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# Board Book

January 18, 2024

MISSISSIPPI BOARD OF TRUSTEES OF STATE  
INSTITUTIONS OF HIGHER LEARNING

# Board Meeting Outline

MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

## MEETINGS SCHEDULE

Academic Affairs Committee | January 17, 2024, 2:30p | IHL Board Room  
Health Affairs Committee | January 17, 2024, 3:00p | IHL Board Room  
**IHL Board Meeting** | January 18, 2024, 9:00a | IHL Board Room

## CALL TO ORDER INVOCATION

Trustee Dr. Alfred McNair, Jr.  
Trustee Dr. Walt Starr

## MINUTES

November 3, 2023 Special Called Board Meeting Minutes .....	6
November 16, 2023 Regular Board Meeting Minutes .....	7
December 21, 2023 Special Called Board Meeting Minutes.....	48

## CONSENT AGENDAS | Trustee Dr. Alfred McNair, Jr.

### FINANCE

1. ASU – Request for Approval to Enter a One-Year Extension Agreement with CampusLogic, Inc. ....	50
2. UMMC – Request for Approval to Enter a Lease Agreement with 314 Ridgeland Stolley, LLC.....	51
3. UMMC – Request for Approval to Amend a Purchase Agreement with Boston Scientific Corporation .....	52
4. UMMC – Request for Approval to amend the License and Support Agreement with Epic Systems Corporation (Epic Billing Services).....	54
5. UMMC – Request for Approval to amend the License and Support Agreement with Epic Systems Corporation (Document Management) .....	56
6. UMMC – Request for Approval to Enter a Services Agreement with Healthier Mississippi Clinical Services, LLC.....	57
7. UMMC – Request for Approval to Amend a Fee Per Case Agreement with Stryker Sales Corporation .....	58
8. USM – Request for Approval to Enter Amendment Two to the Lease Agreement with Chromis Fiberoptics, Inc.....	60

### REAL ESTATE

Approval of Initiations of Projects/Appointments of Professionals

#### *Bureau of Building Projects*

1. JSU – GS 103-332 – Access Control Improvements - HEERF, Design Professional – Shultz and Wynne, P.A. ....	64
2. MVSU – GS 106-282 – New Residence Hall, Design Professional – McCarty Architects, P.A.....	66

*IHL Projects*

3. MSU – IHL 205-356 – Barnes and Noble Parking Lot, Design Professional – Smithers Engineering and Consultants, LLC.....67

4. MVSU – IHL 206-028 – Rice-Totten Stadium Turf Replacement, Design Professional – The Kelly Factory, PLLC .....68

5. UM – IHL 207-509 – Hefley Hall Roof Replacement, Design Professional – Shafer Zahner Zahner, PLLC .....69

6. UM – IHL 207-510 – South Oxford Campus Fire Alarm Replacement, Design Professional – Corbett Legge & Associates, PLLC.....71

7. UM – IHL 207-511 – Brown Hall HVAC Renovation, Design Professional – Corbett Legge & Associates, PLLC.....72

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

*IHL Projects*

8. ASU – IHL 201-258 – Mushroom Facility Renovations, Design Professional – PryorMorrow PC.....73

9. MSU – IHL 205-328 – New Residence Hall, Design Professional – Wier Boerner Allin Architecture .....75

10. MSU – IHL 205-336 – South Campus Mechanical Plant, Design Professional – Eley Guild Hardy Architects .....76

11. MSU – IHL 205-339 – Central Plant Cooling Tower, Design Professional – Engineering Resource Group .....78

12. MSU – IHL 205-351 – New 13kV Distribution Bays at MSU Electrical Substation, Design Professional – Atwell & Gent, P.A.....79

13. MSU – IHL 205-352 – New 13kV Circuit to South Campus Mechanical Plant, Design Professional – Atwell & Gent, P.A.....81

14. MSU – IHL 213-147 – Livestock Assessment Laboratory, Design Professional – Pryor & Morrow .....82

15. UM – IHL 207-502 – New Parking Structure(s), Design Professional – Eley Guild Hardy, P.A. ....83

Approval of Other Real Estate Requests

16. MSU – Approval of Exterior Design of IHL 205-336 – South Campus Mechanical Plant, Design Professional – Eley Guild Hardy Architects.....85

17. MSU – Approval of Exterior Design of the Aramark Perry Cafeteria Addition, Design Professional – Tipton Associates, APAC .....87

18. MVSU – Approval of GS 106-281 – Demolish and Delete from Inventory Leflore Hall and Delta Hall, Design Professional – Shafer Zahner Zahner, PLLC .....89

19. UM – Approval of Exterior Design for IHL 207-492 – Oxford-University Stadium Expansion, Design Professional – Cooke Douglass Farr Lemons Architects + Engineers .....89

20. UM – Approval to Enter a Contractual Services Agreement with Skanska USA Building, Inc. as Construction Manager Advisor for IHL 207-497 – New Student Housing .....91

21. UM – Approval to Amend a Contract with HOAR Construction Management, LLC for Owner’s Rep Services for the Jim and Thomas Duff Center for Science and Technology Innovation .....93

22. UM – Approval to Lease Office Space from Joe Poppenheimer Management, LLC for the UM Desoto Campus.....94

23. UM – Approval to Enter a Lease Agreement with RDC Fund IX Investments, LLC for Student Housing.....	95
24. UM – Approval to Enter a Lease Agreement with SZ Oxford Apartments, LLC for Student Housing.....	97
25. UM – Approval to Initiate an Investment Grade Audit and Project Proposal Contract with Trane U.S., Inc.....	98
26. USM – Approval of the Exterior Design of IHL 210-248 – Oyster Hatchery and Research Center, Design Professional – McCarty Architects, P.A.....	100

**LEGAL**

1. UM – Approval to Amend a Contract with Lightfoot Franklin White, LLC as Outside Counsel.....	103
2. UM – Approval to Contract with Butler Snow LLP as Outside Counsel.....	103

**PERSONNEL**

1. Employment (ASU, JSU).....	105
2. Change of Status (ASU).....	105

**REGULAR AGENDAS**

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**ACADEMIC AFFAIRS | Trustee Hal Parker**

1. SYSTEM – Request to Add New Academic Degree Programs	
a. MSU – Bachelor of Applied Science in Business Office Technology .....	106
b. MSU - Bachelor of Applied Science in Public Management .....	107
c. UM – Master of Science in Criminal Science .....	108
2. UM – Request to Add a New Academic Unit: Department of Public Health .....	109
3. MSU – Request to Add a New Institute and Center: Athlete Engineering Institute.....	110

**FINANCE | Trustee Tom Duff**

1. SYSTEM – Request for Approval to of Fiscal Year 2025 Proposed Funding Priorities .....	111
2. UM – Request for Approval to (1) Initiate the Bond Process for \$245 Million for U.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 Mississippi Located in or Near University, MS and Oxford, MS, Including the Demolition and Removal of Existing Structures and the Construction, Renovation, Equipping, and Landscaping of New Facilities, 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) Approve Bond Counsel, Financial Advisor and Senior Underwriter .....	111
3. UMMC – Request for Approval to Enter a Product Pricing, Rebate, and Consignment Agreement with Smith & Nephew, Inc.....	115



**REAL ESTATE | Trustee Chip Morgan**

Approval of Budget Increase and/or Change in Scope/Funding Source

*IHL Project*

- 1. UM – IHL 207-497 – New Student Housing, Design Professional – McCarty Architects, P.A. ....120

Approval of Other Real Estate Requests

- 2. UM – Approval of the Exterior Design of IHL 207-497, New Student Housing, Design Professional – McCarty Architects, P.A. ....122

**INFORMATION AGENDAS | Commissioner Alfred Rankins, Jr.**

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**ACADEMIC AFFAIRS**

- 1. UM – Intent to Offer Existing a Certificate Program: NCAA Compliance .....124

**FINANCE**

- 1. UM – Mississippi Department of Information Technology Services Agreement with Avaya.....125

**REAL ESTATE**

- 1. SYSTEM – Real Estate Items Approved Subsequent to the November 16, 2023 Board Meeting
  - Alcorn State University.....127
  - Mississippi State University .....128
  - University of Mississippi .....134
  - University of Mississippi Medical Center .....142
  - Education and Research Center .....144

**LEGAL**

- 1. SYSTEM – Report of Payments to Outside Counsel .....145
- 2. MSU – Emergency Approval to Hire Mitchell McNutt & Sams, P.A. as Outside Counsel .....150

**ADMINISTRATION/POLICY**

- 1. SYSTEM – Commissioner’s Notification of Approval.....152

**ADDITIONAL AGENDA ITEMS IF NECESSARY**

**OTHER BUSINESS/ANNOUNCEMENTS**

**EXECUTIVE SESSION IF DETERMINED NECESSARY**

**ADJOURNMENT**

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 3, 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 via Zoom at the Board Office in Jackson, Mississippi, at 12:00 p.m. on November 3, 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, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, and Dr. J. Walt Starr. Mr. Gregg Rader was absent.

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

**EXECUTIVE SESSION**

On motion by Trustee Hubbard, with Trustee Rader 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 Trustee Rader 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 the 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 Martin, seconded by Trustee Hubbard, with Trustee Rader 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 Cummings, seconded by Trustee Duff, with Trustee Rader 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  
November 16, 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 November 16, 2023 meeting. At the above-named place the following members were present to wit: Dr. Ormella Cummings, Dr. Steven Cunningham (via Zoom), Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker, Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Dr. Alfred McNair, President. Trustee Steven Cunningham introduced Dr. Marcus Thompson, the IHL Deputy Commissioner and Chief Administrative Officer, to provide the invocation.

**INTRODUCTION OF GUESTS**

President McNair acknowledged the following Student Government Association members: President Jordan Buck from Alcorn State University, President Jason Johnson from Jackson State University, and President Ellie Herndon from Mississippi State University.

**APPROVAL OF THE MINUTES**

On motion by Trustee Cummings, seconded by Trustee Rader, with Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Jackson State University Board Search Committee meeting held on September 28-29, 2023, and the Board meetings held on October 10, 2023 and October 16, 2023.

**CONSENT AGENDAS**

On motion by Trustee Rader, seconded by Trustee Martin, with Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

**ACADEMIC AFFAIRS**

1. **DSU** – Approved the modification of existing academic degree programs, as follows.

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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

- 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
2. **UMMC** – Approved the modification to an existing academic unit, as follows.  
Current unit: Department of Periodontics and Preventive Services  
Proposed units to operate under reorganized unit: Department of Periodontology  
Effective date: July 2024
3. **SYSTEM** – Approved the degrees to be conferred 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>				
	<i>Undergraduate</i>			
	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		
	<i>Graduate</i>			
	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		
	Education Specialist	2		
	<b>Total Undergraduate Degrees</b>		<b>224</b>	
	<b>Total Graduate Degrees</b>		<b>64</b>	
	<b>Total Degrees</b>			<b>228</b>
<b>Delta State University</b>				
	<i>College of Arts and Sciences</i>			
	Bachelor of Applied Science	1		
	Bachelor of Arts	5		
	Bachelor of Fine Arts	3		
	Bachelor of Music	2		

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>
	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		
	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		

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>
	<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		
	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		

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>
	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		
<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		

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>
	Bachelor of Professional Studies	5		
	Bachelor of Science	55		
	Bachelor of Science in Nursing	5		
	<b>Graduate</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>Total Undergraduate Degrees</b>		<b>125</b>	
	<b>Total Graduate Degrees</b>		<b>20</b>	
	<b>Total Degrees</b>			<b>145</b>
<b>Mississippi Valley State University</b>				
	<b>Undergraduate</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		



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STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>
	<b><i>School of Journalism and New Media</i></b>			
	Bachelor of Arts in Journalism	5		
	Bachelor of Science (IMC)	29		
	<b><i>General Studies</i></b>			
	Bachelor of Multi-Disciplinary Studies	18		
	Bachelor of University Studies	3		
	<b><i>Graduate School</i></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		
	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		

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

<b>Institution</b>	<b>Degree to be Conferred</b>	<b>Number</b>	<b>Subtotal</b>	<b>Total</b>
	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		
<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.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

**FINANCE**

4. **SYSTEM** – Approved the budget escalations for Alcorn State University, Jackson State University, and Mississippi Valley State University, within their *Ayers* Endowment Diversity Program budgets. 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 below. All funds budgeted within these programs were generated from annual interest earnings of the *Ayers* Public and Private Endowment investments.

**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
Total	\$ 320,483	\$ 357,694	\$ 678,177

**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
Total	\$ 825,000	\$ 3,343,752	\$ 4,168,752

**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:			
Equipment	-		-

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

Object of Expenditure	Current Budget FY 2024	Budget Revision	Revised Budget FY 2024
Library Resources	-		-
Student Aid	578,048	116,609	694,657
Total	\$ 889,304	\$ 116,609	\$ 1,005,913

5. **JSU** – Approved the request 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 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. 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. The term of the amended agreement is six months beginning January 1, 2024 and ending June 30, 2024. The total contract cost is \$4,652,541.20. This amended agreement is funded by revenue generated from student meal plan allocations, catering, residential and retail dining, and franchise outlets. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

6. **MVSU** – Approved the request to escalate the E&G Budget. The request is to purchase two (2) 56-passenger buses, a survey of the existing football field, and the installation of 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

7. **UM** – Approved Amendment 4 to the Master Service Agreement with Carnegie Dartlet LLC to incorporate digital data provisions. The current MSA is scheduled to expire on March 22, 2025. No additional funds would be incurred as part of Amendment 4. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

8. **UMMC** – Approved the request to enter 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 to this request, UMMC submitted a laboratory testing service agreement with Quest Diagnostics Nichols Institute (Quest) (Item #9 on the Finance Consent Agenda). 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. The Board also approved the request for the institution to add and/or remove locations and tests from the Agreement with ARUP and to update pricing as needed, as long as it does not increase the approved expenditure level. The term of the Agreement is three (3) years,

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

from December 1, 2023 through November 30, 2026. 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 ARUP and Quest, UMMC requested the same amount for each agreement. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.

9. **UMMC** – Approved the request to enter a Laboratory Services Agreement with Quest Diagnostics Nichols Institute (Quest) for diagnostic reference laboratory testing services. In addition to this request, UMMC submitted a laboratory testing service agreement with ARUP Laboratories, Inc. (Item #8 on the Finance Consent Agenda). 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. The Board also approved the request for the institution to add and/or remove tests from the agreement with Quest and to update pricing as needed, as long as it does not increase the approved expenditure level. The term of the agreement is three (3) years, from December 1, 2023 through November 30, 2026. 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 Quest and ARUP, UMMC requested the same amount for each agreement. The agreement will be funded by hospital patient revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.

**REAL ESTATE**

10. **JSU** – Approved the initiation of GS 103-330, JOC Roofing Improvements – EEF, and the appointment of Shafer Zahner Zahner PLLC as the design professional. 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. The proposed project budget is \$4 million. Funds are available from SB 3000, Laws of 2023 - EEF (\$4,000,000).
11. **JSU** – Approved the initiation of GS 103-331, JOC University Place Improvements – EEF, and the appointment of Eley Guild Hardy Architects as the design professional. The building improvements shall include, but are not limited to, mechanical, structural, and interior/exterior cosmetics as funds permit. The proposed project budget is \$3.5 million. Funds are available from 3000, Laws of 2023 - EEF (\$3,500,000).
12. **MSU** – Approved the initiation of IHL 205-353, Hathorn Hall Interior Refinish, and the appointment of Shafer Zahner Zahner, PLLC as the design professional. The project will install new flooring, repaint the interior and update the restrooms and showers of Hathorn Hall. The proposed project budget is \$3 million. Funds are available from University Designated Funds (\$3,000,000).

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

13. **MSU** – Approved the initiation of IHL 205-354, National Pan-Hellenic Council, and the appointment of Christian Preus Landscape Architecture as the design professional. This project will 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. The proposed project budget is \$250,000. Funds are available from University Designated Funds (\$250,000).
14. **MSU** – Approved the initiation of IHL 213-149, Bedenbaugh Interior Upgrades, and the appointment of Belinda Stewart Architects, P.A. as the design professional. This project will renovate the interior space of the Bedenbaugh Building and the Ammerman Hearnberger Food Processing Pilot Plant. This project includes ADA access inside the buildings. The proposed project budget is \$1.5 million. Funds are available from U.S. Small Business Administration (\$1,250,000) and University/MAFES Designated Funds (\$250,000).
15. **MUW** – Approved the initiation of IHL 204-136, Roofing Project, and the appointment of JBHM Architects, P.A. as the design professional. This project includes roof repair, roof deck replacement, shingle replacement, roof/low slope replacement, and new gutters and downspouts for seven campus buildings. The proposed project budget is \$2,663,277. Funds are available from SB 3000, Laws of 2023 (\$2,663,277) – Capital Expense Funds.
16. **UMMC** – Approved the request to increase the project budget for IHL 209-586, New Burn Unit, from \$4,000,000 to \$6,300,000 for an increase of \$2,300,000. The funding source will remain the same. 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. Funds are available from 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.
17. **USM** – Approved the request to increase the project budget for IHL 210-248, Oyster Hatchery and Research Center, from \$10,000,000 to \$14,000,000 for an increase of \$4,000,000. The funding sources will remain the same. The project will renovate the Invertebrate Growout II for oyster and aquaculture research located at USM's Gulf Coast Research Laboratory - Cedar Point Campus, Ocean Springs, MS. Funds are available from SB 2924, Laws of 2016 (\$3,000,000); MDEQ and US Treasury Restore Act - Grant #1 RDCGR470130-01-00 (\$7,000,000) – Construction; and MDEQ and US Treasury Restore Act - Grant #1 RDCGR470130-01-00 (\$4,000,000) – Hatchery Aquaculture Equipment.
18. **MSU** – Approved the request to demolish and delete from inventory Building #1664 (Greenhouse) in Crystal Springs, MS. Built in 1940, the greenhouse was severely damaged by a hailstorm on June 18, 2023. It is not cost effective to repair. The approval letter has been received from the Mississippi Department of Archives and History stating Building #1664 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.
19. **MSU** – Approved the exterior design of IHL 405-003, Renovations and Additions for the College of Architecture, Art and Design project – Howell Renovation & Addition. A copy of the rendering is included in the bound *November 16, 2023 Board Working File*.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

20. **UM** – Approved the request to amend the lease with Tailwind Campus Creek, LLC. This amendment provides an additional 234 bed spaces for student housing. The term of the amendment begins August 1, 2024. The initial lease amount is \$5,485,410. The 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. All years are based on the lease of 636 bed spaces with a 5% increase each year. This payment for the additional leased spaces will result in a total annual payment by the Lessee of \$5,485,410.00 starting August 1, 2024. Funds are available from self-generated Student Housing revenue. The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable.
21. **UMMC** – Approved the request to enter a Purchase and Sale Agreement with HGS Investments, LLC (Seller) for the purchase of a 6,179 square foot building situated on 0.38 acres of land physically located at 876 Lakeland Drive, Jackson, MS 39216 (Property) in Hinds County. UMMC received the following two independent property appraisals: \$800,000 and \$800,000. UMMC is purchasing the Property for a total of \$800,000 which is the average of the property’s two appraised values. 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. A Phase 1 Environmental Site Assessment 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. The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable.
22. **UMMC** – Approved the request to enter 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 Board Policy 707.03, Approval of Prepayment for Goods and Services, the Board also approved the request to allow prepayment of rent on the first day of each month. The term of the agreement is ten (10) years, from January 1, 2024, through December 31, 2033. 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. This agreement will be funded by general funds. The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable.
23. **UMMC** – Approved the request to enter a Lease Agreement with Jackson State University for 3,455 parking spaces in lots A, B, C, D, and the overflow lot on the grounds of the Mississippi Veterans Memorial Stadium (Stadium). These spaces will be utilized by UMMC’s faculty, staff, and students going to UMMC’s main campus. 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. The total cost of the agreement over the fifteen (15) year term is \$11,250,000. UMMC will pay an annual lease cost of

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

- \$750,000. The agreement will be funded by general funds. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.
24. **USM** – Approved the exterior design of IHL 214-024, Gulf Park Language and Speech Therapy Center. A copy of the rendering is available in the bound *November 16, 2023 Board Working File*.
25. **USM** – Approved the request to enter 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 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 IHL has authorized, pursuant to approval by NASA. The term of the new agreement is five years effective upon the date of last signature and shall terminate with the Reimbursable Space Act Agreement, unless otherwise extended. 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. Funds are available from the State of Mississippi Appropriations for Center of Higher Learning, Education and General funds for the Department of Marine Sciences. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

**LEGAL**

26. **DSU** – Approved the appointment of Dr. Michelle Roberts as the university's legislative liaison, pursuant to IHL Board Policy 201.0506.
27. **USM** – Pending approval by the Attorney General's Office, the Board approved the request to amend the 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.
28. **USM** – Pending approval by the Attorney General's Office, the Board approved the request to amend the 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



**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

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.

29. **UMMC** – 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) for costs associated with emergency protective measures in connection with the COVID-19 Emergency Protective Measures (4528DR-MS). The Board approved 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 the same to be acceptable. A copy of the designation form is included in the *November 16, 2023 Board Working File*.

