

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
January 19, 2017**

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, 2016, to each and every member of said Board, said date being at least five days prior to this January 19, 2017 meeting. At the above-named place there were present the following members to wit: Mr. Tom Duff, Dr. Ford Dye, Mr. Shane Hooper, Dr. Alfred E. McNair, Jr., Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christine Pickering (by phone), Dr. Douglas Rouse, Mr. C.D. Smith and Dr. J. Walt Starr. Mrs. Karen L. Cummins was absent. The meeting was called to order by Dr. Doug Rouse, President. Trustee Hal Parker requested a moment of silent prayer in support of Trustee Karen Cummins and her husband, Billy, as she struggles with health issues. Afterwards, Trustee Parker introduced Mr. Marcus Thompson, Chief Administrative Officer of IHL, to open the meeting with prayer.

ANNOUNCEMENT

- President Doug Rouse wished Trustee Shane Hooper a happy birthday.

INTRODUCTION OF GUESTS

- President Doug Rouse welcomed Dr. Rod Paige, Interim President at Jackson State University, to his first IHL Board meeting. Dr. Paige served as the 7th U.S. Secretary of Education.
- President Rouse also welcomed the following Student Government Association Officers: Allie Rose Parker, SGA President at Delta State University; Kendall Bunch, SGA President at Jackson State University; Roxanne Raven, SGA President at Mississippi State University; Quincy Hughes, SGA President at Mississippi University for Women; and Kortney Haymore, SGA President at Mississippi Valley State University.
- President Rouse recognized the following officials from the Mississippi Development Authority: Mr. Glenn McCullough, Jr., Executive Director; Mr. Mike McGreavey, Deputy Director; Ms. Pamela Weaver, Chief Marketing Officer; Ms. Savannah Tirey, Public Relations Specialist; and Ms. Ivey Swan, Events Bureau Specialist. President Rouse also recognized Mr. Dale Smith, Deputy Executive Director of Mississippi Department of Employment Security.

PRESENTATION

- The Board received a presentation about the Memorandum of Understanding formalizing and strengthening the partnership between the Mississippi Development Authority and the Mississippi Institutions of Higher Learning.

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APPROVAL OF THE MINUTES

On motion by Trustee McNair, seconded by Trustee Hooper, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on November 17, 2016 and December 16, 2016.

CONSENT AGENDAS

On motion by Trustee Hooper, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

FINANCE

1. **SYSTEM** – Approved the budget escalation requests from Alcorn State University, Jackson State University, and Mississippi Valley State University within the *Ayers* Endowment Diversity Program budget. These escalations are needed to cover increased costs associated with program operating costs. The original budgets were approved at the June 2016 Board meeting. At that time, estimates of available funding were used to build the budget for these programs. A budget escalation for JSU and MVSU was approved at the October Board Meeting after actual funding was known. Additional interest has now been allocated to the endowment fund from investments held at the Mississippi State Treasurer’s Office and the institutions have requested to revise their budgets to equal actual sources as shown. All funds budgeted within these programs were generated from annual interest earnings of the *Ayers* Public and Private Endowment investments.

Alcorn State University

Object of Expenditure	Current Budget FY 2017	Budget Revision	Revised Budget FY 2017
Salaries, Wages & Fringe Benefits			\$ -
Travel			\$ -
Contractual Services			\$ -
Commodities			\$ -
Capital Outlay:			\$ -
Equipment			\$ -
Library Resources			\$ -
Student Aid	\$ 235,070.00	\$ 25,547.57	\$ 260,617.57
Total	\$ 235,070.00	\$ 25,547.57	\$ 260,617.57

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Jackson State University

Object of Expenditure	Current Budget FY 2017	Budget Revision	Revised Budget FY 2017
Salaries, Wages & Fringe Benefits	\$ 122,225.00		\$ 122,225.00
Travel			\$ -
Contractual Services			\$ -
Commodities			\$ -
Capital Outlay:			\$ -
Equipment			\$ -
Library Resources			\$ -
Student Aid	\$ 639,148.00	\$ 25,547.57	\$ 664,695.57
Total	\$ 761,373.00	\$ 25,547.57	\$ 786,920.57

Mississippi Valley State University

Object of Expenditure	Current Budget FY 2017	Budget Revision	Revised Budget FY 2017
Salaries, Wages & Fringe Benefits	\$ 64,833.00		\$ 64,833.00
Travel	\$ 8,000.00		\$ 8,000.00
Contractual Services	\$ 86,037.00	\$ 25,547.57	\$ 111,584.57
Commodities	\$ 25,000.00		\$ 25,000.00
Capital Outlay:	\$ -		\$ -
Equipment	\$ -		\$ -
Library Resources	\$ -		\$ -
Student Aid	\$ 385,375.00		\$ 385,375.00
Total	\$ 569,245.00	\$ 25,547.57	\$ 594,792.57

2. **IHL EXECUTIVE OFFICE** – Approved the request to procure armed security services from Global Sector Services, Inc. for the campus located at 3825 Ridgewood Rd, Jackson, MS 39211. The contract term is for one year starting January 30, 2017, and ending January 29, 2018, with an option of renewal for four additional years, which would be an ending date of January 29, 2022. The cost of regular services on a biweekly schedule is \$3,572 which would equal \$92,872.00 annually. In addition to the regularly scheduled hours of Monday through Friday 7:00 AM to 7:00 PM, IHL has increased the limit to \$95,000 annually in the event of emergency or additional security is needed. The estimated total cost over the five-year period should not exceed \$475,000. The contract will be paid from general funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

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3. **MSU** – Approved the request to enter into a contract with GCA Educational Services, Inc., who will provide athletic venue cleaning services and daily cleaning of athletic facilities for the MSU Campus. The contract will be a one year contract beginning February 1, 2017 and ending on January 31, 2018, with an option to extend for up to 4 additional 1 year periods. The Board granted approval of the five-year term. The beginning base cost is anticipated to be \$899,926.02 per year, with a price adjustment of 2% or a percentage equal to the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U) during the twelve (12) month period immediately prior to the first day of the then current annual period, never to exceed five percent, for five years for a total estimated base cost of \$4,683,251.15. It should be noted that this amount is based on the base fees per planned event. It is anticipated that additional events will be held at the costs set forth in the agreement. The hourly costs for events outside those listed will be at a rate of \$11.14 for regular time and \$18.75 per hour for overtime. It is also possible that some costs may be revised as additions or reductions are implemented. The Board granted the university the authority to spend up to \$6,000,000 over the term of the agreement. The contract will be paid from athletic funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
4. **MVSU** – Approved the request to escalate the Auxiliary Enterprise Budget for FY 2017. The escalation is requested to provide funds for emergency repairs caused from water pipe leakage in the New Men Residence Hall.

Mississippi Valley State University FY 2017 Auxiliary Enterprises Budget by Major Object			
Category	Original FY 2017 Operating Budget	Revision/Escalation	Revised FY 2017 Operating Budget
Salaries, Wages, and Fringe Benefits	\$1,793,964	\$ -	\$1,793,964
Travel and Subsistence	20,900	-	20,900
Contractual Services	3,854,318	120,000	3,974,318
Commodities	1,845,705	30,000	1,875,705
Capital Outlay: Non-Equipment	-	-	-
Capital Outlay: Equipment	43,766	-	43,766
Mandatory Transfers	985,106	-	985,106
Non-Mandatory Transfers	656,241	-	656,241
Increase in Fund Balance	-	-	-
Total	\$9,200,000	\$150,000	\$9,350,000

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Mississippi Valley State University FY 2017 Auxiliary Enterprises Budget by Revenue Source			
Category	Original FY 2017 Operating Budget	Revision/Escalation	Revised FY 2017 Operating Budget
Student Fees	\$ -	\$ -	\$ -
Governmental Appropriations	-	-	-
Grants and Contracts	-	-	-
Sales and Services	-	-	-
Other	9,200,000	100,000	9,300,000
Increase in Fund Balance	-	50,000	50,000
Total	\$9,200,000	\$150,000	\$9,350,000

5. **MVSU** – Approved the request to escalate the On-Campus Budget for FY 2017. The escalation is requested to provide funds for emergency repairs caused from water pipe leakage in the Student Health Center.

