

Board Book

March 21, 2024

MISSISSIPPI BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING

Board Meeting Outline

MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

MEETING SCHEDULE

IHL Board Meeting | March 21, 2024, 9:00a | Hardy Hall Ballroom
University of southern Mississippi Gulf Park Campus

CALL TO ORDER INVOCATION

Trustee Dr. Alfred McNair, Jr.
Trustee Tom Duff

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**MINUTES OF THE BOARD OF TRUSTEES OF
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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, 2024, to each and every member of said Board said date being at least five days prior to this February 15, 2024 meeting. At the above-named place, the following members were present to wit: Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Tom Duff, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Gee Ogletree, Mr. Hal Parker (via Zoom), Mr. Gregg Rader, and Dr. J. Walt Starr. The meeting was called to order by Dr. Alfred McNair, President. Trustee Chip Morgan introduced Dr. Marcus Thompson, President of Jackson State University, who provided the invocation.

INTRODUCTION OF GUESTS

President McNair acknowledged the following Student Government Association members: President Jordan Buck from Alcorn State University, President Haley Elizabeth Rooks from Delta State University, Vice President JaMya Peoples from Mississippi Valley State University, Vice President Mason Greenwald from the University of Mississippi, and President Jonathan Jenkins from the University of Southern Mississippi.

2024 DIVERSITY AND INCLUSION AWARDS CEREMONY

President Alfred McNair noted that each year the Board holds its Diversity & Inclusion Awards Ceremony in observance of Black History Month to celebrate the achievements and accomplishments of one individual from each state institution of higher learning who has contributed significantly to the positive advancement of diversity on his/her campus, in their community, and the state. In addition, a community leader who has greatly impacted our state and its citizens is awarded the Karen Cummins Community Service Award.

Trustee Steven Cunningham, Co-Chair of the Diversity Committee, thanked the members of the committee for their participation in this annual observance. The Committee members include Dr. Ormella Cummings and Ms. Jeanne Luckey. Trustee Cunningham gave special thanks to the universities' Chief Diversity Officers for their dedication to ensuring each campus is inclusive for all.

Trustee Cunningham congratulated all the nominees and presented them with a plaque for serving as role models and strong advocates for the advancement of diversity at their respective universities. The nominees were as follows:

- Dr. Babu George, MBA Director and Professor of Business Administration at Alcorn State University
- C. T. Salazar, Reference Instructional Services Librarian and Assistant Professor at Delta State University

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- Dr. Ebony Lumumba, Associate Professor and Chair of the Department of English at Jackson State University
- Dr. Jordan Lynton Cox, former Assistant Professor of Cultural Anthropology at Mississippi State University
- Dr. Shecoya White, Assistant Professor in the Department of Food Science, Nutrition, and Health Promotion at Mississippi State University Division of Agriculture, Forestry, and Veterinary Medicine
- Dr. Davida Crossley, Associate Professor of Microbiology at the Mississippi University for Women
- Dr. Ro'Shaun A. Bailey, Assistant Vice President for Student Affairs and Campus Life at Mississippi Valley State University
- Dr. Rebecca E. Symula, Instructional Associate Professor of Biology at the University of Mississippi
- Dr. Jennifer L. Lemacks, Professor and Associate Dean for Research in the College of Nursing and Health Professions at the University of Southern Mississippi

The 2024 Diversity Educator of the Year Award was presented to Dr. Caroline E. Compretta, Assistant Vice Chancellor for Research and Associate Professor in the Department of Preventive Medicine at the University of Mississippi Medical Center for her broad scope of work that includes research in community-engaged partnerships in rural Mississippi, dedication to serving underrepresented populations, and efforts to mentor early career faculty, residents, and students. The 2024 Karen Cummins Community Service Award was presented to U.S. Representative Bennie G. Thompson, in recognition of his career spent working to improve the lives of all people. Thompson's community engagement efforts began while he was a student at Tougaloo College and have continued throughout his career. Dr. Compretta and Congressman Thompson each received a resolution and plaque commemorating these awards. A copy of each resolution is included in the *February 15, 2024 Board Working File*.

APPROVAL OF THE MINUTES

On motion by Trustee Cummings, seconded by Trustee Cunningham, with Trustee Parker absent and not voting and Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on January 18, 2024.

CONSENT AGENDAS

Trustee Duff moved Finance Consent Agenda item #5 lease agreement between Jackson State University and AWH-BP Jackson Hotel, LLC d/b/a Hilton Jackson to the Finance Regular Agenda for consideration. On motion by Trustee Cummings, seconded by Trustee Martin, with Trustee Parker absent and not voting and Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

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FINANCE

1. **DSU** – Approved the request to enter a contract with AltiSky Inc., for the purchase of five new training aircrafts to be used in the Delta State University Commercial Aviation Program. Payment is made upon delivery and acceptance of each aircraft. The total cost of the contract is \$2,898,850 (\$579,770.00 per aircraft). This contract will be funded by the Educational Enhancement Fund per SB 3000 Section 46 (regular session 2023). 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. **DSU** – Approved the request to enter a 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. 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. 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." The total is \$344,775. Pursuant to IHL Policy 707.03 Approval of Prepayment of Goods and Services, the Board approved the request to allow prepayment of fees. This contract will be funded by general funds and Delta State University Foundation 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.
3. **MVSU** – Approved the request to enter a purchase agreement with ABC Bus Companies, Inc. to purchase two (2) regular Van Hool buses for travel away from the university campus. The term of the contract is March 1, 2024 through June 20, 2024. The total contract cost is \$1,171,312. The contract will be funded by E&G Funds Reserve. 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.
4. **SYSTEM** – Approved the request to enter a new multi-year agreement for annual external audit services with FORVIS, LLP 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. 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. The total contracted price for this agreement is expected to be \$5,095,000, plus travel. Fees are based on anticipated

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cooperation from IHL personnel in the preparation of confirmations and requested schedules. 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. The Board also approved the request to increase spending authority due to additional service needs of the type listed above up to \$5,335,000. Contractual costs will be shared amongst the IHL institutions based on each institution's proportionate share of the worked audit hours. E&G funding sources will be the primary means for these payments. 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. **JSU** – Request to enter 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 housing students during the 2024 Spring semester. The term of the lease is three months from February 18, 2024 through May 5, 2024. 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 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 for single occupancy and \$3,047 for double occupancy per residential student. The agreement will be funded by auxiliary 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. **(THIS ITEM WAS MOVED TO THE FINANCE REGULAR AGENDA FOR CONSIDERATION.)**

REAL ESTATE

6. **MVSU** – Approved the initiation of GS 106-272, Stewart Residence Hall Upgrades, and the appointment of Burris/Wagnon Architects, P.A. as the design professional. The project will upgrade the mechanical system as well as cosmetics features to accommodate the university's anticipated enrollment growth for the Fall of 2024. This residence hall which has been offline for a period of years will provide 180 beds. The total project budget is \$2,840,000. Funds are available from SB 3000, Laws of 2023 (\$2,840,000).
7. **MSU** – Approved the initiation of IHL 205-355, Mize Pavilion Addition and Renovation, and the appointment of CDFL Architects + Engineers, P.A., as the design professional. The Mize Pavilion at Humphrey is home to the University's Men's and Women's

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basketball programs and 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. The total project budget is \$250,000. Funds are available from MSU Athletic Funds (\$250,000).

8. **MUW** – Approved the initiation of IHL 204-137, MUW Repairs and Window Replacement, and the appointment of PryorMorrow PC, as the design professional. 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. The total project budget is \$2,091,425. Funds are available from SB 3000, Laws of 2023 (\$2,091,425).
9. **UM** – Approved the appointment of Marlon Blackwell Architects as the design professional for IHL 207-484, Writer’s Cabin and Community. Greenfield Farm is a 20-acre parcel of university-owned land, east of Oxford on the road to New Albany. After landscaping, Greenfield Farm will begin with four new dogtrot cabins. A fifth building will serve as a gathering and dining space. A sixth building will house a residency manager. The design professional will assist the university 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 total project budget is \$4 million. Funds are available from Auxiliary Funds (\$2,000,000) and Private Gifts (\$2,000,000).
10. **ERC** – Approved the request to increase the project budget for GS 111-071, Re-Roof of Education and Research Center, from \$2,800,000 to \$3,300,000 for an increase of \$500,000 and the request 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. 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 ETV Commons 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. 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. Funds are available from HB 603, Laws of 2023 (\$3,300,000).

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LEGAL

11. **MSU** – Approved the request to enter 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 terms 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.
12. **MSU** – Approved the request to enter 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.
13. **MSU** – Approved the request 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 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.
14. **MSU** – Approved the request to enter 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

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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 terms 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.

15. **MSU** – Approved the request to enter 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 terms of this agreement is \$50,000. This firm carries professional liability 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

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

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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

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

16. **MSU** – Approved the request to enter 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 the 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

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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.

17. **UM** – Pending approval by the Attorney General’s Office, the Board approved the request to enter 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 terms of the agreement is \$70,000. This firm carries professional liability insurance coverage in the amount of \$75 million per claim with an annual aggregate of \$150 million.

PERSONNEL REPORT

18. *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

19. *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

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- 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
- 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

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- 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
- 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

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- 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
- 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

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- 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
- 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.)

REGULAR AGENDAS

FINANCE AGENDA

Presented by Trustee Tom Duff, Chair

On motion by Trustee Duff, seconded by Trustee Rader, with Trustee Parker absent and not voting and Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #1 & #2 as submitted on the Finance Agenda. Trustee Ogletree recused himself from discussing or voting on items #3 & #4 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. After Trustee Ogletree left the room, on motion by Trustee Duff, seconded by Trustee Cunningham, with Trustee Ogletree absent and not voting and with Trustees Luckey and Parker participating via Zoom, all Trustees legally present and participating voted unanimously to approve items #3 & #4. Trustee Ogletree returned to the room following the discussion and vote on items #3 & #4 on the Finance Agenda. Trustee McNair recused himself from discussing or voting on item #5 on the Finance Agenda by leaving the room before there was any discussion or vote regarding the same. After Trustee McNair left the room, on motion by Trustee Duff, seconded by Trustee Cunningham, with Trustee McNair absent and not voting and with Trustees Luckey and Parker participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #5. Trustee McNair returned to the room following the discussion and vote on item #5 on the Finance Agenda.

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1. **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 (UMEBC). 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. The Board also approved the following bond documents: IHL Resolution, Ground Lease, Lease Agreement, and Indenture. Following are the professionals: Financial Advisor – Hilltop Securities; Bond Counsel – Butler Snow LLP; and Senior Underwriters – Raymond James & Associates, Inc. The University 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. 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. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.
2. **USM** – Approved, under IHL Board Policy 906 Education Building Corporations, the request to issue tax-exempt or taxable bonds through the S.M. Educational Building Corporation (SMEBC). Debt issuance is not to exceed \$35 million. Long-term bonds will be issued with maturities up to 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. The project funding is \$43,170,506.50. The Board also approved the following bond documents: IHL Resolution, Ground Lease, Lease Agreement, and Indenture. Following are the professionals: Financial Advisor – Hilltop Securities; Bond Counsel – Butler Snow LLP; and Senior Underwriters – Raymond James & Associates, Inc. and Wells Fargo Bank National Association. The University 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. 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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3. **UM** – Approved the request for the University of Mississippi Department of Student Housing to extend a contract with SODEXO Operations, LLC for custodial services. 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. The term of this extension Amendment is five (5) years beginning March 1, 2024 and ending February 28, 2029. The fee for the Agreement year ending February 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 the university. For illustrative purposes, the university 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. A breakdown of costs is included in the bound *February 15, 2024 Board Working File*. The funding source for this contract amendment will be Self-generated Student Housing Revenues. 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.
4. **JSU** – Approved the request to enter 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 housing students during the 2024 Spring semester. The term of the lease is three months from February 18, 2024 through May 5, 2024. 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 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 for single occupancy and \$3,047 for double occupancy per residential student. The agreement will be funded by auxiliary 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. **(THIS ITEM WAS MOVED FROM THE FINANCE CONSENT AGENDA.)**
5. **UMMC** – Approved the request to amend the 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. 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. 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. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods and Services, the Board approved the request to allow prepayment of rent on the first day of each month. This agreement

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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.