**ADMINISTRATION/POLICY**

30. **ASU** – Approved the request to award one honorary degree at its Fall 2023 commencement ceremony. Supporting documents are on file at the Board Office.
31. **MUW** – Approved the request to pursue a more inclusive name for the university 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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

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

**REGULAR AGENDAS**

**ACADEMIC AFFAIRS**

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee Cummings, with Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Academic Affairs Agenda. On motion by Trustee Ogletree, seconded by Trustee Luckey, with Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #2-#4.

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

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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

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.

3. **SYSTEM** – Approved 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.

4. **SYSTEM** – Approved 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 Rader, with Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. Trustee Martin recused himself from discussing or voting on item #2 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 Parker, with Trustee Martin absent and not voting and Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2. Trustee Martin returned to the room following the discussion and vote on item #1 on the Finance Agenda. Trustee Ogletree recused himself from discussing or voting on items #3 - #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 Hubbard, with Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #3 - #5. Trustee Ogletree returned to the room following the discussion and vote on items #3 - #5 on the Finance Agenda.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

1. **USM** – Approved the request to issue tax-exempt or taxable bonds through the S.M. Educational Building Corporation (SMEBC) 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 USM located in or near Hattiesburg, MS 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. The Board also approved the financial advisor’s report provided by Hilltop Securities and the following professionals: Financial Advisor – Hilltop Securities; Bond Counsel – Butler Snow LLP; and 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 and at \$1.15 per \$1,000 over \$25 million. 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. The loan term will not exceed 30 years. 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. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
2. **SYSTEM** – Approved the request to purchase workers’ compensation excess insurance and employer’s liability insurance from Safety National Casualty Company. The broker will be Arthur J. Gallagher. The IHL Workers’ Compensation Plan is required by the Mississippi Workers’ Compensation Commission to purchase coverage for workers’ compensation claims in excess of the self-insured retention of \$1,000,000 per occurrence. This is a one-year policy of insurance, December 1, 2023, through November 30, 2024, and a three-year broker assignment. 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. This insurance is paid for by the IHL Self-Insured Workers’ Compensation Plan. The Plan collects assessments annually from each university, including UMMC, and the Board Office. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.
3. **UMMC** – Approved the request to enter 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). The Board also approved the request for the institution 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. The term of the agreement is sixty (60) months from January 1, 2024, through December 31, 2028. 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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

year 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.

4. **UMMC** – Approved the request to enter 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. The Board also approved the request for the institution to add and/or remove locations specified in the Agreement without seeking prior Board approval as long as adequate funds are available. The term of the Agreement is five (5) years, from December 1, 2023, through November 30, 2028. 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. The contract will be funded by general funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.
5. **USM** – Approved the request to enter a Second Amendment to the Agreement with New Cingular Wireless PCS, LLC for the relocation of the antenna facilities and associated equipment from Pulley Hall to Wilber Hall. This is a revenue-generating Agreement to provide access and space for antenna facilities and equipment for wireless services. 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. Amendment Two does not change the Term. The Agreement generates revenue of approximately \$50,000 annually and is subject to annual escalation. Amendment Two does not change the amount of revenue. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds the same to be acceptable. The agreement is on file in the Board Office.

**REAL ESTATE AGENDA**

Presented by Trustee Chip Morgan, Chair

On motion by Trustee Morgan, seconded by Trustee Ogletree, with Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Real Estate Agenda.

1. **USM** – Approved the request to increase the project budget for IHL 208-301, Reed Green Coliseum Renovation, from \$15,000,000 to \$43,170,506.50 for an increase of \$28,170,506.50, to modify the funding source to include Educational Building Corporation (EBC) bond proceeds as a funding source to allow for the budget increase, and to modify the scope of the project to include the following: Building Additions (approximately 33,000 square feet) along with arena, facility, and site improvements. A detailed description of the project scope is included in the bound *November 16, 2023 Board Working File*. Funds are available from Institutional Funds (\$7,000,000.00) from SB 3069 – 72-19-04

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

Hattiesburg Tourism Tax and Southern Mississippi Educational Building Corporation Bond proceeds (\$36,170,506.50).

**ADMINISTRATION/POLICY AGENDA**

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Rader, seconded by Trustee Luckey, with Trustee Cunningham participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Approved the following Board meeting dates and locations for 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.

**INFORMATION AGENDAS**

Presented by Commissioner Alfred Rankins, Jr.

**ACADEMIC AFFAIRS**

1. **SYSTEM** – The Board received the annual report of Halbrook Award Winners for Academic Achievement Among Athletes 2022-2023.

<b>David C. Halbrook Awards for Academic Achievement Among Athletes<sup>a</sup></b>			
<b>Public University Division – Men</b>		<b>Mississippi State University</b>	
<b>Public University Division – Women</b>		<b>University of Mississippi</b>	
<b>Independent College Division Overall</b>		<b>William Carey University</b>	
<b>Community and Junior College Division Overall</b>		<b>East Mississippi Community College</b>	
<b>John C. and Ernestine McCall Halbrook Improvement Award<sup>b</sup></b>		<b>Belhaven University</b>	
<b>David M. Halbrook Certificate Award for Academic Achievement Among Athletes<sup>c</sup></b>			
	<b>Institution</b>	<b>Male Recipient</b>	<b>Female Recipient</b>
<b>Public</b>	Alcorn State University	Isiah C. Thomas ( <i>Biomedical Engineering</i> )	Angelica Jacobs ( <i>Animal Science</i> )

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

<b>David C. Halbrook Awards for Academic Achievement Among Athletes<sup>a</sup></b>			
<b>University Division</b>	<b>Institution</b>	<b>Male Recipient</b>	<b>Female Recipient</b>
	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> )
<b>Independent College/University Division</b>	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> )
<b>Community College Division</b>	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.

- SYSTEM** – The Board received the correction to Alcorn State University’s data which was included in the annual report on institutional accreditation for the period beginning July 1, 2022 and ending June 30, 2023 presented at the October 19, 2023 meeting. A table summarizing the correction is included in the bound *November 16, 2023 Board Working File*.

**FINANCE**

- SYSTEM** – As part of the *Ayers* Settlement Agreement, publicly and privately funded endowments were created for the benefit of Alcorn State University, Jackson State University, and Mississippi Valley State University. The *Ayers* Investment Report

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

summarizes the activity in the endowment accounts for FY 2023. A copy of the report is included in the bound *November 16, 2023 Board Working File*.

**REAL ESTATE**

4. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the October 19, 2023 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 1.)

**LEGAL**

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

**ADMINISTRATION/POLICY**

6. **SYSTEM** – 2023 Fall Commencement Schedules

**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



**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

*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

*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

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. **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.

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

- 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.
- e. **MSU** – On October 25, 2023, Commissioner Alfred Rankins, Jr., approved a Lease Agreement between Mississippi State University and 19185Commission 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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

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 \$11,5000 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.

**OTHER BUSINESS**

Trustee Parker requested that the Board reconsider the vote by which items #2 - 4 on the Academic Affairs Regular Agenda were approved for first reading and that the vote be taken via roll call vote.

A brief discussion of the proper procedure to reconsider a vote was held and it was determined that a two-thirds vote was required to pass the motion.

Trustee Parker then made a motion to reconsider the vote by which items #2 - 4 on the Academic Affairs Regular Agenda were approved for first reading. Items #2 – 4 are amendments to the following policies:

- Board Policy 201.0507 Campus Locations and Programs, subsection C Establishment of Off-Campus Instructional Programs Authorized; Attendance
- Board Policy 501 Academic Programs and Units

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

- Board Policy 502 New Academic Programs and Units

The motion was seconded by Trustee Starr. President McNair asked for a vote on the motion via a show of hands. He announced that the motion passed on a 7 to 3 vote.

On the reconsideration of Trustee Ogletree's original motion to approve for first reading items #2 - 4 on the Academic Affairs Regular Agenda, seconded by Trustee Luckey, a roll call vote was taken, and the motion failed with 4 trustees voting to approve and 6 trustees voting not to approve. Dr. Steven Cunningham (via Zoom) and Dr. Alfred McNair abstained from voting. Trustees voting for the previous motion were Mr. Teresa Hubbard, Ms. Jeanne Luckey, Mr. Chip Morgan, and Mr. Gee Ogletree. Trustees voting against the previous motion were Dr. Ormella Cummings, Mr. Tom Duff, Mr. Bruce Martin, Mr. Hal Parker, Mr. Gregg Rader, and Dr. Walt Starr. Items #2 - #4 on the Academic Affairs Regular Agenda were not approved and will not move forward.

Trustee Ogletree offered comments about the decision not to approve the proposed policy amendments.

Subsequent to Trustee Ogletree's comments, Commissioner Alfred Rankins, Jr. requested Mr. Van Gillespie, IHL Senior Associate Commissioner for Legal Affairs and Risk Management, to address the procedure used approving Trustee Parker's motion to reconsider. Mr. Gillespie stated that it was unclear whether the show of hands vote on Trustee Parker's motion constituted two-thirds of the trustees.

Trustee Ogletree then made a motion to suspend the rules that require a two-thirds vote on Trustee Parker's motion and to let the vote on Trustee Parker's motion stand as is. Trustee Duff seconded the motion. By consensus, all Trustees legally present and participating agreed to the motion to suspend the rules and let the results stand. Trustee Cunningham participated via Zoom. Items #2 - #4 on the Academic Affairs Regular Agenda were not approved and will not move forward.

**HEALTH AFFAIRS  
COMMITTEE REPORT  
Wednesday, November 15, 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 3:00 p.m. The following items were discussed.

1. The Committee discussed the monthly financial summary and received a quarterly quality update. **No action was taken.**
2. Executive Session

On motion by Trustee Ogletree, with Trustees Cummings, Hubbard, and Parker absent and not voting, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Starr, seconded by Trustee Ogletree, with Trustees Cummings, Hubbard, and Parker absent and not voting, all Committee members legally present and participating

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of two University of Mississippi Medical Center items consisting of discussions regarding prospective strategic business decisions of a public hospital.

Discussion of a University of Mississippi Medical Center item consisting of discussions regarding the prospective strategic business decisions of a public hospital, which is also related to discussions regarding the location, relocation, or expansion of a medical service and the prospective purchase, sale, or leasing of lands.

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

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

The Committee discussed a University of Mississippi Medical Center item consisting of discussions regarding the prospective strategic business decisions of a public hospital, which is also related to discussions regarding the location, relocation, or expansion of a medical service and the prospective purchase, sale, or leasing of lands. **No action was taken.**

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

3. On motion by Trustee Duff, seconded by Trustee Ogletree, with Trustees Cummings, Hubbard, Morgan, 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), Mr. Tom Duff, Ms. Jeanne Luckey, Mr. Bruce Martin, Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Gregg Rader, and Dr. Walt Starr. Dr. Ormella Cummings, Ms. Teresa Hubbard, and Mr. Hal Parker were absent.

## **ANNOUNCEMENT**

- President McNair announced the next Board meeting will be January 18, 2024 in Jackson.

## **EXECUTIVE SESSION**

On motion by Trustee Cummings, with Trustee Cunningham participating by Zoom, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Luckey, seconded by Trustee Martin, with Trustee Cunningham participating by Zoom and Trustee Morgan 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:

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
November 16, 2023**

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;

Discussion of one University of Mississippi item consisting of a personnel matter relating to the job performance of a person holding a specific position at the University of Mississippi;

Discussion of one Mississippi State University item consisting of a personnel matter relating to the job performance of a person holding a specific position at Mississippi State University; and

Discussion of one Mississippi University for Women item consisting of a personnel matter relating to the job performance of a person holding a specific position at the Mississippi University for Women.

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

The Board received the evaluation reports and the general institutional executive officer evaluation criteria utilized by Commissioner Dr. Alfred Rankins, Jr. in his evaluation of the job performance of Dr. Glenn Boyce, Chancellor of the University of Mississippi; Mrs. Nora Miller, President of the Mississippi University for Women; and Dr. Mark Keenum, President of Mississippi State University. On motion by Trustee Ogletree, seconded by Trustee Cummings, with Trustee Cunningham participating by Zoom, all Trustees legally present and participating voted unanimously to accept the evaluation reports for Dr. Glenn Boyce, Chancellor of the University of Mississippi; Mrs. Nora Miller, President of the Mississippi University for Women; and Dr. Mark Keenum, President of Mississippi State University.

On motion by Trustee Cunningham, seconded by Trustee Martin, with Trustee McNair abstaining from voting and Trustee Cunningham participating via Zoom, all other Trustees legally present and participating voted to hire Dr. Marcus Thompson as President of Jackson State University at a state salary of \$450,000 per year plus a foundation salary supplement of \$5,000 per year, that Dr. Thompson be given a 4-year employment contract with a start date of November 27, 2023, and that such employment contract include a provision allowing for reimbursement of actual moving expenses, in an amount up to \$15,000, in order to move into required university housing.

**On motion by Trustee Ogletree, seconded by Trustee Luckey, with Trustee Cunningham participating by Zoom, 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  
November 16, 2023**

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Cummings, seconded by Trustee Hubbard, with Trustee Cunningham participating via Zoom, 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  
November 16, 2023**

**EXHIBITS**

- Exhibit 1      Real Estate items that were approved by the IHL Board staff subsequent to the October 19, 2023 Board meeting.
- Exhibit 2      Report of the payment of legal fees to outside counsel.



# EXHIBIT 1

November 16, 2023

## **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.**

**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 101-328 – ASU DORMITORY RENOVATIONS**

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Burriss 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: Burriss 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 Entegriy 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.

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

# EXHIBIT 1

November 16, 2023

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: Entegriy Energy Partners, LLC

General Contractor: Entegriy 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

#### **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.

# EXHIBIT 1

November 16, 2023

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

## 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.

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

# EXHIBIT 1

November 16, 2023

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

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

# EXHIBIT 1

November 16, 2023

## 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 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

### **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

# EXHIBIT 1

November 16, 2023

## EDUCATION AND RESEARCH CENTER

### 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.

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

# EXHIBIT 2

November 16, 2023

## 1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 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**

# EXHIBIT 2

November 16, 2023

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**



# EXHIBIT 2

November 16, 2023

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 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**

# EXHIBIT 2

November 16, 2023

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 Southern Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Oral Suction Device” - \$383.50; “An

# EXHIBIT 2

November 16, 2023

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 Gnome for Infectious Agents and Cancers” - \$3,135.00.)

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

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
December 21, 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 via Zoom at the Board Office in Jackson, Mississippi, at 12:15 p.m. on December 21, 2023, and pursuant to notice in writing, to each and every member of said Board. The following members participated: Dr. Ormella Cummings, Mr. Tom Duff, Ms. Jeanne Carter Luckey, Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Gregg Rader, and Dr. J. Walt Starr. Dr. Steven Cunningham, Ms. Teresa Hubbard, and Mr. Hal Parker were absent.

**FINANCE AGENDA**

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Ogletree, with Trustees Cunningham, Hubbard, and Parker absent and not voting, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda.

1. **USM** – Approved the request to enter an Amended and Restated Lease Agreement for Port Facilities with the Mississippi Development Authority and the Mississippi State Port Authority at Gulfport. The proposed Amended and Restated Lease Agreement for Port Facilities expands the premises and facilities leased by USM to include the Roger F. Wicker Center for Ocean Enterprise (RFWCOE) Building consisting of approximately 60,000 square feet of heated and cooled space, with additional shop space on the ground level as well as operational and lay down space adjacent to the building, access to additional vessel berth and pier space consisting 917 linear feet on the East Pier, and access to and use of approximately one acre of off-site storage and emergency evacuation area for facilities and equipment. These additional facilities will be utilized as infrastructure for USM’s Roger F. Wicker Center for Ocean Enterprise Program, a comprehensive research and development program focused on uncrewed maritime systems and blue technology innovation, as well as supporting USM’s research vessel operations, including serving as the primary scientific port for the National Science Foundation owned Regional Class Research Vessel R/V Gilbert R. Mason. USM is in negotiation with a federal agency and private industry to sub-lease portions of the facilities to meet the maritime infrastructure and research needs of federal, state, academic, and industry program partners. The Amended and Restated Lease has an initial term of twenty (20) years, with ten (10) optional renewal terms of one (1) year each. (USM/IHL has legislative authorization under 2022 HB1247 as amended by 2023 HB877 to lease portions of the property administered by the Mississippi State Port Authority at Gulfport for a term not to exceed forty (40) years.) USM will pay rent in the amount of \$500,000 per year payable in monthly installments for the MRC, RFWCOE, and small craft harbor facilities, and approximately \$255,292.80 annually for the deep water wharf vessel berth and pier space utilized up to 917 linear feet (calculated as \$20.00 per linear foot per month and a tariff support payment of \$3.20 per linear foot per month), and an additional \$10,000 per year for the off-site storage and emergency evacuation area. USM will also pay a Sublease Revenue Sharing Payment which is the greater of (a) 70% of all Sublease Revenue for Subleaseable Space for Revenue Sharing, or (b) an annual rate of \$12.60 per square foot of Subleaseable Space for

**MINUTES OF THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING  
December 21, 2023**

Revenue Sharing subject to a Sublease as calculated on a monthly basis. The Sublease Revenue Sharing Payment will be derived from sublease revenue generated from subleases. The anticipated lease payments from USM will be \$765,292.80 annually before sublease adjustments. USM will also incur costs associated with this lease to procure and maintain insurance (as authorized by 2022 HB1247 as amended by 2023 HB877) and maintenance expenses as incurred. The total amount of lease payments over the initial term and available renewal terms is \$22,958,784.00 exclusive of sublease adjustments. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of the rent on a monthly basis in accordance with the lease terms. This agreement will be funded through indirect cost recovery from research activities and sublease revenue from subleases of portions of the premises. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**LEGAL AGENDA**

Presented by Trustee Gee Ogletree, Chair

On motion by Trustee Ogletree, seconded by Trustee Rader, with Trustees Cunningham, Hubbard, and Parker absent and not voting, all Trustees legally present and participating voted unanimously to approve items #1 and #2 as submitted on the Legal Agenda.

1. **JSU** – Approved the appointment of Jacqueline Anderson-Woods as the university’s legislative liaison in compliance with IHL Board Policy 201.0506 Political Activity.
2. **SYSTEM** – Approved the appointment of Laura Mayer as one of the IHL Executive Office’s legislative liaisons in compliance with IHL Board Policy 201.0506 Political Activity.

**ADJOURNMENT**

There being no further business to come before the Board, on motion by Trustee Cummings, seconded by Trustee Starr, with Trustees Cunningham, Hubbard, and Parker 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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

**1. ASU-REQUEST FOR APPROVAL TO ENTER INTO A ONE-YEAR EXTENSION AGREEMENT WITH CAMPUSLOGIC, INC.**

**Agenda Item Request:** Alcorn State University requests retroactive approval to enter into a one-year extension to the current contract with **CampusLogic, Inc.** Retroactive approval is needed due to an oversight by staff. When this contract was first executed it did not exceed the threshold. This current Work Order's cost took the dollar amount over the threshold and staff did not consider this and therefore did not submit for approval at the time. It was discovered later by the Director of Compliance.

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

**History of Contract:** The original contract was signed August 28, 2020, for \$210,682. The current amendment is to extend the contract period from September 1, 2023, to August 31, 2024, for \$85,215. This will bring the total lifecycle cost to \$295,897.

**Specific Type of Contract:** This a Work Order attendant to an existing software agreement.

**Purpose:** The purpose of the agreement is to maintain subscription to software that will be used to support self-service student financial aid technology.

**Scope of Work:** The agreement provides access to the following subscriptions: StudentForms with CampusMetrics, CampusCommunicator Digital with CampusMetrics, ScholarshipUniverse with CampusMetrics, VirtualAdvisor for self-service use by simplifying aid forms and processes and offer students 24/7 access to personalized financial aid information.

**Term of Contract:** The term of the submitted Work Order is September 1, 2023, to August 31, 2024. This will bring the overall term of the contract to four (4) years.

**Contract Amount:** The current Work Order is \$85,215. This will bring the total lifecycle cost to \$295,897.

**Funding Source for Contract:** The contract will be funded solely by a Department of Education Title III funded grant.

**Termination Options:** Contract may be terminated for convenience upon 45 days written notice of either party. Contract may be terminated for cause upon 30 days written notice.

**Contractor Selection Process:** Sole Source was advertised on August 10, 2020, and August 17, 2020 in the Clarion Ledger, the ASU Procurement Portal and the University website. No vendor contested the designation.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

**2. UMMC-REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH 314 RIDGELAND STOLLEY, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Medical Office Building Lease with **314 Ridgeland Stolley, LLC** (Landlord) to lease 68,473 square feet of medical office space located at 326 Commerce Center Drive, Ridgeland, MS. Pursuant to IHL policy 707.03 *Approval of Prepayment for Goods and Services*, UMMC also requests a waiver to allow prepayment of rent monthly.

**Contractor's Legal Name: 314 Ridgeland Stolley, LLC**

**History of Contract:** This is a new lease agreement for UMMC. UMMC currently has clinics located at the Pavilion on UMMC's main campus that are outdated and in need of repair. UMMC would like to repurpose the Pavilion space in the near future. In order to free up clinic space on campus, many of the clinics in the Pavilion will move to this location.

**Specific Type of Contract:** This is a new Medical Office Building Lease.

**Purpose:** The purpose of this Agreement is to lease approximately lease 68,473 square feet of medical office space located at 326 Commerce Center Drive, Ridgeland, MS for clinical use.