Mississippi Valley State University FY 2017 On-Campus Budget by Major Object			
Category	Original FY 2017 Operating Budget	Revision/Escalation	Revised FY 2017 Operating Budget
Salaries, Wages, and Fringe Benefits	\$ 20,746,211	\$ -	\$20,746,211
Travel and Subsistence	845,991	-	845,991
Contractual Services	8,574,874	120,000	8,694,874
Commodities	1,256,699	30,000	1,286,699
Capital Outlay: Non-Equipment	258,704	-	258,704
Capital Outlay: Equipment	206,624	-	206,624
Mandatory Transfers	116,310	-	116,310
Non-Mandatory Transfers	(526,443)	-	(526,443)
Increase in Fund Balance	-	-	-
Total	\$31,478,970	\$150,000	\$31,628,970

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Mississippi Valley State University FY 2017 On-Campus Budget by Functional Category			
Category	Original FY 2017 Operating Budget	Revision/Escalation	Revised FY 2017 Operating Budget
Instruction	\$10,229,778	\$ -	\$10,229,778
Research	-	-	-
Public Service	90,324	-	90,324
Academic Support	1,758,357	-	1,758,357
Student Services	4,869,148	-	4,869,148
Institutional Support	5,289,620	-	5,289,620
Operation and Maintenance	5,801,751	150,000	5,951,751
Scholarships and Fellowships	3,850,125	-	3,850,125
Mandatory Transfers	116,310	-	116,310
Non-Mandatory Transfers	(526,443)	-	(526,443)
Increase in Fund Balance	-	-	-
Total	\$31,478,970	\$150,000	\$31,628,970

Mississippi Valley State University FY 2017 On-Campus Budget by Revenue Source			
Category	Original FY 2017 Operating Budget	Revision/Escalation	Revised FY 2017 Operating Budget
Student Fees	\$13,623,600	\$ -	\$13,623,600
Governmental Appropriations	14,198,138	-	14,198,138
Grants and Contracts	6,000	-	6,000
Sales and Services	395,000	-	395,000
Other	2,285,584	100,000	2,385,584
Increase in Fund Balance	970,648	50,000	1,020,648
Total	\$31,478,970	\$150,000	\$31,628,970

6. **UMMC** – Contingent on the receipt of P-1 certification of sole source from the Mississippi Department of Finance and Administration, the Board approved the request to enter into a master agreement with Abbott Molecular Inc. (Abbott) to purchase reagents and consumables for use in the Molecular department of the Clinical Laboratory. The reagents and consumables are used in HIV genotype testing, which are used to determine susceptibility to various HIV drugs and to aid clinicians in the proper course of treatment for patients. The agreement will allow UMMC to bring HIV genotype testing in-house instead of sending the tests to a reference laboratory. The contract is for a period of five (5) years, beginning February 2, 2017, and ending January 4, 2022. The total estimated cost of the agreement over five (5) years is \$1,538,622.01. A breakdown of the costs is included in the bound *January 19, 2017 Board Working File*. Beginning in Year 2, prices may increase up to four percent (4%) or the percentage increase based upon the Consumer Price Index for Medical Care, whichever is less. UMMC also has factored in a fifteen percent (15%)

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annual increase in patient volume for Years 2-5. The contract will be funded by hospital patient revenues. This agreement has been reviewed and approved by the Attorney General's Office contingent on the receipt of P-1 certification of sole source from the Mississippi Department of Finance and Administration.

7. **UMMC** – Approved the request to enter into a five-year preventive maintenance and basic services agreement with Bayer Healthcare, LLC (Bayer). This agreement will include preventive maintenance such as verification and recalibration per factory specifications on certain Bayer brand radiology equipment, along with software updates, certified part replacements, complete inspection, safety testing, and onsite service by a Bayer certified field engineer. This will allow full warranty coverage on all items listed for the term of the agreement. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to pay in advance for maintenance services. Payments will be made once annually, except for services outside the normal business hours, which will be paid within thirty (30) days of receipt of invoice for such services. This agreement is for a term of five (5) years beginning January 20, 2017 and ending January 19, 2022. The cost of this agreement is \$456,795. A breakdown of the costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
8. **UMMC** – Approved the request to enter into a reagent rental agreement with Beckman Coulter, Inc. that will allow for the upgrade of equipment used in UMMC's Pathology Department. Under the agreement, UMMC will receive upgraded flow cytometry equipment, the cost of which will be factored into the cost of the reagents that UMMC is committing to purchase. UMMC utilizes this equipment for a variety of clinical applications, such as solid organ transplant cross-matching and monitoring of HIV therapy. The term of this contract is thirty-four (34) months beginning on or about February 15, 2017 and ending December 31, 2019. The total estimated cost of this agreement is \$1,918,152.50. A breakdown of the costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
9. **UMMC** – Approved the request to amend its Customer Agreement with CareFusion Solutions, LLC. The proposed amendment extends the term of the Customer Agreement for Software Management Services (SMS) for an additional year. The agreement is for maintenance and management of the software that runs the 3,637 "smart" IV pumps in UMMC's hospitals, in addition to any new pumps purchased during the contract term. The software supports the smart pump technology that allows a drug library to be loaded into each patient's pump, which provides hard and soft stops to nursing based on drug dosage and infusion rates/times. The term for the agreement began September 1, 2016, and will continue through August 31, 2021, under the amended five (5) year term. The total cost of the SMS Customer Agreement for the five (5) year term is approximately \$888,063.98. CareFusion's pricing is based upon the number of licensed beds at UMMC, which is currently 720. CareFusion has offered UMMC a ten percent (10%) discount for the multi-year agreement. Beginning in year two (2), CareFusion may increase prices by no more than five percent (5%). If UMMC increases its licensed beds by more than 10% during the term of the agreement, CareFusion will charge a pro-rated fee for the overage. For this contingency, UMMC has calculated an additional ten percent (10%) in potential overage licensed beds during the course of the agreement. A breakdown of the costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by hospital patient revenues.

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The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

10. **UMMC** – Approved the request to enter into an amendment to the current pricing agreement with Edwards Lifesciences, LLC (Edwards). This amendment will allow UMMC to receive a rebate on the transcatheter aortic valve systems currently being purchased. Edwards will maintain a readily available inventory of transcatheter aortic replacement valves on site for use by UMMC's cardiovascular surgeons and interventional cardiologists on appropriate patients as the need arises. The term of this amendment will be for thirty-three (33) months beginning February 2, 2017 and ending November 30, 2019. The total term of the agreement is five (5) years, beginning December 1, 2014 and ending November 30, 2019. There is no additional cost for this amendment as it is a rebate which is based on the number of systems purchased. The total estimated cost approved will remain \$6,987,500. The amendment will be funded by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
11. **UMMC** – Approved Amendment 11 to its current license and support agreement with Epic Systems Corporation. The purpose of the amendment is to revise or update the pricing that was reflected in Amendment ten (10), due to UMMC having gone live with one or more interfaces between the time amendment ten (10) was prepared for UMMC and the time it was executed. The term of amendment 11 will begin on or about February 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. The estimated cost of the amendment is \$20,182.00. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
12. **UMMC** – Approved Amendment 12 to its current license and support agreement with Epic Systems Corporation. The purpose of the amendment is to add the Carequality Exchange functionality to the currently licensed Care Everywhere program property. The Carequality Exchange will allow UMMC to exchange patient data with other entities who also participate in the Carequality Exchange program. Carequality is a national, public-private initiative to unite interoperability vendors under a single Rules of the Road governance structure. The term of amendment 12 will begin on or about February 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no cost associated with this amendment as the subscription fee is waived. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
13. **UMMC** – Approved Amendment 13 to its current license and support agreement with Epic Systems Corporation. The purpose of the amendment is to increase the volume of ambulatory license visits. Under the amendment, the number of Epic licenses will increase to 800,000 annual ambulatory visits. UMMC will follow Epic's most current guidelines concerning implementation and training and will reimburse Epic as appropriate. The term of amendment 13 will begin on or about February 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. The estimated cost of the amendment is

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- \$690,735.00. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
14. **UMMC** – Approved Amendment 14 to its current license and support agreement with Epic Systems Corporation. The purpose of the amendment is to increase the volume of annual inpatient days back to the amount from amendment seven (7) thereby voiding Provision 1 “Volume Adjustment” to Amendment 8. Under the amendment, the number of Epic licenses will increase to 260,000 annual inpatient visits. UMMC will follow Epic's most current guidelines concerning implementation and training and will reimburse Epic as appropriate. The term of amendment 14 will begin on or about February 1, 2017, and is coterminous with the current Epic License and Support Agreement which remains in effect in perpetuity in regards to the licenses, and it is also coterminous regarding maintenance coverage which ends August 22, 2019. There is no cost associated with this amendment as the cost was accounted for under Amendment 7. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
 15. **UMMC** – Approved a Service Request with Epic Systems Corporation to aid in the implementation of the licensed outgoing address verification query interface. The purpose of the request is to allow UMMC to utilize Epic to assist in the implementation of the outgoing address verification query interface. UMMC will follow Epic's most current guidelines concerning implementation and training and will reimburse Epic as appropriate. The term of the service request will begin on or about February 1, 2017, and continue through implementation. Estimated implementation time is approximately six (6) months. The estimated cost of the request is \$2,400. The agreement continues to be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
 16. **UMMC** – Approved the request to enter into a new license agreement with Intelligent Medical Objects, Inc. (IMO) for IMO® Problem IT Terminology, IMO® Procedure IT Surgical Scheduling and IMO® Procedure IT Surgical History software. The license for the Problem IT and Procedure IT Surgical Scheduling software is already integrated into UMMC's Electronic Medical Records System, Epic. UMMC is electing to add the IMO® Procedure IT Surgical History software. The purpose of this agreement is to allow UMMC to continue to utilize the software provided by IMO which is embedded in Epic and add the Procedure IT Surgical History software. This software provides clinical terminology that works with Epic in the clinical documentation workflow. The term of this agreement will be for one (1) year beginning February 1, 2017. The agreement will automatically renew for successive one (1) year periods. The total term of the agreement shall not exceed five (5) years. The total estimated cost of this agreement is \$441,208.37. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by hospital patient revenues. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
 17. **UMMC** – Contingent upon the receipt of a P-1 certification of sole source from the Mississippi Department of Finance and Administration, the Board approved the request to enter into an agreement with NxStage Medical, Inc. for the rental of equipment and the purchase of associated dialysis supplies, to be used by patients on hemodialysis (HEMO) home therapy. The agreement also includes a provision for loaner equipment and supplies for patient and staff education purposes. The term of the contract will be approximately three (3) years beginning upon date of last signature, which is estimated to be on or about February 10, 2017, and ending February 28,

