

Board Book

February 15, 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

IHL Board Meeting | February 15, 2024, 9:00a | IHL Board Room

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Trustee Dr. Alfred McNair, Jr.
Trustee Chip Morgan

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ADJOURNMENT

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 18, 2024**

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, 2023, to each and every member of said Board said date being at least five days prior to this January 18, 2024 meeting. At the above-named place the following members were present to wit: Dr. Ormella Cummings (via Zoom), Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard (via Zoom), Ms. Jeanne Carter Luckey, Mr. Bruce Martin (via Zoom), Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree (via Zoom), Mr. Hal Parker, Mr. Gregg Rader (via Zoom), and Dr. J. Walt Starr (via Zoom). The meeting was called to order by Dr. Alfred McNair, President, with Trustee Dr. Walt Starr providing the invocation.

INTRODUCTION OF GUESTS

- President McNair welcomed Dr. Marcus Thompson, President of Jackson State University, to his first Board meeting in this new role.
- Commissioner Alfred Rankins introduced three new IHL employees – Mr. Harold Pizzetta, Associate Commissioner for Legal Affairs and Risk Management; Mrs. Laura Hipp-Mayer, Assistant Commissioner for External Affairs; and Mr. John Sewell, Director of Communications.

APPROVAL OF THE MINUTES

On motion by Trustee Rader, seconded by Trustee Cunningham, with Trustees Cummings and Ogletree absent and not voting and Trustees Hubbard, Martin, Rader, and Starr participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on November 3, 2023; November 16, 2023; and December 21, 2023.

CONSENT AGENDAS

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

FINANCE

1. **ASU** – The Board retroactively approved a one-year extension to the current contract with CampusLogic, Inc. When this contract was first executed it did not exceed the threshold. This current Work Order 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. The term of the submitted Work Order is September 1,

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2023, to August 31, 2024. This will bring the overall term of the contract to four (4) years. The current Work Order is \$85,215. This will bring the total lifecycle cost to \$295,897. The contract will be funded solely by a Department of Education Title III funded grant. 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.

2. **UMMC** – Approved the request to enter 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. 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. 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. The Board approved the request for an estimated total cost not to exceed \$54,400,000 for the initial 15-year term. Pursuant to Board Policy 707.03, Approval of Prepayment for Goods and Services, the Board also approved the request to allow prepayment of the rent monthly. This 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.
3. **UMMC** – Approved the request to amend its purchase agreement with Boston Scientific Corporation (Boston 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. The Board also authorized the institution to add or remove products covered by the Agreement without seeking prior Board approval as long as it does not increase the approved expenditure level. The term of the 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 June 1, 2021. The amendment extends the term by three (3) years. The estimated total cost of the amended agreement over the six (6) year 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. 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.

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4. **UMMC** – Approved the request 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. The Board authorized the institution 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. 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. The current approved amount of the agreement is \$118,888,932.99. Amendment 34, see Finance Consent Agenda item #5 below, 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. This agreement is 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. **UMMC** – Approved the request 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 at the end of life and the manufacturer will not support or maintain the ChartScan application. 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. 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. This agreement is 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.
6. **UMMC** – Approved the request 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. The term of the Agreement is five (5) years, from February 1, 2024, through January 31, 2029. 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. This Agreement will be funded by 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.

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7. **UMMC** – Approved the request 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. The term of the agreement remains unchanged -- five (5) years, from July 1, 2022, through June 30, 2027. 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. 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.
8. **USM** – Approved the request to enter into Amendment Two to the Lease Agreement with Chromis Fiberoptics, Inc. for additional space in USM’s Accelerator building. 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. 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. This is a revenue-generating agreement. 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

9. **JSU** – Approved the initiation of GS 103-332, Access Control Improvements – HEERF, and the appointment of Shultz and Wynne, P.A. as the design professional. 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 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. The proposed project budget is \$12,849,406.06. Funds are available from U.S. Dept. of Education HEERF Funds (\$12,849,406.06).
10. **MVSU** – Approved the initiation of GS 106-282, New Residence Hall, and the appointment of McCarty Architects as the design professional. 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. The proposed project budget is \$500,000. Funds are available from HB 603, Laws of 2023 (\$500,000).

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11. **MSU** – Approved the initiation of IHL 205-356, Barnes and Noble Parking Lot, and the appointment of Smithers Engineers and Consultants, LLC as the design professional. The project will expand and 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. The proposed project budget is \$2 million. Funds are available from University Designated Funds (\$2,000,000).
12. **MVSU** – Approved the initiation of IHL 206-028, Rice-Totten Stadium Turf Replacement, and the appointment of The Kelly Factory, PLLC as the design professional. 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. The proposed project budget is \$1.5 million. Funds are available from E&G Funds Reserve (\$1,500,000).
13. **UM** – Approved the initiation of IHL 207-509, Hefley Hall Roof Replacement, and the appointment of Shafer Zahner Zahner, PLLC as the design professional. The building was built in 1957. The roof, which was renovated in 2000, 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 project budget is \$1,250,000. Funds are available from Internal R&R (\$1,250,000).
14. **UM** – Approved the initiation of IHL 207-510, South Oxford Campus (SOC) Fire Alarm Replacement, and the appointment of Corbett Legge & Associates PLLC as the design professional. The project will make the building code compliant and provide fire protection to occupants and users. The proposed project budget is \$2.6 million. Funds are available from Internal R&R (\$2,600,000).
15. **UM** – Approved the initiation of IHL 207-511, Brown Hall HVAC Renovation, and the appointment of Corbett Legge & Associates, PLLC as the design professional. 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. The proposed project budget is \$1,042,690.72. Funds are available from Internal R&R (\$1,042,690.72).
16. **ASU** – Approved the request to increase the project budget for IHL 201-258, Mushroom Facility Renovations, from \$1,542,362 to \$2,007,289 for an increase of \$464,927. The funding source will remain the same. The project will renovate the 2,452 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. Funding is provided by Federal McIntyre Stennis Grant Funds through the United States Department of Agriculture (\$2,007,289).
17. **MSU** – Approved the request to increase the project budget for IHL 205-328, New Residence Hall, from \$96,000,000 to \$103,500,000 for an increase of \$7,500,000. The funding source will remain the same. The 159,290 square foot building for student housing includes 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

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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-purpose rooms, and a storm shelter that will also be used as a multi-purpose space for Housing and Residence Life. Funds are available from Internal Cash Reserves (\$27,500,000) and EBC Bonds (\$76,000,000).

18. **MSU** – Approved the request to increase the project budget for IHL 205-336, South Campus Mechanical Plant, from \$200,000 to \$35,000,000 for an increase of \$34,800,000. The funding source will remain the same. This project 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. Funds are available from University Designated Funds (\$35,000,000).
19. **MSU** – Approved the request to increase the project budget for IHL 205-339, Central Plant Cooling Tower, from \$6,000,000 to \$7,000,000 for an increase of \$1,000,000. The funding source will remain the same. 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. Funds are available from Capital Expense Funds (\$3,750,000) and University Funds (\$3,250,000).
20. **MSU** – Approved the request to increase the project budget for IHL 205-351, New 13KV Distribution Bays at MSU Electrical Substation, from \$225,000 to \$2,000,000 for an increase of \$1,775,000. The funding source will remain the same. This project will 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 Real Estate Consent Agenda item #18 - #205-336 South Campus Mechanical Plant.) Funds are available from University Designated Funds (\$2,000,000).
21. **MSU** – Approved the request to increase the project budget for IHL 205-352, New 13KV Circuit to South Campus Mechanical Plant, from \$200,000 to \$2,500,000 for an increase of \$2,300,000. The funding source will remain the same. This project will 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 Real Estate Consent Agenda item #18 - #205-336 South Campus Mechanical Plant.) Funds are available from University Designated Funds (\$2,500,000).
22. **MSU** – Approved the request to increase the project budget for IHL 213-147, Livestock Assessment Laboratory, from \$1,500,000 to \$2,000,000 for an increase of \$500,000. The funding source will remain the same. The project will include the construction of a Livestock Assessment Laboratory located on the South Farm of the main campus of the University and will have a demonstration room, support facilities, and a covered arena area. Funds are available from U.S. Department of Housing and Urban Development Grant (\$815,000) and University/MAFES Designated Funds (\$1,185,000).
23. **UM** – Approved the request to increase the project budget for IHL 207-502, New Parking Structure(s), from \$1,000,000 to \$50,000,000 for an increase of \$49,000,000. The funding source will remain the same. The University is currently working on the addition of 1,000 new beds within the Housing District on campus. This project will construct a new 1,331 space parking garage immediately west of the existing North Parking Garage to service the

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- additional 1,000 new beds and improve residential parking within the Housing District. Funds are available from Internal R&R (\$50,000,000).
24. **MSU** – Approved the exterior design of IHL 205-336, South Campus Mechanical Plant. 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. A copy of the rendering is included in the bound *January 18, 2024 Board Working File*.
25. **MSU** – Approved the exterior design of the Aramark Perry Cafeteria Addition. The proposed two-story renovation and addition includes new retail service venues on the first and second floors, updated food prep spaces, food storage, new dining furniture, and renovated Aramark offices. A copy of the rendering is included in the bound *January 18, 2024 Board Working File*.
26. **MVSU** – Pending receipt of an approval letter from the Mississippi Department of Archives and History stating the halls are not eligible for designation as a Mississippi Landmark, the Board approved GS 106-281, Demolish and Delete from Inventory Leflore Hall and Delta Hall and the appointment of Shafer-Zahner-Zahner as the design professional. 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. The proposed project budget is \$1.5 million. Funds are available from HB 603, Laws of 2023 (\$1,500,000).
27. **UM** – Approved the exterior design of IHL 207-492, Oxford-University Stadium Expansion. The project will renovate the existing 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 baseline, including a Hall of Fame Plaza and new entry gates at street level. (*Phase 1 was canceled during bidding.) Funds are available from Self-Generated Athletic Revenues (\$30,000,000) – UM Athletics / OMAF Foundation. A copy of the rendering is included in the bound *January 18, 2024 Board Working File*.
28. **UM** – Approved the request to enter a contract with a Construction Manager Adviser (CMA) for IHL 207-497, New Student Housing. The term of the contract is January 18, 2024, through twelve (12) months after Substantial Completion of the New Student Housing construction contract. Based on the current design timeline and construction timeline estimate, the projected contract value is \$6,093,325. This will fluctuate with actual construction contract values and any time extensions granted during construction. Funds for the contract are available from internal R&R funds and bond proceeds from the planned bond issuance through the University of Mississippi Educational Building Corporation. The Attorney General’s Office has reviewed this item for compliance with applicable law and found it to be acceptable.
29. **UM** – Approved the request to amend the Master Services Agreement 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. The amendment will extend the Construction Phase services to coincide with the anticipated duration of the actual construction project. The current contract term is 61 ½ months through November 30,

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2023. This amendment will extend the term through June 30, 2024, for an additional 7 months for a total contract duration of 76 ½ months. 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. The funding source is HB 1729, Laws of 2016; HB 1649, Laws of 2018; Internal R&R funds; External UMEBC financing; and other sources. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

30. **UM** – Approved the request to lease office spaces 1162, 1166, and 1168 Church Road, Southaven, MS 38671, from Joe Poppenheimer Management, LLC, for administrative (faculty) offices for UM-Desoto, 5197 W.E. Ross Parkway, Southaven, MS 38671. The amount of leased space is approximately 3,300 square feet. 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 total cost for the term to \$198,000. The Lessee agrees to pay \$66,000 annually to the Lessor for the demised premises, according 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, and Year 3: \$66,000 due on the Anniversary Date of the Lease. The funding source for this lease will be E&G funds. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.
31. **UM** – Approved the request for the University's Department of Student Housing to enter into a lease agreement with RDC Fund IX Investments, LLC for an additional 65 bed spaces for the growing number of students. The term of the five-year lease begins August 1, 2024. The initial lease amount is \$1,038,360. Increases in the cost of the lease will be 4.5% each year. A breakdown of the cost schedule is included in the bound *January 18, 2024 Board Working File*. Year one cost is based on 65 bed spaces. Years two through five are based on 104 bed spaces. The total amount for the five-year lease is \$8,457,359. 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.
32. **UM** – Approved the request to enter a lease agreement with SZ Oxford Apartments LLC for an additional 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. This lease commences on August 12, 2024, and remains in force until July 26, 2025. There is no option to renew. The University's 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. 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.
33. **UM** – Approved the request to initiate an investment grade audit (IGA) and project proposal contract with Trane U.S. Inc. under the University's current energy savings performance contract (ESPC) program and in accordance with Mississippi Code Section 31-7-14. 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

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the campus' central cooling and heating water loops. The contract term is 365 days from date of signature or upon completion of the IGA, whichever comes first. 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. 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. In the event the fee must be paid outright by the University, the fee will be funded using internal Renewal & Replacement (R&R) funds. The Attorney General's Office has reviewed this item for compliance with applicable law and found it to be acceptable.

34. **USM** – Approved the exterior design of IHL 210-248, Oyster Hatchery and Research Center located at USM's Gulf Coast Research Laboratory - Cedar Point Campus, Ocean Springs, MS. The IHL 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. Funds are available from 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); and MDEQ and US Treasury RESTORE ACT – Grant No. 1 RDCGR470130-01-00 (\$4,000,000.00) [Hatchery Aquaculture Equipment]. A copy of the rendering is included in the bound *January 18, 2024 Board Working File*.

LEGAL

35. **UM** – Approved the request 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. The amendment increases 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.

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36. **UM** – Approved the request to enter 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. 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.

PERSONNEL REPORT

37. **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

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38. *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

REGULAR AGENDAS

ACADEMIC AFFAIRS

Presented by Trustee Hal Parker, Chair

On motion by Trustee Parker, seconded by Trustee Luckey, with Trustees Cummings and Ogletree absent and not voting and Trustees Hubbard, Martin, Rader, and Starr 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 Parker, seconded by Trustee Cunningham, with Trustees Cummings and Ogletree absent and not voting and Trustees Hubbard, Martin, Rader, and Starr participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2. On motion by Trustee Parker, seconded by Trustee Morgan, with Trustees Cummings and Ogletree absent and not voting and Trustees Hubbard, Martin, Rader, and Starr participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #3.

1. **SYSTEM** – Pending proper notification and any required approval from the United States Department of Education and the Southern Association of Colleges and Schools Commission on Colleges, the Board approved the following 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
 - b. MSU – Bachelor of Applied Science (BAS) in Public Management
CIP code: 43.0302
Total credit hours: 120
Effective date: January 2024
 - c. UM – Master of Science (MS) in Criminal Justice
CIP code: 43.0104
Total credit hours: 30
Effective date: January 2024

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2. **UM** – Approved the request to add the following new academic unit.
Proposed unit title: Department of Public Health
Unit location: School of Applied Sciences
Effective date: July 2024
3. **MSU** – Approved the following 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

FINANCE AGENDA

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Cunningham, with Trustees Cummings and Ogletree absent and not voting and Trustees Hubbard, Martin, Rader, and Starr participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Finance Agenda. On motion by Trustee Duff, seconded by Trustee Luckey, with Trustees Cummings and Ogletree absent and not voting and Trustees Hubbard, Martin, Rader, and Starr participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2. On motion by Trustee Duff, seconded by Trustee Cunningham, with Trustees Cummings and Ogletree absent and not voting and Trustees Hubbard, Martin, Rader, and Starr participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #3. It should be noted that Trustee Ogletree had technical difficulties and was unable to hear or participate in this part of the meeting.

