

# Board Book

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November 16, 2023

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MISSISSIPPI BOARD OF TRUSTEES OF STATE  
INSTITUTIONS OF HIGHER LEARNING

# Board Meeting Outline

MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

## MEETINGS SCHEDULE

Health Affairs Committee | November 15, 2023, 3:00p | IHL Board Room  
**IHL Board Meeting** | November 16, 2023, 9:00a | IHL Board Room

## CALL TO ORDER INVOCATION

Trustee Dr. Alfred McNair, Jr.  
Trustee Dr. Steven Cunningham

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**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
September 28 & 29, 2023**

**BE IT REMEMBERED**, That the Jackson State University Board Search Committee met at the Board Office in Jackson, Mississippi at 10:00 a.m. on September 28, 2023, and pursuant to notice in writing, to each and every member of said Committee. The following members participated: Dr. Steven Cunningham (Chair), Dr. Ormella Cummings, Mr. Bruce Martin (via Zoom), Mr. Gee Ogletree, and Mr. Hal Parker. Ms. Teresa Hubbard, Mr. Chip Morgan, and Dr. J. Walt Starr also participated via Zoom. The meeting was called to order by Dr. Steven Cunningham, Chair of the Jackson State University Board Search Committee.

**To comply with Miss. Code Ann., §25-41-5, as amended, all votes taken during this Zoom meeting were recorded by name in a rollcall. The meeting was held to discuss personnel issues concerning the search for the next president of Jackson State University.**

**EXECUTIVE SESSION #1**

On motion by Trustee Ogletree, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Cummings, seconded by Trustee Parker, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows:

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

**During Executive Session, the following matter was discussed:**

The Committee 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 Parker, seconded by Trustee Cummings, with Trustee Martin absent and not voting, all Committee members legally present and participating voted unanimously to return to Open Session.**

**On motion by Trustee Cummings, seconded by Trustee Ogletree, with Trustee Martin absent and not voting, all Committee members legally present and participating voted unanimously to recess the meeting until approximately 1:10 p.m.**

**The Jackson State University Board Search Committee meeting reconvened at approximately 1:10 p.m., on September 28, 2023.** The following members participated: Dr. Steven Cunningham (Chair), Dr. Ormella Cummings, Mr. Bruce Martin (via Zoom), Mr. Gee Ogletree, and Mr. Hal Parker. Ms. Teresa Hubbard, Mr. Chip Morgan, and Dr. J. Walt Starr also participated via Zoom. The meeting was called to order by Dr. Steven Cunningham, Chair of the Jackson State University Board Search Committee.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
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**EXECUTIVE SESSION #2**

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

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

**During Executive Session, the following matter was discussed:**

The Committee 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 Martin absent and not voting, all Committee members legally present and participating voted unanimously to return to Open Session.**

**On motion by Trustee Parker, seconded by Trustee Ogletree, with Trustee Martin absent and not voting, all Trustees legally present and participating voted unanimously to recess the meeting until 9:00 a.m. tomorrow, September 29, 2023.**

**The Jackson State University Board Search Committee meeting reconvened at approximately 9:20 a.m., on September 29, 2023 at the Board Office in Jackson, Mississippi.** The following members participated: Dr. Steven Cunningham (Chair), Dr. Ormella Cummings, Mr. Bruce Martin (via Zoom), Mr. Gee Ogletree, and Mr. Hal Parker (via Zoom). Mr. Tom Duff, Ms. Teresa Hubbard, Mr. Chip Morgan, and Dr. J. Walt Starr also participated via Zoom. The meeting was called to order by Dr. Steven Cunningham, Chair of the Jackson State University Board Search Committee.

**To comply with Miss. Code Ann., §25-41-5, as amended, all votes taken during this Zoom meeting were recorded by name in a rollcall. The meeting was held to discuss personnel issues concerning the search for the next president of Jackson State University.**

**EXECUTIVE SESSION #3**

On motion by Trustee Ogletree, with Trustee Parker absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
September 28 & 29, 2023**

declare an Executive Session. On motion by Trustee Cummings, seconded by Trustee Ogletree, with Trustee Parker absent and not voting, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows:

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

**During Executive Session, the following matter was discussed:**

The Committee 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 Ogletree, all Committee members legally present and participating voted unanimously to return to Open Session.**

**On motion by Trustee Ogletree, seconded by Trustee Cummings, all Committee members legally present and participating voted unanimously to recess the meeting until approximately 1:10 p.m.**

**The Jackson State University Board Search Committee meeting reconvened at approximately 1:10 p.m., on September 29, 2023.** The following members participated: Dr. Steven Cunningham (Chair), Dr. Ormella Cummings, Mr. Bruce Martin (via Zoom), Mr. Gee Ogletree, and Mr. Hal Parker (via Zoom). Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Luckey, and Dr. J. Walt Starr also participated via Zoom. The meeting was called to order by Dr. Steven Cunningham, Chair of the Jackson State University Board Search Committee.

**EXECUTIVE SESSION #4**

On motion by Trustee Cummings, seconded by Trustee Ogletree, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Ogletree, seconded by Trustee Cummings, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows:

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

**During Executive Session, the following matter was discussed:**

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

**MINUTES OF THE BOARD OF TRUSTEES OF  
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**On motion by Trustee Cummings, seconded by Trustee Ogletree, with Trustee Martin absent and not voting, all Committee members legally present and participating voted unanimously to return to Open Session.**

**ADJOURNMENT**

There being no further business to come before the Committee, on motion by Trustee Cummings, seconded by Trustee Ogletree, with Trustee Martin absent and not voting, all Committee members legally present and participating voted unanimously to adjourn the meeting.

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
October 10, 2023**

**BE IT REMEMBERED**, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a special called meeting held in the Ainsworth Conference Room on the 1st floor of the School of Pharmacy building on the campus of the University of Mississippi Medical Center in Jackson, Mississippi at 8:30 a.m. on October 10, 2023, and pursuant to notice in writing, to each and every member of said Board. The following members participated: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff (via Zoom), Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker (via Zoom), Mr. Gregg Rader (via Zoom), and Dr. J. Walt Starr (via Zoom). Ms. Teresa Hubbard was absent.

Pursuant to Board Policy 301.0510 Meeting Rules of Order subsection A. Presiding Officer, President Alfred E. McNair, Jr. appointed Trustee Dr. Steven Cunningham as the President Pro Tempore to preside at this meeting. Dr. Cunningham called the meeting to order.

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

**EXECUTIVE SESSION**

On motion by Trustee Ogletree, seconded by Trustee Cummings, with Trustees Duff, Hubbard, Parker, and Starr 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 Duff, Hubbard, and Starr absent and not voting, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows:

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

**During Executive Session, the following matter was discussed:**

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 Morgan, with Trustees Hubbard, McNair, Parker, and Starr absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
October 10, 2023**

**ADJOURNMENT**

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

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
October 19, 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 Board Office in Jackson, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2022, to each and every member of said Board said date being at least five days prior to this October 19, 2023 meeting. At the above-named place the following members were present to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr. (via Zoom), Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. Ms. Teresa Hubbard was absent. The meeting was called to order by Mr. Buce Martin, Vice President. Trustee Rader introduced his son, Pastor Bryce Rader, Pastor of Discipleship at Christ Fellowship Church of Williamsburg, Virginia, who provided the invocation.

**INTRODUCTION OF GUESTS**

- Dr. Joe Paul, President of the University of Southern Mississippi, introduced two new employees – Dr. Lance Nail, Provost, and Dr. Kristi Motter, Vice President for Student Affairs and Enrollment Management. Vice President Martin welcomed Drs. Nail and Motter.
- Vice President Martin acknowledged the following Student Government Association members: President Jordan Buck from Alcorn State University, President Haley Rooks from Delta State University, President Ellie Herndon from Mississippi State University, President Cajanique Ollie from Mississippi Valley State University, and President Jonathan Jenkins from the University of Southern Mississippi.

**APPROVAL OF THE MINUTES**

On motion by Trustee Cummings, seconded by Trustee Cunningham, with Trustees Hubbard and McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on September 21-22, 2023.

**CONSENT AGENDAS**

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

**ACADEMIC AFFAIRS**

1. **MUW** – Approved the request to modify an existing academic unit as follows.  
Renaming  
Current unit title: College of Nursing and Health Sciences  
Proposed unit title: Bill and Jo-Ann Vandergriff College of Nursing and Health Sciences

**MINUTES OF THE BOARD OF TRUSTEES OF  
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*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

**FINANCE**

2. **JSU** – Approved the request to enter a service agreement with Diversified Elevator and Equipment Company, Inc. for elevator maintenance services. The term of the contract is November 1, 2023 through October 31, 2025. The 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. 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 costs. If all renewal periods are exercised, the contract will total approx. \$1,500,000. for the five (5) year period. The agreement will be funded by Education and General funds and Auxiliary funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
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3. **UM** – Approved the budget escalation for the Research Institute of Pharmaceutical Sciences for FY 2023.

**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	-	-	-
<b>Total</b>	<b>\$ 16,717,240</b>	<b>\$ 960,013</b>	<b>\$ 17,677,253</b>

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.

4. **UMMC** – Approved the request to amend the Purchase Agreement with Medtronic USA, Inc. 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. The Board also approved the request for the institution to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the amended agreement is seven (7) years, from January 1, 2019, through December 31, 2025. The original agreement was for a term of three (3) years beginning on 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. The total estimated cost of the amended agreement over the seven (7) year term remains unchanged, it is \$3,525,000. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **UMMC** – Approved the request to enter a Service Agreement with Huron Consulting Services LLC (Huron) to support UMMC's efforts to improve its revenue cycle operational 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. The term of the agreement is one (1) year, from November 1, 2023, through October 31, 2024. 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

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October 19, 2023**

increased recurring benefit for the Hospital program exceeding \$4,000,000 and the Physician program exceeding \$1,000,000 per quarter. The agreement will be funded by patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**REAL ESTATE**

6. **JSU** – Approved the initiation of GS 103-319, McAllister Whiteside Residence Hall Renovation, and the appointment of Foil Wyatt Architects & Planners, PLLC as the design professional. This project will completely redesign and renovate the McAllister Whiteside residential 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. The proposed project budget is \$250,000. Funds are available from SB 2971, Laws of 2021 (\$250,000).
7. **MSU** – Approved the initiation of IHL 205-347, Magruder Hall Repairs & Renovation, and the appointment of Burris/Wagnon Architects, P.A. as the design professional. Repairs and renovations may include, but are 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. The proposed project budget is \$125,000. Funds are available from University Designated Funds (\$125,000).
8. **MSU** – Approved the initiation of IHL 205-348, Hull Hall Repairs & Renovation, and the appointment of Shafer Zahner Zahner Architects, PLLC as the design professional. 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. The proposed project budget is \$150,000. Funds are available from University Designated Funds (\$150,000).
9. **MSU** – Approved the initiation of IHL 205-349, Etheredge Hall Repairs & Renovation, and the appointment of Dunaway Williams as the design professional. 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. The proposed project budget is \$175,000. Funds are available from University Designated Funds (\$175,000).
10. **MSU** – Approved the initiation of IHL 205-350, Carpenter Hall Repairs & Renovations, and the appointment of ArchitectureSouth, P.A. as the design professional. Repairs and renovations may include, but not limited to, window & door restoration/replacement, façade repairs, new elevator tower, systems upgrades/modernizations, life safety improvements, ADA upgrades, interior finish improvements and renovations. The proposed project budget is \$150,000. Funds are available from University Designated Funds (\$150,000).

**MINUTES OF THE BOARD OF TRUSTEES OF  
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11. **MSU** – Approved the initiation of IHL 205-351, New 13kV Distribution Bays at MSU Electrical Substation, and the appointment of Atwell & Gent, P.A. as the design professional. The scope is to 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). The proposed project budget is \$225,000. Funds are available from University Designated Funds (\$225,000).
12. **MSU** – Approved the initiation of IHL 205-352, New 13kV Circuit to South Campus Mechanical Plant, and the appointment of Atwell & Gent, P.A. as the design professional. The scope is to 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). It includes two 3000 kVA pad mounted transformers to energize the future plant. The proposed project budget is \$200,000. Funds are available from University Designated Funds (\$200,000).
13. **UM** – Approved the initiation of IHL 207-506, Shomaker HVAC Replacement, and the appointment of Corbett Legge & Associates, PLLC, as the design professional. Over time, all 8 HVAC units that serve Shomaker Hall 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. The proposed project budget is \$1.5 million. Funds are available from Internal R&R (\$1,500,000).
14. **UM** – Approved the request to increase the project budget for GS 107-329, ARPA Infrastructure – Water Source, from \$1,500,000 to \$2,000,000 for an increase of \$500,000. The funding source will remain the same. 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 the potable drinking water to campus residents and employees. Funds are available from ARPA Funds (\$2,000,000).
15. **ERC** – Approved the request to increase the project budget for GS 111-064, Mechanical Improvements, from \$2,773,946.69 to \$2,973,946.69 for an increase of \$200,000. The Board also approved the request to add HB 603, Laws of 2023 as a funding source to allow for this increase. This project consists of replacing the building’s Air Handler Units which are original to the building (50 years old). Funds are available from 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); and HB 603, Laws of 2023 (\$200,000).
16. **ERC** – Approved the request to increase the project budget for GS 111-070, ERC Mechanical Upgrades, from \$2,800,000 to \$3,200,000 for an increase of \$400,000. The funding source will remain unchanged. The project will replace Chiller #1 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. Funds are available from HB 603, Laws of 2023 (\$3,200,000).

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17. **MSU** – Approved the request to increase the project budget for IHL 413-003, Dorman Hall Renovation, from \$400,000 to \$32,910,000 for an increase of \$32,510,000. The Board approved the request to add SB 2971, Laws of 2021; HB 1353, Laws of 2022; HB 603, Laws of 2023; and MSU Designated Funds to allow for this increase. The Board also approved the exterior design of the building. The rendering is included in the bound *October 19, 2023 Board Working File*. This project will provide repair/renovations and capital improvements to Dorman Hall which includes HVAC renovations, ADA improvements, along with interior and exterior upgrades. Funds are available from 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); and MSU Designated Funds (\$1,600,000).
18. **DSU** – Approved the request 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. 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%. The contract amount for (firm term) years 1 – 5 is \$398,349.38 per year and for (non-firm term) years 6-10 is \$277,224.72 per year. The 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). The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable.
19. **MSU** – Approved the request to demolish and delete from inventory Buildings #1288, #1289, #1290, and #1291. These structures are silage storage bunkers are in Starkville, MS and were constructed in 1985. The structures are not buildings and should have never been classified as buildings. The structures have retaining walls only with no roof and are 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 IHL Office of Real Estate and Facilities.
20. **MSU** – Approved the request to demolish and delete from inventory Buildings #1701 – Wildlife Shop. The building, which was constructed in 1998 in Starkville, MS, 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 IHL Office of Real Estate and Facilities.

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21. **MSU** – Approved the exterior design of IHL 205-328, New Residence Hall project for student housing. The rendering is included in the bound *October 19, 2023 Board Working File*.
22. **MSU** – Approved the request to enter 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, the Board also approved the request 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 submit information items to the Board for all modifications, including supplemental/additional services, to the contract so long as such modifications remain within the Board-approved budget. All modifications that require exceeding the approved budget will be submitted to the Board for its approval. The contract will commence upon execution and will expire one year from the date of substantial completion of the project. 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. Funds are available from University Designated Funds for planning only. MSU will submit for Board approval as additional funding sources are secured. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.
23. **UMMC** – Approved the exterior design of IHL 209-579, Colony Park project. A rendering is included in the bound *October 19, 2023 Board Working File*.

**LEGAL**

24. **JSU** – Pending approval by the Attorney General, the Board approved the request to enter 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.

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

<b><u>Type of Immigration Processing</u></b>	<b><u>Attorney's Fees<sup>1</sup></u></b>
<b>Permanent resident status ("green card"/immigrant) processing – labor certification required<sup>2</sup></b>	
"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 <sup>3</sup>	\$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
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
<b>Permanent resident status ("green card"/immigrant) processing – "Outstanding professors and researchers" (labor certification not required)<sup>4</sup></b>	
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
<b>Permanent resident status ("green card"/immigrant) processing – "extraordinary ability" or "National Interest Waiver" (labor certification not required)<sup>5</sup></b>	
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

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<b><u>Type of Immigration Processing</u></b>	<b><u>Attorney's Fees<sup>1</sup></u></b>
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
<b>Temporary status (nonimmigrant) processing</b>	
H-1B "specialty occupation" petition <sup>6</sup>	\$2,000.00
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

<sup>1</sup> 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)

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

<sup>3</sup> 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.

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

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

<sup>6</sup> 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).

25. **JSU** – Approved the request to enter 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 on 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 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.

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

Nonimmigrant Petitions and Processes

H-1B petition	\$2500*
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

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

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

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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

26. **UM** – Approved the request to enter 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.
27. **MSU** – Approved 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. A copy of the agreement is included in the bound *October 19, 2023 Board Working File*.

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**PERSONNEL REPORT**

**28. 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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**REGULAR AGENDAS**

**ACADEMIC AFFAIRS**

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee Cunningham, with Trustees Hubbard and McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Parker, seconded by Trustee Cummings, with Trustees Hubbard and McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve item #2. 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 Jeanne Luckey invoked the privilege of delaying consideration on items #3 - #5 on the Academic Affairs Regular Agenda to allow the revised policy to be distributed to all board members prior to the meeting next month.

1. **JSU** – Pending proper notification and any required approval by the United States Department of Education and Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), the Board approved the request to add the following new degree programs.
  - a. Education Specialist (EdS) in Educational Administration and Supervision K12  
CIP code: 13.0401  
Total credit hours: 33  
Effective date: November 2023
  - b. Education Specialist (EdS) in Psychometry  
CIP code: 13.0604  
Total credit hours: 36  
Effective date: November 2023
  - c. Education Specialist (EdS) in School Counseling  
CIP code: 13.1101  
Total credit hours: 45  
Effective date: November 2023
2. **UM** – Approved the request to add a new center:  
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
3. **SYSTEM** – The Board received the proposed amendments to Board Policy 201.0507 Campus Locations and Programs, subsection C Establishment of Off-Campus Instructional Programs Authorized; Attendance for first reading.

