

MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING



FINAL BOARD BOOK
OCTOBER 20, 2011



FINAL BOARD BOOK OUTLINE

IHL Board Meeting - October 20, 2011, 8:30 A.M.
University of Mississippi Medical Center
Norman C. Nelson Student Union
2500 North State Street
Jackson, MS 39216

CALL TO ORDER

PRAYER

Trustee Christy Pickering

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MISSISSIPPI
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INSTITUTIONS OF HIGHER LEARNING



MINUTES FOR:

September 15, 2011 Regular Board Meeting Minutes

September 23, 2011 MUW Board Search
Teleconference Meeting Minutes

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 15, 2011**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session in Thad Cochran Center Ballroom II at the University of Southern Mississippi in Hattiesburg, Mississippi, at 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on January 6, 2011, to each and every member of said Board, said date being at least five days prior to this September 15, 2011 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Bettye Henderson Neely, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Mr. Scott Ross, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Dr. Stacy Davidson and Mr. Bob Owens were absent. The meeting was called to order and opened with prayer by Ms. Robin Robinson, President.

ANNOUNCEMENT

President Robin Robinson gave opening remarks and thanked Dr. Martha Saunders, President of the University of Southern Mississippi, and her staff for hosting the Board meeting on their campus. She went on to thank Dr. Bounds, the IHL Board staff, and Dr. and Mrs. Rouse for assisting with the Board Retreat.

APPROVAL OF THE MINUTES

On motion by Trustee Patterson, seconded by Trustee Blakeslee, with Trustees Davidson and Owens absent and not voting, all Trustees legally present and participating voted unanimously to approve the minutes of the Board meeting held on August 18, 2011.

BUDGET AGENDA

Presented by Mr. Aubrey Patterson, Chair

On motion by Trustee Patterson, seconded by Trustee Whitten, with Trustees Davidson and Owens absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Budget Agenda.

1. **IHL Executive Office** - Approved the request to amend the perpetual software license agreement from Regional Economic Models, Inc. (REMI). The original software licensing agreement was approved by the Board at its January 2011 meeting. The REMI software provides a dynamic forecasting and policy analysis tool used in support of impact studies of economic development projects, state policy proposals, and tax policy proposals. The perpetual license fee was \$312,000 (funded by the Governor's Office) with an annual maintenance fee of \$64,500 (billed to the participating institutions). The purpose of the amendment is to purchase an upgrade of the forecasting model. The current 1-Region, 169 Sector PI Model will be replaced with a 1-Region, 169 Sector Tax PI Model. The cost for the one-time model upgrade is \$108,000 bringing the overall contract cost to \$420,000. The annual maintenance fee will increase from \$64,500 to \$82,500 with the first two years of maintenance included in the permanent license. The costs associated with the upgrade will be funded by the American Recovery and Reinvestment Act - Government Services fund under the discretion of the Governor's Office. The annual maintenance fee will be paid by IHL

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in subsequent years. Costs may be offset by charging clients for analysis. The agreement which has been reviewed and approved by the Attorney General's Office is on file at the Board Office.

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Hank M. Bounds

On motion by Trustee Rouse, seconded by Trustee Patterson, with Trustees Davidson and Owens absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Administration/Policy Agenda.

1. **UM** - Approved the request to designate Charles V. Williams, Sydney P. Allen, Jr., and Caroline W. Sims and other attorneys from the Government Relations Team of Butler, Snow, O'Mara, Stevens and Cannada, PLLC as representatives of the University of Mississippi for the purpose of representing the university to the legislative and executive branches of government. Any fees or costs associated with this representation will be paid by the University of Mississippi Foundation, not from university funds.

EXECUTIVE SESSION

On motion by Trustee Perry, with Trustees Davidson and Owens absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Pickering, with Trustees Davidson, Owens, and Rouse absent and not voting, all Trustees legally present and participating voted unanimously **to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at the Mississippi University for Women.

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

The Board discussed a personnel matter at the Mississippi University for Women.

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

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ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Pickering, seconded by Trustee Neely, with Trustees Davidson and Owens 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

**MINUTES OF THE BOARD OF TRUSTEES OF
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September 23, 2011**

BE IT REMEMBERED, That the Mississippi University for Women Board Search Committee of the State of Mississippi held a teleconference meeting on September 23, 2011 at 11:00 a.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Committee members participated in the teleconference: Dr. Bettye Neely, Mr. Aubrey Patterson, Ms. Christy Pickering, Ms. Robin Robinson, and Mr. Scott Ross. Other Board members attending the meeting were: Dr. Stacy Davidson, Mr. Alan Perry, and Mr. C. D. Smith. The meeting was called to order by Trustee Christy Pickering, Chair.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call fashion. The teleconference committee meeting was held to discuss personnel issues concerning the search for the next president of the Mississippi University for Women.

EXECUTIVE SESSION

On motion by Trustee Patterson, and unanimously passed by those present, the Committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Patterson, seconded by Trustee Robinson, all Committee members legally present and participating voted unanimously **to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of personnel issues at the Mississippi University for Women.

During Executive Session, the following matter was:

The Committee discussed personnel issues concerning the search for the next president of the Mississippi University for Women.

On motion by Trustee Patterson, seconded by Trustee Robinson, all Committee members legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

There being no further business to come before the Committee, on a motion by Trustee Robinson, seconded by Trustee Patterson, all Committee members 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

CONSENT AGENDAS

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
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1. SYSTEM – APPROVAL OF ACADEMIC PROGRAM MODIFICATIONS

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

In accordance with Board policy, approval is requested for the following academic program modifications.

RENAME

- a. *Jackson State University* requests permission to rename the *Master of Science in Guidance and Counseling MS.Ed.* (CIP 13.1101) degree to the *MS.Ed. in School Counseling*. To meet requirements for the 2009 Standards Accreditation, the name change is required to align with the Council for Accreditation of Counseling and Related Educational Programs (CACREP). No additional appropriation is required.
- b. *Jackson State University* requests permission to rename the *Master of Science in Guidance and Counseling (Community Counseling)* (CIP 13.1101) degree to the *Master of Science in Clinical Mental Health*. To meet requirements for the 2009 Standards Accreditation, the name change is required to align with CACREP. No additional appropriation is required.
- c. *University of Southern Mississippi* requests permission to rename the *Master of Science in Educational Curriculum and Instruction* (CIP 13.0301) to the *Master of Science in Education* (CIP 13.0301) degree. The degree will provide a graduate foundation for those considering advanced study at the doctoral level in education and will also prepare students for entry-level program analysis and research positions in a variety of settings. No additional appropriation is required.

CONSOLIDATE

- d. *University of Southern Mississippi* requests permission to consolidate the *Bachelor of Arts in Radio-Television-Film* (CIP 09.0701) with the *Bachelor of Arts in Entertainment Industry* (CIP 50.0602) degree. The consolidation will eliminate the Radio-Television-Film degree, a misleading title left over from the Department of Radio-Television-Film that was consolidated into the School of Mass Communication and Journalism in 2001. No additional appropriation is required.

Staff Recommendation: Board staff recommends approval of these Items a – d.

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2. MSU – APPROVAL OF NEW ACADEMIC UNIT

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

In accordance with Board policy, approval is requested for establishing the following academic units.

CENTERS AND INSTITUTES

Mississippi State University requests approval of the *International Institute*. The International Institute will focus on international involvement for MSU including such efforts as investing global awareness for students, better utilizing international alums, and facilitating international research and outreach. The main goal is to consolidate existing fragmented international functions into a single unit. No additional state dollars are needed to establish this unit. The unit will be funded initially by reallocating existing university dollars and sustained with external research and outreach grants.

Staff Recommendation: Board staff recommends approval of this item.

3. SYSTEM – APPROVAL OF ACADEMIC UNIT MODIFICATIONS

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

In accordance with Board policy, approval is requested for the following academic unit modifications:

RENAME

- a. *Delta State University* requests permission to rename the *Division of Social Sciences* to the *Division of Social Sciences and History*. The request is made to formalize a name that better reflects the diverse course and programmatic offerings in the academic unit. No additional appropriation is required.

CONSOLIDATE

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- b. University of Southern Mississippi* requests permission to consolidate the *Department of Technology Education* (CIP 09.0701) with the *Department of Curriculum, Instruction, and Special Education (CISE)*. Consolidating the Department of Technology Education with the CISE supports the mission and enhances opportunities for collaboration among faculty to improve and expand teaching and research. The number of degrees offered will remain the same. Financial support for faculty salaries and program support is available. Funds will be needed for necessary renovation to convert available space in CISE into a MAC computer teaching lab and additional office space.

Staff Recommendation: Board staff recommends approval of Items a and b.

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1. ASU – ESCALATION OF AYERS ENDOWMENT BUDGET

Agenda Item Request: Alcorn State University (ASU) requests a budget escalation within their *Ayers* Endowment Diversity Program budget. The escalation is needed to cover increased costs associated with program operating costs. The original budget was approved at the June 2011 Board meeting. At that time, estimates of available funding were used to build the budget for this program. Actual funding is now known and the institution has requested to revise its budget to equal actual sources as shown.

Description	Original Budget FY 2012	Budget Escalation	Revised Budget FY 2012
Salaries, Wages, and Benefits	\$ 98,573		\$ 98,573
Travel		1,850	1,850
Contractual Services		1,400	1,400
Commodities		4,983	4,983
Capital Outlay:			
Equipment			
Library Resources			
Total Capital Outlay:			
Student Aid	143,015		143,015
Total	\$ 241,588	\$ 8,233	\$ 249,821

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

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

2. MSU – EXTEND CLOSING DATE DEADLINE FOR PURCHASE OF LAND

Agenda Item Request: Mississippi State University (MSU) requests permission to extend the closing date of its land sale agreement with **Cotton Mill Development Group, LLC (CMDG)** for the sale of approximately 8.477 acres of land comprised of two (2) parcels located behind the Cooley Building in Starkville, Mississippi.

Contractor’s Legal name: Cotton Mill Development Group, LLC.

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History of Contract: In October 2010, the Board approved three contracts related to CMDG: 1) sale of land, 2) lease of the Cooley Building to CMDG, and 3) lease back agreement for a portion of the Cooley Building to be used by MSU. The following recap is related to the initial agenda item submitted for the sale: Cotton Mill Development Group approached MSU about purchasing approximately 8.447 acres which consist of two parcels of land. The first parcel of land is approximately 7.817 acres located at Highway 12, Russell Street, and Mill Street in Starkville. The second parcel of land includes 0.63 acres of land as well as the Writing and Thinking Institute Building located at 518 Russell Street in Starkville. After obtaining two independent appraisals for each parcel of land, an offer of \$2,880,000 was made to purchase the land by CMDG.

At the April 2011 meeting, the Board approved an extension of the deadline through September 30, 2011 to purchase the land. This agenda item is for a second request for an extension of the deadline. According to CMDG, 18 potential national banks and potential lenders have been approached with the project but have declined to provide funding for the project. CMDG is now pursuing a consortium of banks to fund the project lead by Dougherty Financial based in Minnesota and Renasant Bank of Tupelo. Based on a term sheet produced with this consortium, CMDG anticipates being able to close on a loan for the project by December 15, 2011.

Specific type of Contract: Amendment to Land Sale Agreement

Purpose: The purpose of the amendment is to extend the closing date deadline from September 30, 2011 to December 31, 2011 in order to allow Cotton Mill Development Group additional time to secure financing.

Scope of Work: N/A

Term of Contract: The closing date deadline is being extended from September 30, 2011 to December 31, 2011. Cotton Mill retains the right to close earlier by providing thirty (30) days written notice to Mississippi State University.

Termination Options: MSU retains the right to repurchase the 8.447 acres from Cotton Mill Development Group for the original purchase price of the property.

Contract Amount: There will be no additional cost to grant the extension to the closing date deadline requested. Purchase price remains at \$2,880,000.

Funding Source for Contract: N/A - revenue-generating agreement

Contractor Selection Process: N/A

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Staff Recommendation: Based on Board Policy 905(A), Real Estate Management, prior Board approval is required for the sale of real property. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

3. UMMC – REQUEST FOR APPROVAL OF PURCHASE AGREEMENT AND CONTRACTUAL SERVICES AGREEMENT

- a. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Intuitive Surgical, Inc.** for the purchase of the da Vinci Si Surgical System, related software and maintenance.

Contractor's Legal Name: Intuitive Surgical, Inc. (Intuitive)

History of Contract: This is a new agreement.

Specific Type of Contract: This is a purchasing, licensing and maintenance agreement.

Purpose: The purpose of the agreement is to purchase a da Vinci Si Surgical System which is a robotic system allowing surgeons to perform precision surgical procedures yielding superior results compared to traditional measures. The system is controlled by the surgeon who is stationed at a console away from the patient. The robot is positioned over the patient and requires only small incisions to access the patient's body cavity. UMMC has deemed this project clinically necessary or desirable for the care of our patients.

Benefits to the patient include shorter lengths of stay and quicker recovery time. In addition, this purchase responds to operational needs due to the increasing number of physicians credentialed for use of the system and furthers UMMC's educational mission by enhancing opportunities for the education of its medical students, residents and fellows. Some of the most competitive and highly-rated resident training programs in urology, gynecology, and otolaryngology use the da Vinci as a part of their curriculum. This includes programs such as UT Southwestern in Dallas, Duke, Emory, University of North Carolina, Mayo Clinic, and Cleveland Clinic. The da Vinci Surgical System has quickly become commonplace in patient care and training programs throughout the United States. Almost 90% of urology resident training programs have incorporated the da Vinci into their curriculum.

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Scope of Work: This agreement provides for the purchase and installation of the da Vinci Si Surgical System; and it provides for the licensed use of related software and documentation. Maintenance and support services for the System also are provided for the five (5) year contract term. The services to be provided will include:

- Periodic on-site support/training to designated personnel on the proper operation and upkeep of the System;
- Provision of 24-hour, seven-days a week telephone support;
- Adjustment, replacement, or repair of System parts when necessary; and
- Installation of software upgrades.

Term of Contract: The total length of the contract is for five (5) years – October 24, 2011 through October 23, 2016. Thereafter, the contract may be renewed for successive one (1) year terms upon mutual written agreement of the parties.

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

- For failure of UMMC to comply with Provision 3.4 (Use of System) of the agreement after receiving written notice of such failure;
- In the event UMMC uses the System with any surgical instrument or accessory not made or approved by Intuitive;
- In the event anticipated funds are not appropriated to UMMC;
- For a breach by a party of a material term or condition of the agreement after giving thirty (30) days written notice of such breach; and
- In the event Intuitive fails to comply with the federal E-Verify Program.