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2020. The total estimated cost of this agreement is \$1,293,155.60. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by patient revenues. The agreement has been reviewed and approved by the Attorney General's Office contingent on the receipt of P-1 certification of sole source from the Mississippi Department of Finance and Administration. A copy of the agreement is on file in the Board Office.
18. **UMMC** – Contingent upon the receipt of a P-1 certification of sole source from the Mississippi Department of Finance and Administration, the Board approved the request to enter into an agreement with One Lambda, Inc. to purchase reagents and consumables used in the HLA department of UMMC's Clinical Laboratory for use in transplant testing. These reagents and consumables will be used together with One Lambda's Human leukocyte antigen (HLA) Fusion analysis software that UMMC owns. As the only HLA laboratory in the state of Mississippi, the UMMC HLA laboratory provides all of the tissue typing and antibody screening services for the UMMC Transplant Center and the Mississippi Organ Recovery Agency. The HLA laboratory also performs HLA typing for the Bone Marrow Transplant Program and for various disease associations, including ankylosing spondylitis, celiac disease, and abacavir hypersensitivity (for HIV treatment). The contract term is four (4) years, eleven (11) months – February 1, 2017 through December 31, 2021. The total estimated cost of the agreement over four (4) years and eleven (11) months is \$10,237,748.20, as broken down below. This includes an annual quantity commitment totaling \$985,766.12, as well as additional projected purchases. Beginning in Year 2, prices may increase annually up to three percent (3%). UMMC also has factored in a twenty percent (20%) annual increase in patient volume for Year 2 and a twenty-five percent (25%) increase in Years 3-5. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The agreement will be funded by patient revenues. The agreement has been reviewed and approved by the Attorney General's Office contingent on the receipt of P-1 certification of sole source from the Mississippi Department of Finance and Administration. A copy of the agreement is on file in the Board Office.
19. **UMMC** – Approved the request to enter into a Structural Heart Products Purchase Agreement with St. Jude Medical S. C., Inc. for the purchase of structural heart products used in the pediatric and adult cardiac catheterization laboratories. The agreement allows for purchases at a locked-in rate. The structural heart products are used to correct congenital heart anomalies in pediatric and adult patients. In layman's terms, the structural heart product, or occluder, is used to fix a hole in a patient's heart, a common congenital anomaly. The term of the agreement is two (2) years, from approximately February 2, 2017, through February 1, 2019. The total estimated cost of the agreement over two (2) years is \$1,388,000.00, which is dependent upon patient volume. In its request, UMMC has considered its historical purchases and potential patient volume growth. The agreement will be funded by hospital patient revenue. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.
20. **USM** – Approved the request for a First Amendment to License Agreement between the University and New Cingular Wireless PCS, LLC (Licensee). Licensee is requesting an amendment of the original License Agreement between the parties in order that Licensee may add additional antennas and equipment to USM's Pulley Hall. Upon installation of the additional equipment, Licensee will increase the fees paid by Licensee to USM by \$800 per month. All other terms and conditions of the original License Agreement shall remain the same. The original License Agreement was for a term of five years with four five-year renewal options. The license agreement is currently in the third of four 5-year renewal terms. USM will receive approximately \$800 per month or \$9,600

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annually in additional license fees for each year of the term of the existing License Agreement plus renewals, if any. The agreement which has been reviewed and approved by the Attorney General's Office is on file in the Board Office.

REAL ESTATE

21. **UM** – Approved the request to rename **IHL 207-416, Conner Hall – School of Accountancy Expansion**, as “Holman Conner –Schools of Accountancy and Business Administration Expansion” and to modify the scope of the project to include Holman Hall – School of Business Administration. The Board also approved the appointment of JH&H Architects, P.A. as the design professional. The School of Accountancy resides in Conner Hall which was built in 1961. Conner Hall is a 4-story, 64,546 gross square foot concrete frame building with a masonry veneer. Connected to Conner Hall is Holman Hall that serves the School of Business Administration. Holman Hall, built in 1998, is a 4-story, 61,386 gross square foot concrete frame building with a masonry veneer. Both facilities need to be expanded to meet the goals of today's academic demands. The design professional will assist the University in determining the project scope, site, and budget. The University will return to the Board at a future meeting to define the scope further and increase the project budget to reflect a more accurate project cost estimate. The proposed project budget is \$1 million. Funds are available from Internal R&R (\$1,000,000).
22. **UM** – Approved the appointment of Barlow Eddy Jenkins, P.A. as the design professional for **IHL 207-417, Farley Hall – School of Journalism Expansion**. The School of Journalism resides in Farley Hall which was built in 1929. Farley Hall is a 3-story, 50,991 gross square foot concrete frame building with a masonry veneer. The design professional will assist the University in determining the project scope, site, and budget. The University will return to the Board at a future meeting to define the scope further and increase the project budget to reflect a more accurate project cost estimate. The proposed project budget is \$1 million. Funds are available from Internal R&R (\$1,000,000).
23. **UM** – Approved the initiation of **IHL 207-430, New Student Housing Service Building**, and the appointment of Weir Boerner Allin Architecture, P.A. as the design professional. The existing Housing Maintenance Building was constructed in 1989 and consists of a 7,000 GSF, 1-story metal building that has met its useful lifespan. The Housing Department has added significant housing inventory since 1989 and today's demands on the university dictate the need for this project. The current building's condition and size requires that an additional or new Housing Service Building be constructed to facilitate the Department's maintenance and service of the University's housing inventory. If removal of the existing Housing Maintenance Building is required, the University will submit this request for review/approval at a future Board meeting. The proposed project budget is \$2 million. Funds are available from Student Housing Revenues and Reserves (\$2,000,000).
24. **UM** – Approved the initiation of **IHL 207-431, Crosby Hall Bathroom Renovations**, and the appointment of the design professional using the Request for Qualifications (RFQ) process. Crosby Hall is a 10-story concrete frame and masonry building constructed in 1971. Crosby Hall houses 700 residents. There are three (3) communal bathrooms per floor. This project will renovate all of the bathrooms within the facility. Phasing of the project may be required. The design professional will assist the University in determining the project scope and budget. The University will return to the Board at a future meeting to seek approval of the design professional. The university will also define the scope further and increase the project budget to reflect a more

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accurate cost estimate once these items have been determined by the design professional. The proposed project budget is \$3 million. Funds are available from Student Housing Revenues and Reserves (\$3,000,000).