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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.

4. **SYSTEM** – The Board received the 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.

5. **SYSTEM** – An additional amendment to Board Policy 502 New Academic Programs and Units was discussed at the Academic Affairs Committee meeting on October 18, 2023 and is shown in red font below. The Board received all the 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: an impact analysis which evaluates benefits and risks associated with the establishment or expansion of a program ~~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.

## **FINANCE AGENDA**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Starr, with Trustees Hubbard and McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. Trustee Ogletree recused himself from discussing or voting on items #2 - #5 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. On motion by Trustee Duff, seconded by Trustee Starr, with Trustees Hubbard, McNair, and Ogletree absent and not voting, all Trustees legally present and participating voted unanimously to approve items #2 - #5. Trustee Ogletree returned to the room following the discussion and vote on items #2 - #5 on the Finance Agenda.

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1. **MSU** – Approved the request under IHL Bylaw 906 Educational Building Corporation to issue tax-exempt or taxable bonds through the Mississippi State University Educational Building Corporation. The debt issuance will not exceed \$265 million. The loan term will not exceed 30 years. Funds will be used to help finance the 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). Total NPV savings must exceed 3% in order to pursue the refunding transaction. Combined funding = \$265 million: New Money, max par = \$125 million [Residence Hall (IHL# 205-328) and Davis Wade Stadium (IHL# 205-325)] and Refunding = \$140 million. The Board also approved the following bond documents: IHL Resolution, Ground Lease, Lease Agreement, Indenture and 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.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%. Funds are available from various Athletic revenues, including annual seat donations and ticket sales. Rental revenues from the new residence hall will also be a funding source. Legal Staff has reviewed the proposed bond documents for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
2. **UMMC**- Approved the request to enter an Implantable and Disposable Products Purchase Agreement with Abbott Laboratories, Inc. 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. The Board also approved the request for the institution to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the agreement is sixty (60) months from November 1, 2023, through October 31, 2028. 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. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
3. **UMMC**- Approved the request to amend the Agreement with ABIOMED, Inc. 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

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emergency cardiac recovery. The Board also approved the request for the institution to add or remove products under the agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The amended term of the agreement is five (5) years beginning April 1, 2021, and ending March 31, 2026. The original term of the agreement was three (3) years beginning on April 1, 2021. The amendment extends the term by two (2) years. The total estimated cost of the amended agreement over the five (5) year term is \$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. The Agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

4. **UMMC-** Approved the request to amend the Purchase Agreement with Inari Medical, Inc. 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. The Board also approved the request for the institution to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available. 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 on August 23, 2021. The second amendment extends the term by two (2) years. 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. The contract will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
5. **UMMC-** Approved the request to amend the Equipment and Disposable Products Agreement with Philips Image Guided Therapy Corporation 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. The Board also approved the request for the institution to add or remove disposable products under the amended agreement without seeking prior Board approval as long as adequate funds are available. The term of the amended agreement is three (3) years and one (1) month, beginning May 1, 2023, and ending May 31, 2026. The term of the original agreement was May 1, 2023

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through May 25, 2025. The Amendment adds an additional one (1) year and six (6) days to the term of the agreement. 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. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**REAL ESTATE AGENDA**

Presented by Vice President Bruce Martin

Trustee Morgan recused himself from discussing or voting on item #1 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. On motion by Trustee Ogletree, seconded by Trustee Cummings, with Trustees Hubbard, McNair, and Morgan absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Real Estate Agenda. Trustee Morgan returned to the room following the discussion and vote on item #1 on the Real Estate Agenda.

1. **UM** – Approved the request to approve the modification and assignment of a lease agreement between PPR2, Inc., Magnolia Project Group, LLC, and the University of Mississippi. 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. 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. The 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 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

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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). The 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. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

**LEGAL AGENDA**

Presented by Trustee Gee Ogletree, Chair

On motion by Trustee Starr, seconded by Trustee Cunningham, with Trustees Hubbard and McNair absent and not voting, all Trustees legally present and participating voted unanimously to move items #1 and #2 to the Executive Session Agenda.

1. **UMMC** – Settlement of Tort Claim No. 2078. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
2. **USM** – Settlement of a Civil Action Number 24CI1:19-cv-00031. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

**INFORMATION AGENDAS**

Presented by Commissioner Alfred Rankins, Jr.

**ACADEMIC AFFAIRS**

1. **USM** – Intent to offer the following existing degree programs by distance learning.
  - 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
2. **SYSTEM** – The Board received the annual report on institutional accreditation. A table summarizing the system accreditation activity for the period beginning July 1, 2022 and ending June 30, 2023 is included in the bound *October 19, 2023 Board Working File*.

**FINANCE**

3. **UMMC** – On June 27, 2023, the Mississippi Department of Information Technology Services, 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

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support for the time and attendance system. The equipment will be purchased only on an as-needed basis. 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. The cost of Amendment #1 is \$1,251,984.22. The total cost of the agreement is \$10,421,258.50.

4. **SYSTEM** – In accordance with *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.

**REAL ESTATE**

5. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the August 17, 2023 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

**LEGAL**

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

**ADMINISTRATION/POLICY**

7. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.
  - a. **MSU** – On August 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

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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 31<sup>st</sup> 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 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.

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- 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 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) 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 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,

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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.

**PERSONNEL**

8. **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

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**ANNOUNCEMENTS**

- Commissioner Dr. Alfred Rankins noted that the Education Achievement Council will release the 2021-2022 Report Cards for the public universities. After referencing a few highlights of the report, Commissioner Rankins commended the institutional executive officers and the universities for the progress made towards achieving the State's education attainment goals.
- Vice President Martin announced the next Board meeting will be November 16, 2023 in Jackson.

**ACADEMIC AFFAIRS  
COMMITTEE REPORT  
Wednesday, October 18, 2023**

Committee members participated in the meeting in person or via Zoom. The meeting was called to order by Chairman Hal Parker at approximately 2:00 p.m. The following items were discussed.

1. The Committee received updates on Mississippi nursing education from Dr. Melissa Temple, IHL Director of Nursing Education. **No action was taken.**
2. The Committee discussed the Academic Affairs agenda items including the 3 proposed amendments to Board Policy 201.0507 Campus Locations and Programs, subsection C Establishment of Off-Campus Instructional Programs Authorized; Attendance; Policy 501 Academic Programs and Units; and Policy 502 New Academic Programs and Units for first reading. An additional amendment to Board Policy 502 was discussed and is shown in red font below.

**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: an impact analysis which evaluates benefits and risks associated with the establishment or expansion of a program ~~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.

**No action was taken.**

3. On motion by Trustee Starr, seconded by Trustee Ogletree, with Trustees Cummings and Hubbard absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

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

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**HEALTH AFFAIRS  
COMMITTEE REPORT**

Wednesday, October 18, 2023

Committee members participated in the meeting in person or via Zoom. The meeting was called to order by Dr. Alfred McNair on behalf of Chairman Dr. Steven Cunningham at approximately 3:20 p.m. The following items were discussed.

1. The Committee discussed the monthly financial summary and the strategic goal dashboard.  
**No action was taken.**

2. Executive Session

On motion by Trustee Starr, seconded by Trustee Rader, with Trustees Cummings and Hubbard absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Starr, seconded by Trustees Martin, with Trustees Cummings and Hubbard absent and not voting, all Committee members 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 four University of Mississippi Medical Center items consisting of discussions regarding the prospective business decisions of a public hospital.

Discussion of one University of Mississippi Medical Center item consisting of a discussion regarding the location, relocation, or expansion of a University of Mississippi Medical Center medical service.

Discussion of one University of Mississippi Medical Center item involving a discussion regarding the prospective purchase, sale, or leasing of land; this item is also regarding a discussion about the location, relocation, or expansion of a University of Mississippi Medical Center medical service.

**During Executive Session, the following matters were discussed:**

The Committee discussed four University of Mississippi Medical Center items consisting of discussions regarding the prospective business decisions of a public hospital. **No action was taken.**

The Committee discussed one University of Mississippi Medical Center item consisting of a discussion regarding the location, relocation, or expansion of a University of Mississippi Medical Center medical service. **No action was taken.**

The Committee discussed one University of Mississippi Medical Center item involving a discussion regarding the prospective purchase, sale, or leasing of land; this item is also regarding a discussion about the location, relocation, or expansion of a University of Mississippi Medical Center medical service. **No action was taken.**

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

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3. On motion by Trustee Morgan, seconded by Trustee Luckey, with Trustees Cummings, Hubbard, and Parker absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

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

**EXECUTIVE SESSION**

On motion by Trustee Rader, seconded by Trustee Cunningham, with Trustees Hubbard and McNair 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 Cunningham, with Trustees Hubbard and McNair 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:

1. Discussion of one Jackson State University item consisting of a discussion regarding the employment of a person in a specific position at Jackson State University.
2. Discussion of one University of Mississippi Medical Center item consisting of a discussion regarding strategy sessions or negotiations with respect to a University of Mississippi Medical Center litigation matter because discussion in open session would have a detrimental effect on the litigating position of the public body.
3. Discussion of one University of Southern Mississippi item consisting of a discussion regarding strategy sessions or negotiations with respect to a University of Southern Mississippi litigation matter because discussion in open session would have a detrimental effect on the litigating position of the public body.
4. Discussion of one Delta State University item consisting of a discussion regarding the employment of a person in a specific Delta State University position.
5. Discussion of one Mississippi University for Women item consisting of a discussion regarding the employment of a person in a specific Mississippi University for Women position.

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

On motion by Trustee Ogletree, seconded by Trustee Duff, with Trustees Hubbard and McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of civil action Number 24C11:19-cv-00031 styled as *The Board of Trustees, Acting on Behalf of the University of Southern Mississippi vs. J.F. Pate & Associates Contractors, Inc., et al.*, as recommended by counsel.

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On motion by Trustee Ogletree, seconded by Trustee Cunningham, with Trustees Hubbard and McNair absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim Number 2078 styled as *Larry Coleman, as husband, and Iresha Hayes, as daughter, on behalf of the decedent Kathleen Coleman vs. the University of Mississippi Medical Center, et. al.*, as recommended by counsel.

The Board discussed one Delta State University item consisting of a discussion regarding the employment of a person in a specific Delta State University position. **No action was taken.**

The Board discussed one Mississippi University for Women item consisting of a discussion regarding the employment of a person in a specific Mississippi University for Women position. **No action was taken.**

The Board discussed one Jackson State University item consisting of a discussion regarding the employment of a person in a specific position at Jackson State University. **No action was taken.**

**On motion by Trustee Cunningham, seconded by Trustee Duff, with Trustees Hubbard and McNair 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 Rader, seconded by Trustee Duff, with Trustees Hubbard and McNair absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

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President, Board of Trustees of State Institutions of Higher Learning

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Commissioner, Board of Trustees of State Institutions of Higher Learning

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**EXHIBITS**

- |           |  |
|-----------|--|
| Exhibit 1 | Real Estate items that were approved by the IHL Board staff subsequent to the August 17, 2023 Board meeting. |
| Exhibit 2 | Report of the payment of legal fees to outside counsel.  |

# EXHIBIT 1

October 19, 2023

## **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.**

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

## **ALCORN STATE UNIVERSITY**

### **1. ASU- GS 101-320 – 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.

Project Initiation Date: April 9, 2021

# EXHIBIT 1

October 19, 2023

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 light fixtures modified to add LED lighting in the Student Union building; 1<sup>st</sup> 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

# EXHIBIT 1

October 19, 2023

## 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**

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

# EXHIBIT 1

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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; re-piped 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.

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**

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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

## 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

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.

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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.

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

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General Contractor: Roofing Solutions, LLC

Total Project Budget: \$1,500,000.00

## 11. **MSU- IHL 205-326 – ROSENBAUM HEALTH SCIENCES – 3<sup>RD</sup> FLOOR SIMULATION LAB**

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

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

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 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

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## 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

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

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

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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

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;

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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 piers 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

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.

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

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## 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

## UNIVERSITY OF MISSISSIPPI

### 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

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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.

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

## **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.

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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

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.

General Contractor: TBD

Total Project Budget: \$32,000,000.00

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## 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**

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 4<sup>TH</sup> 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

# EXHIBIT 1

October 19, 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

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.

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.

# EXHIBIT 1

October 19, 2023

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

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

## 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

# EXHIBIT 1

October 19, 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 2<sup>ND</sup> 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

## UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

## 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

# EXHIBIT 1

October 19, 2023

General Contractor: TBD

Total Project Budget: \$15,900,000.00

## 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

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

# EXHIBIT 1

October 19, 2023

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**

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 \$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

# EXHIBIT 1

October 19, 2023

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

# EXHIBIT 1

October 19, 2023

Project Initiation Date: August 16, 2018  
Design Professional: Dean & Dean Architects  
General Contractor: Fountain Construction Company, Inc.  
Total Project Budget: \$2,122,624.00

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

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

# EXHIBIT 1

October 19, 2023

## 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

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**

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

# EXHIBIT 1

October 19, 2023

## 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

## EDUCATION NANO RESEARCH CENTER

## 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

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

# EXHIBIT 2

October 19, 2023

## 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.)

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

# EXHIBIT 2

October 19, 2023

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 "mRNA Treatment to Induce Expression of Relaxin for Reproductive Applications in Animals and Humans" - \$1,779.00.)

**TOTAL DUE.....\$ 2,785.50**

# EXHIBIT 2

October 19, 2023

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**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
ACADEMIC AFFAIRS  
NOVEMBER 16, 2023**

1. **DSU – MODIFICATION OF EXISTING ACADEMIC DEGREE PROGRAMS**

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

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

**RENAMING**

A. *Current program title:* Bachelor of Science (BS) in Social Justice and Criminology

*Proposed program title:* **Bachelor of Science (BS) in Criminal Justice and Criminology**

*Responsible academic unit:* Division of Social Sciences and History

*Current CIP code, IHL sequence:* 43.0104, 5095

*Total credit hours:* 121

*Effective date:* November 2023

*Rationale:* The current Social Justice and Criminology Program at Delta State offers a Bachelor of Science designed to provide students with a strong foundation in justice and law, ethics, and criminological theory, as well as focusing on how the criminal justice system in the United States compares to those in other countries. The changing of the program's name will establish consistency with many other institutions and their programs in criminal justice and/or criminology. This move will prevent confusion about the program and its focus. The name change will more accurately reflect the curriculum that is already being taught.

B. *Current program title:* Master of Science (MS) in Social Justice and Criminology

*Proposed program title:* **Master of Science (MS) in Criminal Justice and Criminology**

*Responsible academic unit:* Division of Social Sciences and History

*Current CIP code, IHL sequence:* 43.0104, 4443

*Total credit hours:* 36

*Effective date:* November 2023

*Rationale:* The current online Master of Science in Social Justice and Criminology (MSJC) emphasizes a strong foundation in criminological theory and coursework aimed at providing the skills needed to prepare the working professional to compete for lucrative positions and promotions, seek a faculty or other training position, or advance into a doctoral program. The changing of the program's name will establish consistency with many other institutions and their programs in criminal justice and/or criminology. This move will prevent confusion about the program and its focus. The name change will more accurately reflect the curriculum that is already being taught.

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**2. UMMC – MODIFICATION TO AN EXISTING ACADEMIC UNIT**

In accordance with Board policies 503 and 504, the University of Mississippi Medical Center submits a request to modify an existing academic unit.

*Current unit:* Department of Periodontics and Preventive Services

*Proposed units to operate under reorganized unit:* **Department of Periodontology**

*Effective date:* July 2024

*Rationale:* To better align with national trends and structures of peer institutions for this area of dentistry, along with recent changes in the clinic educational model at the school.

**3. SYSTEM – APPROVAL OF DEGREES TO BE CONFERRED IN NOVEMBER AND DECEMBER 2023**

Board Policy 510: Awarding of Degrees states that “*Degrees granted by institutions under the governance of the Board are awarded by and with the consent of the Board and are countersigned by the President of the Board. Recommendations for the awarding of degrees to students by the various institutions must be made no later than the Board meeting prior to the commencement at which such awards will be made.*”

In accordance with Board policy, the institutions below request permission to award degrees at the following levels in November and December 2023 provided each candidate has met all requirements for the degree.