Contract Amount: The first year of the contract cost of \$1,495,000 covers the purchase of the equipment and software, software license, equipment delivery, and maintenance support. Years two (2) through five (5) include post-warranty maintenance and support at \$190,000 per year. The total amount of the contract is \$2,255,000.

Funding Source of Contract: The contract will be funded by hospital patient funds.

Contractor Selection Process: Sole source – The da Vinci System is proprietary equipment of Intuitive. The applicable equipment software and maintenance plan must be provided by Intuitive. The Mississippi Department of Finance and Administration (DFA) approved the sole source purchase in July 2011.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. Board staff approval is pending contingent upon changes recommended by the Attorney General's Office being incorporated into the contract.

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- b. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a services agreement with **Crothall Laundry Services, Inc.** (formerly Medi-Dyn, Inc.) for the management of UMMC's on-site laundry facility.

Contractor's Legal Name: Crothall Laundry Services, Inc. (Crothall)

History of Contract: The Board previously approved two (2) contracts between UMMC and Medi-Dyn, Inc. The first three-year agreement was approved by the Board at its February 2004 meeting. The second three-year contract was approved by the Board at its February 2007 meeting and was not to exceed \$850,000. During the second contractual period Crothall acquired Medi-Dyn, Inc. Since the expiration of the contract renewal in March 2010, two (2) short-term interim agreements with no cost increase have been entered into with Crothall while UMMC evaluated its laundry services options including self-operations and issued a Request for Proposals (RFP). Crothall was the only respondent to the RFP.

Specific Type of Contract: This is a new management services agreement.

Purpose: The purpose of the agreement is to provide UMMC with specialized professional management of its laundry operations and linen distribution. Under the agreement, Crothall will provide UMMC with two (2) managers who specialize in laundry operations and linen distribution; and will train and manage UMMC laundry employees in the performance of services.

Scope of Work: Under the agreement, Crothall will provide the following services:

- Furnish a management team of two (2) managers who will be Crothall employees;
- Train and supervise UMMC employees assigned to the laundry department;
- Provide and maintain training materials;
- Oversee the laundry department and linen distribution during the department's hours of operation and in accordance with quality performance standards;
- Provide guidance with policies related to linen management;
- Conduct a one-time linen assessment in order to determine means to reduce overall costs; and
- Assist UMMC in establishing a par level of linen.

Term of Contract: The contract length is three (3) years – November 1, 2011 through October 31, 2014.

Termination Options: This agreement may be terminated:

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- For a material breach by a party of a term or condition of the agreement after giving sixty (60) days written notice of such breach;
- In the event UMMC does not make payments to Crothall on or before the due dates specified in the Agreement after being given fifteen (15) days prior written notice;
- By either party without cause upon ninety (90) days written notice; and
- In the event anticipated funds are not appropriated to UMMC.

Contract Amount: The total cost of the three-year contract is estimated to be \$830,270.40. UMMC will make a semi-monthly payment of \$11,027 for the first six (6) months of the agreement – November 1, 2011 through April 30, 2012. Beginning May 1, 2012, and, each May 1st thereafter for the length of the agreement, there will be an annual rate adjustment which will be the *lower* of the Consumer Price Index-Urban (CPI-U) over the most recently published 12 months or 3%. Should the index over the most recently published twelve (12) month period decrease, the contract price will not change from the previous annual period. In addition to the CPI adjustment, the contract price may also change as a result of a change in social security taxes or federal or state unemployment taxes, or for additional costs incurred by Crothall in connection with legislation or other legal requirements such as the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010.

See below for a breakdown of estimated annual costs using a 3% annual increase:

Contract Year	Annual Period	Semi-Monthly Payment Amount (Includes 3% annual increase May 2012 and May 1st thereafter)	Subtotal for 6 Month Period	Annual Cost
Year 1	Nov 2011– April 2012	12 x \$11,027	\$132,324.00	
	May 2012– Oct 2012	12 x 11,357.81	136,293.72	268,617.72
Year 2	Nov 2012– April 2013	12 x 11,357.81	136,293.72	
	May 2013– Oct 2013	12 x 11,698.54	140,382.48	276,676.20
Year 3	Nov 2013– April 2014	12 x 11,698.54	140,382.48	
	May 2014– Oct 2014	12 x 12,049.50	144,594.00	284,976.48
Total				\$830,270.40

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Funding Source of Contract: The contract will be funded using hospital patient revenue.

Contractor Selection Process: A Request for Proposals was issued in June 2010. Crothall was the only respondent. UMMC evaluated other options for this service, including bringing the service in-house. However, it was determined that Crothall would provide the specialized industry expertise needed to manage UMMC's laundry operations and linen distribution functions in the most cost effective way combined with a high quality of service.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The Agreement has been reviewed and approved by the Attorney General's Office. Board staff approval is pending contingent upon changes being incorporated into the contract.

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

Board Policy §902, Initiation of Construction Projects

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

Board Policy §904(A), Board Approval

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

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

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

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

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

Board Policy §905(A), Real Estate Management

Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price. Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Request for approval of land contracts shall include property descriptions, terms of purchase, lease, or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.

Board Policy §905(B), Real Estate Management

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

Board Policy §917, Naming Buildings and Facilities

Board approval must be obtained prior to naming or re-naming any institutional building or facility. Board approval must also be obtained prior to naming or renaming any building or facility built on university property leased to a university affiliated entity, a private developer or any other individual or entity.

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

BUREAU OF BUILDING PROJECTS

1. DSU – GS 102-226 – Caylor/White-Walters Science Lab Renovation Phase II

Project Request: Delta State University requests approval to increase budget for the Caylor/White-Walters Phase II project. The budget will increase from \$5,324,840 to \$5,413,744.00 for an increase in the amount of \$88,904.00

Project Phase: Construction Phase

Design Professional: Architecture South

General Contractor: Century Construction and Realty, Inc.

Purpose/Justification: The project is currently in the construction phase. This is the third budget escalation request made for this project by the university for Phase II. The project was initiated with the Board on August 21, 2008 as Phase II of the Caylor/White-Walters Renovation. The Board approved the first budget increase from \$4,750,000 to \$5,217,760 through Interim Board approval on October 21, 2010. The Board approved the second budget increase from \$5,217,760 to \$5,324,840 at the August 18, 2011 Board meeting in order to fund Change Order #6, Change Order #7, and Change Order #8. Delta State University is seeking a third budget escalation in order to cover an additional \$88,904 in project costs brought to the university's attention. Delta State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project changes of scope and budget increases to the Board for approval.

Project Initiation Date: August 21, 2008

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Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 4,967,015.00	\$ 4,967,015.00	\$ 0.00
Architectural and Engineering Fees	\$ 357,825.00	\$ 416,850.00	\$ 59,025.00
Miscellaneous Project Costs	\$ 0.00	\$ 29,879.00	\$ 29,879.00
Contingency	\$ 0.00	\$ 0.00	\$ 0.00
Total Project Budget	\$ 5,324,840.00	\$ 5,413,744.00	\$ 88,904.00

Funding Source(s): HB 1641, Laws of 2008 (\$1,000,000); HB 1722, Laws of 2009 (\$3,750,000-BOB Line Item); HB 1701, Laws of 2010 (\$663,744)

Staff Recommendation: Board staff recommends approval of this item.

2. MUW – GS 104-173 – HVAC Upgrade Program

Project Request: Mississippi University for Women requests approval to increase budget for the HVAC Upgrade Program project. The budget will increase from \$1,300,000 to \$1,600,000.00 for an increase in the amount of \$300,000.00. The university also requests a change in funding source to include the addition of Bureau of Building Discretionary funds.

Project Phase: Design Phase

Design Professional: Atherton Consulting Engineers

General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. Mississippi University for Women plans to repair/replace heating systems, boilers, air handler units, chiller and includes dehumidification projects for Callaway Hall, Welty Hall, Reneau Hall, Hogarth Cafeteria, Fant Library, McDevitt Hall, Whitfield Hall, Shattuck Hall, Carrier Chapel, Goen Hall, Jones Hall, and Old Pohl.

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The project was previously initiated with the Bureau of Building as GS 104-170 in May 2010 with a budget of \$900,000. The project budget of \$900,000 was increased to \$1,300,000 as part of a project initiation with the Board in June 2011. Mississippi University for Women is seeking its second budget escalation in order to cover all the necessary HVAC infrastructure changes identified in the scope of the project. Mississippi University for Women is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project changes of scope and budget increases to the Board for approval.

Project Initiation Date: June 16, 2011

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 1,072,500.00	\$ 1,344,900.00	\$ 272,400.00
Architectural and Engineering Fees	\$ 85,901.00	\$ 105,991.00	\$ 20,090.00
Miscellaneous Project Costs	\$ 40,100.00	\$ 34,900.00	\$ (5,200.00)
Contingency	\$ 101,499.00	\$ 114,209.00	\$ 12,710.00
Total Project Budget	\$ 1,300,000.00	\$ 1,600,000.00	\$ 300,000.00

Funding Source(s): HB 1701, Laws of 2010 (\$1,500,000); BOB Energy Discretionary Fund (\$100,000)

Staff Recommendation: Board staff recommends approval of this item.

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IHL PROJECTS

3. UMMC – IHL 209-505 – Pediatric Emergency Room Renovations

Project Request: The University of Mississippi Medical Center requests approval to increase the project scope and budget for the Pediatric Emergency Room Renovations project. The budget will increase from \$5,633,275.00 to \$5,833,275.00 for an increase in the amount of \$200,000.00.

Project Phase: Construction Phase

Design Professional: Dale/Morris Architects, PLLC

General Contractor: Evan Johnson and Sons Construction, Inc.

Purpose/Justification: The project is currently in the construction phase. This is the third budget escalation request made for this project by the university. The project was initiated with the Board in November 16, 2007 with a budget of \$3,650,000. In April 2009, the first UMMC project budget increase occurred when the Board approved the budget to be increased to \$5,304,371 due to an updated schematic design budget estimate prepared by the project professional. The second project budget increase was approved by the Board in November 2009 from \$5,304,371 to \$5,633,275 for an increase in the amount of \$328,904. The project budget was required due to an increase in the project scope which provided for a second floor shell space in lieu of a partial roof area.

Currently, UMMC is requesting approval of escalation of budget in the amount of \$200,000 in order to re-establish a reasonable budget contingency to address latent conditions which have been discovered since the project began. The project will include demolition of the existing basement interior walls, ceilings system, etc., and provides a complete re-build of the interior spaces as well as exterior building addition that will provide a new, modern Pediatric Emergency Room area. The University of Mississippi Medical Center is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all changes of scope or funding source and all budget increases to the Board for approval.

Project Initiation Date: November 16, 2007

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Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 5,131,418.00	\$ 5,131,418.00	\$ 0.00
Architectural and Engineering Fees	\$ 477,485.00	\$ 496,095.00	\$ 18,610.00
Miscellaneous Project Costs	\$ 21,358.00	\$ 21,358.00	\$ 0.00
Contingency	\$ 3,014.00	\$ 184,404.00	\$ 181,390.00
Total Project Budget	\$ 5,633,275.00	\$ 5,833,275.00	\$ 200,000.00

Funding Source(s): Pediatric Clinic Fund/Patient Revenue (\$5,833,275)

Staff Recommendation: Board staff recommends approval of this item.

4. USM-Gulf Park – IHL 214-015 – Lloyd Hall Storm Damage Repair

Project Request: The University of Southern Mississippi requests approval to increase budget for the Lloyd Hall Storm Damage Repair project. The budget will increase from \$2,208,922.94 to \$2,465,505.53 for an increase in the amount of \$256,582.59.

Project Phase: Construction Phase

Design Professional: Allred Architectural Group

General Contractor: Starks Contracting Company, Inc.

Purpose/Justification: The project is currently in the construction phase. This is the second budget escalation request made for this project by the university. The project was initiated with the Board on August 21, 2008 with a budget of \$1,700,000. The first budget increase occurred at the May 19, 2011 Board meeting where the university increased the budget from \$1,700,000 to \$2,208,922.40.

The project seeks to repair damage incurred by Hurricane Katrina in August 2005. Lloyd Hall is a historic and major landmark on the Gulf Park campus. The

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renovation will repair external damage as well as reconfigure and restore interior classroom spaces. The project bids were received August 9, 2011. The university now have revised total project costs based on those bids and seek to increase the project budget. The current budget escalation is requested to reflect the expected project costs. The University of Southern Mississippi is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project changes of scope and budget increases to the Board for approval.

Project Initiation Date: August 21, 2008

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 1,955,790.83	\$ 2,188,000.00	\$ 232,209.17
Architectural and Engineering Fees	\$ 163,828.48	\$ 166,687.08	\$ 2,858.60
Miscellaneous Project Costs	\$ 1,600.00	\$ 10,818.45	\$ 9,218.45
Contingency	\$ 87,703.63	\$ 100,000.00	\$ 12,296.37
Total Project Budget	\$ 2,208,922.94	\$ 2,465,505.53	\$ 256,582.59

Funding Source(s): Insurance funds and obligated FEMA funds (\$2,465,505.53)

Staff Recommendation: Board staff recommends approval of this item.

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APPROVAL OF OTHER REAL ESTATE REQUESTS

5. MSU – Approval of Exchange of Property with the Mississippi Baptist Convention

Project Request: Mississippi State University requests approval to sell three (3) acres of land to the Mississippi Baptist Convention (MBC) for the construction of their new Baptist Student Union (BSU). In exchange for the three (3) acres of land with a market value of \$490,000, the MBC is going to deed to Mississippi State, 2.5 acres of land and the current BSU building with a market value of \$487,500. In addition, MBC is going to pay MSU \$2,500 to account for the difference in the values of the properties. MSU also is requesting that the Board waive its right as reserved in Board Policy 905(B) and allow MSU to pay the cost to have the asbestos removed.

Purpose: Both parcels of land to be exchanged are on the outer edges of campus and share a common boundary line. The MSU land is being sold in exchange for the building because MSU has no current use for the land to be sold, nor does the campus master plan project a use for the property. At the same time, MSU needs additional building space and the transfer will allow MSU to gain an 11,270 square foot building without additional cost to construct a new building.