25. **MSU** – Pending approval of funding of the Mississippi State University Educational Building Corporation financing, the Board approved the request to increase the project budget for **GS 105-355, Engineering and Science Complex (Engineering Building)**, from \$30 million to \$34 million, for an increase of \$4 million. The Board approved the request to modify the funding source to include the addition of MSU EBC bond funds and MSU Internal Reserve Funds to the project to allow for the budget increase. The Board also approved the request to modify the scope of the project to include the addition of 3,600 square feet of wet Chemistry lab space to the project. The project is currently in the design phase. This is the first budget escalation request made for this project by the University. The budget increase will fund the expanded scope of the project. The project will consist of approximately 54,000 square feet of new construction that will house classrooms, offices, teaching labs, research labs, chemistry labs, support space, and high bay areas. This building is the first building for the proposed Engineering and Science Complex. Funds are available from SB 2906, Laws of 2015 (\$13,000,000); SB 2844, Laws of 2015 (\$1,000,000); MSU Foundation Funds (\$12,000,000); MSU Internal Reserve Funds (\$4,000,000); and EBC Funds (\$4,000,000) (pending Board approval).
26. **MSU** – Approved the request to delete from inventory and demolish the Music Building D (Building # 0048). Music Building D (Building #0048) is currently in the footprint of the proposed location of the new Engineering and Science Complex. The removal of the building will allow for the construction of the new Engineering and Science Complex. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
27. **MSU** – Approved the request to delete from inventory and demolish the Sheely House. The Sheely House is located on the MSU campus and has fallen into a state of disrepair and not economically feasible to restore. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the IHL Office of Real Estate and Facilities.
28. **USM** – Approved the request to purchase the property located at 503 North 36th Avenue in the amount of \$97,500 from Marshall Easley. The property, which is a single-family dwelling, borders University property and the university already owns Lots 1, 2, 3, 4, and 5. USM intends to demolish the existing structures on the property and grass the lot to be used for future expansion and/or parking. The University has obtained two independent property appraisals. The first appraisal was in the amount of \$117,000. The second appraisal was in the amount of \$78,000. The average of the two appraisals was \$97,500 which is the average of the property's two appraised values. The closing shall be held at a location mutually agreeable to the parties on or before February 17, 2017 or upon such earlier or later date and time per agreement by the parties. The sale price will be \$97,500. The Attorney General's Office has reviewed and approved this item.

LEGAL

29. **MSU** – Approved the request to enter into a contract with the law firm of MENDELSON DUNLEAVY, P.C., located at 1500 John F. Kennedy Boulevard, Suite 312, Philadelphia, PA 19102, to perform services necessary in the practice area of intellectual property and specifically concerning the filing and prosecution of patent applications. The firm will provide legal

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representation at an hourly rate, ranging from \$195 to \$325 for attorneys and \$100 per hour for paralegals. The term of the proposed contract will be for one year, and total expenditures will not exceed \$75,000. MSU has used the Attorney General's Office for patent applications for a number of years. The Attorney General's Office has contracted with this firm to provide services under three separate contracts, with three different effective dates. These contracts were between the firm and the Office of the Attorney General on behalf of Mississippi State University for the prosecution of three foreign patent applications. Due to recent legislation, the Attorney General's Office notified MSU that the contract relationship with this firm must now be between the firm and Mississippi State. MSU requested one contract to replace the three previous contracts, with a retroactive effective date of May 1, 2016, to avoid any lapse in contract terms. The retroactive start date for the contract is needed in order for MSU to pay for work already performed for MSU's benefit by the firm that was authorized by the AG's office but that was not performed pursuant to a contract between MSU and the firm. A proposed contract has been approved by the Office of the Attorney General.

FINANCE AGENDA

Presented by Trustee Christy Pickering, Chair

On motion by Trustee Smith, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Finance Agenda. On motion by Trustee Smith, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #2. On motion by Trustee Smith, seconded by Trustee Hooper, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #3. On motion by Trustee Smith, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to approve agenda item #4.

1. **DSU** – Approved for final reading the proposed tuition rate increase from \$6,298 in FY 2017 to \$6,613 effective for fiscal year 2018. This is a 5% increase. In compliance with Board Policy 702.04 Approval Process Subsection C Consideration of Request, the Board had thirty-days to review the requested increase prior to final approval.
2. **UM** – Approved the request to initiate the bond process for the University of Mississippi Educational Building Corporation (UMEBC) to borrow funds not to exceed \$19 million to finance an addition and renovations to the Oxford-University Stadium. The addition portion of the project will include a two-story, roughly 45,000 square foot performance/operations center. It will house equipment and laundry rooms, players' locker room, training room, pro/alumni locker room, player lounge, team meeting room, coaches' locker room, weight training/plyometrics. The addition will also include an outdoor plaza. The Board received the financial report from the financial advisor, First Southwest. The loan term will not exceed 15 years. Taxable and tax-exempt options will both be considered. The Board also approved Butler, Snow as the bond counsel. Bond counsel will be compensated at \$1.90 per \$1,000 incurred by the Educational Building Corporation up to \$25 million. After \$25 million, the rate decreases to \$1.15 per \$1,000 above \$25 million.

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3. **UMMC** – Approved the request to enter into a lease agreement with 300 Renaissance, LLC to lease space for UMMC’s Center for Telehealth. In accordance with Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to make prepayments on a monthly basis. The commencement date of the lease is expected to be the earlier of September 1, 2017 or the first date upon which UMMC conducts business in the leased space. The term of the lease, which will begin upon commencement date, is five (5) years with the option to renew the lease for one successive five (5) year term. The Board approved a ten (10) year term. The cost of the lease over the ten (10) year term is estimated to be \$4,177,048.87. The cost per square feet will be \$28.50 for first twenty-four (24) months, \$29.00 for months twenty-five (25) through the thirty-six (36) and \$29.50 for months thirty-seven (37) through sixty (60). If UMMC elects the optional five (5) year renewal, the cost of the rent per square feet will be determined based upon the market value at that time. For purposes of requesting spend approval for a ten (10) year term, UMMC has estimated an increase of \$.50 per square feet each year of the renewal. UMMC will also pay its pro rata share of any increase in operating expenses above the base year operating expense cost. The exact base year operating expense cost will not be known to UMMC until after the first year of the lease; therefore, in order to request appropriate spend authority, UMMC has estimated that the base year operating expense will be \$3.00 per square feet and beginning in year two (2) UMMC has added an additional 1.5% compounded annually to cover increased operating expenses. In addition to the above payments, as the building is located in a proposed or existing Colony Park Public Improvement District (PID) that provides for certain improvements and services, such as, enhanced patrols, landscaping, upgraded lighting, sidewalks, etc., UMMC will pay its pro rata share of PID costs not to exceed \$.50 per square feet annually. A breakdown of costs is included in the bound *January 19, 2017 Board Working File*. The current agreement will be funded by patient revenues. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.
4. **UMMC** – Approved the request to amend the current agreement with McCann Erickson USA, Inc. d/b/a MRM/McCann for the provision of marketing and advertising services. In accordance with the Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to pay in advance to McCann, any payments which are customarily paid in advance for marketing services, such as reservation for space in various marketing venues (billboards, magazines, etc.). The purpose of this amendment is to allow UMMC to extend the term of the agreement, to allow McCann to perform services pursuant to statements of work and to increase spend approval. The cost being requested for the amendment will not require an increase to the marketing budget. The contract will be for a term of approximately two (2) years, eleven (11) months, January 22, 2016 – December 31, 2018. The cost of the contract will not exceed \$7,000,000 for the term of the agreement. The charges include: 1) Media Costs – All media costs that are incurred as a result of services performed by a third party, will be passed through to UMMC at gross. From this, 15% commission for media placement and oversight will be included as payment to McCann, as is industry standard. However, there will be no other agency markup on the cost of media. 2) Production costs will be passed-through from McCann to UMMC with no markup. 3) Out-of-pocket Expenses - All out-of-pocket expenses will be passed through from McCann to UMMC with no mark up. 4) Agency Fees - Agency fees will be paid to McCann for professional services performed by the firm as documented in McCann’s proposal. The agreement will be funded by self-generated funds. The agreement which has been reviewed and approved by the Attorney General’s Office is on file in the Board Office.

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LEGAL AGENDA

Presented by Trustee Alan Perry, Chair

A motion was made by Trustee Perry, seconded by Trustee McNair, to grant permission for an extension to the end of June 2017 of any affiliation agreements between the state universities and their affiliated foundations or alumni associations that will expire prior to June 1, 2017 to allow more time for possible improvements to Board Policy 301.0806 University Foundation/Affiliated Entity Activities, which may impact the required provisions for new affiliation agreements, and to table agenda item #1 until the February meeting. On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Cummins and Smith absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to move agenda items #2 and #4 to the Executive Session Agenda.

1. **SYSTEM** – Request for approval of proposed modifications to Board Policy 301.0806 University Foundation/Affiliated Entity Activities for first reading. **(THIS ITEM WAS TABLED UNTIL THE FEBRUARY MEETING.)**
2. **SYSTEM** – Settlement of IHL Self-Insured Tort Claim No. 65-3186-1. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
3. **UM** – Request to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-36489. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**
4. **UMMC** – Request to approve the settlement of Tort Claim No. 3030. **(THIS ITEM WAS MOVED TO THE EXECUTIVE SESSION AGENDA FOR CONSIDERATION.)**

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Glenn F. Boyce

1. **SYSTEM** – The Board received an update on possible changes to the standards required by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) which is the regional body for the accreditation of degree-granting higher education institutions in the Southern states.

INFORMATION AGENDA

Presented by Commissioner Glenn F. Boyce

REAL ESTATE

1. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the November 17, 2016 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

LEGAL

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

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3. **SYSTEM** – Trustee Alan Perry, as Board Legal Committee Chair, on behalf of the Board, approved IHL’s emergency request to contract with attorney Dick Cowart to assist the IHL Board with UMMC related strategic planning, to advise the Board on healthcare law related matters, and legislation related matters. The hourly rate will be \$525 with a maximum amount payable under the contract of \$10,000.

