

MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING



FINAL BOARD BOOK
October 16, 2014



FINAL BOARD BOOK OUTLINE

IHL Board Meeting

October 16, 2014 8:30 a.m.
Thad Cochran Center, Ballroom II

Academic Affairs Committee Meeting

October 16, 2014 1:00 p.m.
Thad Cochran Center, Room 216

Finance and Real Estate Committees Joint Meeting

October 16, 2014 1:00 p.m.
Thad Cochran Center, Room 218

CALL TO ORDER

PRAYER

Trustee C.D. Smith

INTRODUCTION OF GUESTS

MINUTES

September 19, 2014 Regular Board Meeting

CONSENT AGENDAS

Trustee Aubrey Patterson

ACADEMIC AFFAIRS

1. System – Approval of New Academic Units
 - a. USM – Department of Interdisciplinary Studies1
 - b. MSU – Institute for Computational Research in Engineering and Science.....1
 - c. MSU – Institute for Systems Engineering Research.....1
 - d. UM – Center for Innovation and Entrepreneurship2
2. SYSTEM – Approval of Academic Unit Modifications
 - Rename*
 - a. JSU – Department of Technology.....2
 - b. MVSU - Department of Applied Technology and Technology Management.....3
 - c. UM – Art Department.....3
 - d. UMMC – Department of Microbiology.....3
 - Reorganize*
 - e. MVSU – Center for Excellence in Student Learning3
 - f. MVSU – Department of Health, Physical Education and Recreation3
3. SYSTEM – Approval of Academic Program Modifications
 - Rename*
 - a. MVSU – Bachelor of Science in Applied Technology and Technology Management.....4
 - b. USM – Bachelor of Arts in Library and Information Science.....4
 - c. UMMC – Doctor of Philosophy, Microbiology4
 - Consolidate*
 - d. MVSU – Bachelor of Science in Education in Health, Physical Education, and Recreation4
 - Delete*
 - e. USM – Master of Science in Technology Education.....4
 - f. USM – Doctor of Education in Human Performance5

FINANCE

1. MUW– Approval to Enter into a Contractual Service Agreement with Sodexo Operations, LLC1
2. MUW – Approval to Enter into a Preventive Maintenance Agreement with Siemens Industry, Inc.2
3. UM – Approval to Enter into Contractual Service Agreements
 - a. Centerplate, Inc.....4
 - b. McLaurin Wade Properties, LLC5
4. USM – Approval to Enter into Contractual Service Agreements
 - a. Hattiesburg Coca-Cola Company, a Division of Coca-Cola Bottling Company United-Gulf Coast, LLC6
 - b. Nicholson and Company, PLLC.....7

REAL ESTATE

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Bureau of Building Projects

- 1. DSU – GS 102-258 – Pre-Plan Sillers Coliseum Renovations, Design Professional – TBD through Request for Qualification Method3
- 2. DSU – GS 102-260 – Pre-Plan Zeigal Hall Renovations – Design Professional – TBD through Request for Qualification Method4
- 3. DSU – GS 102-262 – Pre-Plan Young Mauldin Renovations – Design Professional – TBD through Request for Qualification Method5

IHL Projects

- 4. UM – IHL 207-376 – STEM Building – Design Professional – the McCarty Company-Design Group6
- 5. UM – IHL 207-394 – NCPA Primary Building New Roof – Design Professional – Shafer & Associates, PLLC.....7
- 6. UM – IHL 207-395 – Turner Center New Roof – Design Professional – Shafer and Associates, PLLC.....9

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- 7. UM – IHL 207-348 – Johnson Commons West Renovations – Design Professional – Tipton Associates, A Professional Architectural Corporation.....10

Approval of Other Real Estate Requests

- 8. MSU – Approval of the Exterior Design for the New Residence Halls North Buildings “A” and “B” and the G.V. “Sonny” Montgomery Center for America’s Veterans12
- 9. UM – Naming of the University Housing North Building as “Pittman Hall”14

LEGAL

- 1. MSU – Approval to Modify/Renew Contract with Butler Snow, LLP as Outside Counsel1

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- 1. Change of Status (ASU, JSU).....1

2. Sabbatical (MSU, UMMC).....	1
3. Emeritus Status (UMMC, USM)	2

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Trustee Ford Dye

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b. Suspend (MSU, USM).....	1
c. Continue with Stipulation (DSU, JSU, MSU, MUW, MVSU, UM, UMMC, USM).....	1

FINANCE

Trustee Alan Perry

1. UMMC – Approval of Contractual Service Agreements	
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b. GE Medical Systems Information Technologies, Inc. d/b/a GE Healthcare	4
c. Leidos Health, LLC f/k/a maxIT Healthcare, LLC.....	11
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1. SYSTEM – Approval for First reading of New Policy 707.0101 Contracts with Supportive Entities.....	1
2. JSU – Approval of Worth Thomas d/b/a W.T. Consultants as In-State Lobbying Consultant	2

INFORMATION AGENDAS

Commissioner Hank Bounds

FINANCE

- 1. SYSTEM – Ayers Accountability Manual as Required by the Settlement of *Jake Ayers, Jr., et. al. and United States of America v Ronnie Musgrove, Governor, State of Mississippi, et. al.*.....1

REAL ESTATE

SYSTEM – Real Estate Items Approved Subsequent to the August 21, 2014 Board Meeting

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- Mississippi Valley State University.....7
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- 1. SYSTEM – Report of Payments to Outside Counsel1

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

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ADJOURNMENT

MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING



MINUTES FOR:

September 19, 2014 Regular Board Meeting

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19, 2014**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Board Office in Jackson, Mississippi, at 1:25 p.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 26, 2013, to each and every member of said Board, said date being at least five days prior to this September 19, 2014 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Ford Dye, Mr. Shane Hooper, Mr. Bob Owens, Mr. Hal Parker, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Dr. Douglas Rouse, and Mr. C.D. Smith. Mrs. Karen L. Cummins and Ms. Robin J. Robinson were absent. The meeting was called to order by Mr. Aubrey Patterson, President, and opened with prayer by Trustee Christy Pickering.

APPROVAL OF THE MINUTES

On motion by Trustee Pickering, seconded by Trustee Blakeslee, with Trustees Cummins and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meeting held on August 21, 2014.

CONSENT AGENDA

On motion by Trustee Dye, seconded by Trustee Hooper, with Trustees Cummins and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