**Scope of Work:** UMMC will lease approximately 68,473 square feet from Landlord, for the purpose of housing clinics.

**Term of Contract:** The lease will be effective on February 1, 2024. The term of the agreement is fifteen (15) years with two (2) five (5) year renewal options for a possible total term of twenty-five (25) years. The initial lease term will begin on the date that UMMC first opens for business or 180 days following the effective date, (expected to be on or about August 1, 2024). UMMC's obligation to commence rent payments is expected to begin January 1, 2025.

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

- by UMMC in the event that Lessor does not complete the minimum base building work by March 1, 2024;
- by UMMC if the building is damaged and Lessor does not begin repairs within 180 days of the damage;
- by UMMC if the building is destroyed by casualty up to 30% or more;

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

- by either party if any material part of the premises is taken for any public or quasi-public use under governmental law, ordinance or regulation;
- by Lessor if UMMC sublets or encumbers the premises without approval of the Lessor;
- by Lessor if UMMC files for bankruptcy, insolvency or reorganization;
- by Lessor in the case of a material breach by UMMC;
- by either party in the event any legislation 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 UMMC immediately upon Lessor's breach of any of the following ongoing representations and warranties that it:
  - is not currently excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs;
  - is 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
- in the event of insufficient funds; and
- by the non-violating party if a party is in violation of the patriot act, money laundering act, or on the list of specially designated nationals and blocked persons list.

**Contract Amount:** The estimated total cost of the lease shall not exceed \$54,400,000 over the initial fifteen (15) year term. Rents are expected to be approximately \$37,000,000 over the term. Additionally, UMMC expects to pay approximately \$17,400,000 in tenant improvements, operating and maintenance expenses, however that amount could fluctuate based on usage and utility costs. Consequently, UMMC requests approval for an estimated total cost not to exceed \$54,400,000 for the initial 15-year term.

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

**Contractor Selection Process:** The space is the only medical office space available in the market with the square footage and footprint that allows for the coordinated programmatic moves necessary to meet UMMC's operational requirements.

**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 AMEND A PURCHASE AGREEMENT WITH BOSTON SCIENTIFIC CORPORATION**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to amend its purchase agreement with **Boston Scientific Corporation** (Boston



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

Scientific) to extend the term, update the products, consignment inventory and rebates on the agreement to the new Watchman FLX Pro line. The agreement is for the purchase of the Watchman/Watchman FLX Left Atrial Appendage Closure (LAAC) Technology to secure discounted pricing from Boston Scientific for consumable commodities and equipment used specifically with the Watchman device. The device is used in cardiac procedures to reduce the risk of thromboembolism from the left atrial appendage in patients who are at increased risk for stroke and systemic embolism. UMMC also requests approval to add or remove products covered by the Agreement without seeking prior Board approval as long as it does not increase the approved expenditure level.

**Contractor's Legal Name: Boston Scientific Corporation**

**History of Contract:** On May 20, 2021, the Board approved a purchase agreement with Boston Scientific for the consumable commodities and equipment used with the Watchman device at a cost of \$1,975,000. On May 20, 2022, UMMC received notification that the Commissioner delegated authority to UMMC to enter agreements with an aggregate total expenditure of less than \$3,500,000.00 as defined in section 707.01 of the IHL Policies and Bylaws, as amended. Through its delegated authority, on January 13, 2023, UMMC increased the total cost of the agreement to \$3,400,000. The additional funds were needed due to volume increases. UMMC would like to amend the agreement at this time to extend the term, update the products, consignment inventory and rebate opportunities in the agreement. Unless amended, the agreement will expire on May 31, 2024.

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

**Purpose:** The purpose of the amendment is to update the products, consignment inventory and rebates on the agreement to the new Watchman FLX Pro line and extend the term. The purpose of the agreement is to secure discounted pricing from Boston Scientific for consumable commodities and equipment used specifically with the Watchman device. The device is used in cardiac procedures to reduce the risk of thromboembolism from the left atrial appendage in patients who are at increased risk for stroke and systemic embolism.

**Scope of Work:** Under the amended agreement, Boston Scientific will continue to:

- provide training for performing physicians;
- provide clinical case support onsite for all procedures as requested;
- provide up to three (3) devices and three (3) access systems for the price of one (1) procedure; and
- pay UMMC a quarterly rebate so long as UMMC meets or exceeds the unit volume criteria of Watchman/Watchman FLX devices and products; and
- pay UMMC a quarterly rebate so long as UMMC meets or exceeds the
- dollar volume purchase of other Boston Scientific cardiovascular products.

**Term of Contract:** The term of the amended agreement is six (6) years, from June 1, 2021, through May 31, 2027. The original agreement was for a term of three (3) years, beginning

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

June 1, 2021. The amendment extends the term by three (3) years.

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

- by either party upon thirty (30) days' written notice;
- in the event of a reduction of funds;
- by either party due to an uncured breach after a thirty (30) day period to cure the breach; and
- immediately upon Boston Scientific's ineligibility to participate in any federal or state healthcare programs.

**Contract Amount:** The estimated total cost of the amended agreement over the six (6) term is \$11,900,000. The original cost of the agreement was \$1,975,000. The total cost was increased to \$3,400,000 via UMMC's delegated contracting authority. The amendment will add \$8,500,000 to the agreement.

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

**Contractor Selection Process:** UMMC is currently contracted with Boston Scientific.

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

**4. UMMC-REQUEST FOR APPROVAL TO AMEND THE LICENSE AND SUPPORT AGREEMENT WITH EPIC SYSTEMS CORPORATION (EPIC BILLING SERVICES)**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into Amendment No. 35 to the License and Support Agreement with **Epic Systems Corporation** (Epic) to add Epic Billing Services to the current list of licensed program property. The Epic Billing Services will provide staff augmentation for professional billing services and credit balance resolution. UMMC also requests approval to extend the term of Amendment 35 without seeking prior Board approval as long as it does not increase the approved expenditure level or exceed the term of the License and Support Agreement.

**Contractor's Legal Name:** Epic Systems Corporation

**History of Contract:** On August 19, 2010, the Board approved the original License and Support Agreement with Epic for licensing and support of UMMC's electronic health record. The agreement subsequently has been amended upon Board approval. A complete history of the Epic contract is on file at the Board office.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

**Specific Type of Contract:** This is Amendment No. 35 to the License and Support Agreement.

**Purpose:** The purpose of Amendment No. 35 is to add Epic Billing Services to the current list of licensed program property. The Epic Billing Services will provide staff augmentation for professional billing services and credit balance resolution.

**Scope of Work:** Under the amendment, Epic will provide medical billing services and credit balance resolution.

**Term of Contract:** The term of the amended agreement is fourteen (14) years from August 23, 2010, through August 22, 2024. The term of Amendment No. 35 will begin upon a mutually agreed commencement date of the billing services, which is expected to be on or around January 22, 2024, and continue for a period of six (6) months with the option to renew the services for an additional three (3) months. At no time shall the billing services continue past the expiration date of the License and Support Agreement, August 22, 2024.

**Termination Options:** The License and Support Agreement may be terminated as follows:

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

**Contract Amount:** The current approved amount of the agreement is \$118,888,932.99. Amendment 34, which is currently at the Board for approval, will increase the total by \$722,992.00. The estimated total cost for Amendment 35 is \$150,000.00, which will increase the estimated total cost of the agreement to \$119,761,924.99.

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

**Contractor Selection Process:** UMMC is currently contracted with Epic.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

**5. UMMC- REQUEST FOR APPROVAL TO AMEND THE LICENSE AND SUPPORT AGREEMENT WITH EPIC SYSTEMS CORPORATION (DOCUMENT MANAGEMENT)**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into Amendment No. 34 to the License and Support Agreement with **Epic Systems Corporation** (Epic) to add the Gallery Document Management Module to the current list of licensed program property. The Gallery Document Management Module will provide the storage of scanned documents in UMMC’s electronic health records, and will replace the 3M Company’s ChartScan application that is currently in use at UMMC. ChartScan is now end of life and the manufacturer will not support or maintain the ChartScan application.

**Contractor’s Legal Name: Epic Systems Corporation**

**History of Contract:** On August 19, 2010, the Board approved the original License and Support Agreement with Epic for licensing and support of UMMC’s electronic health record. The agreement subsequently has been amended upon Board approval. A complete history of the Epic contract is on file at the Board office.

**Specific Type of Contract:** This is Amendment No. 34 to the License and Support Agreement.

**Purpose:** The purpose of Amendment No. 34 is to add the Gallery Document Management Module to the current list of licensed program property. The Gallery Document Management Module provides storage of scanned documents in UMMC’s electronic health records.

**Scope of Work:** Under the amendment, Epic will provide the following:

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

**Term of Contract:** The term of the amended agreement is fourteen (14) years from August 23, 2010, through August 22, 2024. The term of Amendment No. 34 will begin upon execution and end conterminously with the agreement on August 22, 2024.

**Termination Options:** The License and Support Agreement may be terminated as follows:

- upon ninety (90) days’ notice prior to the end of an annual term;
- breach due to failure of system to operate properly after warranty, provided a forty-five (45) day warranty period is allowed for Epic to cure such breach;

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

- upon notice of infringement claim against Epic, if Epic is unable to modify the infringing program property or to provide UMMC with an appropriate replacement program;
- upon bankruptcy, insolvency and the like; and
- upon material breach of the agreement after the breaching party has been allowed sixty (60) days to cure the breach after receiving written notice of the breach.

**Contract Amount:** The current approved amount of the agreement is \$118,888,932.99. The estimated total cost for Amendment 34 is \$722,992.00, which will increase the estimated total cost of the agreement to \$119,611,924.99.

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

**Contractor Selection Process:** UMMC is currently contracted with Epic.

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

**6. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH HEALTHIER MISSISSIPPI CLINICAL SERVICES, LLC**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Services Agreement (Agreement) with **Healthier Mississippi Clinical Services, LLC (HMCS)** for augmentation of staffing. HMCS will provide qualified Certified Registered Nurse Anesthetists (CRNA) as requested by UMMC.

**Contractor’s Legal Name:** **Healthier Mississippi Clinical Services, LLC**

**History of Contract:** In large part, UMMC employs its own staff. However, UMMC, along with other hospitals across the US, has experienced a significant staffing shortage in patient care areas, such as nursing and other clinical positions. The Board approved an agreement between UMMC and Healthier Mississippi People, LLC (HMP) in March 2021 for staffing augmentation. That relationship has worked to UMMC’s advantage due to HMP’s ability to attract, employ, retain and place, non-provider healthcare personnel. Nevertheless, staffing shortages are also occurring with some billing provider positions, particularly Certified Registered Nurse Anesthetists (CRNAs). The shortage of CRNAs in the area has led to a very competitive job market as organizations vie for these providers due to health facilities’ reliance on CRNAs to provide essential healthcare services. UMMC is actively working to increase its competitiveness in the hiring market. Despite these efforts, filling provider positions and retaining qualified CRNAs remains a challenge for the foreseeable future.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

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

**Purpose:** The purpose of the Agreement is to augment UMMC’s staffing of healthcare providers. HMCS will provide qualified healthcare providers, initially focusing on CRNAs, as requested by UMMC.

**Scope of Work:** Under the Agreement, HMCS will provide qualified healthcare providers as requested by UMMC.

**Term of Contract:** The term of the Agreement is five (5) years, from February 1, 2024, through January 31, 2029.

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

- by agreement of the parties;
- by either party upon ninety (90) days’ written notice;
- by UMMC if HMCS refuses or fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of the contract, and fails to cure the breach within ten (10) days of receiving written notice from UMMC; and
- in the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (30) days.

**Contract Amount:** The total maximum cost of the Agreement over the five (5) year term is \$35,000,000. Fees are based upon flat hourly rates for assigned personnel, as mutually agreed upon by UMMC and HMCS.

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

**Contractor Selection Process:** HMCS was formed by and through Healthier Mississippi Collaborative, a Mississippi nonprofit corporation (“HMC”) organized by UMMC with IHL Board approval pursuant to the authority of Miss. Code Ann. § 37-115-50.1 to support and assist UMMC in the fulfillment of its three-part mission. HMCS was formed to provide UMMC with supplemental and/or flexible staffing augmentation with respect to qualified healthcare providers in a variety of specialties, all of whom will be employees of HMCS.

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

**7. UMMC – REQUEST FOR APPROVAL TO AMEND A FEE PER CASE AGREEMENT WITH STRYKER SALES CORPORATION**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to amend its Fee Per Case Agreement with **Stryker Sales Corporation** (Stryker) to reduce the fee per case and increase the expected monthly case volume. The agreement is for the provision of operating room support for surgical cases in the Kathy and Joe Sanderson Tower at Children's of Mississippi. The services provided under the agreement will allow for support of surgical scopes and related equipment such as cameras and power tools. Stryker's services include aiding with maintenance of the scopes and equipment, repairing them during minimally invasive surgeries, and helping prepare the operating room for the next surgery.

**Contractor's Legal Name: Stryker Sales Corporation**

**History of Contract:** on June 16, 2022, the Board approved a Fee Per Case Agreement with Stryker for the provision of operating room support for surgical cases in the Kathy and Joe Sanderson tower at Children's of Mississippi. UMMC would like to amend the agreement to reduce the fee per case cost and increase the expected monthly case volume. The expected case volume has been higher than initially projected due to an unexpected increase in surgical volume. The agreement will expire on June 30, 2027.

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

**Purpose:** The purpose of the amendment is to reduce the fee per case and increase the expected monthly case volume. The agreement is for the provision of operating room support for surgical cases in the Kathy and Joe Sanderson Tower at Children's of Mississippi. The services provided under the agreement will allow for support of surgical scopes and related equipment such as cameras and power tools. Stryker's services include aiding with maintenance of the scopes and equipment, repairing them during minimally invasive surgeries, and helping prepare the operating room for the next surgery.

**Scope of Work:** Under the amended agreement, Stryker will continue to provide:

- repairs of equipment such as cameras, scope cases and flexible urology scopes, including labor and parts;
- replacement equipment for applicable equipment being serviced;
- use of loaner equipment to replace equipment during repair or pending replacement;
- onsite specialists to be available for surgeries who will assist with preoperative; and intraoperative and postoperative operating room needs, as well as tray management and education for operating room staff.

**Term of Contract:** The term of the agreement remains unchanged it is five (5) years, from July 1, 2022, through June 30, 2027.

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

- by Stryker if UMMC does not make payments when due;

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

- by the non-breaching party if the breaching party does not cure the breach within fifteen days of written notice of said breach;
- by UMMC upon sixty (60) days' written notice to Stryker;
- by Stryker upon ninety (90) days' written notice to UMMC;
- by either party if the estimated monthly case volumes fall below the expected amount and the parties do not agree to a revision of the estimated monthly case volume for discount reporting purposes; and
- by UMMC, upon written notice to Stryker, if Stryker is unable to provide service for a period of thirty (30) consecutive days as a result of a continuing force majeure event.

**Contract Amount:** The total estimated cost of the amended agreement over five (5) year term is \$4,425,000. The original estimate was \$3,650,000. The amendment adds \$775,000 over the term. The total estimated cost increase is due to an unexpected increase in surgical volume.

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

**Contractor Selection Process:** UMMC is currently contracted with Stryker.

**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.

8. **USM-REQUEST FOR APPROVAL TO ENTER INTO AMENDMENT TWO TO LEASE AGREEMENT WITH CHROMIS FIBEROPTICS, INC.**

**Agenda Item Request:** The University of Southern Mississippi requests authorization to enter into the Amendment Two to Lease Agreement with **Chromis Fiberoptics, Inc.**

**Contractor's Legal Name:** **Chromis Fiberoptics, Inc.**

**History of Contract:** USM and Company entered into a lease agreement effective November 1, 2021 for Company to lease approximately 614 square feet comprised of Laboratory Space No. 133 in USM's Accelerator facility for annual rent of \$18,420.00 annual rent in the one (1) year initial term and each of the four (4) one (1) year renewal terms, if any, for a total rent of \$92,100.00 over the initial term and available renewal terms. Said Lease was approved by the IHL Commissioner in accordance with IHL Policy 707.01 on October 18, 2021. USM and Chromis entered into Amendment One to Lease Agreement with an effective date of February 22, 2022 to modify the premises to include a



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**FINANCE**  
**January 18, 2024**

total of approximately 973 square feet comprised of laboratory and office space Nos. 133, 134, and 141. The annual rent increased to \$28,440 per year. Amendment One was approved by the IHL Board on February 17, 2022.

**Specific Type of Contract:** Amendment to a revenue generating Lease Agreement.

**Purpose:** The Purpose of Amendment Two is to provide income for USM and to lease additional space in USM's Accelerator building to Chromis which is a compatible business with USM's other tenants.

**Scope of Work:** The University shall lease to Chromis approximately 2,603 square feet of laboratory and office space, Space Nos. 134, 141, 162, 163, 164, and 166 in the Accelerator.

**Term of Contract:** The Lease Agreement is effective as of November 1, 2021 for a one-year initial term with four (4) one-year renewal terms. The term is not affected by Amendment Two.

**Contract Amount:** Amendment Two will modify the annual rent to \$75,550.00. The total rent for the current term and available renewal terms, if any, is \$226,650.

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

**Termination Options:** Either party may terminate upon 180 days notice prior to the expiration of the initial term or any renewal term. USM and Company have a right to terminate the lease upon damage rendering the leased premises untenable; breach of compliance with the Mississippi Employment Protection Act, Section 71-11-1, et seq of the Mississippi Code Annotated (Supp 2008); or an Event of Default by the other party.

**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.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

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

**Board Policy §902, Initiation of Construction Projects**

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

**Board Policy §904(A), Board Approval**

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

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

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

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

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

**Board Policy §905(A), Real Estate Management**

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

**Board Policy §905(B), Real Estate Management**

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**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 103-332 – ACCESS CONTROL IMPROVEMENTS - HEERF**

**Project Request:** Jackson State University requests approval to initiate a project, Access Control Improvements, and appoint Shultz and Wynne, P.A. as the design professional.

**Proposed Design Professional: Shultz and Wynne, P.A**

**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 selection process for the selection of the design professional. This project is a continuation of a previous project where the professional was selected and JSU will continue with the professional that was selected for the previous security upgrade project detailed below in the project history.

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

**Project Scope:** The scope for this turnkey project includes the installation of access control panels, contactless smart card readers, and ancillary devices to support access and egress points for approximately 317 external facility doors and up to 331 "authorized personnel only" interior rooms/closets. Work shall include the installation

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

of new conduits, raceways, cabling, field devices, software, controllers, electrical door hardware, and all other equipment required for a fully functional access control system that is able to integrate with JSU's existing safety ecosystem communications software.

**History:** The Access Control Improvements - HEERF project is a continuation of GS 103-264 Security Upgrade (Phase II). For tracking and accountability purposes, HEERF related improvements have been isolated to this new project. The professional, Shultz and Wynne Consulting and Electrical Engineers, served as the professional on GS 103-264 Phases I and II and will continue to serve in this capacity for the HEERF Improvements. This project will consist of access improvements to include the installation of external electronic readers on all campus facilities and internal readers on all mechanical rooms and closets, 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:** January 18, 2024

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

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

**Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 9,559,406.06
Architectural and Engineering Fees:	590,000.00
Misc. Project Costs:	0.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>2,700,000.00</u>
 <b>Total Project Budget</b>	 <b>\$ 12,849,406.06</b>

**Funding Source(s):** U.S. Dept. of Education HEERF Funds (\$12,849,406.06)

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

2. **MVSU – GS 106-282 – NEW RESIDENCE HALL**

**Project Request:** Mississippi Valley State University requests approval to initiate a project, New Residence Hall, and appoint McCarty Architects as the design professional.

**Proposed Design Professional: McCarty Architects**

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

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

**Purpose:** Mississippi Valley 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 project will include preplanning through schematic development phase of the project for construction, furnishing, and equipping of a new, residence hall and related facilities of an expected \$30M residence hall. The new residence hall is estimated to be approximately 60,000 GSF with 200 to 300 beds (depending on construction estimate). All applicable codes, including ADA compliance, will need to be addressed during the development process.

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

**Project Initiation Date:** January 18, 2024

**Date of Original Construction:** New Construction

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

**Project Budget: (Design Fees Only)**

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

**Funding Source(s):** HB 603, Laws of 2023 (\$500,000)

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

**IHL PROJECTS .....**

**3. MSU – IHL 205-356 – BARNES AND NOBLE PARKING LOT**

**Project Request:** Mississippi State University requests approval to initiate a project, Barnes and Noble Parking Lot, and appoint Smithers Engineers and Consultants, LLC as the design professional.

**Proposed Design Professional: Smithers Engineers and Consultants, LLC**

**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 \$2,000,000 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 project will expand & rehabilitate portions of two existing parking lots as well as connect them with the construction of a new parking lot that will provide approximately 90 new parking spaces. This project will provide improved and expanded parking facilities in a critical area of the campus core and will serve students, faculty, and staff, as well as game day parking for athletic events.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

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:** January 18, 2024

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

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

**Project Budget:**

		<i>Estimated</i>
Construction Cost:	\$	1,300,000.00
Architectural and Engineering Fees:		115,000.00
Misc. Project Costs:		200,000.00
Furniture & Equipment Costs:		0.00
Contingency:		385,000.00
<b>Total Project Budget</b>	<b>\$</b>	<b>2,000,000.00</b>

**Funding Source(s):** University Designated Funds (\$2,000,000)

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

4. **MVSU – IHL 206-028 – RICE-TOTTEN STADIUM TURF REPLACEMENT**

**Project Request:** Mississippi Valley State University requests approval to initiate a project, Rice-Totten Stadium Turf Replacement, and appoint The Kelly Factory, PLLC as the design professional.

