven Cunningham (via Zoom), Mr. Tom Duff, Ms. Teresa Hubbard, Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr (via Zoom). Ms. Jeanne Carter Luckey was absent.

EXECUTIVE SESSION

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

Discussion of a personnel matter related to the employment of a person in a specific position at Alcorn State University.

Discussion of a personnel matter related to the employment of a person in a specific position at Jackson State University.

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During the Executive Session, the following matters were discussed:

The Board discussed a personnel matter related to the employment of a person in a specific position at Alcorn State University. **No action was taken.**

The Board discussed a personnel matter related to the employment of a person in a specific position at Jackson State University. **No action was taken.**

On motion by Trustee Cummings, seconded by Trustee Parker, with Trustee Luckey absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 21 - 22, 2023**

EXHIBITS

Exhibit 1 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

September 21, 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 Ware|Immigration (statements dated 12/11/20, 1/1/23, 1/1/23, 7/1/23, 8/1/23 and 8/1/23) from the funds of Alcorn State University. (These statements, in the amounts of \$919.65, \$41.27, \$3,000.00, \$59.79, \$563.00 and \$41.75, respectively, represent services and expenses in connection with an immigration/labor certification matter.)

TOTAL DUE.....\$ 4,625.46

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 7/19/23 and 8/18/23) from the funds of Mississippi State University. (These statements, in the amounts of \$1,137.50 and \$6,287.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 7,425.00

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statements dated 8/16/23 and 8/16/23) from the funds of Mississippi State University. (These statements, in the amounts of \$483.00 and \$4,719.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 5,202.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/23 and 8/14/23) from the funds of Mississippi State University. (These statements, in the amounts of \$527.00 and \$549.00, respectively, represent services and expenses in connection with immigration/labor certification matters matters.)

TOTAL DUE.....\$ 1,076.00

Payment of legal fees for professional services rendered by Brunini (statement dated 8/14/23) from the funds of the University of Mississippi. (This statement, in the amount of \$525.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 525.00

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 8/22/23) from the funds of the University of Mississippi. (This statement, in the amount of \$1,088.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,088.00

EXHIBIT 1

September 21, 2023

Payment of legal fees for professional services rendered by Lightfoot Franklin White LLC (statement dated 8/8/23) from the funds of the University of Mississippi. (This statement, in the amount of \$11,321.55, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 11,321.55

Payment of legal fees for professional services rendered by Nelson Mullins (statements dated 7/31/23 and 8/23/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,764.00 and \$1,378.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,142.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/23, 8/1/23, 8/1/23, 8/1/23, 8/1/23 and 8/1/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$367.50, \$60.22, \$560.52, \$2,500.00, \$525.00 and \$541.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 4,554.24

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/26/23, 7/28/23 and 8/16/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,546.00, \$147.50 and \$3,242.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 4,936.00

Payment of legal fees for professional services rendered by McDonald Hopkins, LLC (statement dated 8/31/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$582.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 582.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 7/26/23, 8/1/23, 8/1/23, 8/1/23, 8/1/23, 8/1/23, 8/1/23, 8/1/23, 8/1/23, 9/1/23, 9/1/23, 9/1/23, 9/1/23, 9/1/23 and 9/1/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$200.00, \$34.83, \$59.48, \$67.82, \$2,350.00, \$215.81, \$65.29, \$67.82, \$2,500.00, \$38.90, \$77.07, \$38.66, \$41.45, \$57.01 and \$35.74, respectively, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 5,849.88

EXHIBIT 1

September 21, 2023

Payment of legal fees for professional services rendered by Zachary & Leggett, PLLC (statement dated 8/1/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$529.80, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 529.80

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 7/31/23, 7/31/23, 7/31/23, 7/31/23 and 7/31/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “IP and Regulatory Matters” - \$619.50; “IP and Regulatory Matters” - \$4,543.00; “Recombinant Fimbrial Protein of Aeromonas Hydrophila as Vaccine in Catfish” - \$81.00; “Hemagglutinin Substitution Increases Thermostability and Improves Yields of H1N1 Influenza A Virus in Cells” - \$2,895.50; and “Hemagglutinin Substitution Increases Thermostability and Improves Yields of H1N1 Influenza A Virus in Cells” - \$418.50.)

TOTAL DUE.....\$ 8,557.50

Payment of legal fees for professional services rendered by Conley Rose (statements dated 8/4/23 and 8/4/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Multimodal Cardiorespiratory” - \$1,120.00; and “Vision-Based Seismocardiography” - \$1,060.00.)

TOTAL DUE.....\$ 2,180.00

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 7/7/23, 8/8/23, 8/8/23, 8/8/23, 8/8/23, 8/8/23, 8/8/23, 8/8/23 and 8/21/23) 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” - \$355.50; “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$624.10; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$3,285.00; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$908.50; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$185.99; “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$2,613.00; “US Provisional Application Nos. 63/028,130, 96/175,642 and PCT/US21/32963” - \$1,420.22; “Oleaginous Microbe Supplementation for Improving Black Soldier Fly Growth and Development” - \$7,307.50; and

EXHIBIT 1

September 21, 2023

“Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$300.00, respectively.)

TOTAL DUE.....\$ 16,999.81

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 4/28/23, 4/28/23, 4/28/23, 4/28/23, 8/28/23, 8/28/23, 8/28/23, 8/28/23, 8/28/23, 8/28/23 and 8/28/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Unsymmetrical CCC-HNC Pincer” - \$180.00; “Cottonseed Oil Polymer” - \$1,991.50; “Synthesis of Optically Active” - \$542.00; “Polymers and Co-Polymers” - \$218.50; “Unsymmetric CCC-HNC Pincer” - \$398.00; “Synthesis of Optically Active” - \$398.00; “Use of Liquid Smoke in Conjunction” - \$155.50; “Novel Catalysis and Process for Liquid Hydrocarbon Fuel Production” - \$146.00; “Novel Catalysis and Process” - \$110.00; “Coal Char-Production and Properties” - \$1,455.50; and “Polymers and Co-Polymers for Polymer Matrix Composites and High Yield Carbon-Carbon Composite Structures Therefrom” - \$1,496.00, respectively.)

TOTAL DUE.....\$ 7,091.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/17/23, 7/31/23, 7/31/23, 7/31/23, 7/31/23, 7/31/23, 7/31/23, 7/31/23, 8/23/23, 8/23/23, 8/23/23 and 8/23/23) 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 Patent Matters” - \$6,000.00; “Covestro Patents” - \$8,067.50; “Chevron Oronite Patent Maintenance” - \$2,377.25; “Phenylphosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$2,289.50; “Gulf Blue Trademark” - \$1,883.00; “Chevron Oronite Patent Maintenance” - \$140.00; “Lidar for Underwater” - \$135.00; “Methodology for Instrumentation for Thin Film Mechanical Analysis” - \$233.50; “Phenylphosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$1,820.00; “Methodology and Instrumentation for Thin Film Mechanical Analysis” - \$177.00; “An Automated Mechanism for Position Aquaculture Equipment” - \$177.00; and “Lidar for Underwater” - \$59.00.)

TOTAL DUE.....\$ 23,358.75

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dates 7/7/23, 7/7/23, 8/15/23, 8/15/23, 8/15/23 and 8/15/23) 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: “Carbon Susceptors for Thermoplastic Composite Induction Welding” - \$810.50; “Processing for Increasing Beta Phase in PVDF Blends” - \$316.00; “Organic Photodetection Devices Utilizing an Insulative Component Within the Active Layer Blend” - \$3,800.00; “Conjugated Polymer Sensors Using the Inner Filter Effect” - \$87.50; “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$377.50; and “General IP Matters” - \$315.00, respectively.)

TOTAL DUE.....\$ 5,706.50

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
OCTOBER 19, 2023**

1. **MUW – MODIFICATION OF EXISTING ACADEMIC UNIT**

In accordance with Board policies 503 and 504, Mississippi University for Women submits a request to modify an existing academic unit.

RENAMING

Current unit title: College of Nursing and Health Sciences

Proposed unit title: **Bill and Jo-Ann Vandergriff College of Nursing and Health Sciences**

Organizational units operating under unit:

ASN Nursing

BSN Nursing

Graduate Nursing

Health and Kinesiology

Speech-Language Pathology

Degree programs offered within unit:

Associate of Science (AS) in Nursing (CIP: 51.3801, Seq: 6002)

Bachelor of Applied Science (BAS) in Public Health Education (CIP: 51.2207, Seq: 5865)

Bachelor of Science (BS) in Kinesiology (CIP: 31.0501, Seq: 5700)

Bachelor of Science (BS) in Public Health Education (CIP: 51.2207, Seq: 5830)

Bachelor of Science in Nursing (BSN) (CIP: 51.3801, Seq: 5304)

Bachelor of Science (BS) in Speech Pathology (CIP: 51.0203, Seq: 5303)

Master of Public Health (MPH) (CIP: 51.2201, Seq: 4461)

Master of Science in Nursing (MSN) in Family Clinician (CIP: 51.3899, Seq: 4176)

Master of Science (MS) in Speech-Language Pathology (CIP: 51.0203, Seq: 4439)

Certificate Program (CP) in Post-Graduate Advanced Practice Registered Nurse (CIP: 51.3805, Seq: 8089)

Doctor of Nursing Practice (DNP) (CIP: 51.3818, Seq: 1231)

Effective date: November 2023

Cost of implementation: \$0

Rationale: The Vandergriffs have supported the W's nursing program with nursing scholarships and with the Bill and Jo-Ann Vandergriff Simulation Learning Lab. Their pledge of matching gifts inspired others to support these initiatives. Jo-Ann Vandergriff received her Master of Nursing degree from The W in 1990 and was awarded an honorary doctorate in 2022.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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CONSENT AGENDA
FINANCE
October 19, 2023

1. **JSU – REQUEST FOR APPROVAL TO ENTER INTO A SERVICE AGREEMENT WITH DIVERSIFIED ELEVATOR SERVICE AND EQUIPMENT COMPANY, INC.**

Agenda Item Request: Jackson State University (JSU) requests approval to enter into a service agreement with **Diversified Elevator and Equipment Company, Inc.** for elevator maintenance services.

Contractor's Legal Name: **Diversified Elevator and Equipment Company, Inc.**

History of Contract: This is a new service agreement with Diversified Elevator and Equipment Company, Inc.

Specific Type of Contract: This is a new elevator maintenance agreement.

Purpose: The purpose of this agreement is to implement a full-service elevator maintenance program, inclusive of a resident elevator technician.

Scope of Work: Diversified Elevator and Equipment Company, Inc. will execute a comprehensive maintenance program for all elevators throughout the campus, to include a forty-hour (40hr) per week resident elevator mechanic to implement the maintenance program and respond to all service calls. 160 hours per month of pro-active preventative maintenance shall be provided including months where the regular mechanic is on vacation.

After hour (overtime) call backs outside of the normal working hours of 8:00 a.m. to 5:00 p.m. will be billed as follows:

Monday through Saturday (overtime hours)	Rate	\$148 per hour
Sunday and Holidays (overtime hours)	Rate	\$275 per hour

Repairs not covered under the contract, Contractor shall bill at the following rate:

One-man repair (regular hours)	Rate	\$291 per hour
One-man repair (overtime hours)	Rate	\$561 per hour
Two (2) man repairs (regular hours)	Rate	\$446 per hour
Two (2) man repairs (overtime hours)	Rate	\$870 per hour

Term of Contract: Start Date: 11/01/2023 End Date: 10/31/2025. This initial term of this agreement shall be two years. The contract may be extended for three (3) additional 1-year terms for a total term of five (5) years if all renewals are exercised.

Contract Amount: The maximum fixed cost for the initial two-year term of the contract totals \$562,200.00. After the initial 24-month period, Contractor shall have the right to negotiate an increase to the monthly cost to account for increases to material and labor

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October 19, 2023

costs. If all renewal periods are exercised, the contract will total approx. \$1,500,000. for the five (5) year period.

Funding Source for Contract: The agreement will be funded by Education and General funds and Auxiliary funds.

Termination Options: Termination may occur for the following reasons:

- For Convenience, JSU may terminate with thirty (30) days' prior written notice and Contractor may terminate with one hundred and twenty (120) days' prior written notice.
- For Cause, JSU may terminate if Contractor fails to remedy breach or default with 10 days of written notice of same.
- Upon Contractor Bankruptcy
- Failure to comply with E-Verify
- Failure of Legislature Appropriation
- In the event a Force Majeure
-

Contractor Selection Process: Competitive solicitations were sought through the RFP process and publicly advertised May 30, 2023 to May 6, 2023. Proposals were received from Diversified Elevator Service & Equipment Co., Inc., Otis Elevator Company, and Schindler Elevator Corporation. All bidders provided comprehensive proposals, however, Diversified Elevator Service and Equipment Company provided a superior proposal; demonstrating a clear understanding, a willingness to address JSU needs as outlined with minimum exceptions, and offered the best rate.

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.

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2. UM – REQUEST TO APPROVE A BUDGET ESCALATION FOR RESEARCH INSTITUTE OF PHARMACEUTICAL SCIENCES FOR FISCAL YEAR 2023

University of Mississippi
FY 2023 Research Institute of Pharmaceutical Sciences by Major Object

Category	Current FY 2023 Operating Budget	Revision/Escalation	Revised FY 2023 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 8,755,803	\$ 584,836	\$ 9,340,639
Travel and Subsistence	73,500	101,178	174,678
Contractual Services	5,231,444	(30,325)	5,201,119
Commodities	1,002,617	136,515	1,139,132
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	740,826	(326,995)	413,831
Mandatory Transfers	-	-	-
Non-Mandatory Transfers	913,050	494,804	1,407,854
Increase in Fund Balance	-	-	-
Total	\$ 16,717,240	\$ 960,013	\$ 17,677,253

A budget escalation is requested to increase FY 2023 budgetary spending authority appropriated for special funds to coincide with actual revenues and expenditures reported on the FY 2025 budget request. Additional revenues are from indirect cost recovery and other special funds.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

3. UMMC – REQUEST FOR APPROVAL TO AMEND THE PURCHASE AGREEMENT WITH MEDTRONIC USA, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend its Purchase Agreement with **Medtronic USA, Inc.** (Medtronic) to extend the term of the agreement. The agreement is to purchase supplies, disposables, and implants used in neurosurgical procedures. These supplies include valves, shunt kits, catheters, bur hole covers, and other items for use with Midas Rex drills, StealthStation navigation systems, and Fusion navigation systems that UMMC currently owns. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level.

Contractor's Legal Name: Medtronic USA, Inc.

History of Contract: On November 15, 2018, the Board approved the three (3) year agreement with Medtronic for supplies, disposables, and implants to be used in neurosurgical procedures. On November 18, 2021, the Board approved an amendment to extend the agreement for two (2) years, add information security language and additional

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products, and revise the returned goods policy. The agreement will expire on December 31, 2023, unless extended.

Specific Type of Contract: This is the second amendment to the Purchase Agreement.

Purpose: The purpose of the amendment is to extend the term of the agreement. The purpose of the agreement is to purchase neurosurgical implant therapy products from Medtronic including, but not limited to, valves, shunt kits, catheters, bur hole covers, and other items for use with Midas Rex drills, StealthStation navigation Systems, and Fusion navigation systems that UMMC currently owns.

Scope of Work: Under the amended agreement, Medtronic will continue to provide neurosurgical implant therapy products at discounted rates.

Term of Contract: The term of the amended agreement is seven (7) years, from January 1, 2019, through December 31, 2025. The original agreement was for a term of three (3) years beginning January 1, 2019. The first amendment extended the term for an additional two (2) years through December 31, 2023. The second amendment extends the term for an additional two (2) years through December 31, 2025.

Termination Options: Termination options include the following:

- by either party at any time upon ninety (90) days' written notice;
- by UMMC immediately if Medtronic has been debarred or excluded from participating in federal health care programs; and
- by UMMC immediately if Medtronic fails to comply with the Mississippi Employment Protection Act.

Contract Amount: The total estimated cost of the amended agreement over the seven (7) year term remains unchanged, it is \$3,525,000.

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

Contractor Selection Process: UMMC is currently contracted with Medtronic.

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. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A REVENUE CYCLE IMPLEMENTATION SERVICES AGREEMENT WITH HURON CONSULTING SERVICES LLC

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Service Agreement with **Huron Consulting Services LLC** (Huron) to support UMMC's efforts to improve its revenue cycle operational

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performance. Huron will provide strategic consulting services in connection with the redesign of UMMC's revenue cycle operations and implementation of changes to increase the Hospital and Physician Revenue Cycle Yields for UMMC.

Contractor's Legal Name: Huron Consulting Services LLC

History of Contract: This is a new contract with Huron for strategic consulting services in connection with the redesign of UMMC's revenue cycle operations and implementation of previously recommended changes. Huron previously provided UMMC with consulting services that included an assessment of current revenue cycle operations which identified opportunities for reducing denials and improving cash collections.

Specific Type of Contract: This is a new Service Agreement

Purpose: The purpose of this agreement is for strategic consulting services in connection with the redesign of UMMC's revenue cycle operations and implementation of changes to increase the Hospital and Physician Revenue Cycle Yields for UMMC.

Scope of Work: Under the Agreement, Huron will:

- support UMMC's efforts to design and implement new revenue cycle management processes, tools, and techniques;
- recommend and provide staff instructions on updated processes, job aids, tools and techniques for implementation at UMMC for all revenue cycle areas;
- develop a documented strategy outlining the appropriate stakeholders and meeting structure to identify root causes leading to denial occurrences and identify the appropriate action plans to prevent future denials;
- provide productivity and quality guidelines or situation response training material;
- work with UMMC's revenue cycle leadership to review and update existing staff performance expectations, align staff for operational efficiency, and reduce barriers that lead to ineffective operations;
- review and evaluate current use of targeted vendors across UMMC's revenue cycle functions and work closely with UMMC's executive leadership to develop and implement appropriate vendor performance management strategies;
- review and evaluate current third-party payer performance (i.e., payment timeliness) for major payers, and work with UMMC to design and implement processes to address poor payer performance; and
- assess UMMC's current technology focused on targeted access departments, the centralized business office, and relevant adjacent functions to identify gaps and develop recommendations based on leading practice workflow requirements and the configuration necessary to support them.

Term of Contract: The term of the agreement is one (1) year, from November 1, 2023, through October 31, 2024.

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Termination Options: Termination options include the following:

- by agreement of the parties;
- by either party with or without cause upon providing ninety (90) days' written notice;
- by either party if the other refuses or fails to perform any of the provisions of the agreement, otherwise fails to timely satisfy the agreement provisions, or commits any other substantial breach of this agreement, if not cured within thirty (30) days or longer time provided in a notice of the breach;
- immediately upon Huron's breach of any of the following ongoing representations and warranties that Huron, its officers, directors and employees:
 - are not currently excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs;
 - have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs,
 - are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list;
 - are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Huron being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
 - has implemented safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected;
- in the event of a reduction in funds; and
- by either party in the event of a change in law resulting in an adverse consequence and the parties cannot agree to renegotiated terms.

Contract Amount: The estimated total cost over the one (1) year term is \$12,500,000. Under the agreement, UMMC pays Huron a fixed fee of \$2,75,000 for implementation of the revenue cycle solution. There is also a contingency fee component where UMMC will pay Huron thirty percent (30%) of the increased recurring benefit for the Hospital program exceeding \$4,000,000 and the Physician program exceeding \$1,000,000 per quarter.

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

Contractor Selection Process: UMMC previously worked with Huron on an assessment of UMMC's Revenue Cycle operations. UMMC was pleased with the work provided including their collaborative approach, depth of experience, and the initial results and outcomes they were able to drive. Huron has been recognized by Forbes Magazine as one of the Best Management Consulting Firms since 2018 and has 300+ dedicated revenue cycle consultants as well as 100+ Epic Certified specialists. They have been helping improve and optimize hospital and physician group revenue cycles for over 30 years. UMMC conducted multiple reference calls with executives sponsoring current

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Huron revenue cycle projects and received positive feedback regarding their experience working with Huron as well as the project outcomes.

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.

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CONSENT AGENDA
REAL ESTATE
OCTOBER 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.*

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REAL ESTATE
OCTOBER 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.

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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. JSU – GS 103-319 – McAllister Whiteside Residence Hall Renovation

Project Request: Jackson State University requests approval to initiate a project, McAllister Whiteside Residence Hall Renovation, and to appoint Foil Wyatt Architects & Planners, PLLC as the design professional for the project.

Proposed Design Professional: Foil Wyatt Architects & Planners, PLLC

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that Jackson State University use the RFQ method for selecting the design professional.

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

Purpose: Jackson 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 phase of the project. McAllister Whiteside, a four- story residential facility built in 1982, houses female students with a current 487-bed count. Due to mechanical and infrastructure failures, the building went offline in Fall 2021. Major renovations are needed to accommodate student capacity needs, including redesigning the redesign of the facility from a traditional style to suite style.

Project Scope: This project will consist of a complete redesign and renovation of the facility, transforming the traditional housing design to a more modern suite style. Critical mechanical, electrical, and utility services and equipment will also be modified and/or repaired.

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

Project Initiation Date: October 19, 2023

Date of Original Construction: 1982

Date of Last Renovation: N/A

Project Budget: (Design Fees Only)

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

Funding Source(s): SB 2971, Laws of 2021 (\$250,000)

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

IHL PROJECTS

2. MSU – IHL 205-347 – MAGRUDER HALL REPAIRS & RENOVATION

Project Request: Mississippi State University requests approval to initiate a project, Magruder Hall Repairs & Renovation, and appoint Burris/Wagnon Architects, P.A. as the design professional.

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

Selection Method: The project budget is anticipated to exceed \$3M therefore it is required that Mississippi State University use the RFQ method for selecting the design professional.

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

Purpose: Mississippi 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: Repairs and renovations may include, but not limited to, window & door restoration/ replacement, façade repairs, new elevator tower, systems upgrades/modernizations, life safety improvements, A.D.A. upgrades, interior finish improvements and renovations.

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

Project Initiation Date: October 19, 2023

Date of Original Construction: 1958

Date of Last Renovation: 1969 [Heating and Cooling Renovation]

Project Budget: (Design Fees Only)

		<i><u>Estimated</u></i>
Construction Cost:	\$	0.00
Architectural and Engineering Fees:		100,000.00
Misc. Project Costs:		25,000.00
Furniture & Equipment Costs:		0.00
Contingency:		<u>0.00</u>
Total Project Budget	\$	125,000.00

Funding Source(s): University Designated Funds (\$125,000)

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

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3. MSU – IHL 205-348 – HULL HALL REPAIRS & RENOVATION

Project Request: Mississippi State University requests approval to initiate a project, Hull Hall Repairs & Renovation, and appoint Shafer Zahner Zahner Architects, PLLC as the design professional.