The property Mississippi State University request to sell is 3.0 acres of land located at the corner of East Boulevard and Coliseum Boulevard on the campus of Mississippi State University. The legal description of the land is a parcel of land containing 3.0 acres located partially in the SE ¼ of the NW ¼ and partially in the SW ¼ of the NE ¼ all in Section 1, Township 18 North, Range 14 East Oktibbeha County, Mississippi.

Mississippi State University received two independent property appraisals for the 3.0 acres of land involved in the proposed property exchange. The average market value according to the two appraisals for the property MSU is selling to the MBC is \$490,000 (\$480,000-Appraisal 1 + \$500,000-Appraisal 2).

The property Mississippi State University seeks to acquire is 2.5 acres of land and a commercial building located at 1169 East Lee Boulevard in Starkville, Oktibbeha County, Mississippi

The Mississippi Baptist Convention received two independent property appraisals for the 2.5 acres of land plus a commercial building involved in the proposed property exchange with MSU. The average market value according to the two appraisals for the property in which MSU is seeking to acquire from the MBC is \$487,500

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(\$475,000-Appraisal 1 + \$500,000-Appraisal 2). The MBC will pay MSU the difference of \$2,500 to MSU to account for the difference in the values of the properties according to the appraisals. Also, a Phase I Environmental Site Assessment (ESA) has been conducted on the Baptist Student Union property. No major evidence of recognized environmental conditions was associated with the property at this time. However, suspect Asbestos Containing Materials (ACMs) were indentified in several locations throughout the building. ENVIROSAV, LLC did recommend a thorough asbestos assessment of the building to determine asbestos content. Because the environmental report indicated that there may be asbestos containing materials in the BSU building, MSU had an asbestos study conducted which showed that asbestos containing material is present in some of the building material. The cost for the removal of the asbestos containing material will be approximately \$5,100. MSU will pay the cost to have all the asbestos removal completed prior to taking possession of the building.

Board Policy 905(B), Real Estate Management, provides that in the event hazardous substances are confirmed as existing, the Board reserves the right to cancel the transaction or permit the other party to remove the hazardous substance at its own expense. In light of the confirmed existence of asbestos in the subject building and MSU's willingness to pay the cost of removal, MSU is requesting that the Board waive its right as reserved in Board Policy 905(B) and allow MSU to pay the cost to have the asbestos removed.

A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. Mississippi State University acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The university is also acting in accordance with Board Policy §905(B), Real Estate Management, that requires a Phase I or more detailed environmental report be completed by a qualified personnel and submitted to the Board's Real Estate and Facilities Office.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

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6. MSU – IHL # 213-142 – Delete from Inventory and Demolish Buildings 1528, 1630, 1632, and 1633

Project Request: Mississippi State University requests approval to delete Buildings 1528, 1630, 1632, and 1633 from inventory and demolish them.

Purpose: Mississippi State University is seeking to delete Buildings 1528, 1630, 1632, and 1633 from inventory and demolish them. These buildings are outdated and no longer serve the mission of the MSU Experiment Station. This project will demolish and dispose of the remains of these buildings. Any usable material will be salvaged. The approval letter has been received from the Mississippi Department of Archives and History. The buildings will be demolished following notification of and approval from the Mississippi Department of Environmental Quality. All legal documentation will be kept on file in the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

Staff Recommendation: Board staff recommends approval of this item.

7. MSU – Re-naming of Building 3 to North Hall

Project Request: Mississippi State University requests approval to re-name Building 3 to “North Hall”.

Purpose: Mississippi State University seeks to re-name Building 3 to “North Hall”. The current name of the building, “Building 3” can provide some confusion to inventory records. Naming of the building was previously delayed as opportunities were presented for donor naming rights. At this time, naming the building officially is in the best interest of the university. Building 3 was constructed as a residential hall in 2007 and is located in the Zacharias Village. Mississippi State University is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility

Staff Recommendation: Board staff recommends approval of this item.

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8. MSU – Naming of New Residential Halls

Project Request: Mississippi State University requests approval to name the two new residence halls being constructed in the Arbor Hall project, “Magnolia Hall” and “Oak Hall”. Additionally, the campus’ south side housing village will be known as Arbor Village.

Purpose: Mississippi State University seeks to name two new residential halls currently being constructed as part of the Arbor Hall project. Once completed, the new “Magnolia Hall” and “Oak Hall” will accompany four other established residential facilities located on the south side of campus consisting of Rice Hall, Hathorn Hall, Creswell Hall, and South Hall to form what will be known as Arbor Village. The two new residential halls will be completed by July 5, 2012. Mississippi State University is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility

Staff Recommendation: Board staff recommends approval of this item.

9. MSU – Naming of New Football Operations Center

Project Request: MSU requests approval to name the new football operations center soon to begin construction as the Leo W. Seal Jr. Football Complex.

Purpose: The \$23 million facility is to be built with private donations to the Bulldog Club, including a \$12 million lead gift from the Leo W. Seal Jr. Charitable Trust made in January 2011. The football operations center is to be built just north of the Palmeiro Center and adjacent to the current football practice fields on the MSU campus. It will encompass 80,000 square feet and include a weight and conditioning room, locker room, training and sports medicine area, coaches’ offices, and student-athlete meeting rooms. The facility will provide much needed space for the football program and also free space currently used by football for use by student athletes in other sports. The recent gift by former MSU football players Lee and Leo Seal was made in honor of their father, the late Leo W. Seal, Jr., who was also a Mississippi State football player, long-time Bulldog Club donor, and president of Hancock Bank. Leo W. Seal, Jr. provided lead funding for the construction of the Seal M-Club, named for Leo Seal, Sr., as well as for the Leo W. Seal Family Business Complex at the MSU College of Business. The Board approved a land lease agreement with the Bulldog Club for construction of the football operations facility in June 2011 and approved the exterior design of the facility in August 2011. Mississippi State University is acting in accordance with Board Policy §917, Naming Buildings and

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Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility

Staff Recommendation: Board staff recommends approval of this item.

10. UM-Approval of New Lease for Chi Chapter of Delta Delta Delta House Foundation

Project Request: The University of Mississippi requests approval of a thirty (30) year lease with the Chi Chapter of the Delta Delta Delta House Foundation for Lot 206 at the University of Mississippi.

Purpose: The Chi Chapter of the Delta Delta Delta House Foundation holds an existing lease on Lot 206 on the Oxford campus of the University of Mississippi. The current lease is scheduled to expire. The existing home that is located on Lot 206 has an operational fire suppression system and is compliant with all life safety codes. The University of Mississippi is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the land lease is on file with the Office of Real Estate and Facilities.

Terms of Lease: The Chi Chapter of the Delta Delta Delta House Foundation is requesting a lease of thirty (30) years for Lot 206 that will commence on November 1, 2011 and continue through October 31, 2041. The Chi Chapter of the Delta Delta Delta House Foundation will pay the University of Mississippi the sum of \$50 in cash in hand and \$50 a year due on or before July 1st of each year during the term of this lease.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

11. UMMC-Approval of Land Lease to American Cancer Society for the construction of Hope Lodge

Project Request: The University of Mississippi Medical Center requests approval to lease 2.16 acres of land to the American Cancer Society for the construction of Hope Lodge, a 32 unit housing facility and volunteer center for cancer patients and their families.

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Purpose: The University of Mississippi Medical Center (UMMC) and the American Cancer Society (ACS) have been working on this project for several years. Like the Ronald McDonald House for children's hospitals patients, ACS's Hope Lodge is an on-campus facility for cancer patients and their caregivers. The ACS has thirty-one Hope Lodges in the United States, including ones on the campuses of University of Kentucky at Lexington and University of Tennessee at Memphis. Based on 2008 national cancer data, Jackson is ranked number one nationally for the estimated number of underserved patients who travel fifty miles or greater to the treatment center. Having overnight facilities for cancer patients and their caregivers and the related Volunteer Center will help fulfill our mission of academics, research and community service. The additional lodging will allow more patients to comply with their treatment and for UMMC to offer more opportunities to participate in clinical trials which will increase our research portfolio. The recognition by ACS of UMMC as an important treatment center also assists UMMC's Cancer Institute in its goal of becoming a National Cancer Institute (NCI) cancer center.

The American Cancer Society has a project budget of \$10,990,000 for the construction of the buildings and funding of three years of operation costs which is their commitment. The American Cancer Society funds will be used to pay for the buildings, maintenance, utilities, and shuttle service. The University of Mississippi Medical Center is acting in accordance with Board Policy §905(A), Real Estate Management, which requires prior Board approval for the execution of all leases, easements, oil and mineral leases, and timber sales. A copy of the land lease is on file with the Office of Real Estate and Facilities.

Terms of Lease: The term of the lease is for up to Sixty-One (61) years. The lease will consist of one (1) year of due diligence beginning on November 1, 2011 and ending October 31, 2012 and thereafter for a term of Forty (40) years at \$50.00 per year with one Twenty (20) year renewal at \$50.00 per year and additional consideration: availability of free rooms for patients and caregivers that are safer and more convenient than current sites; shuttle service for patients and caregivers going to medical treatments; and the community benefit for underserved and disadvantaged patients in the Metro area. Upon termination of the lease, title for the building and any and all improvements will pass to UMMC at its option. The lease provides that the American Cancer Society must raise the funds and start construction by July 1, 2014.

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

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12. UMMC – Approval of Purchase of Property in Madison County, MS

Project Request: The University of Mississippi Medical Center requests approval to purchase approximately 10 acres of land in Madison County, Mississippi from University Physicians, PLLC for \$2,559,500 which is the average of the two appraisals.

Purpose: The University of Mississippi Medical Center is seeking to purchase approximately ten (10) acres of land in Madison County, Mississippi. The land is being purchased by UMMC for future development. The closing date shall be on or before October 31, 2011.

The property currently is 10.0 acres of land located on the southeast side of Highland Colony Parkway directly north of One Madison Plaza commercial subdivision in Madison County, Mississippi. The land is situated at the NW ¼ of the SW ¼ and the SW ¼ of the NW ¼ of Section 12, Township 7 North, Range 1 East of Madison County, Mississippi, and located within the City of Madison, Mississippi.

The University of Mississippi Medical Center received two independent property appraisals. The average of the two appraisals is \$2,559,500 which is the purchase price of the property. Also, a Phase I Environmental Site Assessment (ESA) has been conducted on the property. No adverse environmental impacts to the subject property were apparent as a result of past and present possessions of title.

A copy of the property description and all legal documentation are on file with the Office of Real Estate and Facilities. The University of Mississippi Medical Center is acting in accordance with Board Policy §905(A), Real Estate Management, that requires an institution acquiring or disposing of real property to receive two independent appraisals. The purchase price of property to be acquired shall not exceed the average of the two appraisals. The university is also acting in accordance with Board Policy §905(B), Real Estate Management, that requires a Phase I or more detailed environmental report be completed by a qualified personnel and submitted to the Board's Real Estate and Facilities Office.

Funding Source(s): Hospital Patient Revenues (\$2,559,500)

Staff Recommendation: The Attorney General's Office has reviewed and approved this item. Board staff recommends approval of this item.

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1. **MSU – APPROVAL TO HIRE BUTLER, SNOW, O’MARA, STEVENS & CANNADA LAW FIRM**

Permission is requested to hire the firm of Butler, Snow, O’Mara, Stevens & Cannada located at AmSouth Plaza, 17th Floor, 210 East Capitol Street, Jackson, MS 39201, to provide services necessary in the practice areas of intellectual property and commercial matters; this representation does not and is not intended to include any representation by law firm for or on behalf of the University as bond counsel or in any related role in connection with any financing transaction undertaken by or for the University, including any other matters which may concern advice in connection with indebtedness of the University. The term of the contractual agreement will be for one (1) year. The attorneys with the firm that will perform the legal services are Cara Baer, Hemant Gupta, John Healy, Barry Cannada, Ben Roberson, Bob Morris, Ryane O’Beirne and Lane Belisimo. The hourly rates will be \$225.00 for intellectual property work, \$215.00 for commercial work and \$85.00 for legal assistants. The maximum amount budgeted for payment is \$50,000. This request has been approved by the Office of the Attorney General.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. **MSU – APPROVAL TO HIRE WATKINS, LUDLAM, WINTER & STENNIS LAW FIRM**

Permission is requested to hire the firm of Watkins, Ludlam, Winter & Stennis, P.A., located at 190 East Capitol Street, Suite 800, Jackson, MS 39201, to provide services necessary in connection with the issuance of bonds for the financing of the construction and acquisition of buildings for the Mississippi State University Educational Building Corporation. The term of the contractual agreement will be for one (1) year. The attorneys with the firm that will perform the legal services are Keith Parsons, Randy Wall, Alveno Castilla, Aileen Thomas, Bob Lazarus and Zach Taylor. The firm will be paid \$1.15 for each \$1000 in bonds issued, plus out of pocket expenses. The out of pocket expenses shall not exceed \$4000. This request has been approved by the Office of the Attorney General.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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3. UMMC – APPROVAL TO HIRE BUTLER, SNOW, O’MARA, STEVENS & CANNADA LAW FIRM AS OUTSIDE COUNSEL

University of Mississippi Medical Center (UMMC) requests permission to hire Butler, Snow, O’Mara , Stevens & Cannada, PLLC as outside counsel for healthcare regulatory and compliance matters, administrative hearings, intellectual property, human resources, commercial and general matters.

This is a contract renewal. UMMC has used this firm as outside counsel for several years and has been pleased with their work. The Attorney General’s Office has approved this request. The term of the contract will be for one (1) year. The rates to be charged are \$215.00 per hour for intellectual property work, \$205.00 per hour to advise on general healthcare matters, and \$200.00 per hour to advise on commercial, human resources and general matters. The maximum amount payable under the contract is \$200,000.00

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. UMMC – APPROVAL TO HIRE WATKINS, LUDLAM, WINTER & STENNIS LAW FIRM AS OUTSIDE COUNSEL

The University of Mississippi Medical Center (UMMC) requests the approval to hire Watkins, Ludlam, Winter & Stennis as outside counsel to advise the Medical Center Educational Building Corporation (EBC) on legal issues concerning bond financing and compliance with IRS regulations regarding tax-exempt bonds, and other related matters.