ACADEMIC AFFAIRS

Presented by Trustee Hal Parker, Chair

On motion by Trustee Starr, seconded by Trustee Rader, with Trustees Luckey and Parker 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 Starr, seconded by Trustee Cunningham, with Trustees Luckey and Parker participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2. On motion by Trustee Cunningham, seconded by Trustee Ogletree, with Trustees Luckey and Parker participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #3.

1. **MSU Meridian** – 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 (SACSCOC), the Board approved the Stage II Application-qualify for initial accreditation of a professional nursing program (permission to admit students) for Mississippi State University Meridian, in accordance with (a) and (b), Miss. Code 1991 Supp. §37-129-1, *et seq.* Stage II allows the school to admit students and to progress to the last stage, which is qualifying for full accreditation. 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. MSU 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. MSU 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. MSU Meridian will proceed to Stage III which 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.

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2. **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 (SACSCOC), the Board approved the request to add the following 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
 - b. **USM** – Bachelor of Science (BS) in Fitness and Nutrition
CIP code: 31.0507
Total credit hours: 120
Effective date: August 2024
3. **SYSTEM** – Approved the request to add the following new centers:
 - a. **JSU** – Center for Community Resilience in Disaster Preparedness
Scope: Extensive Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Effective Date: January 2024
 - b. **MSU** – Center for Rural Veterinary Practice
Center Location: MSU College of Veterinary Medicine
Scope: Extensive Scope and Outreach
Type: Type 1 (Academic, Teaching, or Research)
Effective Date: March 2024

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Alfred Rankins, Jr.

Item #1 was approved as shown below. On motion by Trustee Ogletree, seconded by Trustee Cunningham, with Trustee Parker absent and not voting and Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #2 as submitted on the Administration/Policy Agenda.

1. **SYSTEM** – Election of Vice President of the Board of Trustees for the Term Beginning May 8, 2024. President McNair opened the floor for nominations for the office of Vice President of the Board. Trustee Gee Ogletree nominated Trustee Jeanne Luckey as the next Vice President of the Board.

On motion by Trustee Cunningham, seconded by Trustee Martin, with Trustee Parker absent and not voting and Trustee Luckey participating via Zoom, all Trustees legally present and participating voted in the affirmative, therefore, it was

RESOLVED, that Trustee Jeanne Luckey was elected Vice President of the Board beginning May 8, 2024.

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2. **DSU** – Pursuant to Board Policy 808 Retirement Incentive Program, the Board approved the request to 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. The following list of pertinent documents, which are included in the bound *February 15, 2024 Board Working File*, are also approved:
 - a. Board of Trustees of State Institutions of Higher Learning Retirement Incentive Program Agreement, Waiver and Release,
 - b. Board of Trustees of State Institutions of Higher Learning Retirement Incentive Program Rules and Regulations, and
 - c. Exhibit A to the Board of Trustees of State Institutions of Higher Learning Retirement Incentive Program Agreement, Waiver and Release.

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. **USM** – Intent to delete the following 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.

REAL ESTATE

2. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the January 18, 2024 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

LEGAL

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

ADMINISTRATION/POLICY

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

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- 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 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.

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ANNOUNCEMENTS

- President McNair invited the university presidents to report on current activities on their campuses.

EXECUTIVE SESSION

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

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

Discussion and receipt of privileged legal advice regarding litigation pending against the Mississippi Institutions of Higher Learning, the discussion of which in an open meeting would have a detrimental effect on the litigating position of IHL.

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

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

The Board discussed and received privileged legal advice regarding litigation pending against the Mississippi Institutions of Higher Learning, the discussion of which in an open meeting would have a detrimental effect on the litigating position of IHL. **No action was taken.**

The Board discussed one Alcorn State University item consisting of a discussion regarding the job performance of a person holding a specific position at ASU. **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.**

On motion by Trustee Rader, seconded by Trustee Cunningham, with Trustee Parker absent and not voting and Trustee Luckey 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 Cummings, seconded by Trustee Cunningham, with Trustee Parker absent and not voting and Trustee Luckey 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 Real Estate items that were approved by the IHL Board staff subsequent to the January 18, 2024 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

February 15, 2024

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.

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 201-258 – 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 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

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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 piping 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.

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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

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

Project Initiation Date: June 16, 2022

Design Professional: Pryor Morrow

General Contractor: TBD

Total Project Budget: \$2,000,000.00

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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

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

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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

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]

Phased Project Budget: \$1,667,189.95

Total Project Budget: \$32,000,000.00

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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.

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.

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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

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

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

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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 furdawn 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 furdawn 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.

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.

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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

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

UNIVERSITY OF SOUTHERN MISSISSIPPI

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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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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Payment of legal fees for professional services rendered by Nelson Mullins (statement dated 12/29/23) from the funds of the University of Mississippi. (This statement, in the amount of \$3,051.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 3,051.00

Payment of legal fees for professional services rendered by Ware|Immigration (statement dated 1/1/24) from the funds of the University of Mississippi. (This statement, in the amount of \$2,500.00, represents services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 2,500.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/14/23, 5/24/23, 5/24/23, 5/24/23, 5/24/23, 5/24/23, 5/24/23, 5/24/23, 5/24/23, 5/25/23, 5/25/23, 5/25/23, 5/25/23, 6/22/23, 6/22/23, 6/22/23, 6/22/23, 6/22/23, 6/22/23, 6/22/23, 6/22/23, 6/22/23, 6/22/23, 6/22/23, 6/22/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/14/23, 7/14/23, 7/14/23, 7/14/23, 7/14/23, 8/23/23, 8/23/23, 8/23/23, 8/23/23, 8/23/23, 8/23/23, 8/23/23, 8/23/23, 8/23/23, 8/23/23, 8/23/23, 8/23/23, 8/25/23, 9/28/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, 10/26/23, and 12/13/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$2,081.40, \$108.00, \$851.25, \$1,608.80, \$2,660.45, \$2,655.00, \$1,681.50, \$233.50, \$236.00, \$26,454.60, \$6,379.00, \$23,460.70, \$135.00, \$2,059.60, \$486.00, \$189.00, \$202.50, \$24,072.62, \$102.45, \$26,007.10, \$33.00, \$264.00, \$3,658.00, \$10,354.00, \$29,623.10, \$973.50, \$346.50, \$29,772.60, \$40.00, \$62,829.65, \$3,746.50, \$17,507.30, \$620.40, \$1,649.60, \$18,542.40, \$468.00, \$1,891.40, \$202.50, \$121.50, \$148.50, \$21,364.90, \$70,703.70, \$132.00, \$99.00, \$620.00, \$337.50, \$2,208.00, \$1,466.65, \$1,647.60, \$256.50, \$15,904.20, \$1,006.23, \$1,459.50, \$12,747.84, \$832.00, \$17,278.00, \$2,624.00, \$2,331.00, \$2,752.00, \$1,824.00, \$14,686.40, \$61,732.05, \$416.00, \$579.90, \$40.00, \$1,593.00, \$3,751.30, \$788.30, \$148.50, \$297.00, \$2,498.00, \$553.50, \$850.50, \$9,744.80, \$3,962.00, \$33.00, \$40.00, \$512.00, \$224.00, \$3,458.20, \$1,799.50, \$640.00, and \$3,504.58, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 573,904.07

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/12/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 10/18/23, 10/18/23, 12/8/23, 12/8/23, 12/8/23, 12/8/23, 12/8/23, 12/8/23 and 12/8/23) from the funds of the 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,

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\$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, 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, 9/19/23, 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, 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, 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, \$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,

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\$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, 5/30/23, 6/26/23, 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, 7/12/23, 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, 8/31/23, 9/13/23, 9/13/23, 9/13/23, 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,

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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, 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.)

TOTAL DUE.....\$ 57.94

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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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
MARCH 21, 2024**

1. UM – MODIFICATION OF AN EXISTING ACADEMIC DEGREE PROGRAM

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

In accordance with Board policy 503, the University of Mississippi submits a request for the modification of an existing academic degree program.

RENAMING

Current program title: Bachelor of Business Administration (BBA) in Marketing and Communication Strategy

Proposed program title: **Bachelor of Business Administration (BBA) in Professional Sales**

Responsible academic unit: School of Business

Current CIP code, sequence: 52.1499, 5823

Total credit hours: 120

Effective date: August 2024

Rationale: The strongest area for job placement for School of Business students is in professional sales/key account management (i.e., relationship building). In the short history of emphasis areas within the BBA-Marketing, the sales emphasis has attracted more students than the other specific emphases in Marketing. The Ole Miss sales programs have already become nationally recognized as a top program by the Sales Education Foundation (SEF). Changing the title to professional sales will help UM gain more attention as one of the leading university sales programs, not only regionally, but nationally.

2. MSU – MODIFICATION OF AN EXISTING ACADEMIC UNIT

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

RENAMING

Current unit: Department of Mechanical Engineering

Proposed Title: **Michael W. Hall School of Mechanical Engineering**

Unit Location: Bagley College of Engineering

Effective date: January 2024

Cost of implementation: \$0

Rationale: The Bagley College of Engineering received a major gift to rename the Department of Mechanical Engineering as an endowed School of Mechanical Engineering in honor of the donor, Mr. Michael W. Hall.

STAFF RECOMMENDATION: Board staff recommends approval of these items.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
March 21, 2024

1. ASU-REQUEST FOR RETROACTIVE APPROVAL TO ENTER INTO A STATEMENT OF WORK WITH ENNCloud TECHNOLOGIES, LLC

Agenda Item Request: Alcorn State University requests approval to enter into a new statement of work (Statement of Work No. 0006) with **ENNCloud Technologies, LLC** for CIO Advisory Services, ERP Advisory Services, and Technical Project Management and Consulting Oversight Services under the existing Master Consulting Agreement dated September 21, 2020. Statement of Work No. 006 has a retroactive effective date of January 16, 2024.

Contractor's Legal Name: ENNCloud Technologies, LLC

History of Contract: This Statement of Work No. 006 modifies the existing Master Consulting Agreement and Statement of Work No. 005 between Alcorn State University and ENNCloud Technologies dated September 21, 2020 and October 1, 2022. It streamlines the remaining work and reduces the total outstanding balance to \$110,000, to be paid at a rate of \$20,000 per month through June 30, 2024.

The original Agreement included Statement of Work No. 001 for CIO Advisory Services for 12 months (September 2020-August 2021) at a cost of \$222,500, Statement of Work No. 002 for Remote ERP Consulting Oversight for 8 months (February 2021-September 2021) at \$10,000, Statement of Work No. 003 which extended the CIO Advisory Services one additional month through September 2021, and Statement of Work No. 004 which provided strategic IT oversight and governance services for 12 months (October 2021-September 2022) at \$470,000. Statement of Work No. 005 subsequently added services at \$47,916.67 per month for 12 months (with automatic renewals), totaling \$575,000.

This amendment modifies the remaining work and payment terms to streamline completion of the Agreement.

Specific Type of Contract: This is a new Statement of Work No. 006 made as part of the current Master Consulting Agreement with Alcorn State University and ENNCloud Technologies, LLC.

Scope of Work: Statement of Work Number 006 continues to provide strategic IT oversight through CIO Advisory Services that delivers IT Governance facilitation and aligns technology resource allocations with institutional strategy to achieve improved student experiences, streamlined faculty IT service delivery, and administrative business process automation. Specifically, this includes (1) supporting current RFP projects (AV, Outside Wireless, Surveillance); (2) supporting mobile application upgrade; (3) Assisting with the establishment of IT security policies and procedures; (4) updating IT governance applications created by ENNCloud; (5) supporting compliance/IT security risk; (6) assisting with the development of baseline configurations; (7) assisting with the development of a

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vendor management plan; (8) assisting with training user services and network teams on usage of various software applications to support inventory and systems management.

Term of Contract: 5½ months, starting January 16, 2024 through June 30, 2024.

Contract Amount: The scope of work for Statement of Work No. 006 is \$20,000.00 per month for a total of \$110,000 for 5½ months.

Funding Source for Contract: The contract will be funded by Title III Federal funds.