**Proposed Design Professional:** **The Kelly Factory, 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. MVSU 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 \$500,000 per claim and \$500,000 aggregate.



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

**Purpose:** Mississippi Valley 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 project consists of the installation of a new playing turf field at Rice-Totten Stadium. The project will also include improving the infrastructure of the football field to help better aid in storm water drainage, adding new adjustable field goals, and providing the necessary training and equipment to sustain the maintenance of the turf.

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

**Project Initiation Date:** January 18, 2024

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

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

**Project Budget:**

		<i>Estimated</i>
Construction Cost:	\$	1,295,851.00
Architectural and Engineering Fees:		58,789.40
Misc. Project Costs:		74,236.00
Furniture & Equipment Costs:		0.00
Contingency:		71,123.60
<b>Total Project Budget</b>	<b>\$</b>	<b>1,500,000.00</b>

**Funding Source(s):** E&G Funds Reserve (\$1,500,000)

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

**5. UM – IHL 207-509 – HEFLEY HALL – ROOF REPLACEMENT**

**Project Request:** The University of Mississippi requests approval to initiate a project, Hefley Hall – Roof Replacement, and appoint Shafer Zahner Zahner, PLLC as the design professional.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

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

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

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

**Project Scope:** Hefley Hall was originally constructed in 1957 and underwent a major renovation in 2000. The building consists of four living floors and serves as a female residence hall. Due to age and exposure to the elements, the roof has exceeded its useful life. This project will remove the existing 23-year-old metal roof system, and replace it with a new standing seam metal, twenty-year roof system.

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

**Project Initiation Date:** January 18, 2024

**Date of Original Construction:** 1957

**Date of Last Renovation:** 2000

**Project Budget:**

	<i>Estimated</i>
Construction Cost:	\$ 800,000.00
Architectural and Engineering Fees:	56,000.00
Misc. Project Costs:	60,000.00
Furniture & Equipment Costs:	5,000.00
Contingency:	<u>329,000.00</u>
<b>Total Project Budget</b>	<b>\$ 1,250,000.00</b>

**Funding Source(s):** Internal R&R (\$1,250,000)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

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

**6. UM – IHL 207-510 – SOUTH OXFORD CAMPUS (SOC) FIRE ALARM REPLACEMENT**

**Project Request:** The University of Mississippi requests approval to initiate the project, SOC Fire Alarm Replacement, and to appoint Corbett Legge & Associates PLLC as the design professional.

**Proposed Design Professional: Corbett Legge & Associates, PLLC**

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

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

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

**Project Scope:** The project consists of replacing the fire alarm system at the South Oxford Campus (SOC) to make the building code compliant and provide fire protection to occupants and users.

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

**Project Initiation Date:** January 18, 2024

**Date of Original Construction:** 1960

**Date of Last Renovation:** 2023

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

**Project Budget:**

		<i>Estimated</i>
Construction Cost:	\$	1,975,000.00
Architectural and Engineering Fees:		110,020.49
Misc. Project Costs:		40,250.00
Furniture & Equipment Costs:		0.00
Contingency:		474,729.51
<b>Total Project Budget</b>	<b>\$</b>	<b>2,600,000.00</b>

**Funding Source(s):** Internal R&R (\$2,600,000)

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

**7. UM – IHL 207-511 – BROWN HALL HVAC RENOVATION**

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

**Proposed Design Professional: Corbett Legge & Associates, PLLC**

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

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

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

**Project Scope:** The project consists of replacing four (4) HVAC units at Brown Hall that are beyond their usable life and can no longer be maintained in working order due to age. Unit replacement will ensure indoor climates stay at optimum levels.

The University of Mississippi is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

**Project Initiation Date:** January 18, 2024

**Date of Original Construction:** 1961

**Date of Last Renovation:** 2022 – Fire Alarm Replacement

**Project Budget:**

		<i>Estimated</i>
Construction Cost:	\$	750,000.00
Architectural and Engineering Fees:		61,658.93
Misc. Project Costs:		57,250.00
Furniture & Equipment Costs:		0.00
Contingency:		173,781.79
<b>Total Project Budget</b>	<b>\$</b>	<b>1,042,690.72</b>

**Funding Source(s):** Internal R&R (\$1,042,690.72)

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

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

**IHL PROJECTS .....**

**8. ASU – IHL 201-258 – MUSHROOM FACILITY RENOVATIONS**

**Project Request:** Alcorn State University is requesting approval to increase the budget from \$1,542,362 to \$2,007,289 for an increase in the amount of \$464,927. The funding source will remain the same.

**Current Project Phase:** Design Phase

**Design Professional:** PryorMorrow PC

**General Contractor:** TBD

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

**Purpose/Justification:** Alcorn State University is seeking approval to increase the budget for the project. The purpose of this request is due to an increase in material and construction labor cost from the previous designer’s estimated cost.

**Project Scope:** The project will consist of the renovation of the 2452 GSF Biology Lab Building on the Lorman Campus into a comprehensive Mushroom Research Facility. The facility, built in 1976, will include research lab space to include mushroom cultivation laboratory with specialized equipment, new building finishes, new roof and envelope repairs, and ADA accessibility modifications.

**History of Project:** This project was initially begun by the university on October 6, 2021, at an estimated budget of 1 million dollars 100% funded by United States Department of Agriculture NIFA/1890 Facilities Grant and NIFA/McIntyre Stennis Funds to address renovation needs of the former Biology Lab Building totaling 2452 GSF. Currently competitive bids were received on December 12, 2023, causing the total overall project budget to increase from \$1,542,362 to \$2,007,289. The additional project costs can be attributed to several factors, current market conditions, inflation, and the construction industry, that results in higher construction costs.

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

**Project Initiation Date:** May 19, 2022

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 1,209,273.00	\$ 1,664,000.00	\$ 454,727.00
Architectural and Engineering Fees	\$ 102,789.00	\$ 141,440.00	\$ 38,651.00
Miscellaneous Project Costs	\$ 157,300.00	\$ 118,649.00	\$ (38,651.00)
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 73,000.00	\$ 83,200.00	\$ 10,200.00
<b>Total Project Budget</b>	<b>\$ 1,542,362.00</b>	<b>\$ 2,007,289.00</b>	<b>\$ 464,927.00</b>

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**Proposed Funding Source(s):** Funding is provided by Federal McIntyre Stennis Grant Funds through the United States Department of Agriculture (\$2,007,289)

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

9. **MSU – IHL 205-328 – NEW RESIDENCE HALL**

**Project Request:** Mississippi State University is requesting approval to increase the budget from \$96,000,000 to \$103,500,000 for an increase in the amount of \$7,500,000. The funding source will remain the same.

**Current Project Phase:** Design Phase

**Design Professional:** Wier Boerner Allin Architecture

**General Contractor:** Roy Anderson Corp.

**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:** Mississippi State University 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 the professional. The budget increase will allow for the purchasing of fixtures, furniture, equipment, security systems, audio-video systems, and allowing for adequate project contingency.

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

**History of Project:** The project was initiated, and the design professional appointed in October of 2022. This is the third budget increase for this project. The budget was increased at the January 2023 Board Meeting to \$60,000,000. The budget was again increased to \$96,000,000 at the May 2023 Board Meeting. Exterior renderings for this project were approved by the Board at the October 2023 Board Meeting.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

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

**Project Initiation Date:** October 2022 – Interim Approval

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 77,331,789.00	\$ 85,677,000.00	\$ 8,345,211.00
Architectural and Engineering Fees	\$ 4,639,907.00	\$ 5,287,412.00	\$ 647,505.00
Miscellaneous Project Costs	\$ 5,786,358.00	\$ 5,786,358.00	\$ 0.00
Furniture & Equipment Costs	\$ 1,800,000.00	\$ 2,465,380.00	\$ 665,380.00
Contingency	\$ 6,441,946.00	\$ 4,283,850.00	\$ (2,158,096.00)
<b>Total Project Budget</b>	<b>\$ 96,000,000.00</b>	<b>\$ 103,500,000.00</b>	<b>\$ 7,500,000.00</b>

**Proposed Funding Source(s):** Internal Cash Reserves (\$27,500,000); EBC Bonds (\$76,000,000)

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

**10. MSU – IHL 205-336 – SOUTH CAMPUS MECHANICAL PLANT**

**Project Request:** Mississippi State University is requesting approval to increase the budget from \$200,000 to \$35,000,000 for an increase in the amount of \$34,800,000. The funding source will remain the same.

**Current Project Phase:** Design Phase

**Design Professional:** Eley Guild Hardy Architects

**Construction Manager Advisor:** Innovative Construction Management, LLC

**General Contractor:** TBD



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

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

**Purpose/Justification:** Mississippi State University is seeking an increase to the current project budget of \$200,000 by \$34,800,000 for a revised total budget of \$35,000,000.00. This will allow the university to proceed forward from the initial preplan budget to a more accurate project budget.

**Project Scope:** After the completion of the Central Plant Cooling Tower project (205-339), the existing mechanical plant will be at its cooling capacity of 9,550 tons. The proposed new south campus mechanical plant will provide redundancy to the existing campus loop and provide capacity for planned future growth on campus. The proposed site is between Dorman Hall and the Agricultural & Engineering Building along Creelman Street.

**History of Project:** The project was initiated, and the design professional appointed at the June 2023 Board Meeting with a planning budget of \$200,000. This is the first budget increase by the university for this project. Innovative Construction Management, LLC was approved by the Board as the Construction Advisor on this project in October of 2023

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

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

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 0.00	\$ 29,000,000.00	\$ 29,000,000.00
Architectural and Engineering Fees	\$ 200,000.00	\$ 1,690,000.00	\$ 1,490,000.00
Miscellaneous Project Costs	\$ 0.00	\$ 150,000.00	\$ 150,000.00
Aquaculture Equipment Costs	\$ 0.00	\$ 25,000.00	\$ 25,000.00
Contingency	\$ 0.00	\$ 4,135,000.00	\$ 4,135,000.00
<b>Total Project Budget</b>	<b>\$ 200,000.00</b>	<b>\$ 35,000,000.00</b>	<b>\$ 34,800,000.00</b>

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**Proposed Funding Source(s):** University Designated Funds (\$35,000,000)

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

**11. MSU – IHL 205-339 – CENTRAL PLANT COOLING TOWER**

**Project Request:** Mississippi State University is requesting approval to increase the budget from \$6,000,000 to \$7,000,000 for an increase in the amount of \$1,000,000. The funding source will remain the same.

**Current Project Phase:** Design Phase

**Design Professional:** Engineering Resource Group

**General Contractor:** McLain Plumbing

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

**Purpose/Justification:** Mississippi State University is seeking an increase to the current project budget of \$6,000,000 by \$1,000,000 for a revised total budget of \$7,000,000.00. The project bid on November 30, 2023, and the base bid was awardable within the \$6,000,000 budget. Increasing the budget to \$7,000,000 allows the project to also include the additional chiller and additional cooling tower which adds capacity to the chilled water loop to connect buildings currently in design and construction.

**Project Scope:** The base bid includes replacement of existing three cooling towers that support chiller no. 1 and chiller no. 2 at the Central Plant. Alternate #1 includes the addition of chiller no. 7 and cooling tower No. 4 which will increase the capacity of the plant from 8,000 tons to 9,550 tons.

**History of Project:** The project was initiated, and the design professional appointed at the April 2023 Board Meeting with a budget of \$2,750,000. MSU increased the budget to \$6,000,000 at the August 2023 Board meeting. This is the second budget increase by the university for this project.

The MSU Steam Plant was constructed in 1921 and has housed critical central-campus infrastructure throughout its lifespan. In the early 1990s the first central chilled water infrastructure was constructed in the steam plant and underground chilled water lines were installed to serve nearby buildings in the core of campus to meet cooling demands. Since that time, the plant has grown from an initial capacity of 2,200 tons to the most recent ice plant expansion bringing the capacity closer to 8,000 tons. The last steam service from the plant was terminated around 2010 and the

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

plant now provides chilled water and heating water to the core of campus. This project is part of the normal cycle of equipment replacement coupled with the opportunity to get much needed additional capacity out of the current chillers and the need for an additional chiller for imminent growth.

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

**Project Initiation Date:** April 20, 2023

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 4,600,000.00	\$ 5,931,000.00	\$ 1,331,000.00
Architectural and Engineering Fees	\$ 480,000.00	\$ 480,000.00	\$ 0.00
Miscellaneous Project Costs	\$ 100,000.00	\$ 100,000.00	\$ 0.00
Aquaculture Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 820,000.00	\$ 489,000.00	\$ (331,000.00)
<b>Total Project Budget</b>	<b>\$ 6,000,000.00</b>	<b>\$ 7,000,000.00</b>	<b>\$ 1,000,000.00</b>

**Proposed Funding Source(s):** Capital Expense Funds (\$3,750,000); University Funds (\$3,250,000)

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

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

**Project Request:** Mississippi State University is requesting approval to increase the budget from \$225,000 to \$2,000,000 for an increase in the amount of \$1,775,000. The funding source will remain the same.

**Current Project Phase:** Design Phase

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

**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:** Mississippi State University is seeking an increase to the current project budget of \$225,000 by \$1,775,000 for a revised total budget of \$2,000,000.00. The university is increasing the project budget from the planning stage of the project to a more realistic cost estimate for the project.

**Project Scope:** Design and construct two new 13kV distribution bays at MSU’s electrical substation. The two new distribution bays with associated equipment will support a feeder to energize the new south mechanical plant that is in the planning phase of design. *(See Consent Agenda Item #10 - #205-336 South Campus Mechanical Plant)*

**History of Project:** The project was initiated, and the design professional appointed at the October 2023 Board Meeting with a planning budget of \$225,000. This is the first budget increase by the university for this project.

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

**Project Initiation Date:** October 19, 2023

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 0.00	\$ 1,400,000.00	\$ 1,400,000.00
Architectural and Engineering Fees	\$ 225,000.00	\$ 225,000.00	\$ 0.00
Miscellaneous Project Costs	\$ 0.00	\$ 150,000.00	\$ 150,000.00
Aquaculture Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 0.00	\$ 225,000.00	\$ 225,000.00
<b>Total Project Budget</b>	<b>\$ 225,000.00</b>	<b>\$ 2,000,000.00</b>	<b>\$ 1,775,000.00</b>

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**Proposed Funding Source(s):** University Designated Funds (\$2,000,000)

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

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

**Project Request:** Mississippi State University is requesting approval to increase the budget from \$200,000 to \$2,500,000 for an increase in the amount of \$2,300,000. The funding source will remain the same.

**Current Project Phase:** Design Phase

**Design Professional:** Atwell & Gent, 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:** Mississippi State University is seeking an increase to the current project budget of \$200,000 by \$2,300,000 for a revised total budget of \$2,500,000.00. The university is increasing the project budget from the planning stage of the project to a more realistic cost estimate for the project.

**Project Scope:** Design and construct new underground electrical feeder from the MSU Substation to the future South Campus Mechanical Plant. This project includes two 3000 kVA pad mounted transformers to energize the future plant. (*See Consent Agenda Item #10 - #205-336 South Campus Mechanical Plant*)

**History of Project:** The project was initiated, and the design professional appointed at the October 2023 Board Meeting with a planning budget of \$200,000. This is the first budget increase by the university for this project.

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

**Project Initiation Date:** October 19, 2023

**Proposed Project Budget:**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 0.00	\$ 2,000,000.00	\$ 2,000,000.00
Architectural and Engineering Fees	\$ 200,000.00	\$ 200,000.00	\$ 0.00
Miscellaneous Project Costs	\$ 0.00	\$ 125,000.00	\$ 125,000.00
Aquaculture Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 0.00	\$ 175,000.00	\$ 175,000.00
<b>Total Project Budget</b>	<b>\$ 200,000.00</b>	<b>\$ 2,500,000.00</b>	<b>\$ 2,300,000.00</b>

**Proposed Funding Source(s):** University Designated Funds (\$2,500,000)

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

**14. MSU – IHL 213-147 – LIVESTOCK ASSESSMENT LABORATORY**

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

**Current Project Phase:** Design Phase

**Design Professional:** Pryor & Morrow

**General Contractor:** TBD

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

**Purpose/Justification:** Mississippi State University is seeking an increase to the current project budget of \$1,500,000 by \$500,000 for a revised total budget of \$2,000,000.00. The university is increasing the project budget from the planning stage of the project to a more accurate cost estimate for the project.

**Project Scope:** The project will include the construction of a Livestock Assessment Laboratory located on the South Farm of the main campus of Mississippi State

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

University. This project will have a demonstration room, support facilities, and a covered arena area.

**History of Project:** The project was initiated, and the design professional appointed at the June 2022 Board Meeting with a budget of \$1,500,000. This is the first budget increase by the university for this project.

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

**Project Initiation Date:** June 16, 2022

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 1,200,000.00	\$ 1,600,000.00	\$ 400,000.00
Architectural and Engineering Fees	\$ 100,000.00	\$ 150,000.00	\$ 50,000.00
Miscellaneous Project Costs	\$ 50,000.00	\$ 100,000.00	\$ 50,000.00
Aquaculture Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 150,000.00	\$ 150,000.00	\$ 0.00
<b>Total Project Budget</b>	<b>\$ 1,500,000.00</b>	<b>\$ 2,000,000.00</b>	<b>\$ 500,000.00</b>

**Proposed Funding Source(s):** U.S. Department of Housing and Urban Development Grant (\$815,000); University/MAFES Designated Funds (\$1,185,000)

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

**15. UM – IHL 207-502 – NEW PARKING STRUCTURE(S)**

**Project Request:** The University of Mississippi is requesting approval to increase the budget from \$1,000,000 to \$50,000,000 for an increase in the amount of \$49,000,000. The funding source will remain the same.

**Current Project Phase:** Design Phase

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

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

**General Contractor: TBD**

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

**Purpose/Justification:** The University of Mississippi is seeking an increase to the current project budget of \$1,000,000 by \$49,000,000 for a revised total budget of \$50,000,000.00. The university is increasing the project budget from the planning stage of the project to a more accurate cost estimate for the project.

**Project Scope:** The University is currently working on the addition of 1,000 new beds within the Housing District on campus. With this addition and the currently overwhelmed parking inventory in the Housing District, the University must begin to develop a solution to the parking need in this area.

This project will construct a new 1,331 space parking garage immediately west of the existing North Parking Garage to service the additional 1,000 new beds and improve residential parking within the Housing District.

**History of Project:** The project was initiated, and the design professional appointed at the February 2023 Board Meeting with a planning budget for design fees only in the amount of \$1,000,000. This is the first budget increase by the university for this project.

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

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

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 0.00	\$ 42,744,000.00	\$ 42,744,000.00
Architectural and Engineering Fees	\$ 1,000,000.00	\$ 2,490,110.89	\$ 1,490,110.89
Miscellaneous Project Costs	\$ 0.00	\$ 701,000.00	\$ 701,000.00



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 CONSENT AGENDA  
 REAL ESTATE  
 JANUARY 18, 2024**

Aquaculture Equipment Costs	\$ 0.00	\$ 50,000.00	\$ 50,000.00
Contingency	\$ 0.00	\$ 4,014,889.11	\$ 4,014,889.11
<b>Total Project Budget</b>	<b>\$ 1,000,000.00</b>	<b>\$ 50,000,000.00</b>	<b>\$ 49,000,000.00</b>

**Proposed Funding Source(s):** Internal R&R (\$50,000,000)

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

**APPROVAL OF OTHER REAL ESTATE REQUESTS**

**16. MSU – IHL 205-336 –SOUTH CAMPUS MECHANICAL PLANT–  
 APPROVAL OF EXTERIOR DESIGN**

**Agenda Request:** Mississippi State University requests approval of the exterior design of the South Campus Mechanical Plant project.

**Design Professional:** Eley Guild Hardy Architects

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

**Purpose:** Mississippi State University is seeking approval of the exterior rendering for the proposed construction of the South Campus Mechanical Plant.

**Project Scope:** The proposed new south campus mechanical plant will provide redundancy to the existing campus loop and provide capacity for planned future growth on campus. The proposed site is between Dorman Hall and the Agricultural & Engineering Building along Creelman Street.

**Funding Source(s):** University Designated Funds (\$35,000,000)

**Project Budget:** \$35.0 million

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

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**Rendering 1: Exterior of the Proposed South Mechanical Plant – South Perspective**



**Rendering 2: Exterior of the Proposed South Mechanical Plant – Aerial Perspective**



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**17. MSU – ARAMARK PERRY CAFETERIA ADDITION– APPROVAL OF EXTERIOR DESIGN**

**Agenda Request:** Mississippi State University requests approval of the exterior design of the Aramark Perry Cafeteria Addition.

**Design Professional:** Tipton Associates, APAC

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

**Purpose:** Mississippi State University is seeking approval of the exterior rendering for the proposed addition to the Perry Cafeteria.

**Project Scope:** The proposed two-story renovation and addition to the Perry Cafeteria is desired by the university to better serve the Mississippi State Dining Operations. Updates include new retail service venues on the first and second floors, updated food prep spaces, food storage, new dining furniture, and renovated Aramark offices. The project includes replacement of outdated mechanical, electrical, plumbing, and fire protection utilities. A two-story addition to Perry Hall will provide a new glazed dining area that will serve as a vertical circulation between the first and second floors, linking the dining experiences for students and staff. Exterior modifications include a new loading dock and access drives to better serve Perry Hall and adjacent Student Center. Landscaping strategies are being designed for the north and west sides of Perry Hall. The notice of intent has been submitted and approved by MDAH.