1. **SYSTEM** – Approved a revision to the FY 2025 proposed funding priorities as required for the 2025 Legislative Budget Request. (**See Exhibit 1.**)
2. **UM** – Approved, under IHL Board Policy 906 Education Building Corporations, the request to issue tax-exempt and/or taxable bonds through the University of Mississippi Educational Building Corporation (UMEBEC). The debt issuance is not to exceed \$245 million. Long-term bonds will be issued with maturities up to 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. The combined project funding is \$278,000,000: \$5,000,000 in private gifts; \$10,000,000 in currently appropriated state funding; \$18,000,000 in internal cash reserves; and \$245,000,000 in UMEBC bond proceeds. The Board also approved the financial advisor’s report provided by Hilltop Securities. Following are the professionals: Financial Advisor – Hilltop Securities; Bond Counsel – Butler Snow LLP; and Senior Underwriters – Raymond James & Associates, Inc. The Bond counsel will be compensated at \$1.15 per \$1,000. UM expects to issue up to a maximum of \$245 million par value, fixed rate bonds. Proceeds from the bond issue will

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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. 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.

3. **UMMC** – Approved the request to enter a Product Pricing, Rebate, and Consignment Agreement with Smith & Nephew, Inc. (Smith & Nephew) for the purchase and consignment of 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. The Board authorized the institution to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available. The term of the agreement is three (3) years, from February 1, 2024, through January 31, 2027. 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. This 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 AGENDA

Presented by Trustee Chip Morgan, Chair

On motion by Trustee Morgan, seconded by Trustee Parker, with Trustee Cummings absent and not voting and Trustees Hubbard, Martin, Ogletree, Rader, and Starr participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #1 & #2 as submitted on the Real Estate Agenda.

1. **UM** – Approved the request to increase the project budget for IHL 207-497, New Student Housing, from \$16,000,000 to \$165,000,000 for an increase of \$149,000,000 and to modify the funding source to include UM EBC bond proceeds. The current budget was an estimate of the project costs and has since been updated to reflect more accurate market costs etc. 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. Funds are available from Internal R&R (\$203,162.49); UMEBC Bonds (\$164,796,837.51) since Finance Regular Agenda Item #2 above was approved.
2. **UM** – Approved the exterior design of IHL 207-497, New Student Housing. A copy of the rendering is included in the bound January 18, 2024 Board Working File.

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

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1. **UM** – Intent to offer the following 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

FINANCE

2. **UM** – The Mississippi Department of Information Technology Services (ITS), issued CP1 and CSA approvals along with a Statement of Work agreement. On behalf of UM, ITS signed the agreement. To summarize, the University 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 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.

REAL ESTATE

3. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the November 16, 2023 Board meeting in accordance with Board Policy 904 Board Approval. (See Exhibit 2.)

LEGAL

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

ADMINISTRATION/POLICY

6. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.

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- 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.
- 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 MSVA’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

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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.

**ACADEMIC AFFAIRS
COMMITTEE REPORT
Wednesday, January 17, 2024**

Committee members participated in the meeting in person or via Zoom. The meeting was called to order by Chairman Hal Parker at approximately 2:30 p.m.

- 1. Prior to discussing the agenda, Commissioner Alfred Rankins introduced two new IHL employees – Mr. Harold Pizzetta, Associate Commissioner for Legal Affairs and Risk Management, and Mr. John Sewell, Director of Communications.
- 2. The Committee discussed the Academic Affairs items on the January Board meeting agenda. **No action was taken.**
- 3. The Committee received an update from Dr. Melissa Temple, Director of Nursing Education, on the status of Mississippi State University's nursing program in Meridian. **No action was taken.**
- 4. By consensus, the Committee adjourned.

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

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**HEALTH AFFAIRS
COMMITTEE REPORT**

Wednesday, January 17, 2024

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

1. The Committee received the monthly financial summary. **No action was taken.**
2. Executive Session

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

Discussion of two University of Mississippi Medical Center items 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

Discussion of the prospective purchase, sale or leasing of lands.

During Executive Session, the following matters were discussed:

The Committee discussed two University of Mississippi Medical Center items 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. **No action was taken.**

The Committee discussed the prospective purchase, sale or leasing of lands. **No action was taken.**

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

3. On motion by Trustee McNair, seconded by Trustee Rader, with Trustees Cummings, Duff, Martin, and Morgan absent and not voting, all Committee members legally present and participating voted unanimously to adjourn.

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

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ANNOUNCEMENT

- President McNair announced the next meeting will be February 15, 2024.

EXECUTIVE SESSION

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

Discussion of one Mississippi University for Women item consisting of a discussion regarding the job performance of a person holding a specific position at MUW;

Discussion of one University of Mississippi item consisting of a discussion regarding the job performance of a person holding a specific position at UM; and

Discussion of one Mississippi State University item consisting of a discussion regarding the job performance of a person holding a specific position at MSU.

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

The Board discussed one Mississippi University for Women item consisting of a discussion regarding the job performance of a person holding a specific position at MUW. **No action was taken.**

The Board discussed one University of Mississippi item consisting of a discussion regarding the job performance of a person holding a specific position at UM. **No action was taken.**

The Board discussed one Mississippi State University item consisting of a discussion regarding the job performance of a person holding a specific position at MSU. **No action was taken.**

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

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ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Exhibit 1 Revised FY 2025 proposed funding priorities for the 2025 Legislative Budget Request.
- Exhibit 2 Real Estate items that were approved by the IHL Board staff subsequent to the November 16, 2023 Board meeting.
- Exhibit 3 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

MISSISSIPPI INSTITUTIONS OF HIGHER LEARNING Detail of Summary of Appropriations Request for FY 2025 Compared to Appropriation for FY 2024

	FY 2024 Appropriations	FY 2025 Budget Request								Total Request	Appropriation Change	Percent Change	
		SREB Salary - 6.4% Increase	PERS Increase - 2% Increase	Health Insurance- Deficit January 2024	Health Insurance- January 2025	Operational Inflation Costs - 8% Inflation	Non-Recurring	Deficit Request	Special Projects				
EDUCATION & GENERAL (excludes Avers)													
ASU	\$ 24,854,044	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,854,044	-	0.0%
DSU	24,282,319	-	-	-	-	-	-	-	-	-	24,282,319	-	0.0%
JSU	44,815,852	-	-	-	-	-	-	-	-	-	44,815,852	-	0.0%
MSU	108,758,852	-	-	-	-	-	-	-	-	-	108,758,852	-	0.0%
MUW	18,524,306	-	-	-	-	-	-	-	-	-	18,524,306	-	0.0%
MVSU	15,826,996	-	-	-	-	-	-	-	-	-	15,826,996	-	0.0%
UM	97,556,499	-	-	-	-	-	-	-	-	-	97,556,499	-	0.0%
USM	94,163,917	-	-	-	-	-	-	-	-	-	94,163,917	-	0.0%
To be allocated by the Board	-	53,503,451	13,570,069	1,405,726	1,405,726	39,411,049	-	-	-	-	109,296,021	109,296,021	25.5%
Subtotal - Available for Campuses (1)	428,782,785	53,503,451	13,570,069	1,405,726	1,405,726	39,411,049	-	-	-	-	538,078,806	109,296,021	25.5%
USM Ocean Enterprise (7)	-	-	-	-	-	-	-	-	-	-	-	-	#DIV/0!
MSU Research and Technology Corporation Cyber Center (7)	-	-	-	-	-	-	-	-	-	-	-	-	#DIV/0!
Facility Management Program	-	-	-	-	-	-	-	-	-	-	2,989,946	2,989,946	N/A
Campus Capital Funds (6)	57,000,000	-	-	-	-	-	-	-	-	-	57,000,000	-	0.0%
Total E&G Excluding Avers	485,782,785	53,503,451	13,570,069	1,405,726	1,405,726	39,411,049	-	-	-	-	598,068,752	112,285,967	23.1%
2022 IHL Capital Impr. Fund/2023 Local Impr. Proj. Fund/2023 DIC (8)													
Alcorn State University	13,817,500	-	-	-	-	-	-	-	-	-	13,817,500	-	0.0%
Delta State University	8,122,500	-	-	-	-	-	-	-	-	-	8,122,500	-	0.0%
Jackson State University	8,013,000	-	-	-	-	-	-	-	-	-	8,013,000	-	0.0%
Mississippi State University	35,487,500	-	-	-	-	-	-	-	-	-	35,487,500	-	0.0%
Mississippi University for Women	9,312,500	-	-	-	-	-	-	-	-	-	9,312,500	-	0.0%
Mississippi Valley State University	3,427,500	-	-	-	-	-	-	-	-	-	3,427,500	-	0.0%
University of Mississippi	22,382,500	-	-	-	-	-	-	-	-	-	22,382,500	-	0.0%
University of Southern Mississippi	33,302,500	-	-	-	-	-	-	-	-	-	33,302,500	-	0.0%
University of Mississippi Medical Center	56,886,500	-	-	-	-	-	-	-	-	-	56,886,500	-	0.0%
IHL Board Office	6,500,000	-	-	-	-	-	-	-	-	-	6,500,000	-	0.0%
Total E&G Including Capital Improvements, Excluding Avers	683,034,785	53,503,451	13,570,069	1,405,726	1,405,726	39,411,049	-	-	-	-	755,320,752	72,285,967	10.6%
SYSTEM ADMINISTRATION													
Executive Office	7,731,871	481,587	123,259	14,868	14,868	201,088	-	-	-	-	8,567,541	835,670	10.8%
*Coronavirus State Fiscal Recovery Funds (Nurse Loan)	-	-	-	-	-	-	-	-	-	-	-	-	N/A
Volunteer Commission (Non-IHL budget) (3)	1,098,413	-	-	-	-	-	-	-	-	-	1,098,413	-	0.0%
Student Financial Aid (4)	63,472,256	-	-	-	-	-	-	-	-	-	63,472,256	-	13.5%
ALCORN STATE UNIVERSITY	7,271,895	286,737	85,599	8,132	8,132	136,993	-	-	-	-	7,797,488	525,593	7.2%
Agricultural Units	-	-	-	-	-	-	-	-	-	-	-	-	-
JACKSON STATE UNIVERSITY	531,744	29,490	7,580	807	807	4,882	-	-	-	-	575,310	43,566	8.2%
Urban Research Center	-	-	-	-	-	-	-	-	-	-	-	-	-
MISSISSIPPI STATE UNIVERSITY													
Advanced Vehicular Studies	4,846,578	156,234	61,508	5,123	5,123	9,961	-	-	-	-	5,084,527	237,949	4.9%
State Chemical Laboratory	3,249,285	117,159	31,498	3,459	3,459	40,423	-	-	-	-	3,445,283	195,998	6.0%
Water Resources Research Institute	351,676	-	-	-	-	28,134	-	-	-	-	379,810	28,134	8.0%
Stennis Institute	770,935	27,769	11,337	820	820	15,568	-	-	-	-	827,249	56,314	7.3%
Agricultural & Forestry Experiment Station	24,852,439	1,480,127	361,217	42,434	42,434	814,388	-	-	-	-	27,593,039	2,740,600	11.0%
Mississippi Cooperative Extension	33,456,867	2,660,808	659,800	76,491	76,491	330,300	-	-	-	-	37,260,757	3,803,890	11.4%
Forest & Wildlife Research Center	6,478,863	368,268	91,614	10,824	10,824	107,774	-	-	-	-	7,068,167	589,304	9.1%
College of Veterinary Medicine	19,988,518	1,943,459	622,955	72,880	72,880	1,024,009	-	-	-	-	23,724,701	3,736,183	18.7%
MS Alcohol Safety Education Program (Special Funds)	-	-	-	-	-	-	-	-	-	-	-	-	N/A
UNIVERSITY OF MISSISSIPPI													
Center for Manufacturing Excellence	3,212,363	115,744	39,628	3,142	3,142	75,825	-	-	-	-	3,449,844	237,481	7.4%
Law Research Institute	873,574	92,610	22,516	2,598	2,598	5,097	-	-	-	-	998,993	125,419	14.4%
Mineral Resources Institute	357,902	36,715	10,828	1,146	1,146	3,935	-	-	-	-	411,672	53,770	15.0%
Research Inst. of Pharmaceutical Sciences	3,848,817	560,371	144,531	15,928	15,928	126,462	-	-	-	-	4,712,037	863,220	22.4%
Supercomputer	649,817	14,723	4,618	413	413	26,990	-	-	-	-	696,974	47,157	7.3%
Small Business Center	316,834	93,474	25,351	868	868	73	-	-	-	-	437,468	120,634	38.1%
University Medical Center	194,127,865	-	17,594,830	1,677,804	1,677,804	-	-	-	-	-	215,078,303	20,950,438	10.8%

EXHIBIT 2

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.

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- 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.

EXHIBIT 2

January 18, 2024

Approval Status & Date: APPROVED, November 29, 2023

Project Initiation Date: May 19, 2022

Design Professional: Vernell Barnes Architects, PLLC

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.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$2,444,528.42.

EXHIBIT 2

January 18, 2024

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 – 3RD 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 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 Construction

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

EXHIBIT 2

January 18, 2024

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

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

Approval Status & Date: APPROVED, November 14, 2023

Approval Request #3: Contract Documents

Board staff approved Contract Documents as submitted by Shafer-Zahner-Zahner

EXHIBIT 2

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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 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

EXHIBIT 2

January 18, 2024

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

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

EXHIBIT 2

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

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.

EXHIBIT 2

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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

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]

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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

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

EXHIBIT 2

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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

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 4TH 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

EXHIBIT 2

January 18, 2024

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

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

EXHIBIT 2

January 18, 2024

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

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 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

EXHIBIT 2

January 18, 2024

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

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

EXHIBIT 3

January 18, 2024

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

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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

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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.)

TOTAL DUE.....\$ 2,125.50

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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 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

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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 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;

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“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

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1. DSU-REQUEST FOR APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH ALTISKY, INC.

Agenda Item Request: Delta State University requests approval to enter into a contract with **AltiSky Inc.**, for the purchase of five new training aircrafts.

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

History of Contract: Sealed bids were received for the purchase of five new training aircrafts to be used for our Commercial Aviation program. The Office of Purchasing, Travel, and Fleet Management has received approval from the Public Procurement Review Board from their February 1, 2024 meeting.

Specific Type of Contract: Purchase agreement.

Purpose: The purpose of this contract is to purchase five new training aircrafts to be used in the Delta State University Commercial Aviation Program.

Scope of Work: Build and deliver five training aircrafts. The specifications are listed in the bid proposal.

Term of Contract: Payment is made upon delivery and acceptance of each aircraft.

Termination Options: The aircrafts will be inspected upon delivery for compliance with the specifications. Deviations will not be tolerated and will be cause for rejection of the apparatus unless these deviations were originally listed and approved as part of the contract.

Contract Amount: \$2,898,850 (\$579,770.00 per aircraft).

Funding Source for Contract: This contract will be funded by the Educational Enhancement Fund per SB 3000 Section 46 (regular session 2023).

Contractor Selection Process: On November 22, 2023, sealed bids were received for the purchase of five training aircrafts. We received three bids:

- a. Textron Aviation: \$3,484,150.00
- b. Piper Aircraft: \$2,995,820.00
- c. AltiSky, Inc.: \$2,898,850.00

Upon review of the submitted bids by the review committee, AltiSky, Inc., was recommended to be awarded the bid.

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

2. DSU-REQUEST FOR APPROVAL TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COLEMAN LEW CANNY BOWEN

Agenda Item Request: Delta State University requests approval to contract with Coleman Lew Canny Bowman for professional services in conducting an employment search for six executive level positions at DSU: Dean of the College of Arts and Sciences, Dean of the College of Business and Aviation, Vice President of Enrollment Management, Vice President of Finance and Administration, Vice President for University Advancement, and Vice President for Academic Affairs. Pursuant to IHL Policy 707.03 *Approval of Prepayment of Goods and Services*, DSU also requests a waiver to allow prepayment of fees.