This is a contract renewal. UMMC has used this bond counsel for several issues and has been very pleased with their work, especially relating to Build America Bonds and Go Zone funding. The Attorney General’s Office has approved this request. This will be a one (1) year contract. The hourly rate to be paid is \$205.00. The maximum amount payable under the contract will be \$25,000.00.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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5. USM – APPROVAL TO AMEND CONTRACTUAL AGREEMENT WITH BUTLER, SNOW, O’MARA, STEVENS & CANNADA LAW FIRM

The University of Southern Mississippi seeks approval to amend the Contractual Agreement for Legal Services dated 1 July 2011, between USM and Butler, Snow, O’Mara, Stevens & Cannada in order to expand the scope of service and expand the number of attorneys authorized to perform legal work pursuant to said agreement. The original Board approved contract was for intellectual property and commercial legal services. Specifically, Section I., **SCOPE OF SERVICES:** would be amended to reflect that in addition to the scope of services identified in the original agreement, to include “furnishing specific advice to and undertake the representation of the University of Southern Mississippi in possible litigation with respect to a legal issue existing between the University of Iowa and the University of Southern Mississippi involving a trademark logo issue and previously pending in the Trademark Trial and Appeal Board of the United States Patent and Trademark Office”; and Section V., **SPECIFIC ATTORNEYS:** would be amended to reflect that in addition to those attorneys identified in the original agreement who would perform legal services in the area of intellectual property, to include “ any and all attorneys employed by the firm who, at the discretion of the firm and the university, can provide experience and expertise necessary to effectively represent the University of Southern Mississippi in the matter referenced in the amended Scope of Services. The hourly rates set out in the original contract (\$225.00 for intellectual property services, \$215.00 for commercial services and \$85.00 for legal assistants) will be unchanged. The Attorney General has approved this request.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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APPROVAL OF PERSONNEL ACTION REQUESTS

1. Employment

Rehired retirees making more than \$20,000 who ARE on contract during FY2012

JSU

Gwendolyn Prater; *former position:* Director of MS Child Welfare Institute/Professor; *re-engagement position:* Director of MS Child Welfare Institute; *re-engagement period:* October 1, 2012 through May 6, 2012; *salary* of \$25,886

MUW

William S. Stewart; *former position:* Delta State University Dean of Business; *re-employment position:* Part-time Interim Dean for the School of Professional Studies; *re-employment period:* October 5, 2011 through approximately June 30, 2012, *salary* of \$56,100

USM

Thomas Fraschillo; *former position:* Professor, School of Music; *re-employment position:* Professor Emeritus/Director of Bands; *re-employment period:* July 1, 2011 through June 30, 2012; *salary* of \$49,940

Aubrey Lucas; *former position:* President; *re-employment position:* President Emeritus; *re-employment period:* July 1, 2011 through June 30, 2012; *salary* of \$85,000

Lon Mathias; *former position:* Professor, Polymer Science; *re-employment position:* Professor; *re-employment period:* August 22, 2011 through May 17, 2012; *salary* of \$49,541

Thomas Panko; *former position:* Associate Professor, Criminal Justice; *re-employment position:* Instructor; *re-employment period:* August 22, 2011 through May 17, 2012; *salary* of \$30,000

Willie Pierce; *former position:* Professor, Adult Education; *re-employment position:* Professor Emeritus; *re-employment period:* August 22, 2011 through May 17, 2012; *salary* of \$48,218

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John Rachal; *former position:* Professor, Adult Educatin; *re-employment position:* Professor Emeritus; *re-employment period:* August 22, 2011 through May 17, 2012; *salary of* \$41,173

Beth Richmond; *former position:* Associate Professor, Curriculum and Instruction; *re-employment position:* Instructor/Accreditation Specialist; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$43,000

Rehired retirees making more than \$20,000 who are NOT on contract during FY2012

MSU

Patricia Abraham; *former position:* Director Research and Curriculum Unit; *re-employment position:* Lecturer; *re-employment period:* August 16, 2011 through June 30, 2012; *salary of* \$34,500

Paul Allen; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$52,583

Joe Askew; *former position:* Senior Research Associate; *re-engagement position:* Senior Research Associate; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$21,393

James Baugh; *former position:* Farm Supervisor; *re-engagement position:* Farm Supervisor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$20,800

Leslie Bauman; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$24,662

Gary Benton; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$32,010

Thomas Berry; *former position:* Building Services Coordinator; *re-engagement position:* Building Services Coordinator; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$23,496

Joseph Boring; *former position:* Radiation Therapy Coordinator; *re-employment position:* Radiation Therapy Coordinator; *re-employment period:* August 16, 2011 through July 30, 2012; *salary of* \$41,455

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Robert Brook; *former position:* Head-Computer Applications; *re-engagement position:* Director-Broadband Planning; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$55,000

Larry Brown; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$30,530

Lewis Brown; *former position:* Professor; *re-engagement position:* Research Professor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$76,407

Laura Bryan; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$32,010

Linda Buehler; *former position:* Academic Coordinator; *re-engagement position:* Coordinator; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$25,000

Bertha Bush; *former position:* Instructor; *re-employment position:* Instructor; *re-employment period:* July 20, 2011 through June 30, 2012; *salary of* \$36,400

Jimmie Cain; *former position:* Research Chemist II; *re-engagement position:* Lab Assistant; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$26,000

Brenda Cherry; *former position:* Purchasing Supervisor; *re-engagement position:* Business Coordinator; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$21,399

Linda Chesser; *former position:* Special Assistant to the Associate Registrar; *re-engagement position:* Special Assistant to the Associate Registrar; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$21,320

Peggy Childers; *former position:* Business Manager; *re-engagement position:* Accountant; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$23,462

Eugene Columbus; *former position:* Senior Research Associate; *re-engagement position:* Senior Research Associate; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$45,866

Ross Crain; *former position:* Director; *re-engagement position:* Promise Program Administrator; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$32,500

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Paul Cuicchi; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$25,000

Rosemary Cuicchi; *former position:* K-12 Outreach Coordinator; *re-engagement position:* K-12 Outreach Coordinator; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$30,000

Diane Daniels; *former position:* Instructor and Development Program Director; *re-engagement position:* Developmental Programs Director; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$36,400

Debra Fairbrother; *former position:* Administrative Assistant II; *re-engagement position:* Administrative Assistant II; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$25,213

Richard Forbes; *former position:* Professor; *re-engagement position:* Research Professor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$52,500

Wolfgang Frese; *former position:* Research Professor; *re-engagement position:* Research Professor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$59,403

Martha Friend; *former position:* Lecturer; *re-engagement position:* Lecturer/Coordinator PSSP; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$26,000

Marineta Gardner; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$27,500

Cathy Grace; *former position:* Professor and Director; *re-engagement position:* Director; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$54,528

Linda Graves; *former position:* Business Operations Administrator; *re-engagement position:* Business Manager; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$35,389

Sarah Harris; *former position:* Administrative Assistant; *re-engagement position:* Program Manager; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$26,158

Cynthia Hemphill; *former position:* Administrative Officer; *re-engagement position:* Administrative Officer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$35,000

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Jennie Hill; *former position:* Staff Benefits Coordinator; *re-engagement position:* Staff Benefits Coordinator; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$35,000*

B. Keith Hodge; *former position:* Professor; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$60,681*

Esther Howard; *former position:* Interim Director; *re-engagement position:* Associate Director; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$32,100*

Frank Ingels; *former position:* Professor; *re-engagement position:* Professor Emeritus; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$109,200*

Maureen Lang; *former position:* Lecturer; *re-employment position:* Lecturer; *re-employment period:* August 16, 2011 through June 30, 2012; *salary of \$27,500*

Janet Lawrence; *former position:* Professor; *re-engagement position:* Professor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$60,596*

James Lawson; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$28,992*

Michael Lightsey; *former position:* Operations Coordinator; *re-engagement position:* Special Projects Coordinator; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$43,657*

Rose Lyles; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$27,500*

Jean Mann; *former position:* Assistant Operations Coordinator for MASEP; *re-engagement position:* Alcohol Field Staff Specialist; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$26,250*

John Marszalek; *former position:* Mentor, Distinguished Scholars Program; *re-engagement position:* Mentor, Distinguished Scholars Program; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$27,085*

Patricia Matthes; *former position:* Interim Associate Dean; *re-engagement position:* Associate Dean for Technical Services; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of \$41,720*

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David McMillen; *former position:* Professor; *re-engagement position:* Research Professor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$53,912

Judith Miller; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through July 30, 2012; *salary of* \$32,010

Judith Moody; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$25,000

Patsy Moore; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$27,500

Sherry Morgan; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$32,010

Pamela Mottley; *former position:* Technical Assistant; *re-engagement position:* Technical Assistant; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$26,250

Cheryl Mueller; *former position:* Coordinator; *re-engagement position:* Coordinator; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$24,960

Stephen Obringer; *former position:* Test Grader; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$22,387

Charles Pittman; *former position:* Professor; *re-engagement position:* Research Professor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$75,000

Noel Polk; *former position:* Editor; *re-engagement position:* Editor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$47,730

Janos Radvanyi; *former position:* Chairman, International Security Studies; *re-engagement:* Chairman, International Security Studies; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$96,574

Oswald Rendon Herrero; *former position:* Lecturer; *re-employment position:* Lecturer; *re-employment period:* August 16, 2011 through July 30, 2012; *salary of* \$29,000

Rudy Rogers; *former position:* Professor; *re-engagement position:* Research Professor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$34,549

Anna Schroeder; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$32,010

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Gary Smith; *former position:* Maintenance Supervisor; *re-engagement position:* Maintenance Technician; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$26,000

Terry Stacey; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$27,500

George Thomas; *former position:* Associate Dean and Professor; *re-employment position:* Lecturer; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$32,010

Reba Thompson; *former position:* Lecturer; *re-engagement position:* Lecturer; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$27,500

Mark White; *former position:* Research Professor; *re-engagement position:* Research Professor; *re-engagement period:* July 1, 2011 through June 30, 2012; *salary of* \$87,225

Joe Young; *former position:* Pike County Tax Assessor Collector; *re-employment position:* Project Manager; *re-employment period:* August 16, 2011 through June 30, 2012; *salary of* \$40,000

UM

Cecil S. Weeks; *former position:* Lee County School District; *re-employment position:* Adjunct Professor in Leadership and Counselor Education; *re-employment period:* August 18, 2011 through June 30, 2012; *salary of* \$20,288

Charles L. Stevenson; *former position:* South Panola School District; *re-employment position:* Adjunct Professor in Leadership & Counselor Education; *re-employment period:* August 18, 2011 through June 30, 2012; *salary of* \$20,288

Ronald F. Vernon; *former position:* Associate Dean and Professor of Music of the University of Mississippi; *re-employment position:* Music Professor Emeritus; *re-employment period:* August 18, 2011 through May 12, 2012; *salary of* \$37,046

J. Wade Irvin; *former position:* Professor of Music of the University of Mississippi; *re-employment position:* Music Professor Emeritus; *re-employment period:* August 18, 2011 through May 12, 2012; *salary of* \$28,000

James W. Davis; *former position:* Holder of H. Eugene Peery Chair of Accountancy and Professor of Accountancy of the University of Mississippi; *re-employment position:* Peery Professor Emeritus; *re-employment period:* August 18, 2011 through May 12, 2012; *salary of* \$50,000

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USM

John Caldwell; *former position:* Research Associate; *re-employed position:* Research Associate; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$22,000 (externally funded grant position)*

Lisa Carpenter; *former position:* Registration Coordinator; *re-employed position:* NCAA Eligibility Coordinator; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$25,000*

Jerry Cater; *former position:* Researcher; *re-employed position:* Visiting Assistant Professor, Department of Nutrition and Food Systems; *re-employment period:* August 22, 2011 through May 17, 2012; *salary of \$23,000*

Walter Cooper; *former position:* Professor, School of Human Performance and Recreation; *re-employed position:* Researcher; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$40,000 (externally funded grant position)*

Margie Cox; *former position:* Grant Specialist, Institute for Disability Studies; *re-employed position:* Grant Specialist, Institute for Disability Studies; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$36,000 (externally funded grant position)*

Beverly Davis; *former position:* Instructor, Mathematics; *re-employed position:* Instructor, Mathematics; *re-employment period:* August 22, 2011 through May 17, 2012; *salary of \$20,000*

Carolyn Felsher; *former position:* Speech Language Pathologist; *re-employed position:* Speech Language Pathologist; *re-employment period:* August 1, 2011 through June 30, 2012; *salary of \$22,000*

Kris Fulton; *former position:* Business Manager; *re-employed position:* Business Manager; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$37,000*

Joe Gill; *former position:* Administrator; *re-employed position:* Consultant; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$38,000*

Linda Lott; *former position:* Speech Language Pathologist; *re-employed position:* Speech Language Pathologist; *re-employment period:* August 22, 2011 through June 30, 2012; *salary of \$40,000*

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Perrin Lowrey; *former position:* Assistant Superintendent, Hattiesburg Public Schools; *re-employed position:* Visiting Assistant Professor, Department of Curriculum, Instruction, and Special Education; *re-employment period:* August 22, 2011 through May 17, 2012; *salary of \$34,000*

Jack McAlpin; *former position:* Superintendent, Simpson County Schools; *re-employed position:* Visiting Instructor; *re-employment period:* August 22, 2011 through May 17, 2012; *salary of \$25,000*

Thomas McIlwain; *former position:* Professor of Coastal Sciences; *re-employed position:* Researcher/Project Coordinator; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$58,000 (externally funded grant position)*

Jerry McLelland; *former position:* Research Associate; *re-employed position:* Researcher; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$39,000 (externally funded grant position)*

Charlene McMillin; *former position:* Executive Secretary; *re-employed position:* Business Manager; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$22,500*

Danny Montgomery; *former position:* Registrar; *re-employed position:* Manager of Classification and Compensation; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$26,000*

Barbara Myers; *former position:* Speech Language Pathologist; *re-employed position:* Speech Language Pathologist; *re-employment period:* August 1, 2011 through June 30, 2012; *salary of \$30,000*

Larry Nicholson; *former position:* Researcher; *re-employed position:* Researcher; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$27,000 (externally funded grant position).*

Ervin Otvos; *former position:* Associate Professor; *re-employed position:* Researcher; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$40,000 (externally funded grant position)*

Carlton Palmer; *former position:* Head Baseball Coach; *re-employed position:* Development/Fundraising Officer; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of \$30,000*

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Ronnie Palmer; *former position:* Research Technician; *re-employed position:* Research Technician; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$22,000 (*externally funded grant position*)

David Patrick; *former position:* Professor of Geology; *re-employed position:* Researcher; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$50,000 (*externally funded grant position*)

Grayson Rayborn; *former position:* Professor of Physics; *re-employed position:* Researcher; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$25,000 (*externally funded grant position*)