**Funding Source(s):** Privately funded project through Aramark

**Project Budget:** N/A

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.*

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

***Rendering 1: Exterior of the Proposed Addition to Perry Cafeteria – North Side***



***Rendering 2: Exterior of the Proposed Addition to Perry Cafeteria – North Side***





**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**18. MVSU – GS 106-281 – DEMOLISH AND DELETE FROM INVENTORY – LEFLORE HALL AND DELTA HALL**

**Agenda Request:** Mississippi Valley State University requests approval to demolish and delete from inventory Leflore Hall and Delta Hall pending the receipt of an approval letter from MDAH. Mississippi Valley State University is also requesting Shafer-Zahner-Zahner as the design professional.

**Design Professional: Shafer Zahner Zahner**

**Justification:** The project is intended to demolish the existing Leflore Residence Hall and the Delta Residence Hall with pending approval from the Mississippi Department of Archives and History. These two residence halls have been off-line for many years and have multiple structural failures. This project is also intended to make the area safer as well as clearing the area to make the space for the new residence hall.

**Project Budget:** \$1.5 million

**Funding Source(s):** HB 603, Laws of 2023 (\$1,500,000)

The approval letter has not yet been received from the Mississippi Department of Archives and History stating Leflore Hall and Delta Hall are not eligible for designation as a Mississippi Landmark. This approval is pending the receipt of a satisfactory letter of approval from MDAH. All legal documentation will be kept on file in the Office of Real Estate and Facilities. Mississippi Valley 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 pending receipt of an approval letter from MDAH.*

**19. UM – IHL 207-492 – OXFORD-UNIVERSITY STADIUM EXPANSION – APPROVAL OF EXTERIOR DESIGN**

**Agenda Request:** The University of Mississippi requests approval of the exterior design of the Oxford-University Stadium Expansion project.

**Design Professional: Cooke Douglass Farr Lemons Architects + Engineers**

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**Purpose:** The University of Mississippi is seeking approval of the exterior rendering for the proposed stadium expansion at Oxford-University Stadium.

**Project Scope:** The project will renovate the existing Oxford-University Stadium to address programmatic deficiencies and upgrade patron amenities. The project will be phased as the budget and season permit. The current Phase 2\* focuses on upgrading patron amenities along the third base line, including a Hall of Fame Plaza and new entry gates at street level. (\*Phase 1 was cancelled during bidding.)

**Funding Source(s):** Self-Generated Athletic Revenues (\$30,000,000) – UM Athletics / OMAF Foundation

**Project Budget:** \$30.0 million

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

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

**Rendering 1: Exterior of the Proposed Oxford-University Stadium Expansion**



BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024

*Rendering 2: Exterior of the Proposed Oxford-University Stadium Expansion*



20. **UM – APPROVAL TO ENTER INTO CONTRACTUAL SERVICES AGREEMENT WITH SKANSKA USA BUILDING, INC – CONSTRUCTION MANAGER ADVISOR – NEW STUDENT HOUSING (IHL # 207-497)**

**Agenda Request:** The University of Mississippi Department of Facilities Planning requests approval to enter into a contract with a Construction Manager Adviser (CMa) for the University of Mississippi - New Student Housing IHL# 207-497

**Contractor’s Legal Name:** Skanska USA Building, Inc.

**Specific type of contract:** This is a professional services contract, specifically the AIA Doc C132-2019 Standard Form of Agreement Between Owner and Construction Manager as Adviser.

**Purpose:** The purpose of this request is to award a contract for Construction Manager Adviser services for New Student Housing IHL# 207-497.

**Scope of Work:** The scope of the Construction Manager as Adviser’s work includes all tasks listed in the AIA Doc C132-2019 Agreement.

As student enrollment increases, the demand for housing for students follows. The University must provide additional housing that meets the needs of students as

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

mandated by the University Administration. The project consists of demolishing Kincannon Hall to make way for 1,000 new residential beds. Kincannon Hall, constructed in 1963, has been vacant since 2016 due to life safety issues and its inability to provide suitable housing as mandated by the University Administration.

The design professional will lead the University in a programming and planning effort to establish the full extent of the scope of work and the most appropriate solution for the needs. Initially, funds will be used for design only. The University will submit a subsequent Board Item to increase the budget as required to reflect the established scope of work.

**History:** N/A

**Terms of Lease Agreement:** Contract duration is January 18, 2024, through twelve (12) months after Substantial Completion of the New Student Housing construction contract.

**Termination Options:** The contract may be terminated by UM for convenience if project is canceled or indefinitely deferred, for default, for force majeure, in the event that funds associated for payment of this contract become unavailable due to a decrease or change in the legislative appropriation, or for CMA's lack of compliance with the Mississippi Employment Protection Act. CMA may terminate the contract for nonpayment by UM, suspension of the Project for more than ninety (90) days, material breach or failure of UM to comply with this Contract, or force majeure.

**Contract Amount:** Based on the current design timeline and construction timeline estimate, the projected contract value is \$6,093,325.00. This will fluctuate with actual construction contract values and any time extensions granted during construction.

**Funding Source:** The funding source for this contract is internal R&R funds and bond proceeds from our planned bond issuance through the University of Mississippi Educational Building Corporation.

**Contractor Selection Process:** UM solicited Request for Qualifications via public advertisement. Four (4) firms submitted qualification packages based on the requested outline: 1) Company Overview, 2) Construction Management Firm Experience / Project Profiles, 3) Key Project Personnel, and 4) Project Approach. After evaluation of the submittals, the selection committee invited all four (4) responding firms for in-person interviews. The selection committee interviewed firms and selected the most qualified team based on grading criteria that closely followed the requested qualifications outline.



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

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

**21. UM – APPROVAL TO AMEND A CONTRACT WITH HOAR CONSTRUCTION MANAGEMENT, LLC FOR OWNER'S REP SERVICES – JIM AND THOMAS DUFF CENTER FOR SCIENCE AND TECHNOLOGY INNOVATION**

**Agenda Request:** The University of Mississippi Department of Facilities Planning requests approval to amend a contract with Hoar Program Management LLC for Owner's Rep Services for the University of Mississippi Jim and Thomas Duff Center for Science and Technology Innovation.

**Contractor's Legal Name:** Hoar Program Management, LLC.

**Specific type of contract:** This is an amendment to a Master Services Agreement previously executed.

**Purpose:** The purpose of this request is to amend the existing Master Services Agreement to extend the Construction Phase services to coincide with the anticipated duration of the actual construction project.

**Scope of Work:** Extend the Construction Phase Owner's Rep Services identified in Part III of Exhibit A – Amended June 2, 2022.

**History:** The original contract was approved by the IHL Board and executed January 9, 2018. The original Master Services Agreement was amended in June 2020 to increase the scope of services and in November 2021 to adjust the scope of services to reflect a Public Bid/Build delivery method and increase the fees. The Master Services Agreement was lastly amended June 2022 to increase the fees and duration to align with the construction schedule at that time.

**Terms of Agreement:** Current contract duration is Sixty-Nine- and One-Half Months through November 30, 2023. This amendment will extend the term of the contract through June 30, 2024, an additional Seven (7) months for a total contract duration of Seventy-Six- and One-Half Months.

**Termination Options:** The contract may be terminated by UM for convenience if project is canceled or indefinitely deferred, for default, for force majeure, in the event that funds associated for payment of this contract become unavailable due to a decrease or change in the legislative appropriation, or for HPM's lack of compliance with the Mississippi Employment Protection Act. HPM may terminate the contract

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

for nonpayment by UM, suspension of the Project for more than ninety (90) days, material breach or failure of UM to comply with this Contract, or force majeure.

**Contract Amount:** The contract amount per the current agreement is \$2,421,580.37. The additional fee for the adjusted duration of services reflected in this amended agreement is \$578,076.85. The new contract total is \$2,999,657.22.

**Funding Source:** The funding source for this contract is HB 1729 L'16; HB 1649 L'18; Internal R&R funds, External UMEBC financing, and other sources.

**Contractor Selection Process:** UM solicited Request for Qualifications via public advertisement. Five (5) firms submitted qualification packages. From the five (5) firms, the selection committee selected three (3) firms for in-person interviews. The selection committee interviewed the three firms and selected HPM as the successful firm to provide Owner's Representative Services.

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

**22. UM – APPROVAL TO LEASE OFFICE SPACE FROM JOE POPPENHEIMER MANAGEMENT, LLC – UM DESOTO CAMPUS**

**Agenda Request:** The University of Mississippi requests approval to lease office spaces 1162, 1166, and 1168 Church Road, Southaven, MS 38671, from Joe Poppenheimer Management, LLC, for the purposes of administrative (faculty) offices for UM-Desoto, 5197 W.E. Ross Parkway, Southaven, MS 38671.

**Contractor's Legal Name:** Joe Poppenheimer Management, LLC

**Specific type of contract:** This is a lease agreement.

**Purpose:** The purpose is to provide administrative offices to UM-Desoto faculty.

**Scope of Work:** The University of Mississippi requests approval to lease office spaces 1162, 1166, and 1168 Church Road, Southaven, MS 38671. The amount of leased space is approximately 3,300 square feet.

**History:** UM-Desoto has leased office space from Joe Poppenheimer Management, LLC, since 2007. During the most recent lease term (2021-2024) UM-Desoto rented seven office spaces; however, UM-Desoto's needs have shifted to need a reduced number of offices.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**Terms of Lease Agreement:** The lease term is three (3) years, commencing on February 1, 2024, and ending at midnight on January 31, 2027. The fee schedule is \$66,000 annually. That brings a total cost for the term to \$198,000.

**Termination Options:** The Lessee and Lessor may terminate this Lease, upon mutual agreement. Lessee may terminate due to discontinuance or decrease in federal and/or state funds or due to the availability of a state-owned building. Lessee may also terminate if Lessor fails to comply with the Mississippi Employment Protection Acts. Either party may terminate if the building is rendered untenable.

**Lease Amount:** The Lessee agrees to pay Sixty-Six Thousand Dollars (\$66,000) annually to the Lessor for the demised premises, pursuant to the following schedule:

Year 1: \$66,000 due on the Commencement Date  
Year 2: \$66,000 due on the Anniversary Date of the Lease.  
Year 3: \$66,000 due on the Anniversary Date of the Lease.

**Funding Source:** The funding source for this lease will be E&G funds.

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

**23. UM – APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH RDC FUND IX INVESTMENTS, LLC**

**Agenda Request:** The University of Mississippi Department of Student Housing requests approval to enter into a lease agreement with RDC Fund IX Investments, LLC beginning August 1, 2024.

**Contractor's Legal Name:** RDC Fund IX Investments, LLC

**Specific type of contract:** This is a lease agreement.

**Purpose:** This lease provides an additional 65 bed spaces in year one (1) that will allow Student Housing to provide space for the growing number of incoming freshmen students and still provide spaces for upperclassmen.

**Scope of Work:** The lessor will provide up to 104 furnished bed spaces in apartments units in a location on the Oxford University Transit (O.U.T.) route which will allow students access to campus. The first year of the lease will be for 65 beds beginning August 1, 2024. The lessor will furnish up to 104 furnished bed spaces for the additional four (4) years of the lease. Notice of number of bed spaces needed will be

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

communicated prior to October 1 for the following August. Student Housing will place students in leased spaces and provide staffing to oversee the leased units.

**History:** This is a new space lease.

**Terms of Lease Agreement:** Student Housing will pay \$1,038,360 in twelve (12) monthly payments of \$86,530.00 for leasing 65 bed spaces in year one (1) of the lease. The total amount of the five (5) year lease will be \$8,457,359.

**Termination Options:** This Lease commences on August 1, 2024, and remains in force for the period of five (5) years with the options to renew for five (5) 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.

**Contract Amount:** The initial lease amount is \$1,038,360. Increases in the cost of the lease will be 4.5% each year.

- Year Two (2) Lease: \$1,734,144
- Year Three (3) Lease: \$1,812,180
- Year Four (4) Lease: \$1,893,729
- Year Five (5) Lease: \$1,978,946

Note that year one cost is based on 65 bed spaces. Years two through five are based on 104 bed spaces.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

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

**24. UM – APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH SZ OXFORD APARTMENTS, LLC**

**Agenda Request:** The University of Mississippi requests approval to enter into a lease agreement with SZ Oxford Apartments LLC beginning August 12, 2024.

**Contractor's Legal Name:** SZ Oxford Apartments, LLC

**Specific type of contract:** This is a lease agreement.

**Purpose:** This lease provides an additional 130 bed spaces that will allow Student Housing to provide space for the growing number of incoming freshman students and still provide housing for upperclassmen.

**Scope of Work:** The lessor will provide 130 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.

**History:** This is a new space lease.

**Terms of Lease Agreement:** The University of Mississippi Student Housing Auxiliary unit will pay \$1,403,084.00 in monthly installments of \$114,432.00 and a one-time Administrative Fee of \$29,900.

**Termination Options:** This lease commences on August 12, 2024, and remains in force until July 26, 2025. There is no option to renew. 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. If the property is materially damaged by fire, or other casualty, the Owner may terminate the Agreement within a reasonable time after such a determination is made, by written notice. Owner and Licensee may terminate the Agreement upon mutual written agreement. Once this Housing Agreement is signed by Owner and Licensee, Licensee can terminate occupancy by providing written

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

notice to Owner and by causing the Residents to fully vacate the premises, provided that in all cases Licensee will remain fully responsible for the total rent that would have accrued under this Housing Agreement. Owner and Licensee may terminate upon mutual written agreement.

**Contract Amount:** The lease amount is \$1,403,084.00.

**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 it to be acceptable. Board staff recommends approval of this item.*

**25. UM – APPROVAL TO INITIATE AN INVESTMENT GRADE AUDIT AND PROJECT PROPOSAL CONTRACT WITH TRANE U.S., INC.**

**Agenda Request:** The University of Mississippi (UM) requests approval to initiate an investment grade audit and project proposal contract with Trane U.S. Inc. under the University's current energy savings performance contract (ESPC) program.

**Contractor's Legal Name:** Trane U.S., Inc.

**Specific type of contract:** This is a professional services contract.

**Purpose:** In accordance with Mississippi Code Section 31-7-14, UM is seeking approval to initiate an investment grade audit (IGA) with Trane to determine the feasibility of additional energy savings projects under UM's current ESPC program.

**Scope of Work:** Under the proposed contract, Trane will conduct a comprehensive ASHRAE Level III energy audit of all education and general (E&G) facilities at UM's main campus locations in and around Oxford, MS, encompassing approximately 4.7 million square feet of space and including the campus' central cooling and heating water loops. The scope of the IGA will include a detailed study and analysis of E&G campus facilities to document all potential energy conservation measures (ECMs) along with their estimated costs and potential savings. Project deliverables include a comprehensive list of potential ECMs, with detailed descriptions and scopes, schematic design (30%) documents, ECM costs and savings calculations, and an interactive ECM selection tool with cashflow analysis to facilitate the selection of potential projects for execution.

**History:** In November 2021, pursuant to the requirements of Mississippi Code 31-7-14, UM issued Request for Proposals (RFP) #679 to seek proposals from qualified energy services providers interested in developing a multi-phase energy savings

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

performance contract (ESPC) program with UM at the Oxford campus. In January 2022, Trane was selected as the most qualified energy services provider and immediately mobilized to investigate energy savings opportunities across campus. A Phase 1 ESPC project, in the amount of \$6,174,316, to upgrade HVAC controls in three campus buildings was approved by the Board in October 2022 and completed construction in June 2023. A Phase 2 project, in the amount of \$10,310,118, to upgrade lighting and lighting controls in 97 campus buildings was approved by the Board in February 2023 and is currently under construction. A Phase 3 project, in the amount of \$3,553,850, to purchase energy efficient equipment in support of project #207-498 was approved by the Board in August 2023. This request seeks Board approval to execute an investment grade audit to quantify the feasibility of additional ESPC phases.

**Terms of Contract:** The contract term is 365 days from date of signature or upon completion of the IGA, whichever comes first.

**Termination Options:** The University may terminate the agreement without cause for: (1) lack of funding appropriation, (2) force majeure, or (3) changes in law. Trane may terminate the agreement in the event they determine, at any time, that the proposed project will not provide sufficient energy or operational savings to cover all costs associated with the project.

**Contract Amount:** The proposed fee for the IGA is a maximum total of \$825,000, which was calculated as follows: \$0.15 per audited square foot for E&G facilities at \$705,000 and \$0.08 per audited square foot for non-E&G facilities (evaluated for connection to the CHW loop only) at \$120,000 for a not-to-exceed total of \$825,000. UM will only pay for square footage audited.

NOTE: The fee will only be paid outright if: (1) the IGA results in a project proposal that generates sufficient energy or operational savings to cover all costs associated with the project, and (2) UM declines to execute the project as a subsequent phase under the ESPC program within 180 days. Otherwise, the fee will simply be incorporated into the ESPC project's costs and will be funded through the generated savings.

**Funding Source:** In the event the fee must be paid outright by the University, the fee will be funded using internal Renewal & Replacement (R&R) funds.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**26. USM – IHL 210-248 – OYSTER HATCHERY AND RESEARCH CENTER – APPROVAL OF EXTERIOR DESIGN**

**Agenda Request:** The University of Southern Mississippi requests approval of the exterior design of its Oyster Hatchery and Research Center located at USM's Gulf Coast Research Laboratory - Cedar Point Campus, Ocean Springs, MS.

**Design Professional: McCarty Architects, P.A.**

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

**Purpose:** The University of Southern Mississippi is seeking approval of the exterior rendering for the proposed construction of the Oyster Hatchery and Research Center.

**Project Scope:** The board approved a reduced project scope (30%) to construct a \$7,000,000.00 building, and the design professional has begun to cut square footage by revisiting ways to reduce the size of all or some combination of spaces. Of the MDEQ and US Treasury RESTORE ACT grant money, an additional \$4,000,000.00 was allocated to purchase aquaculture equipment to hatch oysters. The aquaculture equipment must be installed during construction and coordinated by the design professional to meet the Treasury requirements.

**History:**

- 2003 – USM Constructs CP105 – Invertebrate Growout Building II at its Cedar Point Campus.
  
- 2016 – Section 14 of SB 2924, 2016 Regular Session, Laws of 2016 allocated \$3M, MDEQ and US Treasury RESTORE ACT – Grant No. 1 RDCGR470130-01-00 allocated an additional \$7M to develop an Oyster Hatchery and Research Center and \$4M to purchase aquaculture equipment for the hatchery.
  
- 2018 – USM initiated IHL project 210-248 - Invertebrate Growout II to renovate and expand the existing aquaculture facility.
  
- 2020 & 2021 – USM made it through the CD approval process and put the project out to bid twice. However, the bids it received exceeded the University’s budget:
  - Design Cost Estimate – July 2021, Total Project: \$10,000,000.00
  - Competitive Bidding – October 2021, Lowest Bid Total Project: \$12,322,160.00



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

- Competitive Re-Bidding – March 2022, Lowest Bid Total Project: \$13,276,197.00
- Projection for Re-bidding – Fall 2022, Total Project: \$15,085,540.00

•2022 – USM allocates approximately \$400,000.00 of the SB2924 funds to demolish the existing structure.

•December 2, 2022 – USM received approval from the Mississippi Department of Archives and History to demolish the building.

•February 2023 – USM receives IHL Board approval to execute the demolition portions of the existing Invertebrate Growout II building construction documents.

•March 2023 – After discussions with USM, MDR, and the Governor’s Office, it is determined that USM can reduce the production capacity of the building, thereby reducing the size and cost of the building. Pending IHL approval, USM will amend the contract with McCarty Architects to redesign the building to reduce the construction budget by approximately \$4M. This will allow USM to construct the building with the current funding allocation.

•November 2023 – USM receives IHL Board approval to increase the budget by \$4,000,000.00 (same funding sources) to purchase Hatchery Aquaculture Equipment.

**Funding Source(s):** Senate Bill 2924, Laws of 2016 (\$3,000,000.00); MDEQ and US Treasury RESTORE ACT – Grant No. 1 RDCGR470130-01-00 (\$7,000,000.00) (Construction); MDEQ and US Treasury RESTORE ACT – Grant No. 1 RDCGR470130-01-00 (\$4,000,000.00) [Hatchery Aquaculture Equipment]

**Project Budget:** \$14.0 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.***

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

***Rendering 1: Exterior of the Oyster Hatchery and Research Center***



***Rendering 2: Exterior of the Oyster Hatchery and Research Center***



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
LEGAL  
JANUARY 18, 2024**

1. **UM – APPROVAL TO AMEND CONTRACT WITH LIGHTFOOT FRANKLIN WHITE, LLC AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to amend its existing contract for legal services with the law firm of Lightfoot, Franklin & White, LLC for the provision of legal services in the areas of athletics related matters and other matters as assigned. Under the existing agreement, the total expenditures for FY 2024 may not exceed \$75,000. UM seeks to amend the agreement to increase the allowable expenditures for FY 2024 by an additional \$75,000, for a total of \$150,000 in allowable expenditures for FY 2024, effective January 18, 2024. Increasing the allowable expenditures will allow Lightfoot, Franklin & White, LLC to continue to provide legal services related to NCAA and other athletics related matters. The original term of the agreement remains the same expiring on June 30, 2024. The hourly rates remain the same at \$470 for a senior partner, \$440 for a junior partner, \$250 for an NCAA specialist, and \$240 for tech support. This firm carries professional liability insurance coverage in the amount of \$10,000,000 per claim and an annual aggregate of \$20,000,000. This request has been approved by the Office of the Attorney General.