FINANCE

1. **JSU** – Approved the request to enter into an agreement with CENTERS, LLC for the operation and management of the Walter Payton Recreation and Wellness Center. The term of the agreement is three years, nine months starting on October 1, 2014 and ending on June 30, 2018. JSU will have the option to renew the agreement for a subsequent four-year term by providing written notice of such on or before June 1, 2018. Any such renewal will be brought before the Board of Trustees for approval prior to execution. The total cost of the agreement is approximately \$631,943.59. JSU will pay a base management fee of \$13,467 per month for the first year of the agreement. For each subsequent year of the agreement, the base management fee will increase by three percent over the base management fee for the preceding year. Monthly management fees and yearly management fees for each year of the agreement are included in the bound *September 19, 2014 Board Working File*. Funds are available from Education and General Funds. The agreement which has reviewed and approved by the Attorney General's Office is on file at the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
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2. **UM** - Approved the request to enter into a lease agreement with Joe Poppenheimer Management, LLC to lease approximately 7,500 square feet of space in Southaven, MS for use by the UM – DeSoto Campus for office space and graduate seminar classroom space. The term of the agreement is for three (3) years, October 1, 2014 through September 30, 2017. The total cost for the three (3) year lease term is \$406,440. UM will pay \$135,480 annually for the lease of the property (\$18.06 per square foot). The current agreement will be funded by operating funds budgeted specifically for this campus. The agreement which has reviewed and approved by the Attorney General’s Office is on file at the Board Office.
3. **USM** - Approved the request to enter into an agreement with Fisher Scientific Company, LLC for storeroom management, operation and support services for the scientific storeroom at USM’s Hattiesburg campus. The initial term of the agreement is for five (5) years with the option to renew for up to five successive one year periods. The approval is of a ten (10) year term. The total estimated cost for the ten (10) year contract term is \$1,055,662.61. Beginning in Year 2 of the agreement and upon ten (10) days written notice, fees are subject to a possible annual increase. USM estimates an annual 2% increase. The annual estimated costs including a potential 2% rate adjustment are included in the bound *September 19, 2014 Board Working File*. Funds are available from general funds. The agreement which has reviewed and approved by the Attorney General’s Office is on file at the Board Office.

REAL ESTATE

4. **DSU** - Approved the initiation of **GS 102-257 – Fire Suppression in Various Residence Halls (Court of Governors, Hill Apartments, and Cain-Tatum Hall)** and the appointment of Atherton Engineers as the design professional. The project will address critical fire suppression issues by installing new fire suppression systems in all three residential facilities which are currently without adequate fire suppression. The proposed project budget is \$1,750,000. Funds are available from HB 787, Laws of 2014 (\$1,750,000).
5. **DSU** – Approved the initiation of **GS 102-259 – Campus Paving**, and the appointment of Civil Solutions Services, Inc. as the design professional. The project will design paving for the campus streets, parking areas, ADA cross walk access, and minor drainage adjustments at curb inlets. DSU has several areas throughout the university campus that are in major need of paving repair. The proposed project budget is \$2 million. Funds are available from HB 787, Laws of 2014 (\$2 million).
6. **USM** – Approved the initiation of **GS 108-281, Greene and Chain Renovations**, and the appointment of Allred Architectural Group as the design professional. With the anticipated completion of the new College of Business Building (Scianna Hall) scheduled for early Spring 2015 as well as the relocation of the occupants, the university is facilitating a fast-track production and project completion for the renovation of Joseph Greene Hall and the third floor, west wing, of the Chain Technology Building. It is anticipated the project will be structured into at least two construction phases. Phase I will involve the interior renovations and modifications of Joseph Greene Hall for all five departments from the College of Health. The proposed project

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budget is \$7 million. Funds are available from HB 787, Laws of 2014 (\$5,000,000); SB 3100, Laws of 2011 (\$1,333,100); HB 1641, Laws of 2008 (\$66,900).

7. **USM** – Approved the request to increase the budget for **GS 108-264, Energy Reduction Retrofits**, from \$2.2 million to \$2.26 million, an increase of \$60,000. The project is currently in the construction phase. This is the second budget escalation request made for this project by the university. The current budget escalation will allow the university to update the IT infrastructure needs to complete the university’s HVAC controls upgrade. Funds are available from HB 1722, Laws of 2009 (\$2,000,000); HB 246, Laws of 2007 (\$260,000).
8. **MSU** – Approved the request to name the Brown Loam Branch Experiment Station at Raymond the “E.G. (Gene) Morrison Brown Loam Branch Experiment Station.” As a 1949 MSU alumnus, Mr. Morrison has held many positions beginning with livestock project leader at the Delta Branch Experiment Station in Stoneville and ending with head of the newly formed Central Mississippi Research and Extension Center. Mr. Morrison retired on June 30, 1992 with more than 40 years of service to MSU. For more than 35 of those years, he had supervisory and programmatic responsibilities at the Brown Loam Branch Experiment Station.

9. PERSONNEL REPORT

CHANGE OF STATUS

Alcorn State University

- Vivek Bhargave; *from* Interim Dean of Business; salary of \$138,655 per annum, pro rata; E&G Funds; *to* Dean of Business; no salary change; effective July 1, 2014
- Babu Patlolla; *from* Interim Dean of Arts and Sciences; salary of \$100,520 per annum, pro rata; E&G Funds; *to* Dean of Arts and Sciences; salary of \$110,000 per annum, pro rata; E&G Funds; effective July 1, 2014
- Valerie Thompson; *from* Assistant Vice-President for Professional Development/Readiness; salary of \$69,700 per annum, pro rata; E&G Funds; *to* Dean of University College; salary of \$80,000 per annum, pro rata; E&G Funds; effective July 1, 2014

Jackson State University

- Mary M. White; *from* Chair of the Department of Entrepreneurship and Professional Development and Associate Professor; salary of \$102,198 per annum, pro rata; E&G funds; *to* Interim Vice President of Institutional Advancement, Chair of the Department of Entrepreneurship and Professional Development and Associate Professor; salary of \$165,000 per annum, pro rata; E&G funds; effective August 13, 2014

ADMINISTRATION/POLICY

10. **DSU** - Approved the request to bestow one honorary degree to Governor William Winter at its December 2014 commencement ceremony.

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LEGAL AGENDA

Presented by Trustee Doug Rouse, Chair

On motion by Trustee Blakeslee, seconded by Trustee Rouse, with Trustees Cummins and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the Legal Agenda. Agenda item #2 was tabled for further discussion as shown below. On motion by Trustee Perry, seconded by Trustee Dye, with Trustees Cummins and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #3.

1. **JSU** - Approved the request for Dr. William McHenry to serve as the legislative liaison for the university in compliance with Board Policy 201.0506 Political Activity.
2. **JSU** – In compliance with Board Policy 201.0506 Political Activity, the university requests to approve a consultant agreement between Jackson State University, Jackson State University Development Foundation and Worth Thomas of W.T. Consultants, who will provide a full scope of legislative liaison services within the State of Mississippi, with such services designed to achieve the state agency and governmental relations goals of Jackson State University. W.T. Consultants’ client list and the proposed contract are included in the bound *September 19, 2014 Board Working File*.

A motion was made by Trustee Perry, seconded by Trustee Dye, to table this item for further review. The motion passed on a 9 to 1 vote, with Trustees Cummins and Robinson absent and not voting. Trustees voting for the motion were: Mr. Ed Blakeslee, Dr. Ford Dye, Mr. Shane Hooper, Mr. Hal Parker, Mr. Aubrey Patterson, Mr. Alan Perry, Ms. Christy Pickering, Dr. Doug Rouse and Mr. C.D. Smith. **Trustee Bob Owens voted against the motion.**

3. **JSU** – Approved the consultant relationship between JSU and Polsinelli Shughart PC, who will provide lobbying services on behalf of the university regarding: (i) the formulation, modification or adoption of federal legislation, rules, regulations, executive orders or any other program, policy or position of the United States government, and/or (ii) the administration or execution of a federal program or policy, designed to achieve the governmental relations goals of the university. JSU represents that this relationship does not involve lobbying within the state of Mississippi or to the Mississippi Legislature, including its various committees.