Proposed Design Professional: Shafer Zahner Zahner Architects, PLLC

Selection Method: The project budget is anticipated to exceed \$3M therefore it is required that Mississippi State University use 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: Mississippi 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: Repairs & renovations may include but are not limited to re-roofing, window & door restoration/replacement, façade repairs, system upgrades/modernization, life safety improvements, ADA upgrades, interior finish improvements and renovations.

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

Project Initiation Date: October 19, 2023

Date of Original Construction: 1938

Date of Last Renovation: 1980; Re-Roof in 2023

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Project Budget: (Design Fees Only)

	<u>Estimated</u>
Construction Cost:	\$ 0.00
Architectural and Engineering Fees:	125,000.00
Misc. Project Costs:	25,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>0.00</u>
Total Project Budget	\$ 150,000.00

Funding Source(s): University Designated Funds (\$150,000)

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

4. MSU – IHL 205-349 – ETHEREDGE HALL REPAIRS & RENOVATION

Project Request: Mississippi State University requests approval to initiate a project, Etheredge Hall Repairs & Renovation, and appoint Dunaway Williams as the design professional.

Proposed Design Professional: Dunaway Williams

Selection Method: The project budget is anticipated to exceed \$3M therefore it is required that Mississippi State University use 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 \$1,000,000 aggregate.

Purpose: Mississippi 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: Repairs and renovations may include, but not limited to, window & door restoration/replacement, façade repairs, new elevator tower, systems upgrades/modernizations, life safety improvements, A.D.A upgrades, interior finish improvements and renovations.

Mississippi State University 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.

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Project Initiation Date: October 19, 2023

Date of Original Construction: 1957

Date of Last Renovation: 2022 [Restroom Renovation]

Project Budget: (Design Fees Only)

		<i>Estimated</i>
Construction Cost:	\$	0.00
Architectural and Engineering Fees:		150,000.00
Misc. Project Costs:		25,000.00
Furniture & Equipment Costs:		0.00
Contingency:		0.00
		<hr/>
Total Project Budget	\$	175,000.00

Funding Source(s): University Designated Funds (\$175,000)

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

5. MSU – IHL 205-350 – CARPENTER HALL REPAIRS & RENOVATION

Project Request: Mississippi State University requests approval to initiate a project, Carpenter Hall Repairs & Renovation, and appoint ArchitectureSouth, P.A. as the design professional.

Proposed Design Professional: ArchitectureSouth, P.A.

Selection Method: The project budget is anticipated to exceed \$3M therefore it is required that Mississippi State University use 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: Mississippi 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: Repairs and renovations may include, but not limited to, window & door restoration/replacement, façade repairs, new elevator tower, systems

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upgrades/modernizations, life safety improvements, ADA upgrades, interior finish improvements and renovations.

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

Project Initiation Date: October 19, 2023

Date of Original Construction: 1911

Date of Last Renovation: 2021 [Air Handler Replacement]

Project Budget: (Design Fees Only)

		<i>Estimated</i>
Construction Cost:	\$	0.00
Architectural and Engineering Fees:		125,000.00
Misc. Project Costs:		25,000.00
Furniture & Equipment Costs:		0.00
Contingency:		0.00
		<hr/>
Total Project Budget	\$	150,000.00

Funding Source(s): University Designated Funds (\$150,000)

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

**6. MSU – IHL 205-351 – NEW 13KV DISTRIBUTION BAYS AT MSU
ELECTRICAL SUBSTATION**

Project Request: Mississippi State University requests approval to initiate a project, New 13kV Distribution Bays at MSU Electrical Substation, and appoint Atwell & Gent, P.A. as the design professional.

Proposed Design Professional: Atwell & Gent, P.A.

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that Mississippi State University use the RFQ method for selecting the design professional.

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

Purpose: Mississippi 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: Design and construct two new 13kV distribution bays at MSU's electrical substation. The two new distribution bays with associated equipment will support a feeder to energize the new south mechanical plant that is in the planning phase of design (IHL #205-336 South Campus Mechanical Plant).

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

Project Initiation Date: October 19, 2023

Date of Original Construction: 1982

Date of Last Renovation: N/A

Project Budget: (Design Fees Only)

		<i>Estimated</i>
Construction Cost:	\$	0.00
Architectural and Engineering Fees:		225,000.00
Misc. Project Costs:		0.00
Furniture & Equipment Costs:		0.00
Contingency:		0.00
Total Project Budget	\$	225,000.00

Funding Source(s): University Designated Funds (\$225,000)

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

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**7. MSU – IHL 205-352 – NEW 13KV CIRCUIT TO SOUTH CAMPUS
MECHANICAL PLANT**

Project Request: Mississippi State University requests approval to initiate a project, New 13kV Circuit to South Campus Mechanical Plant, and appoint Atwell & Gent, P.A. as the design professional.

Proposed Design Professional: Atwell & Gent, P.A.

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that Mississippi State University use 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: Mississippi 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: Design and construct new underground electrical feeder from the MSU Substation to the future South Campus Mechanical Plant (IHL #205-336 South Campus Mechanical Plant which is in the planning phase of design). Includes two 3000 kVA pad mounted transformers to energize the future plant.

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

Project Initiation Date: October 19, 2023

Date of Original Construction: N/A

Date of Last Renovation: N/A

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Project Budget: (Design Fees Only)

		<u>Estimated</u>
Construction Cost:	\$	0.00
Architectural and Engineering Fees:		200,000.00
Misc. Project Costs:		0.00
Furniture & Equipment Costs:		0.00
Contingency:		<u>0.00</u>
Total Project Budget	\$	200,000.00

Funding Source(s): University Designated Funds (\$200,000)

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

8. UM – IHL 207-506 – SHOEMAKER HVAC REPLACEMENT

Project Request: The University of Mississippi requests approval to initiate a project, Shoemaker HVAC Replacement, and appoint Corbett Legge & Associates, PLLC, as the design professional.

Proposed Design Professional: Corbett Legge & Associates, PLLC

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that the University of Mississippi use 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 \$1,000,000 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: Shoemaker Hall was originally constructed in 1963 and houses the Department of Biology. Since the building was constructed, there have been no major renovations to the HVAC system within the building. Over time, all 8 HVAC units that serve the building have failed and are no longer functional. The building is currently served by a temporary/rented HVAC unit that sits on the roof of the building. This project will replace the 8 failed HVAC units and remove the temporary unit from the rooftop.

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

Project Initiation Date: October 19, 2023

Date of Original Construction: 1963

Date of Last Renovation: 2007

Project Budget:

		<i>Estimated</i>
Construction Cost:	\$	1,050,000.00
Architectural and Engineering Fees:		85,000.00
Misc. Project Costs:		94,000.00
Furniture & Equipment Costs:		10,000.00
Contingency:		<u>261,000.00</u>
Total Project Budget	\$	1,500,000.00

Funding Source(s): Internal R&R (\$1,500,000)

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

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

BUREAU OF BUILDING PROJECTS

9. UM – GS 107-329 – ARPA INFRASTRUCTURE – WATER SOURCE

Project Request: The University of Mississippi is requesting approval to increase the budget from \$1,500,000 to \$2,000,000 for an increase in the amount of \$500,000. The funding source will remain the same.

Current Project Phase: Design Phase

Design Professional: W.L. Burle Engineers, P.A.

General Contractor: TBD

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

Purpose/Justification: The University of Mississippi is seeking to increase the project budget from \$1,500,000 to \$2,000,000. The current budget was based on a dated cost estimate and has since been updated to reflect more accurate construction costs.

Project Scope: This project will locate and drill a new potable water well in the northwest quadrant of campus to replace an existing well that is failing and beyond economical repair. The existing well is one of six water wells on campus that currently provide all of the potable drinking water to campus residents and employees.

History: This project was initiated with the Board in February of 2023. This is the first budget increase for the project.

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: February 16, 2023

Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 1,100,000.00	\$ 1,450,000.00	\$ 350,000.00
Architectural and Engineering Fees	\$ 88,000.00	\$ 113,667.94	\$ 25,667.94
Miscellaneous Project Costs	\$ 23,000.00	\$ 115,000.00	\$ 92,000.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 289,000.00	\$ 321,332.06	\$ 32,332.06
Total Project Budget	\$ 1,500,000.00	\$ 2,000,000.00	\$ 500,000.00

Funding Source(s): ARPA Funds (\$2,000,000)

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

10. ERC – GS 111-064 – MECHANICAL IMPROVEMENTS

Project Request: The Education and Research Center is requesting approval to increase the budget from \$2,773,946.69 to \$2,973,946.69 for an increase in the amount of \$200,000. In addition, ERC is requesting to add HB 603, Laws of 2023 as a funding source for the project to allow for the budget increase.

Current Project Phase: Design Phase

Design Professional: Engineering Resource Group (ERG)

General Contractor: J.L. Roberts

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

Purpose/Justification: The Education and Research Center is seeking to increase the project budget from \$2,773,946.69 to \$2,973,946.69. ERC is seeking to increase the project budget due to a change order that is necessary to address water infiltration into the building through one of the penthouses that houses mechanical equipment.

Project Scope: This project will consist of replacement of the building's Air Handler Units (AHU). The building A.H.U.'s are original to the building (50 Years old). The industry life expectancy of these types of units is 30 to 35 years. Parts are not available for repairs and therefore replacement is needed.

The heating and chilled water lines under ETV are original to the building (50 years) and have been stressed by the shifting soils. This stress will be reduced as excavation for the emergency sewer project is accomplished. The hot/chilled water lines will be relocated.

History: This project was initiated with the Board in May of 2022. This is the second budget increase for the project. The first budget increase occurred in December of 2022 with an increase from \$2,106,144.69 to \$2,773,946.69. This increase was needed to be able to award the project.

The Education and Research 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: May 20, 2022

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Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 2,431,200.00	\$ 2,581,200.00	\$ 150,000.00
Architectural and Engineering Fees	\$ 192,631.00	\$ 207,631.00	\$ 15,000.00
Miscellaneous Project Costs	\$ 0.00	\$ 0.00	\$ 0.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 150,115.69	\$ 215,115.69	\$ 35,000.00
Total Project Budget	\$ 2,773,946.69	\$ 2,973,946.69	\$ 200,000.00

Funding Source(s): HB 1729, Laws of 2016 (\$59,274.27); HB 1649, Laws of 2018 (\$47,001.57); SB 3065, Laws of 2019 (\$71,373.66); HB 1730, Laws of 2020 (\$1,328,495.19); SB 2971, Laws of 2021 (\$600,000); HB 1353, Laws of 2022 (\$667,802); HB 603, Laws of 2023 (\$200,000)

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

11. ERC – GS 111-070 – ERC MECHANICAL UPGRADES

Project Request: The Education and Research Center is requesting approval to increase the budget from \$2,800,000 to \$3,200,000 for an increase in the amount of \$400,000. The funding source will remain unchanged.

Current Project Phase: Design Phase

Design Professional: Engineering Resource Group (ERG)

General Contractor: TBD

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

Purpose/Justification: The Education and Research Center is seeking to increase the project budget from \$2,800,000 to \$3,200,000. The current budget was based on cost

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estimates. The project bid on September 21, 2023, and bids came in higher than expected. The project budget will need to be increased to allow for the award of the project.

Project Scope: The scope of the project will be to replace Chiller #1 (1000 tons) and Cooling Tower #1 that supplies chilled water to all air handling units on the ERC campus. This equipment is about 25 years old and past its life expectancy. A new Energy Management System will replace the existing 20-year-old EMS that provides control of space temperature and humidity for all spaces in the buildings of the ERC campus while improving energy efficiency.

History: This project was initiated with the Board in June of 2023. This is the first budget increase for the project.

The Education and Research 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: June 15, 2023

Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 2,436,700.00	\$ 2,663,600.00	\$ 226,900.00
Architectural and Engineering Fees	\$ 184,275.00	\$ 200,223.00	\$ 15,948.00
Miscellaneous Project Costs	\$ 0.00	\$ 0.00	\$ 0.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 179,025.00	\$ 336,177.00	\$ 157,152.00
Total Project Budget	\$ 2,800,000.00	\$ 3,200,000.00	\$ 400,000.00

Funding Source(s): HB 603, Laws of 2023 (\$3,200,000)

Staff Recommendation: Board staff recommends approval of this item.

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IHL PROJECTS

12. MSU – IHL 413-003 – DORMAN HALL RENOVATION

Project Request: Mississippi State University is requesting approval to increase the budget from \$400,000 to \$32,910,000 for an increase in the amount of \$32,510,000. MSU also requests to add SB 2971, Laws of 2021; HB 1353, Laws of 2022; HB 603, Laws of 2023; and MSU Designated Funds to the project to allow for the budget increase. In addition, MSU request approval of the exterior design of the building.

Current Project Phase: Design Phase

Design Professional: JH&H Architects/Planners/Interiors, P.A.

General Contractor: TBD

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

Purpose/Justification: Mississippi State University is seeking approval to increase the budget and add funding sources to the project. The project was initiated as a pre-plan. Funding is now designated so construction can begin. Two different renderings are submitted for approval. If funds are available a tower will be added to the north side of the building. If funds are not available, the tower will not be constructed.

Project Scope: This project will provide repair/renovations and capital improvements to Dorman Hall. The project will provide HVAC renovations, ADA improvements, along with interior and exterior upgrades.

History of Project: The project was initiated, and the design professional appointed at the February 18, 2021, Board Meeting. This is the first budget increase for this project. The project was started as a preplan and since has received funding from the Legislature for the construction. This budget increase is to add the funding sources over multiple legislative sessions line itemed for this renovation project.

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 18, 2021

Proposed Project Budget:

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	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 0.00	\$ 27,000,000.00	\$ 27,000,000.00
Architectural and Engineering Fees	\$ 400,000.00	\$ 3,000,000.00	\$ 2,600,000.00
Miscellaneous Project Costs	\$ 0.00	\$ 1,500,000.00	\$ 1,500,000.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 0.00	\$ 1,410,000.00	\$ 1,410,000.00
Total Project Budget	\$ 400,000.00	\$ 32,910,000.00	\$ 32,510,000.00

Proposed Funding Source(s): HB 1730, Laws of 2020 (\$400,000); SB 2971, Laws of 2021 (\$8,000,000); HB 1353, Laws of 2022 (\$9,610,000); HB 603, Laws of 2023 (\$14,300,000); MSU Designated Funds (\$1,600,000)

Staff Recommendation: Board staff recommends approval of this item.

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Rendering 1: North Entrance of Dorman Hall with Tower



Rendering 2: North Entrance of Dorman Hall without Tower



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APPROVAL OF OTHER REAL ESTATE REQUESTS

**13. DSU – APPROVAL OF A SPACE LEASE BETWEEN DELTA STATE
UNIVERSITY AND THE U.S. GENERAL SERVICES ADMINISTRATION
ON BEHALF OF THE INTERNAL REVENUE SERVICE**

Agenda Request: Delta State University requests approval to lease the Center for Community and Economic Development Building to the U.S. General Services Administration on behalf of the Internal Revenue Service for the purpose of creating a call center.

Contractor's Legal Name: U.S. General Services Administration on behalf of the Internal Revenue Service

Specific type of contract: New Space Lease Agreement

Purpose: The purpose of the contract is to lease the Center for Community and Economic Development building, a total of 9,286 square feet of space, to be used by the Internal Revenue Service for the establishment of a call center. The call center will create approximately 60 new jobs in the Cleveland area and will open up opportunities for Delta State University to offer additional educational opportunities primarily in the Social Work area.

Terms: The lease term for the space is scheduled to begin on June 12, 2024, and continue for a firm term of 5 years with an opportunity to continue for an addition non-firm 5 years. The agreement is to lease 9,286 square feet of office space. Delta State University agrees to provide office space, parking, utilities, janitorial service, routine maintenance, and related services. The US General Services Administration has also provided an amount allocated for Tenant Improvements (TI) and Building Specific Amortized Capital (BSAC) for space improvements and improvements to security and fire alarm systems. The TI and BSAC rates are amortized over the 5-year term of the lease at an annual interest rate of 6.4%.

Termination Options: The Government may terminate this Lease, in whole or in parts, at any time effective after the Firm Term of this Lease, by providing not less than 90 days' prior written notice to the Lessor. The effective date of the termination shall be the day following the expiration of the required notice period or the termination date set forth in the notice, whichever is later. No rental shall accrue after the effective date of termination.

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Contract Amount:

	Firm Term Years 1-5	Non-Firm Term Years 6-10
	Annual Rent	Annual Rent
Shell Rent	\$204,292.00	\$204,292.00
Operating Costs	\$43,652.72	\$43,652.72
Tenant Improvements Rent	\$97,036.23	\$0.00
Building Specific Amortized Capital	\$24,088.43	\$0.00
Parking	\$29,280.00	\$29,280.00
Total Annual Rent	\$398,349.38	\$277,224.72

Funding Source: Rent shall be paid to Lessor by electronic funds transfer (EFT) in accordance with the provisions of the General Clauses. Rent shall be payable using the EFT information contained in the Federal System for Award Management (SAM).

Contractor Selection Process: Delta State University was required to submit information into the GSA portal for bid selection. Delta State University reviewed comparable previous lease documents by the GSA to calculate proposed rental rates for the property. GSA has agreed to the above rates based on their competitive process for award.

Staff Recommendation: *The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable. Board staff recommends approval of this item.*

14. MSU – DEMOLISH AND DELETE FROM INVENTORY – BUILDING #1288, #1289, #1290, AND #1291 – SILAGE STORAGE BUNKERS – STARKVILLE, MS

Agenda Request: Mississippi State University requests approval to demolish and delete from inventory Building #1288, #1289, #1290, and #1291 – Silage Storage Bunkers.

Justification: These structures are silage storage bunkers that were constructed in 1985 located at Starkville, MS. The structures are not buildings and should have

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never been classified as buildings. The structures have walls only with no roof. The structures are retaining walls only, used for storing corn silage.

The approval letter has been received from the Mississippi Department of Archives and History stating Buildings #1288, #1289, #1290, and #1291 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.

15. MSU – DEMOLISH AND DELETE FROM INVENTORY – BUILDING #1701 – WILDLIFE SHOP – STARKVILLE, MS

Agenda Request: Mississippi State University requests approval to demolish and delete from inventory Building #1701 – Wildlife Shop.

Justification: Building #1701 is a Shop that was constructed in 1998 located at Starkville, MS. The building is in poor condition and is not cost effective to repair.

The approval letter has been received from the Mississippi Department of Archives and History stating Buildings #1701 is 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. MSU – IHL 205-328 – NEW RESIDENCE HALL– APPROVAL OF EXTERIOR DESIGN

Agenda Request: Mississippi State University requests approval of the exterior design of the New Residence Hall project.

Design Professional: Wier Boerner Allin Architecture

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

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Purpose: Mississippi State University is seeking approval of the exterior rendering for the proposed construction of a new residence hall.

Project Scope: The primary program of the building is Student Housing. Mississippi State University's Housing and Residence Life team worked closely with the design team to develop a 159,290 square foot program including 412 single-bedrooms in pod-style floor plans, incorporating common restrooms and pod lounges for each pod. The ground floor hosts laundry and social spaces for Housing, as well as the primary office, trash, and reception functions. The ground floor also incorporates mixed use function and houses a new Dining Facility for campus, as well as offices, multi-purposes rooms, and a storm shelter that will also be used as a multi-purpose space for Housing and Residence Life.

Funding Source(s): Internal Cash Reserves (\$20,000,000); EBC Bonds (\$76,000,000)

Project Budget: \$96 million

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

Staff Recommendation: Board staff recommends approval of this item.

Rendering: Exterior of the New Residence Hall



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**17. MSU – IHL 205-336 – SOUTH CAMPUS MECHANICAL PLANT -
APPROVAL OF A CONTRACT WITH INNOVATIVE CONSTRUCTION
MANAGEMENT, LLC – CONSTRUCTION MANAGER ADVISOR
SERVICES**

Agenda Request: Pursuant to Board policy 707.01, Mississippi State University requests approval to enter into an agreement with Innovative Construction Management, LLC (ICM) for construction manager advisor services related to the construction of a new South Campus Mechanical Plant, IHL # 205-336. Given the complex nature of constructing a heating and cooling water plant that connects to the existing campus infrastructure, MSU further requests approval to negotiate and incorporate supplemental and additional services that become necessary during the project and make other project required modifications to the contract as long as any supplementary or additional services remain within the project budget approved by the Board. MSU will provide to the Board as information items only all modifications, including supplemental/additional services, to the contract so long as such modifications remain within the Board-approved budget. Any and all modifications that require exceeding the approved budget will be submitted to the Board for its approval.

Contractor's Legal Name: Innovative Construction Management, LLC

Specific type of contract: This is a professional services contract for Construction Manager Advisor services (AIA C132-2019 with supplementary conditions)

Purpose: MSU has elected to utilize a construction manager advisor on the project given the complex nature of constructing a heating and cooling plant that connects to existing campus infrastructure and to manage various prime contracts necessary for the project.

Scope of Work: ICM will provide preconstruction services, which consist of program evaluation, budget development, constructability review, project phasing, coordination, scheduling, cost estimating and generation of bid packages for prime contractors.

ICM will also provide construction phase services that include coordinating and managing construction of the project by multiple prime contractors.

Terms: The contract will commence upon execution and will expire one-year from the date of substantial completion of the project.

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Termination Options:

MSU may terminate:

- For convenience
- If ICM fails to substantially perform in accordance with the Agreement

ICM may terminate if:

- MSU fails to make payment in accordance with the Agreement.
- MSU suspended the project for more than 90 days.
- MSU fails to substantially perform in accordance with the Agreement.

Contract Amount: MSU estimates the total cost of ICM services will be approximately \$2,750,000, which includes preconstruction fees and a construction services fee based on a percentage of the Cost of the Work and General Conditions.

The initial services provided by ICM will include preconstruction services within the current Board approved budget of \$200,000 for planning only. Currently, MSU estimates ICM's fees and expenses for preconstruction services to be \$50,000. MSU intends to request Board approval to increase the project budget before proceeding to the construction phase of the project.

History: This is a new contract. The Board approved initiation of the Project at the June 2023 Board meeting.

Funding Source: University Designated Funds (for planning only). MSU will submit for Board approval as additional funding sources are secured.

Contractor Selection Process: MSU utilized a two-step proposal (RFP) process. A committee short-listed vendors based on qualification submissions. After short-listing, interviews were held, and cost proposals were reviewed. The Committee ultimately scored ICM the highest.

Staff Recommendation: The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable. Board staff recommends approval of this item.

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18. UMMC – IHL 209-579 – COLONY PARK– APPROVAL OF EXTERIOR DESIGN

Agenda Request: The University of Mississippi Medical Center requests approval of the exterior design of the Colony Park project.

Design Professional: CDFL Architects + Engineers

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 approval of the exterior rendering for the proposed construction of the Colony Park site.