Sherry Roseberry; *former position:* Speech Language Pathologist; *re-employed position:* Speech Language Pathologist; *re-employment period:* August 1, 2011 through June 30, 2012; *salary of* \$22,000

Rafael Sanchez-Alonso; *former position:* Professor of Foreign Languages; *re-employed position:* Instructor/Coordinator of Study Abroad; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$35,000

Jennifer Spring; *former position:* Procurement Manager; *re-employed position:* Buyer; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$25,500

Mary Sumrall; *former position:* Executive Secretary; *re-employed position:* Executive Secretary; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$21,806

Christine Trig; *former position:* Research Associate; *re-employed position:* Research Associate; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$40,000 (*externally funded grant position*)

James Trussell; *former position:* Assistant Director, Development; *re-employed position:* Business Manager; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$22,500

Jewel Tucker; *former position:* Executive Secretary; *re-employed position:* Administrative Assistant; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$24,000

Richard Waller; *former position:* Research Scientist; *re-employed position:* Research Associate; *re-employment period:* July 1, 2011 through June 30, 2012; *salary of* \$23,000 (*externally funded grant position*)

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Frank Woodruff; *former position*: Lab Coordinator and Instructor; *re-employed position*: Lab Coordinator and Adjunct Instructor; *re-employment period*: July 1, 2011 through June 30, 2012; *salary* of \$35,000

Mark Yeager; *former position*: Research Scientist; *re-employed position*: Research Associate; *re-employment period*: July 1, 2011 through June 30, 2012; *salary* of \$30,000 (*externally funded grant position*)

2. Change of Status

ASU

Donzell Lee; *from* Dean of Graduate Studies; *salary* of \$97,633 per annum, pro rata; E&G Funds; *to* Vice Provost for Academic Affairs/Dean of Graduate Studies; *salary* of \$122,500 per annum, pro rata; E&G Funds; effective September 1, 2011

JSU

Mark Hardy, Jr.; *from* Dean, College of Science Engineering and Technology; *salary* of \$136,620 per annum, pro rata; E&G Funds; *to* Provost and Vice President for Academic Affairs; \$160,000 per annum, pro rata; E&G Funds; effective August 1, 2011

James C. Renick; *from* Senior Executive Assistant to the President for Special Initiatives; *salary* of \$125,000 per annum, pro rata; E&G Funds; *to* Senior Advisor to the President; no change in *salary*; effective August 1, 2011

Quinton Williams; *Interim Provost and Vice President for Academic Affairs*; *salary* of \$155,000 per annum, pro rata; E&G Funds; *to* Special Assistant for Global Research; no change in *salary*; effective August 1, 2011

Carolyn W. Meyers; *from* President; \$270,500 per annum, per rata (\$220,500 E&G Funds and \$50,000 Foundation Funds); *to* President and Professor of Civil & Environmental Engineering; no change in *salary*; effective August 11, 2011

MSU

Dennis J. Mitchell, *from* Interim Dean and Interim Executive Director and Professor, Meridian Campus, *salary* of \$145,600 per annum, pro rata; E&G Funds; *to* Associate Dean and Professor, Meridian Division of Arts and Sciences, *salary* of \$110,541 per annum, pro rata, E&G Funds; effective October 1, 2011

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MUW

William M. Mayfield, *from* Dean of the School of Professional Studies; salary of \$112,200, per annum, pro rata; E & G Funds; *to* Professor of Business; salary of \$62,548.28, per annum, pro rata; E & G Funds; effective October 4, 2011

3. Sabbaticals

JSU

Okechukwu Anyamele, Associate Professor, Department of Economic, Finance, and General Business; *from* salary of \$79,459 per annum, pro rata; E&G Funds; *to* salary of \$39,730 for sabbatical period effective August 11, 2011 through August 12, 2012; professional development

Dal Didia, Professor, Department of Economic, Finance, and General Business; *from* salary of \$82,975, per annum, pro rata; E&G Funds; *to* professional leave without pay; sabbatical period effective August 11, 2011 through August 12, 2012; professional development

Ernest Izevlgie, Professor, Department of Biology; *from* salary of \$59,162 per annum, pro rata; *to* personal leave without pay; sabbatical period effective August 11, 2011 through August 12, 2012; professional development

4. Tenure (*Clarification regarding the following two items approved for tenure at the August 2011 Board meeting. These individuals should have been reported as new hires with tenure.*)

MVSU

Lawrence Gulley; Professor of Accounting and Department Chair of Business; salary of \$92,500, per annum, pro rata; E&G Funds; effective May 1, 2011

Deborah Ford; Professor, Department of English and Foreign Language; salary of \$57,349 per annum, pro rata; E&G Funds; effective August 15, 2011

REGULAR AGENDAS

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ACADEMIC AFFAIRS
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1. SYSTEM - APPROVAL OF ACADEMIC PROGRAM PRODUCTIVITY REVIEWS

Academic productivity reviews are triggered when cumulative graduates over the past 3 academic years for a single degree program are <15 for baccalaureate-level degrees, <9 for master-level degrees, and <5 for doctorate and specialist-level degrees. Twenty academic programs were evaluated to assess need, potential to grow enrollment, productivity potential, and unnecessary duplication. Based on institution-prepared proposals and subsequent review by the Office of Academic and Student Affairs (OASA), the following recommendation is presented for Board approval.

a. SUSPEND enrollment into the program below:

MSU PhD in Computer Engineering (CIP 14.0901)

Although students may earn a degree from the suspended academic program, no additional students will be accepted into this major. If the institution does not request that the suspended program be **deleted** or **removed from suspension** within three academic years, OASA will recommend to the Board that the program be deleted from the academic program inventory.

b. CONTINUE WITH STIPULATION the following 7 academic programs (these programs will be subjected to additional review by OASA for two years to assess progress toward future productivity):

JSU Bachelor of Arts in Urban Studies (CIP 45.1201)

MSU Master of Science in Computational Engineering (CIP 14.9999)

MSU PhD in Counselor Education /Student Counseling & Guidance Services
(CIP 13.1101)

MVSU Bachelor of Science in Environmental Health (CIP 51.2202)

MVSU Bachelor of Arts in Music (CIP 50.0901)

USM Bachelor of Science in Computer Engineering Technology (CIP 15.0301)

USM Bachelor of Science in Electronics Engineering Technology (CIP 15.0303)

c. DELETE the following 2 academic programs:

MSU Doctor of Philosophy in Elementary Education (CIP 13.1202)

MSU Doctor of Philosophy in Secondary Education (CIP 13.1205)

Staff Recommendation: Board staff recommends approval of Items a-c.

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

Board Policy §902, Initiation of Construction Projects

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

Board Policy §903(B), Legislative Funding Requests

The Commissioner, after consultation with the Institutional Executive Officers, shall prepare and submit an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature. These requests shall be submitted for Board approval in May of each year. In developing the list of requests, the Commissioner shall consider institutional priorities, missions, enrollment, campus square footage, building conditions, comparative funding and other appropriate criteria. The Board shall then approve and furnish to the Legislature each year a priority list of the capital improvements and repair and renovation projects for all institutions under its control. Projects which are not approved by the Board shall not be submitted to the Legislature by any institution. In addition, priorities and requests of the individual institutions may not be presented or communicated to any individual legislators without the prior approval of the Board.

The Board approved priority lists of capital improvement and repair and renovation projects will be submitted to the Governor's Office of General Services and the Bureau of Building, Grounds and Real Property Management through the Board's Real Estate and Facilities Office.

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Board Policy §904(A), Board Approval

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

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

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

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

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

Board Policy §905(A), Real Estate Management

Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Board approval prior to the execution of a contract for the sale of real property is required for all land sales, regardless of the sale price. Prior Board approval is required for the execution of all leases, easements, oil and mineral leases, and timber sales. Request for approval of land contracts shall include property descriptions, terms of purchase, lease, or sale and intended use of the property. An institution acquiring or disposing of real property shall receive two independent appraisals. The purchase price of property to be

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acquired shall not exceed the average of the two appraisals. The sale price of real property shall be no less than the average of the two appraisals.

Board Policy §905(B), Real Estate Management

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

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. MUW – GS 104-178 – Fant Library Renovation, Phase I

Project Request: Mississippi University for Women requests approval to initiate a project, Fant Library Renovation Phase I, and to appoint Burris/Wagnon Architects as design professional.

Proposed Design Professional: Burris/Wagnon Architects

Purpose: Mississippi University for Women plans to renovate Fant Library in order to meet the technological requirements of 21st Century libraries as well as address asbestos abatement and applicable code deficiencies. Pre-Planning for this project was approved on October 18, 2007. The project involves a space-efficient, 2 story addition (15,250 GSF) on the west and south facades of the existing Fant Memorial Library (46,600 GSF) that will provide the university with an architectural landmark at a strategic location. The project also encompasses significant renovation (20,000 GSF) of the existing facility to improve interior functionality and appearance, to upgrade mechanical systems, and to achieve spatial integration with the new construction. Mississippi University for Women is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the

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

Project Initiation Date: October 20, 2011

Date of Original Construction: 1969

Date of Last Renovation: 2002

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$4,900,000.00
Architectural and Engineering Fees:	300,000.00
Miscellaneous Project Costs:	50,000.00
Contingency:	<u>150,000.00</u>
Total Project Budget	\$5,400,000.00

Proposed Funding Source(s): SB 3100, Laws of 2011 (\$5,000,000); HB 1701, Laws of 2010 (\$400,000)

Staff Recommendation: Board staff recommends approval of this item.

2. ERC – GS 111-049 – Road Improvements

Project Request: The Education and Research Center requests approval to initiate a project, Road Improvements project, and to appoint W.L. Burle Engineers as design professional.

Proposed Design Professional: W.L. Burle Engineers

Purpose: The project will resurface the main boulevard and the vehicular circulation loop at the Education and Research Center. The condition of the road has deteriorated over the years and is need of repair. The Education and Research Center is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

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Project Initiation Date: October 20, 2011

Date of Original Construction: 1969

Date of Last Renovation: Not Available

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$1,782,764.25
Architectural and Engineering Fees:	137,747.91
Miscellaneous Project Costs:	166,500.00
Contingency:	<u>162,987.84</u>
Total Project Budget	\$2,250,000.00

Proposed Funding Source(s): HB 1701, Laws 2010-BOB Discretionary Funds (\$1,000,000); SB 3100, Laws of 2011-IHL/BOB Discretionary Funds (\$750,000); HB 1701, Laws of 2010 (\$250,000); SB 3100, Laws of 2011 (\$250,000) –From JSU

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

3. MSU – IHL 205-262 – New Housing for Upperclassmen, Graduate, and International Students and Families

Project Request: Mississippi State University requests approval to initiate a project, New Housing for Upperclassmen, Graduate, and International Students and Families, and to appoint Pryor Morrow Architects and Engineers as design professional. In addition, Mississippi State requests permission to demolish the remaining existing housing on this site, known as Aiken Village.

Proposed Design Professional: Pryor Morrow Architects and Engineers

Purpose: Mississippi State University request to initiate the project to provide housing for upperclassmen, graduate, and international students and families. In addition, Mississippi State requests permission to demolish the existing housing on this site, known as Aiken Village. The approval letter has been received from the Mississippi Department of Archives and History. The buildings will be demolished following notification of and approval from the Mississippi Department of

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Environmental Quality. All legal documentation will be kept on file in the Office of Real Estate and Facilities.

The students for which the new housing is being constructed have differing needs than those of the younger students. They need a sense of community that ties into the existing fabric of the City of Starkville rather than that of residential life in dense campus facilities. The existing Aiken Village facilities are out of date and do not meet today's codes and have outlived their usefulness.

The 125 proposed furnished apartments will be two-bedroom, two-bathroom units. Site planning will provide for the eventual replacement of the existing Aiken Village pre-school with a new facility and a housing maintenance facility. Parking areas will be master planned for a minimum of 500 vehicles, with 250 parking spaces included in the initial phase. Development most probably will be accomplished in phases with minimum 250 beds being made available for completion by July 1, 2013. The site plan and documents shall accommodate additional beds to be delivered as demand warrants. Mississippi State University is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: October 20, 2011

Date of Original Construction: New Residential Facility

Date of Last Renovation: N/A

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$11,500,000.00
Architectural and Engineering Fees:	651,494.00
Miscellaneous Project Costs:	1,348,506.00
Contingency:	<u>500,000.00</u>

Total Project Budget **\$14,000,000.00**

Proposed Funding Source(s): Pending approval of EBC bond funds (\$14,000,000.00)

Staff Recommendation: Board staff recommends approval of this item.

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4. UM – IHL 207-353 – Coulter Hall Expansion – Pre-Planning

Project Request: The University of Mississippi requests approval to initiate a project, Coulter Hall Expansion Pre-Planning, and to appoint Cooke Douglass Farr Lemons /Barlow Eddy Jenkins – A Professional Association as design professional.

Proposed Design Professional: Cooke Douglass Farr Lemons/Barlow Eddy Jenkins – A Professional Association

Purpose: The University of Mississippi request to initiate the project for pre-planning through the design development phase. With this phase, the university expects to explore the feasibility of several expansion opportunities, identify the most efficient and effective of those opportunities and complete the design of the selected option(s). At a minimum, the university expects to explore two concepts. The first is an eastward expansion that would net additional space for undergraduate Chemistry Labs. The second concept is a northward expansion that would include a large auditorium style classroom and enclosing an outdoor plaza to accommodate additional academic space and a food service venue. The University of Mississippi is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: October 20, 2011

Date of Original Construction: 1975

Date of Last Renovation: 2010 (HVAC Renovation)

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 0.00
Architectural and Engineering Fees:	501,784.80
Miscellaneous Project Costs:	0.00
Contingency:	<u>0.00</u>
Total Project Budget	\$ 501,784.80

Proposed Funding Source(s): Internal R&R (\$501,784.80)

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Staff Recommendation: Board staff recommends approval of this item.

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

BUREAU OF BUILDING PROJECTS

5. MSU – GS 105-345 – Classroom Building with Parking

Project Request: Mississippi State University requests approval to change IHL Project #205-247, Parking Garage to a Bureau of Building project, GS #105-345 Classroom Building with Parking. Mississippi State University also requests that the project scope, project funding source, project budget and project number be changed to accommodate the request.