INFORMATION AGENDA

Presented by Commissioner Hank M. Bounds

LEGAL

1. **System** – The Board received a report of the payment of legal fees to outside counsel. (See **Exhibit 1.**)

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ADMINISTRATION/POLICY

2. **MUW** - On August 11, 2014, Mississippi University for Women's Executive Head, Dr. Jim Borsig, authorized the emergency replacement of a fan in The Martin Chiller Plant. The August 11, 2014 purchase was to replace a fan for the HVAC system in The Martin Chiller Plant which supplies cold air to five (5) academic building on the MUW campus. The Plant was in the process of replacing a fan when another one unexpectedly failed thereby requiring immediate repair/replacement in order to prevent extensive damage. Total costs for this purchase were \$5,659.00. This information is being provided to the Board of Trustees in accordance with Miss. Code Ann. § 31-7-13(j) – State Agency Emergency Procedure: In the event such executive head is responsible to an agency board, at the meeting next following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be presented to the board and placed on the minutes of such agency. **(See Exhibit 2.)**
3. **System** – The following items have been approved by the Commissioner on behalf of the Board and are available for inspection at the Board Office.
 - a. **UM** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 20, 2014, the Commissioner approved the final revisions to the On Campus Budget, Auxiliary Enterprises Budget and Center for Manufacturing Excellence Budget for Fiscal Year 2014. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budgets but rather reallocations among individual expense categories. A copy of the documents are included in the *September 19, 2014 Board Working File*.
 - b. **UMMC** - In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On August 25, 2014, the Commissioner approved the final revisions to the Consolidated Budget, School of Dentistry Budget, University Hospital Budget, and Medical Center Service Area Budget for Fiscal Year 2014. The Executive Office financial staff have reviewed and approved these revisions. These budget revisions contain no increases in total budgets but rather reallocations among individual expense categories. A copy of the documents are included in the *September 19, 2014 Board Working File*.

ANNOUNCEMENTS

President Patterson made the following announcements:

**MINUTES OF THE BOARD OF TRUSTEES OF
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September 19, 2014**

- The next meetings will be October 15-16, 2014 at the University of Southern Mississippi in Hattiesburg, MS and November 19-20, 2014 at Alcorn State University in Lorman, MS.
- Dr. William Bynum, President of Mississippi Valley State University, will hold his presidential inauguration on October 17, 2014 at 2:00 p.m.

EXECUTIVE SESSION

On motion by Trustee Perry, seconded by Trustee Hooper, with Trustees Cummins and Robinson 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 Hooper, with Trustees Cummins and Robinson absent and not voting, all Trustees legally present and participating voted unanimously **to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of seven personnel matters at the public universities and
Discussion of one IHL Board Office personnel matter.

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

The Board discussed one IHL Board Office personnel matter. On motion by Trustee Pickering, seconded by Trustee Dye, with Trustees Cummins and Robinson absent and not voting, all Trustees legally present and participating voted unanimously to approve a 5% pay increase for Dr. Hank Bounds, Commissioner of Higher Education effective October 1, 2014, in lieu of the Commissioner's contract changes approved by the Board at the September 2014 Board meeting.

The Board discussed seven personnel matters at the public universities. **No action was taken.**

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

**MINUTES OF THE BOARD OF TRUSTEES OF
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ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

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EXHIBITS

- Exhibit 1 Report of the payment of legal fees to outside counsel.
- Exhibit 2 Documentation of purchase by Mississippi University for Women for the
emergency replacement of equipment.

EXHIBIT 1

September 19, 2014

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Ware/Gasparian (statements dated 3/14/14, 4/1/14, 5/1/14, 5/1/14, 5/1/14, 5/1/14, 5/23/14 and 5/23/14) from the funds of the University of Mississippi. (These statements, in the amounts of \$7,000.00, \$2,500.00, \$4,000.00, \$6,000.00, \$1,500.00, \$6,000.00, \$3,445.00 and \$1,070.00, respectively, represent services and expenses in connection with immigration/labor certifications.)

TOTAL DUE.....\$ 31,515.00

Payment of legal fees for professional services rendered by Baker, Donelson, Bearman, Caldwell and Berkowitz (statement dated 6/5/14) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$673.44, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 673.44

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 5/27/14) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$8,719.40, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 8,719.40

Payment of legal fees for professional services rendered by Jones Walker (statements dated 5/30/14 and 6/30/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$471.50 and \$184.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 656.00

Payment of legal fees for professional services rendered by Kitchens, Hardwick and Ray (statements dated 6/16/14, 6/16/14, 6/16/14, 7/2/14 and 7/2/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$759.00, \$2,656.50, \$181.50, \$940.50 and \$5,032.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 9,570.00

EXHIBIT 1

September 19, 2014

Payment of legal fees for professional services rendered by Watkins and Eager (statements dated 6/25/14 and 6/26/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$21,053.75 and \$12,241.64, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 33,295.39

Payment of legal fees for professional services rendered by Bryan/Nelson (statement dated 7/9/2014) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,290.10, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,290.10

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 7/23/14 and 7/30/14) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with legal advice regarding the Toxicology Laboratory Building – FEMA Arbitration - \$3,665.78 and *The University of Iowa, et al. vs. The University of Southern Mississippi* - \$72.00, respectively.)

TOTAL DUE.....\$ 3,737.78

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 8/7/14) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$379.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 379.50

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 6/16/14, 6/25/14 and 7/18/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Wireless Encryption" - \$144.00; "Stuttering Inhibition Device Patent" - \$1,176.00 and "Stuttering Inhibition Device" - \$1,944.00, respectively.)

TOTAL DUE.....\$ 3,264.00

EXHIBIT 1

September 19, 2014

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 7/9/14, 7/18/14, 7/18/14, 7/18/14 and 7/23/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Potent Immunostimulatory Polysaccharides Extracts from Microalgae” - \$1,234.27; “Compositions for Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,675.00; “Highly Selective Sigma Receptor Ligands Radioligands” - \$3,875.00; “Potent Immunostimulants from Microalgae” - \$2,065.00 and “Highly Selective Sigma Receptor Ligands Radioligands” - \$1,850.00, respectively.)

TOTAL DUE.....\$ 10,699.27

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 6/19/14, 6/19/14, 6/19/14, 6/19/14, 6/19/14, 6/19/14, 7/17/14, 7/17/14 and 7/17/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Highly Purified Amphotericin-B” - \$114.23; “Highly Purified Amphotericin-B” - \$1,037.50; “Methods for Detecting Vibration and Sound Signatures of Human Footsteps” - \$1,336.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$582.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$2,149.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$96.00; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,472.00; “Gas Separating Membranes” - \$57.00 and “Novel Tools for Assessing the Skin Sensitization Potential of Chemicals” - \$3,630.00, respectively.)

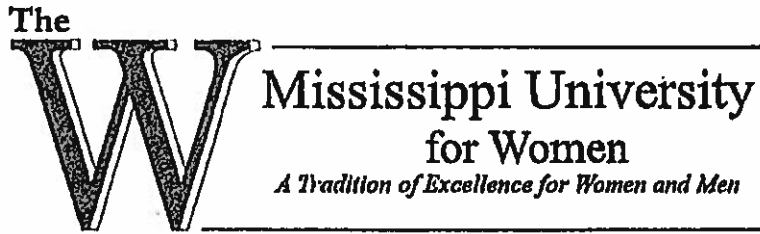
TOTAL DUE.....\$ 10,473.73

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 1/14/14, 2/18/14, 4/18/14, 4/18/14, 4/18/14, 5/16/14, 6/18/14, 6/18/14, 6/18/14, 6/18/14, 6/18/14, 6/18/14, 6/18/14 and 6/18/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$50.00, \$3,017.50, \$2,246.50, \$889.00, \$3,425.50, \$3,077.00, \$3,270.64, \$870.50, \$497.00, \$657.00, \$384.00, \$7,344.00, \$951.00 and \$177.50, respectively, represent services and expenses in connection with intellectual /property patents.)