Termination Options:

1. The university may terminate the contract for cause and for unavailability of funds.
2. By either party at will upon 90 days' notice, provided that the terms and conditions of the agreement will continue to govern any outstanding statement of work;
3. By Contractor immediately for cause;
4. A force majeure event;
5. Availability of funds; and
6. Failure of Contractor to comply with E-Verify.

Contractor Selection Process: The contractor was selected by the university administration due to their experience in CIO Strategic Advisory Services and Cloud Computing Consulting.

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. **ASU-REQUEST FOR APPROVAL TO ENTER INTO A RETROACTIVE SERVICE AGREEMENT WITH FOLLETT HIGHER EDUCATION GROUP, LLC**

Agenda Item Request: Agenda Item Request: Alcorn State University requests approval to enter into a fourth amendment to the August 2017 contract with **Follett Higher Education Group, LLC** in order to continue Follett's operation of campus bookstore facilities until July 30, 2024. The amendment has a term of nine (9) month term with a retroactive effective date of October 1, 2023."

Contractor's Legal Name: Follett Higher Education Group, LLC.

History of Contract: The Board approved the original contract with Follett Higher Education Group (Follett) in August 2017. On May 23, 2022, Amendment 1 to the Follett agreement went into effect, extending the terms of the original 2017 contract to October 31,

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2022. Thereafter, on November 1, 2022, Amendment 2 went into effect, further extending Follett's services to June 30, 2023. Amendment 2 also added language providing that, by mutual written agreement, the contract may be renewed for one additional 5-year term following the end of the current term. Most recently, on July 1, 2023, Amendment 3 became effective, again extending the end date of Follett's services to September 30, 2023. Over the course of the relationship governed by the original 2017 contract and subsequent amendments, the parties have agreed to several extensions, with the contractual end date for Follett's services set at September 30, 2023. However, during the ongoing negotiations to revise the agreement originally entered into between ASU and Follett Higher Education Group on August 18, 2017, both parties have continued to act in conformity with the terms and conditions set forth in the original agreement dated agreement.

While negotiations continue in good faith between both parties to potentially update portions of the original contract, ASU warrants that operations have continued uninterrupted in accordance with the original executed agreement between the two parties. Further, there are no outstanding disagreements or known allegations of breach by either party.

Specific Type of Contract: Revenue Contract with Follett Higher Education Group, Inc. to outsource the management services of the campus bookstore.

Purpose: The purpose of the agreement is to provide contractual terms for the outsourcing of the management services of the campus bookstore.

Scope of Work: The Scope of work remains unchanged from the original 2017 contract.

Term of Contract: This Amendment is effective October 1, 2023, and continues, unless sooner terminated in accordance with Section 3 of the original Agreement, until July 30, 2024.

Contract Amount: The total lifecycle cost, including this amendment will be \$1,475,074.50.

Funding Source for Contract: This is a revenue contract.

Termination Options: Either party may terminate this Agreement with or without cause by giving the other party at least 120 days prior written notice of termination. Either party may terminate this Agreement upon 90 days prior written notice for material nonperformance by the other party. ASU may terminate this Agreement immediately if Follett initiates any bankruptcy proceeding, or if any such proceeding initiated against Follett remains undismissed for 60 days.

Contractor Selection Process: ASU previously conducted a competitive RFP process in April 2017 to select a qualified contractor for the bookstore contract. After evaluating all

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proposals, Follett Higher Education Group, LLC. was selected and contracted for a 5-year term which has since expired.

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

3. MSU-REQUEST TO ENTER INTO A LEASE AGREEMENT WITH MISSISSIPPI STATE UNIVERSITY RESEARCH & TECHNOLOGY CORPORATION

Agenda Item Request: Mississippi State University, on behalf of its Social Science Research Center (“SSRC”), Center for Advanced Vehicular Systems Extension (“CAVSE”), and Extension Service (“Extension”), requests approval to enter into a five (5) year lease agreement with the **Research & Technology Corporation (“RTC”)** for office space located at 1 Research Blvd., first and second floor, totaling approximately 28,684 square feet, in the Thad Cochran Research, Technology, and Economic Development Park in Starkville, Mississippi. Pursuant to IHL policy 707.03 *Approval of Prepayment for Goods or Services*, MSU also requests approval to allow prepayment of the monthly rent in advance each month.

Contractor’s Legal Name: Mississippi State University Research & Technology Corporation

History of Contract: MSU and SSRC first leased space in this building in 1991, when it was owned by the Oktibbeha County Economic Development Authority. The lease was renewed multiple times until RTC purchased the building in 2018. Since then, CAVSE and Extension have executed separate leases for their own space in the facility. This new lease agreement covers the space leased by SSRC, CAVSE, and Extension in the facility for a new, three-year term.

Specific Type of Contract: Lease agreement

Purpose: The purpose of the lease agreement is to provide 28,684 square feet of space to be used by MSU.

Scope of Work: N/A

Term of Contract: The term of the lease agreement begins on April 1, 2024, and runs until March 31, 2027.

Contract Amount: The total annual rent will be \$333,879.84 payable in monthly installments of \$27,823.32. Rent is based on a \$11.64 per square foot value. Total rent paid for the full lease term will be \$1,001,639.52.

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Funding Source for Contract: Externally funded grants and contracts

Termination Options: MSU may terminate the lease agreement if space becomes available in any state-owned building.

MSU may reduce rent if necessitated by a discontinuous or decrease in federal or state funds upon thirty (30) days written notice to RTC, with space being reduced proportional to the reduction in rent.

If either party is in default and has not cured the default within the applicable cure period, the non-defaulting party will have the right to terminate the lease agreement.

Should the demised premises be totally or substantially destroyed by fire, the elements or otherwise, so as to render it untenable, either party will have the option to cancel the remaining portion of the lease term upon forty-five (45) days written notice.

Contractor Selection Process: The space was identified in the MSU Research Park as a suitable space for MSU to lease to conduct business activities.

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

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CONSENT AGENDA
REAL ESTATE
MARCH 21, 2024**

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

Board Policy §902, Initiation of Construction Projects

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

Board Policy §904(A), Board Approval

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

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

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

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CONSENT AGENDA
REAL ESTATE
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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. DSU – GS 102-280 – ARPA WASTEWATER

Project Request: Delta State University requests approval to initiate a project, ARPA Wastewater, and appoint W.L. Burle Engineers as the design professional.

Proposed Design Professional: W.L. Burle Engineers

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

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

Purpose: Delta State University is seeking to initiate the project and appoint the design professional as required by Board Policy. The purpose of this request is to combine two projects, 102-280 ARPA Infrastructure – Waste Collection and Conveyance and 102-288 ARPA Infrastructure – Water Transportation and Distribution, that both fell under \$1M each into one project. These projects provide external storm water and water transport improvements to campus.

Since the initial project amounts did not exceed the \$1 million required for board approval, these projects were being handled individually. Upon review of the projects, it was determined that there was overlap and that combining the project would allow for more efficient management and oversight, the decision was made to request to combine the projects.

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Project Scope: Delta State University has identified several issues on campus with water transport services and wastewater management. The project would include replacing the campus pumping station, replacing campus piping, identifying issues with piping, and repairing those pipes wither by replacing or using a cast in place system.

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

Project Initiation Date: March 21,2024

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

		<i>Estimated</i>
Construction Cost:	\$	1,562,565.00
Architectural and Engineering Fees:		121,849.96
Misc. Project Costs:		50,000.00
Furniture & Equipment Costs:		0.00
Contingency:		190,585.04
 Total Project Budget	 \$	 1,925,000.00

Funding Source(s): SB 3062, Laws of 2022 (\$1,925,000.00) – This funding is allocated to the Department of Finance and Administration and assigned to DSU.

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

2. MUW – GS 104-214 – SOUTH CAMPUS MECHANICAL PLANT IMPROVEMENTS

Project Request: Mississippi University for Women requests approval to initiate a project, South Campus Mechanical Plant Improvements, and appoint Dewberry Engineers, Inc., as the design professional.

Proposed Design Professional: Dewberry Engineers, Inc.

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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 the RFQ method for the selection of the professional.

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

Purpose: Mississippi 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 is intended to address facility and equipment upgrades as required at the south campus chiller plant which currently supports four residence halls. Mechanical, electrical, and plumbing improvements will be included in this scope.

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: March 21,2024

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 2,500,000.00
Architectural and Engineering Fees:	225,000.00
Misc. Project Costs:	40,000.00
Furniture & Equipment Costs:	0.00
Contingency:	75,000.00
Total Project Budget	\$ 3,000,000.00

Funding Source(s): HB 1730, Laws of 2020 (\$2,115,911.65); HB 603 Laws of 2023 (\$884,088.35)

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

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3. MUW – GS 104-215 – JONES HALL RENOVATION

Project Request: Mississippi University for Women requests approval to initiate a project, Jones Hall Renovation, and appoint Shafer Zahner Zahner, PLLC, as the design professional.

Proposed Design Professional: Shafer Zahner Zahner, PLLC

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

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

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

Project Scope: This project will include asbestos abatement, restoration of interior and exterior elements, interior reconfiguration, ADA improvements and major renovations of the mechanical, electrical, plumbing and life safety systems. Due to the building's Mississippi Landmark status, coordination with the Mississippi Department of Archives and History will be required.

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: March 21,2024

Date of Original Construction: 1964

Date of Last Renovation: 1993

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Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 6,700,000.00
Architectural and Engineering Fees:	455,000.00
Misc. Project Costs:	45,000.00
Furniture & Equipment Costs:	0.00
Contingency:	300,000.00
 Total Project Budget	 \$ 7,500,000.00

Funding Source(s): HB 603 Laws of 2023 (\$7,500,000)

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

IHL PROJECTS

4. ASU – IHL 201-264 – MATT THOMAS, JR. GARDEN APARTMENTS RENOVATIONS – PHASE I

Project Request: Alcorn State University requests approval to initiate a project, Matt Thomas, Jr. Garden Apartments Renovations, and appoint Canizaro, Cawthon, and Davis as the design professional.

Proposed Design Professional: **Canizaro, Cawthon, and Davis**

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

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

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

Project Scope: The scope of this project is to renovate three (3) existing unoccupied buildings that are part of the Matt Thomas, Jr. Garden Apartment Complex. The scope will cover 25,479 GSF. This project will be constructed in two (2) phases; Phase I will consist of the following exterior and interior improvements. The exterior renovations will include new roofs, windows, balcony guardrails, and new handrails at the parking lot steps. The interior renovations will include abatement, new LVT

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flooring and base, new drywall ceilings and lighting, new plastic laminate kitchen cabinets and solid surface tops, new kitchen appliances, new wood door, new or refurbished door frames, new HVAC, new ceramic tile bathroom flooring, new bathroom plumbing fixtures, new drywall furring of one wall in the living rooms, and painting of existing walls. In addition, one downstairs unit will be remodeled to meet ADA guidelines.

History: This existing faculty and staff housing complex was built in 1972. The roofs on three (3) out of the four (4) existing buildings are failing and, in some cases, have completely failed. The damage has caused extensive interior damage. The phasing approach will allow for several of the units to once again be occupied. The first phase of the project has a cost of \$2,750,000.00. The funding source for this phase of the project is the Capital Expenditure Funds.

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

Project Initiation Date: March 21,2024

Date of Original Construction: 1972

Date of Last Renovation: N/A

Project Budget:

		<i>Estimated</i>
Construction Cost:	\$	2,129,312.53
Architectural and Engineering Fees:		184,097.19
Misc. Project Costs:		150,000.00
Furniture & Equipment Costs:		50,000.00
Contingency:		236,590.28
 Total Project Budget	 \$	 2,750,000.00

Funding Source(s): Capital Enhancement Funds – SB3000 Laws of 2023 (\$2,750,000.00)

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

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APPROVAL OF OTHER REAL ESTATE REQUESTS

**5. ASU – REQUEST TO AMEND/MODIFY A LEASE AGREEMENT WITH MS
HARDWARE MASTER TENANT, LLC.**

Agenda Request: Alcorn State University requests approval to amend/modify the Lease Agreement for office space located at the Vicksburg Technology Innovation Center (MCity). This is the only change in the Agreement.