Contractor's Legal Name: Coleman, Lew, Canny, Bowen

History of Contract: On January 11, 2024, Delta State submitted a request for Commissioner approval to make prepayments to Coleman Lew Canny Bowman under four separate Letters of Engagement for professional search consulting services for the positions of Dean of the College of Business and Aviation, Vice President of Enrollment Management, Vice President of Finance and Administration, and Vice President for University Advancement. The aggregate estimated payment for those services is \$174,440. Pursuant to IHL Board Policy 707.03, Commissioner approval for prepayment was granted on January 17, 2024, and those four Letters of Engagement have been executed by DSU. Subsequently, DSU identified the need for additional professional search consulting services for the positions of Dean of the College of Arts and Sciences and Vice President for Academic Affairs. The aggregate estimated payment related to those services is \$95,335, bringing the total estimated payment for services to Coleman Lew Canny Bowman to \$269,775.

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

Purpose: The purpose of this contract is to utilize the services provided by Coleman, Lew, Canny, Bowen to search for six (6) executive level positions at Delta State University.

Scope of Work: The Letters of Engagement state Coleman Lew Canny Bowman will provide the following services: 1) meeting with the Search Committee, Board, and other designated stakeholders to determine the specifications of the position; 2) submit for approval a written position description to be used in the initial solicitation of candidates; 3) conduct original research to targeted institutions to identify and recruit potential candidates; 4) utilize and manage advertising and/or postings, if appropriate or requested; 5) evaluate all prospects by telephone interview screening and conduct face-to-face interviews with promising candidates; 6) conduct personal interviews with, and

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objectively evaluate, internal candidates, if any; 7) prepare and present a comprehensive written profile on each recommended candidate including the resume, professional evaluation, and verbal evaluations; 8) verify educational credentials on all recommended candidates and conduct reference checking on finalist candidates. If requested, the firm can facilitate, through an outside party, further in-depth background checks to include financial, litigation, police, sexual predator index, and driving records; 9) schedule candidate interviews including travel arrangements and itinerary coordination; 10) facilitate communication and feedback during the candidate interview period serving as the hiring manager and/or Search Committee's advisor; and 11) assist in the structure and negotiation of the offer to the selected candidate.

Term of Contract: Once a contract is signed by Delta State University and Coleman, Lew, Canny, Bowen, it will remain in effect until the first of the following occurs: 1) the position is filled or 2) Delta State University, at its discretion, terminates the contract.

Contract Amount: The aggregate estimated payment for the search of the six (6) executive level positions, based on current salaries, is \$269,775. The costs of each search will be 28% of the first year's total cash compensation, including annualized base salary plus bonuses, for each position, with a minimum fee of \$40,000. Based on the projected salary increase needed to hire the best candidates for the positions, the estimated salary increase for all six positions is \$90,000, and therefore an additional \$25,000 would be needed based on the 28% search firm cost. It is anticipated that an additional \$50,000 will be required to pay the contractor's out-of-pocket and administrative expenses, as well as travel expenses of potential candidates." Total: \$344,775

Funding Source for Contract: This contract will be funded by general funds and Delta State University Foundation funds.

Termination Options: The contract may be terminated at the discretion of Delta State University. If Delta State University terminates the contract, the professional service fee will be prorated based on the actual time spent on the search assignment until cancellation.

Contractor Selection Process: The Mississippi Department of Finance and Administration provided approval to Delta State University to select a vendor and/or firm without a Request for Proposal because the type of contract was a professional services agreement.

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

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3. MVSU-REQUEST FOR APPROVAL TO ENTER INTO A PURCHASE AGREEMENT WITH ABC BUS COMPANIES, INC.

Agenda Item Request: Mississippi Valley State University requests approval to enter into a purchase agreement with **ABC Bus Companies, Inc.** to purchase two (2) regular Van Hool buses.

Contractor's Legal Name: **ABC Bus Companies, Inc.**

History of Contract: This is a new agreement.

Specific Type of Contract: This is a purchase agreement.

Purpose: The purpose of this agreement is to purchase two buses for the use of university travel for events away from the campus.

Scope of Work: To purchase two (2) regular Van Hool buses

Term of Contract: Start Date: 3/1/2024 End Date: 6/30/2024

Contract Amount: The total contract cost is \$1,171,312.00.

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

Termination Options:

1. If at any time the financial or operational condition of the Purchase changes or does not justify continuance of the transaction set forth herein, the Company may require full or partial payment in advance, or may, in its sole discretion, cancel or delay the Purchase Agreement.
2. In the event of a force majeure event, the Company may alter the date for shipment or delivery may be extended or canceled.
3. Continuance of any MVSU Agreement is based on availability of funds. Should there be no funds available for any succeeding funding period, the Agreement will be canceled as of the end of the funding period with no further obligation on the part of MVSU. Any property covered by the Agreement shall be returned to the Contractor.

Contractor Selection Process: The invitation for bid was advertised via the Clarion Ledger Newspaper for two weeks. Additional invitations were mailed (certified) to ABC Bus Companies, American Bus Sales, Motor Coach Industries, and Prevost. MVSU received one bid response. ABC Company was selected because it was the sole bidder.

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

4. SYSTEM-REQUEST FOR APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES AGREEMENT WITH FORVIS, LLP

Agenda Item Request: The IHL System requests approval to enter into a new multi-year agreement for annual external audit services with **FORVIS, LLP**.

Contractor's Legal Name: **FORVIS, LLP**

History of Contract: This is a new contract. The current agreement between the IHL and Clifton Larson Allen, LLP, (CLA), expires on or about July 29, 2024. The last audit period covered under that agreement was for the fiscal year ended June 30, 2023. Prior to the current contract, CLA also provided external audit services each year beginning in FY 2018. This new agreement with FORVIS will begin with the 2024 fiscal reporting period.

Specific Type of Contract: Audit service agreement

Purpose: The purpose of the agreement is to secure external audit services for the entire IHL System for a term of the four (4) annual reporting periods of Fiscal Years Ending June 30, 2024, 2025, 2026 and 2027. The Office of the State Auditor is also a party to this contract.

Scope of Work: FORVIS agrees to perform an external audit examination of the IHL System's records for four (4) annual reporting periods. All professional services will be performed in accordance with current applicable auditing standards and all deliverables will meet guidelines established by regulatory bodies. Annual reporting periods covered under this agreement include Fiscal Years Ending June 30, 2024, 2025, 2026 and 2027.

Term of Contract: The agreement will become effective upon full execution of all parties. The agreement will expire after the conclusion of the last services performed for the FY 2027 audit, unless the option to renew additional periods is exercised.

Termination Options: Either party may terminate these services in good faith at any time for any reason, including IHL failure to comply with terms of the FORVIS contract or as FORVIS determines professional standards require.

Contract Amount: The total contracted price for this agreement is expected to be \$5,095,000, plus travel. Fees are based on anticipated cooperation from IHL personnel in preparation of confirmations and requested schedules.

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FORVIS may also bill in excess of this amount for the following additional services:

- Mergers, acquisition, or other business combinations;
- New or unusual transactions;
- Changes in accounting principles or audit standards;
- Expanded evaluation of substantial doubt about an institution's ability to continue as a going concern;
- Violation of covenants in debt arrangements;
- Indications of fraudulent financial reporting or misappropriation of assets;
- New derivatives accounted for under hedge accounting;
- Quantitative impairment analysis of long-lived assets;
- Bookkeeping;
- Unanticipated changes in organizational structure or accounting records;
- Deterioration of accounting records;
- Erroneous or incomplete accounting records;
- Material weakness in internal controls;
- Regulatory examination matters;
- New financial statement disclosures;
- Changes in timing due to delays caused by IHL or institutional personnel;
- Restatement of previously audited financial statements;
- Additional major federal programs in the single audit includes more than four major programs; and
- Scope expansions at the request of IHL

Approval is requested to increase spending authority due to additional service needs of the type listed above up to \$5,335,000.

Funding Source for Contract: Contractual costs will be shared amongst the IHL institutions based upon each institution's proportionate share of the worked audit hours. E&G funding sources will be the primary means for these payments.

Contractor Selection Process: The IHL System issued a Request for Proposals (RFP) for external audit services in November 2023 with cooperation from the Office of the State Auditor. Eight vendors responded with written proposals. An evaluation team consisting of IHL Board Office and university staff reviewed the proposals for accuracy and rated proposals.

During the evaluation process, several factors were considered including relevant experience in higher education and medical teaching hospitals, pricing, staffing level and coverage of firm. Weights were assigned to each category with the highest weights assigned to the price and staffing level/coverage categories. A firm's proposal was scored based upon the proposal response multiplied with the category weight.

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A summary of the eight proposals is presented below:

Vendor	RFP Evaluation Score	Total Pricing
Carr, Riggs & Ingram	95.75%	\$ 4,489,000
Horne	95.75%	4,595,000
Crowe	95.00%	4,612,500
Plante Moran	95.75%	4,630,000
Matthew, Cutrer & Lindsay	93.25%	5,060,220
FORVIS *	96.50%	5,094,999
CLA	93.25%	5,717,072
KPMG	92.25%	6,055,000

Although FORVIS was not the best price, it scored highest in the relevant experience categories.

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

5. JSU –REQUEST FOR APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH AWH-BP JACKSON HOTEL, LLC-DBA HILTON JACKSON

Agenda Item Request: Jackson State University requests approval to enter into a lease agreement with **AWH-BP Jackson Hotel, LLC - DBA HILTON JACKSON (Hilton)** for the lease of hotel rooms at its North Jackson location for the purpose of housing students during the 2024 Spring semester.

Contractor’s Legal Name: **AWH-BP Jackson Hotel, LLC - DBA HILTON JACKSON**

History of Contract: This is a new agreement.

Specific Type of Contract: Lease (hotel) agreement.

Purpose: The purpose of the agreement is to lease hotel rooms for the purpose of housing students at the Hilton - Jackson North location due to JSU experiencing an immediate shortage of housing for students for the 2024 Spring semester. Upon notice of the student housing shortage, JSU immediately sought alternative off-campus arrangements to

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accommodate its students, through Jackson area hotels. JSU contacted numerous hotels to discuss lease options. Through this process, JSU has negotiated terms for the lease of the Hilton for Spring 2024.

Scope of Work: Under this agreement, Hilton will provide up to Five Thousand & Five (5005) room nights per event dates beginning February 18, 2024 through May 5, 2024. In addition, Hilton will provide meeting rooms, complimentary rooms for program-related faculty/staff participants, banquet facilities, internet service, parking, and complimentary breakfast.

Term of Contract: Start Date: February 18, 2024 End Date: May 5, 2024. The term of this contract is three (3) months.

Contract Amount: The total estimated cost of the agreement is \$645,645.00. This cost is based on the use of approximately Five Thousand & Five (5005) room nights at a rate of \$129.00 per room from February 18, 2024 through May 5, 2024. The amount of the contract is offset by each student's actual boarding rate for the Spring semester in the amount of \$3,841.00 for single occupancy and \$3,047.00 for double occupancy per residential student.

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

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

- failure to comply with E-verify warranties;
- violation of conflict of interest law;
- by reduction of funds;
- by either party due to Force Majeure;
- Conflict of Interest.

Contractor Selection Process: JSU Division of Business and Finance sought quotes and rates from various hotels within the Jackson Metropolitan area, including the Westin, the Walthall and Courthouse, the former Marriott Downtown, and the Hilton – Jackson (North). The University evaluated each property based on availability, number of rooms, proximity and rate and found that the Marriott and the Hilton offered the best options. Because of the close proximity, the University began negotiating terms for an agreement with the Marriott. However, the Marriott requested full advance payment in the amount of \$791,766.10 upon the execution of an agreement which the University determined to be an unreasonable request. Therefore, the University began negotiating terms and rates with the Hilton which is owned by AWH-BP Jackson Hotel, LLC. AWH-BP Jackson Hotel, LLC has a long history of providing student housing options for the University and has continuously offered great rates, guest room accommodations, customer service, meeting space, proximity and amenities. After careful consideration, review, discussions, the University selected the Hilton - Jackson as the best option for the services and accommodations needed for the students at this time.

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

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

Board Policy §902, Initiation of Construction Projects

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

Board Policy §904(A), Board Approval

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

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

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

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

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

Board Policy §905(A), Real Estate Management

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

Board Policy §905(B), Real Estate Management

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

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

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

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. MVSU – GS 106-272 – STEWART RESIDENCE HALL UPGRADES

Project Request: Mississippi Valley State University requests approval to initiate a project, Stewart Residence Hall Upgrades, and appoint Burris/Wagnon Architects, P.A. as the design professional.

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

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that Mississippi Valley State University use the RFQ method for selecting the design professional. MVSU used the Bureau of Building’s Job Order Contracting selection process for the selection of the design professional. Design Professionals are pre-approved by the Bureau of Building for this method of project delivery.

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

Purpose: Mississippi 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 is intended to upgrade Stewart Residence Hall’s mechanical system as well as cosmetics to accommodate the university’s anticipated enrollment growth for the fall of 2024 semester. This residence hall has been offline for a period of years and this work is necessary prior to being occupied. This project will also address flooring, painting, lighting, etc. as needed to help with the building’s

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cosmetic features. Stewart Hall will provide an additional 180 beds to MVSU for use in the Fall of 2024.

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: February 15, 2024

Date of Original Construction: 1962

Date of Last Renovation: 1999

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 2,500,000.00
Architectural and Engineering Fees:	225,000.00
Misc. Project Costs:	40,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>75,000.00</u>
Total Project Budget	\$ 2,840,000.00

Funding Source(s): SB 3000, Laws of 2023 (\$2,840,000)

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

IHL PROJECTS

2. MSU – IHL 205-355 – MIZE PAVILION ADDITION AND RENOVATION

Project Request: Mississippi State University requests approval to initiate a project, Mize Pavilion Addition and Renovation, and appoint CDFL Architects + Engineers, P.A., as the design professional.

Proposed Design Professional: CDFL Architects + Engineers, P.A.

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

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professional. MSU 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 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 Mize Pavilion at Humphrey Coliseum opened in 2011 and is home of Mississippi State’s Men’s and Women’s basketball program. Currently Mize Pavilion includes two practice courts, a weight room, a satellite training room, staff offices and a parking garage. Renovations and additions may include but are not limited to relocating all team spaces from the north-end court level of Humphrey Coliseum (locker rooms, team lounge, equipment room, training room, etc.) to Mize Pavilion plus creating premium fan amenities.

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: February 15, 2024

Date of Original Construction: 2011

Date of Last Renovation: First Major Renovation

Project Budget: (Design Fees Only)

		<u>Estimated</u>
Construction Cost:	\$	0.00
Architectural and Engineering Fees:		200,000.00
Misc. Project Costs:		50,000.00
Furniture & Equipment Costs:		0.00
Contingency:		0.00
Total Project Budget	\$	250,000.00

Funding Source(s): MSU Athletic Funds (\$250,000)

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

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3. MUW – IHL 204-137 – MUW REPAIRS AND WINDOW REPLACEMENT

Project Request: Mississippi University for Women requests approval to initiate a project, MUW Repairs and Window Replacement, and appoint PryorMorrow PC, as the design professional.

Proposed Design Professional: PryorMorrow PC

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

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

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

Project Scope: This project includes the exterior restorations of five campus buildings to preserve and maintain the building structure. The five buildings include Painter Hall, McDevitt Hall, Stovall House, Mary Wilson Home, and the Orr Chapel. The project will include 100% window restoration, replacement of deteriorated exterior wood components, restoration of exterior doors, painting of all existing exterior painted items, and cleaning of masonry.