ADMINISTRATION/POLICY

4. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
 - a. **ASU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 7, 2016, Commissioner Glenn F. Boyce granted retroactive approval of the Lease Agreement between the Alcorn State University Extension Program and CDAH, LLC for building space located at 199 St. Catherine Street, Natchez, MS for use by the ASU Farmers Market. The term of the lease is one year—January 1, 2016 through December 31, 2017 with four quarterly lease payments in the amount of \$2,700 payable in advance on the 1st of January, April, July, and October, 2016. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
 - b. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 11, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement Amendment between Mississippi State University and Houndstooth Commercial Properties, LLC for 2,400 square feet of building space to be used for administrative/consultation work by the 21(d) OSHA Consultation employees of MSU Industrial Health and Safety a/k/a Center for Safety and Health. The current agreement is being extended for a new one-year term from February 1, 2017 through January 31, 2018, at a cost of \$2,900 per month payable in advance. Funds are available from the 21(d) On-Site OSHA Consultation Program. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
 - c. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On November 22, 2016, Commissioner Glenn F. Boyce approved Addendum #2 to a lease agreement between Mississippi State University and Charles Cameron Dean, Jr. for the lease of approximately

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100 acres of land for research purposes, including a covered shop located on the property. The original agreement began January 2015 at a cost of \$25,057 annually and was previously extended for one year. Addendum #2 extends the existing lease for a one-year period from January 1, 2017 through December 31, 2107 at the same cost. There are no changes to the original agreement. The contract will be funded by general funds. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- d. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 29, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between Mississippi State University College of Engineering and Hewlett Wood Products, Inc. for approximately 6,250 square feet of space in a building located at 511 MLK Drive, Starkville, MS at a cost of \$30,000 per year, payable in monthly installments of \$2,500 each in advance or by the 5th of each month. The term of the lease is for one year effective upon the date of execution. It may be renewed upon written agreement of the parties. The space is to be used for the Barksdale College of Engineering student activities including competition teams, outreach coordinator, and storage. The contract will be funded through external funded gifts to BCoE (Hearin Foundation Grant and Chevron Gift). The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- e. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 29, 2016, Commissioner Glenn F. Boyce approved Addendum #1 to a lease agreement between Mississippi State University and the State of Mississippi, Military Department for approximately 842 square feet of office space located in the MSU High Performance Computing Building for use by the Mississippi National Guard. This is a two-year extension of an existing lease agreement that began January 30, 2014 and will expire on January 31, 2017. Addendum #1 extends the contract through January 31, 2019, at a cost of \$1 per year. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- f. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On November 29, 2016, Commissioner Glenn F. Boyce approved the renewal of a Lease Agreement between Mississippi State University Agriculture and Applied Science and the Delta Lambda House

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Corporation of Delta Gamma Fraternity, Inc. and the MSU Chapter of Delta Gamma Sorority for a Lot #2 of Sorority Hill Subdivision at a cost of \$1. The term of the lease is fifty years effective December 1, 2016. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

- g. **MSU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On November 29, 2016, Commissioner Glenn F. Boyce approved the Ground Lease Agreement between Mississippi State University Agriculture and Applied Science and the Epsilon Chi Zeta House Corporation for and on behalf of the Lambda Chi Alpha Fraternity for Lot #9 of Fraternity Hill Subdivision at a cost of \$1. The term of the lease is fifty years effective December 1, 2016. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- h. **UMMC** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On December 12, 2016, Commissioner Glenn F. Boyce approved the Part-Time Space Occupancy Lease agreement between the University of Mississippi Medical Center and the Tishomingo Health Services, Inc. d/b/a/ North Mississippi Medical Center – Iuka for periodic use of approximately 2, 759 square feet of office and clinic space in the North Mississippi Medical Center in Iuka, MS. The Agreement is for a term of one year effective upon execution of the agreement and automatically renewable for up to four consecutive one-year terms, at a cost of \$200 a month rent, calculated based on two scheduled occupancy periods in each calendar month, as set out specifically in Exhibit B to the Agreement and payable at the beginning of each month. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.
- i. **USM** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” Pursuant to Board Policy 707.03 Approval for Prepayment for Goods or Services, the Commissioner is authorized to approve certain prepayment/waivers on behalf of the Board. It further provides in part that written permission from the Commissioner or Board must be obtained prior to making or contracting to make prepayment of goods or services before such goods or services are received. On November 29, 2016, Commissioner Glenn F. Boyce approved the Lease Agreement between the University of Southern Mississippi and Bac Yeast, Inc. for approximately 765 square feet of office and laboratory space at USM’s Accelerator at a cost of \$16,200 annually. There is also a “transition period” rental amount of \$1,500 to be paid one time on the first day of the “transition period.” The lease is for an initial term of one year effective January 2017 with the option to renew for up to four consecutive one-year terms. The IHL Associate Commissioner for Legal Affairs has reviewed and approved the contract documents.

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- j. **SYSTEM** – On December 1, 2016, Commissioner Glenn F. Boyce reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning July 1, 2016 and ending September 30, 2016. These reports are required by Board Policies 401.0102 Delegation of Authority and 801.09 Resignations. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration.
- k. **SYSTEM** – In accordance with Board Policy 401.0103 Salaries and Compensation, each institution is required to submit an annual report of the additional compensation paid to selected employees. Additional compensation includes any institutional pay outside of an employee’s regular contract rate. This could include additional pay for items such as teaching overloads, performing additional duties, athletic camp service, etc. On January 3, 2017, Commissioner Glenn F. Boyce approved the submitted report for Fiscal Year 2016. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of the report will be maintained in the IHL Department of Finance and Administration for review.
- l. **SYSTEM** - In accordance with Board Policy 702.03 Approval of Tuition, Fees, and Other Student Charges, each institution is required to submit a report of their annual participation/optional fees to the Board through guidelines established by the Commissioner’s Office. Participation/Optional Fees are defined in Board Policy 702.02 Definitions as assessments for “supplies, activities, or services made available to students or as fines for misconduct, violation of institutional policy, or violation of contractual agreements”. The fees became effective July 1, 2016 and remain in effect throughout the 2016-17 fiscal year. On January 3, 2017, Commissioner Glenn F. Boyce approved the 2017 Participation and Optional Fees Report. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of this report will be maintained in the IHL Department of Finance and Administration for review.
- m. **SYSTEM** – In accordance with Board Policy 703.04 Institutional Scholarships, Tuition Waivers and Fellowships Subsection F Policy Guidelines, each institution is required to submit an annual summary of actual expended E&G Scholarships, Fellowships and Tuition Waivers for the past fiscal year. Included in this presentation would be a summary of the actual E&G student aid expenditures by financial aid category as well as the number of category award recipients. On January 3, 2017, Commissioner Glenn F. Boyce reviewed and approved the FY 2016 presentation. The Executive Office financial staff has reviewed and approved the institutions’ submissions. A copy of these reports will be maintained in the IHL Department of Finance and Administration for review.
- 5. **SYSTEM** - As a part of the continuous strengthening of the partnership between the Mississippi Institutions of Higher Learning (IHL) and the Mississippi Development Authority (MDA), the parties have agreed to enter into a Memorandum of Understanding (MOU) that outlines and formalizes our commitment to each other and the State of Mississippi. The MOU affirms that the partners will intentionally leverage the capabilities of Mississippi’s institutions of higher education for economic development outcomes in order to build a vibrant economy that supports business growth and expansion. The joint efforts of the university system and the business community, as defined in the MOU, will improve the economic climate of the state and create greater employment opportunities for our graduates. On behalf of and as a commitment of their respective organizations, the agreement has been signed by Glenn McCullough, Jr., Executive Director of the

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Mississippi Development Authority and Dr. Glenn Boyce, Commissioner of Higher Education. A copy of the MOU is included in the bound *January 19, 2017 Board Working File*.

ANNOUNCEMENTS

- Commissioner Glenn Boyce updated the Board on the budget cuts received by the Mississippi Public Universities System. President Rouse thanked Kim Gallaspy, Director of Governmental Relations, for the weekly legislative reports she provides to the Board.
- President Rouse announced the next scheduled Board meeting will be February 16, 2017 at the Board Office.
- President Rouse invited the university presidents to report on current activities on their campuses.

**HEALTH AFFAIRS
COMMITTEE REPORT
Wednesday, January 18, 2017**

The meeting was called to order by Chairman Ford Dye at approximately 2:00 p.m. The following items were discussed.

1. Presentation - The Committee received the 2016 Year-End Report presented by Dr. J. Michael Henderson, Chief Medical Officer at the University of Mississippi Medical Center.
2. Executive Session

On motion by Trustee Rouse, seconded by Trustee McNair, with Trustees Cummins and Hooper absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Starr, seconded by Trustee Rouse, with Trustees Cummins and Hooper absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reason reported to the public and stated in these minutes, as follows: Discussion of strategic business plans for a public hospital.