Contractor’s Legal Name: MS Hardware Master Tenant, LLC

Specific type of contract: Amendment to Commercial Lease agreement.

Purpose: The purpose of this amendment is to reduce the square footage of leased space from 9,873 sq. ft. to 8,539 sq. ft. Monthly rent will be reduced from \$18,932.23 to \$16,366.40 which results in a reduction of \$2,565.83.

Terms of Lease Agreement: The term of the lease agreement remain unchanged. Initial lease term is for 5 years commencing on July 1, 2023, with an option for renewal with two renewal terms of 5 years/each. The effective date of the modification to the lease agreement is April 1, 2024.

Termination Options:

- 1) Damage or Destruction – If the premises are totally destroyed by any cause whatsoever, or damaged to the extent that repairs cannot be completed or Lessee’s operation resumed within 90 days of said damage, either Lessor or Lessee may elect by notice given within 30 days after the occurrence to terminate the lease as of the date the destruction occurred.
- 2) Condemnation – If the whole or a portion that has a material adverse effect on Lessee’s occupancy and use of the building should be taken for any public or quasi-public use, by right of eminent domain or otherwise or should be sold in lieu of condemnation, then this lease shall terminate as of the date when physical possession of the building is taken by the condemning authority.
- 3) Default – A.) If Lessee abandons or vacates the premises for 30 consecutive days; B.) If Lessee fails to pay any installment of base rent, additional rent, or any other charges required to be paid when due, and such failure continue for a period of forty five days after said payment is due; C.) if Lessee fails to perform any of its non-monetary obligations under this lease for a period of thirty days after a written notice from Lessor, provided that if more than thirty days are required to complete such performance , Lessee shall not be in default; D.) If Lessee becomes

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insolvent, or shall make a transfer in fraud or creditors, shall make an assignment for the benefit of creditors, or shall make a transfer of assets reducing the Lessee's net worth by more than 20%, E.) If Lessee shall file a petition under any section or chapter of the United States Bankruptcy Code, as amended, or under any similar law or statute of the United States or if a receiver or trustee shall be appointed for all or substantially all of Lessee's assets; F.) false misrepresentations at the time the lease was made; G.) In the event of a discontinuance or decrease in federal, state, and other available funding that prevents Lessee from continuing its operations.

Contract Amount: New balance owed through June 30, 2024: \$49,099.20. Total lifecycle balance \$834,686.40 contingent up Lessor's right to increase rent 2.0% per year.

Funding Source: The funding source for this lease will be General Funds and Title III Federal funds.

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

6. MSU – IHL 205-328 - NAMING OF “NEW RESIDENCE HALL” AS “AZALEA HALL”

Agenda Request: Mississippi State University requests approval to name the "New Residence Hall" as "Azalea Hall".

Design Professional: Wier Boerner Allin Architecture

General Contractor: Roy Anderson Corp.

Purpose: The building is a new residential facility that Mississippi State University is seeking to name before it opens in the Fall of 2025.

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

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Project Budget: \$103.5 million

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

Mississippi State University is acting in accordance with Board Policy §917 Naming of Buildings and Facilities, that requires Board approval to be obtained prior to naming or re-naming any institutional building or facility.

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

7. UM – APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH BEACON OXFORD INVESTORS, LLC

Agenda Request: The University of Mississippi requests approval to enter into a lease agreement with Beacon Oxford Investors, LLC beginning July 25, 2024.

Contractor’s Legal Name: Beacon Oxford Investors, LLC

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

Purpose: This lease provides an additional 200 furnished bed spaces for year one (1) and 220 furnished bed spaces for year two (2) that will allow the University to provide space for the growing number of incoming freshmen students and still provide housing for upperclassmen.

Terms of Lease Agreement: The University will pay \$2,460,000 for the first year commencing on July 25, 2024, and ending on July 31, 2025, in twelve (12) monthly installments of \$205,000 for leasing 200 bed spaces. The University will pay \$2,814,840 for the second year commencing on August 1, 2025, and ending on July 31, 2026, in twelve (12) monthly installments of \$234,570 for leasing 220 bed spaces.

Termination Options: This lease commences on July 25, 2024, and remains in force until July 31, 2026. Should the demised building be totally or substantially destroyed by fire, the elements or otherwise, so as to render the demised building untenable, either party shall have the option to cancel the remaining portion of this Lease. Failure on the part of the Lessee to pay any installment of rent when the same comes due and payable, or failure of either Lessee or Lessor promptly and faithfully to keep and perform each and every covenant agreed and stipulated herein on the part of the Lessee or Lessor to be kept and performed, shall at the option of the Lessor or Lessee cause a forfeiture of this Lease. Lessee may terminate for Lessor’s failure to comply

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with the Americans with Disabilities Act or the Mississippi Employment Protection Act. The Lease may also be terminated by mutual agreement of the parties.

Contract Amount: The initial lease amount is \$2,460,000. The increase in the cost of the lease is 5%. Year Two Lease: \$2,814,840.

Note: Year One cost is based on 200 bed spaces and Year Two cost is based on 220 bed spaces.

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

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

8. UM – APPROVAL TO ENTER INTO A LEASE AGREEMENT WITH TAYLOR BEND APARTMENTS OF OXFORD, LLC

Agenda Request: The University of Mississippi requests approval to enter into a lease agreement with Taylor Bend Apartments of Oxford, LLC beginning August 1, 2024.

Contractor's Legal Name: Taylor Bend Apartments of Oxford, LLC

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

Purpose: This lease provides an additional 126 bed spaces that will allow the University to provide housing for upperclassmen.

Terms of Lease Agreement: The University will pay \$1,108,800 for the term August 1, 2024 – July 31, 2025, in monthly installments of \$92,400 for leasing bed spaces.

Termination Options: This lease commences on August 1, 2024, and remains in force until July 31, 2025. Each party will be excused from performance for any period during which, and to the extent that, such party or any subcontractor is prevented from performing any obligation or service, in whole or in part, as a result of causes beyond its reasonable control, and without its fault or negligence, including without limitation, acts of God, strikes, lockouts, riots, acts of terrorism or war, University closure, epidemics, pandemics, a state of emergency as declared by federal, state or local government, infectious disease or other public health emergency, communication line failures, power failures, and non-delivery or delays in delivery by any other supplier of goods or services deliverable under this Agreement. Should the demised building be totally or substantially destroyed by fire,

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the elements or otherwise, so as to render the demised building untenable, either party shall have the option to cancel the remaining portion of this Lease. Failure on the part of the Lessee to pay any installment of rent when the same comes due and payable, or failure of either Lessee or Lessor promptly and faithfully to keep and perform each and every covenant agreed and stipulated herein on the part of the Lessee or Lessor to be kept and performed, shall at the option of the Lessor or Lessee cause a forfeiture of this Lease. Lessee may terminate for Lessor's failure to comply with the Americans with Disabilities Act or the Mississippi Employment Protection Act. The Lease may also be terminated by mutual agreement of the parties.

Contract Amount: The budget for this lease is \$1,108,800.

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

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

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1. **USM – APPROVAL TO AMEND CONTRACT WITH CAVES & CAVES, PLLC
AS OUTSIDE COUNSEL**

The University of Southern Mississippi requests Board approval to amend its contract with the law firm of Caves & Caves, PLLC, to expand the scope of services to include general legal advice, commercial and regulatory matters, investigations in matters involving various legal issues and litigation, in addition to acting as a hearing officer for Title IX proceedings at the University and any and all services arising out of or related to the hearing officer role. The term of the original contract remains unchanged and shall expire on June 30, 2024. The hourly rates remain unchanged at \$195 per hour for attorneys and \$90 per hour for paralegal services with an unchanged maximum amount payable of \$40,000 over the full term of the agreement. This firm carries professional liability insurance coverage in the amount of \$1 million per claim with an annual aggregate of \$1 million. This request has been approved by the Office of the Attorney General.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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APPROVAL OF PERSONNEL ACTION REQUESTS

1. Sabbatical

Mississippi State University

- Sawsan Abutabenjeh; Associate Professor of Political Science and Public Administration; *from* salary \$86,700.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$43,350.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Jenna A. Altomonte; Associate Professor of Art; *from* salary \$72,788.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$36,394.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Amin Amirlatifi; Associate Professor of Chemical Engineering; *from* salary \$127,806.00 per annum, pro rata; Restricted & E&G Funds; 9-month contract; *to* salary \$63,903.00 per annum, pro rata for sabbatical period; Restricted & E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Kevin J. Armstrong; Associate Professor of Psychology; *from* salary \$90,011.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$45,005.50 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Sadik C. Artunc; Professor of Landscape Architecture; *from* salary \$161,115.00 per annum, pro rata; E&G Funds; 12-month contract; *to* salary \$60,418.13 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Tanmay Bhowmik; Assistant Professor of Computer Science & Engineering; *from* salary \$101,017.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$50,508.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024, to December 31, 2024; professional development
- Kenya M. Cistrunk; Associate Professor of Sociology; *from* salary \$82,414.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$41,207.00 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Shalyn R. Claggett; Professor of English; *from* salary \$80,418.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$40,209.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Kalyn T. Coatney; Professor of Agricultural Economics; *from* salary \$107,150.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$53,575.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024 to December 31, 2024; professional development

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- Qiana M. Cutts; Associate Professor of Counseling, Higher Education, Educational Psychology & Foundations; *from* salary \$76,866.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$38,433.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Scott J. DiGiulio; Assistant Professor of Classical & Modern Languages & Literature; *from* salary \$63,908.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$31,954.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Fumiko Joo; Assistant Professor of Classical & Modern Languages & Literature; *from* salary \$63,078.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$31,539.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Kimberly C. Kelly; Professor of Sociology; *from* salary \$116,178.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$58,089.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Seong-Gon Kim; Professor of Physics & Astronomy; *from* salary \$127,419.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$63,709.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- JuYoung Lee; Associate Professor of School of Human Sciences; *from* salary \$77,842.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$38,921.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Matthew W. Little; Associate Professor of English; *from* salary \$90,804.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$45,402.00 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Chun-Hung Liu; Associate Professor of Electrical & Computer Engineering; *from* salary \$121,256.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$60,628.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Peter C. Messer; Associate Professor of History; *from* salary \$81,790.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$40,895.00 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective August 16, 2024 to May 15, 2025; professional development
- Elizabeth E. Miller; Associate Professor of English; *from* salary \$69,614.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$34,807.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development

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- Thomas W. Miller; Professor of Finance & Economics; *from* salary \$222,679.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$111,339.50 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Joseph J. Morzuch; Assistant Professor of Art; *from* salary \$66,326.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$33,163.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Robert J. Moss; Professor of Psychology; *from* salary \$98,548.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$49,274.00 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Danielle K. Nadorff; Associate Professor of Psychology; *from* salary \$85,906.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$42,953.00 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Michael R. Nadorff; Professor of Psychology; *from* salary \$107,105.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$53,552.50 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Anna J. Osterholtz; Associate Professor of Anthropology & Middle Eastern Culture; *from* salary \$77,431.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$38,715.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Dan Punday; Professor of English; *from* salary \$105,630.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$52,815.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Judith Ridner; Professor of History; *from* salary \$92,126.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$46,063.00 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Saeed Rokooei; Associate Professor of Building Construction Science; *from* salary \$91,507.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$45,753.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024 to May 15, 2025; professional development
- Yan Sun; Associate Professor of Industrial Technology, Instructional Design & Community College Leadership; *from* salary \$72,709.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$36,354.50 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024 to December 31, 2024; professional development