Institution	Degree to be Conferred	Number	Subtotal	Total	
<b>Alcorn State University</b>					
	<b><i>Undergraduate</i></b>				
	Bachelor of Science	133			
	Bachelor of Arts	56			
	Bachelor of Arts in Music	4			
	Bachelor of Business Administration	13			
	Bachelor of Music	10			
	Bachelor of Social Work	8			
	<b><i>Graduate</i></b>				
	Master of Arts in Teaching	10			
	Master of Business Administration	1			
	Master of Liberal Arts	7			
	Master of Science in Agriculture	10			
	Master of Science in Applied Science and Technology	5			
	Master of Science in Biology	10			
	Master of Science in Computer and Information Science	5			
	Master of Science in Nursing	2			
	Master of Science in Secondary Education	8			
	Master of Science in Workforce Education Leadership	4			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Education Specialist	2			
	<b><i>Total Undergraduate Degrees</i></b>		<b>224</b>		
	<b><i>Total Graduate Degrees</i></b>		<b>64</b>		
	<b><i>Total Degrees</i></b>			<b>228</b>	
<b>Delta State University</b>					
	<b><i>College of Arts and Sciences</i></b>				
	Bachelor of Applied Science	1			
	Bachelor of Arts	5			
	Bachelor of Fine Arts	3			
	Bachelor of Music	2			
	Bachelor of Science	17			
	Bachelor of Science in Education	4			
	Bachelor of Science in Social Justice & Criminology	1			
	Bachelor of Science in Interdisciplinary Studies	10			
	Bachelor of Social Work	1			
	Bachelor of University Studies	9			
	<b><i>College of Business and Aviation</i></b>				
	Bachelor of Applied Science	1			
	Bachelor of Business Administration	29			
	Bachelor of Commercial Aviation	12			
	<b><i>College of Education and Human Sciences</i></b>				
	Bachelor of Arts	4			
	Bachelor of Science	22			
	Bachelor of Science in Education	18			
	<b><i>School of Nursing</i></b>				
	Bachelor of Science in Nursing	40			
	<b><i>School of Graduate Studies</i></b>				
	Master of Applied Science	1			
	Master of Arts in Liberal Studies	2			
	Master of Arts in Teaching	9			
	Master of Business Administration	37			
	Master of Commercial Aviation	3			
	Master of Education	26			
	Master of Professional Accountancy	1			
	Master of Science in Sport and Human Performance	6			
	Master of Science in Social Justice & Criminology	5			
	Master of Science in Natural Sciences	1			
	Educational Specialist	26			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Doctor of Nursing Practice	15			
	<b><i>Total Undergraduate Degrees</i></b>		<b>179</b>		
	<b><i>Total Graduate Degrees</i></b>		<b>132</b>		
	<b><i>Total Degrees</i></b>			<b>311</b>	
<b>Jackson State University</b>					
	<b><i>Undergraduate</i></b>				
	Bachelor of Arts	15			
	Bachelor of Business Administration	43			
	Bachelor of Music	4			
	Bachelor of Music Education	2			
	Bachelor of Science	214			
	Bachelor of Science Education	13			
	Bachelor of Social Work	36			
	Bachelor of University Studies (C2C)	6			
	<b><i>Graduate</i></b>				
	Master of Arts	11			
	Master of Arts in Teaching	30			
	Master of Business Administration	21			
	Master of Music Education	2			
	Master of Professional Accountancy	4			
	Master of Public Health	9			
	Master of Public Policy and Administration	8			
	Master of Science	46			
	Master of Science in Education	20			
	Master of Social Work	1			
	Specialist in Education	28			
	Doctor of Education	1			
	Doctor of Philosophy	27			
	Doctor of Public Health	3			
	<b><i>Total Undergraduate Degrees</i></b>		<b>333</b>		
	<b><i>Total Graduate Degrees</i></b>		<b>211</b>		
	<b><i>Total Degrees</i></b>			<b>544</b>	
<b>Mississippi State University</b>					
	<b><i>College of Agriculture and Life Sciences</i></b>				
	Bachelor of Science	113			
	Bachelor of Landscape Architecture	6			
	Master of Agribusiness Management	11			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Master of Science	24			
	Doctor of Philosophy	6			
	<b><i>College of Architecture, Art, and Design</i></b>				
	Bachelor of Fine Arts	2			
	Bachelor of Science	2			
	<b><i>College of Arts and Sciences</i></b>				
	Bachelor of Arts	109			
	Bachelor of Science	222			
	Bachelor of Social Work	8			
	Master of Arts	11			
	Master of Science	22			
	Master of Public Policy and Administration	7			
	Doctor of Philosophy	11			
	<b><i>College of Business</i></b>				
	Bachelor of Business Administration	188			
	Master of Business Administration	61			
	Master of Science Information Systems	3			
	<b><i>College of Education</i></b>				
	Bachelor of Music Education	6			
	Bachelor of Science	206			
	Master of Arts in Teaching	3			
	Master of Arts in Teaching Middle	1			
	Master of Arts in Teaching Secondary	17			
	Master of Arts in Teaching Special	7			
	Master of Music Education	1			
	Master of Science	34			
	Master of Science in Instructional Technology	3			
	Educational Specialist	4			
	Doctor of Education	4			
	Doctor of Philosophy	8			
	<b><i>College of Engineering</i></b>				
	Bachelor of Science	225			
	Master of Science	83			
	Master of Engineering	2			
	Doctor of Philosophy	15			
	<b><i>College of Forest Resources</i></b>				
	Bachelor of Science	26			
	Master of Science	12			
	Doctor of Philosophy	3			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	<b><i>School of Accountancy</i></b>				
	Bachelor of Accountancy	26			
	Master of Professional Accountancy	6			
	Master of Taxation	1			
	<b><i>College of Veterinary Medicine</i></b>				
	Master of Science	1			
	<b><i>College of Professional and Continuing Studies</i></b>				
	Bachelor of Applied Science	37			
	<b><i>Academic Affairs</i></b>				
	Bachelor of University Studies – C2C	17			
	Certificate – Post Baccalaureate	7			
	Master of Science	2			
	<b><i>Total Undergraduate Degrees</i></b>		<b>1,200</b>		
	<b><i>Total Graduate Degrees</i></b>		<b>363</b>		
	<b><i>Total Degrees</i></b>			<b>1,563</b>	
<b>Mississippi University for Women</b>					
	<b><i>Undergraduate</i></b>				
	Bachelor of Applied Science	18			
	Bachelor of Arts	12			
	Bachelor of Business Administration	24			
	Bachelor of Fine Arts	5			
	Bachelor of Music	1			
	Bachelor of Professional Studies	5			
	Bachelor of Science	55			
	Bachelor of Science in Nursing	5			
	<b><i>Graduate</i></b>				
	Master of Arts	2			
	Master of Arts in Teaching	4			
	Master of Business Administration	5			
	Master of Education	2			
	Master of Fine Arts	5			
	Master of Public Health	2			
	<b><i>Total Undergraduate Degrees</i></b>		<b>125</b>		
	<b><i>Total Graduate Degrees</i></b>		<b>20</b>		
	<b><i>Total Degrees</i></b>			<b>145</b>	
<b>Mississippi Valley State University</b>					
	<b><i>Undergraduate</i></b>				

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Bachelor of Arts	10			
	Bachelor of Science	38			
	Bachelor of Secondary Education	5			
	Bachelor of Social Work	6			
	<b>Graduate</b>				
	Master of Arts	6			
	Master of Science	16			
	<b>Total Undergraduate Degrees</b>		<b>59</b>		
	<b>Total Graduate Degrees</b>		<b>22</b>		
	<b>Total Degrees</b>			<b>81</b>	
<b>University of Mississippi</b>					
	<b>School of Engineering</b>				
	Bachelor of Science in Civil Engineering	1			
	Bachelor of Science in Computer Science	3			
	Bachelor of Science in Engineering	2			
	<b>School of Education</b>				
	Bachelor of Arts in Education	8			
	<b>School of Business</b>				
	Bachelor of Business Administration	112			
	<b>School of Accountancy</b>				
	Bachelor of Accountancy	4			
	<b>School of Applied Sciences</b>				
	Bachelor of Arts in Sport and Recreation Administration	1			
	Bachelor of Science	10			
	Bachelor of Science in Exercise Science	5			
	<b>School of Journalism and New Media</b>				
	Bachelor of Arts in Journalism	5			
	Bachelor of Science (IMC)	29			
	<b>General Studies</b>				
	Bachelor of Multi-Disciplinary Studies	18			
	Bachelor of University Studies	3			
	<b>Graduate School</b>				
	Master of Accountancy	4			
	Master of Accountancy and Data Analytics	4			
	Master of Arts in Teaching	1			
	Master of Criminal Justice	2			
	Master of Education	2			
	Master of Science	14			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	Master of Taxation and Data Analytics	1			
	Doctor of Philosophy	9			
	<b><i>Total Undergraduate Degrees</i></b>		<b>201</b>		
	<b><i>Total Graduate/Professional Degrees</i></b>		<b>37</b>		
	<b><i>Total Degrees</i></b>			<b>238</b>	
<b>University of Mississippi Medical Center</b>					
	<b><i>Undergraduate</i></b>				
	Bachelor of Science in Nursing	82			
	<b><i>Graduate/Professional</i></b>				
	Master of Health Informatics and Information Management	2			
	Master of Science in Biomedical Sciences	9			
	Master of Science in Biostatistics and Data Science	1			
	Master of Science in Clinical Investigations	1			
	Master of Science in Population Health Science	1			
	Master of Science in Nursing	29			
	Doctor of Medicine	7			
	Doctor of Philosophy	7			
	<b><i>Total Undergraduate Degrees</i></b>		<b>82</b>		
	<b><i>Total Graduate/Professional Degrees</i></b>		<b>57</b>		
	<b><i>Total Degrees</i></b>			<b>139</b>	
<b>University of Southern Mississippi</b>					
	<b><i>College of Arts and Sciences</i></b>				
	Bachelor of Applied Science	10			
	Bachelor of Arts	83			
	Bachelor of Fine Arts	3			
	Bachelor of Liberal Studies	48			
	Bachelor of Music	2			
	Bachelor of Music Education	9			
	Bachelor of Science	136			
	Bachelor of University Studies	15			
	Master of Arts	9			
	Master of the Arts in Teaching of Language	7			
	Master of Music	1			
	Master of Music Education	3			
	Master of Science	65			
	Doctor of Musical Arts	12			
	Doctor of Philosophy	23			

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<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>	
	<b><i>College of Business and Economic Development</i></b>				
	Bachelor of Applied Science	5			
	Bachelor of Science	40			
	Bachelor of Science in Business Administration	149			
	Master of Business Administration	40			
	Master of Professional Accountancy	4			
	Master of Science	17			
	Doctor of Philosophy	8			
	<b><i>College of Education and Human Sciences</i></b>				
	Bachelor of Arts	1			
	Bachelor of Science	206			
	Bachelor of Social Work	33			
	Master of Arts	7			
	Master of Arts in Teaching	4			
	Master of Education	15			
	Master of Library and Information Science	42			
	Master of Science	23			
	Doctor of Education	49			
	Doctor of Philosophy	11			
	<b><i>College of Nursing and Health Professions</i></b>				
	Bachelor of Arts	32			
	Bachelor of Science	48			
	Bachelor of Science in Nursing	71			
	Master of Public Health	39			
	Doctor of Nursing Practice	35			
	Doctor of Philosophy	4			
	<b><i>Total Undergraduate Degrees</i></b>		<b>891</b>		
	<b><i>Total Graduate Degrees</i></b>		<b>418</b>		
	<b><i>Total Degrees</i></b>			<b>1,309</b>	
<b>Total Undergraduate Degrees</b>			<b>3,294</b>		
<b>Total Graduate Degrees</b>			<b>1,324</b>		
<b>System Total</b>				<b>4,618</b>	

\*Note: The system total for fall 2023 represents a decrease of 297 from fall 2022's total of 4,915.

**STAFF RECOMMENDATION:** Board staff recommends approval of these items.

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**1. SYSTEM- ESCALATION OF *AYERS* ENDOWMENT BUDGET**

**Agenda Item Request:** Alcorn State University (ASU), Jackson State University (JSU) and Mississippi Valley State University (MVSU) request a budget escalation within their *Ayers* Endowment Diversity Program budget. These escalations are needed to cover increased costs associated with program operating costs. The original budgets were approved at the June 2023 Board meeting. At that time, estimates of available funding were used to build the budget for these programs. Actual funding is now known, and the institutions have requested to revise their budgets to equal actual sources as shown.

**Alcorn State University**

<b>Object of Expenditure</b>	<b>Current Budget FY 2024</b>	<b>Budget Revision</b>	<b>Revised Budget FY 2024</b>
Salaries, Wages & Fringe Benefits	\$ -		\$ -
Travel	-	30,000	30,000
Contractual Services	-		-
Commodities	-	30,000	30,000
Capital Outlay:			
Equipment	-		-
Library Resources	-		-
Student Aid	320,483	297,694	618,177
<b>Total</b>	<b>\$ 320,483</b>	<b>\$ 357,694</b>	<b>\$ 678,177</b>

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**Jackson State University**

<b>Object of Expenditure</b>	<b>Current Budget FY 2024</b>	<b>Budget Revision</b>	<b>Revised Budget FY 2024</b>
Salaries, Wages & Fringe Benefits	\$ -		\$ -
Travel	-		-
Contractual Services	825,000		825,000
Commodities	-		-
Capital Outlay:			-
Equipment	-		-
Library Resources	-		-
Student Aid	-	3,343,752	3,343,752
<b>Total</b>	<b>\$ 825,000</b>	<b>\$ 3,343,752</b>	<b>\$ 4,168,752</b>

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**Mississippi Valley State University**

<b>Object of Expenditure</b>	<b>Current Budget FY 2024</b>	<b>Budget Revision</b>	<b>Revised Budget FY 2024</b>
Salaries, Wages & Fringe Benefits	\$ 63,405		\$ 63,405
Travel	6,000		6,000
Contractual Services	152,851		152,851
Commodities	54,000		54,000
Capital Outlay:	35,000		35,000
Equipment	-		-
Library Resources	-		-
Student Aid	578,048	116,609	694,657
Total	\$ 889,304	\$ 116,609	\$ 1,005,913

**Funding Source for Budget Escalation:** All funds budgeted within these programs were generated from annual interest earnings of the *Ayers* Public and Private Endowment investments.

**Staff Recommendation:** Based on Board Policy 701.06, Budget Escalations and Revisions, all escalations of the several institutions and separately budgeted units must be submitted through the Commissioner to the Board of Trustees for approval prior to implementation. Board Staff recommends approval of this item.

**2. JSU – REQUEST FOR APPROVAL TO AMEND THE MANAGEMENT AGREEMENT WITH SODEXOMAGIC, LLC.**

**Agenda Item Request:** Jackson State University requests approval to amend its Management Agreement with **SodexoMAGIC, LLC (SodexoMAGIC)** to extend the term for an additional six months and revise the notice provision of the agreement. The Management Agreement with SodexoMAGIC provides dining and catering management services for the food service operations, including service for residential student meal plans, retail dining, convenience store, and franchise outlets.

**Contractor's Legal Name:** SodexoMAGIC, LLC

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**History of Contract:** On December 11, 2013, the Board met in a special teleconference meeting and approved an agreement between JSU and SodexoMAGIC to provide dining and catering management services for a ten (10) year period. The Agreement will expire on December 31, 2023, unless amended.

**Specific Type of Contract:** This is an amendment to the Agreement.

**Purpose:** Currently, Jackson State University is in an ITN process with SodexoMAGIC. The purpose of this agreement is to extend the term of the agreement between the parties for an additional six months to allow the University the time necessary to complete the negotiation process, or if necessary, conduct a comprehensive and thorough competitive bid process for the selection of a company to provide management of the campus foodservices at the Jackson State University.

**Scope of Work:** SodexoMAGIC will continue to provide comprehensive management and services of JSU dining and catering, residential student meal plans, retail dining, convenience store, and franchise outlets during the six-month period.

**Term of Contract:** The term of the amended agreement is six months. The agreement will start January 1, 2024 and end June 30, 2024.

**Contract Amount:** The total contract cost is \$4,652,541.20.

**Funding Source for Contract:** This amended agreement is funded by revenue generated from student meal plan allocations, catering, residential and retail dining, and franchise outlets.

**Termination Options:** This terms of the agreement may be terminated for the following reasons:

- Termination for Convenience with sixty (60) days' written notice;
- Termination for Default or Breach of Contract with sixty (60) days written notice, if breach is not cured within ten (10) days of receipt of written notice;
- Failure of Legislature Appropriation;
- Force Majeure;

**Contractor Selection Process:** JSU is currently contracted with SodexoMAGIC.

**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. MVSU – REQUEST TO ESCALATE FY 2024 EDUCATION AND GENERAL BUDGET**

MVSU is requesting approval to escalate the E&G Budget. The request is to purchase two (2) 56-passenger buses, survey existing football field and install artificial turf.

Salaries, Wages, and Fringe Benefits	\$ 24,369,219	\$ -	\$ 24,369,219
Travel	973,861	-	973,861
Contractual Services	24,385,695	1,528,688	25,914,383
Commodities	1,459,814	-	1,459,814
Capital Outlay	638,708	1,171,312	1,810,020
Transfers	(227,297)	-	(227,297)
Total	\$ 51,600,000	\$ 2,700,000	\$ 54,300,000

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

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

**Agenda Item Request:** The University of Mississippi (UM) requests approval to enter into a contract with **Carnegie Dartlet LLC**.

**Contractor's Legal Name:** Carnegie Dartlet LLC

**History of Contract:** UM is currently under a Master Service Agreement with Carnegie Dartlet LLC approved by the IHL Board in March of 2019. The addition of Statement of Work #2 was approved by the IHL Board in November of 2019. Statement of Work #3 and Amendment #1 were approved by the IHL Board in January of 2020. Statement of Work #4 and Amendment #2 were approved by the IHL Board in October 2020. Statement of Work #5 was approved by the IHL Board in January 2021. Statement of Work #6 and Statement of Work #7 were approved by the IHL Board in August 2021. Statement of Work #8 and Statement of Work #9 were approved by the IHL Board in February 2022. Statement of Work #10 was approved by the IHL Board in June 2022. Statement of Work #11 was approved by the IHL Board in August 2022. Statement of Work #12 was approved by the IHL Board in May 2023. Amendment #3 was approved by the IHL Board in June 2023. Statement of Work #13 and Statement of Work #14 were approved by the IHL Board in August 2023.

**Specific Type of Contract:** This is an amendment to the Master Service Agreement to add Amendment 4.

**Purpose:** This contract amendment includes Amendment 4 to incorporate digital data provisions in the MSA.

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**Scope of Work:** Amendment 4 would incorporate digital data provisions — agreed upon in previous SOWs — into the MSA.

**Term of Contract:** The current MSA is scheduled to expire on March 22, 2025.

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

**Contract Amount:** No additional funds would be incurred as part of Amendment 4.

**Funding Source for Contract:** No additional funds would be incurred as part of Amendment 4.

**Contractor Selection Process:** The University Marketing & Communications department solicited quotes for the initial MSA from Carnegie Dartlet as well as another digital marketing agency. The quote submitted by Carnegie Dartlet was the lowest of the two and included the lowest agency fees.