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

2. **UM – APPROVAL TO CONTRACT WITH BUTLER SNOW LLP AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to enter into a contract with the law firm of Butler Snow LLP, including Thad Varner, Michael Russ, and other attorneys and employees of said law firm under their supervision, as Bond Counsel to the EBC in connection with the EBC Bonds. The Bond Counsel services will include preparing the necessary bond documents, reviewing documents with respect to the tax exempt status of tax-exempt bonds, coordinating necessary approvals by UM/EBC as the issuer and by IHL pursuant to its policies, reviewing and approving the preliminary and final official statements, coordinating tasks and the delivery of documents from other key parties involved in the transaction (such as the underwriter, the financial advisor, the trustee, the EBC and IHL), dealing with rating agencies as necessary, coordinating the closing, and providing the standard Bond Counsel opinion with respect to the tax-exempt status of the tax-exempt EBC Bonds and enforceability of the bond documents.

As is customary in connection with EBC and other bond issues, Bond Counsel will be compensated on a fixed fee basis. Based upon information provided to Bond Counsel concerning the proposed financing, Bond Counsel's fee will be \$1.15 per \$1,000 of bonds issued. This fee is based upon consummation of the financing in the currently proposed manner and is subject to adjustment in the event of material modifications to the financing structure. In addition, the Bond Counsel will be reimbursed for any reasonable and authorized out-of-pocket expenses incurred on behalf of EBC.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
CONSENT AGENDA  
LEGAL  
JANUARY 18, 2024**

The term of the proposed contract is from January 18, 2024, to January 17, 2025 with the option to renew for one additional year if mutually agreed to by the parties. This firm carries professional liability insurance coverage in the amount of \$50 million per claim with an annual aggregate of \$100 million. This request has been approved by the Office of the Attorney General.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**CONSENT AGENDA**  
**PERSONNEL**  
**January 18, 2024**

**APPROVAL OF PERSONNEL ACTION REQUESTS**

**1. Employment**

**Alcorn State University**

- Adell Brown, Jr., Interim Vice President for Finance, Administrative Services and Operations; salary \$185,000 pro annum, pro rata; E&G Funds; effective January 1, 2024
- Sandra Barnes; Associate Provost for Undergraduate Education and Student Success; salary \$140,000 per annum, pro rata; E&G Funds; 12-month contract; effective October 9, 2023

**Jackson State University**

- Kylon Alford Windfield; Vice President for Enrollment Management; salary \$150,000 per annum, pro rata; E&G Funds; 12-month contract; effective January 16, 2024

**2. Change of Status**

**Alcorn State University**

- Keith McGee; *from* Associate Provost for Research, Innovation, and Graduate Education; salary \$149,350 per annum, pro rata; E&G Funds; 12-month contract; *to* Associate Professor in the Department of Biology; salary \$116,699 per annum, pro rata; E&G Funds; 9-month contract; effective August 14, 2023
- Edmund Buckner; *from* Professor of Agriculture; salary \$101,000 per annum, pro rata; E&G Funds, 12-month contract; *to* Interim Associate Provost for Research, Innovation and Graduate Education; salary \$151,000 per annum, pro rata; E&G Funds; 12-month contract; effective August 14, 2023.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
ACADEMIC AFFAIRS  
JANUARY 18, 2024**

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

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

In accordance with Board Policy 502, Mississippi State University and University of Mississippi request approval to establish new academic degree programs.

**A. MSU – Bachelor of Applied Science (BAS) in Business Office Technology**

*CIP code: 52.0407*

*Total credit hours: 120*

*Effective date: January 2024*

*Incremental, five-year cost of implementation: \$100,000*

*Potential five -year, new revenue: \$2,966,874*

*Unit where academic program will be housed: College of Professional and Continuing Studies*

*Number of students expected to enroll in first five years: 170*

*Number of students expected to graduate in first five years: 80*

*Program description:* The BAS in Business Office Technology will prepare individuals holding business/technology AAS degrees to work as office managers, administrative supervisors, project coordinators, IT administrators, etc. This degree program will equip graduates with a comprehensive set of skills and knowledge that will prepare them for various roles in office management, technology, and administration. This program will be delivered in both the online education format and face-to-face (campuses: Starkville, Meridian, and Distance) in order to accommodate the preferences and schedules of its diverse student body.

*Institution(s) offering similar program(s): None*

*National and state supply and demand:* According to the Bureau of Labor Statistics, graduates can expect strong employment opportunities in the state, region, and nation from 2021-2031. In Mississippi, the employment of office administrators is projected to grow by 4% from 2021-2031 while retail sales managers are expected to experience growth of 5% in the state during this time. In the Southern region of the United States, employment opportunities for office administrators are projected to grow by 8% while retail sales managers are also projected to experience growth of 5% during this time.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**REGULAR AGENDA**  
**ACADEMIC AFFAIRS**  
**JANUARY 18, 2024**

*Average wages:* The average annual salary for office administrators in Mississippi is \$61,370.

**B. MSU – Bachelor of Applied Science (BAS) in Public Management**

*CIP code:* 43.0302

*Total credit hours:* 120

*Effective date:* January 2024

*Incremental, five-year cost of implementation:* \$545,776

*Potential five -year, new revenue:* \$2,085,440

*Unit where academic program will be housed:* College of Professional and Continuing Studies

*Number of students expected to enroll in first five years:* 112

*Number of students expected to graduate in first five years:* 43

*Program description:* The BAS in Public Management is specifically designed to cater to the needs of professionals with AAS degrees in public safety domains, including fire science, law enforcement, or emergency medical/management services. This degree can prepare graduates for roles such as city manager, criminal justice administrator, emergency manager, fire management officer, and more.

With the rising demand for bachelor's degrees in many municipalities and public safety departments for higher-level roles like manager or chief, this program offers the requisite knowledge and skills. Some of the skills graduates will acquire for their career sector are data analysis, organization, public relations, and risk management. Due to the nature of this career field, it is assumed most students in this program will be working adults. Therefore, MSU will offer the program online and at the main campus in Starkville, MS. Establishing a BAS in Public Management will address this need, providing a pathway for community college graduates in fire science and related fields to advance their careers and meet the demands of municipalities and public safety departments in the state and beyond.

*Institution(s) offering similar program(s):* None

*National and state supply and demand:* According to the Bureau of Labor Statistics, graduates can expect strong employment opportunities in the state, region, and nation from 2021-2031. In Mississippi, the workforce needs to hire city managers is projected to grow by 4% from 2021-2031, while criminal justice administrators are expected to see a significant increase of 10%. Emergency managers and fire management officers are also expected to experience growth of 7% and 9%, respectively, in the state during this time period. In the United States, employment opportunities for city managers are projected to grow by 10%, while criminal justice administrators are expected to see an increase of 3%. Emergency

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**REGULAR AGENDA**  
**ACADEMIC AFFAIRS**  
**JANUARY 18, 2024**

managers and fire management officers are also projected to experience growth of 3% and 4% during this time, respectively.

*Average wages:* Median annual salaries in field: Fire officer - \$78,230; Emergency manager - \$76,730; and Criminal justice administrator - \$58,084.

**C. UM – Master of Science (MS) in Criminal Justice**

*CIP code:* 43.0104

*Total credit hours:* 30

*Effective date:* January 2024

*Incremental, five-year cost of implementation:* \$645,900

*Potential five -year, new revenue:* \$420,966

*Unit where academic program will be housed:* School of Applied Sciences

*Number of students expected to enroll in first five years:* 75

*Number of students expected to graduate in first five years:* 60

*Program description:* The proposed Master of Science (MS) in Criminal Justice is based on the conversion of the existing degree program, the Master of Criminal Justice (MCJ) with an emphasis in Criminal Justice Policy & Practice to a stand-alone degree program. This change will distinguish the research-oriented degree program from the MCJ online program. The MS in Criminal Justice will provide a more scientific and research-oriented curriculum to prepare students for careers as data analysts, policy makers, or researchers for criminal justice agencies and to prepare students interested in pursuing a PhD. As one of only two Master of Science in Criminal Justice programs in Mississippi, there continues to be increased demand for students with this higher degree.

Graduates with a MS in Criminal Justice have a wide range of rewarding employment opportunities in both the public and private sectors at the local, state, and national level. With their advanced education and specialized knowledge, they are well-prepared for various roles within the criminal justice system. In the public sector, graduates can pursue careers in law enforcement agencies such as police departments, federal agencies, or even as correctional officers in prisons and detention centers. Their expertise in criminal behavior, legal systems, and investigative techniques make them valuable assets in maintaining public safety and upholding the law. Additionally, graduates can explore opportunities within the court system, working as probation officers, court administrators, or victim advocates. They may also find roles in governmental agencies, focusing on policy analysis, research, and program development to address criminal justice issues at a broader level. In the private sector, there are opportunities in security management, loss prevention, and private investigation firms. Corporations and businesses may also seek their expertise in risk assessment and compliance with legal regulations, especially those related to fraud and white-collar crime. Furthermore,



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
ACADEMIC AFFAIRS  
JANUARY 18, 2024**

some graduates may opt for academic paths, becoming PhD students, researchers, or instructors in criminal justice programs, sharing their knowledge, and shaping the future generation of criminal justice professionals.

*Institution(s) offering similar program(s):* Alcorn State University offers a Master of Liberal Arts (MLA) in Criminal Justice. Jackson State University offers a Master of Arts (MA) in Criminology & Justice Services. The University of Southern Mississippi offers a Master of Science (MS) in Criminal Justice.

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

**2. UM – REQUEST TO ADD NEW ACADEMIC UNIT**

In accordance with Board policies 503 and 504, the University of Mississippi requests approval to create new academic units.

*Proposed unit title:* **Department of Public Health**

*Unit location:* School of Applied Sciences

*Effective date:* July 2024

*Five-year cost of implementation:* \$1,637,200 (The cost of a new department will be no different than the cost of supporting the growth of the current Public Health program within the existing structure.)

*Degree programs to be offered within the proposed unit:* Bachelor of Science (BS) in Public Health & Health Science, Master of Public Health (MPH), and Doctor of Philosophy (PhD) in Public Health (to be proposed)

*Reason for Request:* The Council on Education for Public Health (CEPH) was established to accredit schools and programs of public health. For the field, it provides assurance for students, employers, and the public that educational programs meet national standards. Accreditation in public health allows educational programs to participate in certain federal funding opportunities, provides them with a marketing advantage to potential students, and provides graduates with opportunities for certain governmental fellowships and jobs.

Public Health programs currently reside in the Department of Health, Exercise Science, and Recreation Management. The proposal to transition public health degree programs to CEPH accreditation and to move the degree programs to a new department focused solely on public health is in alignment with the structure and organization of public health offerings at peer institutions. The new Department of Public Health gives UM the profile needed to compete with peer institutions in attracting and retaining the best and brightest faculty and students.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
ACADEMIC AFFAIRS  
JANUARY 18, 2024**

**3. MSU – REQUEST TO ADD NEW INSTITUTE**

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

*Institute Title:* **Athlete Engineering Institute**

*Unit Location:* VP of Office of Research and Economic Development

*Scope:* Extensive Scope and Outreach

*Type:* Type 1 (Academic, Teaching, or Research)

*Effective Date:* March 2024

*Total number of current faculty/ Total number of new faculty:* 4/3

*Total number of current staff/ Total number of new staff:* 3/1

*Five-year cost of implementation:* \$3,109,380 (externally funded)

*Purpose:* The Athlete Engineering Institute will be the first institute in the nation focused on blending human factors, human performance, wearable technology creation and validation, sports and data science, and entrepreneurship for the four athlete personas: sports (elite competition), industrial (repetitive motion tasks and shift work in manufacturing, logistics, etc.), tactical (the war fighter and other military personnel as well as emergency responders), and at-risk (telehealth, tele-rehab, physical therapy, and limited mobility population).

The Athlete Engineering research program began in 2017 through a working group that uniquely spanned across athletics and academics to look at solving research opportunities centered around wearables and human performance technology through the lens of human factors. In 2018, Athlete Engineering was awarded nearly \$1 million in NSF funding from what is now the Director of Technology, Innovation, and Partnerships (TIP). This funding was used to develop wearable-based solutions, further expanding the initial skillset of engineering, kinesiology, and athletics to additional human and core sciences as wearable development requires a cross-campus approach. The NSF TIP funding, and the numerous awards that would follow, have enabled Athlete Engineering to grow into a sustainable program as the research now includes the validation of all wearable and human performance technology for all potential users. Technology adoption, implementation, awareness, cultural acceptance, and messaging are elements of Athlete Engineering's engagement across all sectors. In the last 6 years, MSU's Athletic Engineering program has rapidly advanced its national reputation as a leader in multi-disciplinary human performance science, engineering, and technology. Elevating Athlete Engineering from a program with a lab to a university-wide institute supports branding and demonstrates the university's commitment to potential funders and sponsors.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
FINANCE  
January 18, 2024**

**1. SYSTEM– REVISE REQUEST FOR APPROVAL OF FISCAL YEAR 2025  
PROPOSED FUNDING PRIORITIES**

A proposed revision in the funding priorities are required for the 2025 Legislative Budget Request (LBR). The proposed revisions to the funding priorities will be presented under a separate cover.

**STAFF RECOMMENDATION: Based on Board Policy 701.03, Budget and Planning Priorities, the Commissioner, after consultation with the Institutional Executive Officers, shall prepare and submit an annual statement of system planning and budget priorities for consideration and approval by the Board. Board staff recommends approval of this item.**

**2. UM- REQUEST TO (1) INITIATE THE BOND PROCESS FOR \$245 MILLION FOR U.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 MISSISSIPPI LOCATED IN OR NEAR UNIVERSITY, MISSISSIPPI AND OXFORD, MISSISSIPPI, INCLUDING THE DEMOLITION AND REMOVAL OF EXISTING STRUCTURES AND THE CONSTRUCTION, RENOVATION, EQUIPPING, AND LANDSCAPING OF NEW FACILITIES, 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 SENIOR UNDERWRITER**

**Agenda Item Request:** The University of Mississippi requests approval under Section 906 of the IHL Bylaws to issue taxexempt and/or taxable bonds through the University of Mississippi Educational Building Corporation (UMEBC). Debt issuance not to exceed \$245 million. The loan term will not exceed 30 years. Funds will be used to finance the demolition and construction of new student housing facilities, demolition and construction of a new softball stadium, construction and renovation of the Women’s athletics center and surrounding area (including soccer and rifle facilities), renovation and construction of a new early learning and evaluation center, and renovation of academic buildings.

Combined project funding = \$278,000,000  
\$5,000,000 in private gifts  
\$10,000,000 in currently appropriated state funding

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**REGULAR AGENDA**  
**FINANCE**  
**January 18, 2024**

\$18,000,000 in internal cash reserves  
\$245,000,000 in UMEBC bond proceeds

UM 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
  - Senior Underwriters – Raymond James & Associates, Inc.
- Bond counsel will be compensated at \$1.15 per \$1,000.

**History:**

IHL #207-497 New Student Housing

- Initiated at \$1,000,000.00 and Appointed McCarty Architects as Design Professional via Interim Agenda Item. Approved January 6, 2023.
- Budget Increased to \$16,000,000.00 via Interim Agenda Item. Approved March 16, 2023.
- Request removal from Inventory/Demolition of Kincannon Hall to provide suitable site for the New Student Housing via Interim Agenda Item. Approved March 16, 2023.
- Approval Request of Schematic Design Documents via Staff Approval. Approved August 17, 2023.
- Request to Increase Budget to \$165,000,000.00 and Change Funding Source. To be submitted for January 2024 Board Review.
- Hire Skanska as Construction Manager Advisor as selected by the RFQ Process. To be submitted for January 2024 Board Review.
- Request Approval of Exterior Renderings/Elevations. To be submitted for January 2024 Board Review.

IHL #207-468 Art, Theatre, & Film Departments Facilities

- Initiated at \$1,000,000 and requested approval for the RFQ process to select the Design Professional via Board Item. Approved November 20, 2020.
- Request to Appoint Eley Guild Hardy Architects as the Design Professional selected by RFQ Process via Interim Agenda Item. Approved May 27, 2021.

Vardaman Hall Renovation

- The University anticipates requesting approval to initiate this project and appoint a Design Professional selected by the RFQ Process in Spring 2024.

IHL #207-487 Early Learning and Evaluation Center

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**REGULAR AGENDA**  
**FINANCE**  
**January 18, 2024**

- Initiated at \$1,000,000.00 and requested approval for the RFQ process to select the Design Professional via Board Item. Approved June 26, 2022.
- Request to Appoint McCarty Architects as Design Professional selected by RFQ Process via Board Item. Approved June 15, 2023.

IHL 207-473 Ole Miss Softball Complex

- Project Initiated - October 2021
- Design Professional (McCarty Architects, PA) Appointed – February 2022,
- Construction Manager Adviser (ICM, LLC) Appointed – November 2022,
- Budget Increase (\$1.5Mil Design Fees to \$25Mil Project Budget) – January 2023
- Facility Demolition – March 2023, Exterior Design – June 2023
- Budget Increase (\$25Mil to \$32Mil) – August 2023
- IHL Staff Approval Status: Change orders for Phase 2 and Approval to Award for Phase 4 are in process.

IHL 207-477 Ole Miss Soccer Complex

- IHL History (Board): Project Initiated – February 2022, Design Professional (McCarty Architects, PA) Appointed – October 2022. IHL Budget is currently \$1.5 Million for design fees only.

IHL 207-507 Ole Miss Rifle Facility

- Project will be initiated and design professional appointed at a future meeting. JBHM Architects, PA, recommended for feasibility study to determine project direction.

IHL #207-508 Gillom Sports Center Improvements

- Project will be initiated and design professional appointed at a future meeting.

**Specific Type of Contract:** Longterm, fixed rate bonds.

**Purpose:**

IHL #207-497 New Student Housing: The University anticipates beginning construction of a new Student Housing community consisting of 3 new buildings totaling 337,000 SF in the Spring of 2024. The buildings will house 981 new beds in private, semi-private, and suite style rooms; and offer additional student amenities in the new buildings and within the community. The total project cost is expected to be \$165,000,000 funded by university funds and bond proceeds.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**REGULAR AGENDA**  
**FINANCE**  
**January 18, 2024**

IHL #207-468 Art, Theatre, & Film Departments Facilities: The University of Mississippi conducted the programming and planning process to develop a comprehensive and cohesive Master Plan for the Art, Theatre, & Film Departments. This plan is being used to guide future growth and development. The project will continue with the design and construction of the Phase 1 scope of work consisting of a Scene Shop and Rehearsal Space for the Theatre & Film Department and a Recording Studio and Ensemble Space for the Music Department.

Vardaman Hall Renovation: The University intends to renovate Vardaman Hall to better serve the University's academic mission and include an elevator building addition to provide adequate means of accessibility to the building floors. This renovation and addition will correct building envelope issues and provide modern, energy efficient utility systems. The scope of work will include updating the building to meet current Building Code/ADA requirements, and provide new space that meets the highest standards of quality that the University's students expect and deserve.

IHL #207-487 Early Learning and Evaluation Center: The project consists of the development of a comprehensive state-of-the-art early childhood center where clinical and educational services are integrated for all children ages birth to 6 years old. The facility will be housed in the South Oxford Center and improvements may include upgrades to common areas and infrastructure of the building.

IHL 207-473 Ole Miss Softball Complex: The project will construct a new softball stadium, complete with associated amenities (dugouts, seating, press box, restrooms, etc.) and renovate the existing indoor team facility, playing field, and concessions/restrooms building as budget permits. Stadium design will include coaches' offices, training/treatment space, team lounge, and locker rooms. The University started demolition of the existing facility in May 2023 (Phase 1 – Demolition). Phase 2 – Field construction immediately followed in June 2023 and is set to be complete for the '24 Season. Phase 3 – Miscellaneous materials is in process now to support upcoming Phase 4 – Stadium construction. The seating bowl and concourse are scheduled to be complete for the '25 Season. Interior student athlete amenities and coaches' offices will complete in summer of 2025.

IHL 207-477 Ole Miss Soccer Complex: The project will renovate the existing Ole Miss Soccer Complex to address programmatic deficiencies and upgrade patron amenities. Programmatic needs include additional concessions, additional restrooms (patron & team), a larger press box, a new ticket office, and direct access to parking. The existing seating will be upgraded to include shade for existing seating, a new student seating area, and a new shaded standing room only area.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
FINANCE  
January 18, 2024**

IHL 207-507 Ole Miss Rifle Facility: Rifle is the only team that competes in a shared off-campus location. Our goal is to determine if we can bring the sport on-campus to use their existing team spaces and enhance their overall experience. Project scope includes study of existing campus facilities and/or new campus sites to provide improved team amenities (lockers/restrooms), firing range, and team storage.