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

Project Initiation Date: February 15, 2024

Date of Original Construction: N/A

Date of Last Renovation: N/A

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Project Budget:

		<i>Estimated</i>
Construction Cost:	\$	1,750,000.00
Architectural and Engineering Fees:		140,875.00
Misc. Project Costs:		25,550.00
Furniture & Equipment Costs:		0.00
Contingency:		175,000.00
Total Project Budget	\$	2,091,425.00

Funding Source(s): SB 3000, Laws of 2023 (\$2,091,425)

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

4. UM – IHL 207-484 – WRITER’S CABIN AND COMMUNITY

Project Request: The University of Mississippi requests approval to appoint Marlon Blackwell Architects as the design professional for the Writer’s Cabin and Community project.

Proposed Design Professional: Marlon Blackwell Architects

Selection Method: The project budget is anticipated to exceed \$3M therefore it is required that the University of Mississippi use the RFQ method for selecting the design professional. UM solicited Request for Qualifications via public advertisement. Fifteen (15) firms submitted qualification packages and letters of intent. After evaluation of the submittals, the selection committee invited six (6) firms for remote interviews. Based on the result of remote interviews, three (3) of the firms were selected for in-person interviews. The committee reached a unanimous selection following interviews.

Insurance Coverage: The firm carries errors and omissions coverage in the amount of \$2,000,000 per claim and \$5,000,000 aggregate.

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

Project Scope: Greenfield Farm is a 20-acre parcel of UM-owned land, east of Oxford on the road to New Albany. William Faulkner raised mules, grew crops, and wrote here. UM plans to turn Greenfield into a retreat-style writer’s residency, paying tribute to the historical uses of the land and the literary culture of Mississippi.

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Greenfield will serve novelists, poets, songwriters, essayists, and other writers with roots or work in Mississippi. Greenfield will also serve the UM mission. Graduate students will compose theses and complete dissertations. Faculty will write books. After landscaping, Greenfield Farm will begin with four new dogtrot cabins. Constructed in a modern style, these cabins will serve as architectural and cultural linkages between past and present. A fifth building will serve as a gathering and dining space. A sixth building will house a residency manager.

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

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

Project Initiation Date: February 15, 2024

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 2,670,000.00
Architectural and Engineering Fees:	200,000.00
Misc. Project Costs:	230,000.00
Furniture & Equipment Costs:	300,000.00
Contingency:	<u>600,000.00</u>
Total Project Budget	\$ 4,000,000.00

Funding Source(s): Auxiliary Funds (\$2,000,000); Private Gifts (\$2,000,000)

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

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

BUREAU OF BUILDING PROJECTS

5. ERC – GS 111-071 – RE-ROOF OF EDUCATION AND RESEARCH CENTER

Project Request: The Education and Research Center is requesting approval to increase the budget from \$2,800,000 to \$3,300,000 for an increase in the amount of \$500,000. In addition, ERC is requesting to modify the scope of the project to include the original ETV Commons into the scope of the roofing project. The funding source will remain unchanged.

Current Project Phase: Design Phase

Design Professional: Shafer Zahner Zahner

General Contractor: Roofing Solutions, LLC

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

Purpose/Justification: The Education and Research Center is seeking to increase the project budget from \$2,800,000 to \$3,300,000. The current budget needs to be increased to allow for a change order to the project for the addition of the ETV Commons. At the time the project was bid, it was determined that an ongoing air handler project would create foot traffic over the section of the roof that was not originally bid in the project. That project has since been completed and will now allow for the additional section of the roof to be completed at this time. To keep the same manufacture and to keep the warranty the same on all the roofing sections in this project, ERC is requesting to increase the budget to allow for this section to be added as a change order to the project.

Project Scope: The scope of this work will provide a new 20-year bondable roof system for the Universities Center (61,500 sq ft), the original ETV Commons (30,375 sq. ft), ETV Phase II and III (21,000 sq ft), and the Power Plant (8,400 sq ft). The existing roofs are 25 years old and deteriorating, causing leaks.

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

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

Project Initiation Date: June 15, 2023

Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 2,521,500.00	\$ 2,800,000.00	\$ 278,500.00
Architectural and Engineering Fees	\$ 176,505.00	\$ 200,000.00	\$ 23,495.00
Miscellaneous Project Costs	\$ 0.00	\$ 0.00	\$ 0.00
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 101,995.00	\$ 300,000.00	\$ 198,005.00
Total Project Budget	\$ 2,800,000.00	\$ 3,300,000.00	\$ 500,000.00

Funding Source(s): HB 603, Laws of 2023 (\$3,300,000)

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

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1. **MSU – APPROVAL TO HIRE BRADLEY ARANT BOULT CUMMINGS, LLP AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with the law firm of Bradley Arant Boult Cummings, LLP to perform services necessary in assisting the university with intellectual property matters. The term of the contract will be two years beginning March 1, 2024 through February 28, 2026. The blended hourly rate for attorneys is \$315 per hour and \$95 per hour for paralegal services. To help manage per-project costs, the university may pay the firm on a flat-rate basis to prepare and file patent applications. Flat-rate filings for provisional patent applications will not exceed \$5,000 per filing, and non-provisional applications will not exceed \$15,000 per filing. These rates will be negotiated on a case-by-case basis and the most cost-efficient “rate-basis” for the university will be determined. The annual maximum amount payable is \$75,000 under the term of the contract. This firm carries professional liability insurance coverage in the amount of \$60 million per claim with an annual aggregate of \$120 million. This request has been approved by the Office of the Attorney General.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. **MSU – APPROVAL TO HIRE BRUNINI GRANTHAM GROWER AND HEWES, PLLC AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with the law firm of Brunini Grantham Grower and Hewes, PLLC to perform services necessary in assisting the university with general construction, architectural and real property-related matters. The term of the contract will be two years beginning March 19, 2024 through March 18, 2026. The blended hourly rate for attorneys is \$350 per hour. Other hourly rates shall be \$125 per hour for paralegal services performed by Marena Gray, a paralegal specializing in construction, and \$100 per hour for all other paralegal services, with an annual maximum amount payable of \$75,000. This firm carries professional liability insurance coverage in the amount of \$15 million per claim with an annual aggregate of \$30 million. This request has been approved by the Office of the Attorney General.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

3. **MSU – APPROVAL TO RENEW A CONTRACT WITH JONES WALKER, LLP AS OUTSIDE COUNSEL**

Mississippi State University requests approval to renew a contract with the law firm of Jones Walker, LLP to perform services necessary in assisting and advising the University on legal issues concerning the review of strategic financing options, tax-exempt bond arbitrage, and rebate compliance and the use of bond-financed building and other matters

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relating to bond issues. The term of the renewal will be two years beginning March 19, 2024 through March 18, 2026. The hourly rates are \$165 for Special Counsel, \$225 for Partners and \$60 for paralegal services, with an annual maximum amount payable of \$100,000. 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.

4. **MSU – APPROVAL TO HIRE QUARLES AND BRADY, LLP AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with the law firm of Quarles and Brady, LLP to perform services necessary in assisting the University with intellectual property matters, specifically patent applications, analysis of intellectual property, prosecution of patent applications, trademark registration applications, copyright registration applications, preparing and negotiating agreements, and other related intellectual property and commercialization issues. The term of the contract will be two years beginning March 17, 2024 through March 16, 2026. The blended hourly rate for attorneys is \$400 per hour and \$200 per hour for paralegal services. To help manage per-project costs, the university may pay the firm on a flat-rate basis for preparing and filing patent applications. Provisional patent applications will not exceed \$5,000 per filing, and non-provisional applications will not exceed \$15,000 per filing. These rates will be negotiated on a case-by-case basis and the most cost-efficient “rate-basis” for the university will be determined. The annual maximum amount payable is \$75,000 under the term of the contract. 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.

5. **MSU – APPROVAL TO HIRE SUN SOVEREIGN LLC d/b/a WARE| IMMIGRATION AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with Sun Sovereign, LLC d/b/a Ware|Immigration as outside counsel to provide services as necessary in preparing labor certification documents on behalf of the university for its employees who seek permanent residence status and related immigration matters. The term of the contract will be two years beginning March 21, 2024 through March 20, 2026. Rates are set out in the fee schedule below. The annual maximum amount payable under the term of this agreement is \$50,000. This firm carries professional liability

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insurance coverage in the amount of \$3 million per claim with an annual aggregate of \$3 million. This request has been approved by the Office of the Attorney General.

Schedule of Legal Fees for Academia

Please note that the Firm charges an administrative fee of \$150 at the beginning of each case matter to cover copies, postage, and FedEx fees incurred during the Firm's representation.

Nonimmigrant Petitions and Processes

H-1B petition	\$2500*
H-1B extension or amendment petitions (If firm handled original petition)	\$2500*
H-1B withdrawal	\$200
H-4 EAD	\$750

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

TN petition or border/consulate processing	\$2500
TN extension petition (If firm handled original)	\$2500
E-3 petition or consular processing	\$2500
E-3 extension petition (If firm handled original)	\$2500
O-1 petition	\$8000
O-1 extension or amendment petition (we handled original)	\$4000
O-1 additional rush fee if case needs to be filed w/in 60 days	\$2000
J-1 waiver (IGA or hardship)	\$8000
J-1 waiver (Conrad)	\$8000
J-1 waiver (no objection)	\$2000
I-539 Fee for Dependents	\$1000

Permanent Residence Process with Labor Certification: Faculty

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

Permanent Residence Process with Labor Certification: Non-Faculty

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

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

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

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

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

Employment Authorization and Advance Parole Renewal

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

Marriage Based Permanent Residence

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

Other Services

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

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General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule
Such matters will be billed at our hourly rates:

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

STAFF RECOMMENDATION: Board staff recommends approval of this item.

6. **MSU – APPROVAL TO HIRE WEATHERLY IP SOLUTIONS, LLC AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with the law firm of Weatherly IP Solutions, LLC to perform services necessary in assisting the University with intellectual property matters, specifically patent applications, analysis of intellectual property, prosecution of patent applications, trademark registration applications, copyright registration applications, preparing and negotiating agreements, and other related intellectual property issues. The term of the contract will be two years beginning March 24, 2024 through March 23, 2026. The hourly rate for attorney James Weatherly is \$475. To help manage per-project costs, the university may pay the firm on a flat-rate basis for preparing and filing patent applications. Flat-rate filings will not exceed the amounts indicated in the “Cost Estimate for One U.S. Plant Patent Application” attached to the agreement unless otherwise agreed to in advance by the parties. These rates will be negotiated on a case-by-case basis and the most cost-efficient “rate-basis” for the university will be determined. The annual maximum amount payable is \$25,000 under the term of the contract. This firm carries professional liability insurance coverage in the amount of \$2 million per claim with an annual aggregate of \$2 million. This request has been approved by the Office of the Attorney General.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

7. **UM – REQUEST FOR APPROVAL TO HIRE BARNES & THORNBURG LLP AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to enter into a contract for professional legal services with the law firm of Barnes & Thornburg LLP as outside counsel for the provision of legal services in the areas of Title IX risk management and regulatory compliance, including athletic equity advice on the University’s intercollegiate athletics program, and other legal matters as assigned. The term of the proposed contract is from February 15, 2024, to June 30, 2024. The hourly rates are \$525 for Daniel Cohen, \$335 for Associates, and an hourly rate not to exceed \$195 for paralegal services. The maximum amount payable under the term of the agreement is \$70,000. This firm carries

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professional liability insurance coverage in the amount of \$75 million per claim with an annual aggregate of \$150 million. This request is pending approval by the Attorney General.

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

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APPROVAL OF PERSONNEL ACTION REQUESTS

1. **Change of Status**

Jackson State University

- ConSandra McNeil; *from* Professor of Sociology/Assistant Provost, Division of Academic Affairs, and Activity Director of Research Engagement; salary of \$136,500 per annum, E&G Funds; *to* Interim Vice President for Research and Economic Development; salary of \$182,000 per annum, E&G Funds; effective February 1, 2024
- Joseph Whittaker; *from* Vice President of Research and Economic Development/Associate Provost, Office of Research and Economic Development; salary of \$182,000 per annum, E&G Funds; *to* Director of Business Development Training; salary of \$120,000 per annum, E&G Funds; effective February 1, 2024

University of Mississippi

- James Zook; *from* Chief Marketing and Communications Officer; salary of \$245,091 per annum; pro rata; *to* Vice Chancellor for Marketing and Communications; salary of \$245,091 (no change) per annum; pro rata; twelve-month contract; effective February 16, 2024

2. **Sabbatical**

University of Mississippi

- Miles Armaly; Associate Professor of Political Science; salary \$76,250 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Jake Bennett; Assistant Professor of Physics and Astronomy; salary \$78,416 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development (Contingent on being awarded tenure by July 1.)
- Ekaterina Berezina; Associate Professor of Nutrition and Hospitality Management; salary \$87,945 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Zenebe Beyene; Associate Professor of Media and Communication and Coordinator of International Programs; salary \$103,889 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Cheng-Fu Chen; Associate Professor of Modern Languages; *from* salary \$69,204 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$34,602; E&G Funds; effective August 22, 2024 to December 31, 2024 and January 21, 2025 to May 10, 2025; professional development

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- Qiang Cheng; Associate Professor of Elementary Education; salary \$75,707 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Brad Cook; Professor of Classics; *from* salary \$86,296 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$43,148; E&G Funds; effective August 22, 2024 to December 31, 2024 and January 21, 2025 to May 10, 2025; professional development
- Gregg Davidson; Professor of Geology and Geological Engineering; salary \$125,101 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Charles Dibrell; Chair of Entrepreneurial Excellence and Professor of Management; salary \$217,863 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Leigh Anne Duck; Associate Professor of English and Director of the Interdisciplinary Minor in Cinema; *from* salary \$98,220 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$49,110; E&G Funds; effective August 22, 2024 to December 31, 2024 and January 21, 2025 to May 10, 2025; professional development
- Joshua First; Croft Associate Professor of History & International Studies; salary \$81,292 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Tommy Franklin; Associate Professor of Fiction Writing; *from* salary \$100,730 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$50,365 salary; E&G Funds; effective August 22, 2024 to December 31, 2024 and January 21, 2025 to May 10, 2025; professional development
- Kyle Fritz; Associate Professor of Public Policy Leadership; salary \$73,546 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Jennifer Gifford; Associate Professor of Geology and Geological Engineering; salary \$91,621 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Murrell Godfrey; Assistant Dean of Diversity, Equity, and Inclusion and Associate Professor of Chemistry; salary \$155,002 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Gang Guo; Croft Associate Professor of Political Science; *from* salary \$81,694 per annum, pro rata; E&G Funds; 9-month contract; *to* salary ; \$40,847 E&G Funds; effective August 22, 2024 to December 31, 2024 and January 21, 2025 to May 10, 2025; professional development

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- Sarah Hennigan; Assistant Professor of Film Production; salary \$61,807 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development (Contingent on being awarded tenure by July 1.)
- Gail Herrera; Assistant Dean of Technical Services & Automation and Professor; salary \$133,847 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Vivian Ibrahim; Associate Professor of History and Director of the Office of National Scholarship Advisement; salary \$123,045 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Shan Jiang; Associate Professor - Emphasis in Computational Solid Mechanics; salary \$102,285 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Marvin King; Associate Professor of Political Science & African American Studies; salary \$81,849 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Frances Kneupper; Associate Professor of History; salary \$76,310 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Rory Ledbetter; Associate Professor of Theatre Arts; salary \$69,184 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Theresa Levitt; Professor of History; salary \$105,223 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Alexandra Lindgren-Gibson; Assistant Professor of History; salary \$67,822 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development (Contingent on being awarded tenure by July 1.)
- Igor Ostrovskii; Professor of Physics & Astronomy; salary \$100,830 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- E. Farish Percy; Professor of Law and Jamie L. Whitten Chair of Law and Government; salary \$167,112 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development

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- Stefan Schulenberg; Professor of Psychology, Director of Interdisciplinary Minor in Disaster Sciences and Director of the Clinical- Disaster Research Center; salary \$94,957 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Jodi Skipper; Associate Professor of Anthropology; salary \$79,080 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Peter Thilly; Assistant Professor of History and Director of the Interdisciplinary Minor in East Asian Studies; salary \$67,746 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development (Contingent on being awarded tenure by July 1.)
- Mary Thurlkill; Professor of Religion; salary \$89,414 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Randy Wadkins; Professor of Chemistry & Biochemistry; salary \$105,612 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Tamara Warhol; Associate Professor of Modern Languages; salary \$75,884 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Judson Watson; Howry Chair in Faulkner Studies and Professor of English; salary \$144,695 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development
- Debora Wenger; Associate Dean for Partnerships and Innovations, Professor of Journalism; salary \$166,400 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Robyn Wright; Assistant Professor of Spanish; salary \$63,196 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development (Contingent on being awarded tenure by July 1.)
- Timothy Yenter; Associate Dean for Capstone and Associate Professor of Philosophy; salary \$125,038 per annum, pro rata; E&G Funds; 12-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
- Taiho Yeom; Associate Professor - Thermo Fluids Energy; salary \$103,224 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development

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- Peter Zee; Assistant Professor of Biology; salary \$79,232 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective August 22, 2024 to December 31, 2024; professional development (Contingent on being awarded tenure by July 1.)