**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 A LAB SERVICES AGREEMENT AND AN ADVISORY SERVICES AGREEMENT WITH ARUP LABORATORIES, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Lab Services Agreement (LSA) and an Advisory Services Agreement (ASA) (collectively the “Agreement”) with **ARUP Laboratories, Inc.** (ARUP) for diagnostic reference laboratory testing and consultation services. In addition, UMMC requests the ability to add and/or remove locations and tests from the Agreement and to update pricing as needed, as long as it does not increase the approved expenditure level.

**Contractor’s Legal Name:** ARUP Laboratories, Inc.

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**History of Contract:** on February 21, 2019, the Board approved an End User Agreement (EUA) and an Interface Agreement with ARUP for a term of five (5) years each. The agreements will expire on February 28, 2024. The EUA will be superseded and replaced by the proposed LSA.

In addition to this request, UMMC has submitted for consideration one other laboratory testing service agreement with Quest Diagnostics Nichols Institute (Quest). UMMC seeks to simultaneously enter into contracts with multiple laboratory testing vendors to standardize the number of reference labs utilized by UMMC. Two vendors were selected to ensure sufficient coverage for tests that are currently being sent to multiple vendors.

**Specific Type of Contract:** This is a new Lab Services Agreement and a new Advisory Services Agreement

**Purpose:** The purpose of the Agreement is to provide a secondary vendor for diagnostic reference laboratory testing.

**Scope of Work:** Under the LSA, ARUP will provide reference lab services to include the technical and professional component of anatomic and surgical pathology services as well as clinical diagnostic laboratory testing. Under the ASA, ARUP will provide a variety of consultation and other services, to assist UMMC with outreach development, utilization management, laboratory operations, and business decision support. Under the Agreement, UMMC agrees to spend at least \$151,000 per month with ARUP.

**Term of Contract:** The term of the Agreement is three (3) years, from December 1, 2023 through November 30, 2026.

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

- by either party for cause upon thirty (30) days written notice to the other party, if the other party does not cure within the thirty (30) days;
- by either party without cause upon ninety (90) days written notice to the other party; and
- by UMMC if ARUP is unable to provide services for thirty (30) consecutive days due to a continuing force majeure event.

The ASA may be terminated by either party, with or without cause, upon thirty (30) days prior written notice.

**Contract Amount:** The total estimated cost over the three (3) year term is \$8,750,000. UMMC has included a twenty percent (20%) annual increase for potential patient volume and price modifications. However, since it is unknown at this time the exact volume of tests that will be ordered from each vendor, UMMC has requested the same amount for each agreement.

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

**Contractor Selection Process:** In February, 2022, UMMC solicited proposals via Request for Proposal (RFP) No. 8030 for Reference Lab Services. Four (4) bidders submitted proposals, including ARUP, Quest, LabCorp, and Mayo. Proposals were evaluated based upon costs and responses to specifications so that the lowest and best proposal would be selected. The following reflects the scoring for the proposals. The overall score indicated below is based upon criteria including cost as well as other factors.

Vendor	Overall Score Out of 100
Quest	74.9
ARUP	73
LabCorp	72.5
Mayo	59.3

**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.

**6. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A LABORATORY SERVICES AGREEMENT WITH QUEST DIAGNOSTICS NICHOLS INSTITUTE.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Laboratory Services Agreement with **Quest Diagnostics Nichols Institute** (Quest) for diagnostic reference laboratory testing services. In addition, UMMC requests the ability to add and/or remove tests from the agreement and to update pricing as needed, as long as it does not increase the approved expenditure level.

**Contractor's Legal Name:** Quest Diagnostics Nichols Institute

**History of Contract:** This is a new agreement with Quest for the diagnostic reference laboratory testing services. UMMC currently uses their services without a contract. UMMC requests approval to enter this agreement at this time to receive improved pricing on reference lab services.

In addition to this request, UMMC has submitted for consideration one other laboratory testing service agreement with ARUP Laboratories, Inc. (ARUP). UMMC seeks to simultaneously enter into contracts with multiple laboratory testing vendors to standardize

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the number of reference labs utilized by UMMC. Two vendors were selected to ensure sufficient coverage for tests that are currently being sent to multiple vendors.

**Specific Type of Contract:** This is a new Laboratory Services Agreement

**Purpose:** The purpose of the agreement is for the reference lab services as ordered by UMMC.

**Scope of Work:** Under the agreement, Quest will provide reference lab services to include the technical and professional component of anatomic and surgical pathology services as well as clinical diagnostic laboratory testing. Under the Agreement, UMMC agrees to order a majority of its reference lab tests from Quest.

**Term of Contract:** The term of the agreement is three (3) years, from December 1, 2023 through November 30, 2026.

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

- by UMMC without cause upon ninety (90) days written notice to Quest;
- by party for breach upon thirty (30) days written notice to the other party, if the other party does not cure within the thirty (30) days
- by either party may, immediately, upon written notice to the other Party if any of the following events occur:
  - the other Party makes an assignment for the benefit of creditors;
  - (ii) a petition in bankruptcy or any insolvency proceeding is filed by or against the other Party and is not dismissed within thirty (30) days from the date of filing;
  - (iii) all or substantially all of the property of the other Party is levied upon or sold in any judicial proceedings;
  - (iv) the other Party is excluded from participating in any federally funded program;
  - (v) a loss of licensure by the other Party that renders the other Party unable to perform its obligations under this Agreement; or
  - (vi) if the Party determines in good faith that any portion of this Agreement may or does violate any law, rule, regulation or governmental policy, or any interpretation of any law, rule, regulation or governmental policy;
- by either party upon sixty days prior written notice to the other party if there are legislative and/or regulatory changes impact the services and the parties cannot reach an agreement within a reasonable period of time;
- immediately if a party is excluded, debarred or otherwise ineligible for participation in federally funded programs, such as Medicare and Medicaid; and
- by UMMC if Quest is unable to provide services for a period of thirty (30) consecutive days as a result of a continuing force majeure event.

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**Contract Amount:** The total estimated cost over the three (3) year term is \$8,750,000. UMMC has included a twenty percent (20%) annual increase for potential patient volume and price modifications. However, since it is unknown at this time the exact volume of tests that will be ordered from each vendor, UMMC has requested the same amount for each agreement.

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

**Contractor Selection Process:** In February, 2022, UMMC solicited proposals via Request for Proposal (RFP) No. 8030 for Reference Lab Services. Four (4) bidders submitted proposals, including ARUP, Quest, LabCorp, and Mayo. Proposals were evaluated based upon costs and responses to specifications so that the lowest and best proposal would be selected. The following reflects the scoring for the proposals. The overall score indicated below is based upon criteria including cost as well as other factors.

Vendor	Overall Score Out of 100
Quest	74.9
ARUP	73
LabCorp	72.5
Mayo	59.3

**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.*

**APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS**

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

**1. JSU – GS 103-330 – JOC ROOFING IMPROVEMENTS - EEF**

**Project Request:** Jackson State University requests approval to initiate a project, JOC Roofing Improvements - EEF, and to appoint Shafer Zahner Zahner PLLC as the design professional for the project.

**Proposed Design Professional:** Shafer Zahner Zahner, 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 \$1,000,000 per claim and \$2,000,000 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 design phase of the project. Findings from a campus-wide roof assessment indicated that 35% of student housing facilities have failing roof conditions. This project will ensure students are provided with an adequate and safe living environment and protect the University's physical assets. The initial funding to be transferred for this phased endeavor, upon IHL Board approval, will be in the amount of \$4M.

**Project Scope:** This will be a phased endeavor to perform roof replacements at the following locations by their priority: 1) Campbell North and South; 2) Transitional Hall; 3) Dixon Hall; 4) Alexander Hall; 5) Stewart Hall; and 6) One University Place.

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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:** November 16, 2023

**Date of Original Construction:** Campbell North/South - 2007, Transitional - 2002, Dixon – 1969, Alexander Hall – 1967, Stewart Hall – 1961, and Once University Place - 2009

**Date of Last Renovation:** Campbell North/South - NA, Transitional - 2005, Dixon – 2021, Alexander Hall – 2016, Stewart Hall – 2021, and One University Place – N/A

**Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 2,750,000.00
Architectural and Engineering Fees:	247,500.00
Misc. Project Costs:	727,500.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>275,000.00</u>
<b>Total Project Budget</b>	<b>\$ 4,000,000.00</b>

**Funding Source(s):** SB 3000, Laws of 2023 - EEF (\$4,000,000)

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

**2. JSU – GS 103-331 – JOC UNIVERSITY PLACE IMPROVEMENTS- EEF**

**Project Request:** Jackson State University requests approval to initiate a project, JOC University Place Improvements - EEF, and to appoint Eley Guild Hardy Architects, as the design professional for the project.

**Proposed Design Professional:** Eley Guild Hardy Architects

**Selection Method:** The project budget is anticipated to exceed \$3M therefore it is required that Jackson State University use the RFQ method for selecting the design professional. JSU used the RFQ process for the selection of the professional.

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

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**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 design phase of the project. One University Place was originally constructed in 2009 as a 4-story mixed use building adjacent to the university's main campus at the corner of J. R. Lynch and Dalton Streets. The building includes seventy-eight (78) residential apartments, and twenty-five thousand (25,000) square feet of retail space, and office space. Modifications and improvements completed through this project will strictly focus on the residential space with the goal of offering additional student housing options by Fall 2024.

**Project Scope:** Building improvements shall include, but are not limited to, mechanical, structural, and interior/exterior cosmetics as funds permit.

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:** November 16, 2023

**Date of Original Construction:** 2009

**Date of Last Renovation:** N/A

**Project Budget:**

	<u>Estimated</u>
Construction Cost:	\$ 2,415,000.00
Architectural and Engineering Fees:	210,000.00
Misc. Project Costs:	630,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>245,000.00</u>
<b>Total Project Budget</b>	<b>\$ 3,500,000.00</b>

**Funding Source(s):** SB 3000, Laws of 2023 - EEF (\$3,500,000)

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

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**IHL PROJECTS .....**

**3. MSU – IHL 205-353 – HATHORN HALL INTERIOR REFINISH**

**Project Request:** Mississippi State University requests approval to initiate a project, Hathorn Hall Interior Refinish, and appoint Shafer Zahner Zahner, PLLC as the design professional.

**Proposed Design Professional:** Shafer Zahner Zahner, PLLC

**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. MSU used an internal selection process for the selection of the design professional.

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

**Purpose:** 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:** The scope of the project is to install new flooring, repaint the interior and update the restrooms and showers of Hathorn Hall.

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

**Project Initiation Date:** November 16, 2023

**Date of Original Construction:** 1965

**Date of Last Renovation:** 2001

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**Project Budget:**

		<i>Estimated</i>
Construction Cost:	\$	2,500,000.00
Architectural and Engineering Fees:		170,000.00
Misc. Project Costs:		50,000.00
Furniture & Equipment Costs:		20,000.00
Contingency:		<u>260,000.00</u>
<b>Total Project Budget</b>	<b>\$</b>	<b>3,000,000.00</b>

**Funding Source(s):** University Designated Funds (\$3,000,000)

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

**4. MSU – IHL 205-354 – NATIONAL PAN-HELLENIC COUNCIL (NPHC) PLAZA**

**Project Request:** Mississippi State University requests approval to initiate a project, National Pan-Hellenic Council (NPHC) Plaza, and appoint Christian Preus Landscape Architecture as the design professional.

**Proposed Design Professional: Christian Preus Landscape Architecture**

**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. MSU used an internal selection process for the selection of the design professional.

**Insurance Coverage:** The firm carries errors and omissions coverage in the amount of \$1,000,000 per claim and \$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:** Design and construct a plaza to honor the National Pan-Hellenic Council at the corner of George Perry and Barr Avenue on the main campus of MSU.

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

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**Project Initiation Date:** November 16, 2023

**Date of Original Construction:** N/A

**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>
<b>Total Project Budget</b>	<b>\$</b>	<b>250,000.00</b>

**Funding Source(s):** University Designated Funds (\$250,000)

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

**5. MSU – IHL 213-149 – BEDENBAUGH INTERIOR UPGRADES**

**Project Request:** Mississippi State University requests approval to initiate a project, Bedenbaugh Interior Upgrades, and appoint Belinda Stewart Architects, P.A. as the design professional.

**Proposed Design Professional:** Belinda Stewart Architects, 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. MSU used an internal selection process for the selection of the design professional.

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

**Purpose:** 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.

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**Project Scope:** This project is intended to renovate interior space inside the Bedenbaugh Building and interior space inside the Ammerman Hearnberger Food Processing Pilot Plant. This project will include ADA access inside the buildings.

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

**Project Initiation Date:** November 16, 2023

**Date of Original Construction:** 1939

**Date of Last Renovation:** 1961 & 1974 – Minor Renovations

**Project Budget:**

		<u>Estimated</u>
Construction Cost:	\$	800,000.00
Architectural and Engineering Fees:		150,000.00
Misc. Project Costs:		200,000.00
Furniture & Equipment Costs:		0.00
Contingency:		<u>350,000.00</u>
<b>Total Project Budget</b>	<b>\$</b>	<b>1,500,000.00</b>

**Funding Source(s):** U.S. Small Business Administration (\$1,250,000); University/MAFES Designated Funds (\$250,000).

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

**6. MUW – IHL 204-136 – ROOFING PROJECT**

**Project Request:** Mississippi University for Women requests approval to initiate a project, Roofing Project, and appoint JBHM Architects, P.A. as the design professional.

**Proposed Design Professional:** JBHM Architecture

**Selection Method:** The project budget is not anticipated to exceed \$3M therefore it is not required that Mississippi University for Women use the RFQ method for selecting the design professional. MUW used an internal selection process for the selection of the design professional.

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**Insurance Coverage:** The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$3,000,000 aggregate.

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

**Project Scope:** This project will include roof repair, roof deck replacement, shingle replacement, roof/low slope replacement, and new gutters and downspouts. This project will include reroofing of seven campus buildings to preserve and maintain the building structure.

Mississippi University for Women 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:** November 16, 2023

**Date of Original Construction:** N/A

**Date of Last Renovation:** N/A

**Project Budget:**

	<u>Estimated</u>
Construction Cost:	\$ 2,207,220.00
Architectural and Engineering Fees:	194,235.00
Misc. Project Costs:	40,100.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>220,772.00</u>
<b>Total Project Budget</b>	<b>\$ 2,663,277.00</b>

**Funding Source(s):** SB 3000, Laws of 2023 (\$2,663,277) – Capital Expense Funds

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

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

**IHL PROJECTS .....**

**7. UMMC – IHL 209-586 – NEW BURN UNIT**

**Project Request:** The University of Mississippi Medical Center is requesting approval to increase the budget from \$4,000,000 to \$6,300,000 for an increase in the amount of \$2,300,000. The funding source will remain the same.

**Current Project Phase:** Design Phase

**Design Professional:** JBHM Architecture

**General Contractor:** TBD

**Insurance Coverage:** The design firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$3,000,000 aggregate.

**Purpose/Justification:** The University of Mississippi Medical Center is seeking approval to increase the budget for the project. The purpose of this request is to align the project budget with the latest cost estimate provided by JBHM Architecture.

**Project Scope:** This project will renovate the first floor of Batson Tower into a new Burn Unit. The Burn Unit is planned to have ICU beds, Med Surg rooms, and will reuse existing core spaces when possible.

**History of Project:** The project was initiated, and the design professional appointed at the June 2023 Board Meeting. This is the first budget increase for this project.

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

**Project Initiation Date:** June 15, 2023

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**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 3,000,000.00	\$ 5,000,000.00	\$ 2,000,000.00
Architectural and Engineering Fees	\$ 240,000.00	\$ 452,716.00	\$ 212,716.00
Miscellaneous Project Costs	\$ 0.00	\$ 0.00	\$ 0.00
Furniture & Equipment Costs	\$ 600,000.00	\$ 600,000.00	\$ 0.00
Contingency	\$ 160,000.00	\$ 247,284.00	\$ 87,284.00
<b>Total Project Budget</b>	<b>\$ 4,000,000.00</b>	<b>\$ 6,300,000.00</b>	<b>\$ 2,300,000.00</b>

**Proposed Funding Source(s):** UMMC Patient Revenues (\$6,300,000) – UMMC eventually plans to use state funding and Congressional funding for this project. Once the funds are received, UMMC will return to the Board and modify the funding source for this project.

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

**8. USM – IHL 210-248 – OYSTER HATCHERY AND RESEARCH CENTER**

**Project Request:** The University of Southern Mississippi is requesting approval to increase the budget from \$10,000,000 to \$14,000,000 for an increase in the amount of \$4,000,000. The funding sources will remain the same.

**Current Project Phase:** Design Phase

**Design Professional:** McCarty Architects, 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 \$2,000,000 aggregate.

**Purpose/Justification:** The University of Southern Mississippi is seeking an increase to the current project budget of \$10,000,000 by \$4,000,000 for a revised total budget of \$14,000,000.00. The project scope remains to design a smaller Oyster Hatchery and

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Research Center that will fit the University's budget. The increase in funding will be used to outfit the building during construction with aquaculture equipment required to hatch oysters. To meet the Treasury's Special Award Condition requirement #3, before the closeout of the award, MDEQ must deliver to the Treasury confirmation that all aquaculture systems/equipment are complete/installed/operational, and the facility is fully functioning. To meet this requirement, installation must happen during construction, increasing the project budget.

**Project Scope:** The project scope remains unchanged: to renovate the Invertebrate Growout II for oyster and aquaculture research located at USM's Gulf Coast Research Laboratory - Cedar Point Campus, Ocean Springs, MS.

**History of Project:** The project was initiated, and the design professional appointed at the November 2018 Board Meeting with a planning budget of \$500,000. The first budget increase for this project was approved by the Board in October of 2020 with an increase from \$500,000 for the planning phase to \$10,000,000 for the construction phase. This will be the second budget increase by the university for this project.