TOTAL DUE.....\$ 26,857.14

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 3/19/13, 8/22/13 and 8/7/14) from the funds of the University of Southern Mississippi. (These statements represent services and expenses in connection with the following patents: “Urban – Covalent Attachment of Bacteriophages to Polymeric Surfaces” - \$412.50; “Urban – Covalent Attachment of Bacteriophages to Polymeric Surfaces” - \$517.50 and “Trademark Application for the Centennial Anniversary” - \$240.00, respectively.)

TOTAL DUE.....\$ 1,170.00



Resources Management
1100 College St. MUW-1628
Columbus, MS 39701
(662) 329-7223
Fax (662) 241-7821

www.muw.edu

August 11, 2014

To Whom It May Concern:

The Martin Chiller Plant supplies cold air to five MUW buildings. The plant was undergoing repairs to a fan when another fan unexpectedly failed. If both fans were not repaired immediately, the tower could result in extensive damage. All five buildings are academic buildings and classrooms for our students. Due to the high temperatures we were experiencing it was important to get the HVAC repaired immediately.

If you have any questions, please feel free to contact me at 662-329-7126.

Sincerely,



Jim Borsig

President, MUW



Angie Atkins

Director, Resources Management

EXHIBIT 2

September 19, 2014
 August 6, 2014 2:23 PM

Columbus Machine and Welding Works,
 Inc.
 P.O. Box 2403
 Columbus, MS 39704

No. 3290 P. 1

Invoice

Date	Invoice #
6/19/2014	14832A

Bill To
Mississippi University for Women Accounts Payable 1100 College St. MUW-1604 Columbus, MS 39701-5800

Ship To
Purchasing and Receiving 1100 College St. MUW-1628 Columbus, MS 39701-5800 TAX EXEMPT

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
P1402343	Net 30		6/19/2014	CM&W Truck		
Quantity	Item Code	Description			Price Each	Amount
	Sales	Replace 2 fans in Martin Plant			3,890.34	3,890.34
	Labor	4ea- 2-11/16 pillow block bearings Crane rental and labor			1,768.66	1,768.66
Total						\$5,659.00

JUN 6 2014

Phone #	Fax #
662-328-8473	662-328-5274

Web Site
www.columbusmechanicalandwelding...

EXHIBIT 2

September 19, 2014

Print Form

P-1 - 09/10
Item Listing Form

REQUEST FOR AUTHORITY TO PURCHASE

TO: Office of Purchasing, Travel,
and Fleet Management
501 North West Street
701 Woolfolk Building, Suite A
Jackson, MS 39201

We hereby request "Authority to Purchase" the following commodity/commodities covered by Purchasing Regulations.
TAB TO CLEAR FIELDS

QUANTITY	UNIT OF MEASURE	DESCRIPTION	PRICE EACH	TOTAL <small>(Do not use commas)</small>
1	EA	Replace two fans In Marting Plant	5659.00	5659.00

CONSENT AGENDAS

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1. SYSTEM – APPROVAL OF NEW ACADEMIC UNITS

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.

- a. *University of Southern Mississippi*** requests approval of the *Department of Interdisciplinary Studies*. The Interdisciplinary Studies Program was approved in 2008, with the first students graduating from the program in the summer of 2009. Housed in the College of Arts and Letters Dean’s Office, the program grew to 272 majors in the fall of 2012. In July 2012, the IDS Program was moved out of the Dean’s Office and given its own budget and staff. The official department designation will have a significant and positive impact on the University’s ability to administer, assess, and evaluate the program and represent the needs of its students and faculty. No new costs are associated with the proposed unit and no changes in staffing or faculty are needed.

CENTERS AND INSTITUTES

- b. *Mississippi State University*** requests approval of the *Institute for Computational Research in Engineering and Science (ICRES)*. The proposed research institute will leverage and expand MSU research efforts in high performance computing, physics based modeling and simulation, and science/engineering related to manufacturing. It will also have a decidedly economic development mission through its facilities in Starkville, Canton, and Vicksburg. The new research institute will provide a comprehensive vision and structure for two existing research/economic development centers (CAVS & CAVS-E) and a newly established one (ISER). The Institute will coordinate, facilitate, and expand research activities across academic and research units involved in the application of high performance computing for physics-based modeling and simulation and the verification and validation of newly developed codes. The center will benefit the state by serving as an economic engine in areas of systems engineering, manufacturing process control, and development of new designs and products for Mississippi manufacturers and will help maintain a leadership position for MSU and Mississippi in engineering applications of high performance computing. The program will be funded entirely through external funds.
- c. *Mississippi State University*** requests approval of the *Institute for Systems Engineering Research (ISER)*. The proposed research institute will leverage and expand MSU research collaborations with the U.S. Army Engineer Research and Development Center

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(ERDC) located in Vicksburg, Mississippi. The new institute will have a focus in high performance computing, physics based modeling and simulation, and systems engineering related to manufacturing and a decidedly economic development mission with a focus on systems engineering for military and civilian purposes. The new research institute will provide a new capability in systems engineering that can be used by the state in economic development activities and in providing a new level of service to existing and new manufacturers. The Institute for Systems Engineering Research (ISER) will be composed of engineers and scientists from ERDC and from MSU. All will be housed in existing facilities on the ERDC campus. The institute will benefit the state by serving as an economic engine in areas of systems engineering and will also serve as a catalyst for attracting new industry to the state with a focus on high performance computing and will help maintain a leadership position for MSU and Mississippi in engineering applications of high performance computing. The program will be funded entirely through external funds.

- d. *University of Mississippi* requests approval of the *Center for Innovation and Entrepreneurship*. The Center for Innovation and Entrepreneurship will provide student curriculum programming, maintain community engagement, and support entrepreneurship research at The University of Mississippi. Student curriculum programming will focus on delivering educational programs to aid nascent entrepreneurs from Ole Miss and provide entrepreneurial educational opportunities for the greater community. The Center will encourage entrepreneurship research in order to recruit and to retain talented entrepreneurship faculty, as well as increasing recognition for the University of Mississippi. The anticipated cost will average \$33,333 annually to cover the cost of a staff position. Internal funds will be used to fund the program and any initiatives until the Center is self-sufficient.

STAFF RECOMMENDATION: Board staff recommends approval of Items a-d.

2. 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. *Jackson State University* requests permission to rename the *Department of*

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Technology the *Department of Industrial Systems and Technology*. The proposed name change will reflect changes within the department that focus on revitalization and growth of the department. It will allow more opportunities for students and will facilitate forward articulation with local industry. All degrees offered by the Department are currently part of JSU's academic degree program inventory. No new funding is requested; minimal cost for signage will be covered with existing funds.