IHL #207-508 Gillom Sports Center Improvements: Project scope includes renovation of areas vacated by Ole Miss Softball program and upgrades to remaining existing facilities. Upgrades include a new videoboard for volleyball competition area, correcting HVAC deficiencies with volleyball competition area, office realignment for female head coaches, and enhanced student-athlete spaces

**Scope of Work:** The bond issue includes funds for demolition, construction, and renovation of a variety of essential campus projects listed above. Hilltop Securities is the Financial Advisor. Bond Counsel is Butler Snow, LLP, and the Senior Underwriter is Raymond James & Associates, Inc.

**Term of Contract:** Longterm 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:** UM expects to issue up to a maximum of \$245 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 January 18, 2024, the proposed debt amortization will have an average annual debt payment of \$17,422,158 at an expected all-in true interest cost of 4.86 percent.

**Funding Source for Contract:** The funding sources to support the debt service include self-generated athletic revenues and private gifts, rental revenue from the new residence halls, and internally budgeted capital funds.

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

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

3. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A PRODUCT PRICING, REBATE, AND CONSIGNMENT AGREEMENT WITH SMITH & NEPHEW, INC.**

**Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a Product Pricing, Rebate, and Consignment Agreement with **Smith & Nephew, Inc.** (Smith & Nephew) for the purchase and consignment of

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**REGULAR AGENDA**  
**FINANCE**  
**January 18, 2024**

implants, instrumentation, and supplies used in surgical procedures for shoulder replacement. These components are necessary to provide shoulder replacements or revisions of previously replaced joints. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

**Contractor's Legal Name: Smith & Nephew, Inc.**

**History of Contract:** This is a new contract. Smith & Nephew acquired the Extremity Orthopaedics business of Integra LifeSciences Holdings Corporation in early 2021 and has sold these products to UMMC without a contract since that time. UMMC would like to enter this agreement at this time to stock consigned inventory, receive a 35% discount on the products, and earn rebates on purchases.

**Specific Type of Contract:** This is a new Product, Pricing, Rebate, and Consignment Agreement.

**Purpose:** The purpose of the agreement is to purchase and consign shoulder components such as implants, instrumentation, and supplies used in surgical procedures for adult and pediatric patients. These components are necessary to provide shoulder replacements or revisions of previously replaced joints. The consignment option under the agreement will allow shoulder replacement products to be available at all times to UMMC surgeons, ensuring immediate treatment of patients, without cost to UMMC until the products are used.

**Scope of Work:** Under the agreement, Smith & Nephew will provide shoulder replacement components such as implants, instrumentation, and supplies to UMMC at discounted prices, and consign these items at UMMC for ease of access.

**Term of Contract:** The term of the agreement is three (3) years, from February 1, 2024, through January 31, 2027.

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

- by the non-breaching party in the event of a material breach, upon written notice to the breaching party and thirty (30) days to cure the breach;
- by UMMC upon thirty (30) days' written notice, with or without cause; and
- in the event of a reduction in funds.

**Contract Amount:** The estimated cost of the agreement is \$5,400,000.00 over the three (3) year term. This includes an annual twenty percent (20%) increase per year to allow for potential volume change.



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
FINANCE  
January 18, 2024**

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

**Contractor Selection Process:** The shoulder components such as implants, instrumentation, and supplies qualify as clinical commodities under Miss Code Ann §31-7-1, which are exempted from procurement requirements under §31-7-13.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

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

**Board Policy §902, Initiation of Construction Projects**

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

**Board Policy §904(A), Board Approval**

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

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

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

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

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

**Board Policy §905(A), Real Estate Management**

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

**Board Policy §905(B), Real Estate Management**

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

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

**Project Request:** The University of Mississippi is requesting approval to increase the budget from \$16,000,000 to \$165,000,000 for an increase in the amount of \$149,000,000. In addition, the University of Mississippi is requesting to modify the funding source to include UM EBC bond proceeds.

**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 Mississippi is seeking an increase to the current project budget of \$16,000,000 by \$149,000,000 for a revised total budget of \$165,000,000.00. The current budget was an estimate of the project costs and has since been updated to reflect more accurate market costs etc. Additionally, the funding source has been changed from solely Internal R&R to a combination of Internal R&R and pending UMEBC Bonds.

**Project Scope:** As student enrollment increases, the demand for housing for students follows. The University must provide additional housing that meets the needs of students as mandated by the University Administration. The project consists of demolishing Kincannon Hall to make way for 1,000 new residential beds. Kincannon

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

Hall, constructed in 1963, has been vacant since 2016 due to life safety issues and its inability to provide suitable housing as mandated by the University Administration.

**History of Project:** The project was initiated, and the design professional appointed through Interim Board approval on January 9, 2023. The project was initiated with a planning budget for design fees only in the amount of \$1,000,000. The project budget was increased through interim approval in March of 2023 to a budget of \$16,000,000. This is the second budget increase by the university for this project.

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

**Project Initiation Date:** January 9, 2023

**Proposed Project Budget:**

	<b>Current Budget</b>	<b>Proposed Budget</b>	<b>Amount (+/-)</b>
Construction Costs	\$ 5,000,000.00	\$ 132,030,000.00	\$ 127,030,000.00
Architectural and Engineering Fees	\$ 8,000,000.00	\$ 10,803,275.29	\$ 2,803,275.29
Miscellaneous Project Costs	\$ 1,000,000.00	\$ 3,965,430.00	\$ 2,965,430.00
Aquaculture Equipment Costs	\$ 0.00	\$ 250,000.00	\$ 250,000.00
Contingency	\$ 2,000,000.00	\$ 17,951,294.71	\$ 15,951,294.71
<b>Total Project Budget</b>	<b>\$ 16,000,000.00</b>	<b>\$ 165,000,000.00</b>	<b>\$ 149,000,000.00</b>

**Proposed Funding Source(s):** Internal R&R (\$203,162.49); UMEBC Bonds (\$164,796,837.51) – *Pending approval of Finance Regular Agenda Item #2*

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**APPROVAL OF OTHER REAL ESTATE REQUESTS**

**2. UM – IHL 207-497 – NEW STUDENT HOUSING– APPROVAL OF EXTERIOR DESIGN**

**Agenda Request:** The University of Mississippi requests approval of the exterior design of the New Student Housing project.

**Design Professional: McCarty Architects**

**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:** The University of Mississippi is seeking approval of the exterior rendering for the proposed construction of the New Student Housing.

**Project Scope:** As student enrollment increases, the demand for housing for students follows. The University must provide additional housing that meets the needs of students as mandated by the University Administration. The project consists of demolishing Kincannon Hall to make way for 1,000 new residential beds. Kincannon Hall, constructed in 1963, has been vacant since 2016 due to life safety issues and its inability to provide suitable housing as mandated by the University Administration.

**Funding Source(s):** Internal R&R (\$203,162.49); UMEBC Bonds (\$164,796,837.51)  
– *Pending approval of Finance Regular Agenda Item #2*

**Project Budget:** \$165.0 million – *Pending approval of Finance Regular Agenda Item #2*

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

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



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
REGULAR AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

***Rendering 1: Exterior of the Proposed New Residence Hall***



***Rendering 2: Exterior of the Proposed New Residence Hall***



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
ACADEMIC AFFAIRS  
JANUARY 18, 2024**

1. **UM – INTENT TO OFFER A CERTIFICATE PROGRAM**

*Certificate program title:* **NCAA Compliance**

*Responsible academic unit:* School of Applied Sciences

*CIP code:* 31.0504

*Total credit hours:* 12

*Level:* post-baccalaureate

*Effective date:* August 2024

*Program summary:* This post-baccalaureate certificate program is designed to introduce technical knowledge and application of NCAA bylaws and to provide relevant training for working in NCAA compliance. The program will equip students with knowledge, skills, and abilities to utilize, interpret, and communicate information from NCAA compliance-specific research databases. This program is geared towards students with an interest in working in NCAA compliance, as a stand-alone primer, part of a graduate degree in higher education, law, sport management, or other related fields of study.

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



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**INFORMATION ITEM**  
**FINANCE**  
**January 18, 2024**

**1. UM –MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGIES SERVICES AGREEMENT WITH UNIVERSITY OF MISSISSIPPI AND AVAYA**

Attached is the ITS CP1 and CSA approvals along with a Statement of Work agreement that needs to be submitted to the Information Agenda of the next IHL Board meeting. This agreement has been signed by Mississippi ITS on our behalf and therefore only requires placement on the Information Agenda and submission of these documents.

To summarize, the University of Mississippi is adding TSAPI and DMCC Avaya licenses to our existing Application Enablement (AES) server in order to support an upgrade to UM UPD's current call recording solution. UPD's recording solution is critical in providing necessary safety and security services to the University of MS and currently requires an upgrade due to a surpassed end-of-life status. The AES server configuration will be completed by Carousel Industries and will support the recording of up to 27 IP stations and 2 radio stations. To facilitate this upgrade, the University of Mississippi submitted an ITS Revision Request to a Master Agreement per ITS RFP 3983, with a total cost of \$2,478.60 for the addition of Avaya licenses and a cost of \$5,350.00 for Carousel Industries project management and implementation fees. Carousel Industries will complete the necessary license registrations with Avaya on our behalf. UM Telecommunication's staff will oversee the addition and configuration of licenses to the AES server and will complete the installation of 27 IP stations as part of the process.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE  
NOVEMBER 16, 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.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**A L C O R N   S T A T E   U N I V E R S I T Y**

1. **ASU- IHL 201-257 – GREENHOUSE RENOVATIONS**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on November 28, 2023, to approve the budget increase from \$1,700,000.00 to \$2,339,302.00 for an increase of \$639,302.00 for the Greenhouse Renovations project.

Interim Approval Status & Date: APPROVED, November 28, 2023

**Approval Request #2: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$2,037,000.00 to the apparent low bidder Barnard & Sons Construction, LLC.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: May 19, 2022

Design Professional: Duplantis Design Group

General Contractor: Barnard & Sons Construction, LLC

Total Project Budget: \$2,339,302.00

2. **ASU- IHL 201-259 – POULTRY PROCESSING FACILITY RENOVATIONS**

**Approval Request #1 (INTERIM):** In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on November 28, 2023, to approve the budget increase from \$1,980,888.00 to \$2,031,900.00 for an increase of \$51,012.00 for the Poultry Processing Facility Renovations project.

Interim Approval Status & Date: APPROVED, November 28, 2023

**Approval Request #2: Award of Construction Contract**

Board staff approved the Award of Contract in the amount of \$1,773,000.00 to the apparent low bidder Barnard & Sons Construction, LLC.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: May 19, 2022

Design Professional: Vernell Barnes Architects, PLLC

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

General Contractor: Barnard & Sons Construction, LLC  
Total Project Budget: \$2,031,900.00

**MISSISSIPPI STATE UNIVERSITY**

3. **MSU- IHL 205-283 – ADDITION & RENOVATION TO HUMPHREY COLISEUM PH1**

**Approval Request #1: Change Order #9**

Board staff approved Change Order #9 in the amount of \$222,197.19 and twenty-four (24) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, December 1, 2023

Change Order Description: Change Order #9 includes the following: resolved the existing floor flatness issues & expansion joint transitions to an acceptable condition for the installation of the new flooring material; installed a French drain system at the monument stair in the east parking lot; eighteen (18) floor drains were replaced; repaired an existing site lighting issue at Bailey Howell Drive; installed the new electrical panels on the north wall of Long Tall Storage; installed a transformer on the Mezzanine level, which will include installing a fused disconnect in the transformer; installed required data cabling for the Trane chiller system controls; relocated, modified or demolished the existing electrical disconnect (for the existing panel), pneumatic controller & time clock for the canopy lighting; incorporated the owner requested paint color changes in the east secondary entrance & se primary entrance; modified or installed a new ceiling grid or ceiling framing (to include ceiling tile or gypsum board) at the modified stairs in the new Super-Vomitories & Sideline Club; installed pre-fabricated access panels to provide access capabilities to the chase walls & above the ceiling locations; modified the supply ductwork at concession locations to provide for a 10” high x a 44” wide mechanical supply grille; installed & completed the Civil Work which added modified grading and concrete swale along and adjacent to the Long Tall Storage building south wall; installed CAM locks on the north face of the Long Tall Storage building; installed data outlets for the points of sale in the wall adjacent to the concession area openings; demolished and/or relocated electrical circuits in the chiller room; installed a duplex receptacle and a dedicated circuit from a panel to provide outlet power at a location; reworked the electrical circuits to provide three phase circuits to each motor controller for power to the existing overhead doors; and twenty-four (24) days to the contract.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$2,444,528.42.

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

4. **MSU- IHL 205-326 – ROSENBAUM HEALTH SERVICES – 3<sup>RD</sup> FLOOR  
SIMULATION LAB**

**Approval Request #1: Contract Documents**

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

Approval Status & Date: APPROVED, November 8, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 8, 2023

Project Initiation Date: November 17, 2022

Design Professional: LPK Architects, P.A.

General Contractor: TBD

Total Project Budget: \$4,250,000.00

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

**Approval Request #1: Change Order #3**

Board staff approved Change Order #3 in the amount of \$154,469.15 and forty-six (46) additional days to the contract of Codaray Construction.

Approval Status & Date: APPROVED, November 14, 2023

Change Order Description: Change Order #3 includes the following: caulked windows; installed two (2) shunt trip breakers for the elevator; replaced broken glass in twenty (20) windows; point up concrete masonry unit walls on the 1-4 floors behind the wardrobe and

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

paint; textured & repainted ceilings behind the wardrobe cabinets; kitchen & mail room area scopes of work from bid package alternate 5; and forty-six (46) days to the contract.

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

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$264,466.65.

Project Initiation Date: October 20, 2022

Design Professional: Shafer- Zahner- Zahner, PLLC

General Contractor: Codaray Construcction

Total Project Budget: \$3,000,000.00

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

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

Board staff approved the Award of Contract in the amount of \$1,839,956.00 to the apparent low bidder Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, December 13, 2023

Project Initiation Date: November 17, 2022

Design Professional: WBA Architects

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$2,500,000.00

7. **MSU- IHL 205-334 – RCU RENOVATIONS**

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

Board staff approved the Award of Contract in the amount of \$1,605,462.00 to the apparent low bidder Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, December 1, 2023

Project Initiation Date: March 18, 2021

Design Professional: MP Design Group

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$2,000,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

8. **MSU- IHL 205-336 – SOUTH CAMPUS MECHANICAL PLANT**

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

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

Approval Status & Date: APPROVED, November 30, 2023

Project Initiation Date: April 20, 2023

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Total Project Budget: \$200,000.00 (Design Fees Only)

9. **MSU- IHL 205-339 – CENTRAL PLANT COOLING TOWER REPLACEMENT**

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

Board staff approved the Award of Contract in the amount of \$3,180,000.00 to the apparent low bidder McLain Plumbing & Electrical Service, Inc.

Approval Status & Date: APPROVED, December 6, 2023

Project Initiation Date: April 20, 2023

Design Professional: Engineering Resource Group, Inc.

General Contractor: McLain Plumbing & Electrical Service, Inc.

Total Project Budget: \$6,000,000.00

10. **MSU IHL #205-344 – SANDERSON ROOF REPAIRS**

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

Board staff approved the Schematic Design Documents as submitted by Shafer-Zahner-Zahner.

Approval Status & Date: APPROVED, November 14, 2023

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

Board staff approved the Waiver of Design Development Documents as submitted by Shafer-Zahner-Zahner

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

Approval Status & Date: APPROVED, November 14, 2023

**Approval Request #3: Contract Documents**

Board staff approved Contract Documents as submitted by Shafer-Zahner-Zahner

Approval Status & Date: APPROVED, December 11, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 11, 2023

Project Initiation Date: June 15, 2023

Design Professional: Shafer-Zahner-Zahner

General Contractor: TBD

Total Project Budget: \$2,000,000.00

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

**Approval Request #1: Contract Documents**

Board staff approved Contract Documents as submitted by Shafer-Zahner-Zahner

Approval Status & Date: APPROVED, December 13, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 13, 2023

Project Initiation Date: November 17, 2022

Design Professional: Shafer-Zahner-Zahner

General Contractor: TBD

Total Project Budget: \$3,000,000.00

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

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



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

Board staff approved Change Order #2 in the amount of \$72,793.98 and ten (10) additional days to the contract of West Brothers Construction.

Approval Status & Date: APPROVED, November 30, 2023

Change Order Description: Change Order #2 includes the following: installed hinges & smart devices at the CUP; installed eighteen (18) steel beams and seventy-two (72) galvanized stiffer plates at the chiller & generator; extended the manufacturer's warranty from two (2) to five (5) years for all modular fan wall units; credit to install PVC Schedule 40 DWV pipe & fittings for all gravity drain sanitary waste piping and fittings; installed an upgraded mixing valve and includes associated power for the mixing valve; controls allowance difference added; and ten (10) days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$169,931.05.

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

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

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

Board staff approved the Award of Contract in the amount of \$2,323,282.65 to the apparent low bidder Byrum Construction, Inc.

Approval Status & Date: APPROVED, November 14, 2023

Project Initiation Date: November 17, 2022

Design Professional: Neel-Schaffer, Inc.

General Contractor: Byrum Construction, Inc.

Total Project Budget: \$3,000,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**UNIVERSITY OF MISSISSIPPI**

**14. UM- IHL 207-473.4 (PH4) STADIUM – REBID – OLE MISS SOFTBALL  
COMPLEX ADDITION & RENOVATION**

**Approval Request #1: Re-Bid**

Board staff approved Re-Bid of Ole Miss Softball Complex Addition & Renovation. Documents are updated to include agenda issued previously and to limit the scope to Package X (Electrical) scope only.

Approval Status & Date: APPROVED, November 16, 2023

Project Re-Bid Date: November 16, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects

General Contractor: TBD

Construction Management Advisor: ICM, LLC [CMa]

Phased Project Budget: \$18,746,608.00

Total Project Budget: \$32,000,000.00

**15. UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION (PKG. L - MASONRY)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$703,533.00 to the apparent low bidder Hollis Masonry, LLC.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects

General Contractor: Hollis Masonry, LLC

Construction Management Advisor: ICM, LLC [CMa]

Phased Project Budget: \$1,034,274.40

Total Project Budget: \$32,000,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**16. UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. M - MILLWORK)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$352,000.00 to the apparent low bidder McNeil Cabinet & Millwork.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects

General Contractor: McNeil Cabinet & Millwork

Construction Management Advisor: ICM, LLC [CMa]

Phased Project Budget: \$508,772.47

Total Project Budget: \$32,000,000.00

**17. UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. N - ROOFING)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$715,000.00 to the apparent low bidder Independent Roofing Systems, Inc.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects

General Contractor: Independent Roofing Systems, Inc.

Construction Management Advisor: ICM, LLC [CMa]

Phased Project Budget: \$1,033,444.07

Total Project Budget: \$32,000,000.00

**18. UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. P – GLASS & GLAZING)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$448,950.00 to the apparent low bidder Independent Tull Brothers, Inc.

Approval Status & Date: APPROVED, November 29, 2023

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

Project Initiation Date: October 21, 2021  
Design Professional: McCarty Architects  
General Contractor: Tull Brothers, Inc.  
Construction Management Advisor: ICM, LLC [CMa]  
Phased Project Budget: \$648,901.70  
Total Project Budget: \$32,000,000.00

19. **UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. Q – DOORS & HARDWARE)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$273,966.00 to the apparent low bidder Bluewater Architectural Products.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects  
General Contractor: Bluewater Architectural Products  
Construction Management Advisor: ICM, LLC [CMa]  
Phased Project Budget: \$395,983.97  
Total Project Budget: \$32,000,000.00

20. **UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. R – DRYWALL & PAINT)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$2,197,000.00 to the apparent low bidder Acoustics & Specialties, LLC.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021  
Design Professional: McCarty Architects  
General Contractor: Acoustics & Specialties, LLC  
Construction Management Advisor: ICM, LLC [CMa]  
Phased Project Budget: \$3,175,491.78  
Total Project Budget: \$32,000,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**21. UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. S – FLOORING)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$517,798.00 to the apparent low bidder Craft Croswell, LLC.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects

General Contractor: Craft Croswell, LLC

Construction Management Advisor: ICM, LLC [CMa]

Phased Project Budget: \$748,412.97

Total Project Budget: \$32,000,000.00

**22. UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. T – ELEVATOR)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$230,000.00 to the apparent low bidder Diversified Elevator.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects

General Contractor: Diversified Elevator

Construction Management Advisor: ICM, LLC [CMa]

Phased Project Budget: \$332,436.55

Total Project Budget: \$32,000,000.00

**23. UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. U – ALUMINUM SEATING)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$1,045,300.00 to the apparent low bidder Dant Clayton, Corporation.