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

**Project Initiation Date:** November 15, 2018

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 8,445,923.75	\$ 7,000,000.00	\$ (1,445,923.75)
Architectural and Engineering Fees	\$ 615,526.25	\$ 540,971.07	\$ (74,555.18)
Miscellaneous Project Costs	\$ 338,550.00	\$ 5,000.00	\$ (333,550.00)
Aquaculture Equipment Costs	\$ 0.00	\$ 4,000,000.00	\$ 4,000,000.00
Contingency	\$ 600,000.00	\$ 2,454,028.93	\$ 1,854,028.93
<b>Total Project Budget</b>	<b>\$ 10,000,000.00</b>	<b>\$ 14,000,000.00</b>	<b>\$ 4,000,000.00</b>

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**Proposed Funding Source(s):** SB 2924, L'16 (\$3,000,000); MDEQ and US Treasury Restore Act - Grant #1 RDCGR470130-01-00 (\$7,000,000) – Construction; MDEQ and US Treasury Restore Act - Grant #1 RDCGR470130-01-00 (\$4,000,000) – Hatchery Aquaculture Equipment

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

**APPROVAL OF OTHER REAL ESTATE REQUESTS**

**9. MSU – DEMOLISH AND DELETE FROM INVENTORY – BUILDING #1664 (GREENHOUSE) – CRYSTAL SPRINGS, MS**

**Agenda Request:** Mississippi State University requests approval to demolish and delete from inventory Building #1664 (Greenhouse)

**Justification:** Building #1664 is a Greenhouse that was constructed in 1940 and is in Crystal Springs, MS. The greenhouse was severely damaged by a hailstorm on June 18, 2023. The greenhouse is not cost effective to repair.

The approval letter has been received from the Mississippi Department of Archives and History stating Buildings #1664 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.

**10. MSU – IHL 405-003 –RENOVATIONS AND ADDITIONS FOR THE COLLEGE OF ARCHITECTURE, ART, AND DESIGN – HOWELL RENOVATION & ADDITION – APPROVAL OF EXTERIOR DESIGN**

**Agenda Request:** Mississippi State University requests approval of the exterior design of the Renovations and Additions for the College of Architecture, Art and Design project – Howell Renovation & Addition.

**Design Professional:** Belinda Stewart Architects & Wier Boerner Allin Architecture (Joint Venture)

**Insurance Coverage:** WBA carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$2,000,000 aggregate. Belinda Stewart Architects carries errors and omissions coverage in the amount of \$1,000,000 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 renovations and additions to the Howell Building.

**Project Scope:** The primary program of the building includes a rehabilitation project to repair existing historic building and provide Accessibility upgrades. A new building Addition is planned on the South face of the building. The West facing entry doors will be installed like original. Minimal interior layout modifications will be made to accommodate classroom needs, circulation, building code and accessibility upgrades. The project will provide new mechanical, electrical, plumbing, and fire protection systems.

**Funding Source(s):** SB 3065, Laws of 2019 (\$320,000); SB 2971, Laws of 2021 (\$15,000,000); SB 3045/HB 1353, Laws of 2022 (\$14,680,000); SB 3043/HB 603, Laws of 2023 (\$5,732,500)

**Project Budget:** \$35.7 million Total; (Howell Renovation & Addition - \$22,063,840)

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.***

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**Rendering 1: Exterior of the Howell Renovation for College of Architecture, Art,  
and Design – NW Addition**



**Rendering 2: Exterior of the Howell Renovation for College of Architecture, Art,  
and Design – South Addition**



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**11. UM – APPROVAL TO AMEND A LEASE AGREEMENT WITH TAILWIND CAMPUS CREEK**

**Agenda Request:** The University of Mississippi requests approval to amend the lease entered into with Tailwind Campus Creek, LLC. The amendment to the lease will be effective as of August 1, 2024.

**Contractor's Legal Name:** Tailwind Campus Creek, LLC

**Specific type of contract:** This is an amended lease agreement.

**Purpose:** This amendment to the lease provides an additional 234 bed spaces, that will allow the University to provide space for the growing number of incoming freshmen students and still provide some spaces for upperclassmen.

**Scope of Work:** The lessor will provide 636 furnished bed spaces in apartment units in a location on the Oxford University Transit (O.U.T) route which will allow students access to campus. The amended lease term will be for 636 beds for a period of one (1) year beginning August 1, 2024, with the option to renew for three (3) additional one-year periods. Notice of renewal intentions, including number of bed spaces, will be determined prior to December 31. Student Housing will place students in leased spaces and provide staffing to oversee the leased units.

**History:** This is an amendment to an existing lease to add more beds. The current lease was approved by the IHL board in February 2023 for 402 beds. The University of Mississippi will need additional bed spaces due to the growing number of incoming freshmen students. Tailwind Campus Creek could provide the University with an additional 234 spaces. Due to the property's close proximity to campus, University staff on premises, the ability to have all apartments under contract with the University, and a negotiated contract already in place, we needed to proceed with this amendment.

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**Terms of Lease Agreement:** Lessee agrees to pay Two Million One Hundred and Ninety-Six Thousand and Two Hundred Thirty Dollars and Forty Cents (\$2,196,230.40) annually to the Lessor for the Additional Leased Spaces, pursuant to the following schedule with the first payment due on August 1, 2024:

\$183,019.20 due on the first day of the month.

This payment for the Additional Leased Spaces will result in a total annual payment by the Lessee of \$5,485,410.00 for the 636 bed spaces starting August 1, 2024, to be paid on the following schedule:

\$457,117.50 due on the first day of the month

**Termination Options:** This Lease commences on August 1, 2024, and remains in force for a period of one (1) year with the option to renew for three (3) additional one-year periods. Each party will be excused from performance for any period during which, and to the extent that, such party or any subcontractor is prevented from performing any obligation or service, in whole or in part, as a result of causes beyond its reasonable control, and without its fault or negligence, including without limitation, acts of God, strikes, lockouts, riots, acts of terrorism or war, University closure, epidemics, pandemics, a state of emergency as declared by federal, state or local government, infectious disease or other public health emergency, communication line failures, power failures, and non-delivery or delays in delivery by any other supplier of goods or services deliverable under this Agreement. Should the demised building be totally or substantially destroyed by fire, the elements or otherwise, so as to render the demised building untenable, either party shall have the option to cancel the remaining portion of this Lease. Failure on the part of the Lessee to pay any installment of rent when the same comes due and payable, or failure of either Lessee or Lessor promptly and faithfully to keep and perform each and every covenant agreed and stipulated herein on the part of the Lessee or Lessor to be kept and performed, shall at the option of the Lessor or Lessee cause a forfeiture of this Lease.

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**Lease Amount:** The initial lease amount is \$5,485,410. Increase in the cost of the lease will be up to 50% of the off-campus rental rate increase in the Oxford market (data provided by CollegeHouse) or 5% of the rental rate of the prior term, whichever is less:

Year Three Lease: \$5,759,681

Year Four Lease: \$6,047,665

Year Five Lease: \$6,350,048

**\*\*Note** that all years are based on lease of 636 bed spaces with a 5% increase each year.

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

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

**12. UMMC – APPROVAL OF A PURCHASE AGREEMENT WITH HGS INVESTMENTS, LLC FOR THE PURCHASE OF PROPERTY LOCATED AT 876 LAKELAND DRIVE, JACKSON, MS**

**Agenda Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Purchase and Sale Agreement with HGS Investments, LLC (Seller) for the purchase of property located at 876 Lakeland Drive, Jackson, MS 39216 (Property)

**Seller's Legal Name:** HGS Investments, LLC

**Specific type of contract:** This is property purchase agreement.

**Purpose:** The purpose of the agreement is to purchase the 6,179 square foot building situated on 0.38 acres of land. The building is of strategic importance to UMMC since it is directly adjacent to UMMC main campus property.

**Appraisals:** UMMC received two independent property appraisals for the property. The first appraisal was in the amount of \$800,000. The second appraisal was in the amount of \$800,000. The average of the two appraisals is \$800,000. UMMC is purchasing the Property for a total of \$800,000 which is the average of the property's two appraised values.

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**Property Description:** The subject property is physically located at 876 Lakeland Drive, within the city limits of Jackson, Hinds County, MS. The building consists of approximately 6,179 square feet and is located on approximately 0.3 acres of land.

**Terms of Property Purchase:** UMMC will purchase the property for \$800,000. The closing date shall be the earlier of (i) the date that is three (3) Business Days after the UMMC notifies the Sellers in writing that UMMC intends to Close, (ii) November 30, 2023, (iii) fifteen (15) Business Days from the date UMMC receives the required IHL Approval, or (iv) such earlier date as is mutually agreed upon by the parties.

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

- UMMC may terminate the agreement:
  - at any time prior to the expiration of the inspection period, upon written notice to the Seller, if the results of the inspections performed by or on behalf of UMMC are unsatisfactory to UMMC or if UMMC is unsatisfied with the matters disclosed on the title commitment or survey;
  - in the event that a warranty or representation made in the agreement is not true and is not cured within fifteen (15) days of notice to the Seller;
  - by providing fifteen (15) days notices to the Seller if a fire or casualty causes material damage to the Property; by providing fifteen (15) days notices to the Seller if a taking shall affect all or any material part of the Property.
- The Seller may terminate the agreement in the event that UMMC made any representations that were untrue or misleading in any material respects or failed to perform any of the covenants required by the agreement.
- The agreement may be terminated by either party in the event of adverse change in law and the parties fail to agree upon modified terms within sixty (60) days.

**Environmental Phase I:** A Phase 1 Environmental Site Assessment (ESA) has been conducted on the Property. Based on the site inspection, current and past land use history, and record review, no recognized environmental conditions are evident at the Property.

A copy of the property description and all legal documentation are on file with the UMMC Office of Real Estate and Facilities. UMMC is acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The purchase

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price of property to be acquired shall not exceed the average of the two appraisals. UMMC is also acting in accordance with Board Policy §905(B), Real Estate Management, that requires a Phase I or more detailed environmental report be completed by qualified personnel and submitted to the Board's Real Estate and Facilities Office.

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

**13. UMMC – APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH CLINTON MS I SGF, LLC**

**Agenda Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Medical Office Building Lease with Clinton MS I SGF, LLC (Landlord) to lease 43,767 square feet of office space located at Southpointe Business Park, 500 Clinton Center Drive, Clinton, MS 39056 for use by UMMC's financial departments and offices. Pursuant to IHL policy 707.03 Approval of Prepayment for Goods and Services, UMMC also requests a waiver to allow prepayment of rent on the first day of each month.

**Contractor's Legal Name:** Clinton MS I SGF, LLC

**Specific type of contract:** This is a new Medical Office Building Lease.

**Purpose:** The purpose of this Agreement is to lease approximately 43,767 square feet of office space at Southpointe Business Park for use by UMMC's financial departments and offices. Due to some space moves during and following COVID, UMMC intends to move additional offices to this location.

**Scope of Work:** UMMC will lease approximately 43,767 square feet from Landlord, for the purpose of housing most of its financial operations, as well as other non-medical staff, as needed. Upon approval and execution of the new Lease Agreement, the Landlord will provide UMMC with a tenant improvement allowance of \$306,369.00, which UMMC may utilize at its discretion for any renovations or remodeling of the space.

**Terms of Lease Agreement:** The term of the agreement is ten (10) years, from January 1, 2024, through December 31, 2033.

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**Termination Options:** Pursuant to the terms of the Lease Agreement, the Lease may be terminated pursuant to the following:

- By UMMC for any reason, after Year 7, upon 270 days notice to the Landlord;
- By either party in the event of a partial destruction of the premises and repairs or renovations could not be accomplished within 180 days;
- By either party in the event of a total destruction of the building;
- Automatically if the whole of the premises or building or so much thereof as to render the balance unusable by UMMC shall be taken under power of eminent domain, condemnation, or by deed in lieu of foreclosure or otherwise;
- By UMMC in the event of a partial taking under power of eminent domain, by giving MHG written notice within thirty (30) days after UMMC's receipt of written notice of such partial taking;
- By either party in the event the other party commits an act of default under the Lease, by giving the defaulting party at least thirty (30) days prior written notice;
- By either party in the event any legislation, regulation or government policy is passed or adopted, the effect of which would cause either party to be in violation of such laws due to the existence of any provision of this Lease, and the parties fail to agree upon modified terms within ninety (90) days;
- By either party immediately upon breach of any of the following ongoing representations and warranties that it, its officers, directors and employees:
  - o are not currently excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs;
  - o 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; and
  - o are not under investigation or otherwise aware of any circumstances which may result in the party being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
- By either party in the event of an adverse change in law and the parties fail to agree upon modified terms within 60 days.

**Lease Amount:** The estimated total cost of the lease is \$9,675,000 over the term. Beginning in year two (2), UMMC has included an additional five percent (5%) to allow for annual price increases. Landlord may increase the operating expenses up to five percent (5%) per year.

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

**Contractor Selection Process:** UMMC utilized the premises since 2008 and continues to use its financial offices and departments. The space is optimum for operational needs for the non-medical offices.

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

**14. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A LEASE  
AGREEMENT WITH JACKSON STATE UNIVERSITY**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Lease Agreement with **Jackson State University** (JSU). The agreement provides for the lease of 3,455 parking spaces in lots A, B, C, D, & the overflow lot on the grounds of the Mississippi Veterans Memorial Stadium (Stadium).

**Contractor's Legal Name:** Jackson State University

**History of Contract:** In 2009, a lease agreement was executed between the Department of Finance and Administration (DFA) and UMMC for parking in the Stadium. In 2013, UMMC exercised, with JSU's approval, the first option to renew the lease for an additional five (5) years. In December 2018, UMMC exercised, with JSU's approval, the second option to renew the lease for an additional five (5) years, through December 31, 2023.

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

**Purpose:** The purpose of this agreement is to lease 3,455 parking spaces in lots A, B, C, D, and the overflow lot on the grounds of the Stadium. These spaces will be utilized by UMMC's faculty, staff, and students going to UMMC's main campus.

**Scope of Work:** UMMC faculty, staff, and students will utilize these parking spaces 365 days per year. Due to the lack of sufficient parking on UMMC's main campus, parking at the Stadium is essential to UMMC's operations.

**Term of Contract:** The term of this agreement is five (5) years beginning January 1, 2024, with the option to renew for two (2) additional five (5) year terms, through December 31, 2038.

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

- immediately in the event of casualty or loss where repairs are financially or structurally unwise; and
- by either party upon one-hundred (180) days written notice to the other party.

**Contract Amount:** The total cost of the agreement over the fifteen (15) year term is \$11,250,000. UMMC will pay an annual lease cost of \$750,000.

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

**Contractor Selection Process:** UMMC is currently contracted with JSU for the parking spaces in lots A, B, C, D, & the overflow lot. Due to the lack of sufficient parking on UMMC's main campus, parking at the Stadium is essential to UMMC's operations.

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

**15. USM – IHL 214-024 –GULF PARK LANGUAGE & SPEECH THERAPY CENTER – APPROVAL OF EXTERIOR DESIGN**

**Agenda Request:** The University of Southern Mississippi requests approval of the exterior design of the Gulf Park Language & Speech Therapy Center.

**Design Professional:** MP Design Group

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

**Purpose:** The University of Southern Mississippi is seeking approval of the exterior rendering for the proposed construction of the new Gulf Park Language & Speech Therapy Center. USM does not expect significant changes to the exterior design during subsequent phases. Keeping with Gulf Park's Mission Revival aesthetic, the building will be light-colored stucco with chocolate accents to match adjacent buildings. The adjacent and proposed buildings are no taller than two stories.

**Project Scope:** The project comprises the new construction of a two-story facility (approximately 18,000 square feet) on the Gulf Park Campus.

**History:** The University of Southern Mississippi received Community Project Funding/Congressionally Directed Spending (CDS) projects funding from the US Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA) in the amount of \$7,900,000. Congress approved the funding as part of the Consolidated Appropriations Act, 2022 (PL 117-103). USM intends to provide a building and specialized equipment for the School of Nursing and Health at its Gulf Park campus with this funding. The use will be for cost-free innovative therapies and services offered for infants, toddlers, and preschoolers under five and for the DuBard School programming designed to serve students aged 3-13 with severe language-speech disorders, including developmental aphasia and childhood

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apraxia of speech, deafness, hearing impairments and the written language disorder of dyslexia. These in-person and outpatient programs are vital for developing young children with disabilities and provide education, training, and support for families, university students, and professionals. Expanding these programs will decrease travel time for children participating on the Hattiesburg campus and located closer to the coast. It would help meet the growing needs demonstrated by increased inquiries and waiting lists.

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

**Project Budget:** \$7.9 million

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

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

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**Rendering 1: Exterior of the Gulf Park Language and Speech Therapy Center**



**Rendering 2: Exterior of the Gulf Park Language & Speech Therapy Center**



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**16. USM – APPROVAL TO ENTER INTO REIMBURSABLE SPACE ACT AGREEMENT, USE PERMIT, AND HOST TENANT AGREEMENT WITH NATIONAL AERONAUTICS AND SPACE ADMINISTRATION JOHN C. STENNIS SPACE CENTER**

**Agenda Request:** The University of Southern Mississippi requests approval of a new Reimbursable Space Act Agreement, and associated Use Permit, and Host Tenant Agreement, between the National Aeronautics and Space Administration John C. Stennis Space Center (NASA) and the Board of Trustees of State Institutions of Higher Learning for the Center of Higher Learning and Related University Activities (IHL). Under these Agreements, NASA provides space for IHL through the Center of Higher Learning in order to facilitate the continued education of the NASA workforce and other academic and non-academic activities. This Agreement further addresses the terms and conditions for non-academic activities which the IHL has authorized, pursuant to approval by NASA.

**Contractor's Legal Name:** National Aeronautics and Space Administration John C. Stennis Space Center

**History of Contract:** IHL and USM have contracted with the Stennis Space Center (SSC) since 1989 to provide academic and non-academic programs through the Center for Higher Learning (CHL) at SSC facilities. The agreement has been renewed periodically since that time. The current Reimbursable Space Act Agreement, as amended, is effective as of November 29, 2017, and will terminate on November 29, 2023. Additionally, the existing Use Permit and Host-Tenant Agreement in place between IHL and NASA each terminate upon the termination of the existing Reimbursable Space Act Agreement.