- b. *Mississippi Valley State University* requests permission to rename the *Department of Applied Technology and Technology Management* the *Department of Engineering Technology*. The proposed name change, which came about as a result of the SACS accreditation review, more accurately reflects what is taught in the department. Additionally, the rebranding will aid in recruitment and retention of students. No new funding is requested; minimal cost for signage will be covered with existing funds.
- c. *University of Mississippi* requests permission to rename *Art Department* the *Art and Art History*. The new title more accurately communicates the scope of course offerings and study. No new funding is requested; minimal cost for signage will be covered with existing funds.
- d. *University of Mississippi Medical Center* requests permission to rename the *Department of Microbiology* the *Department of Microbiology and Immunology*. Because of an expansion of immunology, the name "microbiology" no longer conveys the full degree of academic activity and mission of the department. No new funding is requested; minimal cost for signage will be covered with existing funds.

REORGANIZE

- e. *Mississippi Valley State University* requests permission to reorganize the *Center for Excellence in Student Learning* the *University College*. MVSU wishes to re-establish University College as its major student support unit for freshmen students. The request for the reorganization is made in order that all related student services can be operated and managed more effectively as a single, cohesive unit. No new funding is requested; minimal cost for signage will be covered with existing funds.
- f. *Mississippi Valley State University* requests permission to reorganize the *Department of Health, Physical Education and Recreation*. The proposed reorganization will provide for two tracks – a teaching track and a non-teaching tract. Students in the teaching track will allow teacher education students to be counted in the Secondary Education program and will improve productivity within the program. No new funding is requested; minimal cost for signage will be covered with existing funds.

STAFF RECOMMENDATION: Board staff recommends approval of Items a-f.

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3. 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. *Mississippi Valley State University* requests permission to rename the ***Bachelor of Science in Applied Technology and Technology Management*** (CIP 15.0612) degree the ***Bachelor of Science in Engineering Technology*** (CIP 15.0612) degree. The requested name change results from a SACS accreditation review. The name change more accurately reflects the courses that are taught in the program and will enhance recruitment and retention.
- b. *University of Southern Mississippi* requests permission to rename the ***Bachelor of Arts in Library and Information Science*** (CIP 25.0101) degree the ***Bachelor of Science in Library and Information Science*** (CIP 25.0101) degree. The requested name change more accurately reflects the courses that are taught in the program. Additionally, the program is now in the College of Education and Psychology where all of the educational degrees are BS degrees.
- c. *University of Mississippi Medical Center* requests permission to rename the ***Doctor of Philosophy, Microbiology*** (CIP 26.0508) degree the ***Doctor of Philosophy, Microbiology and Immunology*** (CIP 26.0508) degree. The requested name change more accurately reflects the immunology component of the program.

CONSOLIDATE

- d. *Mississippi Valley State University* requests permission to consolidate the ***Bachelor of Science in Education in Health, Physical Education, and Recreation*** (CIP 13.1314) degree into the ***Secondary Education*** (CIP 13.1205) degree with a concentration in Health, Physical Education and Recreation. The secondary education major program is designed to train future teachers for a field in subject area specialties. No new funding is requested and current education faculty is sufficient to provide instruction.

DELETE

- e. *University of Southern Mississippi* requests permission to delete the ***Master of Science in Technology Education*** (CIP 13.9999) degree. No students are currently enrolled in the program. Students interested in a technology-related master’s degree can apply for

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admission to the Master's in Instructional Technology. Deleting the program will have no impact on faculty, staff or students.

- f.** *University of Southern Mississippi* requests permission to delete the *Doctor of Education in Human Performance* (CIP 13.0505) degree. The degree has not been conferred since 1995-96. Students now enroll in PhD Program of Studies.

STAFF RECOMMENDATION: Board staff recommends approval of Items a-f.

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1. MUW-REQUESTS APPROVAL OF A SERVICE AGREEMENT

Agenda Item Request: The Mississippi University for Women (MUW) requests approval to amend the existing facilities management services contract with **Sodexo Operations, LLC**, for inflationary adjustment and to replace/add equipment.

Contractor's Legal Name: Sodexo Operations, LLC (Sodexo)

History of Contract: In September 2011, MUW and Sodexo entered into a fifty-eight (58) month agreement to outsource facilities management services. The Board approved the agreement at its August 2011 meeting. The agreement set an annualized contract price of \$2,467,761 and annually thereafter to be adjusted if there is an increase in the Consumer Price Index. The Board approved an amendment to the contract at the June 2012 meeting, adding additional personnel at the cost of \$190,323, bringing the annualized amount to \$2,658,084. A second amendment dated May 9, 2013, increased the annualized contract amount by \$55,022.34 to \$2,713,106.34 to adjust for a 2.07% CPI increase included in the original Board approved agreement.

Specific Type of Contract: Amendment to Facilities Management Services Outsourcing Agreement

Purpose: The purpose of the contract is to provide management and operation services for plant operations and maintenance at MUW. This amendment will increase the current annualized contract amount by \$61,828, from \$2,713,106.34 to \$2,774,934.34. This increase includes \$51,828 inflationary adjustment and an additional \$10,000 for the replacement/addition of equipment.

Scope of Work: Management and operation of campus facilities (physical plant) including plant operations and management, custodial care, grounds keeping, utility monitoring and management, and asset and material management as defined under the original contract scope.

Term of Contract: The original term of the contract for five years remains unchanged, commencing on October 1, 2011 through July 31, 2016.

Termination Options: Either party may terminate this agreement at any time upon giving sixty (60) days prior written notice to the other party.

Contract Amount: The annualized contract price for the period of October 17, 2014 through June 30, 2015 is \$2,774,934.34. Commencing July 1, 2015 and annually

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thereafter, the contract price shall be adjusted if there is an increase in the Consumer Price Index.

The estimated total contract amount is \$13,388,820.02 per the table below.

Beginning Date	Ending Date	Annualized Amount	Y-O-Y Increase	Comments
10/1/2011	6/30/2012	\$ 2,467,761.00		
7/1/2012	6/30/2013	\$ 2,658,084.00	\$ 190,323.00	Increase due to addition of personnel
7/1/2013	6/30/2014	\$ 2,713,106.34	\$ 55,022.34	CPI increase
10/17/2014	6/30/2015	\$ 2,774,934.34	\$ 61,828.00	\$51,828 CPI Increase; \$10,000 equipment replacement/addition
7/1/2015	7/31/2016	\$ 2,774,934.34		subject to inflation adjustment
Contract Total		\$ 13,388,820.02		

Funding Source of Contract: The contract will be funded by Education and General (E&G) funds with applicable charges billed to the auxiliary and restricted fund units.

Contractor Selection Process: The original contract was issued in response to a Request for Proposals. Sodexo was selected as the vendor of choice after a full vetting of the proposals.

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 approval by the Attorney General’s Office. Board staff recommends approval of this item.

2. MUW –REQUESTS APPROVAL OF A PREVENTIVE MAINTENANCE AGREEMENT

Agenda Item Request: Mississippi University for Women (MUW) requests approval to enter into an agreement with **Siemens Industry, Inc.** for preventive maintenance and required support for its Siemens Building Automation System.

Contractor’s Legal Name: Siemens Industry, Inc. (Siemens)

History of Contract: This is a new agreement.

Specific Type of Contract: Preventive Maintenance Agreement

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Purpose: The purpose of the agreement is to initiate a program to provide preventive maintenance, technical support, and software updates for the Siemens Building Automation System installed in forty-five buildings and/or facilities across campus.

Scope of Work: Siemens will provide travel, parts, and labor necessary to complete planned maintenance, unscheduled repairs, or breakdown repairs to equipment. Software support, updates, and training is included in the agreement as is a PC Work Station replacement.