Project Scope: The University of Mississippi Medical Center (UMMC) has planned a new development in Ridgeland MS located on 36.3429 acres north of Colony Park Boulevard and west of I-55. The masterplan for “UMMC Colony Park” includes a dedicated entry to campus, roadway, and parking for the proposed building, and multiple sites for future parking and development. The first building constructed will include a medical office building, multi-specialty ambulatory surgery center, imaging center, and multimedia classrooms. The project is projected to allow UMMC to increase academic opportunities for students and will address physician and nurse shortages in outpatient care and delivery.

Funding Source(s): UMMC Patient Generated Funds (\$2,510,527); EBC Bonds (\$103,400,000)

Project Budget: \$105.9 million

The University of Mississippi Medical Center 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.

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Rendering: Exterior of Colony Park at Ridgeland



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1. **JSU – APPROVAL TO HIRE ARMSTRONG LAW, LLC AS OUTSIDE COUNSEL**

Jackson State University requests approval to enter into an agreement with Armstrong Law, LLC as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this Agreement is one year beginning November 1, 2023 and ending October 31, 2024. The rates for services are set out in the Fee Schedule below with a maximum amount payable under the contract of \$50,000. This firm carries professional liability insurance coverage in the amount of \$1,000,000 per claim with an annual aggregate of \$1,000,000. This request is pending approval by the Office of the Attorney General.

**Summary of Legal Fees - Jackson State University
Effective November 1, 2023**

<u>Type of Immigration Processing</u>	<u>Attorney's Fees¹</u>
Permanent resident status ("green card"/immigrant) processing – labor certification required²	
"Special handling" labor certification for faculty (teaching positions only) – using original recruitment	\$2,000.00
"Special handling" labor certification for faculty (teaching positions only) – re-recruitment ³	\$2,500.00
"Basic recruitment" labor certification for non-teaching positions	\$4,000.00
Audit response (if required by US Department of Labor)	\$1,500.00
Immigrant petition for alien worker (I-140) – for employee	\$2,800.00

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

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

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

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Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00

<u>Type of Immigration Processing</u>	<u>Attorney's Fees</u>
Permanent resident status (“green card”/immigrant) processing – “Outstanding professors and researchers” (labor certification not required)⁴	
Immigrant petition for alien worker (I-140) – for employee	\$5,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
Permanent resident status (“green card”/immigrant) processing – “extraordinary ability” or “National Interest Waiver” (labor certification not required)⁵	
Immigrant petition for alien worker (I-140) – for employee	\$6,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$1,500.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 750.00
Preparation for and attendance at USCIS interview	\$1,500.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
Temporary status (nonimmigrant) processing	
H-1B “specialty occupation” petition ⁶	\$2,000.00

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

⁵ Employee may pay fees and costs because labor certification is not required for this process.

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<u>Type of Immigration Processing</u>	<u>Attorney's Fees</u>
O-1 "extraordinary ability" petition	\$4,500.00
TN "NAFTA professional" petition	\$2,500.00
<u>Application for Waiver of J-1 Foreign Residence Requirement</u> (based upon state Conrad 30 program)	\$6,000.00
<u>Application for Waiver of J-1 Foreign Residence Requirement</u> (based upon extreme hardship)	\$6,000.00
Application to extend or change nonimmigrant status I-539 Application (for dependents of employee who are in the US in another non immigrant status) when filed with I-129 Petition for primary	\$ 750.00
Application for employment authorization of H-4 spouse (if qualified) when filed with I-539 Application and I-129 Petition	\$ 750.00

STAFF RECOMMENDATION: Pending approval of the Attorney General, Board Staff recommends approval of this item.

2. **JSU – APPROVAL TO HIRE SUN SOVEREIGN, LLC d/b/a WARE | IMMIGRATION AS OUTSIDE COUNSEL**

Jackson State University requests approval to enter into an agreement with Sun Sovereign, LLC d/b/a Ware|Immigration as outside counsel to provide services as needed in preparing labor certification applications, immigration applications, immigration petitions, and to provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The term of this agreement is one year beginning November 1, 2023 through October 31, 2024. The rates for services are set out in the Fee Schedule below with a maximum amount payable under the contract of \$50,000. This firm carries errors and omissions professional liability insurance coverage in the amount of \$3,000,000 per claim with an annual aggregate of \$3,000,000. This request has been approved by the Office of the Attorney General.

**Schedule of Legal Fees for Academia
Effective November 1, 2023**

Nonimmigrant Petitions and Processes

H-1B petition \$2500*

⁶ Regulations require employer to pay all costs relating to H-1B filing, including attorney's fees and filing fees (however, employee may pay "premium processing request" filing fee if desired).

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H-1B extension or amendment petitions (we handled original petition)	\$2500*
H-1B withdrawal	\$200
H-4 EAD (Employee may pay)	\$750

*additional legal fee of up to \$2,500 may apply for substantive requests for evidence

TN petition or border/consulate processing	\$2500
TN extension petition (we handled original)	\$2500

E-3 petition or consular processing	\$2500
E-3 extension petition (we handled original)	\$2500

O-1 petition	\$8000
O-1 extension or amendment petition (we handled original)	\$4000
O-1 additional rush fee if case needs to be filed w/in 60 days	\$2000

J-1 waiver (IGA or hardship)	\$8000
J-1 waiver (Conrad)	\$8000
J-1 waiver (no objection)	\$2000

I-539 Fee for Dependents (Employee may pay)	\$1000
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Permanent Residence Process with Labor Certification: Faculty

Special Handling labor certification	\$3000
(If position must be readvertised)	\$2500
Additional fee if audited	\$1500-2500
Immigrant petition (I-140)	\$2500

Permanent Residence Process with Labor Certification: Non-Faculty

Labor certification	\$6000
Additional fee if audited	\$1500-
2500	
Additional fee if subject to supervised recruitment	\$3000
Immigrant petition	\$2500

Permanent Residence Process: Extraordinary Ability/Outstanding Professors and Researchers and National Interest Waiver

Immigrant petition	\$8000
EA, OP/OR, or NIW RFE or NOID: case by case determination up to	\$2500

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

Adjustment of status (AOS) and related applications (I-765, I-131, etc.), principal	\$2500
“Standalone” AOS and related applications, principal	\$3000
Adjustment of status and related applications, spouse, if together with principal application and I 140	\$1500
Adjustment of status of each child, concurrent with I 140	\$1000
“Standalone” adjustment of status, spouse (not concurrent with I-140)	\$2000
“Standalone” adjustment of status, child	\$2000
I 485 J (standalone cases)	\$1500

Employment Authorization and Advance Parole Renewal

Employment Authorization Renewal per individual	\$ 750
Advance Parole Renewal per individual	\$ 750

Marriage Based Permanent Residence

Principal Applicant	\$4000
Each child, if any	\$2500

Other Services

AR-11 Change of Address	\$150
Interview rescheduling	\$150
Biometrics rescheduling per person	\$150
Advisory Opinion	\$500
Expedite requests	\$500-
750	
Auto Revalidation Letter	\$200

General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule

Such matters will be billed at our hourly rates:

Partners	per hour billed	\$350
Associate Attorneys	per hour billed	\$250
Paralegals	per hour billed	\$150
Of Counsel Rate	per hour billed	\$450

STAFF RECOMMENDATION: Board Staff recommends approval of this item.

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3. **UM – APPROVAL TO HIRE CHURCH CHURCH HITTLE & ANTRIM AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to enter into a contract for professional legal services with the law firm of Church Church Hittle & Antrim as outside counsel to provide services as needed regarding athletics related matters and other matters as assigned. The term of the proposed legal services agreement is from October 20, 2023 to June 30, 2024. The hourly rates are \$425 for partners and \$295 for associates and professionals with a maximum amount payable of \$50,000 under the term of the contract. This firm carries professional liability insurance coverage in the amount of \$4,000,000 per claim with an annual aggregate of \$4,000,000. This request has been approved the Office of the Attorney General.

STAFF RECOMMENDATION: Board Staff recommends approval of this item.

4. **MSU – APPROVAL OF AMENDED AFFILIATION AGREEMENT WITH THE MISSISSIPPI STATE UNIVERSITY ADVANCED RESEARCH AND DEVELOPMENT CORPORATION**

Mississippi State University requests Board approval of the revised affiliation agreement between MSU and the MSU Advanced Research and Development Corporation (“MSU-ARDC”). This agreement is designed to govern the relationship between the University and MSU-ARDC by setting forth the terms and conditions under which the University will provide certain support and services for MSU-ARDC and MSU-ARDC will provide certain support and services for and on behalf of the University. The revisions will allow MSU-ARDC to have the ability to hire employees rather than the University being required to provide all MSU-ARDC personnel as is currently the case. The term of this revised agreement will be from November 1, 2023 through December 31, 2027. The proposed revisions to the affiliation agreement meet the requirements of Board Policy 301.0806 Foundation/Affiliated Entity Activities. This request has been approved by the Office of the Attorney General.

**AMENDED AND RESTATED AGREEMENT
BETWEEN
MISSISSIPPI STATE UNIVERSITY
AND
MISSISSIPPI STATE UNIVERSITY ADVANCED
RESEARCH AND DEVELOPMENT CORPORATION**

THIS AMENDED AND RESTATED AGREEMENT ("Agreement") is entered into as of the 1st day of November, 2023, by and between MISSISSIPPI STATE UNIVERSITY ("University") and MISSISSIPPI STATE UNIVERSITY ADVANCED RESEARCH AND DEVELOPMENT CORPORATION ("MSU-ARDC").

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WHEREAS, the University is an institution of higher education, and an agency of the State of Mississippi; and

WHEREAS, the MSU-ARDC is a 501(c)(3), non-profit corporation formed and approved pursuant to Mississippi Code Annotated Section 37-147-15, the purpose of which is to promote, develop and administer activities arising from research and technology innovations and to promote economic development in the State of Mississippi through, among other things, contractual arrangements with business, industry, and state and federal government on behalf of the University; and

WHEREAS, the President of the University (hereinafter referred to as the "President") believes that it is in the best interest of the University for MSU-ARDC to provide support to the University and desires to engage the services of the MSU-ARDC in accordance with the terms and conditions more fully set forth herein below; and

WHEREAS, the University has the authority and right to enter into this agreement subject to the Institutions of Higher Learning Board of Trustees (the "Board" or "IHL") Policy 301.0806 (the "Policy");

NOW, THEREFORE, in consideration of the premises, and the mutual covenants and agreements contained herein, the parties hereby agree as follows:

1. Relationship of Parties. The MSU-ARDC is a non-profit corporation created pursuant to Section 37-147-15 of the Mississippi Code Annotated (1972). In accordance with its Articles of Incorporation, the MSU-ARDC is to be administered and operated for the benefit of the University and to promote, develop and administer enterprises arising from research or technological innovations in order to take advantage of opportunities of scientific, educational and economic development. However, the MSU-ARDC is not a subsidiary of the University and is not controlled by the University. The Board of Directors of the MSU-ARDC is entitled to make all decisions regarding the business and affairs of the MSU-ARDC. Moreover, the assets of the MSU-ARDC are the exclusive property of the MSU-ARDC and do not belong to the University.
2. MSU-ARDC Services. During the term of this Agreement, the MSU-ARDC shall be responsible for conducting on behalf of the University, as specifically requested by the University, research and development related contracting and related services ("Services"). MSU-ARDC shall consult with and coordinate with the University regarding the MSU-ARDC's means and methods for providing such Services. In its operations and in performing services for the University, the MSU-ARDC shall comply with all applicable state and federal law. The services performed by MSU-ARDC shall include, but not be limited to:

A. Promote, develop and administer enterprises arising from research or

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technological innovations in order to take advantage of opportunities of scientific, educational and economic development.

- B. Accept, manage, hold and administer research contracts, grants, and gifts at the request of the University.
 - C. Manage all funds in its control in a fiscally sound and prudent manner.
 - D. Such other duties as the University may reasonably request as necessary or desirable to effectively conduct the research and economic development programs, services and mission of the University.
3. University Obligations. For all services rendered by the MSU-ARDC under this Agreement, and in consideration of the agreements of the MSU-ARDC contained herein, the University may, at no additional cost to the MSU-ARDC, during the term of this Agreement:
- A. Provide to the MSU-ARDC requested personnel as necessary and appropriate for the performance of its duties under this Agreement; such personnel provided by the University shall be selected, hired and discharged by the University in consultation with MSU-ARDC; the compensation of such personnel, together with all fringe benefits, employment taxes, and other costs thereof, shall be set and paid by the University in consultation with MSU-ARDC and such personnel shall be considered employees of the University. Work performed for MSU-ARDC shall be directed and supervised by MSU-ARDC.
 - B. Provide offices, furnishing and equipment, utilities, and other support for the MSU-ARDC as necessary and appropriate for the performance of the services required hereunder.
 - C. Reimburse the MSU-ARDC for certain reasonable business expenses, which the MSU-ARDC may incur on the University's behalf.
 - D. Ensure that donor gift funds, if any distributed by MSU-ARDC to the University are used in a timely manner in compliance with donor intent. The University shall provide MSU-ARDC staff and MSU-ARDC auditors with access to records and accounts needed to monitor and verify the use of donor gift funds.
4. Financial Statements. The MSU-ARDC shall maintain financial and accounting records, including thorough documentation of donor intent, in accordance with Generally Accepted Accounting Principles, which records shall be maintained

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separately from the records of the University. The MSU-ARDC shall engage a certified public accounting firm that is in good standing with the Mississippi State Board of Public Accountancy, having substantial experience in auditing like organizations, to audit these financial records. Such firm must be approved by the University's President or his/her designee. These statements shall contain such detail as the IHL Board may from time to time require. The MSU-ARDC shall submit annual audited financial statements for inclusion in the State of Mississippi's Comprehensive Annual Financial Report ("CAFR") as determined by the IHL Board's Associate Commissioner of Finance and Administration and the external auditing firm hired to perform the annual IHL system audit to the President and to the IHL, along with a list of MSU-ARDC officers and directors by October 15 of each year.

5. Confidential Records. Certain information and contracts maintained in furtherance of the MSU-ARDC's activities and other services is recognized to be the property of the MSU-ARDC and as such is confidential whether in paper or electronic format. To the extent information shared with the University may be protected from disclosure, the University will notify the MSU-ARDC before disclosure to afford the University and the MSU-ARDC an opportunity to take all necessary action to protect such information under available statutory exceptions if disclosure would result in a breach of confidentiality or public disclosure of confidential, or private information. If requested by the University, the MSU-ARDC shall provide any and all information relating to the operation or management of the MSU-ARDC or any funds contributed to, received by, expended by, or managed by the MSU-ARDC. The University shall take appropriate safeguards to assure that such information is utilized or disseminated only in a manner that is appropriate under the circumstances. Such inspection rights are also extended to IHL acting upon its minutes; however, it is understood the appropriate extent of any disclosure or other use of the information is in the discretion of IHL and, further, any decision to release any personal, commercial, or proprietary information shall be made by IHL, acting upon its minutes. The President shall promptly notify the Board and Commissioner of Higher Education if the MSU-ARDC refuses or fails to produce any information requested by the President.
6. Grant and Gift Receipting and Ownership. All grants and gifts made to the University but managed by the MSU-ARDC shall be accounted for and ownership maintained by the University. All grants and gifts made to the MSU-ARDC shall be accounted for and ownership maintained by the MSU-ARDC. However, checks made payable to the University will be transferred to the MSU-ARDC if a grant or gift agreement or expectancy exists between the grantor/donor and the MSU-ARDC. If a check is made payable to the University and no grant or gift agreement or expectancy exists between the MSU-ARDC and the

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grantor/donor, the grantor/donor will be contacted to clarify his intent. The intent expressed by the grantor/donor will control the delivery and ownership of the funds. The MSU-ARDC shall only accept or solicit grants or gifts for the benefit of the University that are consistent with the University's mission, goals and objectives. The MSU-ARDC shall maintain and abide by a Gift Acceptance Policy that is jointly endorsed by the University and the MSU-ARDC. The Gift Acceptance Policy shall describe the method by which the MSU-ARDC will keep the University informed about endowment performance, endowment spending policy and anticipated accumulation and distribution of funds.

7. Independent Contractor. It is understood and agreed that the MSU-ARDC, its officers, employees, and agents, if any, shall act solely in the capacity of an independent contractor and not as agents for the University.
8. MSU-ARDC Funding. The MSU-ARDC, with the consent of the University, which consent shall not be unreasonably withheld, may use a percentage of the assessed fees for the Services provided to support its operations.
9. Term of Agreement and Termination. Subject to the provisions for termination set forth below, the term of this Agreement shall begin on November 1, 2023, 7, and end on December 31, 2027. In the event IHL adopts a significant change to the Policy during the term, the Agreement will be amended by the parties to reflect such changes.
 - A. The President may, with prior approval of the IHL Board and without prior notice to the MSU-ARDC, terminate this Agreement for specified material noncompliance with or breach of this Agreement or applicable policies of the University or IHL. In such cases, the President must provide the MSU-ARDC ninety (90) days' notice and work with the staff and board of the MSU-ARDC in that period to cure the breach in advance of termination.
 - B. The MSU-ARDC may not terminate this Affiliation Agreement without the consent of the President and the IHL.
 - C. In the event of termination under Subparagraph (A), MSU-ARDC (1) will remit all unrestricted assets to the University for one or more public purposes exclusively for the use and benefit of the University or to another entity designated by the President for one or more exempt purposes within the meaning of section 501 (c)(3) of the Internal Revenue Code, or the corresponding section of any future tax code provided such purposes are exclusively for the use and benefit of the University, (2) shall cease to use and shall not assign or delegate the authority to use the University's name or registered marks or logos to any person or entity without the written approval

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of the President, (3) provide the IHL, the University or another entity designated by the IHL or President with any records, accounts or other materials requested by the President or IHL, subject to appropriate restrictions set forth in a confidentiality agreement as to protection of Confidential and Trade Secret Information.

- D. The By-Laws of the MSU-ARDC shall state that upon dissolution of the MSU-ARDC, all of the MSU-ARDC's assets shall be transferred to the University for one or more public purposes exclusively for the use and benefit of the University or another entity identified by the President and approved by the IHL Board or identified by the IHL Board for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future tax code provided such purposes are exclusively for the use and benefit of the University. The IHL Board must approve any exception to the aforementioned requirement.
 - E. MSU and MSU-ARDC expect there to exist a cooperative relationship between them. In the event that the MSU President determines that the relationship with MSU-ARDC is detrimental to the well-being of MSU, the MSU President has the authority, pursuant to Miss. Code Ann. 37-147-15(2), to remove a director or director(s) from the MSU-ARDC Board of Directors at any time, with or without cause.
10. Notices. Any notice, request, demand, or other communication permitted to be given hereunder shall be in writing and shall be deemed to be duly given when personally delivered to an officer of the MSU-ARDC or the President of the University, as the case may be, when delivered by electronic mail, or when deposited in the United States mails, by certified or registered mail, return receipt requested, postage prepaid, at the respective addresses of the MSU-ARDC and the University as shown below, or to such other address as either party shall designate by written notice to the other:

As to the University:
President
Mississippi State University
P.O. Box 6018
Mississippi State, MS 39762

With a copy to:

General Counsel
Mississippi State University
P.O. Box 6171

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Mississippi State, MS 39762

As to the MSU-ARDC:

President
Mississippi State University ASSURE
Research and Development Corporation
100 Research Boulevard, Suite 105
Starkville, MS 39759

11. Assignment. Neither this Agreement nor any interest herein may be assigned, transferred, or conveyed in whole or in part.
12. Applicable Law. This Agreement shall be construed, interpreted and the rights and duties of the parties determined in accordance with the laws of the State of Mississippi.
13. Reportable Events and Notices.
 - A. The MSU-ARDC President shall promptly notify the President and the IHL, in writing, if any of the following events ("Reportable Events") occur:
 - i. The MSU-ARDC has materially breached any of its contractual obligations under the Agreement;
 - ii. The MSU-ARDC has materially failed to properly receive, apply, manage, or disburse any funds or has materially failed to properly comply with any binding instructions from the source of those funds relating to those funds;
 - iii. The MSU-ARDC has engaged in any conduct that is prohibited or subject to sanction under state or federal law, including any and all requirements applicable to tax exempt organizations;
 - iv. There has been a failure by the MSU-ARDC or any of its officers and directors to comply with any conflict of interest requirements created by applicable state or federal law or by the governing documents or procedures of the MSU-ARDC;
 - v. Any state or federal regulatory body begins any investigation of any matter that may have a significant financial or regulatory effect on the MSU-ARDC or upon its status as a tax exempt organization; or

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vi. The MSU-ARDC has contracted with or entered into any business or pecuniary relationship with any of its Board members, other than a full-time employee of the MSU-ARDC, or any entity controlled directly or indirectly by the Board member, which would reasonably be expected to provide for payment or benefits to that person exceeding the value of Fifty Thousand Dollars (\$50,000) in any calendar year. The previous sentence creates a duty for the MSU-ARDC to report any such transaction but does not suggest or imply that all such transactions are either prohibited or permitted.

B. The President of the MSU-ARDC shall submit to the President and the IHL a signed certification statement annually, before June 30 of each year, which affirmatively states that the MSU-ARDC has examined its business transactions occurring during its fiscal year ending within the prior calendar year, and that to the best of its knowledge, there is no evidence that any Reportable Events occurred, other than those which have been duly reported to the President and the IHL, as required above. The President of the MSU-ARDC shall re-affirm that, in the event he/she becomes aware of any such Reportable Events, the MSU-ARDC President will immediately notify, in writing, the President of the University.

14. Insurance

- A. General Liability Insurance. MSU-ARDC shall maintain commercial general liability insurance, through one or more policies, in an amount not less than \$1,000,000 per occurrence. To the extent feasible, MSU and The Board of Trustees of State Institutions of Higher Learning (IHL) shall be named additional insureds under such policy unless the University requests in writing that the University or IHL be removed as additional insureds. This liability coverage shall be primary and noncontributory with respect to any insurance or program of self-insurance maintained by MSU or IHL.
- B. Proof of Insurance. Certificates of insurance, which list all applicable endorsements, shall be provided to MSU upon request and by mail to IHL via the following: Risk Management, Mississippi Institutions of Higher Learning, 3825 Ridgewood Road, Jackson, MS 39211.
- C. Insurer Quality. All policies of insurance required by this Agreement shall be with insurers rated by A M Best as A VIII or greater, and such insurers must be licensed or authorized to provide insurance in the State of Mississippi.

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15. Miscellaneous.