During Executive Session, the Committee discussed strategic business plans for a public hospital. **No action was taken.**

On motion by Trustee McNair, seconded by Trustee Hooper, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to return to open session.

3. Adjourn - On motion by Trustee Perry, seconded by Trustee Starr, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to adjourn.

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The following Committee members attended the meeting: Dr. Ford Dye (Chair), Mr. Tom Duff, Mr. Shane Hooper, Dr. Alfred McNair, Mr. Chip Morgan, Mr. Hal Parker, Mr. Alan Perry, Ms. Christy Pickering (by phone), Dr. Doug Rouse, Mr. C.D. Smith, and Dr. Walt Starr. Ms. Karen Cummins was absent.

EXECUTIVE SESSION

On motion by Trustee Hooper, seconded by Trustee McNair, with Trustee Cummins absent and not voting and Trustee Pickering participating by phone, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not to declare an Executive Session. On motion by Trustee Dye, seconded by Trustee McNair, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously **to enter into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of three state university litigation matters,
Discussion of two state university personnel matters, and
Discussion of strategic plans of a public hospital by its governing board.

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

On motion by Trustee Dye, seconded by Trustee McNair, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to deny Dr. Sally Paulson's request for the Board to review Delta State University's denial of tenure and promotion to Dr. Paulson.

On motion by Trustee Smith, seconded by Trustee Dye, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the termination of Dr. Vivian Fuller, Associate Vice Provost for Student Affairs at Jackson State University.

On motion by Trustee Dye, seconded by Trustee Parker, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Self-Insured Tort Claim No. 65-3186-1, styled as *U.S. Department of Justice vs. JSU, et al.*, as recommended by counsel.

On motion by Trustee Perry, seconded by Trustee Duff, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve to approve the settlement of IHL Self-Insured Workers' Compensation Claim No. 55-36489, styled as *Joshua Sherman vs. UM, et al.*, as recommended by counsel.

On motion by Trustee Dye, seconded by Trustee Starr, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 3030, styled as *Willie Brown vs. UMMC, et al.*, as recommended by counsel.

The Board discussed strategic plans of a public hospital by its governing board. **No action was taken.**

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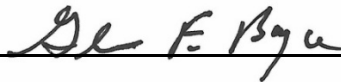
On motion by Trustee Dye, seconded by Trustee Smith, with Trustees Cummins and Pickering absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

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



President, Board of Trustees of State Institutions of Higher Learning



Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Exhibit 1 Real Estate items that were approved by the IHL Board staff subsequent to the November 17, 2016 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

January 19, 2017

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE NOVEMBER 17, 2016 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.

DELTA STATE UNIVERSITY

1. DSU- GS 102-237 – Caylor White Walters Phase IV Auditorium

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$2,322.00 and twenty (20) additional days to the contract of Sullivan Enterprises, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, November 21, 2016

Change Order Description: Change Order #4 includes the following items: installation of brick to infill pilasters at the south ramp; provide square steel caps in infill holes at the removed pickets on the north stairs; and twenty (20) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; and additional days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$64,676.64.

Project Initiation Date: August 19, 2010

Design Professional: Architecture South, P.A.

General Contractor: Sullivan Enterprises, Inc.

Total Project Budget: \$1,261,847.63

2. DSU- GS 102-260 – Zeigel Hall Renovation

NOTE: This is a Bureau of Building project

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Architecture South, P.A.

Approval Status & Date: APPROVED, October 24, 2016

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 24, 2016

Project Initiation Date: October 16, 2014

Design Professional: Architecture South, P.A.

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General Contractor: TBD

Total Project Budget: \$6,292,500.00

3. **DSU – GS 102-262 – Young Mauldin Cafeteria Renovation**

NOTE: This is a Bureau of Building project

Approval Request #1: Approval of Design Development Documents

Board staff approved the Design Development Documents as submitted by Burris/Wagnon Architects.

Approval Status & Date: APPROVED, November 10, 2016

Project Initiation Date: October 16, 2014

Design Professional: Burris/Wagnon Architects

General Contractor: TBD

Total Project Budget: \$9,180,791.00

MISSISSIPPI STATE UNIVERSITY

4. **MSU– GS 105-345 – MSU Classroom Building with Parking**

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #7

Board staff approved Change Order #7 in the amount of \$11,745.00 and twenty-two (22) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, November 10, 2016

Change Order Description: Change Order #7 includes the following items: audio/visual modifications; bollard modifications prior to installation; storm sewer modifications at the underground fiber optic line intersection; and twenty-two (22) days to the contract.

Change Order Justification: These changes were due to latent job site conditions; user/owner requested modifications; and additional weather related days for work as indicated herein.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$673,117.60.

Project Initiation Date: August 19, 2010

Design Professional: Belinda Stewart Architects, P.A.

General Contractor: Evan Johnson & Sons Construction, Inc.

Phased Project Budget: \$36,232,589.00

Total Project Budget: \$41,314,339.00

UNIVERSITY OF MISSISSIPPI

5. **UM– IHL 207-372 – South Campus Recreation Facility & Transportation Hub**

Approval Request #1: Contract Documents

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

Approval Status & Date: APPROVED, November 10, 2016

Approval Request #2: Advertise

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Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 10, 2016

Project Initiation Date: June 20, 2013

Design Professional: JBHM Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$30,098,646.00

Total Project Budget: \$32,000,000.00

6. **UM – IHL 207-376.2R – STEM Building – Site Utilities Relocation REBID**

Approval Request #1: Contract Documents

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

Approval Status & Date: APPROVED, November 3, 2016

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 3, 2016

Project Initiation Date: January 16, 2014

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

Phased Project Budget: \$6,689,260.00

Total Project Budget: \$8,700,000.00

7. **UM– IHL 207-383 – Gillom Sports Center Renovation**

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$84,712.49 and zero (0) additional days to the contract of Zellner Construction Services, LLC.

Approval Status & Date: APPROVED, November 21, 2016

Change Order Description: Change Order #3 includes the following items: add audio/visual, conduit, and cabling for instant replay; bore underground electrical conduit from the northeast manhole around the east side of the building to the telephone room; demolish the exhaust fans; add exhaust fans in the restrooms; and install plywood at the back side of the parapet.

Change Order Justification: This change was 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: Three (3) change orders for a total amount of \$93,761.20.

Project Initiation Date: June 19, 2014

Design Professional: Pryor & Morrow Architects and Engineers

General Contractor: Zellner Construction Services, LLC

Total Project Budget: \$13,800,000.00

8. **UM – IHL 207-385R.1 – Manning – Practice Fields Enlargement REBID**

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$89,518.48 and zero (0) additional days to the contract of Sports Turf Company, Inc.

Approval Status & Date: APPROVED, November 21, 2016

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Change Order Description: Change Order #4 includes the following items: add a drain inlet between the entry drive & electrical boxes adjacent to the practice field; remove unsuitable material on practice field #1 and replace with engineered fill; realign the fencing & add a double gate at the transformer & add a main gate at the cooling tower in the southeast area of the practice field; increase the width of the protective netting behind the tower on the west end of the practice field; install a water flow meter on the irrigation system; install a subsurface drain line at the base of the retaining wall along Manning Way; provide padding for the field light poles; and install ground rods at the observation towers.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$267,720.96.

Project Initiation Date: June 19, 2014

Design Professional: Holcombe Norton Partners, Inc.

General Contractor: Sports Turf Company, Inc.

Phased Project Budget: \$4,782,530.00

Total Project Budget: \$5,351,030.00

9. UM- IHL 207-389 – Vaught-Hemingway Stadium North End Zone

Approval Request #1: Change Order #9

Board staff approved Change Order #9 in the amount of \$371,770.90 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, October 26, 2016

Change Order Description: Change Order #9 includes the following items: added piles at the grid; revised the flagpole type; deleted the scoreboard camera platform; changes made to the generator pad; additional audio/visual scope; foundation changes at the scoreboard; added a new storm box; south end zone water remediation; added trench drains at the west side of the concourse; a dry sprinkler pendant at the south end zone freezers; vomitory close-off; scoreboard roof change; added gravel at the west side; change to the swivel TV brackets; power for additional audio/visual and internet technology; added wind screens at the chain link fence areas; vomitory paint at the north end zone; change to the scoreboard flashing; controls allowance reconciliation; south end zone closure panel; added exit lights; painting of upper inside of scoreboard; repair to east side sewer line; added two (2) TV swivel brackets; and a light fixture credit.

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

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$2,004,604.44.