Term of Contract: The term of the agreement is five years starting on November 1, 2014 and ending on October 31, 2019.

Termination Options: Termination options include the following:

- by either party at the end of the term by providing sixty days written notice to the other party;
- by either party upon a breach of a material term by the other party if such breach is not remedied within the thirty-day period between notification of termination and effective date of termination;
- by MUW in the event that appropriated funds become unavailable; and
- by MUW if Siemens fails to comply with the federal e-verify program.

Contract Amount: The total cost of the agreement is approximately \$341,909.00.

Quarterly payments and yearly payments for each year of the five-year agreement are shown in the table below.

	Quarterly Payment	Yearly Payment
Year 1	16,100.00	64,400.00
Year 2	16,583.00	66,332.00
Year 3	17,080.50	68,322.00
Year 4	17,593.00	70,372.00
Year 5	18,120.75	72,483.00
Total		341,909.00

Funding Source for Contract: Education and General Funds

Contractor Selection Process: Not Applicable

Staff Recommendation: Based on Board Policy 707.01, *Land, Property, and Service Contracts*, Board approval is required prior to execution of contracts for all other

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land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. This agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

3. UM – REQUEST APPROVAL OF CONTRACTUAL SERVICES AGREEMENTS

- a. Agenda Item Request:** The University of Mississippi Athletics Department requests approval to extend a contract with **Centerplate, Inc.**

Contractor's Legal Name: Centerplate, Inc.

History of Contract: The University of Mississippi Athletics Department entered into a contract with Boston Concessions Group, Inc. on December 3, 2002, to operate concessions in all athletic facilities at the University. This contract was for 5 years with the option to renew the agreement for additional one (1) year terms for up to an additional five (5) years under the original conditions of the contract.

The contract was amended and extended on June 20, 2007. At the time of renewal the company was operating under the name Boston Culinary Groups, Inc. The agreement was extended to a new five (5) year term and licensing fees were amended.

The contract was amended again on July 26, 2011. At the time of amendment the company was operating under the legal name Boston Culinary Groups, Inc., DBA Centerplate. The contract terms were amended to change the expiration date to June 30, 2015.

The current proposed contract amendment extends the contract to June 30, 2017 with a mutually agreed upon five (5) year extension.

Specific Type of Contract: This is an amendment to a concessions and catering contract.

Purpose: The purpose of the amendment is to extend the current contract with Centerplate.

Scope of Work: The amendment grants Centerplate, Inc. the right to provide concessions, catering food, and beverage services at Vaught-Hemingway Stadium, Tad Smith Coliseum, and all other athletics facilities.

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Term of Contract: The term of the contract is for two years commencing on July 1, 2015, with a mutually agreed upon five (5) year extension.

Termination Options: Termination of the contract is provided for default as stated in paragraph 26 of the original contract.

Contract Amount: This contract is a revenue sharing arrangement that provides the University of Mississippi with a minimum of \$375,000 for any year of the life of the contract that includes a seven home football game season plus a \$250,000 capital investment by Centerplate.

Funding Source of Contract: Funding source is not applicable for this contract as it is a revenue sharing contract.

Contractor Selection Process: The University has enjoyed a long-standing, beneficial contract with Centerplate, Inc. and believes it is advantageous to extend this contract.

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 approval by the Attorney General's Office. Board staff recommends approval of this item.*

- b. **Agenda Item Request:** The University of Mississippi requests approval to enter into a lease contract with **McLaurin Wade Properties, LLC**.

Contractor's Legal Name: **McLaurin Wade Properties, LLC**

History of Contract: This is a new lease.

Specific Type of Contract: This is a lease of University Airport property.

Purpose: The purpose of this contract is to lease University property to the lessee who also acquires the privileges of constructing a hangar for aircraft on the property.

Scope of Work: The only work involved is the construction of an aircraft hangar by the lessee.

Term of Contract: The term of the contract will begin on November 1, 2014 and end on October 31, 2064.

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Termination Options: If Lessee shall default in its performance of any of the covenants, conditions, agreements or undertakings herein contained to be kept and observed by Lessee should vacate or abandon the leased premises, then, and in any such event, it shall be lawful for Lessor, at its option, to declare the term hereof and to re-enter the leased premises to expel, remove, and put out Lessee and all persons occupying all or any part of the leased premises, using such reasonable force as may be necessary in so doing, and Lessor shall be entitled to terminate the lease.

Contract Amount: The contract amount is \$2,100.00 per lease year for the first five years. Concurrent with the beginning of each successive five year period, the rental fee will increase by 1 ½ % per year for a total of 7 ½ % of the annual rental fee of the previous five year period.

Funding Source of Contract: This is a revenue contract.

Contractor Selection Process: This is not applicable to the contract.

Staff Recommendation: *Based on Board Policy 707.01, Personal Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. However, Board approval is required prior to execution of all oil, gas and mineral leases, regardless of amount. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

4. USM- REQUESTS APPROVAL OF CONTRACTUAL SERVICES AGREEMENTS

- a. **Agenda Item Request:** The University of Southern Mississippi (USM) requests approval to amend the existing Education Sponsorship Agreement with **Hattiesburg Coca-Cola Bottling Company**, to provide exclusive beverage sponsorship services.

Contractor's Legal Name: **Hattiesburg Coca-Cola Bottling Company, a division of Coca-Cola Bottling Company United-Gulf Coast, LLC (Coca-Cola)**

History of Contract: This is the first amendment to the Education Sponsorship Agreement which was executed between the parties on December 15, 2005.

Specific Type of Contract: Amendment to the revenue generating beverage agreement.

Purpose: The purpose of the amendment is to allow USM to commence a Request for Proposals for a new beverage marketing agreement in advance of the December

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31, 2014, expiration of the exclusive negotiating period contained in the original agreement.

Scope of Work: The parties will amend the agreement deleting the exclusive negotiating period under the agreement to allow USM to commence a Request for Proposals for a new beverage agreement.

Term of Contract: The original term of the contract remains unchanged, commencing on December 15, 2005 through December 31, 2015.

Termination Options: Either party may terminate this agreement upon breach by the other party.

Contract Amount: Under the existing agreement, USM receives sponsorship fees of \$150,000 annually in addition to other commissions from Coca-Cola.

Funding Source of Contract: Not applicable. This is a revenue-generating contract.

Contractor Selection Process: Not applicable.

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 approval by the Attorney General's Office. Board staff recommends approval of this item.*

- b. Agenda Item Request:** The University of Southern Mississippi Research Foundation, Inc. requests approval to engage the CPA firm of **Nicholson and Company, PLLC** to conduct an annual audit for fiscal year end December 31, 2014.

Justification: *As per Board Policy 301.0806 D.9., the Certified Public Accounting (CPA) firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior to the end of the Entity's fiscal year for which the audit will be conducted.*

Staff Recommendation: *Based on Board Policy 301.0806 D.9., University Foundation/Affiliated Entity Agreements, the CPA firm to be utilized by the Entity must be approved by the IHL Board and all requests for approval of the CPA firm must be submitted to the IHL Board for approval not later than three months prior*

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to the end of the Entity's fiscal year for which the audit will be conducted. Board staff recommends approval of this item.

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

Board Policy §902, Initiation of Construction Projects

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

Board Policy §904(A), Board Approval

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

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

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

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

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

Board Policy §905(A), Real Estate Management

Prior Board approval is required for the execution of all 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 §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.