- A. The parties acknowledge that the MSU-ARDC has, and the MSU-ARDC agrees to keep in effect, a conflict-of-interest policy that complies with all requirements of Miss. Code Ann. §79-11-269 (1972), as amended, entitled "Conflict of Interest Transaction," University conflict of interest policies, and which addresses transactions with University or MSU-ARDC staff.
- B. The President of the University shall make all necessary reports to the Commissioner of Higher Education concerning supplemental compensation or salary supplements made by the MSU-ARDC to employees of the University. No form of additional compensation for the President or any IHL system office employee may be underwritten or increased by the MSU-ARDC without prior approval of the IHL Board. This provision does not apply to transfers from the MSU-ARDC to the University for items such as professorships, chairs, and other programmatic support that are paid directly to the university and included in its annual budget.
- C. The maximum period of time for which the MSU-ARDC shall enter into contracts for professional, advisory, or other personal services shall be six (6) years.
- D. A waiver by either party of any of the terms and conditions of this Agreement in any instance shall not be deemed or construed to be a waiver of such term or condition for the future, or any subsequent breach thereof, or of any other term and condition of this Agreement.
- E. This Agreement supersedes a similar agreement between the MSU-ARDC and the University.
- F. If any provisions of this Agreement shall, for any reason, be held violate of any applicable law, and so much of said Agreement is held to be unenforceable, then the invalidity of such specific provision shall not be held to invalidate any other provisions, which shall remain in full force and effect.
- G. The headings of the several Sections herein are inserted for convenience of reference only and are not intended to be a part of or to affect the meaning or interpretation of this Agreement.
- H. This agreement shall apply to any and all entities owned or controlled by the MSU-ARDC, with the exception of a special purpose entity created for the sole and specific purpose of utilization as a financing vehicle for the private

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financing of university auxiliary facilities by a private developer using the alternate dual-phase design-build privately financed construction method, as specially authorized by Miss. Code Ann. Section 37-101-41, et seq. (1972), as amended. Should the use/purpose of any such special purpose entity change, the MSU-ARDC will comply with any and all provisions of the affiliation agreement between the University and the entity owning or controlling the special purpose entity.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

Dr. Mark E. Keenum
President
Mississippi State University

Dr. Julie Jordan
President
Mississippi State University Advanced
Research and Development Corporation

STAFF RECOMMENDATION: Board Staff recommends approval of this item.

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APPROVAL OF PERSONNEL ACTION REQUESTS

1. Change of Status

Delta State University

- David Gladden; *from* Chief Financial Officer of the Delta State University Foundation; salary \$105,575 per annum, pro rata; E&G funds; 12-month contract; *to* Interim Vice President for University Advancement and Chief Financial Officer of the Delta State University Foundation; salary \$115,575 per annum, pro rata; 12-month contract; effective October 1, 2023
- Leslie Griffin; *from* Dean of the College of Education and Human Sciences, and Professor of Elementary Education; salary \$145,007 per annum, pro rata; E&G funds; 12-month contract; *to* Interim Provost and Vice President for Academic Affairs, and Professor of Elementary Education; \$185,007 per annum, pro rata; E&G funds; 12-month contract; effective September 8, 2023; approval is also requested for Vicki Bingham, Dean of the School of Nursing and Associate Professor of Nursing, to also serve as Acting Interim Provost and Vice President for Academic Affairs at any point in time that the Interim Provost and Vice President for Academic Affairs is out on leave; additional salary of \$3,000 per month, pro rata, when serving as Acting Interim Provost and Vice President for Academic Affairs; E&G funds; effective October 18, 2023
- Tomeka Harbin; *from* Chair of the Division of Management, Marketing, and Business Administration in the College of Business and Aviation, and Associate Professor of Management and ACBSP Co-Champion; salary \$108,953 per annum, pro rata; E&G funds; 12-month contract; *to* Interim Dean of the College of Business and Aviation, and Associate Professor of Management; salary \$146,924 per annum, pro rata; E&G funds; 12-month contract; effective July 1, 2023
- Andrew J. Novobilski; *from* Provost and Vice President for Academic Affairs, and Professor of Computer Information Systems; salary \$190,035 per annum, pro rata; E&G funds; 12-month contract; *to* Special Assistant to the President and Professor of Computer Information Systems; \$190,035 per annum, pro rata; E&G funds; 12-month contract; effective August 21, 2023
- Merideth Van Namen; *from* Chair and Coordinator of the Division of Teacher Education, Leadership, and Research, and Associate Professor; salary \$68,788 per annum, pro rata; E&G funds; 12-month contract; *to* Interim Dean of the College of Education and Human Sciences, Coordinator of Teacher Education, Leadership, and Research, and Associate Professor; salary \$98,788 per annum, pro rata; E&G funds; 12-month contract; effective September 8, 2023

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1. **JSU – REQUEST TO ADD NEW ACADEMIC DEGREE PROGRAMS**

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

In accordance with Board Policy 502, Jackson State University requests approval to establish new academic degree programs.

A. Education Specialist (EdS) in Educational Administration and Supervision K12

CIP code: 13.0401

Total credit hours: 33

Effective date: November 2023

Incremental, five-year cost of implementation: \$865,000

Potential five-year new revenue: \$1,040,225

Unit where academic program will be housed: Counseling, Rehabilitation, and Psychometric Services

Number of students expected to enroll in first five years: 56

Number of students expected to graduate in first five years: 46

Program description: The EdS in Educational Administration and Supervision K12 currently exists as a concentration of EdS in Education (13.0101, 3078). As a concentration, this program has had 13 completers in the past two years, and 49 students are currently enrolled. The degree program will be administered in traditional and online formats. This program is aligned to the Professional Standards for Educational Leaders (PSEL), National Educational Leadership Preparation (NELP), and Council for the Accreditation of Educator Preparation (CAEP) standards and prepares competent educators for school- and district-level leadership positions. Despite limited anticipated growth in demand, there are over 20,000 openings annually for elementary, middle, and high school principals. According to the Bureau of Labor Statistics, the 2022 median pay for K12 principals is \$101,320 per year.

Institutions offering similar programs: Delta State University, Mississippi State University, University of Mississippi, Belhaven University, and Mississippi College

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B. Education Specialist (EdS) in Psychometry

CIP code: 13.0604

Total credit hours: 36

Effective date: November 2023

Incremental, five-year cost of implementation: \$1,409,000

Potential five-year new revenue: \$2,942,225

Unit where academic program will be housed: Counseling, Rehabilitation, and Psychometric Services

Number of students expected to enroll in first five years: 495

Number of students expected to graduate in first five years: 145

Program description: The EdS in Psychometry currently exists as a concentration of EdS in Education (13.0101, 3078). As a concentration, this program has had 129 completers in the past five years. The degree program will be administered in traditional and online formats. This program prepares professionals and practitioners working in both private and school settings to provide quantitative intellectual and behavioral assessments. The demand for psychometrists nationwide is expected to grow 8-10% from 2021 to 2031 with an anticipate growth of 4-7% in the state of Mississippi from 2021 to 2031. According to ZipRecruiter, the national average wages for psychometrists is \$59,092 per year.

Institutions offering similar programs: Mississippi State University has a master's concentration in psychometry.

C. Education Specialist (EdS) in School Counseling

CIP code: 13.1101

Total credit hours: 45

Effective date: November 2023

Incremental, five-year cost of implementation: \$1,109,000

Potential five-year new revenue: \$1,912,000

Unit where academic program will be housed: Counseling, Rehabilitation, and Psychometric Services

Number of students expected to enroll in first five years: 267

Number of students expected to graduate in first five years: 69

Program description: The EdS in School Counseling currently exists as a concentration of EdS in Education (13.0101, 3078). As a concentration, this program has had a 51% increase in student applicants since 2016 and 35 completers in the past five years. The degree program will be administered in traditional and online formats. This program prepares competent practitioners to work in the K-12 school

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system as school guidance counselors. The demand for school counselors nationwide is expected to grow 10% from 2021 to 2031 as well as spike in the state of Mississippi 15% from 2021 to 2031. According to the Bureau of Labor Statistics, the 2022 median pay for school and career counselors is \$60,140 per year.

Institutions offering similar programs: Delta State University, Mississippi State University, University of Southern Mississippi, and Mississippi College

STAFF RECOMMENDATION: Board staff recommends approval, pending proper notification and any required approval from USDOE and SACSCOC.

2. **UM – REQUEST TO ADD A NEW CENTER**

In accordance with Board policy 502 and the approved Academic Guidelines for establishing and modifying institutes and centers, the University of Mississippi requests approval for the creation of a new institute.

A. *Center title:* **Resources for International Success and Expansion (RISE) Center**

Center location: University of Mississippi Small Business Development Center

Scope: Extensive Scope and Outreach

Type: Type 2 (Student, Faculty, or Community Service)

Effective date: November 2023

Total number of current faculty/ Total number of new faculty: 2/0

Total number of current staff/ Total number of new staff: 15/5

Five-year cost of implementation: \$4,000,000

Funding source: FY 22 and 23 Congressional projects (awards received)

Purpose: Based on insights from the Federal Reserve's surveys, the annual report from America's SBDC, and other data sources, the second biggest obstacle to small business growth-right after securing capital-is the identification and utilization of essential resources. A 2020 study by McKinsey indicates that businesses have fast-tracked the digital overhaul of both their customer-facing and internal processes by as much as three to four years. Small businesses are no exception; the pandemic has been a catalyst for them to expedite their digital transformation journeys.

The University of Mississippi's proposed RISE Center aims to bridge the resource gap for small businesses, facilitating their growth and expansion. Economic development authorities, spurred by the aftermath of the COVID-19 crisis, are increasingly recognizing the vital need to bolster local businesses. This not only strengthens their foothold in existing communities but also augments local economic value through tax contributions, job preservation and creation, and even expansion into novel markets-both within the state and internationally.

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The RISE Center's objectives align well with the mandated services of the Small Business Development Center as prescribed by the SBA. However, given the recent surge in service demands coupled with a decrease in federal funding-attributed to population decline in the latest census---the SBDC is exploring new operational models. One such model is to establish the RISE Center as a specialized entity, focusing exclusively on aiding small businesses that are in the growth phase, thereby allowing the SBDC to differentiate this from their traditional roles in business initiation and initial project financing.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

3. **SYSTEM – APPROVAL FOR FIRST READING OF PROPOSED
AMENDMENTS TO BOARD POLICY 201.0507 – CAMPUS LOCATIONS AND
PROGRAMS, SUBSECTION C – ESTABLISHMENT OF OFF-CAMPUS
INSTRUCTIONAL PROGRAMS AUTHORIZED; ATTENDANCE**

Rationale: The current policy does not require Board approval for an institution with an approved on-campus institutional academic program offering the same program at an off-campus instructional site of that institution. Board oversight and approval is necessary to consider the need for the proposed academic programmatic duplication, holistic impacts, and unintended consequences, both positive and negative, which could extend to and beyond the institution seeking to expand its off-campus offerings. The proposed changes allow the Board to maintain consistent authority for ensuring programmatic decisions are “in the best interest of quality education for the State of Mississippi and the university system” as prescribed in MS Code § 37-102-1 and set forth in 201.0507 (C).

201.0507 CAMPUS LOCATIONS AND PROGRAMS

C. ESTABLISHMENT OF OFF-CAMPUS INSTRUCTIONAL PROGRAMS
AUTHORIZED; ATTENDANCE

The Board may establish off-campus ~~instructional~~ degree-granting academic programs for universities if, in its opinion, such action is in the best interest of quality education for the State of Mississippi and the university system. ~~However, a~~ An existing Board- approved institutional degree-granting academic program may only be offered at any Board-approved off-campus instructional site for that institution after the institution first ~~without~~ obtains additional Board approval to offer the program at a specific institutional off-campus instructional site. Such approval shall only be sought after successful compliance with ~~Even so,~~ the requirements of 201.0507 E. below regarding “Off-Campus Conflicts” ~~shall still apply.~~

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Attendance at an off-campus instructional site or through distance learning shall fulfill residency requirements.

Miss. Code Ann., §37-102-1, as amended.

(BT Minutes, 9/90; 1/98; 5/99; 11/2005; 12/2005; 3/2008; 3/2011; 11/2019)

STAFF RECOMMENDATION: Board staff presents this item for first reading.

4. **SYSTEM – APPROVAL FOR FIRST READING OF PROPOSED
AMENDMENTS TO BOARD POLICY 501 – ACADEMIC PROGRAMS AND
UNITS**

Rationale: The proposed changes reflect a parallel approval process for proposed programs at both on and off-campus locations; and allows the Board to consistently exercise continuing jurisdiction and control over the establishment of new courses of study, new departments and new functions and activities in each institution so that the growth and development of the program of higher education in the state shall proceed in an orderly and rational manner, avoiding inefficient and needless duplication, and undertaking new expanded programs only as the applicable program is justified, based upon objective criteria to be established by the board's guidelines and procedures.

501 ACADEMIC PROGRAMS AND UNITS

All new curricula, departments, on-campus and off-campus degree-granting academic programs of study, ~~organized research or services~~ being proposed by any or all of the institutions must be submitted to the Board and must be approved by the Board before being initiated. This provision shall apply regardless of whether or not the curricula, department, degree-granting academic program of study are presently offered at an on-campus or an off-campus instructional site of an institution and being proposed to be offered at another instructional site of that same institution.

Miss. Code Ann., §37-101-13, as amended.

(BT Minutes, 9/90; 1/98; 3/2008)

STAFF RECOMMENDATION: Board staff presents this item for first reading.

5. **SYSTEM – APPROVAL FOR FIRST READING OF PROPOSED
AMENDMENTS TO BOARD POLICY 502 – NEW ACADEMIC PROGRAMS
AND UNITS**

Rationale: The proposed changes reflect a parallel approval process for proposed programs at both on and off-campus locations; and allows the Board to consistently exercise continuing jurisdiction and control over the establishment of new courses of study, new departments and new functions and activities in each institution so that the growth and development of the program of higher education in the state shall proceed in

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an orderly and rational manner, avoiding inefficient and needless duplication, and undertaking new expanded programs only as the applicable program is justified, based upon objective criteria to be established by the board's guidelines and procedures.

502 NEW ACADEMIC PROGRAMS AND UNITS

Requests to establish new on-campus and off-campus degree-granting academic programs, colleges, schools, departments, institutes, and centers will be considered by the Board on a schedule and in accordance with guidelines and procedures to be determined by the Commissioner after consultation with the Institutional Executive Officers. In developing such guidelines and procedures, the Commissioner shall consider: potential harm to existing similar degree-granting academic programs, colleges, schools, departments, institutes, and centers at other state institutions; state, system, and institutional priorities; institutional missions; institutional performance; comparative funding; market demand; and other appropriate criteria.

(BT Minutes, 9/90; 3/98; 6/2000; 3/2008)

STAFF RECOMMENDATION: Board staff presents this item for first reading.

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1. MSU – REQUEST TO APPROVE BOND RESOLUTION AND SUPPORTING DOCUMENTS TO ISSUE BONDS THROUGH THE MISSISSIPPI STATE UNIVERSITY EDUCATIONAL BUILDING CORPORATION FOR A NEW RESIDENCE HALL (IHL# 205-328), RENOVATIONS TO DAVIS WADE STADIUM (IHL# 205-325), AND A REFUNDING OF OUTSTANDING BONDS (SERIES 2013 AND 2014 A/B)

Agenda Item Request: Mississippi State University requests approval under Section 906 of the IHL Bylaws to issue tax-exempt or taxable bonds through the Mississippi State University Educational Building Corporation (MSUEBC). Debt issuance not to exceed \$265 million. The loan term will not exceed 30 years. Funds will be used to help finance construction of a new Residence Hall and renovations to the west side of Davis Wade Stadium. If market conditions permit, MSU plans to refund all or a portion of the outstanding Revenue Bonds, Series 2013 (Refunding and Improvements Project), Series 2014A (New Facilities and Refinancing Project), and/or Taxable Revenue Bonds, Series 2014B (New Facilities Project).

Combined funding = \$265 million:

- New Money, max par = \$125 million
 - Residence Hall (IHL# 205-328)
 - Davis Wade Stadium (IHL# 205-325)
- Refunding = \$140 million

MSU also requests approval of the following bond documents:

- IHL Resolution
- Ground Lease
- Lease Agreement
- Indenture
- Escrow Agreement

Following are the professionals:

- Financial Advisor – Hilltop Securities
- Bond Counsel – Jones Walker, LLP
- Underwriters – Wells Fargo Bank National Association, Raymond James & Associates, Inc., and/or Stephens Inc.

History: IHL #205-328 New Residence Hall: Initiated at \$400,000 and appointed Wier Boerner Allin Architecture as Design Professional via interim agenda item. Approved Oct 25, 2022.

Budget increased to \$60,000,000 at January 19, 2023 board meeting.
Increased budget to \$96,000,000 at May 2023 board meeting.

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IHL #205-325 DWS Lower Bowl Renovations: Initiated at \$25,000,00 and appointed LPK Architects as Design Professional at the August 18, 2022 board meeting.
Approved contract with Innovative Construction Management (ICM) as Construction Manager Adviser at Nov 17, 2022 board meeting.
Increased budget to \$35,000,00 at May 2023 board meeting.

Refunding: In May 2021, Mississippi State University received IHL Board approval to refund up to \$140 million par value, fixed rate bonds. Due to changes in market conditions, the refunding transaction was not completed. However, the university and its Financial Advisor will continue to monitor market conditions between now and executing the \$125 million new money transaction. In the event market conditions improve and provide an opportunity to refund some or all of the \$140 million par value, fixed rate bonds, the university intends to combine the new money and refunding amounts into a single debt issuance transaction. Total NPV savings must equal or exceed 3% in order to pursue the refunding transaction. Informational agenda item submitted on the August 2023 board meeting.

Specific Type of Contract: Long-term, fixed rate bonds

Purpose:

IHL #205-328 New Residence Hall:

Design and construct a new residence hall on the north side of campus between Barr Avenue and Hurst Lane. The new facility will include 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.

IHL #205-325 DWS Lower Bowl Renovations:

This phase of renovation is focused on the west lower bowl and incorporates

- Removal of existing stadia treads & risers which will include bleachers, railings, etc.
- Install new treads & risers to add more tread depth and improve fan comfort. Includes railings, bleachers, chair backs, etc.
- Supplement the existing superstructure as necessary to support new bleacher/seating systems.
- New bowl design in this area will increase ADA seating and improve ingress/egress.

Refunding:

In the event market conditions provide an opportunity to refund some or all of the \$140 million par value, fixed rate bonds, the university intends to combine the new money and refunding amounts into a single debt issuance transaction. Total NPV savings must exceed 3% in order to pursue the refunding transaction.

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Scope of Work: The bond issue includes funds for constructing a new residence hall and for renovating the west side of Davis Wade Stadium. Hilltop Securities is the financial advisor. Bond Counsel is Jones, Walker, LLP, and the Underwriters are Wells Fargo Bank National Association, Raymond James & Associates, Inc., and/or Stephens Inc.

Term of Contract: Long-term bonds will be issued with maturities up to 30 years.

Termination Options: The bond issue documents contain redemption provisions which can be used in case of market changes.

Contract Amount: MSU expects to issue up to a maximum of \$265,000,000 par value, fixed rate bonds. Proceeds from the bond issue will support the refunding transaction, construction and renovation costs, capitalized interest, cost of issuance and the underwriter's discount.

Based on the Financial Advisor's report dated May 18, 2023, the proposed, new money debt amortization will have an average annual debt payment of \$7,170,915 at an expected all-in true interest cost of 4.29%.

Funding Source for Contract: Various Athletic revenues, including annual seat donations and ticket sales. Rental revenues from the new the residence hall will also be a funding source.

Contractor Selection Process: Underwriters, financial advisor and bond counsel were selected based on past experience and the firms' unsolicited proposals.

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. UMMC – REQUEST FOR APPROVAL TO ENTER INTO AN IMPLANTABLE AND DISPOSABLE PRODUCTS PURCHASE AGREEMENT WITH ABBOTT LABORATORIES, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into an Implantable and Disposable Products Purchase Agreement with **Abbott Laboratories, Inc.** ("Abbott") for the purchase of consumable commodities and equipment that comprise the MitraClip Delivery System. This system provides an alternative to heart surgery for patients who require mitral valve repair but are not good surgery candidates. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level.

Contractor's Legal Name: Abbott Laboratories, Inc.

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History of Contract: On October 18, 2018, the Board approved a three (3) year product purchasing agreement with Abbott for the MitraClip Delivery System. On April 15, 2021, the Board approved an amendment to extend the agreement for two (2) years, add new consumable commodities, and add language on insurance and information security. The current agreement will expire on October 31, 2023.

Specific Type of Contract: This is a new Implantable and Disposable Products Purchase Agreement.

Purpose: The purpose of this agreement is to secure pricing for consumable commodities and equipment that comprise the MitraClip Delivery System. The agreement will allow UMMC to treat patients who have been determined to be poor candidates for mitral valve surgery.

Scope of Work: Under the Agreement, Abbott will provide discounted pricing for the purchase of the MitraClip Delivery System and consumables.

Term of Contract: The term of the agreement is sixty (60) months from November 1, 2023, through October 31, 2028.

Termination Options: The termination options include the following:

- by either party, at any time, without cause by providing the other party with ninety (90) days prior written notice; and
- by either party, as a result of a material breach by the other party upon not less than thirty (30) days' prior written notice, provided that such breach is not cured within thirty (30) days.

Contract Amount: The total estimated cost of the agreement is \$10,125,000 over the sixty (60) month term. UMMC has included a fifteen percent (15%) increase beginning in year two (2) to allow for potential price increases and patient volume growth.

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

Contractor Selection Process: The MitraClip Delivery System, including the consumable commodities and equipment, qualifies as clinical commodity under Miss Code Ann. §31-7-1, which is exempted from procurement requirements under §31-7-13.

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.

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3. UMMC – REQUEST FOR APPROVAL TO AMEND AN AGREEMENT WITH ABIOMED, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend its Agreement with **ABIOMED, Inc. (ABIOMED)** to extend the term and update the agreement products and pricing. The agreement is for the purchase of Impella Circulatory Support Catheters and accessories. The Impella devices are used in high-risk coronary interventions, as well as myocardial infarction patients, as a means of emergency cardiac recovery. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level.

Contractor's Legal Name: **ABIOMED, Inc.**

History of Contract: On March 18, 2021, the Board approved a three (3) year Agreement with ABIOMED for a total cost of \$3,525,000. The agreement will expire on March 31, 2024, unless amended.

Specific Type of Contract: This is the first amendment to the agreement.

Purpose: The purpose of the amendment is to extend the term and update the products and pricing on the agreement. The agreement is for the purchase of Impella Circulatory Support Catheters and accessories. The Impella devices are used in high-risk coronary interventions, as well as myocardial infarction patients, as a means of emergency cardiac recovery.

Scope of Work: Under the amended agreement, UMMC will continue to purchase Impella Circulatory Support Catheters and accessories from ABIOMED.

Term of Contract: The amended term of the agreement is five (5) years beginning April 1, 2021, through March 31, 2026. The original term of the agreement was three (3) years beginning April 1, 2021. The amendment extends the term by two (2) years.

Termination Options: UMMC may terminate the agreement upon thirty (30) days written notice to ABIOMED.

Contract Amount: The total estimated cost of the amended agreement over the five (5) year term \$7,125,000. The original estimated cost of the agreement was \$3,525,000. The first amendment will add an additional \$3,600,000 to the agreement.