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- Tara E. Sutton; Assistant Professor of Sociology; *from* salary \$77,050.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$38,525.00 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Benjamin Tkach; Associate Professor of Political Science & Public Administration; *from* salary \$83,000.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$41,500.00 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Carrie K. Vance; Associate Professor of Biochemistry, Molecular Biology, Entomology & Plant Pathology; *from* salary \$89,760.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$44,880.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Guiming Wang; Professor of Wildlife, Fisheries & Aquaculture; *from* salary \$147,150.67 per annum, pro rata; E&G Funds; 12-month contract; *to* salary \$55,181.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Yizhi Xiang; Associate Professor of Chemical Engineering; *from* salary \$100,106.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$50,053.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024 to December 31, 2024; professional development
- Maxwell Young; Associate Professor of Computer Science & Engineering; *from* salary \$112,219.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$56,109.50 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Li Zhang; Professor of General Library; *from* salary \$79,208.00 per annum, pro rata; E&G Funds; 12-month contract; *to* salary \$29,703.00 per annum, pro rata for sabbatical period; E&G Funds; effective January 1, 2025 to May 15, 2025; professional development
- Qian Zhou; Associate Professor of Mathematics & Statistics; *from* salary \$98,760.00 per annum, pro rata; Designated & E&G Funds; 9-month contract; *to* salary \$49,380.00 per annum, pro rata for sabbatical period; Designated & E&G Funds; effective January 1, 2025 to May 15, 2025; professional development

Mississippi University for Women

- Mary Miller; Associate Professor of English/Creative Writing Fiction; *from* \$56,081 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$14,020 per annum, pro rata for sabbatical period; E&G Funds; effective January 12, 2025 to May 12, 2025; professional development
- Julia Mortyakova; Department Chair and Professor of Music; salary \$73,303 per annum, pro rata; E&G Funds; 10.5-month contract; no change in salary for sabbatical period; E&G Funds; effective August 1, 2024 to December 31, 2024; professional development

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- Ross Whitwam; Professor of Biology; salary \$70,252 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 19, 2024 to December 31, 2024; professional development
- Brandy Wilson; Associate Professor, salary \$54,224 per annum, pro rata; E&G Funds; 9-month contract; no change in salary for sabbatical period; E&G Funds; effective August 19, 2024 to December 31, 2024; professional development

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ADMINISTRATION/POLICY
March 21, 2024**

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

The university requests approval to bestow one honorary degree at its 2024 commencement ceremonies. Supporting documents are on file at the Board Office.

Staff Recommendation: Board staff recommends approval of this item.

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1. **UM – REQUEST TO ADD A NEW ACADEMIC DEGREE PROGRAM**

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.”

Board Policy 511: Hours to Degree states: “All undergraduate degree programs must have a minimum of 120 hours and a maximum of 124 hours unless the Board has granted an exception. A request for exception will come to the Board with a justification and recommendation from the Commissioner. Among other issues, these reviews will take into account: A. Accreditation standards of the appropriate specialized accrediting agencies which mandate a baccalaureate program of over 124 credit hours. B. Licensing standards of the professions involved which require a baccalaureate program of over 124 credit hours.”

In accordance with Board Policies 502 and 511, the University of Mississippi requests approval to establish a new academic degree program and to require 126 credit hours for the new academic degree program.

Bachelor of Science in Data Science (BSDS)

CIP code: 30.7001

Total credit hours: 126

Exception to IHL Policy 511 – Hours to Degree requested due to increased degree requirements to achieve accreditation from the Accreditation Board for Engineering and Technology (ABET)

Effective date: August 2024

Incremental, five-year cost of implementation: \$900,000

Potential five -year, new revenue: \$3,969,108

Unit where academic program will be housed: School of Engineering, Department of Computer and Information Science

Number of students expected to enroll in first five years: 205

Number of students expected to graduate in first five years: 30

Program description: The Bachelor of Science in Data Science program is an interdisciplinary program with computer science, mathematics, and statistics at its core. Students will become proficient in data science-related computing and mathematical concepts to explore data and extract knowledge from data. BSDS students must have an application area by declaring a minor. Students will be required to use data science techniques in a capstone project before they complete the program.

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Institution(s) offering similar program(s): Mississippi State University offers a Bachelor of Science (BS) in Data Science.

National and state supply and demand: The U.S. Bureau of Labor Statistics (BLS) indicates that jobs related to data science will have a 36% growth (+40,500 jobs) from 2021 to 2031. Data Science related positions are some of the top wanted positions in the state, region and nation. Any job search using any job search engines shows a plethora of jobs that need filling that requires data science knowledge.

Average wages: According to the BLS, the median pay for data scientists in Mississippi was \$100,910 in 2021. In 2023, the average annual pay for a data scientist in Mississippi is \$109,345 (Ziprecruiter).

STAFF RECOMMENDATION: Board staff recommends approval of the new academic degree program and exception to number of hours required for the degree program, pending proper notification and any required approval from USDOE and SACSCOC.

2. **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 the University of Mississippi request approval for the creation of new centers.

A. **JSU - Center Title: Center for Supply Chain Management**

Center Location: College of Business

Scope: Limited Scope and Outreach

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

Effective Date: Spring 2024

Total number of current faculty/ Total number of new faculty: 0/1

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

Anticipated annual cost: \$1,000,000

Funding source: U.S. Small Business Administration

Purpose: The Center for Supply Chain Management will support student engagement, research, and strategic corporate engagement surrounding issues related to global supply chain and international trade relations. The Center seeks to take advantage of Mississippi's business-thriving climate and logistical advantages to position Jackson State and the State of Mississippi as leaders in this rapidly growing field. The Center will provide short- and long-term training to students and interested business constituents to improve supply chain infrastructure and promote logistics sustainability. JSU's current

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corporate and non-governmental partners support JSU's efforts in training the next generation of professionals and business owners in supply chain management, furthering our efforts to support the interests of the state.

B. UM - Center Title: Center for Journalism Advocacy and Innovation

Center Location: School of Journalism and New Media

Scope: Limited Scope and Outreach

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

Effective Date: Spring 2024

Total number of current faculty/ Total number of new faculty: 1/1

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

Annual cost of implementation: Dependent on external funding; estimated \$500,000/year

Funding source: External funding, initially (donor and foundations); existing School funds

Purpose: Journalism is central to a functional democracy, but it is increasingly maligned and negatively stereotyped. Some specific challenges facing the practice of journalism today are unsustainable business models, claims of bias and misinformation, and a declining workforce that must keep up with the use and implications of rapid changes in digital technologies and platforms. Nationally, some journalism schools have centers to promote specific types of journalism (ex. investigative journalism, global journalism, documentary journalism, etc.), however, no other center, that we know of, focuses on promoting the intensely practical value of journalism in general. Thus, this one-of-a-kind center housed in the University of Mississippi's School of Journalism and New Media will seek to strengthen and promote the institution and practice of journalism in the state and nationally through innovative programming and research focused on advocating for journalism excellence in community life.

STAFF RECOMMENDATION: Board staff recommends approval of these items.

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1. **USM –REQUEST FOR APPROVAL OF CONTRACTUAL SERVICES
AGREEMENT WITH ARAMARK EDUCATIONAL SERVICES, LLC FOR FOOD
SERVICE MANAGEMENT**

Agenda Item Request: The University of Southern Mississippi (USM) requests approval to amend its existing contract with **Aramark Educational Services, LLC**, for their food service management agreement.

Contractor’s Legal Name: Aramark Educational Services, LLC

History of Contract: USM and Aramark entered an IHL Board approved 10-year contract in March of 2004 to operate and provide food services at USM’s main campus and has continued to operate under one agreement with several amendments. The current contract is set to expire June 30, 2030.

Specific Type of Contract: Food Service Management Services Outsourcing Agreement

Purpose: The purpose of this contract is to allow Aramark to operate a campus food service program for USM, providing meals, including a la carte items and beverages, for reselling to students, faculty, staff, and guests. The purpose of this contract amendment is to increase revenue and capital investment on USM’s campus to enhance dining operations and provide support for future growth.

Scope of Work: Aramark will continue as USM’s food service provider.

Term of Contract: The amendment adds five (5) years to the extend the expiration to July 1, 2035, with an effective date of July 1, 2024. The full term of the agreement will be July 1, 2024, through June 30, 2035. The length of the term is necessary to secure the capital investment funding required for improvements, brands refresh, repairs, and new dining options over the contract period.

Termination Options: Termination options include the following:

- by either party at any time upon sixty (60) days written notice;
- failure by Aramark to comply with the federal E-Verify Program; and
- In the event that the contract is early terminated, USM will be required to reimburse Aramark for any unamortized balances remaining in its financial Capital Investment.

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Contract Amount: This is a revenue producing contract to USM. It is estimated that the University will receive approximately \$70 million in revenue benefits over the term of the amended agreement. The revenue over the agreement will be realized as follows:

1. Estimated Sales Commission - \$32M
2. Dining Capital Investments - \$6.85M
3. Unrestricted Grant Payment - \$1M
4. Brand Refresh Funding - \$3.1M
5. Contributions toward Utilities - \$16.5M
6. Contributions toward Maintenance and Repair fund - \$3.3M
7. Small Expendable Equipment - \$3.1M
8. Other Designated Funds - \$4.483M

Funding Source for Contract: This is a revenue producing contract.

Contractor Selection Process: The original agreement with Aramark in 2004 was executed after a formal review of proposals and vendor selection process. Subsequent contractual amendments were made following negotiations with the current provider, and all amendments were approved by the Board.

Since 2004, the University has benefitted from a strong partnership with Aramark, one which students, faculty, and staff validate with increasingly positive customer service satisfaction ratings. While currently under contract with Aramark through 2030, USM recognized infrastructure needs beyond the remaining capital investment funds and invited Aramark to submit a proposal based on their history of success in the industry and willingness to work diligently to maintain the relationship with USM. The proposal met USM's expectations for dining facility needs, provided flexibility to expand dining options for the coming years, and integrated with USM's goal of enhancing the student experience. The capital investment and other financial incentives Aramark proposed are substantial enough to allow USM to focus institutional resources on other pressing facility needs. The overall financial package and meal plans proposed, though tailored to USM's specific needs, appear to be in line with the industry for institutions similar to USM. In addition, Aramark has consistently proven to be a dependable and reliable partner during several weather-related emergency situations that the University has faced over the years (e.g., a hurricane, multiple tornados, ice storms etc.). Aramark also went above and beyond as a service provider during the pandemic and adapted quickly to continue to support our students with consistent services during an ever-evolving situation. Aramark's local leadership supports USM's community food security initiatives by donating block meals and food supplies to the Eagle's Nest food pantry. Aramark's local leadership has adopted the USM culture and rebranded the staff and operations to be indistinguishable withing the USM community.

Given the strong financial package proposed by Aramark, their track record of exceptional service to the University, and the potential disruption in campus food service a change in providers might entail, an extension through 2035 is recommended for approval.

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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. USM – REQUEST FOR APPROVAL OF CONTRACTUAL SERVICES AGREEMENT WITH ARAMARK EDUCATIONAL SERVICES, LLC FOR FOOD SERVICE MANAGEMENT (ATHLETIC CONCESSIONS)

Agenda Item Request: The University of Southern Mississippi (USM) requests approval to amend and extend its existing contract with **Aramark Educational Services, LLC**, for the management of athletic concessions.

Contractor’s Legal Name: Aramark Educational Services, LLC

History of Contract: USM and Aramark entered an IHL Board approved contract in February 2008 to manage concessions for USM Athletics. That contract was amended on two prior occasions, and the current agreement set to expire on June 30, 2030.

Specific Type of Contract: Athletic Concessions Outsourcing Agreement

Purpose: The purpose of this contract is to provide USM concession sales and services for athletic venues and events.

Scope of Work: Aramark will continue as USM’s concessionaire for an additional five years beyond the current term set to expire June 30, 2030, and provide additional revenue to the university.

Term of Contract: The contract amendment adds five (5) years to the current agreement, effective July 1, 2024, and ending June 30, 2035. The length of the term is necessary to secure capital investment funding required for concession and facility improvements.

Termination Options: Either party may terminate the agreement with or without cause upon 90 days written notice. The first 30 days are allotted for discussion of the reasons for termination and the remaining 60 days are the remaining termination period. If USM desires to terminate the concessions agreement prior to the end of the contract period, USM will be required to reimburse Aramark for the unamortized balance of its capital investment.

Contract Amount: This is a revenue producing contract to USM. It is estimated that the University will receive approximately \$4.5 million in revenue benefits over the term of the contract as follows:

1. Projected Sales Commission - \$3.5 million
2. Athletic Capital Investments - \$1.0 million

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Funding Source for Contract: This is a revenue producing contract.