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

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

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APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. DSU – GS 102-258 – Pre-Plan Sillers Coliseum Renovations

Project Request: Delta State University requests approval to initiate a project, Pre-Plan Sillers Coliseum Renovations, and to appoint the design professional through the Request for Qualification (RFQ) method.

Proposed Design Professional: TBD through RFQ Method

Purpose: Delta State University is initiating the project for design fees only. The university anticipates the project will exceed \$1,000,000 and will bring the project back to the Board at a later date to appoint the design professional and to increase the project budget once the project scope and project budget have been better defined.

The project will consist of pre-planning and design for structural repairs and improvements such as ADA compliance, bathroom renovation, and energy efficiency lighting improvements to the Walter Sillers Coliseum.

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

Project Initiation Date: October 16, 2014

Date of Original Construction: 1961

Date of Last Renovation: 1997

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Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 0.00
Architectural and Engineering Fees:	350,000.00
Misc. Project Costs:	0.00
Contingency:	<u>0.00</u>
Total Project Budget	\$ 350,000.00

Proposed Funding Source(s): HB 787, Laws of 2014 (\$350,000.00)

Staff Recommendation: Board staff recommends approval of this item.

2. DSU – GS 102-260 – Pre-Plan Zeigal Hall Renovations

Project Request: Delta State University requests approval to initiate a project, Pre-Plan Zeigal Hall Renovations, and to appoint the design professional through the Request for Qualification (RFQ) method.

Proposed Design Professional: TBD through RFQ Method

Purpose: Delta State University is initiating the project for design fees only. The university anticipates the project will exceed \$1,000,000 and will bring the project back to the Board at a later date to appoint the design professional and to increase the project budget once the project scope and project budget have been better defined.

The project will improve and upgrade Zeigal Music Hall. The project will consist of pre-planning and design for improvements such as ADA compliance, bathroom renovation, energy efficiency, new HVAC mechanical equipment, and interior renovation.

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

Project Initiation Date: October 16, 2014

Date of Original Construction: 1961

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Date of Last Renovation: 2004

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 0.00
Architectural and Engineering Fees:	350,000.00
Misc. Project Costs:	0.00
Contingency:	<u>0.00</u>
Total Project Budget	\$ 350,000.00

Proposed Funding Source(s): HB 787, Laws of 2014 (\$350,000.00)

Staff Recommendation: Board staff recommends approval of this item.

3. DSU – GS 102-262 – Pre-Plan Young Mauldin Renovations

Project Request: Delta State University requests approval to initiate a project, Pre-Plan Young Mauldin Renovations, and to appoint the design professional through the Request for Qualification (RFQ) method.

Proposed Design Professional: TBD through RFQ Method

Purpose: The project will consist of pre-planning, design, and construction for improvements to Young Mauldin Cafeteria such as ADA compliance, bathroom renovation, energy efficiency lighting, new HVAC mechanical equipment, and updates to the interior of the building.

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

Project Initiation Date: October 16, 2014

Date of Original Construction: 1966

Date of Last Renovation: 2004

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Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 4,500,000.00
Architectural and Engineering Fees:	350,000.00
Misc. Project Costs:	0.00
Contingency:	<u>500,000.00</u>
Total Project Budget	\$ 5,350,000.00

Proposed Funding Source(s): HB 787, Laws of 2014 (\$5,350,000.00)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

4. UM – IHL 207-376 – STEM Building

Project Request: The University of Mississippi requests approval to appoint The McCarty Company-Design Group as the design professional for the STEM Building project.

Proposed Design Professional: The McCarty Company-Design Group

Purpose: The University of Mississippi initiated the STEM Building project with the Board on January 16, 2014 with permission to appoint the design professional using the Request for Qualifications (RFQ) method. The university has selected the design professional using this method and is now seeking Board approval to appoint The McCarty Company-Design Group as the design professional.

As student enrollment increases, the demand for Science, Technology, Engineering & Mathematics (STEM) facilities follows. The University of Mississippi must provide additional STEM facilities on campus to satisfy the demand. The University intends to construct a new multi-story STEM Building in or near the Science District on Campus. The exact size of the building, scope of work and location is not known at this time. The intention of this request is the appoint the design professional and the university will submit a subsequent request for Board approval to increase the project budget as required once the established scope of work and project costs have been determined.

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

Project Initiation Date: January 16, 2014

Date of Original Construction: New Building

Date of Last Renovation: New Building

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 0.00
Architectural and Engineering Fees:	2,000,000.00
Miscellaneous Project Costs:	0.00
Contingency:	<u>0.00</u>
Total Project Budget	\$ 2,000,000.00

Proposed Funding Source(s): Internal R&R funds (\$2,000,000)

Staff Recommendation: Board staff recommends approval of this item.

5. UM – IHL 207-394 – NCPA Primary Building New Roof

Project Request: The University of Mississippi requests approval to initiate a project, NCPA Primary Building New Roof, and to appoint Shafer & Associates, PLLC as the design professional.

Proposed Design Professional: Shafer & Associates, PLLC

Purpose: The National Center for Physical Acoustics is an 85,471 square foot building that is divided into two portions: the Administration Wing and the Primary Building. The Administration Wing received a new roof in 2011. The Primary Building has a roof with an area of approximately 75,000 square feet that has reached the end of its useful life. The Bureau of Building, Grounds and Real Property Management IHL/CJC Roof Survey conducted in 2011 identified this roof as a “D” roof. This roof requires constant maintenance and patching due to its deteriorated condition.

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The scope of work consists of removing the existing roof system on the primary building and replacing it with the appropriate insulation system and a modified bituminous roof system.

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

Project Initiation Date: October 16, 2014

Date of Original Construction: 1991

Date of Last Renovation: New Roof at Administrative Wing 2011

Proposed Project Budget:

	<u>Estimated</u>
Construction Cost:	\$ 925,000.00
Architectural and Engineering Fees:	65,117.46
Misc. Project Costs:	7,600.00
Contingency:	<u>152,282.54</u>
Total Project Budget	\$ 1,150,000.00

Proposed Funding Source(s): SB 2857, Laws of 2014 (\$1,150,000)

Staff Recommendation: Board staff recommends approval of this item.

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6. UM – IHL 207-395 – Turner Center New Roof

Project Request: The University of Mississippi requests approval to initiate a project, Turner Center New Roof, and to appoint Shafer & Associates, PLLC as the design professional.

Proposed Design Professional: Shafer & Associates, PLLC

Purpose: The Turner Center is a 202,604 square foot building that was originally constructed in 1983. The building has a roof with an area of approximately 69,980 square feet that has reached the end of its useful life. The Bureau of Building, Grounds and Real Property Management IHL/CJC Roof Survey conducted in 2011 identified this roof as an “E” roof. This roof requires constant maintenance and patching due to its deteriorated condition.

The scope of work consists of removing the existing roof system on the primary building and replacing it with the appropriate insulation system and a modified bituminous roof system. The University of Mississippi is seeking to initiate the project and appoint the design professional in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: October 16, 2014

Date of Original Construction: 1983

Date of Last Renovation: Current minor renovations to the basement ongoing

Proposed Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 837,200.00
Architectural and Engineering Fees:	59,367.57
Misc. Project Costs:	10,100.00
Contingency:	<u>193,332.43</u>
Total Project Budget	\$ 1,100,000.00

Proposed Funding Source(s): SB 2857, Laws of 2014 (\$1,100,000)

Staff Recommendation: Board staff recommends approval of this item.