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

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Contractor Selection Process: UMMC is currently contracted with ABIOMED.

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. UMMC – REQUEST FOR APPROVAL TO AMEND THE PURCHASE AGREEMENT WITH INARI MEDICAL, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend its Purchase Agreement with **Inari Medical, Inc.** (Inari) to extend the term for two (2) additional years. This agreement is for the purchase of ClotTrier and FlowTrier products and accessories for the treatment of blood clots in patients. The ClotTrier is a mechanical thrombectomy system designed to remove large clots from vessels in a single session, without the need for thrombolytic drugs or consequent stays in the Intensive Care Unit (ICU). The FlowTrier is the first mechanical thrombectomy device FDA indicated and built to treat blood clots in the lungs, and Clots In Transit (CIT) by removing large clots from vessels which immediately restores blood flow and relieves right heart strain without the need for thrombolytic drugs or stays in the ICU. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor's Legal Name: Inari Medical, Inc.

History of Contract: On August 19, 2021, the Board approved a waiver of Board policy for items that otherwise require approval by the Board and are necessary for efficient operation during the state of emergency created by the COVID-19 pandemic. Under this waiver, on August 23, 2021, UMMC entered into a Purchase Agreement with Inari for the purchase of the ClotTrier and FlowTrier products and accessories for the treatment of blood clots in patients. On May 20, 2022, UMMC received notification that the Commissioner delegated authority to UMMC to enter agreements with an aggregate total expenditure of less than \$3,500,000.00 as defined in section 707.01 of the IHL Policies and Bylaws, as amended. Through its delegated authority, on August 2, 2022, UMMC and Inari entered into the first amendment to the Purchase Agreement to revise the products and pricing. The agreement, as currently amended, will expire on August 22, 2024, unless further amended.

Specific Type of Contract: This is the second amendment to the Purchase Agreement.

Purpose: The purpose of the second amendment is to extend the term an additional two (2) years. The purpose of the first amendment was to add additional products to the agreement as well as increase the total contract spend to \$2,405,000.00. The purpose of the agreement is to purchase ClotTrier and FlowTrier products and accessories for the treatment of blood clots in patients.

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Scope of Work: Under the agreement, Inari will provide ClotTrieiver and FlowTrieiver Catheters and accessories. UMMC will complete the in-service program and ensure that an Inari representative is present at the first five (5) cases of each type for training, education, and support.

Term of Contract: The term of the amended agreement is five (5) years from August 23, 2021, through August 22, 2026. The term of the original agreement was three (3) years, beginning August 23, 2021. The second amendment extends the term by two (2) years.

Termination Options: The agreement may be terminated as follows:

- by Inari, at any time, if it determines that UMMC is not using the products as directed solely for patients;
- by either party upon ninety (90) days prior written notice to the other party;
- by either party upon written notice to the other party if:
 - the other party is in material breach of an obligation under the agreement and the default is incapable of cure or has not been cured within thirty (30) days after receipt of notice of such breach;
 - the other party is or becomes excluded or ineligible for participation in any federal or state health care program or government payment program; or
 - the other party shall formally declare bankruptcy, insolvency, reorganization, liquidation, or receivership; or shall have instigated against it bankruptcy, insolvency, reorganization, liquidation, or receivership proceedings, and shall fail to remove itself from such proceedings within ten (10) days from the date of institution of such proceedings;
- automatically, after five (5) business days of notification in writing that either party is excluded from participating in, or becomes otherwise ineligible to participate in, any federal healthcare program during the term of the agreement; and
- by UMMC if Inari is unable to provide products for thirty (30) consecutive days as a result of a continuing force majeure event.

Contract Amount: The total estimated cost of the amended agreement is \$3,950,000 over the five (5) year term. The original estimated cost of the agreement was \$2,376,514. The first amendment increased the total estimated cost of the agreement by \$28,486. The second amendment will increase the total cost of the agreement by \$1,545,000 over the amended term.

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

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Contractor Selection Process: The ClotTrieve and FlowTrieve products and accessories qualify as clinical commodities under Miss Code Ann. §31-7-1, which are exempted from procurement requirements under §31-7-13.

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.

5. UMMC –REQUEST FOR APPROVAL TO ENTER INTO AN AMENDMENT TO THE EQUIPMENT AND DISPOSABLE PRODUCTS AGREEMENT WITH PHILIPS IMAGE GUIDED THERAPY CORPORATION

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend its Equipment and Disposable Products Agreement with **Philips Image Guided Therapy Corporation** (“Philips”) to extend the term of the agreement and add the rental of a third IntraSight Mobile Series 5 intravascular imaging system. The agreement is for the rental of two (2) IntraSight Mobile Series 5 intravascular imaging systems, the removal of two (2) Volcano CORE Mobile Systems and purchase of the associated disposable products, such as catheters, used with the IntraSight systems. UMMC physicians use the IntraSight systems and disposables to treat patients with high-risk occlusive coronary and peripheral arterial disease. UMMC also requests approval to add or remove disposable products under the amended agreement without seeking prior Board approval as long as adequate funds are available.

Contractor’s Legal Name: Philips Image Guided Therapy Corporation

History of Contract: On April 16, 2023, the Board approved an agreement with Philips for the rental of two (2) IntraSight Mobile Series 5 intravascular imaging systems and the purchase of the associated disposable products. UMMC requests approval to add a third intravascular imaging system due to increased procedural volume.

Specific Type of Contract: This is an amendment to an Equipment and Disposable Products Agreement.

Purpose: The purpose of the amendment is to extend the term of the agreement and add the rental of a third IntraSight Mobile Series 5 intravascular imaging system. The purpose of the agreement is for the rental of IntraSight Mobile Series 5 intravascular imaging systems, the removal of two (2) Volcano CORE Mobile Systems and purchase of the associated disposable products, such as catheters, used with the IntraSight systems. The IntraSight systems assess the location and severity of disease and lesions in arteries. UMMC physicians use the IntraSight systems and disposables to treat patients with high-risk occlusive coronary and peripheral arterial disease.

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Scope of Work: Under the amended agreement, UMMC will rent three (3) IntraSight Mobile Series 5 intravascular imaging systems and purchase the associated disposable products. If UMMC purchases at least \$225,000 of disposables per twelve (12) month period, Philips will waive the twelve (12) month rental fee of \$126,000.

Term of Contract: The term of the amended agreement is three (3) years and one (1) month, beginning May 1, 2023, through May 31, 2026. The term of the original agreement was May 1, 2023 through May 25, 2025. The Amendment adds an additional one (1) year and six (6) days to the term of the agreement.

Termination Options: This agreement may be terminated:

- by UMMC if products are continuously delayed for thirty (30) days due to a continuing Force Majeure event;
- by either party if the other party is excluded from participation in any Federal Health Care Program or debarred, suspended, or otherwise excluded from participating in any other federal procurement program or activity;
- by either party upon thirty (30) days' advance written notice to the other party;
- by either party for a material breach of this agreement, upon fifteen (15) days' notice and an opportunity to cure; and
- by either party upon appointment of a receiver for the other party, assignment for the benefit of creditors by the other party, or commencement of any voluntary or involuntary proceedings under any bankruptcy or insolvency laws against the other party.

Contract Amount: The total estimated cost of the amended agreement over the three (3) years and one (1) month term is \$1,625,000. The original estimated cost of the agreement was \$825,000. The first amendment will increase the total cost of the agreement by \$800,000.

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

Contractor Selection Process: UMMC is currently contracted with Philips.

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.

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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.*

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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.

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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.

1. UM – APPROVAL OF A MODIFICATION AND ASSIGNMENT OF LEASE BETWEEN PPR2, INC., MAGNOLIA PROJECT GROUP, LLC, AND THE UNIVERSITY OF MISSISSIPPI

Agenda Request: The University of Mississippi (“UM”) requests that the Board of Trustees of State Institutions of Higher Learning (“IHL”) approve the modification and assignment of a lease agreement between PPR2, Inc., Magnolia Project Group, LLC, and the University of Mississippi.

Contractor’s Legal Name: PPR2, Inc. (Assignor); Magnolia Project Group, LLC (Assignee)

Specific type of contract: Modification and Assignment of Lease Agreement

Purpose: PPR2, Inc. seeks to assign the Lease Agreement to Magnolia Project Group, LLC, as provided for in Article VIII of the Lease Agreement, with Magnolia Project Group, LLC assuming and adopting the covenants, terms, and conditions in the Lease Agreement for Airport Hangar Lot #17, yet with modifications to the original lease terms as required to bring the original lease into compliance with FAA Order 5190.6B. The Modification and Assignment of Lease Agreement changes the term and the rental fee escalation index to comply with FAA Order 5190.6B. It also includes the “binding successor doctrine” provision.

Terms: The term of the Modification and Assignment of Lease Agreement as now determined under the new FAA Order 5190.6B will be through October 18, 2073. This is 50 years from the date of this new assignment. The contract amount will begin at the rate of \$2,160.00. Rental fee is based on \$0.05 per square foot per month. Concurrent with the beginning of each successive five-year period through the payment due on or before July 1, 2023, the rental fee shall be increased by one- and one-half percent (1 ½%) of the previous annual rent, for a total of seven- and one-half percent (7 ½ %) of the annual rental fee of the previous five-year period. Starting with the payment due on or before July 1, 2024 (for the period October 1, 2023, to

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September 30, 2024), and for each subsequent year's payment, the annual rental fee shall be adjusted to an amount equal to the preceding year's rental fee multiplied by a fraction, the numerator of which shall be the Consumer Price Index (CPI) figure for May (or 2-months prior) of the adjustment year, and the denominator of which shall be the Consumer Price Index figure for the May (or 2- months prior) of the preceding year. As used herein, the term "Consumer Price Index" shall mean the United States Department of Labor's Bureau of Labor Statistics' Consumer Price Index Series CUURO000SA0, All Items, U.S. City Average, All Urban Consumers, Not Seasonally Adjusted (1982-84=100), also known as the CPI-U. For example, the rental fee due on or before July 1, 2024, would be determined using the following formula: (CPI-U for May 2024) / (CPI-U for May 2023) x \$2,160.00 (which is the starting point rental fee due on or before July 1, 2023)

Full value of the contract over the 50-year term is \$108,000 without consideration of CPI changes.

Other terms of the lease agreement not specifically mentioned remained unchanged.

Termination Options: The term of the Modification and Assignment of Lease Agreement shall end on October 18, 2073, unless sooner terminated as provided for under the terms of the lease. The University may terminate upon assignee's default. Further, the Other Provisions section reflects the "binding successor doctrine."

Contract Amount: Full value of the contract over the 50-year term is \$108,000 without consideration of CPI changes.

History: The University entered into an original lease with Opening Statement, LLC and J. P. Hughes on October 1, 2003 ("the Lease Agreement"). The leased premises is a 60'W x 60'D lot identified as Hanger Lot No. 17 at the University Airport.

Subsequent assignments of the original lease included:

- Opening Statement, LLC and J.P. Hughes, Jr. subsequently assigned the Lease Agreement to FSG Air, LLC by Assignment of Lease Agreement recorded in the land records of Lafayette County, Mississippi as Instrument 2010-00583
- FSG Air, LLC subsequently assigned the Lease Agreement to Phoenix Leasing, LLC, by Assignment of Lease Agreement recorded in the land records of Lafayette County, Mississippi as Instrument 2013-5181
- Phoenix Leasing, LLC, subsequently assigned the Lease Agreement to PPR2, Inc. by Assignment of Lease Agreement recorded in the land records of Lafayette County, Mississippi as Instrument 2013-5183

Funding Source: N/A

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Staff Recommendation: The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable. Board staff recommends approval of this item.

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1. **UMMC – APPROVAL TO SETTLE TORT CLAIM**

The University of Mississippi Medical Center is seeking Board approval for settlement of tort claim number 2078.

2. **USM – APPROVAL TO SETTLE A CIVIL ACTION**

The University of Southern Mississippi is seeking Board approval for settlement of Civil Action Number 24CI1:19-cv-00031.

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1. USM – INTENT TO OFFER EXISTING DEGREE PROGRAMS BY DISTANCE LEARNING

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

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

In accordance with Board policy, the University of Southern Mississippi submits the intent to offer already approved degree programs by distance learning to the Board for information.

A. Master of Science (MS) in STEM Education

CIP code, sequence: 13.1316, 4347

Total credit hours: 34

Cost to offer by distance learning: Cost is offset by online course fee

Effective date: August 2023

B. Doctor of Philosophy (PhD) in STEM Education

CIP code, sequence: 13.1316, 1073

Total credit hours: 66

Cost to offer by distance learning: Cost is offset by online course fee

Effective date: August 2023

STAFF RECOMMENDATION: Board staff recommends these items be accepted as information.

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2. SYSTEM – ANNUAL REPORT ON INSTITUTIONAL ACCREDITATION

In accordance with Board Policy 508 (2): Accreditation Procedures “*The Commissioner of Higher Education shall report to the Board at least annually, through its Academic Affairs Committee, on each accreditation visit or change in accreditation status of each university,*” the table below summarizes system accreditation activity beginning July 1, 2021, and ending June 30, 2022.

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Alcorn State University					
College of Agriculture & Applied Sciences Department of Advanced Technologies Robotics & Automation Technology Program	Association of Technology, Management, and Applied Engineering (ATMAE)	April 2022 Official Notification 11/9/22	Re-Accreditation of Robotics and Automation Technology	Successfully accredited until 2028 with a 2-year report and visit in 2024.	ATMAE to visit the campus in May 2024
College of Arts & Sciences Department of Chemistry and Physics, Bachelor of Chemistry Program	American Chemical Society (ACS)	Status Notification: January 27, 2022	Voted to include the list of institutions approved by ACS	No Action	Accredited for six (6) years. First periodic report is due in June 2024.
College of Arts & Sciences Department of Fine Arts Music Degree Program	National Association of Schools of Music (NASM)	Status Notification: July 6, 2016 February 13-15, 2024	Application for renewal of Membership (accreditation) was accepted by the NASM Commission on Accreditation and renewal of Membership was granted	No Action	Report due December 2023
College of Arts & Sciences Department of Social Work Social Work BSW	Council on Social Work Education (CSWE)	Status Notification: Self-Study submitted August 1, 2023	Program will receive Letter of Instruction (LOI) after the October 4-7, 2023, meeting is held. Self-study to be reviewed by the BOA at the October 2023 meeting	No Action	Accreditation site visit scheduled for February 12, 2024 Once Reaffirmation is received, program will be accredited for eight (8) years.
School of Business Department of Business	Accreditation Council for Business School and Programs (ACBSP)	February 19-21, 2024	Accreditation Reaffirmation	Gathering data and finalizing content development for Self-Study	Report due December 15, 2023

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Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
School of Education & Psychology	Mississippi Department of Education (MDE)	June 2024	Continuing State Department of Education Annual Process and Performance Review	No Action	No additional reporting required before next Annual Review
School of Education & Psychology	Council for the Accreditation of Educator Preparation (CAEP)	February 13-15, 2022	Reaffirmation Visit	No Action	Annual Reporting (April) Next site visit in Spring 2027
School of Nursing Doctor of Nursing Practice (DNP) Program	Accreditation Commission for Education in Nursing (ACEN)	March 7-9, 2023	Initial Accreditation Visit	Report Submitted	Report accepted; next visit fall 2025
School of Nursing ASN Program	Accreditation Commission for Education in Nursing (ACEN)	March 7-9, 2023	Continuing Accreditation	No Action	No Action; Accredited pending
School of Nursing BSN Program	Accreditation Commission for Education in Nursing (ACEN)	March 7-9, 2023	Continuing Accreditation	No Action	No Action; Accredited pending
School of Nursing MSN Program	Accreditation Commission for Education in Nursing (ACEN)	March 7-9, 2023	Continuing Accreditation with Conditions	Substantive Change	Report accepted October 2022; Follow-up Visit Fall 2024
University	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	March 2021	Decennial Review	No Action	Reaffirmed through 2031
Delta State University					
Robert E. Smith School of Nursing BSN, MSN, DNP degree programs, & Post-Graduate APRN Certificate program	Commission on Collegiate Nursing Education (CCNE)	October 2022	Continuing Accreditation	Annual Progress Report submitted to AACN/CCNE	Report accepted
Robert E. Smith School of Nursing	MS Institutions of Higher Learning (IHL)	October 2022	Continuing Accreditation	Annual Progress Report submitted to IHL	Report accepted – received notification, May 2023 of Continuing Accreditation for the BSN, MSN, DNP programs
Robert E. Smith School of Nursing	MS Institutions of Higher Learning (IHL)	May 2023	Curriculum Change in MSN/PM & DNP FNP Program of Study & MSN/PM Nurse Educator Program of Study	Substantive Change Report	Report accepted – received notification of acceptance and review of the changes, June, 2023

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College of Business and Aviation Department of Commercial Aviation Bachelor of Commercial Aviation – Aviation Management & Flight Operations	Aviation Accreditation Board	August 2023	Continuing Accreditation	Reaffirmation Application	Results pending
College of Education & Human Sciences	Council for the Accreditation of Educator Preparation (CAEP)			Annual Progress Report submitted to CAEP – April 25, 2023	CAEP Full Accreditation through Spring 2029
College of Education & Human Sciences	Council for the Accreditation of Counseling and Related Educational Programs (CACREP)	August 13, 2020	Reaccreditation of the MED in Clinical Mental Health and School Counseling	CACREP Annual Report submitted December 2022.	Programs received Full Accreditation for 8 years
College of Education & Human Sciences	Council for the Accreditation of Counseling and Related Educational Programs (CACREP)	February 2023	Change in mode of deliver of CED courses	CACREP Substantive Change Report submitted February 2023	Response pending
College of Education & Human Sciences	American Association of Family and Consumer Sciences (AAFCS)	April 24, 2020	Continuing Accreditation of FCS Programs	Interim Report submitted January 2023	Continued Accreditation through Fall 2025; Self-Study Report due September 1, 2024
College of Education & Human Sciences	Accreditation Council for Education in Nutrition and Dietetics (ACEND)	August 7, 2020	Coordinated Program in Nutrition and Dietetics voluntarily closed effective December 31, 2023	Closure report submitted October 2022 Annual report submitted December 2022 Final closure report due October 2023	Continued Accreditation through December 31, 2023
College of Education & Human Sciences	National Association for the Education of Young Children (NAEYC)	Reaccreditation Site Visit January 2021	Site Visit for Hamilton-White Child Development Center - Continuing Accreditation	Annual report submitted February 2023)	Continued Accreditation until February 1, 2026
College of Arts & Sciences Department of Music: BME, BM, BA	National Association of Schools of Music (NASM)	Spring 2025	Continuing Accreditation	Self-Study Document Due December 2024	Results pending Site Visit Spring 2025

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College of Arts & Sciences Dept of Social Work: BSW	Council on Social Work Education (CSWE)	November 2022	Confirmed Reaffirmation of Accreditation	Progress Report submitted August 15, 2023	Program received Full Accreditation for seven (7) years through October 2029 with annual reporting and membership fees (\$3406/yr)
College of Arts & Sciences Department of Art BFA in Studio Art BA in Art	National Association of Schools of Art and Design (NASAD)	November 9-12, 2022, NASAD Site Visit	Renewal of Continuing Accreditation	DSU will be sending an Optional Response in September 2023	DSU and the Art Department are in good standing as an Accredited Institution until the next Site Visit in 2031.
College of Arts & Sciences STEM Division, the Geospatial Center, Certificate in Geospatial Analysis and Intelligence	United States Geospatial Intelligence Foundation (USGIF)	July 2019	Initial Accreditation	Annual Reporting	Approved Accreditation through 2023 with annual reporting and membership fee (\$2500/yr)
College of Arts & Sciences STEM Division, the Geospatial Center, Bachelor of Applied Science in Geospatial Analysis and Intelligence	United States Geospatial Intelligence Foundation (USGIF)	July 2019	Initial Accreditation	Annual Reporting	Approved Accreditation through 2023 with annual reporting and membership fee (\$2500/yr)
Jackson State University					
College of Business	The Network of International Business Schools	March 31, 2023	Continuing Accreditation	Site Review Reports	Continuing Accreditation for five (5) years through 2028
College of Education & Human Development	Council for the Accreditation of Educator Preparation (CAEP)	May 2023	Continuing Accreditation	Self-Study Report, Site Visit, and Rejoinder	Continuing Accreditation for seven (7) years through 2030
College of Health Sciences School of Public Health	Council on Education for Public Health (CEPH)	November 2018	Continuing Accreditation	Annual Report – December 8, 2022	Approved Accreditation for five (5) years through December 31, 2023
College of Health Sciences Department of Communicative Disorders- (MS in Communicative Disorders)	Council on Academic Accreditation in Audiology and Speech-Language Pathology (CAA)	July 2022	Continuing Accreditation	Annual Report	Continuing Accreditation for eight (8) years through April 30, 2030

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College of Liberal Arts Department of Art	National Association of Schools of Art and Design (NASAD)	March 2023	Continuing Accreditation	Institutional Optional Response due September 15, 2023	Results pending Commission review and receipt of Institutional Optional Response
College of Liberal Arts Department of Music	National Association of Schools of Music (NASM)	January 2023	Continuing Accreditation	Progress Report	Report accepted – results pending
Mississippi State University					
College of Business	AACSB International (AACSB)	February 2022	Continuing Accreditation	Five-year Accreditation	Continuing Accreditation for 5 years (2027)
School of Accountancy	AACSB International (AACSB)	February 2022	Continuing Accreditation	Five-year Accreditation	Continuing Accreditation for 5 years (2027)
College of Agriculture & Life Sciences MPH in Nutrition	Council on Education for Public Health (CEPH)	March 2022	Payment submitted for accreditation review; IAS has not been sent to CEPH; waiting to accept the first MPH student(s); Once students are accepted, the Review Process will begin	Reviewed Checklist; Downloaded and Prepared IAS; Mailed check to CEPH (\$1,000)	Holding payment until we send in IAS; Once the council makes an accreditation decision, accreditation will be every 3 years.
College of Agriculture & Life Sciences; Department of Food Science, Nutrition and Health Promotion; MPH - Nutrition	Council on Education for Public Health (CEPH)	March 2022	Payment submitted for accreditation review; IAS has not been sent to CEPH; waiting to accept the first MPH student(s); once students are accepted, the Review Process will begin	Reviewed Checklist; Downloaded and Prepared IAS; Mailed check to CEPH (\$1,000)	Holding payment until we send in IAS; once the Council makes an accreditation decision, accreditation will be every 3 years
College of Agriculture & Life Sciences; Department of Food Science, Nutrition and Health Promotion; Didactic Program in Dietetics	Accreditation Council for Education in Nutrition and Dietetics (ACEND)	Program fully accredited while under review Site Visit date May 2023	Continuing Accreditation	DPD Site Visit responses submitted to ACEND for review June 2023	Site Visit responses are under review and an accreditation decision is anticipated by January 2024. Accreditation Letter received May 3, 2013. Fully Accredited for 10 years.
College of Agriculture & Life Sciences Department of Food Science, Nutrition & Health Promotion Dietetic Internship	Accreditation Council for Education in Nutrition and Dietetics (ACEND)	Program fully accredited while under review Site Visit date May 2023	Continuing Accreditation	DI Site Visit responses submitted to ACEND for review June 2023	Site Visit responses are under review and an accreditation decision is anticipated by January 2024. Accreditation Letter received May 3, 2013. Fully Accredited for 10 years.
College of Architecture, Art & Design, Department of Art and Department of Interior Design	National Association of Schools of Art and Design (NASAD)	March 29-April 2, 2023	Continuing Accreditation	Self-Study and On-Site Visitors	Results pending, Optional Response to On-Site Visitor Report due September 15, 2023