**Specific Type of Contract:** Reimbursable Space Act Agreement, Use Permit, and Host Tenant Agreement

**Purpose:** The purpose of these Agreements is to continue the relationship between NASA and USM/IHL for the continued provision of academic and non-academic programs through the CHL and other associated activities at NASA's SSC. Such programs, conducted by the CHL and associated institutions, are designed to meet the present and future higher education needs of SSC employees and persons from surrounding communities.

**Scope of Work:** SSC provides space in the SSC facilities for both academic and non-academic programs.

**Term of Contract:** Five (5) Years

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**Contract Amount:** The estimated financial obligation for reimbursable costs owed to NASA for the term is \$4,033,026 subject to adjustment as provided in the Agreements.

**Funding Source for Contract:** State of Mississippi Appropriations for Center of Higher Learning, Education and General funds for the Department of Marine Sciences.

**Termination Options:** Either party may unilaterally terminate the Fully Reimbursable Space Act Agreement upon thirty (30) days written notice. The Use Permit and Host-Tenant Agreement terminate upon the termination of the Reimbursable Space Act Agreement.

**Contractor Selection Process:** N/A

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

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1. **DSU – APPROVAL OF DR. MICHELLE ROBERTS AS LEGISLATIVE LIAISON**

Delta State University requests approval of Dr. Michelle Roberts as its legislative liaison, pursuant to IHL Board Policy 201.0506.

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

2. **USM – APPROVAL TO AMEND CONTRACT WITH McDONALD HOPKINS LLC AS OUTSIDE COUNSEL**

The University of Southern Mississippi requests approval to amend its contract with McDonald Hopkins LLC as outside counsel to expand the scope of services to include matters relating to information security and/or privacy, information security and/or privacy incidents, and to provide legal advice concerning information security and privacy. The proposed Amendment also extends the term of the existing contract through June 30, 2025, and increases the maximum amount payable under the term of the agreement from \$75,000 to \$100,000. The hourly rates remain the same at \$365 for lead attorney, \$290 for associate attorneys under the supervision of the lead attorney, and \$135 for paralegal services. All other provisions of the original agreement remain unchanged. This firm is approved counsel under the University's cyber insurance coverage, and fees and expenses exceeding policy deductibles for claims under the cyber insurance policy will be paid by the insurer. This firm carries professional liability insurance coverage in the amount of \$5,000,000 per claim with an annual aggregate of \$5,000,000. This request is pending approval of the Attorney General.

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

3. **USM – APPROVAL TO AMEND CONTRACT WITH ZACHARY AND LEGGETT, PLLC AS OUTSIDE COUNSEL**

The University of Southern Mississippi requests approval to amend its contract with Zachary and Leggett, PLLC as outside counsel to continue to provide services as necessary and render advice in the practice areas of general legal advice, commercial and regulatory matters, investigations in matters involving various legal issues and litigation. The proposed Amendment extends the term of the current agreement through June 30, 2025, and increases the maximum amount payable under the term of the agreement from \$15,000 to \$65,000. The hourly rates remain the same at \$195 for attorneys and \$90 for paralegal services. All other provisions of the original agreement remain unchanged. This firm carries professional liability insurance coverage in the amount of \$2,000,000 per claim with an annual aggregate of \$4,000,000. This request is pending approval of the Attorney General.

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

4. **UMMC - APPROVAL OF THE DESIGNATION OF ROBERT McELHANEY AS UMMC'S "APPLICANT'S AGENT" FOR THE FEDERAL DISASTER DECLARATION FOR THE PURPOSE OF OBTAINING FEDERAL REIMBURSEMENT OF COSTS ASSOCIATED WITH EMERGENCY PROTECTIVE MEASURES**

On January 20, 2020, the President of the United States of America issued an emergency declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the Stafford Act) related to the COVID -19 Pandemic. In August and September, 2021, the University of Mississippi Medical Center (UMMC) set up COVID-19 clinics in Parking Garage B to respond to the threat posed by this federally declared disaster by providing emergency protective measures for the COVID-19 pandemic which created an immediate threat to the health and safety of the general public requiring emergency response and protective measures at 2500 N. State St., Jackson, MS 39216 from August 10, 2021 to September 30, 2021.

Accordingly, UMMC is seeking federal reimbursement through the Federal Emergency Management Agency (FEMA) of costs associated with emergency protective measures in connection with the COVID-19 Emergency Protective Measures (4528DR-MS). UMMC seeks approval from the Board of the designation of Robert McElhaney, Associate Comptroller of Developmental Accounting at the University of Mississippi Medical Center, as the certifying official and applicant agent for the Federal Disaster Declaration.

The Attorney General's Office reviewed the request for compliance with applicable law and found same to be acceptable.

Below is the Designation for the Board's consideration.

**DESIGNATION OF UMMC AGENT FOR THE  
FEDERAL DISASTER DECLARATION**

**STATE OF MISSISSIPPI  
COUNTY OF HINDS**

On the 16th day of November 2023, at a meeting of the Board of Trustees of State Institutions of Higher Learning, held in Jackson, Mississippi, in Hinds County, with a quorum of members present, the Board hereby designates Robert McElhaney, Associate Comptroller of Developmental Accounting at the University of Mississippi Medical Center as the certifying official and applicant agent for the Federal Disaster Declaration for the purpose of obtaining federal reimbursement of costs associated with emergency protective

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measures for the University of Mississippi Medical Center in connection with the COVID-19 Emergency Protective Measures (4528DR-MS).

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

This the 16<sup>th</sup> day of November 2023.

\_\_\_\_\_  
ALFRED E. McNAIR, M.D., PRESIDENT

**ACKNOWLEDGMENT**

STATE OF MISSISSIPPI  
COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned authority in and for the said county and state, on this \_\_\_\_\_ day of November 2023, within my jurisdiction, the within named Alfred E. McNair, MD, who acknowledged that he executed the above and foregoing instrument.

\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires: \_\_\_\_

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

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1. **ASU – APPROVAL TO AWARD ONE HONORARY DEGREE**

The university requests approval to bestow one honorary degree at its Fall 2023 commencement ceremony. Supporting documents are on file at the Board Office.

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

2. **MUW – APPROVAL TO PURSUE A MORE INCLUSIVE NAME IN THE 2024 LEGISLATIVE SESSION**

MUW requests permission to pursue a more inclusive name in the 2024 legislative session in accordance with Mississippi Code Annotated Section 37-117-1.

In Fall 2022, a taskforce was formed to take a deeper dive into the university's name and recommend a more inclusive name. This task force was chaired by the Dean of Library Services, Amanda Clay Powers, and former Provost Tom Richardson. The task force included deans, Provost, Executive Director of University Relations, Executive Director of Alumni and Development, General Counsel, and representatives of our Faculty Senate, Staff Council, Student Government Association, Alumni Association, and the Foundation Board. In December 2022, the decision was made to extend the work of informing our constituencies of the rationale for changing the name and to develop a branding strategy.

In the spring 2023, MUW and the MUW Foundation engaged the marketing communications firm of Chernoff Newman to assist the university in defining a clear brand identity, to help select a new name that reflects that identity, and to establish a plan to market that brand identity.

Chernoff Newman began their work by conducting discovery sessions with key stakeholders, including the President's Cabinet, the Naming Task Force, faculty, staff, current students, alumni, and foundation board members. They also have conducted discovery sessions with prospective students, a group that was underrepresented in the survey conducted by Love Communications group in the fall of 2022.

With the information gathered from this extensive discovery process, Chernoff Newman is developing "a compelling brand positioning strategy" that aligns with the needs and aspirations of prospective students while supporting the university's strategic goals. The brand identity, including a new name, will attract more students and elevate the

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university's profile both regionally and nationally. This work is expected to be completed by the end of the calendar year.

**Staff recommendation: Board staff recommends this item for consideration.**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
ACADEMIC AFFAIRS  
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1. **SYSTEM – APPROVAL OF ACADEMIC PROGRAM PRODUCTIVITY  
REVIEWS**

Academic productivity reviews are triggered when cumulative graduates over the past 3 academic years for a single degree program are less than eighteen (18) for baccalaureate-level degrees, less than twelve (12) for master-level degrees, and less than five (5) for specialist and doctorate-level degrees. **Thirty-three (33)** academic programs were evaluated to assess need, potential to grow enrollment, productivity potential, and unnecessary duplication. Based on proposals prepared by each institution and subsequent review by the Office of Academic and Student Affairs (OASA), the following recommendations are presented for Board approval.

**A. CONTINUE WITH STIPULATION**

The following **3** academic programs are subject to additional review by OASA for two years to assess progress toward future productivity.

- **DSU - BFA in Digital Media Arts** (CIP: 50.0102, Seq: 5839)
- **JSU - BS in Biomedical Engineering** (CIP: 14.0501, Seq: 5845)
- **JSU - MS in Data-Enable Science and Engineering** (CIP: 14.9999, Seq: 4572)

**B. SUSPEND**

Although students may earn degrees from suspended academic programs, no additional students will be accepted into these majors. If the institution does not request that a suspended program be deleted or removed from suspension within three (3) academic years, OASA will recommend to the Board that the program be deleted from the academic program inventory. Unless a request is made by the institution, these programs will be recommended for deletion in October 2026.

- **DSU - BA in Music** (CIP: 50.0901, Seq: 5113)
- **DSU - BM in Music** (CIP: 50.0901, Seq: 5741)
- **DSU - BBA in Healthcare Administration** (CIP: 51.0701, Seq: 5850)
- **UM - BS in Applied Gerontology** (CIP: 30.1101, Seq: 5863)

**C. DELETE**

- **UM - MS in Health Promotion** (CIP: 31.0599, Seq: 4433)
- **USM - BA in International Studies** (CIP: 45.0901, Seq: 5752)
- **USM - PhD in Music Education** (CIP: 13.1312, Seq: 1069)
- **USM - PhD in Criminal Justice** (CIP: 43.0104, Seq: 1179)

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

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2. **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.~~

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.**

3. **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

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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.**

4. **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 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: an impact analysis which evaluates benefits and risks associated with the establishment or expansion of a program to existing similar degree-granting academic programs, colleges, schools, departments, institutes, and centers at other state institutions; state, system, and

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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. **USM – REQUEST TO (1) INITIATE THE BOND PROCESS FOR \$35 MILLION FOR S. M. EDUCATIONAL BUILDING CORPORATION FOR THE PURPOSE OF FINANCING THE COST OF CERTAIN IMPROVEMENTS AND CAPITAL EXPENDITURES WHICH WILL INCLUDE, WITHOUT LIMITATION, THE ACQUISITION, CONSTRUCTION, MAINTENANCE, ENLARGEMENT, IMPROVEMENT, OR EQUIPPING OF PUBLIC BUILDINGS, LAND, AND FACILITIES ON THE MAIN CAMPUS OF THE UNIVERSITY OF SOUTHERN MISSISSIPPI LOCATED IN OR NEAR HATTIESBURG, MISSISSIPPI, INCLUDING THE DEMOLITION AND REMOVAL OF EXISTING STRUCTURES AND THE CONSTRUCTION, RENOVATION, EQUIPPING, AND LANDSCAPING OF THE REED GREEN COLISEUM ATHLETIC FACILITY, INCLUDING APPROPRIATE EXTERNAL INFRASTRUCTURE IMPROVEMENTS SUCH AS PARKING, UTILITIES, STREETS AND DRIVES, FUNDING CAPITALIZED INTEREST, IF NECESSARY, AND TO PAY THE COSTS OF THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS, (2) REVIEW THE FINANCIAL ADVISOR’S REPORT, AND (3) APPROVE BOND COUNSEL, FINANCIAL ADVISOR AND UNDERWRITERS**

**Agenda Item Request:** The University of Southern Mississippi requests approval under Section 906 of the IHL Bylaws to issue tax-exempt or taxable bonds through the S.M. Educational Building Corporation (SMEBC). Debt issuance not to exceed \$35 million. The loan term will not exceed 30 years. Funds will be used to finance the construction, renovation, equipping, and landscaping of the Reed Green Coliseum Athletic Facility, including appropriate external infrastructure improvements such as parking, utilities, streets and drives.

Project funding = \$43.170,506.50

USM also requests the Board review and approve the financial advisor’s report provided by Hilltop Securities.

Following are the professionals:

- Financial Advisor – Hilltop Securities
- Bond Counsel – Butler Snow LLP
- Underwriters – Raymond James & Associates, Inc., and Wells Fargo Bank National Association

Bond counsel will be compensated at \$1.90 per \$1,000 up to \$25 million  
\$1.15 per \$1,000 over \$25 million

**History:**

GS# 108-301 Reed Green Coliseum Renovation: Initiated at \$15 million and appointed Wier Boerner Allin Architecture as Design Professional via agenda item. Approved at January 2022 board meeting.

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IHL# 208-301 Reed Green Coliseum Renovation: Requested permission to modify the originally submitted project number from GS# 108-301 to IHL# 208-301. Approved at May 2023 board meeting.

Plan to increase budget to \$43,170,506.50 at November 2023 board meeting.

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

**Purpose:**

IHL# 208-301 Reed Green Coliseum Renovation: Design of renovations to upgrade Reed Green Coliseum.

**Scope of Work:** The bond issue includes funds for renovations for Reed Green Coliseum. Hilltop Securities is the Financial Advisor. Bond Counsel is Butler Snow, LLP, and the Underwriters are Raymond James & Associates, Inc., and Wells Fargo Bank National Association.

**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:** USM expects to issue up to a maximum of \$35 million par value, fixed rate bonds. Proceeds from the bond issue will support the project funds, capitalized interest, cost of issuance and the underwriter's discount. Based on the Financial Advisor's report dated November 16, 2023, the proposed debt amortization will have an average annual debt payment of \$2,444,475 at an expected all-in true interest cost of 5.21 percent.

**Funding Source for Contract:**

**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. **SYSTEM – REQUEST FOR APPROVAL TO PURCHASE WORKERS' COMPENSATION EXCESS INSURANCE WITH SAFETY NATIONAL CASUALTY COMPANY**

**Agenda Item Request:** The Mississippi Institutions of Higher Learning's Executive Office (IHL) requests approval to purchase workers' compensation excess insurance and employer's liability insurance from **Safety National Casualty Company**. The broker will be Arthur J. Gallagher.

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**Contractor's Legal Name:** Safety National Casualty Company.

**History of Contract:** The IHL Workers' Compensation Plan is required by the Mississippi Workers' Compensation Commission to purchase coverage for workers' compensation claims in excess of our self-insured retention of \$1,000,000. An excess workers' compensation insurance policy has been purchased since the inception of the IHL Workers' Compensation Plan. The policy includes Employer's Liability coverage with a limit of \$1,000,000. The insurance rate is decreasing by 1% this year. Coverages include statutory coverage for aircraft, broad form all-states, maritime, incidental USL&H, and voluntary compensation coverages.

**Specific Type of Contract:** This is a contract for excess workers' compensation insurance coverage.

**Purpose:** To provide workers' compensation insurance coverage in excess of the primary self-insured retention of \$1,000,000 per occurrence.

**Scope of Work:** N/A

**Term of contract:** December 1, 2023, through November 30, 2024. This is a one-year policy of insurance and a three-year broker assignment.

**Termination Options:** The insurance policy may be terminated at any time by either party following 90 days' notice, except for non-payment of premium.

**Contract Amount:** The estimated premium is \$380,448 for the one-year term based upon an annual payroll of \$1,753,218,491. The exact cost may fluctuate as it is based upon annual payroll.

**Funding Source for Contract:** This insurance is paid for by the IHL Self-Insured Workers' Compensation Plan. The Plan collects assessments annually from each university, including UMMC, and the Board Office.

**Contractor Selection Process:** The procurement was advertised in *The Clarion-Ledger* and notification letters were directly forwarded to brokers that had previously indicated an interest in this process. Six markets were assigned between three brokers. Two quotes were received. The lowest and best quote is from Safety National Casualty Insurance Company and Arthur J. Gallagher.

<b>Name and Rating Premium</b>	<b>Rate</b>	<b>Estimated Annual</b>
Safety National Casualty Corporation .0217 AM Best Rating: A+ XV (Superior)		\$380,448

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**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.

3. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A PURCHASE AND REBATE AGREEMENT WITH BAXTER HEALTHCARE CORPORATION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Purchase and Rebate Agreement with **Baxter Healthcare Corporation** (Baxter) for the provision of Intravenous (IV) products to include: solution/fluid products, nutritional products, and drug delivery systems (frozen, premixed, and/or MiniBag plus products). UMMC also requests approval to add or remove products from the agreement, including by amendment, if required by the vendor without seeking prior Board approval as long as it does not increase the approved expenditure level.

**Contractor's Legal Name:** Baxter Healthcare Corporation

**History of Contract:** UMMC has been purchasing these products from Baxter through a Vizient Agreement since November 2015, having most recently amended the agreement in November 2018. The agreement will expire on December 31, 2023.

**Specific Type of Contract:** This is a new Purchase and Rebate Agreement for IV products.

**Purpose:** The purpose of this agreement is to allow UMMC to purchase the IV products used in patient care. The IV products include: solution/fluid products, nutritional products, and drug delivery systems (frozen, premixed, and/or MiniBag plus products). Based upon expected purchase volumes as well as other factors, UMMC qualifies for reduced pricing and will qualify for various rebate options which will result in annual payments to UMMC.

**Scope of Work:** Under the agreement, Baxter will provide the following:

- IV products at the reduced qualifying tier pricing; and
- rebates on the volume of products purchased.

Under the agreement, UMMC will:

- commit to purchase from Baxter no less than ninety percent (90%) of its total utilization of the products each agreement year; and
- agree to buy the commodities for its own use.

**Term of Contract:** The term of the agreement is sixty (60) months from January 1, 2024, through December 31, 2028.

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

- by UMMC, if upon ninety (90) days prior written notification to Supplier of UMMC's participation under a New GPO Agreement between Vizient and Baxter, on the effective date of participation under the New GPO Agreement; and
- in the event of insufficient funds.