Project Initiation Date: August 21, 2014

Design Professional: AECOM

General Contractor: Roy Anderson Corporation

Total Project Budget: \$30,593,713.00

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10. **UM – IHL 207-411R – Oxford-University Stadium (Swayze Field) Addition & Renovation - REBID**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$70,471.41 and nine (9) additional days to the contract of Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, November 21, 2016

Change Order Description: Change Order #1 includes the following items: removal of a section of an existing trench drain & temporarily connect to an existing storm drain; revision of new electrical construction to match the existing underground electrical construction; relocation of a 4” sewer line; repair of an existing water line leak; increased the area of an equipment pad to accommodate future new chiller & maintenance area requirements; added a 3” strainer and isolation valves to the existing chiller; bore chill water lines under existing electrical & communication ductbanks; added safety fencing around unoccupied equipment outside the construction fence; and nine (9) days to the contract.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$70,471.41.

Project Initiation Date: October 15, 2015

Design Professional: Cooke Douglas Farr Lemons, Architects & Engineers, P.A.

General Contractor: Upchurch Plumbing, Inc.

Total Project Budget: \$5,000,000.00

11. **UM – IHL 207-423 – Jackson Avenue Center Phase III – Swing Space**

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Shafer & Associates Architects.

Approval Status & Date: APPROVED, November 3, 2016

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, November 3, 2016

Project Initiation Date: January 16, 2014

Design Professional: Shafer & Associates Architects

General Contractor: TBD

Total Project Budget: \$3,800,000.00

12. **UM – IHL 207-425 – Crosby Hall Boiler Replacement**

Approval Request #1: Approval of Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Corbett Legge & Associates, PLLC.

Approval Status & Date: APPROVED, November 3, 2016

Approval Request #2: Waiver of Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by Corbett Legge & Associates, PLLC.

Approval Status & Date: APPROVED, November 3, 2016

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Project Initiation Date: September 15, 2016
Design Professional: Corbett Legge & Associates, PLLC
General Contractor: TBD
Total Project Budget: \$1,100,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

13. UMMC– GS 109-210 (GC-001) – School of Medicine

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #7

Board staff approved Change Order #7 in the amount of \$63,719.00 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, November 3, 2016

Change Order Description: Change Order #7 includes the following items: installation of steel relief angles at the elevated floor levels in the atrium lobby at thin-stone panel locations; provide fire rated partition enclosure at a certain location at the men's/women's toilets; increase the wall thickness at two (2) floor locations; provide & install additional support steel for the brick at the limestone offset on the east and west sides of the north entry; add gypsum board pilaster on a door on floors 1-4; add steel supports to the ground floor curtain wall windows on certain column lines at window types; revise the ceiling height of a corridor and associated gypsum board furrings; change the specified fire extinguishers & cabinets to UMMC standard; add 2hour fire rated horizontal shaft wall enclosures at a floor mechanical shaft; revise the ceiling height of a corridor and associated gypsum board furrings; substitute fiberglass backer board for cementitious backer board at the terrazzo base locations; reroute the existing gas line on the east side of the building as required; and relocate the gas meter.

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

Total Project Change Orders and Amount: Seven (7) change orders for a total credit amount of \$201,603.00.

Project Initiation Date: June 16, 2011

Design Professional: Cooke Douglas Farr Lemons + Eley Guild Hardy – A Joint Venture

General Contractor: Roy Anderson Corporation

Phased Project Budget: \$65,742,205.00

Total Project Budget: \$66,000,000.00

14. UMMC– IHL 209-544 – Translational Research Center

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$105,435.57 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, October 19, 2016

Change Order Description: Change Order #2 includes the following items: added brick ledge; added communication stations; additional Vivarium door guards; additional steel to raise the cooling tower; added cooled chiller controls; rework of the boiler room equipment pads & plumbing fixtures; rebar modifications; deleted boiler day tank and

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added an additional fuel pump; curb changes to the rooftop; wall framing for the electrical panels at the rates shafts; and added an access door to the MIND center lobby chase.

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

Total Project Change Orders and Amount: Seven (7) change orders for a total credit amount of \$1,282,193.43

Project Initiation Date: November 17, 2011

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Fountain Construction Company, Inc.

Phased Project Budget: \$44,259,496.98

Total Project Budget: \$50,572,743.00

15. UMMC – IHL 209-553 – Interventional Radiology Renovation

Approval Request #1: Approval of Schematic Design Documents

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

Approval Status & Date: APPROVED, November 10, 2016

Project Initiation Date: August 20, 2015

Design Professional: JBHM Architects, P.A.

General Contractor: TBD

Total Project Budget: \$7,759,186.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

16. USM– GS 108-261 – School of Nursing

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #9

Board staff approved Change Order #9 in the amount of \$30,499.70 and zero (0) additional days to the contract of Hanco Corporation.

Approval Status & Date: APPROVED, November 16, 2016

Change Order Description: Change Order #9 includes the following items: power for chemical treatment & boiler control boards; flooring & terrazzo changes; added power connections in three (3) fire dampers and a water control device; addition of six (6) 208v circuits for UPS back-ups; added polymer jointing sand top to the brick pavers in the plaza; added exterior handrails, added exterior handrails to stairs north of the building ; flip the storefront double doors already installed leading to a terrace to allow egress from the terrace due to electronic locks that were added to these doors.

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

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$37,877.87.

Project Initiation Date: September 17, 2009

Design Professional: Studio South Architects, PLL and Eley Guild Hardy Architects, P.A.

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General Contractor: Hanco Corporation

Total Project Budget: \$30,000,000.00

17. USM – Gulf Coast - GS 114-022 – Business and Health Building

NOTE: This is a Bureau of Building project

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$156,694.76 and thirty-four (34) additional days to the contract of J.W. Puckett & Company, Inc.

Approval Status & Date: APPROVED, November 21, 2016

Change Order Description: Change Order #1 includes the following items: add doors & framing for the new bathroom/access controls; add a new toilet to include finishes, painting, drywall, accessories, HVAC, plumbing and sprinkler; revise the fire alarm system to allow the system to be monitored & controlled at USM's Hattiesburg campus; remove a tree, miscellaneous landscape changes to include sod, topsoil & irrigation; sewer & pipe size change; sewer line repairs; removal of a power pole; and thirty-four (34) days to the contract.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$156,694.76.

Project Initiation Date: March 19, 2015

Design Professional: McCarty Architects Professional Association

General Contractor: J.W. Puckett & Company, Inc.

Total Project Budget: \$7,000,000.00

18. USM– IHL 208-332 – Pride Field Turf and Fencing

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,154,360.68 to the apparent low bidder, Pride Field Turf and Fencing.

Approval Status & Date: APPROVED, November 4, 2016

Project Initiation Date: March 19, 2015

Design Professional: Neel-Schaffer, Inc.

General Contractor: Pride Field Turf and Fencing

Total Project Budget: \$1,315,000.00

19. USM– IHL 208-334 – Cochran Center Theatre

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Albert & Associates Architects.

Approval Status & Date: APPROVED, October 20, 2016

Project Initiation Date: November 19, 2015

Design Professional: Albert & Associates Architects

General Contractor: TBD

Total Project Budget: \$2,400,000.00

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20. **USM – IHL 210-243 – Marine Education Center**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$29,610.00 and six (6) additional days to the contract of Starks Contracting Co., Inc.

Approval Status & Date: APPROVED, November 22, 2016

Change Order Description: Change Order #2 includes the following items: erosion control; additional steel columns and weld plates; increased the slab thickness of a building; parking lot revisions; and six (6) days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$23,454.75.

Project Initiation Date: August 21, 2008

Design Professional: Lake Flato

General Contractor: Starks Contracting Co., Inc.

Total Project Budget: \$16,115,660.00

EDUCATION AND RESEARCH CENTER

21. **ERC – GS 111-052 – Structural and Subsurface Repair**

NOTE: This is a Bureau of Building project

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Hal Parker, Chair of the Real Estate and Facilities Committee on January 12, 2017 to approve the budget increase from \$3,563,570.87 to \$4,178,570.87, an increase of \$615,000.

Approval Status & Date: APPROVED, January 12, 2017

Project Initiation Date: November 21, 2013

Design Professional: JBHM Architects

General Contractor: Gregory Construction Services

Total Project Budget: \$4,178,570.87

22. **ERC– GS 111-053 – Primary Electrical Replacement**

NOTE: This is a Bureau of Building project

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,461,000.00 to the apparent low bidder, Moses Electric, Inc.

Approval Status & Date: APPROVED, December 16, 2016

Project Initiation Date: September 17, 2015

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Moses Electric, Inc.

Total Project Budget: \$2,000,000.00

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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 11/22/16) from the funds of Mississippi State University. (This statement, in the amount of \$400.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 400.00

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 10/20/16 and 12/1/16) from the funds of Mississippi State University. (These statements, in the amounts of \$417.68 and \$2,500.00, respectively, represent services and expenses in connection with immigration/labor certification.)