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College of Architecture, Art & Design, Department of Building and Construction Science	American Council for Construction Education	March 2022	Continuing Accreditation	Progress Report submitted	Report accepted
College of Arts & Sciences Department of Communication	Accrediting Council on Education in Journalism and Mass Communications (ACEJMC)	Initial Application to be submitted fall 2023	Initial Accreditation	Preliminary Self-Study Report prepared: to be submitted	Results pending – decision expected in spring 2025
College of Arts & Sciences Department of Political Science & Public Administration	Network of Schools of Public Policy, Affairs and Administration (NASPAA)	MPPA Program fully accredited through August 31, 2025	Continuing Accreditation	Annual Accreditation Maintenance Report submitted September 24, 2021	NASPAA Accreditation letter last received 7/30/2018. MPPA Program fully accredited for 7 years September 1, 2018 – August 31, 2025
College of Arts & Sciences Social Work BSW	Council on Social Work Education (CSWE)	Program fully accredited through June 2024. Next Site Visit Date: January 25, 2024	Continuing Accreditation	Self-Study to be submitted fall 2023	Accreditation Letter Received 7/2016. Fully Accredited for 8 years (2024).
College of Arts & Sciences Psychology	American Psychological Association (APA)	Next site visit: November 9-10, 2023	Continuing Accreditation	Annual Accreditation Maintenance Report submitted September 5, 2022	Accreditation for 5 years (2022)
College of Arts & Sciences Psychology	American Psychological Association (APA)	May 2016	Continuing Accreditation	Annual Accreditation Maintenance Report submitted 8/24/2020	Accreditation for 5 years (2022)
College of Education Counselor Education MS concentration in Clinical Mental Health Counseling Counselor Education MS concentration in School Counseling	Council for Accreditation of Counseling and Related Educational Programs (CACREP)	August 2022	Continuation Accreditation	Eight-year accreditation	Continuing Accreditation for 8 years (2030)
College of Education Counselor Education & Supervision PhD	Council for Accreditation of Counseling and Related Educational Programs (CACREP)	August 2022	Continuation Accreditation	Eight-year accreditation	Continuing Accreditation for 8 years (2030)
College of Education Elementary Education BS	Council for the Accreditation of Educator Preparation (CAEP)	November 2022	Continuation Accreditation	Seven-year accreditation	Continuing Accreditation for 7 years (2029)
College of Education Kinesiology BS concentration in Physical Education & Coaching	Council for the Accreditation of Educator Preparation (CAEP)	November 2022	Continuation Accreditation	Seven-year accreditation	Continuing Accreditation for 7 years (2029)

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College of Education Secondary Education BS	Council for the Accreditation of Educator Preparation (CAEP)	November 2022	Continuation Accreditation	Seven-year accreditation	Continuing Accreditation for 7 years (2029)
College of Education Special Education BS	Council for the Accreditation of Educator Preparation (CAEP)	November 2022	Continuation Accreditation	Seven-year accreditation	Continuing Accreditation for 7 years (2029)
College of Education Secondary Teacher Education MAT-S (Alternate Route)	Council for the Accreditation of Educator Preparation (CAEP)	November 2022	Continuation Accreditation	Seven-year accreditation	Continuing Accreditation for 7 years (2029)
College of Education Special Education MAT-X (Alternate Route)	Council for the Accreditation of Educator Preparation (CAEP)	November 2022	Continuation Accreditation	Seven-year accreditation	Continuing Accreditation for 7 years (2029)
College of Education Educational Leadership MS concentration in School Administration	Council for the Accreditation of Educator Preparation (CAEP)	November 2022	Continuation Accreditation	Seven-year accreditation	Continuing Accreditation for 7 years (2029)
College of Education Education EdS concentration in School Administration	Council for the Accreditation of Educator Preparation (CAEP)	November 2022	Continuation Accreditation	Seven-year accreditation	Continuing Accreditation for 7 years (2029)
College of Education Industrial Technology BS	Association of Technology Management and Applied Engineering (ATME)	March 1-3, 2023	Initial Accreditation	Self-Study and On-Site Visitors	Results pending – decision expected November 2023
College of Forest Resources, Department of Forestry, Forestry Major	Society of American Foresters	3/3/2023	Changes in faculty associated with retirements and new hires	Substantive Change form	No additional reporting required before next affirmation; Continuing Accreditation until December 31, 2028
College of Forest Resources, Department of Forestry, Natural Resources and Environmental Conservation Major	Society of American Foresters	3/3/2023	Changes in faculty associated with retirements and new hires	Substantive Change form	No additional reporting required before next affirmation; Continuing Accreditation until December 31, 2028
College of Veterinary Medicine	AVMA Council on Education	April 22, 2022	Continuing Accreditation	7-year accreditation	Continuing accreditation for 7 years (2029)
MSU Meridian Master of Physician Assistant Studies	Accreditation Review Commission on Education for the Physician Assistant (ACR-PA)	June 2023	Continual Accreditation Provisional	Next Accreditation Review (March 2025)	PA Accreditation process initiated (7/18/2017) Initial Provisional Accreditation (September 2020) Continual Accreditation Provisional (June 2023) Full Accreditation (anticipated June 2024)
MSU Meridian Master of Science in Nursing	MS Institutions of Higher Learning (IHL)	February 2023	Stage I approval	On-site Visit scheduled January 2024	

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Mississippi University for Women					
College of Business and Professional Studies BBA with concentrations in Accounting, General Business, Management, Health Care Management, Human Resources Management, Marketing, and Management Information Systems	Accreditation Council for Business Schools and Programs (ACBSP)	fall 2021	Continuing Accreditation	Quality Assurance Report due September 25, 2025	Continuing accreditation for the max allowed of 10 years
School of Education Department of Education	Council for the Accreditation of Educator Preparation (CAEP)	fall 2022	Continuing Accreditation		Accreditation is granted at the initial-licensure level. Accreditation status is effective spring 2023-spring 2027
College of Arts & Sciences Department of Arts & Design	National Association of Schools of Art and Design (NASAD)	spring 2023	Continuing Accreditation		Continuing Accreditation for the max allowed of 10 years
Mississippi Valley State University					
Social Work BSW	Council on Social Work Education (CSWE)	February 2023	Continuing Accreditation	Deferral of Reaffirmation Report submitted August 14, 2023 Awaiting Review October 4-7, 2023	Results pending
Social Work MSW	Council on Social Work Education (CSWE)	January 2023	Continuing Accreditation	Deferral of Reaffirmation Report submitted August 14, 2023 Awaiting Review October 4-7, 2023	Results pending
Computer Science BS	Accreditation Board for Engineering Technology (ABET)	October 2022	Continuing Accreditation	Periodic Report	Results pending
Institutional	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	March 2023	Continuing Accreditation	Compliance Certification Report (CCR) and Quality Enhancement Plan (QEP)	Results pending
University of Mississippi					
School of Engineering BS in Chemical Engineering	ABET	October 2022	Continuing Accreditation	No action	Results pending

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School of Engineering BS in Civil Engineering	ABET	October 2022	Continuing Accreditation	No action	Results pending
School of Engineering BS in Computer Science	ABET	October 2022	Continuing Accreditation	No action	Results pending
School of Engineering BS in Electrical Engineering	ABET	October 2022	Continuing Accreditation	No action	Results pending
School of Engineering BS in Geological Engineering	ABET	October 2022	Continuing Accreditation	No action	Results pending
School of Engineering BS in Mechanical Engineering	ABET	October 2022	Continuing Accreditation	No action	Results pending
School of Engineering BS in General Engineering	ABET	October 2022	Continuing Accreditation	No action	Results pending
School of Engineering BS in Biomedical Engineering	ABET	October 2022	Continuing Accreditation	No action	Results pending
School of Engineering BS in Computer Engineering	ABET	October 2022	Continuing Accreditation	No action	Results pending
University of Mississippi Medical Center					
Health Informatics and Information Management (HIIM) BS	Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM)	CAHIIM reaccredits on an annual basis via annual report	Continuing Accreditation	CAHIIM 2022 Annual Report submitted	Continued CAHIIM Accreditation for 7 years
Health Informatics and Information Management (MHIIM)	Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM)	CAHIIM reaccredits on an annual basis via annual report	Continuing Accreditation	CAHIIM 2022 Annual Report submitted and accepted	Continued CAHIIM Accreditation
Magnetic Resonance Imaging (MRI) MS	Joint Review Committee on Education in Radiologic Technology (JRCERT)	JRCERT Site-Visit conducted on November 17-18, 2022	Continuing Accreditation	JRCERT 2022 Annual Report due October 2023	Continued JRCERT Accreditation
Medical Laboratory Science (MLS)	National Accreditation Agency for Clinical Laboratory Sciences (NAACLS)		Continuing Accreditation	NAACLS 2022 Annual Report submitted and accepted; NAACLS Interim Report submitted October 2022	NAACLS Progress Report satisfactory April 2023

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Nuclear Medicine Technology (NMT) MS	Joint Review Committee on Education in Radiologic Technology (JRCERT)	JRCERT Site-Visit conducted on November 17-18, 2022	Continuing Accreditation	JRCERT 2022 Annual Report due October 2023	Continued JRCERT Accreditation
Doctor of Occupational Therapy (OTD)	Accreditation Council for Occupational Therapy Education (ACOTE)		Initial Accreditation	ACOTE 2022 Annual Report submitted and accepted. ACOTE plan of correction for a website update submitted in June 2023	Initial Accreditation
Doctor of Physical Therapy (DPT)	Commission on Accreditation in Physical Therapy Education (CAPTE)		Continuing Accreditation	CAPTE Annual Report submitted and accepted December 2022	Continued CAPTE Accreditation until 2032
Radiologic Sciences BS	Joint Review Committee on Education in Radiologic Technology (JRCERT)	JRCERT Site-Visit conducted on November 17-18, 2022	Continuing Accreditation	JRCERT 2022 Annual Report due October 2023	Continued JRCERT Accreditation
School of Nursing BSN Program	Commission on Collegiate Nursing Education (CCNE) and MS Institutions of Higher Learning (IHL)	May 19, 2023	Oxford Accelerated Pass Rates and changes to Faculty	Substantive Change Report submitted	CCNE response to Substantive Change Report pending. IHL accepted report with no further action required.
School of Nursing BSN, MSN, Post-Graduate APRN Certificate, and DNP Programs	Commission on Collegiate Nursing Education (CCNE) and MS Institutions of Higher Learning (IHL)	June 12, 2023	Dean change	Substantive Change Report submitted	CCNE response to Substantive Change Report pending. IHL accepted report with no further action required.
School of Nursing BSN, MSN, and DNP Programs	Commission on Collegiate Nursing Education (CCNE)	June 20, 2023	Notification of MS Institutions of Higher Learning (IHL) status change	Substantive Change Report submitted	CCNE response to Substantive Change Report pending.
School of Nursing BSN and MSN Programs	MS Institutions of Higher Learning (IHL)	April 15, 2023	Performance Improvement Plan: Standard II. Faculty and Staff. 2.g. Preceptors	Submitted one-year Progress Report	Progress Report was accepted with no additional information requested. IHL Director of Nursing Education stated that a two-year progress report will not be necessary.
School of Nursing BSN, MSN, and DNP Programs	MS Institutions of Higher Learning (IHL)	May 18, 2023	Continuing Accreditation	IHL Annual Report due by October 1	Board of Trustees approved change from Continuing Accreditation with Conditions to Continuing Accreditation
University of Southern Mississippi					

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Institutional	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	June 2023	5 th -Year Interim Report: Referral Report	Submitted Referral Report addressing standards 6.2.b and 14.4 on March 30, 2023	Received letter dated June 29, 2023, indicating the submission was satisfactory and no further report was necessary.
Computer Science, BS	Accreditation Board for Engineering and Technology (ABET) Computing Accreditation Commission (CAC)	December 2022	Continuing Accreditation	Submitted end-of-semester responses to Site-Visit concerns	Received a letter from ABET on December 14, 2022 indicating Accreditation to September 2024
Computer Engineering, BS	Accreditation Board for Engineering and Technology (ABET) Engineering Accreditation Commission (EAC)	October 2022	Initial Accreditation	Hosted Site-Visit	Site-Visit conducted – awaiting a final response
Ocean Engineering, BS	Accreditation Board for Engineering and Technology (ABET) Engineering Accreditation	October 2022	Initial Accreditation	Hosted Site-Visit	Site-Visit conducted – awaiting a final response
Information Technology, BS	Accrediting Board for Engineering and Technology (ABET) Computing Accreditation Commission (CAC)	October 2022	Initial Accreditation	Hosted Site-Visit	Site-Visit conducted – awaiting a final response
Industrial Engineering Technology, BS	Accrediting Board for Engineering and Technology (ABET) Computing Accreditation Commission (CAC)	October 2022	Initial Accreditation	Hosted Site-Visit	Site-Visit conducted – awaiting a final response
Industrial Engineering Technology (Logistics), BS	Accrediting Board for Engineering and Technology (ABET) Computing Accreditation Commission (CAC)	October 2022	Initial Accreditation	Hosted Site-Visit	Site-Visit conducted – awaiting a final response
Social Work, BSW	Council on Social Work Education (CSWE)	October 2022	Continuing Accreditation		Reaffirmed Accreditation for 8 years with a Progress Report.
Social Work, MSW	Council on Social Work Education (CSWE)	October 2022	Continuing Accreditation		Reaffirmed Accreditation for 8 years with a Progress Report.
Chemistry, BS	American Chemical Society (ACS)	August 2022	Annual Report	Submitted annual report	N/A
Chemistry (Biochemistry), BS	American Chemical Society (ACS)	August 2022	Annual Report	Submitted annual report	N/A
Public Health (Allied Health), BS	Council on Education for Public Health (CEPH)	December 2022	Continuing Accreditation	N/A	Reaffirmed Accreditation for 7 years with a Progress Report due fall 2023

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Public Health (Health Education), BS	Council on Education for Public Health (CEPH)	December 2022	Continuing Accreditation	N/A	Reaffirmed Accreditation for 7 years with a Progress Report due fall 2023
Public Health (Health Policy and Administration), BS	Council on Education for Public Health (CEPH)	December 2022	Continuing Accreditation	N/A	Reaffirmed Accreditation for 7 years with a Progress Report due fall 2023
Public Health (Epidemiology and Biostatistics), MPH	Council on Education for Public Health (CEPH)	December 2022	Continuing Accreditation	N/A	Reaffirmed Accreditation for 7 years with a Progress Report due fall 2023
Public Health (Health Policy and Administration), MPH	Council on Education for Public Health (CEPH)	December 2022	Continuing Accreditation	N/A	Reaffirmed Accreditation for 7 years with a Progress Report due fall 2023
Public Health (Health Promotion and Health Behavior), MPH	Council on Education for Public Health (CEPH)	December 2022	Continuing Accreditation	N/A	Reaffirmed Accreditation for 7 years with a Progress Report due fall 2023
Dietetics Internship	Accreditation Council for Education in Nutrition and Dietetics (ACEND)	April 2023	Continuing Accreditation	Submitted response to Site-Visit Report and Continuous Improvement Plan	Accreditation Continued with Continuous Program Improvement Plan submission
Nutrition and Dietetics (Didactic Program in Dietetics)	Accreditation Council for Education in Nutrition and Dietetics (ACEND)	April 2023	Continuing Accreditation	N/A	Continued Accreditation to June 2030
Library and Information Science, MLIS	American Library Association Committee on Accreditation	April 2023	Biennial Report	Submitted Biennial Report	Response received from the agency.
Nursing, BSN	Commission on Collegiate Nursing Education (CCNE)	March 2023	Continuing Accreditation	N/A	Continued Accreditation to December 2032
Polymer Science and Engineering (Sports and High Performance Materials), MS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Polymer Science and Engineering (Sports and High Performance Materials), PhD	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Secondary Education and Teaching (Teach Mississippi Institute), Graduate Certificate	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Music (History and Literature), BM	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure

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Education (Special Education), PhD	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Communication (Communication Studies), MA	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Communication (Communication Studies), PhD	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Communication (Mass Communication), MA	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Communication (Mass Communication), MS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Music (History and Literature), MM	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Music (Conducting), MM	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Music (Performance: "Instrument"), MM	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Performance ("Instrument"), DMA	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2022	Program closure	N/A	Approved program closure
Security Studies Undergraduate Minor	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	September 2022	New program approval	N/A	Approved

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Physics (Polymer Physics), MS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	January 2023	Program closure	Submitted teach-out plan and notification	Awaiting response
School Counseling, MEd	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	January 2023	Program closure	Submitted teach-out plan and notification	Awaiting response
STEM Education (Mathematics), MS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	May 2023	Program closure	Submitted teach-out plan and notification	Awaiting response
STEM Education (Mathematics), PhD	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	May 2023	Program closure	Submitted teach-out plan and notification	Awaiting response
Organizational Leadership, BSBA	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	June 2023	New program approval	N/A	Approved
Architectural Engineering Technology, BS	Accrediting Board for Engineering and Technology (ABET) and Engineering Technology Accreditation Commission (ETAC)	December 2022	Reaccreditation	Submitted Interim Report	Accredited to September 2024
Dance (Performance and Choreography), BFA	National Association of Schools of Dance (NASD)	October 2022	Reaccreditation	Submitted Self-Study	Awaiting response
Dance (Dance Education), BFA	National Association of Schools of Dance (NASD)	October 2022	Reaccreditation	Submitted Self-Study	Awaiting response
Kinesiotherapy, BS	Council for Accreditation of Counseling and Related Educational Programs (CACREP)	July 2022	Continuation Accreditation	Submitted a letter of Continuing Accreditation	Response from the agency indicated the lifting of previous citations.
Journalism and Mass Communication	Accrediting Council on Education in Journalism and Mass Communication	September 2022	Reaccreditation	Submitted Self-Study Report and hosted Site-Visit	The agency responded with accreditation
School of Music	National Association of Schools of Music (NASM)	July 2022	Progress Report	Submitted Progress Report	Awaiting response
Nursing (Nurse Anesthesia), DNP	Council on Accreditation	March 2023	Reaccreditation	Submitted Self-Study	Awaiting response

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Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Psychology (Clinical), PhD	American Psychological Association (APA)	December 2022	Reaccreditation	Submitted Self-Study	Awaiting response
English (Licensure), BA	Council for the Accreditation of Educator Preparation (CAEP)	March 2023	SPA Report	Submitted SPA Report	Awaiting response
Recreational Therapy, BS	Committee on Accreditation of Recreational Therapy Education (CARTE)	February 2023	Accreditation	Submitted Self-Study	Awaiting response
Audiology (Clinical), AuD	American Speech-Language-Hearing Association (ASHA)	March 2023	Assessment Response	Submitted Self-Study	Awaiting response
Speech and Hearing Sciences (Speech-Language Pathology), MS	American Speech-Language-Hearing Association (ASHA)	March 2023	Assessment Response	Submitted Self-Study	Awaiting response
History (Licensure in Social Studies), BA	Council for the Accreditation of Educator Preparation (CAEP)	March 2023	SPA Report	Submitted SPA Report	Awaiting response
World Languages (Licensure), BA	Council for the Accreditation of Educator Preparation (CAEP)	March 2023	SPA Report	Submitted SPA Report	Awaiting response
Kinesiology (Exercise Science), BS	Commission on Accreditation of Allied Health Education Programs (CAAHEP)	March 2023	Accreditation	Submitted Self-Study	Awaiting response
Marriage and Family Therapy, MS	Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE)	May 2023	Reaccreditation	Submitted an extension request	The agency responded and indicated that circumstances for an extension were not warranted. Placed on Administrative Probation.
Physician's Assistant, MS	Accreditation Review Commission on Education for the Physician Assistant Inc. (ARC-PA)	May 2023	Accreditation	Submitted request for Provisional Site-Visit.	Received a letter from the agency acknowledging receipt of materials

STAFF RECOMMENDATION: Board staff recommends these items be accepted as information.

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INFORMATION ITEM
FINANCE
October 19, 2023

1. **UMMC – MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES (ITS), AS A CONTRACTING AGENT FOR UMMC, ENTERED INTO AN AMENDMENT TO THE TURNKEY AGREEMENT WITH KRONOS INCORPORATED**

Agenda Item Request: On June 27, 2023, ITS, as the contracting agent for UMMC, entered into Amendment #1 to the Turnkey Agreement with **Kronos Incorporated** (Kronos) to extend the term of the agreement which allows UMMC to continue purchasing equipment, software, installation and technical support for the time and attendance system.

Contractor's Legal Name: **Kronos Incorporated**

Specific Type of Contract: Amendment #1 to the Turnkey Agreement

Purpose: The purpose of this amendment is to extend the term of the Turnkey Agreement which allows UMMC to continue purchasing equipment, software, installation services and technical support for the time and attendance system. The equipment will be purchased only on an as-needed basis.

Scope of Work: Under the amendment, Kronos will provide the time and attendance system software license, service and technical support for the system. UMMC will purchase additional equipment as needed with any installation services as required based on the equipment purchase.

Term of Contract: The term of Amendment #1 is five (5) years, beginning July 1, 2023 and ending December 31, 2027. The total term of the Agreement is nine (9) years and seven (7) months.

Contract Amount: The cost of Amendment #1 is \$1,251,984.22. The total cost of the agreement is \$10,421,258.50.

2. **SYSTEM – 2023 AYERS ACCOUNTABILITY MANUAL**

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

Under separate cover.

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE `
AUGUST 17, 2023, 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.

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ALCORN STATE UNIVERSITY

1. ASU- GS 101-320 – CAMPUS ADA IMPROVEMENTS – PKG. A-ELEVATORS

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$0.00 and thirty-one (31) additional days to the contract of Paul Jackson & Sons, Inc.

Approval Status & Date: APPROVED, July 26, 2023

Change Order Description: Change Order #1 includes the following: added thirty-one days to the contract.

Change Order Justification: These changes were necessary due to latent job site conditions; seventeen (17) weather related delays; user/owner requested modifications; and fourteen (14) days for work as indicated herein.