Contractor Selection Process: In 2008, Aramark was the contracted food service provider for the university campus and already involved in concessions, therefore no request for proposal was issued. An agreement was reached based on experience and negotiated financial offerings and subsequently amended for additional investments and commission adjustments. This proposal provides needed resources for athletic facilities and the term will run concurrently with the main campus food service agreement to offer additional resources and support for the concession operations.

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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APPROVAL OF OTHER REAL ESTATE REQUESTS

1. MSU –APPROVAL TO WAIVE BOARD POLICIES AND ENTER INTO A PURCHASE AGREEMENT RELATED TO THE WOLF RIVER ACQUISITION, CONSERVATION, AND MANAGEMENT PROJECT – HARRISON COUNTY, MS AND HANCOCK COUNTY, MS

Explanation of Request: MSU seeks Board approval to enter into a Purchase and Sale Agreement among MSU, the Mississippi Department of Environmental Quality (MDEQ), and the Mississippi Forestry Commission (MFC), as Buyers, and Weyerhaeuser Company, as Seller, through which MSU will acquire ownership of an approximately 14,000-acre tract of land along the Wolf River in Hancock and Harrison counties.

The purchase price has not yet been agreed to between the parties. The purchase will be paid for by funds provided by the National Fish and Wildlife Foundation (NFWF), administered by MDEQ, and the Forest Legacy Program, administered by the U.S. Department of Agriculture Forest Service (Forest Service) and MFC. No MSU funds will be used to pay the purchase price.

At the conclusion of the transaction, MSU will hold fee title to the property and be required to manage the property in perpetuity according to a conservation plan reviewed and approved by the National Fish and Wildlife Foundation and the State Forester. The property will also be subject to deed restrictions prohibiting use inconsistent with conservation and encumbering proceeds from any future sale of the property.

To secure Board approval, MSU requests the waiver of Board Policy §905(A) requiring: (1) a purchase agreement presented for review and approval contains all terms of the purchase, including the purchase price; (2) the acquiring institution to have received two independent appraisals; and (3) the purchase price be the average of the two appraisals. MSU also requests waiver of Board Policy §905(B) requiring submission of a Phase I or more detailed Environmental Report to the Board's Real Estate and Facilities Office prior to execution of a purchase agreement.

Waiver of Board policies is dictated by Seller's unwillingness to allow the MSU, MDEQ, and MFC as Buyers to conduct due diligence material to the appraisal, or to allow a Phase-1 Environmental Report to be conducted, until after the Purchase and Sale Agreement had been signed. However, to mitigate risk associated with Board approval of a Purchase and Sale Agreement prior to completing due diligence and before a purchase price is agreed to, the Parties have negotiated a two-step Board approval process.

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Phase One: At the March 21, 2024, Board Meeting, the Board is requested to authorize MSU to enter into the Purchase and Sale Agreement which permits Buyers until August 30, 2024, to conduct due diligence (including an appraisal, a Phase-I Environmental Report). The Parties will also negotiate a Purchase Price and amend the Purchase and Sale Agreement to incorporate the Purchase Price. Among other termination provisions discussed below, the Purchase and Sale Agreement permits MSU to terminate the Purchase and Sale Agreement prior to August 30, 2024, without penalty if final Board approval is not granted.

Phase Two: On or before the August 15, 2024, Board meeting, MSU will present the results of the due diligence (including appraisal, Phase-I Report, and MSU's budget to manage the property in perpetuity according to the approved conservation plan and deed restrictions). The Purchase and Sale Agreement will have been amended by this date to reflect the Purchase Price. With this additional information in hand, the Board will consider whether to grant MSU authority to proceed to closing. In the alternative, the Board may direct MSU to terminate the Purchase and Sale Agreement.

Project Request: MSU, for and on behalf of its Forestry and Wildlife Research Center, requests the following actions by the Board at the March 21, 2024, meeting related to this Project:

- i. Approval for MSU to enter into the Purchase and Sale Agreement among MSU, MDEW, and MFC, as Buyers, and Weyerhaeuser, as Seller, through which MSU will acquire ownership of an approximately 14,000-acre tract of land along the Wolf River in Hancock and Harrison counties. MSU is also authorized to execute an amendment to the Purchase and Sale Agreement reflecting the Purchase Price agreed to between the Parties. Board approval for MSU to enter into the Purchase and Sale Agreement and the Purchase Price amendment does not constitute approval for MSU to complete the transaction or to accept title to the property. Final Board review of the transaction and project will occur at the August 15, 2024, Board meeting or at such other time set by the Board. MSU will not proceed to closing without further and final approval of the Board.
- ii. Waiver of Board Policies §905(A) requiring: (1) a purchase agreement presented for review and approval contain all terms of the purchase, including the purchase price; (2) the acquiring institution to receive two independent appraisals prior to Board approval; and (3) the purchase price be the average of the two appraisals.
- iii. Waiver of Board Policy §905(B) requiring submission of a Phase I or more detailed Environmental Report to the Board's Real Estate and Facilities Office prior to execution of a purchase agreement.

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Project Purposes: MSU’s Forest and Wildlife Research Center (FWRC), in conjunction with MSU’s College of Forestry Resources (CFR), will partner with MDEQ, NFWF, MFC, the Nature Conservancy, U.S. Forest Service, Weyerhaeuser, and the Land Trust for the Mississippi Coastal Plain to secure, conserve, and manage an approximate 14,000-acre tract along the Wolf River, in Harrison and Hancock Counties as part of the Coastal Headwaters Protection initiative. Acquisition, restoration, and protection will add substantively to the coastal conservation estate and would benefit water quality/quantity and protection of riverine, terrestrial, coastal, and marine systems on the Mississippi Gulf Coast.

As a partner in this conservation effort, MSU, through FWRC, will hold fee title to the tract and will conserve and manage the property in perpetuity according to conservation restrictions in the deed and a conservation plan which must be reviewed and approved by the National Fish and Wildlife Foundation (NFWF) and the State Forester. The partnership between the funding entities and MSU originated due to MSU’s ability to acquire and manage land in Mississippi for not only research but conservation purposes consistent with FWRC’s statutory purposes to “research relevant to the efficient management and utilization of the forest, wildlife and fisheries resources of this state and to the protection and enhancement of the natural environment associated with those resources.” Miss. Code Ann. § 57-18-5(2). While this is a stand-alone land acquisition project, it fits within a larger restoration plan of the various funding and state government partners.

Research, Education, and Outreach Purpose: As a university with an R1 – Very High Research Carnegie designation, MSU through FWRC is committed to the triad land grant mission of teaching, research, and outreach. The Wolf River tract would provide a coastal complement to MSU’s John Starr Memorial Forest which is located near Starkville. Whereas the Starr Forest is managed under a more industrial forest model to support research and educational needs of our industry partners, the Wolf River tract would be managed under a more ecological forestry model for a different set of endpoints and desired forest conditions. The explicit conservation objectives defined under the working lands conservation easement for the Wolf River tract provide a platform for research and outreach programs in ecological forestry, restoration, and wildlife conservation.

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- a. **Research.** This tract would provide a research forest for use by MSU faculty and graduate students. The planned conversion to longleaf will provide a globally unique long term research opportunity to evaluate temporal changes in provisioning of a myriad of environmental services under alternative management prescriptions.

- b. **Education.** The combined coastal upland pine and bottomland hardwood systems will provide a coastal forest outdoor learning lab for our forestry and wildlife students. MSU intends to host summer coastal ecology and management undergraduate and graduate courses using the Wolf River tract as a center piece for teaching and learning. Long term development of on-site classrooms will provide a location to host summer field experiences for undergraduates and graduate students conducting research.

- c. **Outreach.** The management regimes to be implemented on the Wolf River tract will provide a platform for hosting landowner workshops, field days, and other outreach events designed to inform and equip private landowners to increase adoption of conservation practices and management systems.

- d. **Positive Impact on the Forestry and Wildlife Industry.** This project will build interest, knowledge, and environmental literacy in K-12 students. These objectives will be accomplished through natural resources summer camps, virtual science scholar's programs, public school science immersion programs, and pre- and in-service training for K-12 teachers. Students recruited into CFR's degree programs are supported and equipped through experiential learning opportunities in outdoor labs, internships, and undergraduate research. The Wolf River tract will provide a southern outpost for the CFR to extend these environmental literacy programs to coastal populations and provide an outdoor learning lab to bring high-school students from around the state to experience and learn about coastal ecosystems.

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Conservation/Environmental Protection Purpose:

- a. **Hardwood bottomlands** – The Wolf River Watershed contains nearly 243 miles of streams associated with the Wolf River and its tributaries, of which nearly 30% occur within the tract under consideration. The riparian hardwood systems associated with these coastal headwaters provide essential protection for these and downstream aquatic systems. Under MSU ownership these hardwood riparian areas would be retained in hardwood and protected from hardwood extraction or development that might occur in the absence of these protections. Conservation and protection of these headwater habitats will result in the reduction of potential threats to water quality, restoration of natural ecosystems, and return of natural balance of hydrological dynamics entering downstream receiving water bodies, including Bay St. Louis.

- b. **Upland Pines** - Under MSU ownership, upland pine systems would be managed using a combination of thinning, prescribed fire, mechanical and herbicidal control, with a goal of restoring an open pine-grassland structure. Over time, longleaf pine would be reestablished on appropriate soils using a combination of harvest and replant or heavy thinning and underplanting. These alternative approaches to longleaf restoration would be implemented in an experimental fashion to provide a platform for applied research focused on differences in temporal and spatial dynamics in ecological function and environmental services associated with restoration approach.

Revenue Generation Purpose: FWRC will generate revenue from the timber management of the property to support education and research opportunities through increased scholarships for CFR students, coastal forest research programs, implementation and demonstration of sustainable forest management practices, and hands-on wildlife management and habitat restoration experience. FWRC believes there will be significant federal, state, and private grant opportunities through various existing and new funding partners that will contribute to the ongoing restoration and management of this project.

Purchase and Sale Agreement (PSA) Terms: Under the PSA, Weyerhaeuser is the Seller, and MSU, along with MDEQ and MFC as the flow-through funding agencies, are jointly acting as Buyers. MSU, however, will be the sole fee title holder of the property. Pursuant to the terms of the proposed PSA, the Buyers will obtain an appraisal after execution of the PSA pursuant to the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA), which requires a primary appraisal followed by an independent review appraisal. After

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the primary appraisal and review appraisal are obtained, the parties will negotiate a purchase price. If the parties are unable to negotiate an agreeable purchase price, the PSA will automatically terminate. If the parties mutually agree on a purchase price, the parties will execute an amendment to the PSA reflecting the purchase price. Purchase of the property is subject to an acceptable appraisal, title opinion, Phase I Environmental Site Assessment, and any necessary surveys that may result from due diligence and inspection.

Termination Options: The Buyers will have the right to terminate the PSA based on the following circumstances:

- i. Any Buyer elects to do so within the due diligence period set forth in the contract.
- ii. The parties are unable to agree on a purchase price.
- iii. The Seller is unwilling or unable to cure any title defects.
- iv. Material loss or damage to the property prior to closing.
- v. Unsatisfactory Phase 1 Environmental Site Assessment.
- vi. The IHL Board declines to provide final approval for MSU to complete the transaction

Funding Source(s): The purchase price for the project will be paid through a combination of funding by the NFWF Gulf Environmental Benefit Fund (GEBF), the U.S. Forest Service's Forest Legacy Program, and, potentially, The Nature Conservancy. No university funds will be used to purchase the property.

Environmental Phase I: Phase I Environmental Site Assessment (ESA) is required before presenting any property to the Board for consideration of purchase or acquisition. MSU is seeking to waive Board Policy §905(B)'s requirement that a Phase I be completed prior to Board's authorization to enter into a purchase agreement.

A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities.

Staff Recommendation: The Attorney General's Office has reviewed this item for compliance with state law and found it to be acceptable. Board staff recommends approval of this item contingent upon MSU returning to the Board for final approval of this land acquisition.

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
FEBRUARY 15, 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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JACKSON STATE UNIVERSITY

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

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Pickering Firm.