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1. MSU MERIDIAN – APPROVAL OF STAGE II – QUALIFY FOR INITIAL ACCREDITATION OF A PROFESSIONAL NURSING PROGRAM (PERMISSION TO ADMIT STUDENTS)

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

In accordance with Miss. Code, approval is requested for the Stage II Application- qualify for initial accreditation of a professional nursing program (permission to admit students) for Mississippi State University Meridian.

Mississippi State University Meridian completed the first stage in the process of establishing a registered nursing program, which was approved by the board on February 16, 2023, for a new entry-level second-degree Master of Science nursing program. Mississippi State University Meridian has completed the second stage in the process and submitted a completed application and supporting evidence to qualify the program for initial accreditation and allow admission of students.

The second stage includes hiring a qualified nursing education program director, qualified nursing faculty and staff, and developing the philosophy, mission, goals, expected program outcomes, curriculum, approved budget, organizational chart, admission, promotion, and graduation policies, systematic plan for evaluation, adequate support services, approved clinical affiliation agreements, and fiscal, physical, technological, and learning resources. Mississippi State University Meridian submitted a progress report on September 29, 2023, and an application with a self-study report and supporting documents on December 8, 2023, that provided evidence of meeting the requirements for Stage II. A state site visit team composed of representatives from the Accreditation Review and Evaluation Committee of the Mississippi Council of Deans and Directors of Schools of Nursing and Director of Nursing Education made a site visit on January 19, 2024, to validate the application for initial accreditation and all materials pertaining to the proposed nursing program. It was determined that the criteria for Stage II have been satisfactorily met.

A recommendation of approval of Stage II allows the school to admit students and to progress to the last stage, which is qualifying for full accreditation. Stage III requires that a site visit be scheduled with Board staff in conjunction with the initial national nursing accreditation site visit which will take place November 20-22, 2024.

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

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2. SYSTEM – REQUESTS 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 the University of Southern Mississippi request approval to establish new academic degree programs.

A. MSU – Bachelor of Applied Science (BAS) in Healthcare Administration

CIP code: 51.0701

Total credit hours: 120

Effective date: January 2024

Incremental, five-year cost of implementation: \$682,188

Potential five -year, new revenue: \$2,605,460

Unit where academic program will be housed: Office of Academic Affairs

Number of students expected to enroll in first five years: 140

Number of students expected to graduate in first five years: 51

Program description: The BAS in Healthcare Administration is designed to prepare individuals holding health related AAS degrees to work as managers in clinical settings such as hospitals, private medical practices, long-term care facilities, pharmaceutical agencies, insurance companies, and medical equipment manufacturers. This specialized education will equip students with the skills and knowledge needed to successfully navigate healthcare finance, healthcare law, and the specialized healthcare regulatory environment as clinical managers. This program will be housed on MSU’s Riley Campus in Meridian and will build upon existing faculty resources and a strong Meridian healthcare community to prepare healthcare administrators to meet the needs of the region and the state.

Institution(s) offering similar program(s): Alcorn State University has the Bachelor of Science in Applied Science with a concentration in Technology Management and an emphasis area in Medical (Health Care Management and Administration); however, it is currently suspended. Mississippi University for Women has the Bachelor of Applied Science in Business Administration with a concentration in Health Care Management.

National and state supply and demand: The Bureau of Labor Statistics projects the creation of 136,200 new jobs for medical and health services managers, a 28% increase between 2021 and 2031. In Mississippi, the projected increase is 17.9% with 330 new positions created annually.

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Average wages: The average annual salary for healthcare administrators in Mississippi is \$94,270.

B. USM - Academic program title: Bachelor of Science (BS) in Fitness and Nutrition

CIP code: 31.0507

Total credit hours: 120

Effective date: August 2024

Incremental, five-year cost of implementation: Costs will be minimal for the first 4 years as the school will be relying upon FTE, made available through programmatic reductions, and gained efficiencies in scheduling of current programming, to deliver new courses. Once the program enrollment reaches approximately 70 new students, the school would require the acquisition of 1 FTE resource at the instructor level (approximately \$80,000 salary plus fringe) to support year 5 effort. This expense will also be covered internally. The anticipated 5- year incremental cost is approximately \$93,000.

Potential five -year, new revenue: \$1,196,000

Unit where academic program will be housed: School of Kinesiology and Nutrition

Number of students expected to enroll in first five years: 175

Number of students expected to graduate in first five years: 97

Program description: The proposed fully online BS in Fitness and Nutrition will be a comprehensive major in the School of Kinesiology and Nutrition. With a holistic design, this degree plan incorporates all facets of the faculty expertise within the School of Kinesiology and Nutrition which benefits those students desiring to enter directly into the field and work in community or corporate settings to provide an all-inclusive approach to health for the public. This program offers general education courses as well as kinesiology, fitness, and nutrition core. The School of Kinesiology and Nutrition anticipates a 60% increase in enrollment within the school by 2028 with the addition of this online degree program. The quality of graduates from this proposed program will be assured through the inclusion of a capstone experience in an Exercise Specialist Certification Preparation course. Students will be prepared to complete professional certifications from three major organizations in the respective field: American College of Sports Medicine, National Strength and Conditioning Association, and American Council on Exercise.

The BS in Fitness and Nutrition will be the only Mississippi undergraduate program in fitness and nutrition requiring coursework which integrates exercise science, nutrition, fitness and wellness in both community and corporate settings.

Institution(s) offering similar program(s): none

National and state demand and average wages: This degree program will lead to a variety of job opportunities including exercise physiologist (average annual income \$48k, anticipated 13% growth in jobs from 2020-2030), personal trainer (average annual income \$40k,

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anticipated 39% growth in jobs), group fitness trainer (average annual income \$45k, anticipated 16% growth in jobs), corporate wellness manager trainer (average annual income \$101k, anticipated 32% growth in jobs), community wellness coordinator (average annual income \$49k, anticipated 17% growth in jobs), sports science research trainer (average annual income \$77k, anticipated 38% growth in jobs), and continued studies to earn a Ph.D. (average annual income \$79k, anticipated 34% growth in jobs).

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

3. SYSTEM – REQUESTS TO ADD NEW CENTERS

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

A. JSU - Center Title: Center for Community Resilience in Disaster Preparedness

Scope: Extensive Scope and Outreach

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

Effective Date: January 2024

Total number of current faculty/ Total number of new faculty: 5/2

Total number of current staff/ Total number of new staff: 7/2

Anticipated annual cost: \$199,000 to \$230,000 (United States Department of Homeland Security)

Purpose: The vision of the Center for Community Resilience (CCR) is to equip Mississippi and our neighboring underserved communities with contemporary skills for better preparedness for natural disasters and manmade disasters occurring after natural disasters (e.g., auto accidents, looting etc.) to minimize loss of life and property; thus, building resilient communities. The CCR's mission is to provide contemporary emergency/disaster management and preparedness education and training related to natural disasters (i.e., weather, and atmospheric events) for local, state, and neighboring states; to building a pipeline between secondary and higher education that develops future emergency/disaster management specialists, meteorologists/atmospheric scientists and psychologists; and to mitigate loss through effective preparedness and response planning. In addition to natural disasters, the CCR will provide public safety response training to man-made disasters that may occur during or after a natural disaster/major weather event, specifically for underserved populations.

B. MSU - Center Title: Center for Rural Veterinary Practice

Center Location: MSU College of Veterinary Medicine

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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: 0.5/0 (additional faculty to join over time)

Total number of current staff/ Total number of new staff: 1/0 (additional staff to join over time)

Annual cost of implementation: \$226,000 to \$243,000 (Funding for salaries and benefits from MSU Division of Agriculture, Forestry, and Veterinary Medicine tuition revenue, state funds for the College of Veterinary Medicine – fund 11, and self-generated funds, with one-third of the revenue coming from each source. Self-generated funds will include gifts made by individual donors or corporations to support the Center, and hospital revenue. Development efforts will focus on gifts to support scholarships for students who plan to enter rural practice, faculty salaries, and educational materials.

Purpose: A Center for Rural Veterinary Practice is proposed to promote and coordinate rural veterinary practice recruitment, advising, education, and postgraduate training at the MSU College of Veterinary Medicine. The Center aims to address the relative lack of veterinary services in rural areas and the comprehensive plan for the Center is to start with student recruitment in middle school and carry efforts all the way through to practice ownership. In addition, the MSU College of Veterinary Medicine can collaborate with other entities within the MSU Division of Agriculture, Forestry, and Veterinary Medicine to provide enhanced instruction in agricultural production practices. Students will gain a stronger understanding and appreciation of agriculture that they can then use to better serve their communities and provide mentorship to other aspiring professionals.

STAFF RECOMMENDATION: Board staff recommends approval of these items.

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1. **UM- REQUEST FOR APPROVAL OF A BOND RESOLUTION AND SUPPORTING DOCUMENTS TO ISSUE BONDS THROUGH THE UNIVERSITY OF MISSISSIPPI 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.**

Agenda Item Request: The University of Mississippi requests approval under Section 906 of the IHL Bylaws to issue tax exempt 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
\$18,000,000 in internal cash reserves
\$245,000,000 in UMEBC bond proceeds

UM also requests approval of the following bond documents:

- IHL Resolution
- Ground Lease
- Lease Agreement
- Indenture

Following are the professionals:

- Financial Advisor – Hilltop Securities
- Bond Counsel – Butler Snow LLP
- Senior Underwriters – Raymond James & Associates, Inc.

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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. 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

- 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

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- 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.

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.

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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.

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.

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

2. **USM – REQUEST FOR APPROVAL OF A BOND RESOLUTION AND SUPPORTING DOCUMENTS TO ISSUE BONDS THROUGH THE S.M. EDUCATIONAL BUILDING CORPORATION FOR THE CONSTRUCTION, RENOVATION, EQUIPPING, AND LANDSCAPING OF THE REED GREEN COLISEUM ATHLETIC FACILITY (IHL# 208-301)**

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

Project funding = \$43,170,506.50

USM also requests approval of the following bond documents:

- IHL Resolution
- Ground Lease
- Lease Agreement
- Indenture

Following are the professionals:

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

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History:

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

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

IHL#208-301 Reed Green Coliseum Renovation: Revised sources of funding and increased budget to \$43,170,506.50 at November 2023 board meeting. Report from Financial Advisor and bond issuance initiation was approved at November 2023 board meeting.

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

Purpose:

IHL# 208-301 Reed Green Coliseum Renovation: Construction, renovation, equipping and landscaping of the Reed Green Coliseum facility.

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

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

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

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

Funding Source for Contract: Sales tax revenues

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

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

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3. UM – REQUEST FOR APPROVAL TO AMEND A CONTRACTUAL SERVICES AGREEMENT WITH SODEXO OPERATIONS, LLC

Agenda Item Request: The University of Mississippi Department of Student Housing requests approval to extend a contract with **SODEXO Operations, LLC** for custodial services.

Contractor’s Legal Name: Sodexo Operations, LLC

History of Contract: The initial contract was awarded following IHL Board approval in January of 2014 with a contract start date of March 1, 2014 for a term of five years ending of February 28, 2019. An amendment to the contract was approved by the IHL Board on November 15, 2018, extending the contract from March 1, 2019 – February 29, 2024. Student Housing wishes to exercise the right as provided in RFP 507, to extend the agreement an additional five (5) year period beginning March 1, 2024.

Specific Type of Contract: The agreement is a contract for custodial services in the Student Housing department.

Purpose: The contract provides complete custodial services for the Department of Student Housing.

Scope of Work: The contractor shall provide all management, supervision, labor, materials, transportation, equipment, scheduling and coordination required to perform complete custodial services for all student housing facilities.

Term of Contract: The term of this extension Amendment is five (5) years beginning March 1, 2024 and ending February 28, 2029.

Termination Options: The contract may be terminated for default or may be terminated for convenience by UM with sixty (60) days’ notice and by Sodexo with ninety (90) days’ notice.

Contract Amount: The fee for the Agreement year ending 2/29/2024 is \$2,942,572.76, and subsequent annual fees may be adjusted to reflect the increase in the annual Consumer Price Index upon signed agreement by UM. For illustrative purposes, UM has used a CPI of 5% for the following annual fees of the renewal amendment. In addition, there is an additional increase for the first three years of the contract to get wages to a living wage of \$15/hour for employees.

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	2024-2025	2025-2026	2026-2027	2027-2028	2028-2028	5 year total
Current Amt.	\$ 2,942,572.76	\$ 3,270,508.00	\$ 3,564,397.67	\$ 3,872,981.82	\$ 4,066,630.91	
CIP Increase Est.	\$ 147,128.64	\$ 163,525.40	\$ 178,219.88	\$ 193,649.09	\$ 203,331.55	
Add. Services	\$ 37,472.72	\$ -	\$ -	\$ -	\$ -	
Wage Increase	\$ 143,333.88	\$ 130,364.27	\$ 130,364.27	\$ -	\$ -	
Annual Total	\$ 3,270,508.00	\$ 3,564,397.67	\$ 3,872,981.82	\$ 4,066,630.91	\$ 4,269,962.46	\$ 19,044,480.86

Funding Source for Contract: The funding source for this contract amendment will be Self-generated Student Housing Revenues.

Contractor Selection Process: RFP 507 was first advertised August 30, 2013. RFP documents were sent to 31 companies. Then companies attended the mandatory pre-proposal conference, with 5 of those companies submitting a proposal by the deadline of October 10, 2013. Based on our evaluation criteria, SODEXO received the highest total points and was awarded the contract following IHL Board approval.

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 A LEASE AGREEMENT WITH MEMORIAL HOSPITAL AT GULFPORT

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend its Medical Office Building Lease (Sublease) with **Memorial Hospital at Gulfport (MHG)** to extend the term for one (1) additional year. Under the Sublease, UMMC leases approximately 4,500 square feet of clinical space at 12259 Highway 49 in Gulfport, Mississippi, for use as a pediatric outpatient clinic. Pursuant to IHL policy 707.03 *Approval of Prepayment for Goods and Services*, UMMC also requests a waiver to allow prepayment of rent on the first day of each month.