**Contract Amount:** The total estimated cost of the agreement is \$22,650,000.00 over the sixty (60) month term. UMMC has included a fifteen percent (15%) increase each year 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:** Baxter is an approved vendor contracted with Vizient, one of UMMC's group purchasing organizations (GPO) pursuant to Miss. Code Ann. § 31-7-13(m)(x).

**STAFF RECOMMENDATION:** 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 SERVICE AGREEMENT WITH BFI WASTE SERVICES, LLC DBA REPUBLIC SERVICES OF JACKSON**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a new Solid Waste Services Agreement (Agreement) with **BFI Waste Services, LLC. d/b/a Republic Services of Jackson (Republic)** to provide solid waste removal, disposal, and recycling services at all UMMC locations in Lexington, Greenwood, Grenada, and the Jackson metro area. In addition, UMMC requests approval to add and/or remove locations specified in the Agreement without seeking prior Board approval as long as adequate funds are available.

**Contractor's Legal Name:** **BFI Waste Services, LLC. d/b/a. Republic Services of Jackson**

**History of Contract:** On October 19, 2017, the Board approved a five (5) year Solid Waste Services Agreement with Republic, which will expire on November 30, 2022. In June, 2022, UMMC issued Request for Proposal (RFP) number 8042 for a new multi-year solid waste services contract. Republic was the only entity that responded to the RFP. Consequently, UMMC entered into a one (1) year agreement with Republic, that did not require IHL approval, and immediately began working on a new RFP. This proposed Agreement is the result of RFP 8052, issued in May 2023.

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**Specific Type of Contract:** This is a new Solid Waste Services Agreement.

**Purpose:** The purpose of this Agreement is to provide solid waste removal, disposal, and recycling services at all UMMC locations in Lexington, Greenwood, Grenada, and the Jackson metro area.

**Scope of Work:** Under the Agreement, Republic will:

- provide approximate sized dumpsters/compactors (containers) at designated UMMC sites;
- remove and dispose of the waste from containers on a specified regular schedule;
- repair and maintain the containers as necessary;
- haul the recyclable materials to a recycle facility; and
- work with UMMC to adjust schedules for removal of waste as may be necessary for any specific UMMC site.

UMMC will provide the following:

- appropriate electrical outlets for all compactors;
- appropriate access locations for containers; and
- adjustment of removal schedules as appropriate.

**Term of Contract:** The term of the Agreement is five (5) years, from December 1, 2023, through November 30, 2028.

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

- failure by Republic to comply with the federal e-verify program;
- by UMMC with or without cause upon thirty (30) days written notice to Republic;
- by UMMC upon Republic's breach of the agreement and failure to cure the breach within ten (10) days;
- immediately upon Republic's breach of any of the following ongoing representations and warranties that Republic, 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 Designed Nationals and Blocked Persons list;

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- are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Republic being excluded from participating in the Federal Healthcare Programs or any state healthcare programs; and
- if Republic is to receive any patients' personal health information, Republic represents and warrants that it has implemented safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected;
- by UMMC upon thirty (30) days' written notice in the event of a reduction in available funds or no funds; and
- upon written notice in the event a change in law results in adverse consequences and the parties cannot agree upon renegotiated terms within thirty (30) days.

**Contract Amount:** The estimated cost of the contract is \$5,900,000 over the five (5) year term. This cost includes a five percent (5%) monthly price increase in year three (3) and a ten percent (10%) monthly increase beginning in year four (4). UMMC has also included a ten percent (10%) increase for anticipated volume growth.

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

**Contractor Selection Process:** In May 2023, UMMC conducted RFP 8052 for a new multi-year solid waste services contract. Two (2) bidders responded to RFP 8052. The following reflects the scoring for the proposals. The overall score indicated below is based upon criteria including cost as well as other factors.

Vendor	Overall Score out of 100
BFI Waster Services LLC dba Republic Services of Jackson	59.75
Waste Management	53.66

**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. **USM – REQUEST FOR APPROVAL TO ENTER INTO SECOND AMENDMENT TO AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC**

**Agenda Item Request:** The University of Southern Mississippi requests authorization to enter into a Second Amendment to Agreement with **New Cingular Wireless PCS, LLC**.

**Contractor's Legal Name:** New Cingular Wireless PCS, LLC (Successor of Bellsouth Mobility, LLC)

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**History of Contract:** The original Agreement was dated October 23, 2001 with a Commencement Date in 2004. It was amended in March of 2017 to permit the installation of additional equipment.

**Specific Type of Contract:** This is a revenue generating Agreement to provide access and space for antenna facilities and equipment for wireless services.

**Purpose:** The Purpose of Amendment Two is provide for the relocation of the antenna facilities and associated equipment from Pulley Hall to Wilber Hall

**Scope of Work:** The antenna facilities and equipment utilized by Contractor will be relocated from Pulley Hall to Wilber Hall.

**Term of Contract:** The original Agreement was for an initial term of five (5) years from the Commencement Date with four (4) additional optional renewal terms of five (5) years each. The proposed Amendment Two does not change the Term.

**Contract Amount:** The Agreement generates revenue of approximately \$50,000 annually, and is subject to annual escalation. The proposed Amendment Two does not change the amount of revenue.

**Funding Source for Contract:** This is a revenue generating agreement.

**Termination Options:** The Licensee can terminate the License Agreement at the end of each 5-year option by giving USM ninety (90) days written notice. USM may terminate the Agreement for a default in payment by Licensee after 15 days' written notice. Either party can terminate if the other party defaults and it continues after thirty (30) days written notice. Licensee may also terminate in the event of loss of governmental approval, material interference with signal by another party or act of God. Licensee can buy out of the Agreement by notice and payment of a nine months' termination fee.

**Contractor Selection Process:** N/A

**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.*

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

**IHL PROJECTS .....**

**1. USM – IHL 208-301 – REED GREEN COLISEUM RENOVATION**

**Project Request:** The University of Southern Mississippi is requesting approval to increase the budget from \$15,000,000 to \$43,170,506.50 for an increase in the amount of \$28,170,506.50. In addition, USM is requesting to modify the funding source to include Educational Building Corporation (EBC) bond proceeds as a funding source to the project to allow for the budget increase. Also, USM requests to modify the scope of the project to include the project description provided below in the project scope.

**Current Project Phase:** Design Phase

**Design Professional:** Wier Boerner Allin Architecture, PLLC

**General Contractor:** TBD

**Insurance Coverage:** The design 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 Southern Mississippi is seeking an increase to the current project budget of \$15,000,000 by \$28,170,506.50 for a revised total budget of \$43,170,506.50. The purpose of this request is to clarify the funding sources and scope in order to renovate Reed Green Coliseum by providing improvements in the arena, throughout the facilities, and the site. This renovation will also add a much-needed new training facility as well as a new entrance with the necessary amenities.

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**Project Scope:** The project scope is being clarified by the University of Southern Mississippi to include the following:

**Building Additions (approximately 33,000 square feet)**

- New Coliseum Entrance, with ticketing facilities (approximately 10,000 square feet)
- New Training Facility and practice court with storage, dressing and toilet facilities (approximately 20,000 square feet)
- New Men's / Women & Family Restrooms (approximately 2,400 square feet)
- Loading Dock Expansion (to accommodate 2 to 3 semi-trucks)

**Arena Improvements**

- Expanded Concourse with ADA Seating options and Mini Suites (additional 225 seats)
- Expanded Seating at reconfigured D-Zone Areas at floor level (approximately 5,500 square feet)
- Replacement of existing Bench and Chairback seating (approximately 6,000 seats)
- Riser & Handrail Restoration with other Accessibility Improvements
- New/Renovated Concessions (approximately 3,000 square feet)
- New Scoreboards, LED Ribbons and Sound System
- Renovated Press / Camera areas
- New Wayfinding Signage / Graphics

**Facility Improvements**

- Renovated / Expanded Audio-Visual Control & Broadcast Room & Infrastructure
- Renovated Interview room, press lounge & food services
- Renovated loading area & access to the floor (including accessibility options)
- Improved Storage facilities at floor level
- New Freight Elevator
- Major Upgrades to Mechanical, Plumbing and Electrical Systems
- Relocation of Underground Utility infrastructure for Training Facility location)

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**Site Improvements**

- New 4<sup>th</sup> Street Entrance Plaza
- New southern entry plaza (for the training facility)
- New exterior / site lighting

**History of Project:** Reed Green Coliseum was built in 1964 to serve as a multipurpose building and an athletic venue. Currently, the athletic department is the main tenant of the building. Men's and Women's basketball have their offices in the building.

The previous actions by the IHL Board include the following:

- GS# 108-301 Reed Green Coliseum Renovation: Initiated at \$15 million and appointed Wier Boerner Allin Architecture as Design Professional via agenda item. Approved at January 2022 board meeting.
- IHL# 208-301 Reed Green Coliseum Renovation: Requested permission to modify the originally submitted project number from GS# 108-301 to IHL# 208-301. Approved at May 2023 board meeting.

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

**Project Initiation Date:** January 20, 2022

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**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 9,750,000.00	\$ 32,377,880.00	\$ 22,627,880.00
Architectural and Engineering Fees	\$ 900,000.00	\$ 3,021,935.00	\$ 2,121,935.00
Miscellaneous Project Costs	\$ 3,000,000.00	\$ 1,726,819.50	\$ (1,273,180.50)
Furniture & Equipment Costs	\$ 0.00	\$ 3,453,641.00	\$ 3,453,641.00
Contingency	\$ 1,350,000.00	\$ 2,590,231.00	\$ 1,240,231.00
<b>Total Project Budget</b>	<b>\$ 15,000,000.00</b>	<b>\$ 43,170,506.50</b>	<b>\$ 28,170,506.50</b>

**Proposed Funding Source(s):** Institutional Funds (\$7,000,000.00) from SB 3069 – 72-19-04 Hattiesburg Tourism Tax; Southern Mississippi Educational Building Corporation (SMEBC) Bond proceeds (\$36,170,506.50)

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

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**ADMINISTRATION/POLICY**  
**November 16, 2023**

1. **SYSTEM – APPROVAL OF BOARD MEETING DATES AND LOCATIONS,  
JANUARY THROUGH DECEMBER 2024**

Thursday, January 18, 2024	Board Office
Thursday, February 15, 2024	Board Office
Thursday, March 21, 2024	USM Gulf Park
Thursday, April 18, 2024	Board Office
Thursday, May 16, 2024	Board Office
Thursday, June 20, 2024	Board Office
Thursday, July 18, 2024	Subject to Call
Thursday, August 15, 2024	Board Office
Thursday, September 19, 2024	Board Retreat
Thursday, October 17, 2024	Board Office
Thursday, November 21, 2024	Board Office
Thursday, December 19, 2024	Subject to Call

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

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**INFORMATION AGENDA**  
**ACADEMIC AFFAIRS**  
**NOVEMBER 16, 2023**

**1. ANNUAL REPORT OF WINNERS OF THE HALBROOK AWARDS FOR ACADEMIC ACHIEVEMENT AMONG ATHLETES FOR 2022-2023**

David C. Halbrook Awards for Academic Achievement Among Athletes <sup>a</sup>			
Public University Division – Men		Mississippi State University	
Public University Division – Women		University of Mississippi	
Independent College Division Overall		William Carey University	
Community and Junior College Division Overall		East Mississippi Community College	
John C. and Ernestine McCall Halbrook Improvement Award <sup>b</sup>		Belhaven University	
David M. Halbrook Certificate Award for Academic Achievement Among Athletes <sup>c</sup>			
	Institution	Male Recipient	Female Recipient
Public University Division	Alcorn State University	Isiah C. Thomas ( <i>Biomedical Engineering</i> )	Angelica Jacobs ( <i>Animal Science</i> )
	Jackson State University	Richy Gamo ( <i>Computer Science</i> )	Alexes Sanchez ( <i>Social Work</i> )
	Mississippi State University	Austin Williams ( <i>Finance</i> )	Emmanouela Antonaki ( <i>Management</i> )
	Mississippi University for Women	Charles Wise ( <i>Biology</i> )	Elizabeth Truelock ( <i>Biology</i> )
	Mississippi Valley State University	Orlando Fernandez ( <i>Engineering Technology</i> )	Toni Carter ( <i>Health Physical Education</i> )
	University of Mississippi	Jayda Eckford ( <i>Law Studies</i> )	Kenney Broadnax ( <i>Criminal Justice</i> )
	University of Southern Mississippi	Dylan Evans ( <i>Political Science</i> )	Katelyn Cartwright ( <i>Biomedical Science</i> )
Independent College/University Division	Blue Mountain Christian University	Rick Bevan Sakamoto ( <i>Business Administration</i> )	Andrea James Huguenin ( <i>Business Administration</i> )
	Rust College	Jalin L. Thomas ( <i>Sociology/Criminal Justice</i> )	Amelya M. Hatch ( <i>Biology</i> )
	William Carey University	RJ Stinson ( <i>Physical Education</i> )	Abigail Wickham ( <i>Biology/Psychology</i> )
Community College Division	Coahoma Community College	William Gadman	Reneisha Myles
	Copiah-Lincoln Comm. College	Lawson Pearon	Faith Kiyett
	East Central Community College	Grant Edwards	Caroline Jackson
	East Mississippi Comm. College	Josh Aka	Carley Martin
	Hinds Community College	Conner Starns Chisholm	Lia Reonne Smith
	Holmes Community College	Gregory Davis	Lanie Potter
	Itawamba Community College	Rhett Gullett	Tayler Bishop
	Jones College	Alan Follis	Kirsty Cameron
	Meridian Community College	William McCullough	Callie Abraham
	MS Delta Community College	Wes Warnock	Taryn Clarck
	MS Gulf Coast Comm. College	Kade Carpenter	Bayley Askin
	Northeast MS Comm. College	Mitchell Woodard	Alexie Griffin
	Northwest MS Comm. College	Sam Brumfield	Kylie Gurley
	Pearl River Community College	Blaise Breerwood	Dallyn Nance
	Southwest MS Comm. College	Jacob Cochran	Lilli Kate Robertson

<sup>a</sup> Trophy award to the institution with the highest percentage of graduating student athletes.

<sup>b</sup> Cash award to institution with greatest improvement in percentage of student athletes graduating.

<sup>c</sup> Certificate awarded to student athletes who have excelled in academics, leadership, and/or service.

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INFORMATION AGENDA  
ACADEMIC AFFAIRS  
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**2. SYSTEM – ANNUAL REPORT ON INSTITUTIONAL ACCREDITATION  
(CORRECTION)**

The following items are corrections to the full annual report on institutional accreditation which is provided in the Academic Affairs Information Agenda for the October 19, 2023, Board Book.

<b>Institution/Area</b>	<b>Accreditation Agency</b>	<b>Date of Visit or Notification of Status Change</b>	<b>Reason for Visit or Status Change</b>	<b>Institutional Action</b>	<b>Accreditation Agency Action</b>
<b>Alcorn State University</b>					
School of Nursing ASN Program	Accreditation Commission for Education in Nursing (ACEN) and MS Institutions of Higher Learning (IHL)	March 7-9, 2023	Continuing Accreditation		ACEN letter received September 2023 granting Continuing Accreditation. IHL placed the ASN program on conditions in May 2023 due to noncompliance with preceptors.
School of Nursing BSN Program	Accreditation Commission for Education in Nursing (ACEN) and MS Institutions of Higher Learning (IHL)	March 7-9, 2023	Continuing Accreditation with Conditions	ACEN follow-up Report due July 15, 2025	ACEN letter received September 2023 granting Continuing Accreditation with Conditions for two years. IHL placed the BSN program on conditions in May 2023 due to noncompliance with preceptors and contracts.
School of Nursing MSN Program	Accreditation Commission for Education in Nursing (ACEN) and MS Institutions of Higher Learning (IHL)	Site Visit September 15-18, 2020, with follow-up report due February 15, 2023. ACEN letter received May 5, 2023.	Continuing Accreditation with Good Cause	ACEN follow-up Report due fall 2024	ACEN letter received on May 5, 2023, granting Continuing Accreditation with Good Cause; Follow-up Report and Site Visit fall 2024.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**INFORMATION ITEM**  
**FINANCE**  
**November 16, 2023**

**1.     SYSTEM –*AYERS* INVESTMENT REPORT**

As part of the *Ayers* Settlement Agreement, publicly and privately funded endowments were created for the benefit of Alcorn State University, Jackson State University, and Mississippi Valley State University. The attached *Ayers* Investment Report summarizes the activity in the endowment accounts for FY 2023.

Under separate cover

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE  
OCTOBER 19, 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 101-328 – ASU DORMITORY RENOVATIONS**

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Burris Wagnon Architects.

Approval Status & Date: APPROVED, October 19, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 19, 2023

Project Initiation Date: June 15, 2023

Design Professional: Burris Wagnon Architects

General Contractor: TBD

Total Project Budget: \$5,675,000.00

**MISSISSIPPI STATE UNIVERSITY**

**2. MSU- IHL 205-323 – SOLAR AND LIGHTING ENERGY SAVINGS  
PERFORMANCE CONTRACT**

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

Board staff approved Change Order #1 in the amount of \$542,852.00 and zero (0) additional days to the contract of Entegrit Partners, LLC.

Approval Status & Date: APPROVED, October 24, 2023

Change Order Description: Change Order #1 includes the following: LED fixture revision; reaudit assessment; revisions to medium-voltage tie-in of solar array; and black chain link fencing around solar yard in lieu of galvanized chain link fencing.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$542,852.00.