Design Professional: Belinda Stewart Architects

General Contractor: N/A

Purpose: Mississippi State University requests approval to change IHL #205-247 Parking Garage to a Bureau of Building project, GS #105-345 Classroom Building with Parking, with changes in the project scope, project funding source, and project budget. Mississippi State proposes to construct a 150,000-square foot classroom/parking facility on the north side of the YMCA Building. The project will include three levels of classroom area consisting of approximately 90,000 square feet and two levels of parking consisting of approximately 60,000 square feet. The building is to be appropriately outfitted with modern instructional technology, energy-efficient lighting, and energy management control systems. The new Classroom Building with Parking will provide needed academic classroom space and take advantage of site topography to provide needed parking to service the student union, cafeteria, and functions in Lee Hall. In addition, the project will include site work and hardscape for vehicular and pedestrian circulation.

The project includes an increase in energy-efficient thermal storage capacity at the central chiller plant that would accommodate not only the new classroom building but also the planned Lee Hall renovation and future campus expansion, while providing additional backup capacity that is currently needed. A thermal storage installation at the central chiller would take advantage of reduced electric power rates at night and

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allow MSU to avoid energy costs estimated at \$400,000 during the first year and more than \$13 million over 20 years, taking into account expected energy cost escalation.

MSU's enrollment increase over the past several years has increased utilization of our classroom space to the point where we are encountering problems accommodating the increased classroom demand, although we have put in place scheduling practices and are utilizing scheduling software to most efficiently utilize existing space and have brought several spaces into the classroom inventory which were not previously utilized as classrooms. National norms for classroom utilization rates set an 85 percent utilization rate as the maximum advisable level. In fall of 2011 we were at a 74 percent overall rate and over 80 percent for auditorium classes, based on a 45-hour class week of 8 a.m. to 5 p.m., Monday through Friday. Our seat fill ratio is approaching 70 percent overall. When our enrollment nears 21,000, we will have effectively reached full classroom capacity during our current 45-hour class week. At our current rate of enrollment growth, we anticipate being over 21,000 students by fall 2012.

From fall 2006 to fall 2011, enrollment at Mississippi State has increased by more than 4,200 headcount and more than 4,000 FTE students. Since 2006, the combined fall/spring teaching load on the Starkville campus alone has increased by more than 100,000 academic hours. Demand for rooms that seat 90 or more students continues to exceed our supply during most prime teaching periods, and we have no more classrooms of any size available for the 2011 fall semester during the 9:30 a.m. or 11 a.m. Tuesday/Thursday time slots. To help alleviate this need, we began scheduling the Library Auditorium as a classroom during the 2011 spring semester. With anticipated additional growth for fall 2012, it is likely that we will need to also schedule classes in Fowlkes Auditorium in the Colvard Student Union, Bettersworth Auditorium in Lee Hall, and the McComas Hall Theater. We have also scheduled the newly renovated Founders Room in the Cobb Institute of Archaeology for instructional use and will make some use of an auditorium in the Franklin Furniture Institute, although its location off the central campus presents accessibility issues.

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

A possible assignment of the 90,000-square feet of classroom space would be as follows in *Exhibit 1*: Assuming that 42 percent of overall space will be used for non-programmed space, i.e. a lobby, hallways, restrooms, mechanical space, there

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will be approximately 52,200 sq. ft. of assignable space. Each student in a classroom requires an assignment of 18 square feet.

Exhibit 1:

Classrooms and Labs	Type	Estimated Number	Estimated Seats	Square Footage	
	Auditoriums	2	350 ea.	12,600	
	Teaching Wet Labs	6	25 stations ea. (1000 sq. ft. ea.)	6,000	
	Teaching computer labs	2	variable	3,000	
	Lecture	4	100 ea.	7,200	
	Lecture	4	50 ea.	3,600	
	Lecture	12	35 ea.	7,560	
	Lecture	8	20 ea.	2,880	
				42,840	subtotal
Student Support Space	Type	Number	Unit	Square Footage	
	Instruction	1	Center for Teaching and Learning	2,000	
	Retention	1	Pathfinders	360	
	Instruction	1	Writing Center	2,000	
	Instruction	5	Tutoring/Study space at 200 sq. ft. ea.	1,000	
	Retention/Ins truction	1	Learning Center	4,000	

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				9,360	subtotal
				52,200	TOTAL

Project Initiation Date: August 19, 2010 (As IHL #205-247)

Date of Original Construction: New Building and New Parking Garage

Date of Last Renovation: N/A

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 20,550,000.00	\$ 27,849,151.00	\$ 7,299,151.00
Architectural and Engineering Fees	\$ 983,825.00	\$ 2,012,013.00	\$ 1,028,465.00
Miscellaneous Project Costs	\$ 2,738,952.00	\$ 6,255,849.00	\$ 3,516,897.00
Contingency	\$ 1,027,500.00	\$ 1,392,458.00	\$ 364,958.00
Total Project Budget	\$ 25,300,000.00	\$ 37,509,471.00	\$12,209,471.00

Proposed Funding Source(s): SB 3100, Laws of 2011 (\$9,712,000); HB 246, Laws of 2007 (\$2,300,000); Pending Approval of EBC Bonds and University Funds (\$25,497,071)

Mississippi State currently has \$12 million dollars in state bond funds available for the design and construction document phase of the project. The university will seek future approval to use the Educational Building Corporation (EBC) bond process. The budget for this project is contingent upon Board of Trustees approval to use Educational Building Corporation (EBC) bond funds as a funding source and the Board's approval of future student fees.

Staff Recommendation: Board staff recommends approval of this item.

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APPROVAL OF OTHER REAL ESTATE REQUESTS

6. SYSTSEM – Approval of Facility Needs Request for the 2012 Legislative Session

Request: Board approval is requested for the prioritized lists of proposed funding needs for the 2012 Legislative Session as prepared by each individual institution. These lists of campus priorities were developed in the same manner as last year's lists, with each university determining the top five ranking priorities of their respective campus. A copy of the prioritized funding needs is located on page(s) 13-15. IHL is seeking approval in accordance with Board Policy §903(B), Legislative Funding Requests, which requires the preparation and submittal of an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature.

Staff Recommendation: Board staff recommends approval of this item.

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**Facilities Needs Requests for FY 2013
2012 Legislative Session**

University	University Priority	Project Description	Request Per Project	Total By University
ASU	1	Academic Technology Building	\$15,000,000	
	2	General Classroom Building	\$250,000	
	3	ASU Academic Convocation Center	\$250,000	
	4	Campus Security Project	\$3,000,000	
	5	Infrastructure Upgrades	\$3,000,000	
				\$21,500,000
DSU	1	Student Union Renovation	\$12,450,000	
	2	Campus Roof Repairs Projects	\$4,150,000	
	3	Campus Compliance	\$9,000,000	
	4	Campus Infrastructure Improvements	\$5,000,000	
	5	Central Mechanical Plant Phase II	\$1,200,000	
				\$31,600,000
JSU	1	Alexander Center Renovation – Phase II	\$8,500,000	
	2	Dansby Hall Replacement – Phase I	\$9,000,000	
	3	General Repair and Renovation	\$7,000,000	
	4	Land Acquisition – Phase V	\$5,000,000	
	5	Old Industrial Arts Building Renovation	\$2,000,000	
				\$31,500,000
MSU	1	Renovation of YMCA	\$9,658,775	
	2	Addition to Mitchell Memorial Library	\$6,788,128	
	3	Civil and Environmental Engineering Complex	\$14,000,000	
	4	Fire Suppression Systems (Classroom Sprinklers)	\$2,736,500	
	5	ADA Accessibility	\$2,396,000	
				\$35,579,403

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University	University Priority	Project Description	Request Per Project	Total By University
MSU/DAFVM	1	Animal Life Science Initiative	\$7,500,000	
	2	ADS/Food Science, Nutrition & Health Promotion Complex	\$18,700,000	
	3	Blackjack Forest and Wildlife Research Facility	\$3,330,000	
	4	Exterior & Interior R&R- Forest Products Complex	\$2,600,000	
	5	Dorman Hall Lab & Common Space Renovation	\$4,000,000	
				\$36,130,000
MUW	1	ADA Code Compliance and Campus Safety	\$3,500,000	
	2	Fant Memorial Library	\$10,000,000	
	3	Shattuck Hall Renovation	\$4,206,500	
	4	Street Repair & Parking Lot	\$1,215,200	
	5	Demonstration Renovation	\$350,000	
				\$19,271,700
MVSU	1	Harrison Complex Renovations and Expansions	\$5,000,000	
	2	Student Union Complex Renovation and Expansion	\$7,626,000	
	3	Fire Suppression System Upgrades	\$2,000,000	
	4	Academic Skills Redesign	\$4,500,000	
	5	College Hall I Renovation	\$5,200,000	
				\$24,326,000
UM	1	Lamar Hall Phase II	\$10,000,000	
	2	Garland Hedleston Mayes Renovation	\$12,500,000	
	3	New Science Building	\$10,000,000	
	4	Turner Center Renovation	\$10,000,000	
	5	Data Center Renovation	\$15,000,000	
				\$57,500,000

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University	University Priority	Project Description	Request Per Project	Total By University
UMMC	1	Medical School Renovation/New Building	\$60,500,000	
	2	Central Core Support Office	\$9,600,000	
	3	SHRP Expansion	\$13,390,000	
	4	East Central Mechanical Plant	\$8,240,000	
	5	Pedestrian Bridge & Utility Loop Expansion	\$6,308,750	
				\$98,038,750
USM	1	School of Nursing – Phase I	\$10,000,000	
	2	General Repair and Renovation – Hattiesburg Campus	\$5,000,000	
	3	General Repair and Renovation – Gulf Park Campus	\$3,000,000	
	4	Printing Center Repair and Renovation	\$3,000,000	
	5	Lake Thoreau Property Upgrades	\$2,500,000	
				\$23,500,000
ERC	1	ADA/Code Compliance	\$1,200,000	
	2	General Repair and Renovation	\$900,000	
	3	Parking Lot Re-Paving	\$250,000	
	4	Pre-Plan of Paul B. Johnson Building	\$350,000	
	5	Window Replacement	\$900,000	
				\$3,600,000
				<u>\$382,515,853</u>

Note: All projects in bold represent life safety and/or ADA code compliance projects.

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1. UMMC - APPROVAL TO SETTLE TORT CLAIM

The University of Mississippi Medical Center is seeking Board approval for the settlement of Tort Claim No. 1386.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. UMMC - APPROVAL TO SETTLE TORT CLAIM

The University of Mississippi Medical Center is seeking Board approval for the settlement of Tort Claim No. 1440.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

3. UMMC - APPROVAL TO SETTLE TORT CLAIM

The University of Mississippi Medical Center is seeking Board approval for the settlement of Tort Claim No. 1501.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. UMMC - APPROVAL TO SETTLE TORT CLAIM

The University of Mississippi Medical Center is seeking Board approval for the settlement of Tort Claim No. 1728.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
AUGUST 18, 2011 BOARD MEETING SUBMISSION DEADLINE**

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

Board Policy §904(A), Board Approval

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

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

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

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

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

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1. DSU – GS 102-226 – Science Lab Renovation Phase II

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$1,292,473.00 and one hundred fifteen (115) additional days to the contract of Century Construction and Realty, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$6,769.78 and zero (0) additional days to the contract of Century Construction and Realty, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #3 In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$25,957.20 and eight (8) additional days to the contract of Century Construction and Realty, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #4 In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$37,260.10 and eighteen (18) additional days to the contract of Century Construction and Realty, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: (#1) July 21, 2011; (#2-#4) August 22, 2011

Change Order Justification: **Change Order #5** is necessary to repair and replace the existing mechanical system components per the architect's drawings. The lack of controls for the mechanical equipment has resulted in poor air quality and hazardous environmental conditions. **Change Order #6** is necessary to re-size new storm drain to match size of existing rain leaders, to repair one section of existing 18" storm drain along 4th Ave. and to adjust the contractor's markup from CO #5 backup documentation discrepancy. **Change Order #7** is necessary to provide modifications to the Planetarium spaces. During the current contract, DSU received a grant for a new projector for the planetarium and for seating. It was recommended to move the grant funding into this project and utilize project funds to make the necessary changes for the new layout required by the new projector and seating. **Change Order #8** is necessary for the removal of asbestos in the duct work and to replace with new duct work that will make the area asbestos free for future maintenance.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$1,477,014.83

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Project Initiation Date: August 21, 2008

Design Professional: Architecture South

General Contractor: Century Construction and Realty, Inc.

Contract Award Date: December 16, 2009

Project Budget: \$5,324,840.16

Funding Source(s): HB 1641, L'08 (\$1,000,000); HB 1722, L'09 (\$3,750,000); HB 1701, L'10 (\$574,840.16)

2. JSU – GS 103-256 – Mechanical Upgrades Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$33,476.00 and zero (0) additional days to the contract of Buford Plumbing Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: August 16, 2011

Change Order Justification: **Change Order #1** is necessary to extend the work in the Joseph Jackson Building to include modifications to fifteen (15) newly discovered duct reheat coils as per original contract documents for similar coils in original project. These modifications shall include: new controls, coil piping can be modified with new valves and piping accessories, new Tran DDC control modifications. The change order will also involve new air separators at F.D. Hall and Joseph Jackson buildings on HVAC heating water systems, provide and install 6 new ceiling access doors at Dolleye Robinson building adjacent to existing HVAC air terminal units for installation of new DDC controls and to replace 3 VAV air terminal unit reheat coil control valves.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$33,476.00

Project Initiation Date: August 20, 2009

Design Professional: CGM Group

General Contractor: Buford Plumbing Company, Inc.

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Contract Award Date: November 29, 2010

Project Budget: \$2,200,000

Funding Source(s): HB 1722, L'09 (\$1,200,000); HB 246, L'07 (\$1,000,000)

3. MSU – GS 105-343– Lee Hall Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Dale Partners, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Dale Partners, design professional.

Staff Approval Date: September 6, 2011

Project Initiation Date: June 16, 2011

Design Professional: Dale Partners

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$20,700,000

Funding Source(s): HB 1641, L'08 (\$2,463,146.89); HB 1722, L'09 (\$4,660,866.80); HB 1701, L'10 (\$8,000,000); SB 3100, L'11 (\$5,675,986.31)

4. MSU – GS 113-117 – Wise Center Storm Repairs

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$188,640.00 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

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Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$106,436.00 and twenty-four (24) additional days to the contract of Thrash Commercial Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: (#1) July 17, 2011; (#2) August 26, 2011

Change Order Justification: **Change Order #8** is necessary to furnish and deliver two medium voltage pad mounted switch gear units for installation under the upcoming Necropsy Renovation Project (GS 113-130). **Change Order #9** is necessary to remove existing EIFS and installation of counter flashing, removal and installation of recessed can fixtures, relocation of existing junction boxes for motor starters, and to repair of stair tower exterior wall.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$731,135

Project Initiation Date: October 20, 2006

Design Professional: Pryor & Morrow Architects & Engineers, P.A.