Contractor’s Legal Name: Memorial Hospital at Gulfport

History of Contract: On November 16, 2017, the Board approved a twenty-three (23) month sublease with MHG. The property is owned by Mamie Street Properties, LLC and was leased to MHG through February 28, 2020. MHG renewed its lease with Mamie Street Properties, LLC and agreed to extend UMMC’s sublease accordingly. On February 20, 2020, the Board approved Amendment No. 1 which extended the term of the agreement for an additional two (2) years. On February 17, 2022, the Board approved Amendment No. 2 which extended the term of the agreement through February 29, 2024.

Specific Type of Contract: This is Amendment No. 3 to the Medical Office Building Lease.

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Purpose: The purpose of the Amendment No. 3 is to extend the Sublease for one (1) additional year. The purpose of the amended Sublease is to sublease approximately 4,500 square feet from MHG for use as a pediatric outpatient clinic.

Scope of Work: Under the amended Sublease, MHG will:

- Sublease approximately 4,500 square feet of clinical space to UMMC;
- Provide the following, which shall be billed to UMMC and paid as operating expenses:
 - Air conditioning sufficient to cool the premises and heat sufficient to warm the premises to maintain comfortable temperatures in the premises;
 - Provide utilities including hot and cold running water for all restrooms and lavatories, electricity, gas, rubbish collection, and medical waste (sharps collection) disposal;
 - Janitorial service to include soap, paper towels, toilet tissue for public restrooms, and cleaning supplies;
 - Electrical and mechanical maintenance services; and
 - Maintenance and repairs, such as replacement of light bulbs and air conditioning filters, unclogging plumbing fixtures, etc.;
- Remove any interior or exterior signage identifying MHG;
- Clean, wax, and seal all flooring; and
- Remove all soap and foam dispensers.

UMMC will use the premises for medical urgent care, walk-in or outpatient clinic/facility.

Term of Contract: The term of the amended Sublease is eighty-three (83) months and two (2) days, from March 26, 2018, through February 28, 2025. The original Sublease term was twenty-three (23) months and two (2) days. Amendment No. 1 extended the term twenty-four (24) months, Amendment No. 2 extended the term for an additional twenty-four (24) months, and Amendment No. 3 extends the term for an additional twelve (12) months.

Termination Options: Termination options include the following:

- By UMMC in the event MHG causes any utility service interruption lasting longer than 30 consecutive days;
- By either party in the event of a partial destruction of the premises and MHG does not elect to make repairs or if the repairs cannot be made within 120 days;
- By either party in the event of a total destruction of the building;
- Automatically if the whole of the premises or building or so much thereof as to render the balance unusable by UMMC shall be taken under power of eminent domain, condemnation or by deed in lieu of foreclosure or otherwise;

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- By UMMC in the event of a partial taking under power of eminent domain, by giving MHG written notice within 30 days after UMMC's receipt of written notice of such partial taking;
- By either party in the event the other party commits an act of default under the Sublease, by giving the defaulting party at least ten (10) days' prior written notice;
- By either party in the event any legislation, regulation or government policy is passed or adopted, the effect of which would cause either party to be in violation of such laws due to the existence of any provision of this Lease, and the parties fail to agree upon modified terms within 90 days;
- By either party immediately upon breach of any of the following ongoing representations and warranties that it, its officers, directors and employees:
 - Are not currently excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs;
 - Have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs; and
 - Are not under investigation or otherwise aware of any circumstances which may result in the party being excluded from participation in the Federal Healthcare Programs or any state healthcare programs;
- By either party in the event of an adverse change in law and the parties fail to agree upon modified terms within 60 days; and
- Automatically upon the expiration or termination of the lease agreement between MHG and Mamie Street Properties, LLC.

Contract Amount: The total estimated cost of the amended Sublease is \$1,003,743 over the extended term. The original lease, Amendment No. 1 and Amendment No. 2 were approved for a total cost of \$855,868. Effective March 1, 2024, UMMC's base rent will be \$9,431.25 per month, plus an estimated \$28,200 in operating expense and \$6,500 in possible improvements. Operating expenses were estimated based on historical use averages at this location.

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

Contractor Selection Process: UMMC is currently contracted with MHG.

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

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1. **SYSTEM – DISCUSSION OF THE ELECTION OF VICE PRESIDENT OF THE BOARD OF TRUSTEES FOR THE TERM BEGINNING MAY 8, 2024**

Pursuant to Board Policy 301.02 Election of Officers, a new Vice President of the Board shall be elected to take office on May 8, 2024 unless the Board chooses to postpone the election. Applicable Board policies regarding the terms of officers and the election of officers are shown below.

301.01 OFFICERS OF THE BOARD

A. PRESIDENT:

There shall be a president elected by the Board from its membership. A class of Trustees shall consist of those Trustees who take office on the same date, or those whose terms as trustees end on the same date. A member of a class may serve more than one term, if elected. The length of a term shall be one year. The president of the Board may not immediately succeed himself/herself as president after having served a full term. The president of the Board shall preside at all meetings of the Board; he or she shall be an ex officio member of all standing and special committees; he or she shall, with the Commissioner, execute such instruments and contracts as may be ordered by the Board; he or she shall perform such duties as usually pertain to this office and such other duties as may be assigned by the Board; and he or she shall be governed in his action by the usual parliamentary procedure. When the presiding officer has voted and the result is a tie, he cannot vote again to break the tie.

B. VICE PRESIDENT:

There shall be a vice president elected by the Board from its membership. A vice president shall serve until completion of the term of the president that the vice president will succeed. The vice president shall preside at meetings of the Board in the absence or disability of the president.

The vice president of the Board shall automatically succeed to the office of president after having served a term as vice president.

The vice president shall become president upon the resignation, removal, death or incapacity of the president.

301.02 ELECTION OF OFFICERS

The Board of Trustees shall elect its officers at the meeting of the Board held three months before new officers are to take office, unless no meeting is held during that month. However, the Board may vote, if it so chooses, to hold the election of officers at another meeting of the Board.

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2. **DSU – APPROVAL OF RETIREMENT INCENTIVE PROGRAM**

Pursuant to the Retirement Incentive Program General Policy approved by the Board of Trustees of State Institutions of Higher Learning on May 16, 2002, it is requested that the Board select Fiscal Year 2024 as a fiscal year in which the Retirement Incentive Program is offered for eligible employees of Delta State University and designate the period beginning on March 4, 2024, and concluding on April 18, 2024, as the enrollment period during which eligible employees may elect to participate in the program. It is further requested that the Board approve the following pertinent documents, which are shown below:

1. Board of Trustees of State Institutions of Higher Learning Retirement Incentive Program Agreement, Waiver and Release
2. Board of Trustees of State Institutions of Higher Learning Retirement Incentive Program Rules and Regulations
3. Exhibit A to the Board of Trustees of State Institutions of Higher Learning Retirement Incentive Program Agreement, Waiver and Release

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RETIREMENT INCENTIVE PROGRAM
AGREEMENT, WAIVER, AND RELEASE

The undersigned _____ ID# _____ (hereinafter “Employee”), hereby agrees to retire on June 30, 2024, and to release all claims, more particularly described below, for the reasons set out herein.

The Board of Trustees of State Institutions of Higher Learning (“the Board”) adopted a policy on May 16, 2002, which allows the offer of an opportunity to participate in a voluntary Retirement Incentive Program to all full-time employees who meet certain stated eligibility criteria for length of creditable service in the Mississippi Public Employees’ Retirement System. The eligibility criteria and incentives for this Retirement Incentive Program were described in written material provided to the Employee on or about March 4, 2024. The Employee also received a copy of this Agreement, Waiver, and Release at the same time. The Board designated the period from March 4, 2024, through April 18, 2024, as the time during which eligible employees were required to make known their decision about whether to participate in the Retirement Incentive Program. Employee acknowledges and agrees that he/she was given at least forty-five (45) days within which to consider this Agreement, Waiver, and Release, along with documentation of the terms and conditions of the Retirement Incentive Program. Employee has had ample and adequate time to seek personal, financial, and legal advice

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as to the advantages and disadvantages of the opportunity, and to make a decision about whether to retire.

Employee, for the consideration provided by the incentives available under the Retirement Incentive Program, hereby agrees as follows:

1. Having been given sufficient opportunity to consider the provisions of the Retirement Incentive Program, including this agreement, waiver, and release, Employee voluntarily elects to and agrees to retire pursuant to this agreement, waiver, and release on June 30, 2024.
2. In consideration of execution of this agreement, waiver, and release, Employee will be provided a cash incentive benefit equal to twenty-five percent (25%) of his/her base salary as of February 1, 2024, subject to federal income tax, state income tax, FICA, and Medicare and other applicable withholdings. Employee agrees that 1/5 of the cash incentive benefit may be paid within sixty (60) days after the Employee's retirement, with the remaining cash incentive benefit payable 1/4 over the next four years (2024-2028). The first cash incentive benefits will be paid after the expiration of the seven-day revocation period described in paragraph 7 and only if the Employee has not exercised the right to revoke this Agreement, Waiver and Release.
3. Employee understands and acknowledges that the cash benefit specified under Benefits in the Retirement Incentive Program, which is not available to persons who retire outside the terms of this program, would not be available except as consideration for the execution of this Agreement, Waiver, and Release.
4. Employee acknowledges that information concerning the job titles and ages of individuals who are eligible and not eligible has been provided to him/her and that the information is also available in the Department of Human Resources.
5. Employee voluntarily releases and forever discharges (and promises not to sue) the Board of Trustees of State Institutions of Higher Learning, or Delta State University ("Institution"), or any of their officers, employees, agents, successors, affiliates, insurers, and assigns, individually and/or in their official capacities, of, from, and for any and all actions, claims, causes of actions or suits, whatsoever, in law or equity, that Employee, his or her heirs, executors, administrators, successors, or assigns may have or otherwise be entitled to assert, whether known or unknown and whether contingent or certain, upon or by reason of any matter, cause or event occurring up to the date of this agreement arising out of or related to his or her employment by the Institution and/or the Board of Trustees of State Institutions of Higher Learning or the cessation thereof including, but not limited

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to, any alleged violation of Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Older Workers Benefits Protection Act, the Fair Labor Standards Act, and any other federal or state law, constitutional provision, regulation, or ordinance and/or any public policy, contract, or tort law having any bearing whatsoever on the employee's employment with the Institution and/or the Board of Trustees of State Institutions of Higher Learning or the cessation thereof.

6. Employee further agrees not to accept any recovery or relief from such action of any kind described in paragraph five above, initiated or prosecuted by any other individual or entity.
7. Employee understands that he or she may revoke this agreement, waiver, and release for a period of seven (7) days after having executed it by delivering written notice of revocation to Lisa Giger, Director of the Office of Human Resources, Kent Wyatt Hall 249, Cleveland, MS 38733. Thereafter Employee acknowledges that this agreement, waiver, and release may not be revoked, modified, altered, or changed except upon the express written consent of the Institutional Executive Officer and the Commissioner of Higher Education. Employee agrees that if Employee revokes or modifies this agreement, waiver and release, or if Employee brings a legal action for any claim or cause of action covered by paragraph 5, Employee withdraws Employee's election to participate in the Retirement Incentive Program and shall waive and immediately tender back to the Institution any cash incentive benefit payable or paid to the Employee pursuant to this Agreement, Waiver and Release.
8. Employee acknowledges that this agreement contains the full and complete agreement between Employee and the Institution, and that no other inducement or consideration has been offered by the Institution to Employee for Employee's execution of the Retirement Incentive Program Agreement.
9. Employee agrees that this Agreement, Waiver, and Release is written in language that is easily understood and that the Employee, in fact, fully understands the language and meaning of the Agreement, Waiver, and Release.
10. Employee has been instructed not to sign this Agreement, Waiver and Release until June 28, 2024. Employee understands that if Employee signs this agreement before June 28, 2024, the agreement shall be rendered voidable at the option of the Institution.

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Having read and fully considered the foregoing agreement to retire and release claims, and having been afforded a reasonable opportunity to consider this agreement, waiver, and release; and having been told in writing of the advisability of consulting with or seeking advice from any person of his or her choosing including legal counsel; and having elected to execute this agreement, waiver, and release and to fulfill the promises set forth herein and to receive the benefits of the Retirement Incentive Program, including the cash incentive, Employee hereby voluntarily and knowingly enters into this agreement, waiver, and release on this _____ day of _____, 2024.

DO NOT SIGN THIS AGREEMENT, RELEASE AND WAIVER BEFORE JUNE 28, 2024.

EMPLOYEE

SWORN TO AND SUBSCRIBED before me this _____ day of _____, 2024.

Notary Public (Signature)

My Commission Expires _____

Board of Trustees of State Institutions of Higher Learning
Retirement Incentive Program Rules and Regulations

1. Introduction

The Retirement Incentive Program is a program for facilitating the voluntary retirement of those institution and board employees who are current, active contributing members of the Mississippi Public Employees' Retirement System. The Board of Trustees of State Institutions of Higher Learning (Board) shall select the fiscal year in which the program is offered and shall also designate the enrollment period during the fiscal year selected. Subject to Board approval, the institution may elect to participate in the program in the selected fiscal year and the institution may elect to offer the program to eligible faculty and staff.

2. Eligibility

- a. The Retirement Incentive Program is a voluntary plan available to all full-time faculty and staff of the Institutions of Higher Learning, including the Board Office, who, as of the effective date of their retirement, are eligible to retire under the laws governing the Public Employees' Retirement System by virtue of:

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Vesting, Requirement Eligibility, and PLSO Eligibility Requirements			
If you were hired	On or before June 30, 2007	July 1, 2007, to June 30, 2011	On or after July 1, 2011
Vesting requires that...	You have 4 years of membership service to be vested.	You have 8 years of membership service to be vested.	You have 8 years of membership service to be vested.
Service Retirement eligibility requires that...	You can retire with 25 years of creditable service at any age or age 60 and vested.	You can retire with 25 years of creditable service at any age or age 60 and vested.	You can retire with 30 years of creditable service at any age or age 60 and vested.
Partial Lump Sum Option (PLSO) eligibility requires that...	You are eligible for PLSO with 28 years of creditable service or age 63 and vested	You are eligible for PLSO with 28 years of creditable service.	You are eligible for PLSO with 33 years of creditable service.

- b. An employee who is offered and accepts retirement pursuant to the Retirement Incentive Program must retire by June 30, 2024, and sign an agreement, waiver, and release by June 28, 2024.
- c. The institution of higher learning offering the program shall, in all cases, utilize the records of the Public Employees' Retirement System as the source for determining eligibility.

3. Incentive

- a. The institution of higher learning offering the program shall provide a cash benefit to each participant in the program equal to twenty-five percent (25%) of his/her base salary, exclusive of stipends, overtime, and other extra payments, as of February 1, 2024. The cash benefit is subject to federal income tax, state income tax and Federal Insurance Contributions Act (F.I.C.A.) and Medicare withholding.
- b. One-fifth (1/5) of the cash incentive benefit may be paid within sixty (60) days after the employee's retirement, with the remaining cash incentive benefit payable 1/4 over the next four years (2024-2028), subject to federal, state, F.I.C.A. and Medicare withholdings. Unused annual leave, if applicable, will be paid in accordance with state law.

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4. Requirements

- a. The eligible employee must elect during the enrollment period, in fiscal years selected by the Board, and retire by June 30 of any fiscal year in which the program is offered.
- b. The eligible employee must waive all rights to sue the institution or the Board of Trustees of State Institutions of Higher Learning, their officers, employees, agents, successors, insurers, and assigns, individually and /or in their official capacities or to receive any recovery or relief from any action of any kind initiated or prosecuted by any other individual or entity in this regard on a form acceptable to and provided by the institution.
- c. The participant shall be compensated for unused annual leave as otherwise provided by state law.
- d. The cash benefit paid pursuant to this program shall not be subject to employer or employee contributions under the laws governing the Public Employees' Retirement System.
- e. The eligible employee may revoke the agreement, waiver, and release during a period of seven (7) days after having executed it. Thereafter, the agreement, waiver, and release may not be revoked, modified, altered, or changed except upon the express written consent of the Institutional Executive Officer and the Commissioner of Higher Education.