Approval Status & Date: APPROVED, November 29, 2023

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

Project Initiation Date: October 21, 2021  
Design Professional: McCarty Architects  
General Contractor: Dant Clayton Corporation  
Construction Management Advisor: ICM, LLC [CMa]  
Phased Project Budget: \$1,510,851.87  
Total Project Budget: \$32,000,000.00

24. **UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. V – FIRE PROTECTION)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$227,900.00 to the apparent low bidder Fireline, Inc.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021  
Design Professional: McCarty Architects  
General Contractor: Fireline, Inc.  
Construction Management Advisor: ICM, LLC [CMa]  
Phased Project Budget: \$329,401.26  
Total Project Budget: \$32,000,000.00

25. **UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. W – MECHANICAL/PLUMBING  
BUILDING)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$2,360,500.00 to the apparent low bidder Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021  
Design Professional: McCarty Architects  
General Contractor: Upchurch Plumbing, Inc.  
Construction Management Advisor: ICM, LLC [CMa]  
Phased Project Budget: \$3,411,810.81  
Total Project Budget: \$32,000,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**26. UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. Y – GENERAL WORKS)**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$350,000.00 to the apparent low bidder Acoustics & Specialties, LLC.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects

General Contractor: Acoustics & Specialties, LLC

Construction Management Advisor: ICM, LLC [CMa]

Phased Project Budget: \$505,881.71

Total Project Budget: \$32,000,000.00

**27. UM- IHL 207-473.4 (PH4) STADIUM – OLE MISS SOFTBALL COMPLEX  
ADDITION & RENOVATION – (PKG. X – ELECTRICAL BUILDING) - REBID**

**Approval Request #1: Award**

Board staff approved the Award of Contract in the amount of \$3,022,000.00 to the apparent low bidder Advanced Electric Co., Inc.

Approval Status & Date: APPROVED, December 20, 2023

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects, P.A.

General Contractor: Advanced Electric Co., Inc.

Construction Manager Advisor: ICM,LLC [CMa]

Phased Project Budget: \$4,403,767.42

Total Project Budget: \$32,000,000.00

**28. UM- IHL 207-492.2 – OXFORD-UNIVERSITY STADIUM EXPANSION – PH 2**

**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, November 16, 2023

Project Initiation Date: January 30,2023

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

Design Professional: Cooke Douglass Farr Lemons Architects + Engineers, P.A.  
General Contractor: Innovative Construction Management, LLC [ConstMgrAdv]  
Phased Project Budget: \$22,277,020.00  
Total Project Budget: \$30,000,000.00

29. **UM- IHL 207-493 – SOUTH OXFORD CENTER 4<sup>TH</sup> FLOOR SCHOOL OF NURSING**

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

Board staff approved the Award of Contract in the amount of \$1,816,000.00 to the apparent low bidder Wagner General Contractors, Inc.

Approval Status & Date: APPROVED, November 29, 2023

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

30. **UM- IHL 207-498 – NW MECHANICAL PLANT PH III**

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

Board staff approved the Award of Contract in the amount of \$20,375,000.00 to the apparent low bidder Codaray Construction, Inc.

Approval Status & Date: APPROVED, November 16, 2023

Project Initiation Date: January 6,2023  
Design Professional: Eley Guild Hardy Architects  
General Contractor: Codaray Construction, Inc.  
Total Project Budget: \$31,400,000.00

31. **UM- IHL 207-502 – NEW PARKING STRUCTURE(S)**

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

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

Approval Status & Date: APPROVED, November 16, 2023



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

Project Initiation Date: January 30,2023  
Design Professional: Eley Guild Hardy Architects  
General Contractor: TBD  
Total Project Budget: \$1,000,000.00

**32. UM- IHL 407-002 – DATA CENTER FACILITY RENOVATION & EXPANSION**

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

Board staff approved Change Order #1 in the amount of \$48,791.69 and zero (0) additional days to the contract of Codaray Construction.

Approval Status & Date: APPROVED, November 16, 2023

Change Order Description: Change Order #1 includes the following: replaced a 6” untreated water line with and 8” water line.

Change Order Justification: This change was necessary due to latent job site conditions; and user/owner requested modifications.

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

Board staff approved Change Order #2 in the amount of \$65,650.20 and zero (0) additional days to the contract of Codaray Construction.

Approval Status & Date: APPROVED, November 29, 2023

Change Order Description: Change Order #2 includes the following: upgraded the electrical capacity of the underground electrical utility.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$114,441.89.

Project Initiation Date: October 20, 2022  
Design Professional: Duvall Decker Architects, P.A.  
General Contractor: Codaray Construction  
Phased Project Budget: \$35,000,000.00  
Total Project Budget: \$40,000,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

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

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

Board staff approved the Award of Contract in the amount of \$4,350,000.00 to the apparent low bidder Upchurch Services, LLC.

Approval Status & Date: APPROVED, November 9, 2023

Project Initiation Date: February 17, 2022

Design Professional: DBES, LLC

General Contractor: Upchurch Services, LLC

Total Project Budget: \$5,300,000.00

**UNIVERSITY OF MISSISSIPPI MEDICAL CENTER**

**34. UMMC- IHL 209-576 MS CENTER FOR MEDICALLY FRAGILE CHILDREN - REBID**

**Approval Request #1: Contract Documents**

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

Approval Status & Date: APPROVED, November 29, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 29, 2023

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

General Contractor: TBD

Total Project Budget: \$15,900,000.00

**35. UMMC- IHL 209-579 UMMC COLONY PARK**

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

Board staff approved the Award of Contract in the amount of \$83,445,000.00 to the apparent low bidder Codaray Construction, LLC.

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: April 20, 2023

Design Professional: Cooke Douglas Farr Lemons Architects & Engineers

General Contractor: Codaray Construction, LLC

Total Project Budget: \$105,910,527.00

**36. UMMC- IHL 209-580A RENOVATION FOR ADOLESCENT PSYCH-ADMIN. OFFICES**

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

Board staff approved the Award of Contract in the amount of \$1,727,000.00 to the apparent low bidder Diversified Construction Services, Inc.

Approval Status & Date: APPROVED, December 13, 2023

Project Initiation Date: August 18, 2022

Design Professional: JH&H Architects

General Contractor: Diversified Construction Services, Inc.

Total Project Budget: \$8,500,000.00

**37. UMMC- IHL 409-005 NEW SCHOOL OF NURSING**

**Approval Request #1: Contract Documents**

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

Approval Status & Date: APPROVED, December 13, 2023

**Approval Request #2: Advertise**

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, December 13, 2023

Design Professional: Eley Guild Hardy Architects

General Contractor: TBD

Total Project Budget: \$65,000,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
REAL ESTATE  
JANUARY 18, 2024**

**EDUCATION AND RESEARCH CENTER**

**1. ERC-GS 111-064 - MECHANICAL UPGRADES**

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

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

Board staff approved Change Order #2 in the amount of \$204,400.00 and thirty (30) additional days to the contract of J.L. Roberts Mechanical.

Approval Status & Date: APPROVED, November 14, 2023

Change Order Description: Change Order #2 includes the following: provided double wall built-up air handling unit housing inside of the existing IHL penthouse plenum.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$171,785.00.

Approval Status & Date: APPROVED, October 14, 2023

Project Initiation Date: May 20, 2022

Design Professional: ERG Engineers

General Contractor: J.L. Roberts Mechanical

Total Project Budget: \$2,973,946.69

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 INFORMATION AGENDA  
 LEGAL  
 JANUARY 18, 2024**

**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 (statement dated 10/9/23) from the funds of Jackson State University. (This statement, in the amount of \$960.00, represents services and expenses in connection with an immigration/labor certification matter.)

**TOTAL DUE.....\$ 960.00**

Payment of legal fees for professional services rendered by Brunini (statement dated 11/13/23) from the funds of Mississippi State University. (This statement, in the amount of \$75.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 75.00**

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statement dated 11/14/23) from the funds of Mississippi State University. (This statement, in the amount of \$6,352.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 6,352.00**

Payment of legal fees for professional services rendered by Phelps Dunbar (statements dated 11/8/23 and 11/8/23) from the funds of Mississippi State University. (These statements, in the amounts of \$285.00 and \$2,309.85, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,594.85**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/23, 11/1/23, 11/1/23 and 12/1/23) from the funds of Mississippi State University. (These statements, in the amounts of \$3,000.00, \$535.00, \$545.00 and \$549.00, respectively, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 4,629.00**

Payment of legal fees for professional services rendered by Brunini (statement dated 12/15/23) from the funds of the University of Mississippi. (This statement, in the amount of \$243.75, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 243.75**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**INFORMATION AGENDA**  
**LEGAL**  
**JANUARY 18, 2024**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/31/23, 10/31/23, 11/17/23, 11/17/23, 12/19/23 and 12/19/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$3,200.00, \$576.00, \$288.00, \$1,600.00, \$328.50 and \$960.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 6,952.50**

Payment of legal fees for professional services rendered by Church, Church, Hittle & Antrim (statement dated 12/20/23) from the funds of the University of Mississippi. (This statement, in the amount of \$2,634.50, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 2,634.50**

Payment of legal fees for professional services rendered by Lightfoot Franklin & White LLC (statements dated 9/18/23 and 11/13/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$24,740.00 and \$9,304.00, respectively, represent services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 34,044.00**

Payment of legal fees for professional services rendered by Nelson Mullins Riley & Scarborough, LLP (statement dated 11/7/23) from the funds of the University of Mississippi. (This statement, in the amount of \$12,189.00, represents services and expenses in connection with general legal advice.)

**TOTAL DUE.....\$ 12,189.00**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 10/1/23, 10/1/23, 11/1/23, 11/1/23, 11/1/23, 11/28/23, 12/1/23 and 12/1/23) from the funds of the University of Mississippi. (These statements, in the amounts of \$110.18, \$2,500.00, \$59.01, \$162.73, \$2,500.00, \$2,500.00, \$101.23 and \$6,000.00, respectively, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 13,933.15**

Payment of legal fees for professional services rendered by Hogan Lovells US, LLP (statements dated 8/21/23, 9/19/23 and 10/25/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$28,663.50, \$3,447.50 and \$1,182.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 33,293.00**

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 INFORMATION AGENDA  
 LEGAL  
 JANUARY 18, 2024**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 8/3/23, 8/3/23, 8/3/23, 8/3/23, 9/6/23, 9/6/23, 9/6/23, 9/6/23, 10/5/23, 10/5/23, 10/5/23, 10/5/23 and 11/3/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$211.50, \$1,624.50, \$2,196.00, \$1,119.00, \$981.00, \$99.00, \$105.00, \$1,111.50, \$51.00, \$385.00, \$1,989.00, \$279.00 and \$10,116.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 20,267.50**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/31/23, 11/7/23, 11/17/23, 11/17/23, 12/19/23 and 12/19/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$600.00, \$708.00, \$2,553.50, \$99.50, \$324.50 and \$590.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 4,875.50**

Payment of legal fees for professional services rendered by Caves & Caves, PLLC (statement dated 10/31/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$5,891.28, represents services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 5,891.28**

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 11/13/23 and 12/7/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$17,190.65 and \$2,360.00, respectively, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 19,550.65**

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 11/1/23, 12/1/23, 12/1/23 and 12/1/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$2,500.00, \$54.08, \$57.83 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certification matters.)

**TOTAL DUE.....\$ 5,111.91**

Payment of legal fees for professional services rendered by Wise Carter (statements dated 11/14/23, 11/14/23 and 12/19/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,014.00, \$331.50 and \$780.00, respectively, represent services and expenses in connection with legal advice.)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
LEGAL  
JANUARY 18, 2024**

**TOTAL DUE.....\$ 2,125.50**

Payment of legal fees for professional services rendered by Zachary & Leggett, PLLC (statements dated 12/4/23 and 12/27/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$387.30 and \$1,587.60, represent services and expenses in connection with legal advice.)

**TOTAL DUE.....\$ 1,974.90**

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/31/23, 10/31/23, 10/31/23, 11/17/23 and 11/17/23) 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 Yields of H1N1 influenza A Virus in Cells” - \$1,937.00; “Recombinant Fimbrial Protein of Aeromonas hydrophila as Vaccine in Catfish” - \$2,124.00; “IP and Regulatory Matters” - \$295.00; “IP and Regulatory Matters” - \$7,847.00; and “Recombinant Fimbrial Protein of Aeromonas hydrophila as Vaccine in Catfish” - \$118.00.)

**TOTAL DUE.....\$ 12,321.00**

Payment of legal fees for professional services rendered by Conley Rose (statements dated 10/30/23, 11/6/23, 11/6/23 and 12/5/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Rice Cultivar” - \$150.00; Wearable Stretch and Pressure Sensor Motion Capture System for Human Movement” - \$56.00; and “Wire Tie Downs” - \$441.00, and “Recognition of Catfish Fillets Using Computer Vision Towards Automated Singulation” - \$1,120.00, respectively.)

**TOTAL DUE.....\$ 1,767.00**

Payment of legal fees for professional services rendered by Quarles & Brady, LLP (statement dated 10/30/23) 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” - \$150.00.)

**TOTAL DUE.....\$ 150.00**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 11/20/23, 11/20/23, 11/20/23, 11/20/23, 11/20/23, 12/13/23, 12/13/23, 12/13/23 and 12/13/23) from the funds of Mississippi State University. (These statements represent services



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 INFORMATION AGENDA  
 LEGAL  
 JANUARY 18, 2024**

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” - \$862.50; “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$2,461.00; “Occidiofungin Formulations and Uses Thereof” - \$1,773.00; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$316.00; “U.S. Provisional Patent Application No. 63/598,014” - \$1,028.50; “Occidiofungin Formulations and Uses Thereof” - \$97.00; “Drugs Conjugated with Hexose Phosphate and Methods of Making and Using Same” - \$880.34; “Oleaginous Microbe Supplementation for Improving Black Soldier Fly Growth and Development” - \$197.50; and “Thienyl-Dibenzoazepine and their Derivatives as Donor for Xanthene-Based Short-Wave Infrared” - \$3,836.50.)

**TOTAL DUE.....\$ 11,452.34**

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 5/23/23, 5/23/23, 5/24/23, 5/24/23, 6/7/23, 6/7/23, 6/7/23, 6/7/23, 6/7/23, 10/31/23, 10/31/23, 10/31/23 and 10/31/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Use of Liquid Smoke in Conjunction” - \$8,086.00; “Unsymmetric CCC-HNC Pincer” - \$1,810.00; “Novel Catalysts and Process for Liquid Hydrocarbon Fuel Production” - \$2,410.00; “Novel Catalysts and Process” - \$673.50; “Unsymmetric CCC-HNC Pincer” - \$429.00; “Unsymmetric CCC-HNC Pincer” - \$1,136.53; “Fluoroalkylsilane-Modified” - \$104.50; “Osteometric Measuring Device” - \$4,303.50; “Novel Catalysts and Process” - \$38.00; “Synthesis of Optically Active” - \$38.00; “Coal Char-Production and Properties” - \$1,451.00; “Novel Catalysis and Process for Liquid Hydrocarbon Fuel Production” - \$38.00; and “Reagents, Devices and Accessories for Kinetic Fluorogenic Chemical Qualification” - \$1,403.00.)

**TOTAL DUE.....\$ 21,931.03**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/26/22, 11/23/22, 12/15/22, 12/15/22, 4/21/23, 6/27/23, 8/22/23, 9/19/23 and 10/12/23) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Skye Biosciences, LLC” - \$1,298.00; “Skye Biosciences, LLC” - \$2,330.50; “Topical Compositions for Treating Peripheral Neuropathic Pain” - \$413.00; “Skye Biosciences, LLC” - \$59.00; “Stuttering Inhibition Device Patent” - \$1,774.00; “Skye Biosciences, LLC” - \$826.00; “Skye Biosciences, LLC” - \$1,248.00; “Cache Mapping Technology Matter” - \$584.50; and “Cache Mapping Technology Matter” - \$1,411.50, respectively.)

**TOTAL DUE.....\$ 9,944.50**

Payment of legal fees for professional services rendered by Thomas Horstemeyer, LLP (statements dated 11/30/23, 11/30/23, 11/30/23, 11/30/23, 11/30/23 and 11/30/23) from the funds

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
 INFORMATION AGENDA  
 LEGAL  
 JANUARY 18, 2024**

of the University of Mississippi. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Silicone-Based Dyes with Short Wavelength Infrared Absorption and Emission and Methods for Making and Using Same” - \$956.00; “General Patent and Intellectual Property Advice” - \$6,047.00; “Biologically Active Cannabidiol Analogs” - \$9,555.78; “Czech Republic Patent No. 2352497” - \$11,744.00; “Australia Patent No. 2352497” - \$922.00; and “Canada Patent No. 2352497” - \$388.00, respectively.)

**TOTAL DUE.....\$ 29,612.78**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/31/23, 10/31/23, 10/31/23, 10/31/23, 10/31/23, 10/31/23, 11/17/23, 11/17/23, 11/17/23, 11/17/23, 11/17/23, 11/17/23 and 11/20/23) 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: “Oral Suction Device” - \$760.00; “Compositions and Methods for Protection of Skin Against Thermal Insult” - \$752.00; “Covestro Patents” - \$1,688.00; “Chevron Oronite Patent Maintenance” - \$5,043.50; “Phenylphosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$539.50; “Methodology and Instrumentation for Thin Film Mechanical Analysis” - \$1,539.00; “Self-Repairing Oxetane-Substituted Chitosan Polyurethane Networks” - \$59.00; “Chevron Oronite Patent Maintenance” -- \$5,066.50; “Methodology and Instrumentation for Thin Film Mechanical Analysis” - \$99.50; “An Automated Mechanism to Position Aquaculture Equipment” - \$1,386.50; “Gulf Blue Trademark” - \$99.50; “Oral Suction Device” - \$27.00; and Lockheed – Oil Dispersant Patent” - \$59.00, respectively.)

**TOTAL DUE.....\$ 17,119.00**

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 11/20/23 and 11/20/23) 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: “Narrow Band Gap Conjugated Polymers Employing Cross-Conjugated Donors Useful in Electronic Devices” - \$350.00 and “T-belt (Trauma Belt)” - \$2,170.00.)

**TOTAL DUE.....\$ 2,520.00**

**2. MSU – EMERGENCY APPROVAL TO HIRE MITCHELL McNUTT & SAMS, P.A. AS OUTSIDE COUNSEL**

Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved Mississippi State University’s request to hire Mitchell, McNutt & Sams, P.A. as outside counsel to provide legal services in a contract and billing dispute with a local utility provider. The term of the contract is one year effective December 1, 2023. The

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING  
INFORMATION AGENDA  
LEGAL  
JANUARY 18, 2024**

hourly rate for attorneys is \$250 and \$85 per hour for paralegal services. The maximum amount payable under the term of the contract shall not exceed \$75,000. This firm carries professional liability insurance coverage in the amount of \$10,000,000 per claim with an annual aggregate of \$10,000,000. This contract was approved by the Office of the Attorney General.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**INFORMATION AGENDA**  
**ADMINISTRATION/POLICY**  
**January 18, 2024**

**1. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL**

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

- a.** **MSU** – On December 14, 2023, Commissioner Alfred Rankins, Jr. approved the Rent Agreement between Mississippi State University, on behalf of the Bagley College of Engineering, and R& R Rental Properties, LLC for Section I of a building located at 400 Industrial Park Road, in Starkville to be used by MSU for Student Competition teams, an Outreach coordinator office, and storage. The initial term of the Agreement is one year beginning January 1, 2024, with an option for renewal for up to four additional one-year periods, upon written agreement of both parties. The total cost of the agreement is \$24,600 per year or \$2,050 per month to be paid at the beginning of each month (\$1,750 for rent and \$300 for utilities). This contract will be funded through externally funded gifts to the Hearin Foundation Grant and Chevron Gift. MSU further requested approval for prepayment but only on a monthly basis as is customary for rental agreements. The Attorney General’s Office 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 December 14, 2023, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and Park Place Development LLC for approximately 1,600 square feet of space located at 118 Service Drive, Suite 9, Pearl, MS, in which to operate a Resource and Referral program 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 January 1, 2024 through December 31, 2024, at a cost of \$24,960 annually or \$2,080 per month payable on the first of each month. The Attorney General’s Office 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.
- c.** **MSU** – On December 14, 2023, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and Jonathan McDaniel for office space located at 114 W. Washington Street, Houston, MS, in which to operate a Resource and Referral program 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 March 1, 2024 through February 28, 2025, at a cost of \$34,200 annually or \$2,850 per month payable on the first of each month. The Attorney General’s Office 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.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING**  
**INFORMATION AGENDA**  
**ADMINISTRATION/POLICY**  
**January 18, 2024**

- d.** **UM** – On December 11, 2023, Commissioner Alfred Rankins, Jr. approved the Facility Use Agreement between the University of Mississippi and Mississippi Veterans Affairs (MSVA) for MVSA’s use of office space located at 1918 Briar Ridge Road, Tupelo, MS. UM is charging no fee for this use. The value is proximal access for UM-Tupelo staff and students, eligible dependents, and veterans from the community to federal and state veteran’s benefits counsel, document preparation and other services. The MSVA previously used this space for two years from 2021 to 2023. This is a new agreement effective October 1, 2023 through September 30, 2025. The Attorney General’s Office has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file in the IHL Board Office.
- e.** **UM** – On December 11, 2023, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Mississippi and Big Belly Solar, Inc. for solar trash receptacles and solar compactors. The specific request is to extend the term of the existing agreement for four years effective December 6, 2023 through December 5, 2027. The monthly cost of the amended agreement is \$1,879.15 over the term of the 4 years. This amount represents a 6% reduction in cost from the original contract, which was approved by the Board on August 16, 2018. The Attorney General’s Office 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.
- f.** **USM** – On December 18, 2023, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Southern Mississippi (Lessor) and US Coating Innovations, Inc. (Lessee) for approximately 1, 234 square feet of space in USM’s Innovation and Commercialization Park. The term of the lease is sixty months effective January 1, 2024. This is a new revenue generating lease with total rent due to Lessor in the amount of \$60,000 payable in \$1,000 per month installments over the term of the agreement. The Attorney General’s Office 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.