Project Initiation Date: April 21, 2022

Design Professional: Integrity Energy Partners, LLC

General Contractor: Integrity Energy Partners, LLC

Total Project Budget: \$8,500,000.00

**3. MSU- IHL 205-329 – SANDERSON CENTER RENOVATIONS AND REPAIRS**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Weir Boerner Allin Architecture

Approval Status & Date: APPROVED, October 17, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 17, 2023

Project Initiation Date: November 17, 2022

Design Professional: Weir Boerner Allin Architecture

General Contractor: TBD

Total Project Budget: \$2,500,000.00

**4. MSU- IHL 205-334 – RESEARCH & CURRICULUM UNIT RENOVATION**

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by MP Design Group

Approval Status & Date: APPROVED, October 13, 2023

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**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 13, 2023

Project Initiation Date: April 20, 2023

Design Professional: MP Design Group

General Contractor: TBD

Total Project Budget: \$2,000,000.00

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

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

Board staff approved Change Order #1 in the amount of \$54,567.70 and zero (0) additional days to the contract of AnderCorp, LLC.

Approval Status & Date: APPROVED, October 31, 2023

Change Order Description: Change Order #1 includes the following: installed and maintained temporary power feed to the Writing Center; performed the final grading work on the Quad area; credit to waive the AWI/QCP requirement associated with the millwork; installed and 8'x11' roof access hatch, in lieu of the 8'X8' access hatch; installed 1" Solarban 70 IG on clear glazing in lieu of the SNR 43 on Gray (Vision) and 1" SNR on Gray (Sprandel) at all storefront and curtainwall glazing.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$54,567.70.

Project Initiation Date: March 1, 2019

Design Professional: Dale Partners Architects, P.A.

General Contractor: AnderCorp, LLC

Total Project Budget: \$65,000,000.00

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**MISSISSIPPI VALLEY STATE UNIVERSITY**

**6. MVSU- IHL 106-269 – JACOB ARON STUDENT UNION EXPANSION & RENOVATION-PHASE II**

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

Board staff approved the Award of Contract in the amount of \$18,674,000.00 to the apparent low bidder Richard Womack Construction.

Approval Status & Date: APPROVED, October 6, 2023

Project Initiation Date: March 18, 2021

Design Professional: McCarty Architects Professional Association

General Contractor: Richard Womack Construction

Total Project Budget: \$25,755,000.00

**UNIVERSITY OF MISSISSIPPI**

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

**Approval Request #1: Change Order #7**

Board staff approved Change Order #7 in the amount of \$1,252,289.35 and one hundred fifty-three (153) additional days to the contract of W.G. Yates & Sons Construction Company.

Approval Status & Date: APPROVED, August 14, 2023

Change Order Description: Change Order #7 includes the following: extended the transformer pad; extended the tile and base into the electrical closet in the atrium; credit to add four (4) sides to the fume hoods; waterproofing change at the brick lintels; installed a damper end switch to the control fume hood make up air in a room; added a crane cost for the generator installation; time extension for site/civil issues; and one hundred fifty-three days to the contract.

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

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$1,654,556.44.

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

**UNIVERSITY OF MISSISSIPPI MEDICAL CENTER**

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

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

Board staff approved the Award of Contract in the amount of \$1,785,978.00 to the apparent low bidder Hemphill Construction Company, Inc.

Approval Status & Date: APPROVED, October 16, 2023

Project Initiation Date: April 20, 2023

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers

General Contractor: Hemphill Construction Company, Inc.

Phased Project Budget: \$3,175,088.00

Total Project Budget: \$5,897,737.00

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

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

Board staff approved the Award of Contract in the amount of \$616,680.00 to the apparent low bidder Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, October 16, 2023

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Project Initiation Date: April 20, 2023

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers

General Contractor: Fountain Construction Company, Inc.

Phased Project Budget: \$2,722,620.00

Total Project Budget: \$5,897,737.00

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by JH&H Architects, P.A.

Approval Status & Date: APPROVED, October 13, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 13, 2023

Project Initiation Date: August 18, 2022

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

General Contractor: TBD

Phased Project Budget: \$2,458,882.00

Total Project Budget: \$6,500,000.00

**11. UMMC- IHL 209-582 – UPDATE LAKELAND MEDICAL BUILDING**

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

Board staff approved Change Order #2 in the amount of \$124,934.36 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, October 6, 2023

Change Order Description: Change Order #2 includes the following: new flooring and painting added on the first and second floors only; incorporated corner guards with the

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temporary wall located on the parking deck; and incorporated a new parapet wall on the second level of the parking deck.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$238,209.00.

Project Initiation Date: June 16, 2022

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

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$2,200,000.00

**12. UMMC- IHL 409-005A- NEW SCHOOL OF NURSING**

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

Board staff approved the Award of Contract in the amount of \$290,000.00 to the apparent low bidder Britt Demolition & Recycling, Inc.

Approval Status & Date: APPROVED, October 20, 2023

Project Initiation Date: January 19, 2023

Design Professional: Eley Guild Hardy Architects

General Contractor: Britt Demolition and Recycling, Inc.

Phased Project Budget: \$758,185.00

Total Project Budget: \$65,000,000.00

**UNIVERSITY OF SOUTHERN MISSISSIPPI**

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

**Approval Request #1: Construction Documents**

Board staff approved the Construction Documents as submitted by Weir Boerner Allin Architecture, PLLC

Approval Status & Date: APPROVED, October 20, 2023

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**Approval Request #2: Advertise/Receive Bids**

Board staff approved the request to Advertise/Receive Bids

Approval Status & Date: APPROVED, October 20, 2023

Project Initiation Date: August 17, 2023

Design Professional: Weir Boerner Allin Architecture, PLLC

General Contractor: TBD

Total Project Budget: \$1,115,530.24

**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**

**14. ERC-GS 111-070 - MECHANICAL UPGRADES**

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

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

Board staff approved the Award of Contract in the amount of \$2,663,600.00 to the apparent low bidder McLain Plumbing and Electrical Services, Inc.

Approval Status & Date: APPROVED, October 23, 2023

Project Initiation Date: June 15, 2023

Design Professional: ERG

General Contractor: McLain Plumbing and Electrical Services, Inc.

Total Project Budget: \$2,800,000.00

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

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

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

Board staff approved the Award of Contract in the amount of \$1,887,000.00 to the apparent low bidder Roofing Solutions, LLC.

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Approval Status & Date: APPROVED, September 26, 2023

Project Initiation Date: June 15, 2023

Design Professional: Shafer-Zahner-Zahner, PLLC

General Contractor: Roofing Solutions, LLC

Total Project Budget: \$2,207,790.00

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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 Ware|Immigration (statements dated 8/15/23, 9/1/23, 9/1/23, 9/1/23, 9/5/23 and 9/8/23) from the funds of Jackson State University. (These statements, in the amounts of \$2,960.00, \$33.10, \$2,500.00, \$2,500.00, \$2,500.00 and \$460.00, respectively, represent services and expenses in connection with an immigration/labor certification matter.)

**TOTAL DUE.....\$ 10,953.10**

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 10/20/23) from the funds of Mississippi State University. (This statement, in the amount of \$2,993.75, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,993.75**

Payment of legal fees for professional services rendered by Copeland, Cook, Taylor & Bush (statement dated 10/13/23) from the funds of Mississippi State University. (This statement, in the amount of \$3,321.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 3,321.00**

Payment of legal fees for professional services rendered by Phelps Dunbar (statement dated 10/6/23) from the funds of Mississippi State University. (This statement, in the amount of \$142.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 142.50**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/23 and 10/1/23) from the funds of Mississippi State University. (These statements, in the amounts of \$2,500.00 and \$583.00, represent services and expenses in connection with immigration/labor certification matters matters.)

**TOTAL DUE.....\$ 3,083.00**

Payment of legal fees for professional services rendered by Brunini Law Firm (statement dated 10/20/23) from the funds of the University of Mississippi. (This statement, in the amount of \$487.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 487.50**

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Payment of legal fees for professional services rendered by Lightfoot Franklin White, LLC (statement dated 10/13/23) from the funds of the University of Mississippi. (This statement, in the amount of \$10,975.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 10,975.00**

Payment of legal fees for professional services rendered by Nelson Mullins Riley & Scarborough, LLP (statement dated 10/12/23) from the funds of the University of Mississippi. (This statement, in the amount of \$6,931.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 6,931.50**

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 10/16/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$604.50, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 604.50**

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 10/16/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$2,478.00, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 2,478.00**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 10/11/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$9,216.98, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 9,216.98**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/23 and 10/1/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$32.46 and \$42.51, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 74.97**

Payment of legal fees for professional services rendered by Zachary & Leggett , PLLC (statement dated 11/1/23) from the funds of the University of Southern Mississippi. (This

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statement, in the amount of \$562.09, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 562.09**

**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 Bradley Arant Boult Cummings, LLP (statements dated 9/25/23 and 10/10/12) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patent or intellectual property matters: “U.S. Provisional Patent Application No. 63/392, 148” - \$2,891.50; and “U.S. Provisional Patent Application No. 63/392, 148” - \$835.50.)

**TOTAL DUE.....\$ 3,727.00**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/26/23, 9/26/23, 9/26/23, 9/26/23 and 9/26/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Hemagglutinin Substitution Increases Thermostability and Improves Yield of 2009 H1N1 influenza A. Virus in Cells” - \$1,766.00; “Recombinant Fimbrial Protein of Aeromonas Hydrophila as Vaccine in Catfish” - \$1,529.00; “Effective Oximes Patent Prosecution” - \$949.00; “Vibrio Assay Methods and Kits” - \$497.00; and “Live Attenuated Catfish Vaccine” - \$849.00.)

**TOTAL DUE.....\$ 5,590.00**

Payment of legal fees for professional services rendered by Conley Rose (statements dated 10/5/23 and 10/5/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Drivr, a Virtual Reality System” - \$1,060.00; and “Mobile Markerless Motion Capture for Movement Data Collection in All Environments” - \$41.00.)

**TOTAL DUE.....\$ 1,101.00**

Payment of legal fees for professional services rendered by Quarles & Brady, LLP (statement dated 9/13/23) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “Rice Cultivar” - \$1,055.00.)

**TOTAL DUE.....\$ 1,055.00**

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Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 9/11/23, 10/16/23, 10/16/23, 10/16/23, 10/16/23, 10/16/23, 10/16/23, 10/16/23, 10/16/23 and 10/16/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$771.22; “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$2,804.50; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$118.50; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$860.43; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$165.00; “Oleaginous Microbe Supplementation for Improving Black Soldier Fly Growth and Development” - \$3,397.00; “Species-agnostic Polymeric Formulations for Inhalable mRNA Delivery to the Lung” - \$2,257.00; “General U.S. Non-Provisional Patent Application Work” - \$1,383.50; “Thienylpiperidine Donor NIR & II Xanthene-Based Dye for Imaging” - \$616.00; and “General U.S. Non-Provisional Patent Application Work” - \$2,844.00.)

**TOTAL DUE.....\$ 15,217.15**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 9/25/23, 9/25/23, 9/25/23, 9/25/23 and 9/26/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Use of Liquid Smoke in Conjunction” - \$47.50; “Fluoroalkylsilane-Modified” - \$813.00; “Unsymmetric CCC-HNC Pincer” - \$936.50; “Osteometric Measuring Device” - \$180.50; and “Unsymmetric CCC-NHC Pincer Metal Complexes and Methods of Use Thereof” - \$1,472.01, respectively.)

**TOTAL DUE.....\$ 3,449.51**

Payment of legal fees for professional services rendered by Weatherly IP Solutions, LLC (statement dated 9/26/23) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “Bermudagrass Plant Named MSB-1017” - \$2,000.00.)

**TOTAL DUE.....\$ 2,000.00**

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

**TOTAL DUE.....\$**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/26/23, 9/26/23, 9/26/23, 9/26/23, 9/26/23 and 9/26/23) from the funds of the University of

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Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Oral Suction Device” - \$383.50; “An Automated Mechanism to Position Aquaculture Equipment” - \$1,681.50; “Methodology and Instrumentation for Thin Film Mechanical Analysis” - \$1,650.50; “Phenylphosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$671.50; “Chevron Oronite Patent Maintenance” - \$442.50; and “Covestro Patents” - \$722.50.)

**TOTAL DUE.....\$ 5,552.00**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 10/19/23, 10/19/23, 10/19/23, 10/19/23 and 10/19/23) 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: “Open-Shell Conjugated Polymer Conductors, Composites and Compositions” - \$950.00; “Narrow Band Gap Conjugated Polymers Employing Cross-Conjugated Donors Useful in Electronic Devices” - \$1,420.00; “Block Copolymer Templated Crazing for Membrane Separation” - \$158.00; “Inhibition of Mast Cell Tumor Necrosis Factor for Therapeutic Use” - \$2,501.25; and “Vaccine Platforms with a Modified 5 Untranslated Region of Zika Virus Genome for Infectious Agents and Cancers” - \$3,135.00.)

**TOTAL DUE.....\$ 8,164.25**

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**1. SYSTEM – 2023 FALL COMMENCEMENT SCHEDULE**

**Alcorn State University**

Time/Date: 9:00 a.m., Saturday, December 8, 2023  
Location: Davey L. Whitney Health, Physical Education and Recreation Complex  
Speaker: Chief Terry Cosby, Natural Resources Conservation Services, United States Department of Agriculture

**Delta State University**

*Graduates*

Time/Date: 10:00 a.m., Friday, December 8, 2023  
Location: Bologna Performing Arts Center  
Speaker: Dr. Jung-Won Shin, Professor of Music and 2023 S. E. Kossman Outstanding Faculty Award Winner

*Undergraduates*

Time/Date: 2:00 p.m., Friday, December 8, 2023  
Location: Bologna Performing Arts Center  
Speaker: Dr. Jung-Won Shin, Professor of Music and 2023 S. E. Kossman Outstanding Faculty Award Winner

**Jackson State University**

Time/Date: 9:00 a.m., Friday, December 8, 2023  
Location: Lee E. Williams Athletics and Assembly Center  
Speaker: Ms. Sophia Y. Marshall, Senior Vice President of Communications for Comcast Central Division

**Mississippi State University**

*Meridian Campus*

Time/Date: 11:00 a.m., Thursday, December 7, 2023  
Location: MSU Riley Center  
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

*Starkville Campus*

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

Time/Date: 9:30 a.m., Friday, December 8, 2023  
Location: Humphrey Coliseum  
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

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

Time/Date: 3:30 p.m., Friday, December 8, 2023  
Location: Humphrey Coliseum  
Speaker: Dr. Mark E. Keenum, President, Mississippi State University

**Mississippi University for Women**

Time/Date: 11:00 a.m., Friday, December 1, 2023  
Location: Rent Auditorium, Whitfield Hall  
Speaker: No Speaker

**Mississippi Valley State University**

Time/Date: 10:00 a.m., Saturday, December 16, 2023  
Location: R.W. Harrison Sports Complex  
Speaker: Dr. Roy C. Hudson - Adjunct Professor of English and Former Vice President for University Relations and Interim President for MVSU

**The University of Southern Mississippi**

*Graduate Students – All Colleges*

Time/Date: 6:00 p.m., Thursday, December 7, 2023  
Location: Bernard Reed Green Coliseum, Hattiesburg, MS  
Speaker: No Speaker

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

Time/Date: 9:00 a.m., Friday, December 8, 2023  
Location: Bernard Reed Green Coliseum, Hattiesburg, MS  
Speaker: No Speaker

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

Time/Date: 2:00 p.m., Friday, December 8, 2023  
Location: Bernard Reed Green Coliseum, Hattiesburg, MS  
Speaker: No Speaker

2. **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.

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- a. **ASU** – On October 25, 2023, Commissioner Alfred Rankins, Jr. approved the Facility Use Agreement between Alcorn State University (lessor) and the Mississippi Veterans Affairs (lessee) for use of office space on the ASU campus for a veterans' service officer. The term of the agreement is 2 years effective November 1, 2023. 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.
- b. **MSU** – On October 13, 2023, Commissioner Alfred Rankins, Jr. approved the Temporary Construction Easement Agreement between Mississippi State University (grantor) and West Side Fund II, LLC and West Side Fund III, LLC, (grantees), contractors for the MSU Foundation who are performing renovations at The Mill Subdivision at MSU on behalf of the MSU Foundation. This easement is for an adjacent tract of land owned by the University to allow for lay down space for construction equipment and materials during renovations. The IHL Senior Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file in the IHL Board Office.
- c. **MSU** – On October 13, 2023, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between Mississippi State University and Copiah-Lincoln Community College, Simpson County Center for space for the project director of the MS Child Resource and Referral program operated by the University in accordance with the terms of a grant awarded by Mississippi Department of Human Services and for storage of equipment and/or commodities for that program. The term of the lease is 12 months effective October 1, 2023 through September 30, 2024, at a cost of \$2,280 annually or \$190 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.
- d. **MSU** – On October 13, 2023, Commissioner Alfred Rankins, Jr., approved the Grant of Permanent Utility and Temporary Construction Easements between the Board of Trustees of State Institutions of Higher Learning, on behalf of Mississippi State University, (grantor) and the City of Tupelo, Mississippi (grantee), to allow the City to install and maintain a sanitary sewer line across the Northeast Mississippi Branch Experiment Station in Lee County, MS. 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.

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- e. **MSU** – On October 25, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and 19185 Commission LLC for approximately 2,400 square feet of space located at 19185 Commission 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 the Mississippi Department of Human Services. 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.
- f. **MSU** – On October 31, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between the Mississippi Agriculture and Forestry Experiment Station (MAFES)/Mississippi State University and Poplar Innovations, Inc. (lessee) for use of approximately five acres of land located in Washington County, MS for planting and maintaining clone trials of *Populus* tree varieties. This is a new revenue-generating lease and will be effective November 1, 2023 through October 31, 2028 with an option for renewal for up to five additional years by mutual agreement of all parties. Lessee will pay \$5,000 per year due on November 1<sup>st</sup> 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.
- g. **UM** – On October 25, 2023, Commissioner Alfred Rankins, Jr., approved the Lease Agreement between the University of Mississippi and RecRe, Inc. for the RecRe Equipment Rental Box System installation in the Gertrude C. Ford Ole Miss Student Union. The term of the lease is three years effective October 15, 2023, at a cost of \$9,500 for the first year and the \$11,500 for the second and third years for a total cost of \$32,500 over the full term of the lease. Pursuant to the payment schedule on page 25 of the agreement, these payments are due in advance on the first day of each one-year period. 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.