Exhibit A of the Board of Trustees of State Institutions of Higher Learning Retirement Incentive Program Agreement, Waiver and Release

The information on the following pages is being furnished in compliance with the Older Workers' Benefit Protection Act of 1990. The individuals eligible to elect to receive benefits pursuant to the Retirement Incentive Program are those employees who are current and active contributing members of the Public Employees' Retirement System (PERS) and have met the following criteria in the chart below.

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Vesting, Requirement Eligibility, and PLSO Eligibility Requirements			
If you were hired	On or before June 30, 2007	July 1, 2007, to June 30, 2011	On or after July 1, 2011
Vesting requires that...	You have 4 years of membership service to be vested.	You have 8 years of membership service to be vested.	You have 8 years of membership service to be vested.
Service Retirement eligibility requires that...	You can retire with 25 years of creditable service at any age or age 60 and vested.	You can retire with 25 years of creditable service at any age or age 60 and vested.	You can retire with 30 years of creditable service at any age or age 60 and vested.
Partial Lump Sum Option (PLSO) eligibility requires that...	You are eligible for PLSO with 28 years of creditable service or age 63 and vested	You are eligible for PLSO with 28 years of creditable service.	You are eligible for PLSO with 33 years of creditable service.

The Retirement Incentive Program is an “open window” offering a one-time opportunity to eligible employees. The tables list by age the number of individuals who are eligible and those who are not eligible by employment group.

[Federal law requires an employer to provide to each eligible employee a list of the job titles and ages of all employees eligible for the incentive program, and the ages of all employees in the same job classification or organizational unit who are not eligible for the incentive program. The required disclosure document has been drafted by DSU. For the purposes of confidentiality, the disclosure document is summarized below.]

Administrative/Executive/Managerial

TITLE	AGE	INELIGIBLE	ELIGIBLE
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Within this category, there are 33 individuals who are ineligible for the program and 6 who are eligible.

Faculty

TITLE	AGE	INELIGIBLE	ELIGIBLE
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Within this category, there are 126 individuals who are ineligible for the program and 7 who are eligible.

Professional

TITLE	AGE	INELIGIBLE	ELIGIBLE
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Within this category, there are 119 individuals who are ineligible for the program and 8 who are eligible.

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Secretarial/Clerical

TITLE	AGE	INELIGIBLE	ELIGIBLE
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Within this category, there are 39 individuals who are ineligible for the program and 13 who are eligible.

Technical/Paraprofessional

TITLE	AGE	INELIGIBLE	ELIGIBLE
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Within this category, there are 19 individuals who are ineligible for the program and 1 who is eligible.

Skilled Craft

TITLE	AGE	INELIGIBLE	ELIGIBLE
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Within this category, there are 11 individuals who are ineligible for the program and who 2 are eligible.

Service/Maintenance

TITLE	AGE	INELIGIBLE	ELIGIBLE
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Within this category, there are 55 individuals who are ineligible for the program and 8 who are eligible.

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

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ACADEMIC AFFAIRS
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1. **USM – INTENT TO DELETE A CERTIFICATE PROGRAM**

Certificate program title: **University Teaching**

Responsible academic unit: Graduate School

CIP code, IHL sequence: 24.0102, 8061

Total credit hours: 12

Level: post-baccalaureate

Effective date: August 2024

Reason for request: This certificate program has zero enrollment and is obsolete.

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

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
JANUARY 18, 2024 BOARD MEETING SUBMISSION DEADLINE**

NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL WHICH STATES:

Board Policy §904(A), Board Approval

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

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

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

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

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

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ALCORN STATE UNIVERSITY

1. ASU-IHL 201-258 – MUSHROOM FACILITY RENOVATIONS

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,664,000.00 to the apparent low bidder Barnard & Sons Construction, LLC.

Approval Status & Date: APPROVED, February 2, 2024

Project Initiation Date: May 19, 2022

Design Professional: Duplantis Design Group

General Contractor: Barnard & Sons Construction, LLC

Total Project Budget: \$2,007,289.00

DELTA STATE UNIVERSITY

2. DSU-GS 102-281 – PERFORMING ARTS ADA COMPLIANCE

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on January 25, 2024, to approve the budget increase from \$1,702,500.00 to \$2,373,100.00 for an increase of \$670,600.00 for the Performing Arts ADA Compliance project.

Interim Approval Status & Date: APPROVED, January 25, 2024

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,028,000.00 to the apparent low bidder DC Services, LLC.

Approval Status & Date: APPROVED, January 26, 2024

Project Initiation Date: November 17, 2022

Design Professional: Burris Wagnon Architects

General Contractor: DC Services, LLC

Total Project Budget: \$2,373,100.00

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JACKSON STATE UNIVERSITY

3. JSU-GS 103-326 – ARPA INFRASTRUCTURE – WATER STORAGE

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on January 11, 2024, to approve the modification of the design professional listed on the project from Engineering Resource Group (ERG) to the Pickering Firm.

Interim Approval Status & Date: APPROVED, January 11, 2024

Project Initiation Date: August 17, 2023
Design Professional: Pickering Firm, Inc.
General Contractor: TBD
Total Project Budget: \$15,725,000.00

MISSISSIPPI STATE UNIVERSITY

4. 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 the Long Tall Storage building; 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

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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.

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

5. MSU-IHL 205-283 – ADDITIONS AND RENOVATIONS TO HUMPHREY COLISEUM – PH 1

Approval Request #1: Change Order #10

Board staff approved Change Order #10 in the amount of \$222,291.64 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, January 23, 2024

Change Order Description: Change Order #10 includes the following: prepped & repainted the shared walls between Humphrey Coliseum & the Mize Center; added three (3) gyp-board bulkheads & enlarged two (2) column wraps to conceal existing plumbing

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pipng and changed exposed upright sprinkler heads to semi-recessed; relocated the fire alarm devices to the gyp ceiling; added type H4 lighting to a nurses room and a type C lighting fixture to the women's restroom; finished the sheetrock & paint in the nurses room; ran a CAT-6 cable to IT-3 for the mixer; furnished the vac-truck for the excavation associated with the installation of light pole bases on the east site in the green area; repaired the existing heater in the Long Tall Storage building & corrected findings to re-establish power to the existing heater; cost incurred to facilitate the 3rd party fire alarm testing; relocated the Type KK lighting fixtures at the west & east Super-Voms; fixtures were disconnected, relocated on top of the furred beam & re-attached; added electrical & data outlets to the ticket office; added coax cable for twelve (12) tv's; removed unsuitable soils & corrective measures were taken; credit for the Sock Pipe vs. the perforated pipe at the SE grand stairs; re-wired circuits in concessions for the 30 amp heated slides; installed a 150kVA transformer replacement; repaired the water line at the existing cooling tower to include an initial repair, providing temporary water to the cooling tower, monitoring & permanent repair; installed an added water line for the Sideline Panty & an offset drain next to the existing column; modified door strikes cut into access control door frames in various areas; installed gas piping to the prep kitchen oven & connected to the cooking equipment; tied the existing roof drain(s) into the storm drain system; added additional coaxial cable to the existing CATV system; repaired the existing electrical circuits in the vomitory store room; repaired two (2) existing NE site pole light circuits; replaced concrete & asphalt paving adjacent to Dudy-Noble, damaged by water line leak; provided rubber cove base at the working press platforms & data rooms.

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

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$2,666,820.06.

Approval Status & Date: APPROVED, January 23, 2024

Project Initiation Date: June 16, 2018

Design Professional: Dale Partners

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$60,000,000.00

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6. MSU-IHL 205-328A – NEW RESIDENCE HALL SITE AND FOUNDATIONS

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$52,969.00 and zero (0) additional days to the contract of Roy Anderson Corp Contractors.

Approval Status & Date: APPROVED, January 11, 2024

Change Order Description: Change Order #1 includes the following: changes to storm drain, erosion control and tree protection; additional drilled pier; site wall revisions; omission of quazite box; additional asphalt demolition; plumbing coordination with a building package; and underground mechanical duct updates to coordinate with the building package.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$52,969.00.

Project Initiation Date: October 25, 2022

Design Professional: WBA Architecture, PLLC

General Contractor: Roy Anderson Corp Contractors

Phased Project Budget: \$5,600,000.00

Total Project Budget: \$96,000,000.00

7. MSU-IHL 213-147 – LIVESTOCK ASSESSMENT FACILITY

Approval Request #3: Contract Documents

Board staff approved Contract Documents as submitted by Pryor Morrow

Approval Status & Date: APPROVED, January 18, 2024

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, January 18, 2024

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Project Initiation Date: June 16, 2022

Design Professional: Pryor Morrow

General Contractor: TBD

Total Project Budget: \$2,000,000.00

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

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$85,791.13 and zero (0) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, January 22, 2024

Change Order Description: Change Order #3 includes the following: added auditorium tiers; removed trach; vault demolished; storm junction box demolished; infill cooler slabs B-C; changes to door hardware; change to electrical floor box; added water fountain wing walls at a storage room; installed electric hand dryers; added steel for elevator hoist beam elevation; added framing and furring for plumbing; top of concrete elevation at the south stairs; wall demolition in the auditorium; upcharge for interior signage; roof expansion joints and roof drain; infill gap between stair tower and existing building; adjusted top of manhole in the sidewalk; sprinkler line adjusted; site work at Bedenbaugh; finish modifications done; and metal studs added above the concrete masonry unit.

Change Order Justification: This change was necessary due to errors and omissions in the plans and specifications; latent jobsite conditions; and user/owner requested modifications.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$258,318.40.

Project Initiation Date: August 20, 2020

Design Professional: Belinda Stewart Architects

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$13,000,000.00

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UNIVERSITY OF MISSISSIPPI

**9. UM-IHL 207-473.2 (PH2) Pkg. B - OLE MISS SOFTBALL COMPLEX
ADDITION & RENOVATION**

Approval Request #1: Change Order #2R1

Board staff approved Change Order #2R1 in the amount of \$64,990.82 and zero (0) additional days to the contract of DC Services, LLC.

Approval Status & Date: APPROVED, January 29, 2024

Change Order Description: Change Order #2R includes the following: added tree removal and storm drainage at the NW corner; added additional water lines to the bullpens for spigots; paver clarifications; change to Chucky Mullin's drainage; added rebar to sidewalks; boring option for 6" water main from south side of Hathorn Road; changed from 2" to 3" domestic line; added PIV & 3" meter install; and a deduct for a tree fine.

Change Order Justification: This change was necessary due to errors and omissions in the plans and specifications; and user/owner requested modifications

Total Project Change Orders and Amount: Two (2) Change Orders for a total amount of \$217,123.39.

Project Initiation Date: May 25, 2023

Design Professional: McCarty Architects

General Contractor: DC Services, LLC

Construction Management Advisor: ICM, LLC [CMA]

Phased Project Budget: \$2,830,111.56

Total Project Budget: \$32,000,000.00

**10. UM- IHL 207-473.2 (PH2) Pkg. C - OLE MISS SOFTBALL COMPLEX
ADDITION & RENOVATION**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$9,900.00 and zero (0) additional days to the contract of DC Services, LLC.

Approval Status & Date: APPROVED, January 29, 2024

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Change Order Description: Change Order #1 includes the following: changed from fencing/netting to a concrete wall at the camera well.

Change Order Justification: This change was necessary due to errors and omissions in the plans and specifications.

Total Project Change Orders and Amount: One (1) Change Order for a total amount of \$9,900.00.

Project Initiation Date: May 25, 2023

Design Professional: McCarty Architects

General Contractor: DC Services, LLC

Construction Management Advisor: ICM, LLC [CMa]

Phased Project Budget: \$327,187.08

Total Project Budget: \$32,000,000.00

**11. UM- IHL 207-473.2 (PH2) Pkg. D - OLE MISS SOFTBALL COMPLEX
ADDITION & RENOVATION**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$6,895.48 and zero (0) additional days to the contract of Sports Contractors Unlimited, LLC.

Approval Status & Date: APPROVED, January 29, 2024

Change Order Description: Change Order #1 includes the following: installed sod for green space northeast of the outfield for the 2024 season.

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

Total Project Change Orders and Amount: One (1) Change Order for a total amount of \$6,895.48.

Project Initiation Date: May 25, 2023

Design Professional: McCarty Architects

General Contractor: Sports Contractor Unlimited, LLC

Construction Management Advisor: ICM, LLC [CMa]

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Phased Project Budget: \$1,667,189.95
Total Project Budget: \$32,000,000.00

**12. UM- IHL 207-473.2 (PH2) Pkg. E - OLE MISS SOFTBALL COMPLEX
ADDITION & RENOVATION**

Approval Request #1: Change Order #1R1

Board staff approved Change Order #1R1 in the amount of \$93,080.14 and zero (0) additional days to the contract of Acoustics & Specialties, LLC.

Approval Status & Date: APPROVED, January 29, 2024

Change Order Description: Change Order #1R1 includes the following: added dugout flooring to PH 2 General Works Package; added a camera platform; and added steel framed dugout benches.

Change Order Justification: This change was necessary due to errors and omissions in the plans and specifications; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) Change Order for a total amount of \$93,080.14.

Project Initiation Date: May 25, 2023
Design Professional: McCarty Architects
General Contractor: Acoustics & Specialties, LLC
Construction Management Advisor: ICM, LLC [CMa]
Phased Project Budget: \$262,141.77
Total Project Budget: \$32,000,000.00

**13. UM- IHL 207-473.2 (PH2) Pkg. G - OLE MISS SOFTBALL COMPLEX
ADDITION & RENOVATION**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$143,620.93 and zero (0) additional days to the contract of Advanced Electric Company, Inc.

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Approval Status & Date: APPROVED, January 29, 2024

Change Order Description: Change Order #2 includes the following: a deduct issued for a temporary field light pole; added underground electrical raceways serving the stadium building at the site and below the slab.

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 \$223,115.95.

Project Initiation Date: May 25, 2023

Design Professional: McCarty Architects

General Contractor: Advanced Electric Company, Inc.

Construction Management Advisor: ICM, LLC [CMA]

Phased Project Budget: \$2,245,067.25

Total Project Budget: \$32,000,000.00

**14. UM- IHL 207-473.3 (PH3) Pkg. H - OLE MISS SOFTBALL COMPLEX
ADDITION & RENOVATION**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$143,620.93 and zero (0) additional days to the contract of W&W Construction.

Approval Status & Date: APPROVED, January 29, 2024

Change Order Description: Change Order #1 includes the following: changed the footings in PH 3 per design changes in PH 4.

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

Total Project Change Orders and Amount: One (1) Change Order for a total amount of \$143,620.93.

Project Initiation Date: May 25, 2023

Design Professional: McCarty Architects

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General Contractor: W&W Construction
Construction Management Advisor: ICM, LLC [CMa]
Phased Project Budget: \$1,821,121.79
Total Project Budget: \$32,000,000.00

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

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$16,166.22 and sixteen (16) additional days to the contract of Hills Construction, LLC.

Approval Status & Date: APPROVED, February 1, 2024

Change Order Description: Change Order #1 includes the following: added eight (8) smoke dampers; relocated the existing exhaust hood; and sixteen (16) days to the contract.

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

Total Project Change Orders and Amount: One (1) Change Order for a total amount of \$16,166.22.