Approval Status & Date: APPROVED, March 7, 2024

Project Initiation Date: August 17, 2023

Design Professional: Pickering Firm

General Contractor: TBD

Project Budget: \$15,725,000.00

MISSISSIPPI STATE UNIVERSITY

**2. MSU-IHL 205-326 – ROSENBAUM HEALTH SCIENCES RENOVATIONS-3RD
FLOOR SIMULATION LABORATORY**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$226,326.00 and zero (0) additional days to the contract of Mid State Construction of MS, LLC.

Approval Status & Date: APPROVED, February 16, 2024

Change Order Description: Change Order #1 includes the following: removed the existing main electrical service from the basement of the Rosenbaum building; installed a new electrical service on the 1st floor; rerouted and connected the main electrical feeders; the completion date for the switchgear and any related components will be determined when the switchgear is delivered.

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 \$226,326.00.

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Project Initiation Date: August 6, 2022
Design Professional: LPK Architects, P.A.
General Contractor: Mid State Construction of MS, LLC
Total Project Budget: \$4,250,000.00

3. MSU-IHL 205-328A – NEW RESIDNCE HALL SITE AND FOUNDATIONS

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the credit amount of \$35,425.00 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, February 14, 2024

Change Order Description: Change Order #2 includes the following: chipped the concrete at Pier #35 due to the drilled pier elevation being too high for the grade beam and slab on grade in this area.

Change Order Justification: This change was necessary due to latent job site conditions and user/owner requested modifications.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$17,544.00.

Project Initiation Date: August 6, 2022
Design Professional: Wier Boerner Allin Architecture
General Contractor: Roy Anderson Corporation
Phased Project Budget: \$5,600,000.00
Total Project Budget: \$103,600,000.00

4. MSU-IHL 205-330 – MCARTHUR HALL ELEVATOR REPLACEMENT

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the credit amount of \$4,818.10 and zero (0) additional days to the contract of Craddock Construction Company, Inc.

Approval Status & Date: APPROVED, February 16, 2024

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Change Order Description: Change Order #1 includes the following: replaced four (4) duct detectors, one (1) smoke detector, and one (1) heat detector; and a construction allowance was credited.

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 credit amount of \$4,818.10.

Project Initiation Date: August 6, 2022

Design Professional: Shafer-Zahner-Zahner, PLLC

General Contractor: Craddock Construction Company, Inc.

Total Project Budget: \$1,400,000.00

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

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Atwell & Gent, P.A.

Approval Status & Date: APPROVED, February 14, 2024

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, February 14, 2024

Project Initiation Date: June 16, 2022

Design Professional: Atwell & Gent, P.A.

General Contractor: TBD

Total Project Budget: \$2,500,000.00

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6. MSU- IHL 205-353 – HATHORN HALL INTERIOR REFINISH

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,596,133.00 to the apparent low bidder Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, February 8, 2024

Project Initiation Date: November 17, 2022

Design Professional: Shafer-Zahner-Zahner

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: 3,000,000.00

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

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$163,953.00 and five (5) additional days to the contract of AnderCorp, LLC.

Approval Status & Date: APPROVED, February 16, 2024

Change Order Description: Change Order #2 includes the following: all costs associated with reconciling the DDC controls allowance; installed underground medium-voltage routing and added an electrical vault along the revised route; credit to reconcile all costs to supply temporary electrical service to the Writing Center and credit to omit waterproofing at the side of the footing at the basement; credit to omit a French drain at the elevator pit; added a protection board and drainage mat at the planters; and a change in a storefront door stile width; and five(5) days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$218,520.70.

Project Initiation Date: March 1, 2019

Design Professional: Dale Partners Architects, P.A.

General Contractor: AnderCorp, LLC

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Total Project Budget: \$65,000,000.00

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

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$66,330.31 and sixty-one (61) additional days to the contract of West Brothers Construction.

Approval Status & Date: APPROVED, March 1, 2024

Change Order Description: Change Order #3 includes the following: installed fire alarm system in the Central Utility Plant; added lay-in air grilles; credit for one hundred fifteen solid access floor panels for modular fan wall units carried as attic stock in the contractor's base bid pricing; increase to 150kVA to account for larger elevator load; primary conductors and OCP increased to 450A; increased the circuit breaker and decreased the main breaker trip rating; added upgraded communication cabling; and sixty-one (61) days to the contract (fifteen weather-related) .

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: Three (3) change orders for a total amount of \$236,261.36.

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

9. MSU- TIMBER SALE 24-01 UV02013 – JOHN W. STARR MEMORIAL FOREST

Approval Request #1: In accordance with Board Policy §904 (B) Board Approval was granted by Mr. Chip Morgan, Chair of the Real Estate and Facilities Committee on February 9, 2024, to advertise and award this project. This sale will be a lump sum harvest of all merchantable timber on approximately 65 acres in Section 10, Township 17N, Range 13E, Oktibbeha County, MS. All timber must be cut and removed by December 31st, 2005.

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Approval Status & Date: APPROVED, February 9, 2024

UNIVERSITY OF MISSISSIPPI

**10. UM - GS 107-324 – ARPA INFRASTRUCTURE – WATER
COLLECTION/CONVEYANCES**

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, February 12, 2024

Approval Request #2: Design Development Documents Waiver

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

Approval Status & Date: APPROVED, February 12, 2024

Project Initiation Date: February 16, 2023

Design Professional: W.L. Burle Engineers

General Contractor: TBD

Project Budget: \$850,000.00

11. UM-GS #107-329 – ARPA INFRASTRUCTURE – WATER SOURCE

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by W. L. Burle Engineers

Approval Status & Date: APPROVED, February 12, 2024

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

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Approval Status & Date: APPROVED, February 12, 2024

Project Initiation Date: February 16, 2023

Design Professional: W. L. Burle Engineers

General Contractor: TBD

Total Project Budget: \$2,000,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

**12. UMMC-IHL 209-566 – DAY SURGERY AND PATIENT CARE UNIT
EXPANSION**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$484,187.64 and zero (0) additional days to the contract of Flagstar Construction Company, Inc.

Approval Status & Date: APPROVED, February 29, 2024

Change Order Description: Change Order #1 includes the following: installed temporary heat detectors; repaired an existing shaft wall; built a wall around an existing sprinkler/storm piping; installed revisions; and an additional cost to expedite the change order scope of work for the project to remain on the current schedule.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$484,187.64.

Project Initiation Date: April 19, 2018

Design Professional: ESA Architects

General Contractor: Flagstar Construction Company, Inc.

Total Project Budget: \$23,730,000.00

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

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$12,230,000.00 to the apparent low bidder Mid State Construction Co., Inc.

Approval Status & Date: APPROVED, February 26, 2024

Project Initiation Date: November 17, 2022

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

General Contractor: Mid State Construction Co., Inc.

Total Project Budget: \$15,900,000.00

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

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$87,102.22 and seventy (70) additional days to the contract of Thrash Construction Company.

Approval Status & Date: APPROVED, February 12, 2024

Change Order Description: Change Order #3 includes the following: demolished and modified the existing stairwell; and seventy (70) days to the contract.

Change Order Justification: This change was 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 \$325,312.00.

Project Initiation Date: June 16, 2022

Design Professional: Burriss Wagnon Architects, P.A.

General Contractor: Thrash Construction Company

Total Project Budget: \$2,200,000.00

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UNIVERSITY OF SOUTHERN MISSISSIPPI

15. USM-GS 108-296 – KINESIOLOGY BUILDING DAY RENOVATION

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$122,591.04 and thirty-five (35) additional days to the contract of Hanco Corporation.

Approval Status & Date: APPROVED, February 29, 2024

Change Order Description: Change Order #1 includes the following: additional below grade gas piping work associated with the new proposed location of the generator; material and equipment for site electrical relocation; material & equipment to relocate the existing pad mount trans. for temporary power; natural gas generator; medium voltage switchgear order cancellation fee; manhole order cancellation fee; deduct bi-fuel generator; deduct for medium voltage switchgear; deduct for manhole; deduct manhole labor & equipment; and thirty-five days to the contract.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$122,591.04.

Project Initiation Date: March 19, 2020

Design Professional: Albert & Robinson Architects

General Contractor: Hanco Corporation

Total Project Budget: \$16,600,000.00

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1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 12/1/23, 12/15/23, 1/1/24, 1/1/24, 1/1/24, 1/1/24, 1/26/24 and 2/2/24) from the funds of Jackson State University. (These statements, in the amounts of \$18.50, \$150.00, \$57.83, \$57.94, \$57.83, \$5.70, \$3,460.00 and \$53.98, respectively, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 3,861.78

Payment of legal fees for professional services rendered by Brunini, PLLC (statements dated 1/23/24 and 2/19/24) from the funds of Mississippi State University. (These statements in the amounts of \$81.25 and \$812.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 893.75

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 2/9/24) from the funds of Mississippi State University. (This statement, in the amount of \$1,152.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,152.00

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statement dated 1/23/24) from the funds of Mississippi State University. (This statement, in the amount of \$230.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 230.00

Payment of legal fees for professional services rendered by Mitchell McNutt (statements dated 1/23/24 and 2/12/24) from the funds of Mississippi State University. (These statements, in the amounts of \$2,150.00 and \$3,883.63, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 6,033.63

Payment of legal fees for professional services rendered by Phelps Dunbar (statement dated 1/30/24) from the funds of Mississippi State University. (This statement, in the amount of \$783.75, represents services and expenses in connection with general legal advice.)

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TOTAL DUE.....\$ 783.75

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 1/1/24, 1/1/24 and 2/2/24) from the funds of Mississippi State University. (These statements, in the amounts of \$105.00, \$2,500.00 and \$575.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 3,180.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/23/24, 2/23/24, 2/23/24 and 2/23/24) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,408.00, \$14,944.00, \$4,448.00 and \$576.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 21,376.00

Payment of legal fees for professional services rendered by Lightfoot Franklin White, LLC (statement dated 2/12/24) from the funds of the University of Mississippi. (This statement, in the amount of \$8,607.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 8,607.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 2/2/24 and 2/2/24) from the funds of the University of Mississippi. (These statements, in the amounts of \$2,600.00 and \$525.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 3,125.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/29/23, 10/26/23, 11/30/23, 11/30/23, 11/30/23, 11/30/23, 11/30/23, 12/12/23, 12/12/23, 12/12/23, 12/12/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/18/23, 12/18/23, 12/18/23, 12/18/23, 1/25/24, 1/25/24, 1/25/24, 1/25/24, 1/25/24 and 1/25/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$28,791.00, \$121,104.39, \$33.00, \$3,452.15, \$2,162.00, \$9,991.00, \$195.00, \$2,038.00, \$640.00, \$13,508.40, \$295.00, \$4,135.60, \$162.00, \$499.70, \$459.00, \$1,509.00, \$5,952.00, \$31,402.70, \$73,527.60, \$416.00, \$640.00, \$1,230.10, \$187.50, \$206.40, \$33.00, \$856.35, \$351.00, \$15,692.20, \$153.51, \$3,274.00, \$544.00, \$15,810.60, \$160.00, \$5,760.00 and \$4,512.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 349,684.20

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Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statements dated 10/18/23, 10/18/23 and 1/17/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$4,894.30, \$9,218.94 and \$3,750.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 17,863.24

Payment of legal fees for professional services rendered by Foreman, Watkins & Krutz, LLP (statements dated 12/18/23 and 1/11/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,948.50 and \$6,006.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 12,955.00

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 5/25/23, 6/27/23, 7/26/23, 8/28/23, 9/26/23, 10/26/23, 11/27/23, 11/27/23, 12/27/23 and 12/27/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$264.00, \$115.50, \$412.50, \$132.00, \$16.50, \$82.50, \$363.00, \$1,760.00, \$49.50 and \$2,288.70, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 5,484.20

Payment of legal fees for professional services rendered by Hagwood & Tipton, P.C. (statements dated 12/5/23, 12/5/23, 12/5/23, 12/5/23, 12/5/23, and 12/5/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$262.50, \$2,903.50, \$8,512.40, \$2,100.25, \$7,946.00 and \$8,400.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 30,124.65