Approval Request #2: Change Order #2

Board staff approved Change Order #2 in the amount of \$37,282.00 and forty-four (44) additional days to the contract of Paul Jackson & Sons, Inc.

Approval Status & Date: APPROVED, September 8, 2023

Change Order Description: Change Order #2 includes the following: framed & hung gypsum board, finished and painted the added furrdown; installed a battery lowering device for the elevator located in the Student Union building; installed stand-alone fire alarm systems in the Student Union building, Boyd Library, Math and Science building elevators; installed fencing and a gate around the new elevator equipment in the machine room of Boyd Library; and forty-four (44) days to the contract.

Change Order Justification: These changes were necessary due to changes in requirements or recommendations by governmental agencies; latent job site conditions; thirty-eight (38) weather related delays; user/owner requested modifications; and six (6) days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$37,282.00.

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Project Initiation Date: April 9, 2021

Design Professional: Canizaro Cawthorn Davis – A Professional Association

General Contractor: Paul Jackson & Sons, Inc.

Phased Project Budget: \$1,817,583.45

Total Project Budget: \$6,710,000.00

2. ASU- GS 101-320 – CAMPUS ADA IMPROVEMENTS – PKG. B-INTERIOR

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$41,215.00 and Twenty-eight (28) additional days to the contract of Paul Jackson & Sons, Inc.

Approval Status & Date: APPROVED, July 26, 2023

Change Order Description: Change Order #1 includes the following: added \$39,900.00; added \$2,430.00; deducted \$1,115.00 as indicated on PCO's; and twenty-eight (28) days to the contract.

Change Order Justification: These changes were necessary due to errors and omissions in the plans and specifications; latent job site conditions; seventeen (17) weather related delays; user/owner requested modifications; and eleven (11) days for work as indicated herein.

Approval Request #2: Change Order #2

Board staff approved Change Order #2 in the amount of \$13,765.00 and forty-four (44) additional days to the contract of Paul Jackson & Sons, Inc.

Approval Status & Date: APPROVED, September 8, 2023

Change Order Description: Change Order #2 includes the following: credit for work removed from the project scope; replaced worn and scuffed transaction window plexiglass at the safety center transaction window; repaired the existing plumbing leak at Harmon Hall; installed additional deadlocks at the rear existing exterior door of the Honors Building; credit for hardware removed from the scope associated with doors removed from scope; wall layout revisions done in a toilet room in the Student Union building; existing

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light fixtures modified to add LED lighting in the Student Union building; 1st floor Boyd Library wetwall studs and carrier assembly between bathrooms done; and forty-four (44) days to the contract.

Change Order Justification: These changes were necessary due changes in requirements or recommendations by governmental agencies; latent job site conditions; twenty-one (21) weather related delays; user/owner requested modifications; and twenty-three (23) days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$54,980.00.

Project Initiation Date: April 16, 2020

Design Professional: Canizaro Cawthorn Davis – A Professional Association

General Contractor: Paul Jackson & Sons, Inc.

Phased Project Budget: \$2,539,255.13

Total Project Budget: \$6,710,000.00

3. ASU- GS 101-320 – CAMPUS ADA IMPROVEMENTS – PKG. C-EXTERIOR

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$3,654.00 and seventeen (17) additional days to the contract of Paul Jackson & Sons, Inc.

Approval Status & Date: APPROVED, July 26, 2023

Change Order Description: Change Order #1 includes the following: changed from 4000 psi mix to 3000 psi mix with fiber concrete mix design; and seventeen (17) days to the contract.

Change Order Justification: These changes were necessary due to changes in requirements or recommendations by governmental agencies; errors and omissions in the plans and specifications and weather-related delays as indicated herein.

Approval Request #2: Change Order #2

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Board staff approved Change Order #2 in the amount of \$51,923.00 and one hundred two (102) additional days to the contract of Paul Jackson & Sons, Inc.

Approval Status & Date: APPROVED, September 8, 2023

Change Order Description: Change Order #2 includes the following: credit for removing the retaining wall in a zone; added a sidewalk in lieu of the retaining wall, additional linear footage for the connecting ramp in a zone; credit for auto-opener at Belle Lettres Hall; removed detectable warming pavers from the scope of work; added three (3) concrete crosswalks in front of the Administration Building; credit for removing the ramp at the football field; additional sidewalk work in a zone; replacement of sidewalk stairs in two zones; replacement of sidewalk and concrete curbs in a zone; replacement of a sidewalk and drainpipe in two zones; and one hundred two (102) days to the contract.

Change Order Justification: These changes were necessary due to latent job site conditions; twenty-two (22) weather related delays; user/owner requested modifications; and eighty (80) days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$55,577.00.

Project Initiation Date: April 16, 2020

Design Professional: Canizaro Cawthorn Davis – A Professional Association

General Contractor: Paul Jackson & Sons, Inc.

Phased Project Budget: \$2,458,414.32

Total Project Budget: \$6,710,000.00

DELTA STATE UNIVERSITY

4. DSU- GS 102-271 – NURSING SCHOOL EXPANSION AND RENOVATION

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$97,327.88 and four (4) additional days to the contract of Richard Womack Construction, LLC.

Approval Status & Date: APPROVED, July 21, 2023

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Change Order Description: Change Order #5 includes the following: rerouted the water and sewer of the west administration area of the existing building; replaced the original continuous angle iron with 11” long pieces to fit between the vertical supports of the GFRC framing; deleted one of the two (2) nursing stations in a room, the millwork on the east wall of a workroom and the island assembly in a faculty lounge; added concrete under the asphalt paving in the roadways that will need to be repaved; additional cost of the HVAC controls above and beyond the allowance specified; and four (4) days to the contract.

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$504,666.26.

Project Initiation Date: February 18, 2021

Design Professional: Eley Guild Hardy Architects

General Contractor: Richard Womack Construction, LLC.

Total Project Budget: \$12,310,000.00

JACKSON STATE UNIVERSITY

5. JSU- GS 103-298 – T.B. ELLIS 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 \$62,928.00 and three hundred seventy-three (373) additional days to the contract of Metro Mechanical Co., Inc.

Approval Status & Date: APPROVED, September 26, 2023

Change Order Description: Change Order #2 includes the following: replaced coils; repiped hot water to the air handling unit on the first floor; and three hundred seventy-three days to the contract.

Change Order Justification: These changes were necessary due to latent job site conditions and in turn due to the long lead time on the VFD and the work being done.

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Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$161,175.62.

Project Initiation Date: August 13, 2020

Design Professional: Engineering Resource Group, Inc.

General Contractor: Metro Mechanical Co., Inc.

Total Project Budget: \$2,722,187.11

MISSISSIPPI STATE UNIVERSITY

6. MSU- GS 113-156 – ARPA INFRASTRUCTURE – WASTE COLLECTION & CONVEYANCE

NOTE: This is a Bureau of Building project

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, September 20, 2023

Approval Request #2: Design Development Documents Waiver

Board staff approved the waiver of Design Development Documents as submitted by Neel-Schaffer, Inc.

Approval Status & Date: APPROVED, September 20, 2023

Project Initiation Date: April 20, 2023

Design Professional: Neel-Schaffer, Inc.

General Contractor: TBD

Total Project Budget: \$1,900,000.00

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7. MSU- IHL 205-283 – ADDITIONS AND RENOVATION TO HUMPHREY COLISEUM PHASE 1

Approval Request #1: Change Order #7

Board staff approved Change Order #7 in the amount of \$171,226.69 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, July 28, 2023

Change Order Description: Change Order #7 includes the following: installed a new junction box, conduit, wiring and relocation of existing light poles; extended eight (8) #6 thhn 1-1/4" PVC to the existing pole; installed additional HVT flooring in an area; revisions to the camera well area to provide a raised counter with electrical and data/communications capabilities; pan stair with the landing in lieu of alternating stair tread with no landing; changes to the fire alarm system; re-routing of the roof drainage for the new east structure and tie-in at the existing basin; added wiring (transformer to Mize Pavilion); and re-painted the concourse level walls at the seating bowl interior.

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

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$2,120,679.67.

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

8. MSU- IHL 205-298 – REBID CRESSWELL HALL RECARPET AND REPAINT

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$12,879.27 and zero (0) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, July 21, 2023

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Change Order Description: Change Order #2 includes the following: jobsite sign credit; manual roller shades added in the lobby area; additional wire mold in the resident rooms; and painted the plastic wire mold in the toilet rooms in lieu of aluminum.

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

Approval Request #2: Change Order #3

Board staff approved Change Order #3 in the credit amount of \$434.00 and zero (0) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, August 15, 2023

Change Order Description: Change Order #3 includes the following: credit issued for graphic wall coverings.

Change Order Justification: This change was due to user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$596,162.27.

Project Initiation Date: December 5, 2019

Design Professional: Shafer Zahner Zahner, PLLC

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$3,700,000.00

9. MSU- IHL 205-324 – HERZER ROOF REPLACEMENT

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$15,020.00 and thirty (30) additional days to the contract of Brown & Root Industrial Services, LLC.

Approval Status & Date: APPROVED, August 30, 2023

Change Order Description: Change Order #1 includes the following: remove and replace deteriorated decking over the cooler and thirty (30) days to the contract.

Change Order Justification: This change was necessary due to the replacement of metal decking that had deteriorated.

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Total Project Change Orders and Amount: One (1) change order for a total amount of \$15,020.00.

Project Initiation Date: April 21, 2022

Design Professional: Shafer Zahner Zahner, PLLC.

General Contractor: Brown & Root Industrial Services, LLC.

Total Project Budget: \$1,300,000.00

10. MSU- IHL 205-313 – HULL HALL NEW ROOF

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$16,047.50 and one hundred eighty (180) additional days to the contract of Roofing Solutions, LLC.

Approval Status & Date: APPROVED, August 4, 2023

Change Order Description: Change Order #2 includes the following: replaced frieze stone at a section of a building on the east side and zero (0) additional days to the contract.

Change Order Justification: This change was necessary due to a section of frieze stone that was extensively damaged.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$41,960.45.

Project Initiation Date: May 20, 2021

Design Professional: Shafer Zahner Zahner, PLLC

General Contractor: Roofing Solutions, LLC

Total Project Budget: \$1,500,000.00

**11. MSU- IHL 205-326 – ROSENBAUM HEALTH SCIENCES – 3RD FLOOR
SIMULATION LAB**

Approval Request #1: Schematic Design Documents

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

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Approval Status & Date: APPROVED, July 28, 2023

Approval Request #2: Design Development Documents Waiver

Board staff approved the waiver of Design Development Documents as submitted by LPK Architects, P.A.

Approval Status & Date: APPROVED, September 8, 2023

Project Initiation Date: April 20, 2023

Design Professional: LPK Architects, P.A.

General Contractor: TBD

Total Project Budget: \$4,250,000.00

12. MSU- IHL 205-327 – RICE HALL RENOVATIONS (FLOORS 1-4)

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$65,757.00 and zero (0) additional days to the contract of Codaray Construction, LLC.

Approval Status & Date: APPROVED, September 20, 2023

Change Order Description: Change Order #1 includes the following: upgraded the existing fire alarm system to tie-in to existing elevator.

Change Order Justification: This change was necessary due to user/owner requested modifications.

Approval Request #2: Change Order #2

Board staff approved Change Order #2 in the amount of \$44,240.50 and five (5) additional days to the contract of Codaray Construction, LLC.

Approval Status & Date: APPROVED, September 20, 2023

Change Order Description: Change Order #2 includes the following: additional abatement performed of asbestos in the ceiling; removed asbestos glue dots behind the millwork in one hundred forty-seven (147) rooms; rubbed concrete masonry unit walls with rubbing

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stone behind the mill wardrobe; rubbed three (3) elevator shaft walls with on shrink grout and bonding agent and paint.

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: Two (2) change orders for a total amount of \$41,960.45.

Project Initiation Date: May 20, 2021

Design Professional: Shafer Zahner Zahner, PLLC

General Contractor: Codaray Construction, LLC

Total Project Budget: \$3,000,000.00

13. MSU- IHL 205-328A – NEW RESIDENCE HALL (SITE PACKAGE)

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$4,965,000.00 to the apparent low bidder Roy Anderson Corp

Approval Status & Date: APPROVED, August 21, 2023

Project Initiation Date: October 25, 2022

Design Professional: Wier Boerner Allin Architecture

General Contractor: Roy Anderson Corp.

Phased Project Budget: \$7,500,000.00

Total Project Budget: \$96,000,000.00

14. MSU- IHL 205-333 – SUMMER PAVING 2023

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$6,743.95 and twenty (20) additional days to the contract of Falcon Contracting, Inc.

Approval Status & Date: APPROVED, September 20, 2023

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Change Order Description: Change Order #1 includes the following: final quantity over/under adjustment based on final field measurements in a unit priced contract; and twenty (20) days to the contract.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$6,743.95.

Project Initiation Date: October 20, 2022

Design Professional: Neel-Schaffer

General Contractor: Falcon Contracting, Inc.

Total Project Budget: \$2,500,000.00

**15. MSU- IHL 205-334 – RCU (RESEARCH & CURRICULUM UNIT)
RENOVATION**

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by MP Design Group.

Approval Status & Date: APPROVED, August 22, 2023

Project Initiation Date: April 20, 2023

Design Professional: MP Design Group

General Contractor: TBD

Total Project Budget: \$2,000,000.00

16. MSU- IHL 205-339 – CENTRAL PLANT COOLING TOWER

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Engineering Resource Group, Inc.

Approval Status & Date: APPROVED, September 20, 2023

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Approval Request #2: Design Development Documents Waiver

Board staff approved the waiver of Design Development Documents as submitted by Engineering resource Group, Inc.

Approval Status & Date: APPROVED, September 20, 2023

Approval Request #3: Contract Documents

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

Approval Status & Date: APPROVED, September 21, 2023

Approval Request #4: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 21, 2023

Project Initiation Date: April 20, 2023

Design Professional: Engineering resource Group, Inc.

General Contractor: TBD

Total Project Budget: \$6,000,000.00

17. MSU- IHL 213-145 – AQUATIC FOOD RESEARCH CENTER

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, August 2, 2023

Project Initiation Date: November 19, 2020

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Total Project Budget: \$7,300,000.00

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18. MSU- IHL 213-148 – NORTH FARM GREENHOUSE

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,019,000.00 to the apparent low bidder Byrum Construction, Inc.

Approval Status & Date: APPROVED, August 31, 2023

Project Initiation Date: March 23, 2023

Design Professional: Johnson-McAdams Firm, P.A.

General Contractor: Byrum Construction, Inc.

Total Project Budget: \$1,400,000.00

19. MSU- IHL 405-004 – HIGH PERFORMANCE COMPUTING DATA CENTER

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$97,137.07 and zero (0) additional days to the contract of West Brothers Construction.

Approval Status & Date: APPROVED, September 20, 2023

Change Order Description: Change Order #1 includes the following: omitted lime stabilization in the mechanical yard and the electrical yad; installed cast-in-place in lieu of hollow core planks; investigated the existing sanitary sewer to establish the location of the run to confirm the existing line is not below the building foundation, mechanical or electrical yards; installed a 6” water service to the building in lieu of a 4” water line; omitted concrete duct bank at the electrical underground utility under the building footprint only; installed sand fill in lieu of the concrete duct bank; upsized the circuit breaker for the elevator; installed four (4) additional drilled pers for a future storage tank.

Change Order Justification: This change was necessary due to changes in requirements or recommendations by governmental agencies; latent job site conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$97,137.07.

Project Initiation Date: October 19, 2020

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Design Professional: Dale Partners Architects, P.A.
General Contractor: West Brothers Construction
Total Project Budget: \$45,000,000.00

20. MSU- IHL 405-006 – BOST DRIVE EXTENSION FOR CAAD

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Neel-Schaffer, Inc.

Approval Status & Date: APPROVED, September 20, 2023

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 20, 2023

Project Initiation Date: November 17, 2022

Design Professional: Neel-Schaffer, Inc.

General Contractor: TBD

Total Project Budget: \$3,000,000.00

21. MSU- IHL 413-001 – BALLEW HALL RENOVATION

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$131,286.12 and sixteen (16) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, September 25, 2023

Change Order Description: Change Order #1 includes the following: added a fire suppression floor control valve and solenoid; added a steel stud wall and steel angle lintels above the new openings; added concrete masonry unit block infills in existing walls; constructed a new hallway wall at a room; leveled floors at the first floor; added power to the auditorium tables; added light fixtures and fire alarms; and sixteen days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$222,156.69.

Project Initiation Date: August 20, 2020

Design Professional: Belinda Stewart Architects

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$13,000,000.00

MISSISSIPPI UNIVERSITY FOR WOMEN

22. MUW- IHL 204-134 – CAMPUS HVAC IMPROVEMENTS

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$438.00 and one hundred twenty (120) additional days to the contract of Brislin, Inc.

Approval Status & Date: APPROVED, August 29, 2023

Change Order Description: Change Order #1 includes the following: deduct in controls allowance; controls upgrade; power controls repairs; replaced chill water control valves in McDevitt; Pohl VFD repairs; Martin CT actuator repairs; Martin CT bearing/shaft repairs; and one hundred twenty (120) days to the contract.

Change Order Justification: These changes were due to changes in requirements or recommendations by governmental agencies; latent job site conditions; and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$438.00.

Project Initiation Date: April 9, 2022

Design Professional: Dewberry Engineers, Inc.

General Contractor: Brislin, Inc.

Total Project Budget: \$1,872,000.00

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23. UM- IHL 207-473.2 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (PH 2) FIELD PKG. B (SITE IMPROVEMENTS)

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$152,132.57 and four (4) additional days to the contract of D.C. Services, LLC.

Approval Status & Date: APPROVED, September 5, 2023

Change Order Description: Change Order #1 includes the following: added a segmental retaining wall with a guardrail on the east side of the service drive at the north side of the site to avoid fill grading beneath the existing tree canopies; added a trench storm drain at the east end of north drive; revised east parking and access drive, adding paving; revised storm drainage piping routing to other underground utilities.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$152,132.57.

Approval Status & Date: APPROVED, August 5, 2023

Project Initiation Date: March 16, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: DC Services, LLC

Phased Project Budget: \$2,573,671.48

Total Project Budget: \$32,000,000.00

24. UM- IHL 207-473.2 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (PH 2) FIELD PKG G (ELECTRICAL)

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$79,495.02 and zero (0) additional days to the contract of Advanced Electric Company, Inc.

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Approval Status & Date: APPROVED, September 5, 2023

Change Order Description: Change Order #1 includes the following: added conduit, transformer, panel LVC, feeder wire, breakers for power and communication to video board location; added conduit and circuits to field light poles to support RGB controls.

Change Order Justification: These changes are due to owner requested modifications based on deferred selection of final video board and field light design requirements.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$79,495.02.

Approval Status & Date: APPROVED, September 5, 2023

Project Initiation Date: March 16, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: Advance Electric Company, Inc.

Phased Project Budget: \$1,973,982.73

Total Project Budget: \$32,000,000.00

25. UM- IHL 207-473.3 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (MISC.)

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, July 21, 2023

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, July 21, 2023

Project Initiation Date: March 16, 2023

Design Professional: McCarty Architects, P.A.

Construction Management Advisor: Innovative Construction Management, LLC [CMa]

Phased Project Budget: \$6,204,647.00

Total Project Budget: \$32,000,000.00

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26. UM- IHL 207-473.3 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (MISC.) PKG H (CONCRETE)

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,450,000.00 to the apparent low bidder W&W Construction.

Approval Status & Date: APPROVED, September 7, 2023

Project Initiation Date: March 16, 2023
Design Professional: McCarty Architects, P.A.
General Contractor: W&W Construction
Phased Project Budget: \$1,862,418.17
Total Project Budget: \$32,000,000.00

27. UM- IHL 207-473.3 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (MISC.) PKG J (STEEL)

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,933,000.00 to the apparent low bidder Steel Fab, Inc.

Approval Status & Date: APPROVED, September 7, 2023

Project Initiation Date: March 16, 2023
Design Professional: McCarty Architects, P.A.
General Contractor: Steel Fab, Inc.
Phased Project Budget: \$3,767,222.40
Total Project Budget: \$32,000,000.00

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28. UM- IHL 207-473.3 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (MISC.) PKG K (VIDEO BOARD)

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$784,950.00 to the apparent low bidder Munn Enterprises, Inc.

Approval Status & Date: APPROVED, September 7, 2023

Project Initiation Date: March 16, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: Munn Enterprises

Phased Project Budget: \$1,008,210.44

Total Project Budget: \$32,000,000.00

29. UM- IHL 207-473.4 – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (PH 4) STADIUM

Approval Request #1: Design Development Documents

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

Approval Status & Date: APPROVED, September 22, 2023

Approval Request #2: Contract Documents

Board staff approved Contract Documents as submitted by McCarty Architects, P.A.

Approval Status & Date: APPROVED, September 27, 2023

Approval Request #3: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, September 27, 2023

Project Initiation Date: March 16, 2023

Design Professional: McCarty Architects, P.A.

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General Contractor: TBD
Total Project Budget: \$32,000,000.00

30. UM- IHL 207-474 – SOC-COSTUME SHOP RELOCATION

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the credit amount of \$2,000.00 and zero (0) additional days to the contract of JP Corp General Contractors.

Approval Status & Date: APPROVED, September 8, 2023

Change Order Description: Change Order #5 includes the following: credit issued for liquidated damages of the project.

Change Order Justification: These changes were due to the contract completion date exceeding the contract completion date.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$44,558.91.

Project Initiation Date: January 20, 2022
Design Professional: McCarty Architects
General Contractor: JP Corp General Contractors
Total Project Budget: \$1,378,790.00

**31. UM- IHL 207-492.1 OXFORD-UNIVERSITY STADIUM EXPANSION-PH 1
(Electrical)**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Cooke Douglass Farr Lemons, Architects + Engineers, P.A.

Approval Status & Date: APPROVED, August 2, 2023

Approval Request #2: Design Development Documents Waiver

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Board staff approved the Waiver of Design Development Documents as submitted by Cooke Douglass Farr Lemons Architects + Engineers, P.A.

Approval Status & Date: APPROVED, August 2, 2023

Approval Request #3: Contract Documents

Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons Architects + Engineers, P.A.

Approval Status & Date: APPROVED, August 9, 2023

Approval Request #4: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 9, 2023

Project Initiation Date: January 30, 2023

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

Construction Management Advisor: Innovative Construction Management, LLC [CMA]

Phased Project Budget: \$1,420,811.00

Total Project Budget: \$30,000,000.00

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

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by UM Department of Facilities Planning.

Approval Status & Date: APPROVED, August 2, 2023

Approval Request #2: Design Development Documents Waiver

Board staff approved the Waiver of Design Development Documents as submitted by UM Department of Facilities Planning.