Project Initiation Date: August 18, 2022
Design Professional: McCarty Architects
General Contractor: Hills Construction, LLC
Total Project Budget: \$2,750,000.00

16. UM - IHL 207-5037 – BREVARD HALL ENVELOPE CORRECTIONS PH II

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, February 2, 2024

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Approval Request #2: Design Development Documents Waiver

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

Approval Status & Date: APPROVED, February 2, 2024

Project Initiation Date: March 23, 2023

Design Professional: McCarty Architects

General Contractor: TBD

Project Budget: \$2,500,000.00

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

Approval Request #1: Change Order #8

Board staff approved Change Order #8 in the amount of \$74,375.32 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Company.

Approval Status & Date: APPROVED, January 18, 2024

Change Order Description: Change Order #8 includes the following: modified furdowns at study rooms on the east and west sides of the atrium; added Tectro flashing behind metal panels at the atrium roof; added transwall furdown at the second level, west side, to finish furring as it meets the curtain wall; added power to clean agent panel; added transfer duct for exhaust in the chemical storage room; moved the fuel oil systems controls from the loading dock to the conditioned space; added access panels to the control damper on the first floor near the server; added a cap to the existing steam tunnel; added soffit lights on 3rd floor east; relocated a manhole previously covered with existing paving at All American Drive; replaced LVT at stair landings with rubber tile; added concrete masonry unit at the tooling tower roof area to match detailing with other areas of the roof; removed requirement for building plaque due to potential changes in information for the plaque; added furdown for the projector screen in a room; and added a storm water junction box on the west side of All American Drive.

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

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Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$52,969.00.

Project Initiation Date: January 19, 2023

Design Professional: McCarty Architects

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

Phased Project Budget: \$157,356,476.95

Total Project Budget: \$175,200,000.00

18. UM- IHL 407-010 – FASER HALL 453 LAB RENOVATION

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$5,035.80 and forty-one (41) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, February 2, 2024

Change Order Description: Change Order #1 includes the following: installed two (2) fire dampers; added six (6) days to the contract.

Change Order Justification: This change was necessary due to latent job site conditions; and six (6) weather- related delays.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$5,035.80.

Project Initiation Date: May 25, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: Barnes & Brower, Inc.

Total Project Budget: \$1,000,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

19. UMMC- IHL 209-580B – RENOVATION FOR ADELESCENT PSYCH PT/OT

Approval Request #2: Award of Construction Contract

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Board staff approved the Award of Contract in the amount of \$2,245,500.00 to the apparent low bidder Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, January 31, 2024

Project Initiation Date: November 17, 2022

Design Professional: JH&H Architects

General Contractor: Fountain Construction Company, Inc.

Phased Project Budget: \$2,700,000.00

Total Project Budget: \$8,600,000.00

20. UMMC- IHL 209-585 BATSON 3RD FLOOR FINISH UPDATE

Approval Request #1: Design Development Documents Waiver

Board staff approved the Waiver of Design Development Documents as submitted JBHM Architecture.

Approval Status & Date: APPROVED, January 22, 2024

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by JBHM Architecture

Approval Status & Date: APPROVED, January 22, 2024

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, January 22, 2024

Project Initiation Date: May 18, 2023

Design Professional: JBHM Architecture

General Contractor: TBD

Total Project Budget: \$1,850,000.00

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21. USM- GS 208-357- OWINGS MCQUAGGE HALL ROOF REPLACEMENT

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$745,000.00 to the apparent low bidder Rowell Roofing, Inc.

Approval Status & Date: APPROVED, January 12, 2024

Project Initiation Date: August 17, 2023

Design Professional: Weir Boerner Allin Architecture, PLLC

General Contractor: Rowell Roofing, Inc.

Total Project Budget: \$1,115,530.24

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1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini, PLLC (statement dated 12/15/23) from the funds of Mississippi State University. (This statement, in the amount of \$68.75, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 68.75

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 12/8/23) from the funds of Mississippi State University. (This statement, in the amount of \$1,536.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,536.00

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statements dated 12/15/23, 12/19/23 and 12/19/23) from the funds of Mississippi State University. (These statements, in the amounts of \$907.00, \$2,000.00 and \$460.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,367.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 1/17/24 and 1/17/24) from the funds of the University of Mississippi. (These statements, in the amounts of \$672.00 and \$2,240.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,912.00

Payment of legal fees for professional services rendered by Church Church Hittle & Antrim (statement dated 1/5/24) from the funds of the University of Mississippi. (This statement, in the amount of \$297.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 297.50

Payment of legal fees for professional services rendered by Lightfoot Franklin White, LLC (statements dated 12/8/23 and 1/9/24) from the funds of the University of Mississippi. (These statements, in the amounts of \$5,613.00 and \$1,945.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 7,558.00

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University of Mississippi Medical Center. (These statements, in the amounts of \$9,020.00, \$2,220.00, \$2,320.00, \$260.00, \$3,000.00, \$1,320.00, \$82.50, \$180.00, \$1,395.57, \$214.50, \$500.00, \$3,324.00, \$115.50, \$1,240.00, \$2,340.00, \$66.00, \$148.50, \$594.00, \$280.50, \$49.50, \$135.50, \$66.00, \$825.00, \$1,089.00, \$544.50, \$3,943.50, \$3,972.83, \$527.96, \$3,700.00, \$13,360.00, \$9,312.60, \$2,541.00, \$2,480.00, \$5,920.00, \$478.50, \$20,047.50 and \$2,227.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 112,581.96

Payment of legal fees for professional services rendered by Foreman, Watkins & Krutz, LLP (statements dated 5/15/23, 6/28/23, 7/10/23, 8/21/23, 9/21/23 and 10/11/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,775.50, \$5,167.50, \$2,596.00, \$991.50, \$979.50 and \$1,182.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 17,692.00

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statement dated 4/26/23) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$2,888.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,888.00

Payment of legal fees for professional services rendered by Hogan Lovells, US, LLP (statements dated 6/21/23, 7/18/23 and 12/11/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$7,885.00, \$40,850.00 and \$9,062.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 57,797.00

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 4/10/23, 5/5/23, 5/5/23, 5/5/23, 5/5/23, 5/5/23, 5/5/23, 5/5/23, 5/5/23, 5/5/23, 6/13/23, 6/13/23, 6/13/23, 6/13/23, 6/13/23, 6/13/23, 6/13/23, 6/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 8/16/23, 8/16/23, 8/16/23, 8/16/23, 8/16/23, 8/16/23, 8/16/23, 8/16/23, 8/21/23, 9/13/23, 9/13/23, 9/13/23, 9/13/23, 9/13/23, 9/13/23, 9/13/23, 9/13/23, 9/13/23, 9/13/23, 9/19/23, 9/19/23, 10/9/23, 10/9/23, 10/9/23, 10/9/23, 10/9/23, 10/9/23, 10/9/23, 10/9/23, 10/9/23, 10/9/23, 10/9/23, 10/9/23, 11/6/23, 11/6/23, 11/6/23, 11/6/23, 11/6/23, 11/6/23, 11/6/23, 11/6/23, 11/6/23, 12/5/23 and 12/6/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,240.00, \$742.50, \$2,671.50, \$1,737.50, \$2,040.50, \$117.00, \$140.00, \$3,022.50, \$3,215.00, \$3,062.00, \$16,105.32, \$1,287.00, \$609.00, \$264.00, \$10,752.50, \$1,688.00, \$1,880.00, \$4,120.00, \$181.50, \$1,392.00, \$1,383.00, \$2,626.50, \$11,488.00, \$132.00, \$3,617.75, \$945.00, \$1,602.50, \$231.00, \$1,231.00, \$1,522.20, \$3,162.00, \$235.00, \$1,529.50, \$12,419.05, \$812.50,

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\$1,768.50, \$8,251.73, \$33.00, \$1,644.00, \$320.00, \$22.50, \$8,376.00, \$2,592.50, \$6,149.97, \$11,557.96, \$319.00, \$345.00, \$5,368.35, \$14,124.75, \$1,480.00, \$2,927.50, \$907.50, \$1,912.50, \$33.00, \$299.30, \$915.00, \$1,281.25, \$637.50, \$3,013.61, \$442.50, \$2,025.00, \$526.41, \$780.00 and \$2,622.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 179,881.15

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 5/2/23, 5/2/23, 5/2/23, 6/6/23, 6/6/23, 6/6/23, 6/7/23, 6/7/23, 7/7/23, 7/7/23, 7/7/23, 7/7/23, 8/3/23, 8/3/23, 9/6/23, 10/5/23 and 11/3/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,248.50, \$1,800.00, \$9,639.45, \$1,585.50, \$2,170.50, \$2,872.50, \$2,805.05, \$1,402.50, \$355.50, \$422.50, \$4,915.50, \$2,402.50, \$2,196.00, \$100.00, \$60.00, \$940.00 and \$6,565.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 42,481.00

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 6/28/23, 6/28/23, 6/29/23, 6/29/23, 6/29/23, 6/29/23, 6/29/23, 6/29/23, 6/29/23, 7/4/23, 7/5/23, 7/5/23, 7/5/23, 7/6/23, 7/6/23, 7/6/23, 7/10/23, 7/10/23, 7/10/23, 7/10/23, 7/10/23, 11/29/23, 11/29/23, 11/29/23, 11/30/23 and 11/30/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,320.00, \$16.50, \$240.00, \$40.00, \$33.00, \$1,869.00, \$66.00, \$82.50, \$1,618.00, \$2,040.00, \$500.00, \$214.50, \$49.50, \$340.00, \$732.50, \$33.00, \$5,420.00, \$60.00, \$66.00, \$1,412.69, \$775.50, \$2,900.00, \$400.00, \$3,143.30, \$2,452.33 and \$3,602.10, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 30,426.42

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 4/30/23, 4/30/23, 4/30/23, 5/31/23, 5/31/23, 6/30/23, 6/30/23 and 12/21/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$7,222.20, \$248.00, \$1,687.50, \$3,120.00, \$634.50, \$832.00, \$416.40 and \$49.50 respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 14,210.10

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 3/24/23, 4/3/23, 4/3/23, 4/6/23, 5/30/23, 5/30/23, 5/30/23, 5/30/23, 5/30/23, 5/30/23, 5/30/23, 6/26/23, 6/26/23, 6/26/23, 6/26/23, 6/26/23, 6/26/23, 6/27/23, 6/28/23, 6/28/23, 6/27/23, 6/27/23, 6/27/23, 7/10/23, 7/11/23, 7/11/23, 7/11/23, 7/11/23, 7/11/23, 7/11/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/13/23, 7/13/23, 8/29/23, 8/29/23, 8/29/23, 8/29/23, 8/29/23, 8/31/23, 8/31/23, 8/31/23, 8/31/23, 8/31/23, 8/31/23, 8/31/23, 8/31/23, 9/13/23, 9/13/23, 9/13/23,

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9/14/23, 9/14/23, 9/14/23, 9/14/23, 9/14/23, 9/18/23, 9/21/23, 10/11/23, 10/18/23, 10/18/23, 10/23/23, 10/23/23, 10/23/23, 11/8/23, 11/14/23, 11/14/23, 11/17/23, 12/1/23, 12/1/23, 12/4/23, 12/5/23, 12/5/23, 12/5/23, 12/5/23, 12/5/23, 12/6/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/7/23, 12/8/23, 12/8/23, 12/8/23, and 12/12/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,517.50, \$1,113.00, \$53.00, \$38.52, \$1,537.00, \$1,775.50, \$1,457.50, \$2,406.70, \$23,216.64, \$418.50, \$297.00, \$396.00, \$4,445.69, \$66.00, \$33.00, \$4,705.18, \$99.00, \$3,874.20, \$204.50, \$49.50, \$49.50, \$1,749.00, \$14,220.00, \$664.50, \$1,590.00, \$931.50, \$72.50, \$165.00, \$17,101.15, \$900.00, \$1,564.00, \$530.00, \$14,787.00, \$1,510.50, \$344.50, \$424.00, \$20,425.61, \$318.00, \$6,201.00, \$9,368.00, \$53.00, \$212.00, \$3,274.48, \$2,835.50, \$411.00, \$11,326.03, \$115.50, \$676.50, \$60.00, \$10,772.14, \$340.00, \$82.50, \$33.00, \$79.50, \$6,750.00, \$344.50, \$1,325.00, \$5,591.50, \$372.74, \$848.00, \$1,855.00, \$1,237.50, \$60.00, \$7,471.50, \$1,245.50, \$3,948.50, \$1,166.00, \$10,278.40, \$4,296.79, \$8,135.50, \$556.50, \$1,802.00, \$19,881.50, \$344.50, \$450.50, \$17,947.09, \$9,516.51, \$159.00, \$4,505.00, \$2,464.50, \$450.50, \$132.50, \$1,881.50, \$715.50, \$3,233.00, \$795.00, \$1,378.00, \$3,710.00, \$344.50, \$238.50, \$477.00, \$2,597.00, \$291.50, \$848.00, \$530.00, \$79.50, \$53.00, \$424.00, \$159.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 300,656.63

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 12/29/23) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$3,363.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,363.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 1/23/24) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$3,688.70, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 3,688.70

Payment of legal fees for professional services rendered by McDonald Hopkins, LLC (statements dated 10/30/23, 11/29/23 and 12/21/23) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$748.50, \$116.00, and \$58.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 922.50

Payment of legal fees for professional services rendered by Ware|Immigration (statement dated 1/1/24) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$57.94, represents services and expenses in connection with immigration/labor certification matters.)

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TOTAL DUE.....\$ 57.94

Payment of legal fees for professional services rendered by Wise Carter Child & Caraway (statements dated 1/8/24 and 1/8/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,189.50 and \$39.00, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,228.50

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 (statement dated 12/14/23) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “U.S. Provisional Patent Application No. 63/392, 148” - \$1,910.00.)

TOTAL DUE.....\$ 1,910.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 12/19/23, 12/19/23 and 12/19/23) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “A Y161F Hemagglutinin Substitution Increases Thermostability and Improves Yields of 2009 H1N1 influenza A Virus in Cells” - \$177.00; “Recombinant Fimbrial Protein of Aeromonas hydrophila as Vaccine in Catfish” - \$914.50; and “IP and Regulatory Matters” - \$472.00).

TOTAL DUE.....\$ 1,563.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 9/26/23, 10/24/23, 10/24/23, 10/24/23, 10/24/23, 10/24/23, 10/24/23, 10/24/23, 11/17/23, 11/17/23 and 11/17/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$3,935.50, \$562.50, \$664.50, \$575.50, \$606.50, \$623.50, \$2,432.50, \$828.00, \$1,358.49, \$1,846.00 and \$47.50, respectively, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 13,480.49

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1. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL

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

- a. **JSU** – On January 29, 2024, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Jackson State University and Fran’Cee Brown-McClure for a university-owned residential property located at 1706 Sheffield Drive, Jackson, MS. This is a revenue-generating lease with a term of one-year beginning February 1, 2024 at a cost of \$1,524 per month due on the first day of each month. The 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.
- b. **MSU** – On January 16, 2024, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and Itawamba Community College for space located on the Tupelo Campus of Itawamba Community College, specifically Rooms 100, 101, 102, 103, 104, 106 and a conference room in the Purvis Building, 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 March 1, 2024 and ending February 28, 2025, at a cost of \$56,658 annually or \$4,721.50 per month payable on the first of each month. The Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- c. **MSU** – On January 16, 2024, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and Meridian Community College for Suites 385 and 390 in the College Park Building on the campus of Meridian Community College 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 March 1, 2024 and ending February 28, 2025, at a cost of \$53,820 annually or \$4,485 per month payable on the first of each month. The Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.
- d. **MSU** – On January 16, 2024, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and Pearl River Community College for office space located at 206 Hwy 11 North in Poplarville, MS to provide space for a Resource and Referral Center operated by the

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ADMINISTRATION/POLICY
February 15, 2024**

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 and ending February 28, 2025, at a cost of \$66,500 annually or \$5,541.67 per month payable on the first of each month. The Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval of Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.