TOTAL DUE.....\$ 2,917.68

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 12/6/16 and 12/7/16) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,512.00 and \$11,306.81, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 12,818.81

Payment of legal fees for professional services rendered by Jones|Walker (statement dated 11/17/16) from the funds of the University of Mississippi. (This statement, in the amount of \$196.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 196.00

Payment of legal fees for professional services rendered by Mayo|Mallette (statement dated 11/4/16) from the funds of the University of Mississippi. (This statement, in the amount of \$1,485.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,485.00

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Payment of legal fees for professional services rendered by Ware Immigration (statements dated 5/26/16, 7/1/16, 7/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 8/1/16, 9/1/16, 10/1/16, 10/1/16, 10/1/16, 11/1/16, 11/1/16, 11/1/16 and 11/1/16) from the funds of the University of Mississippi. (These statements, in the amounts of \$2,405.92, \$24.59, \$14.47, \$4,350.00, \$4,000.00, \$23.23, \$12.28, \$4,000.00, \$19.69, \$3,000.00, \$50.25, \$3,000.00, \$407.12, \$18.82, \$6,000.00, \$54.22, \$30.59, \$3,960.00 and \$24.83, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 32,396.01

Payment of legal fees for professional services rendered by Baker|Donelson (statement dated 9/13/16) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$1,824.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,824.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/2/16, 9/13/16, 9/14/16, 9/14/16, 9/16/16, 9/26/16, 10/4/16, 10/10/16, 10/10/16, 10/11/16, 10/11/16, 10/11/16, 10/11/16, 10/12/16, 10/24/16, 11/9/16, 11/14/16, 11/14/16, 11/14/16, 11/14/16 and 11/21/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$13,001.10, \$294.00, \$1,470.00, \$7,717.50, \$6,419.00, \$1,485.00, \$9,803.09, \$882.00, \$1,764.00, \$563.50, \$32,989.64, \$808.50, \$6,433.50, \$1,225.00, \$5,586.00, \$808.50, \$1,127.00, \$2,107.00, \$6.42, \$9,906.00 and \$4,385.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 108,782.25

Payment of legal fees for professional services rendered by Hogan|Lovells (statements dated 8/31/16 and 9/30/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$33,777.80 and \$17,529.10, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 51,306.90

Payment of legal fees for professional services rendered by Watkins & Eager (statements dated 10/11/16, 10/18/16, 10/18/16, 10/24/16, 11/2/16, 11/7/16, 11/7/16, 11/18/16 and 11/18/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$8,085.00, \$14,600.40, \$20,094.75, \$11,498.58, \$24,044.00, \$8,937.95, \$11,170.50, \$7,057.15 and \$6,847.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 112,335.83

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Payment of legal fees for professional services rendered by the Whitfield Law Group (statements dated 9/21/16, 9/21/16, 9/21/16, 9/21/16, 9/21/16, 10/5/16, 10/5/16, 10/5/16, 10/5/16, 10/5/16 and 10/5/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,290.00, \$750.00, \$1,929.00, \$313.50, \$540.00, \$561.00, \$328.50, \$858.00, \$825.00, \$696.00 and \$588.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,679.00

Payment of legal fees for professional services rendered by Bryan, Nelson, Schroeder, Castigliola & Banahan (statement dated 12/5/16) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,060.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,060.50

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/12/16, 10/21/16 and 11/7/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$3,816.00, \$1,756.10 and \$1,019.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 6,591.60

Payment of legal fees for professional services rendered by Dornan Law (statement dated 11/2/16) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$6,555.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 6,555.00

Payment of legal fees for professional services rendered by Mayo|Mallette (statements dated 11/4/16 and 12/6/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$462.00 and \$49.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 511.50

Payment of legal fees for professional services rendered by Ware Immigration (statements dated 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 11/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16, 12/1/16 and 12/1/16) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,500.00, \$2,500.00, \$1,500.00, \$2,000.00, \$28.23, \$446.36, \$2,500.00, \$28.23, \$43.75, \$28.23, \$412.40, \$12.50, \$1,500.00, \$2,500.00, \$24.83 and \$20.16, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 15,044.69

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

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 10/26/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Live Attenuated Catfish Vaccine and Method of Making” - \$8,106.00; “Live Attenuated Edwardsiella ictaluri Vaccine” - \$1,037.50; “Silicon Carbide and Related Wide-Bandgap Transistors on Semi-Insulating Epitaxy for High-Speed, High-Power Applications” - \$987.50 and “Silicon Carbide and Related Wide-Bandgap Transistors or Semi-Insulating Epitaxy for High-Speed, High-Power Applications” - \$47.50.)

TOTAL DUE.....\$ 10,178.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/25/16 and 11/16/16) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Extruder Device” - \$367.50 and “Extruder Device” - \$236.00, respectively.)

TOTAL DUE.....\$ 603.50

Payment of legal fees for professional services rendered by Valauskas|Corder (statement dated 10/20/16) from the funds of Mississippi State University. (This statement represents services and expenses in connection with the following patent: “Blue Stain System” - \$832.50.)

TOTAL DUE.....\$ 832.50

Payment of legal fees for professional services rendered by Armstrong|Teasdale (statements dated 10/15/16, 10/15/16, 10/15/16, 11/4/16 and 12/6/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Methods for Detecting Transient Acoustic Signals” - \$35.00; “Systems and Methods for Preparing Solid Lipid Nanoparticles” - \$1,187.58; “Systems and Methods for Preparing Solid Lipid Nanoparticles” - \$35.70; “Methods for Detecting Transient Acoustic Signals” - \$309.40 and “Methods for Detecting Transient Acoustic Signals” - \$1,210.86, respectively.)

TOTAL DUE.....\$ 2,778.54

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 11/21/16) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patent: “Cache Mapping Technology Matter” - \$8,844.00.)

TOTAL DUE.....\$ 8,844.00

EXHIBIT 2

January 19, 2017

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 10/16/16, 10/16/16, 10/17/16, 10/21/16, 10/26/16, 11/1/16, 11/7/16, 11/17/16, 11/28/16, 11/28/16, 11/28/16 and 11/30/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Compositions containing Delta-9-THC-Amino Acid Esters" - \$4,142.51; "Compositions containing Delta-9-THC-Amino Acid Esters" - \$364.78; "Highly Selective Sigma Receptor Radioligands" - \$4,827.40; "Natural Insect Repellants and Deterrents" - \$2,516.05; "Potent Immunostimulants from Microalgae" - \$789.45; "Manzamines for Treatment of Drug Resistant Infection" - \$3,990.00; "Highly Selective Sigma Receptor Ligands" - \$553.40; "Potent Immunostimulants from Microalgae" - \$1,093.41; "Highly Selective Sigma Receptor Radioligands" - \$1,080.05; "Highly Selective Sigma Receptor Radioligands" - \$9,266.29; "Highly Selective Sigma Receptor Radioligands" - \$12,343.16 and "Compositions containing Delta-9-THC Amino Acid Esters" - \$1,193.44, respectively.)

TOTAL DUE.....\$ 42,159.94

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 10/25/16, 10/25/16, 10/25/16, 10/25/16, 10/31/16, 10/31/16, 10/31/16, 10/31/16, 10/31/16, 10/31/16, 11/16/16, 11/16/16 and 11/16/16) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Stabilized Formulation of Triamcinolone Acetonide" - \$1,442.76; "Stabilized Formulation of Triamcinolone Acetonide" - \$279.75; "Gas Separating Membranes" - \$2,940.50; "Longitudinal Gait Velocity Monitoring of Older Population" - \$2,288.00; "Highly Purified Amphotericin-B" - \$792.00; "Highly Purified Amphotericin-B" - \$1,496.00; "Highly Purified Amphotericin-B" - \$859.00; "Highly Purified Amphotericin-B" - \$784.00; "Highly Purified Amphotericin-B" - \$748.00; "Particle Feeder" - \$1,150.00; "Delivery of Medicaments to the Nail" - \$575.00; "Gas Separating Membranes" - \$537.00 and "Longitudinal Gait Velocity Monitoring of Older Population using Ultrasonic Technology" - \$1,006.50, respectively.)

TOTAL DUE.....\$ 14,898.51

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 9/14/16, 9/14/16, 9/14/16, 10/25/16, 10/25/16, 10/25/16, 11/16/16, 11/16/16, 11/16/16, 11/16/16 and 11/16/16) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$28.50, \$38.00, \$442.00, \$332.50, \$2,063.50, \$290.00, \$38.00, \$1,876.92, \$954.50, \$185.50 and \$1,132.50, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 7,381.92

EXHIBIT 2

January 19, 2017

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/3/16 and 10/26/16) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Trademark Application for the Centennial Anniversary” - \$336.00 and “Urban-Covalent Attachment of Bacteriophages to Polymeric Surfaces” - \$47.50, respectively.)

TOTAL DUE.....	\$	383.50
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