General Contractor: Thrash Commercial Contractors, Inc.

Contract Award Date: January 25, 2010

Project Budget: \$6,790,000

Funding Source(s): HB 1634, L'06 (\$1,726,000); HB 1641, L'08 (\$3,000,000); HB 1722, L'09 (\$2,000,000); MSU CVM (\$64,000)

5. MSU – IHL 205-234– MSU Research Park Road

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Neel-Schaffer, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

Staff Approval Date: July 18, 2011

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Project Initiation Date: September 21, 2007

Design Professional: Neel-Schaffer

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$5,160,000

Funding Source(s): Federal DOT Funds (\$2,460,000); U.S. Department of Commerce (\$2,700,000)

6. MSU – IHL 205-255 – Arbor Hall

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Harrell Contracting Group, LLC, the lower of four (4) bidders, for a total contract amount of \$40,137,000.00.

Staff Approval Date: July 18, 2011

Project Initiation Date: November 18, 2010

Design Professional: LPK Architects

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: July 18, 2011

Project Budget: \$46,809,592.00

Funding Source(s): University EBC Bonds (\$46,809,592)

7. MSU – IHL 205-255 – Arbor Hall

Interim Board Approval: In accordance with Board Policy §904 (B) Board Approval, the Real Estate and Facilities Committee Chairman, Trustee Scott Ross, **approved the Exterior Design of Arbor Hall** on behalf of the Board of Trustees.

Interim Board Approval Date: July 18, 2011

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Project Initiation Date: November 18, 2010

Design Professional: LPK Architects

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: July 18, 2011

Project Budget: \$46,809,592.00

Funding Source(s): University EBC Bonds (\$46,809,592)

8. MSU –Land Lease with Delta Chi Fraternity

Interim Commissioner Approval: In accordance with Board Policy §707.01, Land, Property, and Service Contracts, the Commissioner **approved the land lease between MSU and Delta Chi Fraternity** on behalf of the Board of Trustees.

Interim Board Approval Date: August 5, 2011

Terms of Lease: 50 year land lease on Lot #10. MSU has had an agreement with Alpha Gamma Delta Fraternity for the lease of the property. AGD built a house on the property. AGD is no longer a viable sorority on the MSU campus and has been leasing the house to MSU as office space. Delta Chi intends to purchase the house from AGD and establish a fraternity on campus. AGD will assign the current lease to Delta Chi to cover the period between the sale of the house and April 21, 2012, at which time this proposed lease will take over.

9. UM– GS 107-302 – Lamar Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Barlow Eddy Jenkins Architects, design professional.

Staff Approval Date: July 25, 2011

Project Initiation Date: August 20, 2009

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Design Professional: Barlow Eddy Jenkins Architects

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$7,300,000

Funding Source(s): HB 1722, L'09 (\$3,000,000); HB 1701, L'10 (\$2,000,000); Internal R&R (\$2,300,000)

10. UM– GS 107-305 – Central Mechanical Plant

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Eley Guild Hardy Architects, design professional.

Staff Approval Date: September 1, 2011

Project Initiation Date: November 21, 2008

Design Professional: Eley Guild Hardy Architects

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$13,200,000

Funding Source(s): HB 1701, L'10 (\$8,000,000); SB 3100, L'11 (\$5,200,000)

11. UM – IHL 207-258 – Law School

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10** in the amount of \$20,159.25 and four (4) additional days to the contract of W.G. Yates Construction, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #11** in the amount of \$52,275.21 and zero (0) additional days to the contract of W.G. Yates Construction, Inc.

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Staff Approval Date: (#1) August 10, 2011; (#2) September 7, 2011

Change Order Justification: **Change Order #10** is necessary to provide relay and temperature sensors in both stairwells of C Area, provide 24 X 48 access doors at HVAC units at Area C Stairs, provide fire alarm shut down on exhaust fans F1 and F2 so the fans will shut down on general alarm when the smoke dampers in their ducts shut down, revise door hardware, add additional building plaque, raise lights over shelving in stacks 2000 approximately 4” and to add four calendar days to the contract time for adverse weather. **Change Order #11** is necessary to provide concrete paving and a French drain at the Law School

Total Project Change Orders and Amount: Ten (10) change order for a total amount of \$961,196.30

Project Initiation Date: April 21, 2005

Design Professional: Eley Guild Hardy Architects

General Contractor: W.G. Yates Construction

Contract Award Date: May 13, 2008

Project Budget: \$50,000,000

Funding Source(s): HB 1634, L’06 (\$10,000,000); EBC Bonds (\$16,644,366.06); Private Gifts and Federal Grant (\$23,355,633.94)

12. UM – IHL 207-303B – Research Park and Innovation Center

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$20,648.00 and one (1) additional day to the contract of Montgomery Martin Contractors, LLC.

Staff Approval #2: : In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$91,817.00 and zero (0) additional days to the contract of Montgomery Martin Contractors, LLC.

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Staff Approval #3 : In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$145,881.00 and seventy-four (74) additional days to the contract of Montgomery Martin Contractors, LLC.

Staff Approval #4 : In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$113,261.00 and seventy-four (74) additional days to the contract of Montgomery Martin Contractors, LLC.

Staff Approval Date: (#1-#2) August 5, 2011; (#3) August 9, 2011; (#4) September 7, 2011

Change Order Justification: **Change Order #6** is necessary to furnish and install filter grilles in lieu of previously specified filtering at the HP units. The change order also includes revising Panel DPHG to pass the coordination study, installing tube steel kicker frames and channels to support the mitered return section of the louvered screen and add a shore piece of tube steel support to the top of the steel truss in the location of the sloped roof and tapered louver screen. Covers cost to provide additional labor and materials required to offset the university waterline to extend the water line. **Change Order #7** is necessary to upgrade disconnects and breaker for auto clave, construction of parking lot connecting DI #13 at the geothermal vault to JB #2 and relocation of gas lines. **Change Order #8** is necessary for cost associated with the 74 day utility related delay, installing aluminum plate over concrete floor and under mullion to conceal the gap caused by one straight plane curtain wall and the radius of the concrete edge of slab and to provide a credit for the portions of the temporary road scope which is not required due to incorporating permanent intramural tie-in into the access road. **Change Order #8** is necessary for cost associated with electrical upgrades for elevator conveying system, communication room revisions, modifications to the conference room 212 millwork in order to satisfy new AV equipment, and electrical changes required by lavatory transformer.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$475,870.92

Project Initiation Date: August 16, 2007

Design Professional: Cooke Douglass Farr Lemons + Howorth & Associates

General Contractor: Montgomery Martin Contractors, LLC

Contract Award Date: June 22, 2010

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Project Budget: \$17,100,000.00

Funding Source(s): NIST Federal Grant (\$17,100,000)

13. UM – IHL 207-306 – Center of Manufacturing Excellence

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10** in the **credit amount** of \$8,518.96 and seventy-six (76) additional days to the contract of Panola Construction Company, Inc.

Staff Approval Date: September 7, 2011

Change Order Justification: **Change Order #10** is necessary to deduct the balance of the final connections allowance from the project scope and add additional days to the contract.

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of \$401,663.17

Project Initiation Date: November 15, 2007

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Panola Construction Company

Contract Award Date: February 18, 2009

Project Budget: \$17,700,000

Funding Source(s): Mississippi Development Authority (\$17,700,000)

14. UM – IHL 207-306A – Carrier Hall Addition and Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #12** in the **credit amount** of \$40,148.21 and fifty-eight (58) additional days to the contract of Panola Construction Company, Inc.

Staff Approval Date: August 5, 2011

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Change Order Justification: **Change Order #12** is necessary to provide for proper hollow metal door frames prepping in order to receive ADA compliant door hardware for doors, access control door hardware requested and reduced signage allowance.

Total Project Change Orders and Amount: Twelve (12) change orders for a total amount of \$223,774.28

Project Initiation Date: August 20, 2009

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Panola Construction Company

Contract Award Date: December 16, 2009

Project Budget: \$4,500,000

Funding Source(s): Mississippi Development Authority (\$4,500,000)

15. UM – IHL 207-311 – UMMC School of Pharmacy

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$11,409.00 and seventy-seven (77) additional days to the contract of Chris Albritton Construction Co., Inc.

Staff Approval Date: September 1, 2011

Change Order Justification: **Change Order #2** is necessary to

Total Project Change Orders and Amount: Two (2) change orders for a total amount of (\$361,841.13)

Project Initiation Date: May 22, 2008

Design Professional: Eley Guild Hardy Architects

General Contractor: Chris Albritton Construction Co., Inc.

Contract Award Date: January 28, 2010

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Project Budget: \$9,730,789

Funding Source(s): Internal R&R (\$1,898,075); Federal Grants (\$7,832,714)

16. UM – IHL 207-341 – Thad Cochran Natural Product Center Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Cooke Douglass Farr Lemons Architects, design professional.

Staff Approval Date: September 7, 2011

Project Initiation Date: May 20, 2010

Design Professional: Cooke Douglass Farr Lemons Architects

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$31,801,620.00

Funding Source(s): Federal Grant Funds (\$31,801,620)

17. UM – IHL 207-345 – University Housing-Bid Package B

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$18,847.22 and zero (0) additional days to the contract of Panola Construction Company, Inc.

Staff Approval Date: August 22, 2011

Change Order Justification: **Change Order #1** is necessary to add French drain to the west and south buildings.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$18,847.22

Project Initiation Date: November 18, 2010

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Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Panola Construction Company

Contract Award Date: May 24, 2011

Project Budget: \$39,314,500

Funding Source(s): UM EBC bond funds (\$38,000,000); Self-generated funds (\$1,314,500)

18. UM – IHL 207-345 – University Housing-Bid Package D

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the **credit amount** of \$18,000.00 and zero (0) additional days to the contract of Drywall System Plus, Inc.

Staff Approval Date: August 22, 2011

Change Order Justification: **Change Order #1** is necessary to change interior stairs and railings from galvanized to prime painted.

Total Project Change Orders and Amount: One (1) change order for a total amount of (\$18,000.00)

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Drywall System Plus, Inc.

Contract Award Date: May 24, 2011

Project Budget: \$39,314,500

Funding Source(s): UM EBC bond funds (\$38,000,000); Self-generated funds (\$1,314,500)

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19. UM – IHL 207-345 – University Housing-Bid Package E

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Construction Documents** as submitted by Cooke Douglass Farr Lemons Architects + Eley & Associates, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Atlas Group Enterprises, the lower of four (4) bidders, for a total contract amount of \$722,200.00.

Staff Approval Date: August 9, 2011

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Atlas Group Enterprises

Contract Award Date: August 9, 2011

Project Budget: \$39,314,500

Funding Source(s): UM EBC bond funds (\$38,000,000); Self-generated funds (\$1,314,500)

20. UM – IHL 207-345 – University Housing-Bid Package G

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$30,500.00 and zero (0) additional days to the contract of Clinton Interiors, Inc.

Staff Approval Date: August 22, 2011

Change Order Justification: **Change Order #1** is necessary to change R-19 Kraft faced insulation to R-19 FSK-25 at exterior walls.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$30,500.00

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Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Clinton Interiors, Inc.

Contract Award Date: June 22, 2011

Project Budget: \$39,314,500

Funding Source(s): UM EBC bond funds (\$38,000,000); Self-generated funds (\$1,314,500)

21. UM – IHL 207-345 – University Housing-Bid Package H

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Specialty Finishes, Inc., the lower of three (3) bidders, for a total contract amount of \$919,825.00.

Staff Approval Date: August 9, 2011

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Specialty Finishes, Inc.

Contract Award Date: May 24, 2011

Project Budget: \$39,314,500

Funding Source(s): UM EBC bond funds (\$38,000,000); Self-generated funds (\$1,314,500)

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22. UM – IHL 207-345 – University Housing-Bid Package L

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the **credit amount** of \$9,477.00 and zero (0) additional days to the contract of Ivey Mechanical Company, LLC.

Staff Approval Date: September 7, 2011

Change Order Justification: **Change Order #1** is necessary to delete clean-outs in suite bathrooms, repair gas line that was damaged as a result of the line not being marked located and to change natural gas line size to match generator requirements.

Total Project Change Orders and Amount: One (1) change order for a total amount of (\$9,477.00)

Project Initiation Date: November 18, 2010

Design Professional: Cooke Douglass Farr Lemons + Eley & Associates – A Joint Venture

General Contractor: Ivey Mechanical Company, LLC

Contract Award Date: June 2, 2011

Project Budget: \$39,314,500

Funding Source(s): UM EBC bond funds (\$38,000,000); Self-generated funds (\$1,314,500)

23. UM – IHL 207-347 – Northgate Apartments HVAC Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$178,166.03 and zero (0) additional days to the contract of Tri-Star Mechanical Contractors, Inc.

Staff Approval Date: August 4, 2011

Change Order Justification: **Change Order #1** is necessary to incorporate painting of the apartment interiors. This was an unforeseen condition.

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Total Project Change Orders and Amount: One (1) change order for a total amount of \$178,166.03

Project Initiation Date: March 17, 2011

Design Professional: Corbett Legge & Associates, PLLC

General Contractor: Tri-Star Mechanical Contractors, Inc.

Contract Award Date: August 4, 2011

Project Budget: \$1,500,000

Funding Source(s): Auxiliary R&R (\$1,500,000)

24. UM – IHL 207-349 – Howry Hall Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Dale Partners, P.A., design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

Staff Approval Date: July 21, 2011

Project Initiation Date: May 19, 2011

Design Professional: Dale Partners, P.A.

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$1,995,689

Funding Source(s): Internal R&R (\$1,995,689)

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25. UM – IHL 207-350 – Falkner Hall Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Zellner Construction Services, LLC the lower of seven (7) bidders, for a total contract amount of \$1,766,036.00.

Staff Approval Date: July 20, 2011

Project Initiation Date: May 19, 2011

Design Professional: Dale Partners P.A.