Payment of legal fees for professional services rendered by Hogan Lovells, US, LLP (statement dated 1/10/24) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$13,100.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 13,100.50

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 12/6/23, 12/6/23, 12/8/23, 1/8/24, 1/8/24, 1/8/24 and 1/8/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$940.50,

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\$8,848.00, \$406.50, \$1,228.50, \$1,037.00, \$2,566.08 and \$400.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 15,426.58

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 12/7/23, 12/7/23, 12/7/23, 12/7/23, 1/3/24, 1/3/24, 1/3/24 and 1/17/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$420.00, \$60.00, \$412.50, \$808.50, \$2,480.00, \$40.00, \$330.00 and \$1,963.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 6,514.50

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 6/30/23, 6/30/23, 7/30/23, 7/31/23, 8/31/23, 8/31/23, 9/30/23, 9/30/23, 9/30/23, 10/31/23, 10/31/23, 10/31/23, 11/30/23, 11/30/23, 11/30/23, 11/30/23 and 11/30/23) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$200.00, \$247.50, \$60.00, \$714.00, \$459.00, \$180.00, \$1,901.50, \$351.00, \$702.00, \$6,700.00, \$1,072.50, \$283.50, \$66.00, \$2,140.00, \$60.00, \$659.00, \$364.50 and \$66.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 16,226.50

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 7/13/23, 7/13/23, 9/5/23, 9/13/23, 9/13/23, 9/21/23, 9/21/23, 10/11/23, 10/18/23, 11/17/23, 11/21/23, 11/21/23, 11/21/23, 11/21/23, 12/4/23, 12/4/23, 12/4/23, 12/4/23, 12/4/23, 12/4/23, 12/4/23, 12/4/23, 12/8/23, 12/8/23, 12/11/23, 12/11/23, 12/11/23, 12/11/23, 12/13/23, 12/13/23, 12/13/23, 12/13/23, 12/20/23, 1/11/24, 1/11/24, 1/11/24, 1/11/24, 1/11/24, 1/17/24, 1/17/24, 1/29/24 and 1/29/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$9,367.75, \$6,254.00, \$3,145.00, \$12,846.50, \$16,332.84, \$1,938.00, \$323.00, \$1,207.00, \$4,550.92, \$1,020.00, \$1,503.07, \$1,146.00, \$5,801.08, \$661.50, \$1,204.50, \$5,078.40, \$592.50, \$1,742.60, \$198.00, \$1,040.00, \$6,493.15, \$2,531.25, \$181.50, \$148.50, \$200.00, \$1,590.04, \$115.50, \$8,488.65, \$4,824.63, \$9,182.49, \$2,193.00, \$3,524.50, \$2,093.50, \$115.50, \$313.50, \$3,675.95, \$4,233.00, \$5,271.50, \$7,053.85, \$1,802.00, \$469.50 and \$1,669.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 142,123.67

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 2/9/24, 2/16/24 and 2/28/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$5,389.50, \$2,743.50 and \$480.00, respectively, represent services and expenses in connection with general legal advice.)

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TOTAL DUE.....\$ 8,613.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 2/9/24) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$4,609.47, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 4,609.47

Payment of legal fees for professional services rendered by McDonald Hopkins, LLC (statements dated 1/31/24 and 2/29/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$378.00 and \$268.50, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 646.50

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 1/19/24, 2/2/24, 2/2/24, 2/2/24, 2/2/24, 2/16/24, 2/20/24, 2/20/24, 2/21/24, 2/21/24, 2/21/24, 2/29/24, 3/1/24, 3/1/24 and 3/1/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$2,500.00, \$41.29, \$83.76, \$73.71, \$460.00, \$34.83, \$2,500.00, \$2,500.00, \$2,500.00, \$460.00, \$3,765.00, \$3,500.00, \$460.00, \$105.00 and \$41.38, respectively, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 19,024.97

Payment of legal fees for professional services rendered by Zachary & Leggett, PLLC (statement dated 1/31/24) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$8,610.24, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 8,610.24

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 1/29/24 and 1/29/24) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Hemagglutinin Substitution Increases Thermostability and Improves Yield of 2009 H1N1 influenza A Virus in Cells” - \$636.00; and “IP and Regulatory Matters” - \$836.00.)

TOTAL DUE.....\$ 1,472.00

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Payment of legal fees for professional services rendered by Conley Rose (statements dated 1/5/24, 1/5/24, 1/5/24 and 2/6/24) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Automatic Mosquito Ovitrap” - \$1,560.00; “Hand Wearable IMU Sensor Mount” - \$1,620.00; “Hand Wearable IMU Sensor Mount” - \$3,356.49; and “Spool Enclosure” - \$441.00, respectively.)

TOTAL DUE.....\$ 6,977.49

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dates 1/12/24, 1/12/24, 1/12/24, 1/12/24, 2/9/24, 2/9/24, 2/9/24 and 2/9/24) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents or intellectual property matters: “Occidiofungin Formations and Uses Thereof” - \$637.00; “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$1,727.50; “Oleaginous Microbe Supplementation for Improving Black Soldier Fly Growth and Development” - \$1,738.00; “Thienyl-Dibenzoazepines and their Derivatives as Donor for Xanthene-Based Short-Wave Infrared [SWIR] Dyes” - \$497.50; “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$300.00; “Vaccine Composition Comprising Recombinant Protein of Staphylococcus Aureus Attenuated Enterotoxin and Cytotoxin” - \$237.00; “Oleaginous Microbe Supplementation for Improving Black Soldier Fly Growth and Development” - \$197.50; and “Engineering of the Production of a Conformational Variant of Occidiofungin that has Enhanced Inhibitory Activity Against Fungal Species” - \$1,619.50, respectively.)

TOTAL DUE.....\$ 6,954.00

Payment of legal fees for professional services rendered by Quarles & Brady, LLP (statement dated 1/12/24) 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” - \$420.00.)

TOTAL DUE.....\$ 420.00

Payment of legal fees for professional services rendered by Stites & Harbison (statement dated 12/27/23) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent or intellectual property matter: “Unsymmetric CCC-HNC Pincer” - \$4,519.98.)

TOTAL DUE.....\$ 4,519.98

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/25/23, 1/25/23, 1/25/23, 1/25/23, 1/25/23, 1/25/23, 2/22/23, 3/28/23, 4/27/23, 4/27/23, 4/27/23,

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4/27/23, 4/27/23, 4/27/23, 4/28/23, 5/23/23, 5/24/23, 5/24/23, 6/7/23, 6/7/23, 6/7/23, 6/7/23, 6/7/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 7/13/23, 9/26/23, 9/26/23, 10/24/23, 10/24/23, 10/24/23, 10/24/23, 10/31/23, 11/17/23, 11/17/23, 12/28/23, 12/28/23, 12/28/23, 12/28/23 and 1/25/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$910.00, \$947.50, \$1,342.00, \$850.00, \$685.50, \$600.00, \$1,827.00, \$287.00, \$220.00, \$38.00, \$875.50, \$664.00, \$9,157.50, \$188.00, \$8,317.50, \$104.00, \$731.50, \$1,883.50, \$38.00, \$38.00, \$38.00, \$85.50, \$78.00, \$571.50, \$673.50, \$871.50, \$614.50, \$588.50, \$617.50, \$635.50, \$4,186.50, \$1,836.50, \$1,055.50, \$576.00, \$38.00, \$38.00, \$5,960.50, \$3,096.00, \$1,472.00, \$38.00, \$973.00, \$4,508.00, \$65.00, \$2,487.50 and \$1,515.50, respectively, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 62,324.50

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 4/14/23, 4/14/23, 4/14/23, 4/14/23, 4/14/23, 4/14/23, 7/6/23, 7/6/23, 7/6/23, 7/6/23, 7/6/23, 7/6/23, 7/10/23, 8/30/23, 8/30/23, 8/30/23, 8/30/23, 8/30/23, 8/30/23, 8/30/23, 8/30/23, 9/13/23, 10/13/23, 10/13/23, 12/13/23, 1/2/24, 1/2/24 and 1/2/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$200.00, \$1,317.00, \$200.00, \$782.79, \$988.00, \$5,153.28, \$523.00, \$849.00, \$479.00, \$200.00, \$2,121.25, \$231.25, \$175.00, \$1,721.25, \$1,014.78, \$200.00, \$68.61, \$624.00, \$1,852.63, \$200.00, \$1,496.25, \$256.00, \$4,678.00, \$1,266.67, \$152.00, \$127.50 and \$157.56, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 27,034.82

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 12/19/23 and 1/29/24) 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: “Phenylphosphine Oxide Epoxy Polymer and Atomic Oxygen Stable Epoxy Polymer” - \$147.50; and “Gulf Blue Trademark” - \$324.00).

TOTAL DUE.....\$ 471.50

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 1/12/24, 1/12/24, 1/12/24 and 1/12/24) 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: “Gold Catalyzed Polymerization Reactions of Unsaturated Substrates” - \$675.00; “C1/12/24, Conjugated Polymer Sensors Using the Inner Filter Effect” - \$508.25; “Macrocyclic Embedded Organic Electronic Matrices for Anion Detection” - \$500.00; and “Lidar Data Processing” - \$490.00).

TOTAL DUE.....\$ 2,173.25

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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** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On February 1, 2024, Commissioner Alfred Rankins, Jr. approved the revisions to the FY 2024 *Ayers* academic programs budgets after conducting a review of the programs. It appears that these revisions were necessary to align 2024 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic staff have reviewed and approved these revisions. These revisions contain no increases in total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- b. **JSU** – On March 6, 2024, Commissioner Alfred Rankins, Jr. approved the request for Jackson State University to grant and execute a Water Line Easement Agreement with the University of Mississippi Medical Center for the purpose of installing a water line under a section of Stadium Drive on the MS Veterans Memorial Stadium property. This is part of a project to improve reliable water access to the hospital and the UMMC campus. The Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with law and with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file in the IHL Board Office.
- c. **JSU** – On March 6, 2024, Commissioner Alfred Rankins, Jr. approved the request from Jackson State University for ratification and retroactive approval of three Right-of-Way Utility Easements with Entergy Mississippi for the purpose of installing and maintaining energy efficient lighting, including cabling, wires, anchors, etc., in the Lynch Street Improvement Project area. These easement documents were executed in August 2023 by the previous Acting President of the University without first seeking IHL approval. The current institutional executive officer now seeks ratification and retroactive approval of those documents. The Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with law and with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file in the IHL Board Office.

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- d. **MSU** – On February 13, 2024, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and Smith Homes Rental Management, LLC for approximately 2,101 square feet of space located at 3211 Old Mobile Avenue in Pascagoula, MS, to provide space for a Resource and Referral Center operated by the University in accordance with the terms of a grant awarded by the Mississippi Department of Human Services. The term of the lease is two years effective February 15, 2024 through February 28, 2026, at a cost of \$33,600 annually or \$2,800 per month beginning March 1, 2024, in addition to a one-time deposit upon signing in the amount of \$2,800 and a one-time payment of \$1,400.25 in prorated rent for February 15, 2024 through February 29, 2024. Subsequent rent payments are 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.
- e. **MVSU** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On February 1, 2024, Commissioner Alfred Rankins, Jr. approved the revisions to the FY 2024 *Ayers* academic programs budgets after conducting a review of the programs. It appears that these revisions were necessary to align 2024 budgets to individual program needs over the remaining months of the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do not fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic staff have reviewed and approved these revisions. These revisions contain no increases in total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- f. **USM** – On February 23, 2024, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Southern Mississippi (“University”) and the University of Southern Mississippi Foundation, Inc. (“Foundation”) for a portion of land on the University’s Hattiesburg campus, identified as The Children’s Center Playground Improvement Project Area. The Foundation will make improvements to this area including construction and installation of an outdoor classroom and playground facilities and associated equipment for The Children’s Center at the University. The Foundation will use private funds that have been identified for these improvements. The Lease amount is \$1.00 to be paid to the University by the Foundation. The term of the lease will begin upon approval and execution of the lease and continue through the earlier of: (a) March 31, 2025; or (b) a date thirty days subsequent to completion of the improvements and acceptance of same by the University. Upon termination of the lease, the

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leased premises and all improvements revert to the University. 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.