Approval Status & Date: APPROVED, August 16, 2023

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Project Initiation Date: January 19, 2023
Design Professional: UM Department of Facilities Planning
General Contractor: TBD
Total Project Budget: \$3,943,950.00

33. UM- IHL 207-497 – NEW STUDENT HOUSING

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, August 17, 2023

Project Initiation Date: January 6, 2023
Design Professional: McCarty Architects
General Contractor: TBD
Phased Project Budget: \$13,506,823.68
Total Project Budget: \$16,000,000.00

34. UM- IHL 207-498.1 NW MECHANICAL PLANT PHASE III (MECHANICAL)

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Eley Guild Hardy Architects.

Approval Status & Date: APPROVED, August 17, 2023

Approval Request #2: Contract Documents

Board staff approved Contract Documents as submitted by Eley Guild Hardy Architects

Approval Status & Date: APPROVED, September 8, 2023

Approval Request #3: Advertise

Board staff approved request to advertise for receipt of bids.

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Approval Status & Date: APPROVED, September 8, 2023

Project Initiation Date: January 6, 2023

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Phased Project Budget: \$26,953,729.36

Total Project Budget: \$31,400,000.00

35. UM- IHL 207-501 ARPA INFRASTRUCTURE – WATER SOURCE

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by W.L. Burle Engineers.

Approval Status & Date: APPROVED, August 16, 2023

Approval Request #2: Design Development Documents Waiver

Board staff approved the Waiver of Design Development Documents as submitted by W.L. Burle Engineers.

Approval Status & Date: APPROVED, August 16, 2023

Project Initiation Date: February 17, 2023

Design Professional: W.L. Burle Engineers

General Contractor: TBD

Total Project Budget: \$1,500,000.00

36. UM- IHL 407-001 – JIM & THOMAS DUFF CENTER FOR SCIENCE AND TECHNOLOGY INNOVATION

Approval Request #1: Change Order #6

Board staff approved Change Order #6 in the amount of \$39,471.14 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Company.

Approval Status & Date: APPROVED, August 14, 2023

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Change Order Description: Change Order #6 includes the following: added additional blocking for TV mounts; added a guardrail attachment at the west plaza; added a cable tray through the fire wall on level 2; added lavatory sink supports; and added handrails in the lecture halls.

Change Order Justification: These changes were due to errors and omissions in the plans and specifications; and latent job site conditions.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$402,267.09.

Project Initiation Date: January 16, 2012

Design Professional: McCarty Architects

General Contractor: W.G. Yates & Sons Construction Company

Phased Project Budget: 157,086,816.63

Total Project Budget: \$175,200,000.00

37. UM- IHL 407-003 – PHASE II UPGRADE HVAC CONTROLS-NATURAL PRODUCTS & FASER HALL

Approval Request #2: Contract Documents

Board staff approved Contract Documents as submitted by DBES, LLC

Approval Status & Date: APPROVED, August 29, 2023

Approval Request #3: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 29, 2023

Project Initiation Date: February 17, 2022

Design Professional: DBES, LLC.

General Contractor: TBD

Total Project Budget: \$5,300,000.00

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38. UM- IHL 407-006 – MARTINDALE COLE – ROOF REPLACEMENT

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$24,469.70 and fifty-two (52) additional days to the contract of E. Cornell Malone Corporation.

Approval Status & Date: APPROVED, September 6, 2023

Change Order Description: Change Order #1 includes the following: repaired deteriorated precast cornice at the south side of the building; and fifty-two (52) days to the contract.

Change Order Justification: These changes were due to the condition and location that it would be most cost effective to reconstruct/repair the existing precast; forty-two (42) days for weather related delays and ten (10) days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$24,469.70.

Project Initiation Date: May 19, 2022

Design Professional: Shafer Zahner Zahner

General Contractor: E. Cornell Malone Corporation

Total Project Budget: \$1,820,000.00

39. UM- IHL 407-009 BREVARD HALL 2ND FLOOR LABS

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,206,845.00 to the apparent low bidder Kenneth R. Thompson Jr. Builder, Inc.

Approval Status & Date: APPROVED, August 16, 2023

Project Initiation Date: January 19, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: Kenneth R. Thompson, Jr. Builder, Inc.

Total Project Budget: \$2,943,296.000

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40. UMMC- IHL 209-566 – PATIENT CARE UNITS EXPANSION

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$15,341,000.00 to the apparent low bidder Flagstar Construction Company, Inc.

Approval Status & Date: APPROVED, August 25, 2023

Project Initiation Date: April 19, 2018

Design Professional: ESA Architects

General Contractor: Flagstar Construction Company, Inc.

Total Project Budget: \$23,730,000.00

41. UMMC- IHL 209-576 – MS CENTER FOR MEDICALLY FRAGILE CHILDREN

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Eley/Barkley/Dale – A Joint Venture

Approval Status & Date: APPROVED, August 4, 2023

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 4, 2023

Project Initiation Date: April 25, 2019

Design Professional: Eley/Barkley/Dale – A Joint Venture

General Contractor: TBD

Total Project Budget: \$15,900,000.00

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42. UMMC- IHL 209-579 COLONY PARK

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers.

Approval Status & Date: APPROVED, August 24, 2023

Approval Request #2: Contract Documents

Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers

Approval Status & Date: APPROVED, October 2, 2023

Approval Request #3: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 2, 2023

Project Initiation Date: June 16, 2022

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers

General Contractor: TBD

Total Project Budget: \$105,910,527.00

43. UMMC- IHL 209-579B COLONY PARK SITE UTILITIES AND ROADWAY IMPROVEMENTS

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers.

Approval Status & Date: APPROVED, August 24, 2023

Project Initiation Date: April 20, 2023

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers

General Contractor: TBD

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Total Project Budget: \$5,897,737.00

44. UMMC- IHL 209-579B.1 COLONY PARK SITE UTILITIES AND GRADING

Approval Request #1: Design Development Documents Waiver

Board staff approved the Waiver of Design Development Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers.

Approval Status & Date: APPROVED, August 30, 2023

Approval Request #2: Contract Documents

Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers

Approval Status & Date: APPROVED, August 30, 2023

Approval Request #3: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 30, 2023

Project Initiation Date: April 20, 2023

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers

General Contractor: TBD

Phased Project Budget: \$3,175,088.00

Total Project Budget: \$5,897,737.00

45. UMMC- IHL 209-579B.2 COLONY PARK SITE ELECTRICAL UTILITIES

Approval Request #1: Design Development Documents Waiver

Board staff approved the Waiver of Design Development Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers.

Approval Status & Date: APPROVED, August 30, 2023

Approval Request #2: Contract Documents

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Board staff approved Contract Documents as submitted by Cooke Douglass Farr Lemons, Architects & Engineers

Approval Status & Date: APPROVED, August 30, 2023

Approval Request #3: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 30, 2023

Project Initiation Date: April 20, 2023

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers

General Contractor: TBD

Phased Project Budget: \$2,722,620.00

Total Project Budget: \$5,897,737.00

**46. UMMC- IHL 209-580A – RENOVATION FOR ADOLESCENT PSYCH -
ADMINISTRATIVE OFFICES**

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by JH&H, Architects, P.A.

Approval Status & Date: APPROVED, July 27, 2023

Project Initiation Date: June 16, 2017

Design Professional: JH&H Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$2,458,882.00

Total Project Budget: \$6,500,000.00

47. UMMC- IHL 209-582 – UPDATE LAKELAND MEDICAL BUILDING

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on July 22, 2023, to approve the budget increase from

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\$1,950,000.00 to \$2,200,000.00 for an increase of \$250,000.00 for the Update Lakeland Medical Building project.

Interim Approval Status & Date: APPROVED, July 22, 2023

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$113,275.42 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, September 20, 2023

Change Order Description: Change Order #1 includes the following: credit issued for valve engineered options; incorporated the new flooring and painting on the 3rd and 4th floor only.

Change Order Justification: These changes were due to user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$113,275.42.

Project Initiation Date: June 16, 2022

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

General Contractor: Thrash Construction Company

Total Project Budget: \$2,200,000.00

48. UMMC- IHL 209-583 – NEUROSURGERY OFFICE RENOVATION

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$24,506.00 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, September 20, 2023

Change Order Description: Change Order #3 includes the following: touched up minor paint scuffs and scrapes throughout the new space; added two (2) automatic door operators to both existing door leaves at an opening, including related access controls work and re-programming; replaced the existing vinyl plank flooring with new carpet tile to match the

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new flooring recently installed on the west side of the elevator lobby; installed a new rubber base to cover the existing cracked tile base.

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 \$70,286.00.

Project Initiation Date: October 16, 2022

Design Professional: JBHM Architects, P.A.

General Contractor: Fountain Construction Company, Inc.

Total Project Budget: \$1,550,000.00

49. UMMC- IHL 409-001 – RESEARCH AHU REPLACEMENT

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$12,779.65 and thirty (30) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, September 20, 2023

Change Order Description: Change Order #2 includes the following: infill of an outer wall in the sub-basement; and thirty (30) days to the contract.

Change Order Justification: This change was necessary due to incoming rain water flooding the sub-basement of the building and causing the drains for condensate to stop up, and water flooding the sub-basement to breach the inside of the air handler unit; and thirty (30) days for work as indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$18,467.42.

Project Initiation Date: August 16, 2018

Design Professional: Dean & Dean Architects

General Contractor: Fountain Construction Company, Inc.

Total Project Budget: \$2,122,624.00

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

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$5,090,000.00 to the apparent low bidder Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, August 3, 2023

Project Initiation Date: October 2, 2021

Design Professional: Dean Architecture

General Contractor: Fountain Construction Company, Inc.

Total Project Budget: \$6,407,376.00

51. UMMC- IHL 409-003 – CAMPUS EMERGENCY SYSTEM UPGRADES

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$13,897.00 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, September 26, 2023

Change Order Description: Change Order #2 includes the following: added three (3) additional pilings to the foundation structure; and replaced the blue windscreen installed on the chain link fencing with black windscreen.

Change Order Justification: This change was 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 \$80,537.72.

Project Initiation Date: November 16, 2017

Design Professional: Cook Douglass Farr Lemons Architects & Engineers, P.A.

General Contractor: Fountain Construction Company, Inc.

Total Project Budget: \$6,700,000.00

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52. UMMC- IHL 409-005.1- NEW SCHOOL OF NURSING – EARLY DEMO REBID

Approval Request #1: Construction Documents

Board staff approved the Construction Documents as submitted by Eley Guild Hardy Architects

Approval Status & Date: APPROVED, August 31, 2023

Approval Request #2: Advertise/Receive Bids

Board staff approved the request to Advertise/Receive Bids

Approval Status & Date: APPROVED, August 31, 2023

Project Initiation Date: January 19, 2023

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Phased Project Budget: \$758,185.00

Total Project Budget: \$65,000,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

53. USM- GS 108-308- REED GREEN COLISEUM ROOF REPLACEMENT

Approval Request #1: Construction Documents

Board staff approved the Construction Documents as submitted by WBA Architecture

Approval Status & Date: APPROVED, October 3, 2023

Approval Request #2: Advertise/Receive Bids

Board staff approved the request to Advertise/Receive Bids

Approval Status & Date: APPROVED, October 3, 2023

Project Initiation Date: August 18, 2022

Design Professional: WBA Architecture

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General Contractor: TBD
Total Project Budget: \$3,500,000.00

**54. USM – GS 108-313 – HILLCREST PARKING LOT STORM DRAIN REPAIR
AND UPGRADE**

NOTE: This is a Bureau of Building project

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, August 30, 2023

Approval Request #2: Design Development Documents Waiver

Board staff approved the Waiver of Design Development Documents as submitted by Neel-Schaffer, Inc.

Approval Status & Date: APPROVED, August 30, 2023

Project Initiation Date: February 16, 2023
Design Professional: Neel-Schaffer, Inc.
General Contractor: TBD
Total Project Budget: \$3,000,000.00

55. USM – IHL 208-357 – OWINGS MCQUAGGE HALL ROOF REPLACEMENT

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Weir Boerner Allin Architecture, PLLC.

Approval Status & Date: APPROVED, August 30, 2023

Approval Request #2: Design Development Documents Waiver

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Board staff approved the Waiver of Design Development Documents as submitted by Weir Boerner Allin Architecture, PLLC.

Approval Status & Date: APPROVED, August 30, 2023

Project Initiation Date: August 17, 2023

Design Professional: Weir Boerner Allin Architecture, PLLC

General Contractor: TBD

Total Project Budget: \$1,115,530.24

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

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by MP Design Group.

Approval Status & Date: APPROVED, September 13, 2023

Project Initiation Date: June 16, 2022

Design Professional: MP Design Group

General Contractor: TBD

Total Project Budget: \$7,900,000.00

E D U C A T I O N A N D R E S E A R C H C E N T E R

57. ERC-GS 111-070 - MECHANICAL UPGRADES

NOTE: This is a Bureau of Building project

Approval Request #1: Construction Documents

Board staff approved the Construction Documents as submitted by ERG

Approval Status & Date: APPROVED, July 19, 2023

Approval Request #2: Advertise/Receive Bids

Board staff approved the request to Advertise/Receive Bids

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Approval Status & Date: APPROVED, July 19, 2023

Project Initiation Date: June 15, 2023

Design Professional: ERG

General Contractor: TBD

Total Project Budget: \$2,800,000.00

58. ERC-GS 111-071 - RE-ROOF EDUCATION AND RESEARCH CENTER

NOTE: This is a Bureau of Building project

Approval Request #1: Construction Documents

Board staff approved the Construction Documents as submitted by Shafer-Zahner-Zahner, PLLC

Approval Status & Date: APPROVED, July 19, 2023

Approval Request #2: Advertise/Receive Bids

Board staff approved the request to Advertise/Receive Bids

Approval Status & Date: APPROVED, July 19, 2023

Project Initiation Date: June 15, 2023

Design Professional: Shafer-Zahner-Zahner, PLLC

General Contractor: TBD

Total Project Budget: \$2,800,000.00

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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 Brunini, PLLC (statement dated 9/19/23) from the funds of Mississippi State University. (This statement, in the amount of \$13,168.75, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 13,168.75

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statements dated 9/21/23 and 9/21/23) from the funds of Mississippi State University. (These statements, in the amounts of \$2,550.00 and \$4,014.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 6,564.00

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 9/15/23) from the funds of the University of Mississippi. (This statement, in the amount of \$11,961.65, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 11,961.65

Payment of legal fees for professional services rendered by Nelson Mullins Riley & Scarborough, LLP (statement dated 9/22/23) from the funds of the University of Mississippi. (This statement, in the amount of \$2,449.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,449.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 9/1/23, 9/1/23, 9/1/23, 9/1/23, 9/1/23, 9/1/23, 9/1/23, and 9/6/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$42.30, \$47.80, \$535.00, \$543.00, \$2,500.00, \$48.21, \$6,000.00 and \$48.65, respectively, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 9,764.96

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 9/26/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$12,471.67, represents services and expenses in connection with legal advice.)

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TOTAL DUE.....\$ 12,471.67

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 9/13/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$8,689.62, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,689.62

Payment of legal fees for professional services rendered by McDonald Hopkins, LLC (statements dated 9/18/23 and 9/28/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$852.50 and \$1,095.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,948.00

Payment of legal fees for professional services rendered by Zachary & Leggett, PLLC (statements dated 9/1/23 and 10/2/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$4,109.18 and \$252.80, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 4,361.98

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 Conley Rose (statements dated 7/13/23, 7/13/23, 7/13/23, 9/11/23, 9/11/23 and 9/11/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: "Wire Tie Downs" - \$290.00; "Wearable Flexible Sensor Motion Capture System" - \$21.72; "Wearable Stretch and Pressure Sensor Motion Capture System for Human Movement" - \$387.00; "Plug & Play Mount" - \$812.00; "Spool Enclosure" - \$580.00; and "Mobile Markerless Motion Capture for Movement Data Collection in All Environments" - \$1,060.00.)

TOTAL DUE.....\$ 3,150.72

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 9/11/23, 9/11/23 and 9/11/23) 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" - \$197.50; "Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same" - \$809.00; and

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“mRNA Treatment to Induce Expression of Relaxin for Reproductive Applications in Animals and Humans” - \$1,779.00.)

TOTAL DUE.....\$ 2,785.50

Payment of legal fees for professional services rendered by Thomas Horstemeyer, LLP (statements dated 6/30/23, 6/30/23, 6/30/23, 6/30/23, 7/31/23, 7/31/23, 7/31/23, 7/31/23, 8/20/23, 8/20/23 and 8/20/23) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Composition for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$235.53; “Composition for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$187.20; “UM 10070” - \$3,883.00; “UM 10250” - \$3,370.00; “Biologically Active Cannabidiol Analogs” - \$905.60; “Biologically Active Cannabidiol Analogs” - \$2,615.19; “UM 10220” - \$3,120.00; “UM 10240” - \$5,120.00; “Composition for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$969.44; “UM 10100” - \$6,671.00; and “UM 10030” - \$3,691.00.)

TOTAL DUE.....\$ 30,767.96

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 9/20/23, 9/20/23, 9/20/23, 9/20/23, 9/20/23 and 9/20/23) 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: “Organic Photodetection Devices Utilizing an Insulative Component within the Active Layer Blend” - \$1,124.00; “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$1,569.00; “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$800.00; “Narrow Band Gap Conjugated Polymers Employing Cross-Conjugated Donors Useful in Electronic Devices” - \$2,042.00; “Narrow Band Gap Conjugated Polymers Employing Cross-Conjugated Donors Useful in Electronic Devices” - \$300.00; and “Conjugated Polymer Sensors Using the Inner Filter Effect” - \$1,175.00).

TOTAL DUE.....\$ 7,010.00

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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 August 18, 2023, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University (lessee) and the Biloxi Public School District (lessor) for six classrooms and associated areas on the Nichols Elementary School campus in which to operate a Head Start location in connection with Nichols Elementary. The term of the lease is one year from August 1, 2023 through July 31, 2024. The cost is \$57,600 annually to be paid in 12 equal monthly installments of \$4,800 each due on the first day of each month. Further, MSU will reimburse the District a pro rata share of annual expenses for floor stripping and waxing, not to exceed \$2,000. 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 September 26, 2023, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between Mississippi State University and WICO, LLC for property located in Gluckstadt, Mississippi in which to operate a Resource and Referral Center under a grant awarded to MSU by MDHS. The initial term of the lease is one year beginning October 1, 2023 and ending September 30, 2024. Annual rent in the amount of \$48,480 is to be paid in 12 equal monthly installments of \$3,995 each due on the first 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 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.
- c. **MSU** – On October 3, 2023, Commissioner Alfred Rankins, Jr., approved the Farm Lease between Mississippi Agriculture and Forestry Station (MAFES)/Mississippi State University and Prevost Farms, LLC for use of 79.5 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, 2023 through October 31, 2024 with an option for a one-year extension by mutual agreement of all parties. The contractor will pay \$47.50 per acre (\$3,776.25) annually due on October 31st 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 and Service Contracts. A copy of the document is on file in the IHL Board Office.
- d. **MSU** – On October 4, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Adam Feola and Mario Feola for approximately 2,400 square feet of space located at 19185 Commission

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Road, Long Beach, MS to provide space for a Resource and Referral Center operated by the University in accordance with the terms of a grant awarded by MDHS. The term of the lease is 12 months effective September 15, 2023 through September 14, 2024, at a cost of \$30,000 annually or \$2,500 per month payable on the first of each month plus a security deposit in the amount of \$2,500. 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 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.

- e. **MSU** – On October 4, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Northeast Mississippi Community College for Room 163 on the Corinth Campus to provide space for a Resource and Referral Center operated by the University in accordance with the terms of a grant awarded by MDHS. The term of the lease is 12 months effective October 1, 2023 through September 30, 2024, at a cost of \$19,152 annually or \$1,596 per month payable on the first 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 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. **MSU** – On October 4, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and Southwest Mississippi Community College for the Simmons Building Resources Room to provide space for a Resource and Referral Center operated by the University in accordance with the terms of a grant awarded by MDHS. The term of the lease is 12 months effective October 1, 2023 through September 30, 2024, at a cost of \$19,431.96 annually or \$1,619.33 per month payable on the first 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 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.
- g. **MUW** – On October 3, 2023, Commissioner Alfred Rankins, Jr., approved the Facilities Lease Agreement between Mississippi University for Women and Columbus Christian Academy (CCA) for use of CCA's baseball field for MUW's baseball program. The term of the lease is approximately three years beginning upon approval and execution of the agreement and shall terminate on June 30, 2026. MUW will have use of the baseball field for five weeks during the Fall Semesters (September 18 – October 31) and for sixteen weeks during the Spring Semester (January 1 – May 31). CCA will invoice MUW \$1,500 for the 2023 Fall Semester, \$5,000 for the 2023 Spring Semester, and \$5,000 for each of the two following academic years (2024 and 2025 Fall through Spring Semesters)

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with payment due in advance. 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 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.

- h. **MVSU** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On September 26, 2023, Commissioner Alfred Rankins, Jr. approved the final revisions to the Education and General Budget for FY 2023 and revisions to the Education and General Budget for FY 2024. The IHL Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in the total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- i. **UM** – On September 26, 2023, Commissioner Alfred Rankins, Jr., approved the Facilities Use Agreement between the University of Mississippi and Life 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 14, 2024 through April 23, 2024. This is a revenue generating lease with the lessor paying a \$100,000 license fee for use of the facility, a \$150,000 venue operations and utility fee for staffing and utilities within the venue during the term of the agreement. In addition, the university will receive forty percent of all revenue generated by the event. The Attorney General's Office has reviewed the lease and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Service Contracts. A copy of the document is on file in the IHL Board Office.

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PERSONNEL ACTION REPORT

1. Sabbatical

Mississippi State University

FROM: Reuben F. Burch, V; Associate Professor of Industrial and Systems Engineering; *from* salary of \$138,734.00 per annum, pro rata; E&G & Restricted Funds; 9-month contract; *to* salary of \$69,367.00 for sabbatical period; E&G & Restricted Funds; effective August 16, 2023, to December 31, 2023; professional development
[Originally approved by IHL Board March 23, 2023]

CORRECTED: This item was rescinded.

FROM: Claire A. Gipson; Associate Professor of Art; *from* salary of \$72,116.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary of \$36,058.00 for sabbatical period; E&G Funds; effective August 16, 2023, to December 31, 2023; professional development
[Originally approved by IHL Board March 23, 2023]

CORRECTED: This item was rescinded.

University of Mississippi

FROM: Bob Cummings; Executive Director of Academic Innovation, Associate Professor of Writing and Rhetoric, and Director of the Interdisciplinary Minor in Digital Media Studies; salary \$161,173 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective August 17, 2023 to December 31, 2023; professional development
[Originally approved by IHL Board February 16, 2023]

CORRECTED: Bob Cummings; Executive Director of Academic Innovation, Associate Professor of Writing and Rhetoric, and Director of the Interdisciplinary Minor in Digital Media Studies; salary \$161,173 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective January 22, 2024 to May 11, 2024; professional development