General Contractor: Zellner Construction Services, LLC

Contract Award Date: July 20, 2011

Project Budget: \$1,990,551.00

Funding Source(s): Internal R&R (\$1,990,551)

26. UM – IHL 207-351 – Former Walmart Building Renovation

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by the Facilities Planning Department, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by the Facilities Planning Department, design professional.

Staff Approval Date: (#1) August 22, 2011; (#2) September 1, 2011

Project Initiation Date: June 16, 2011

Design Professional: UM Facilities Planning Department

General Contractor: N/A

Contract Award Date: N/A

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Project Budget: \$3,200,000

Funding Source(s): Internal R&R (\$3,200,000)

27. UMMC– IHL 209-505 – Pediatric Emergency Room Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$12,944.51 and zero (0) additional days to the contract of Evan Johnson & Sons Construction, Inc.

Staff Approval Date: August 29, 2011

Change Order Justification: **Change Order #5** is necessary to correct latent conditions and user requests for additional asbestos abatement, signage revisions, additional site work and for adjustment to radiator allowance.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$556,362.95

Project Initiation Date: November 16, 2007

Design Professional: Dale/Morris Architects

General Contractor: Evan Johnson & Sons Construction, Inc.

Contract Award Date: February 15, 2010

Project Budget: \$5,633,275

Funding Source(s): Pediatric Clinic Fund and Patient Revenue (\$5,633,275)

28. UMMC– IHL 209-510 – Guyton Contract III Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$97,281.40 and one hundred eighteen (118) additional days to the contract of Evan Johnson & Sons Construction, Inc.

Staff Approval Date: August 22, 2011

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Change Order Justification: **Change Order #4** is necessary to correct resolution to miscellaneous plumbing, electrical, and power additions and mechanical yard screen wall due to shortfalls within the documents and requests from the users.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$175,997.78

Project Initiation Date: June 17, 2008

Design Professional: Simmons Associates + Eley Associates

General Contractor: Evan Johnson & Sons Construction, Inc.

Contract Award Date: February 10, 2010

Project Budget: \$16,500,000

Funding Source(s): Interest Income (\$700,000); MCEBC (\$15,800,000)

29. UMMC– IHL 209-521 – Pediatric ICU Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the **credit amount** of \$1,872.00 and zero (0) additional days to the contract of Fountain Construction Company, Inc.

Staff Approval Date: August 9, 2011

Change Order Justification: **Change Order #6** is necessary to process a credit due to the return of unused pillow speakers to the Nurse Call System manufacturer.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$91,986

Project Initiation Date: March 19, 2009

Design Professional: The McCarty Company Design Group

General Contractor: Fountain Construction Company, Inc.

Contract Award Date: December 2, 2009

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Project Budget: \$3,122,978

Funding Source(s): Hospital Patient Revenue (\$3,122,978.00)

30. UMMC– IHL 209-535 – Learning Resources Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$74,666.00 and zero (0) additional days to the contract of Harrell Contracting Group, LLC.

Staff Approval Date: August 22, 2011

Change Order Justification: **Change Order #2** is necessary to change all fire extinguishers from what was specified in the documents to meet current UMMC Environmental Health and Safety Guidelines. The change order also allows for additional office space in the Vice Chancellor's Suite and an additional card access reader due to the changes.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$94,442.00

Project Initiation Date: April 15, 2010

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: February 3, 2011

Project Budget: \$2,850,000

Funding Source(s): Interest Income (\$850,000); UMMC EBC funds (\$2,000,000)

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31. USM – GS 108-217– Science Building & Recreation Building Repair and Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to J.F. Pate and Associates Contractors, Inc. the lower of twelve (12) bidders, for a total contract amount of \$9,424,000.00.

Staff Approval Date: July 25, 2011

Project Initiation Date: January 21, 2010

Design Professional: Studio South/Allred Architectural Group

General Contractor: J.F. Pate and Associates Contractors, Inc.

Contract Award Date: July 25, 2011

Project Budget: \$10,792,109.24

Funding Source(s): HB 1641, L'08 (\$249,488.02); SB 2010, L'04 (\$6,031,955.11); SB 2988, L'03 (\$1,279,656.30); SB 3197, L'03 (\$231,009.81); HB 1701, L'10 (\$3,000,000)

32. USM – IHL 214-014 – Hardy Hall Storm Damage Repair

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to C. Perry Buildings, Inc. the lower of twelve (12) bidders, for a total contract amount of \$8,731,000.00.

Staff Approval Date: August 22, 2011

Project Initiation Date: August 21, 2008

Design Professional: Dale Partners

General Contractor: C. Perry Builders, Inc.

Contract Award Date: August 22, 2011

Project Budget: \$10,095,459.54

Funding Source(s): Insurance and FEMA Reimbursements (\$10,095,459.54)

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33. USM – IHL 214-015 – Lloyd Hall Storm Damage Repair

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Starks Contracting Company, Inc. the lower of eleven (11) bidders, for a total contract amount of \$1,965,000.00.

Staff Approval Date: September 2, 2011

Project Initiation Date: August 21, 2008

Design Professional: Allred Architectural Group

General Contractor: Starks Contracting Company, Inc.

Contract Award Date: September 2, 2011

Project Budget: \$2,208,922.94

Funding Source(s): Insurance and FEMA Reimbursements (\$2,208,922.94)

34. USM – IHL 214-016 – Elizabeth Hall Storm Damage Repair

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Klee, Odom + Klee, design professional.

Staff Approval Date: August 1, 2011

Project Initiation Date: August 21, 2008

Design Professional: Klee, Odom + Klee

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$2,000,000

Funding Source(s): Insurance and FEMA Reimbursements (\$2,000,000)

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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 Mayo Mallette (statement dated 8/4/11) from the funds of Mississippi Board of Trustees of State Institutions of Higher Learning. (This statement, in the amount of \$1,398.00, represents services and expenses in connection with *Jackson HMA, LLC, et al. vs. Mississippi Department of Health, et al.*)

TOTAL DUE.....\$ 1,398.00

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 5/10/11, 8/26/11 and 9/19/11) from the funds of Mississippi State University. (These statements, in the amounts of \$2,000.00, \$2,000.00 and \$2,500.00, respectively, represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 6,500.00

Payment of legal fees for professional services rendered by Balch & Bingham (statement dated 7/17/11) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$2,042.50, represents services and expenses in connection with General Advice.)

TOTAL DUE.....\$ 2,042.50

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 6/14/11, 6/14/11 and 6/15/11) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with UMMC - North Clinic - General Representation of the Medical School and Facility Practice Plans - \$645.00; UMMC - North Clinic - General Representation of the Medical School and Facility Practice Plans - \$200.71 and *Jackson HMA, LLC vs. UMMC, et al.* - \$3,096.00, respectively.)

TOTAL DUE.....\$ 3,941.71

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 7/1/11, 8/1/11, 8/1/11, 8/1/11 and 8/1/11) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the cases styled *Zeigler/Varnado* - \$3,993.00; *Britton* - \$380.08; *Kermode* - \$4,935.60; *Kermode* (Federal Case) - \$8,035.50 and *Jaralah* - \$1,569.50, respectively.)

TOTAL DUE.....\$ 18,913.68

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Payment of legal fees for professional services rendered by Watkins, Ludlam, Winter & Stennis (statement dated 8/15/11) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$129.00, represents services and expenses in connection with General Advice.)

TOTAL DUE.....\$ 129.00

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 9/9/11) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with General Advice - \$1,824.50.)

TOTAL DUE.....\$ 1,824.50

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, O'Mara, Stevens & Cannada (statements dated 7/19/11, 7/19/11, 7/19/11, 8/17/11, 8/17/11, 8/17/11, 8/17/11, 8/17/11, 8/17/11, 8/17/11, 8/17/11, 8/17/11 and 8/17/11) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Light Scattering, Etc." - \$335.00; "High Power Density, Full-Bridge Parallel Resonant DC" - \$1,395.00; "Live Attenuated Catfish Vaccine" - \$1,157.50; "High Power Density, Full-Bridge Parallel Loaded Resonant DC" - \$142.04; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$447.50; "Live Attenuated Catfish Vaccine" - \$90.00; "Fiber-Bragg Grating-Loop Ringdown Method and Apparatus" - \$660.00; "Isolated Viable Nematode Intestinal Cells" - \$42.50; "Alcohol Esterification (Condensor Train)" - \$42.50; "Alcohol Esterification (Condensor Train)" - \$131.80; "Esterification and Bio Oil Upgrading" - \$42.00; "Esterification and Bio Oil Upgrading" - \$361.40 and "Catalytic Methods to Produce Hydrocarbons Provision Application" - \$610.00, respectively.)

TOTAL DUE.....\$ 5,457.74

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11, 7/8/11 and 8/2/2011) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Self-Aligned Methods of Low Temp Selective" - \$1,140.00; "Temporal Mapping and Analysis" - \$1,140.00; "Change Analyst" - \$1,466.25; "Trademark JUVA" - \$333.75; "JUVA Trademark Application" - \$582.50; "Utility Application - System for Stabilizing Gas Hydrates at Low Pressures" - \$1,508.75; "Giant Myscanthis Provisional Plant Patent" - \$2,146.25; "Giant Myscanthis Trademark Application" - \$525.00; "Giant Myscanthis Provisional Plant Patent" -

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\$530.00; “Bermudagrass Plant” - \$1,846.25; “Diethylene Tricarbamide” - \$403.75; “Oral Catfish Vaccine Method of Delivery” - \$2,295.00; “Functional Natural Fiber Nanocomposites” - \$195.00; “Buckscore Logo” - \$1,372.50; “Phenoxyalkyl Pyridinium Oxime” - \$4,195.75; “Oral Vaccination of Fish with Live Attenuated Edwardsiella Ictaluri Vaccines” - \$3,882.00; “Generation of Imazapic Resistance Switchgrass Population” - \$620.00; “Engine Speed Controller” - \$1,338.75; “Buckscore Provisional Patent Application” - \$2,061.25 and “Buckscore Pre-Litigation Infringement” - \$1,020.00, respectively.)

TOTAL DUE.....\$ 28,542.75

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 7/12/11 and 8/19/11) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Lockhead - Oil Dispersant Patent” - \$225.00 and \$2,097.50, respectively.)

TOTAL DUE.....\$ 2,322.50

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 7/12/11) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions for Protection of Skin against Thermal Insult (Skin Paint)” - \$2,468.00; “Application for Registration of D.E.E.P. Comprehension Service Mark” - \$558.75 and “Application for Registration of iPASS Service Mark” - \$516.25.)

TOTAL DUE.....\$ 3,543.00

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1. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL

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

- a. **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 August 8, 2011, the Commissioner approved the request to lease office space from the MSU Delta Chi Housing Corporation. The office space is located on the MSU main campus in a house owned by the fraternity. The agreement will begin on April 21, 2012 and expire on July 26, 2013. MSU will be granted the opportunity to extend the agreement an additional 12 months if the fraternity decides not to establish an on-campus residency during that period (currently the fraternity does not occupy the house). MSU will pay the vendor \$5,700 per month for the office space. This equates to \$87,400 of lease cost to the university for the full 15 month plus term. In addition to these lease costs, the university will be responsible for all utilities, internet and telephone services. The Executive Office legal staff 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.” On September 2, 2011, the Commissioner approved the request to lease office space to the Mississippi Department of Environmental Quality (MDEQ). The office space is on the premises of the MSU Delta Research and Extension Center, which is located in Stoneville, MS. Specifically, MDEQ will lease 100 square feet of office space within the Center. The agreement will begin on September 1, 2011 and expire on August 31, 2012. MSU will receive \$200 per month for this office space, or \$2,400 over the full 12 months of the agreement. In return for these lease rents, the university will furnish utilities, janitorial and maintenance services. The Executive Office legal staff 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 September 29, 2011, the Commissioner approved the request to lease from Copeland, Cook, Taylor & Bush, P.A. (Copeland) approximately 200 square feet to be used as office space for an employee of MSU’s Stennis Institute of Government. The lease term is for a twelve month period and may be extended

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for an additional twelve month period upon written agreement of the parties at least thirty days prior to the expiration of the initial lease. MSU will pay \$1 per month for the lease of the space. The total cost of the twelve month lease is \$12. The Executive Office legal staff have 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.” On September 29, 2011, the Commissioner approved the request to lease from Brico Properties, LLC and Brian Moore Realty, LLC (Brico) approximately 785 square feet to be used as administrative office space for the Excel by 5 Project which is affiliated with The Early Childhood Institute at MSU. A lease with Brico for this space was previously approved by the Board in January 2010 and entered into for a twenty-three month period – February 1, 2010 to December 31, 2011. The proposed agreement will expire on December 31, 2013. MSU will pay \$930 monthly for the leased space. This is an increase over the previous monthly payment of \$910, due to an increase in utility costs. The total cost for the twenty-four month lease term is \$22,320. The Executive Office legal staff have reviewed and approved the contract documents.

- e. **USM** – In compliance with Board Policy 701.06 Budget Escalations and Revisions, “all revisions to the annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board.” On August 8, 2011, the Commissioner approved the budget revisions to the On-Campus, Gulf Coast Campus, and Gulf Coast Research Lab budgets for Fiscal Year 2011. The revisions contain no increases in the total budgets but rather reallocations amongst individual expense categories.

- f. **USM** – In accordance with Board Policy 301.0702 Duties of the Commissioner “The Commissioner is authorized to conduct the day to day administrative affairs of the Board. . .” On September 27, 2011, the Commissioner approved the amendment to a lease agreement with The City of Hattiesburg (City), the Board of Trustees of State Institutions of Higher Learning (Board), and Alltel Communications, LLC d/b/a Verizon Wireless (Successor in interest to Cellular XL Associates, LP /d/b/a Cellular One) (Alltel). This amendment will allow Alltel to add antennas and cable at its existing cell tower facility located on the City’s water tank. The tank sits on land owned by USM and leased to the City. The lease was initially executed in October 1997, then renewed and/or extended in October 2002. The current lease term expires September 30, 2012; however, Alltel may renew and/or extend the agreement for an additional five years prior to

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expiration. As a result of having Alltel's cell tower facility located on its property, USM receives cell phone service. The amendment allows for equipment modifications to Alltel's facility unit which will result in enhanced cell phone service for the university. There is zero cost to USM for this amendment. The Executive Office legal staff have reviewed and approved the contract documents.

- g. **System** - In accordance with Board Policy 613 (c) Athletics, each institution is required to submit a summary of their most recent Complimentary Athletic Ticket activity. On September 22, 2011, the Commissioner approved the 2011 Complimentary Athletic Tickets Report.