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

IHL PROJECTS

7. UM – IHL 207-348 – Johnson Commons West Renovation

Project Request: The University of Mississippi requests approval to increase the budget for the Johnson Commons West Renovation project. The budget will increase from \$14,500,000.00 to \$14,725,000.00, an increase of \$225,000.00.

Project Phase: Construction Phase

Design Professional: Tipton Associates, A Professional Architectural Corporation

General Contractor: Zellner Construction Services, LLC

Purpose/Justification: The project is currently in the construction phase. The project was initiated with the Board on May 19, 2011. This is the first budget escalation request made for this project by the university. The current budget escalation in the project budget will allow the university to accommodate a final change order on the project.

This project is a complete renovation of the main dining facility which is comprised of 49,886 square feet on two floors. Work includes upgrades to the main entrance, dining areas, kitchens, bathrooms, and offices. The mechanical and electrical systems are also being replaced.

The University of 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: May 19, 2011

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Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 12,558,508.78	\$ 12,772,508.78	\$ 214,200.00
Architectural and Engineering Fees	\$ 922,147.27	\$ 935,835.24	\$ 13,687.97
Miscellaneous Project Costs	\$ 610,938.99	\$ 610,938.99	\$ 0.00
Furniture & Equipment Costs	\$ 395,000.00	\$ 395,000.00	\$ 0.00
Contingency	\$ 13,404.96	\$ 10,716.99	\$ (2,687.97)
Total Project Budget	\$ 14,500,000 .00	\$ 14,725,000.00	\$ 225,000.00

Funding Source(s): Auxiliary R&R with assistance from Food Service partner (\$14,725,000)

Staff Recommendation: Board staff recommends approval of this item.

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APPROVAL OF OTHER REAL ESTATE REQUESTS

8. MSU – Approval of the Exterior Design for the New Residence Halls North Buildings “A” and “B” and the G.V. “Sonny” Montgomery Center for America’s Veterans

Project Request: MSU requests approval of the exterior designs for New Residence Halls North buildings A and B and the G. V. “Sonny” Montgomery Center for America’s Veterans. *(See Rendering of Building on Pages 12-14)*

Purpose: Mississippi State University is seeking Board approval of the project’s exterior design of Building “A” (South Hall) and Building “B” (North Hall). The project was initiated with the Board of Trustees on May 15, 2014. The project scope will consist of two new residence halls, to be located on the north side of campus, at Mississippi State. Each of the new residence halls shall consist of approximately 122,000 square feet and provide for approximately 356 beds. The project shall also consist of an approximately 10,000 square foot facility for the Sonny Montgomery Center for American Veterans. The total \$60.5 million project is anticipated to be multi-phased. Mississippi State University is seeking approval of the exterior design of the building in accordance with Board Policy §904(A), Board Approval, that requires the Board to approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project.

Staff Recommendation: Board staff recommends approval of this item.

Rendering 1: *(North and South Residence Halls Looking Southwest Towards Stadium)*



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Rendering 2: (North and South Residence Halls Looking Southwest Towards Stadium)



Rendering 3: (North and South Residence Halls Looking West Towards Green Space)



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Rendering 4: (Front of G. V. “Sonny” Montgomery Center for America’s Veterans Looking Southwest Towards Stadium and fronting Coliseum Blvd)



9. UM – Naming of the University Housing North Building as “Pittman Hall”

Project Request: The University of Mississippi requests approval to name the University Housing North Building as “Pittman Hall”.

Purpose: The names of Scarlotte M. and Crymes G. Pittman are indelibly linked with Mississippi’s higher education community. Not only have they given a lifetime of service to the University of Mississippi, where they both earned degrees, but they also have provided an exceptional level of financial support to the state’s flagship university and to other institutions of higher learning. Their generous investments, wise counsel, and dedicated involvement in the life of UM are paying great dividends not only for the University that stands before us today but also for the generations of individuals who will turn to Ole Miss for future opportunities.

Recently Scarlotte and Crymes Pittman committed a new \$1 million gift, bringing their overall philanthropic support to UM to more than \$6.6 million. This latest gift will be divided between academics and Ole Miss Athletics, with the exact designations to be determined in the coming months. The visionary Pittmans previously provided in excess of \$1 million as well as a planned gift for the Pittman Fund, which founded and supports the Freshman Seminar at Ole Miss. This program enhances students’ writing, oral communication, and critical thinking skills, with the

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goal of acquainting students with the critical participation required in a seminar setting and to stimulate their interest in more active learning.

In recent years, Mr. Pittman co-chaired UM's School of Law Campaign, which resulted in the construction of the stunning Robert C. Khayat Law Center. The center stands as a testament to the deeply held commitment of alumni and friends to top-quality legal education. At the conclusion of the campaign, Mr. Pittman said:

“Building a new law center was something I saw as a win-win situation. It obviously was a positive for the School of Law, but also when you have infrastructure improvements, you help the entire University. Most law alumni. . . . care deeply about legal education. They appreciate the opportunities the Law School gave them in their careers and lives and want to give back. The new building is beautiful and very well done . . . [and] says that our law alumni are focused on what they can do for the overall School of Law community – students, faculty and staff – as seen in their gifts of support.”

A longtime distinguished leader in the legal community, Mr. Pittman was a natural choice to help lead the School of Law Campaign. The highly respected and successful attorney is a partner in Pittman, Germany, Roberts & Welsh of Jackson, Miss. He was inducted into the School of Law Hall of Fame in 2011 and was named Law Alumnus of the Year in 1999. He co-created a scholarship endowment in Pittman, Germany, Robert & Welsh's name at the UM School of Law and has generously given personal gifts to this endowment to assist law students. Likewise, the firm continues as a generous financial supporter of the University.

This alumni leader also has given his time and expertise to serve as a board member of the University of Mississippi Foundation, Ole Miss Alumni Association, Lamar Order, Law Alumni Chapter, and the Momentum Campaign. The Pittmans' children followed in their parents' footsteps at Ole Miss, with daughter Lucy Pittman Culver earning a B.A. in liberal arts; their son, Crymes M. Pittman receiving a B.A. in liberal arts and a J.D. from the School of Law; and daughter-in-law, Ashley W. Pittman, earning a B.A. in liberal arts and a J.D. Both of these UM law graduates are practicing attorneys in Jackson.

In addition, the Pittmans also have given more than \$1.4 million to Ole Miss Athletics to strengthen opportunities for student-athletes. They also have supported Mississippi's higher education community through their gifts to Mississippi State University, Millsaps College, and William Carey College. The University of Mississippi requests approval to name a new residence hall (temporarily called Ridge North) for this couple. Pittman Hall will serve as a permanent tribute to Mr. and Mrs.

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Pittman in their pivotal role as major donors, alumni leaders, Ole Miss ambassadors, and champions for educational opportunities.

The University of Mississippi 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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1. MSU – APPROVAL TO MODIFY/RENEW CONTRACT WITH BUTLER SNOW LLP, AS OUTSIDE COUNSEL

Mississippi State University requests approval to modify/renew a contractual agreement for legal services with Butler Snow LLP, as outside counsel. The contract made and entered into on October 17, 2013, by and between the Office of the Attorney General, State of Mississippi, Mississippi State University, and BUTLER, SNOW, O'MARA, STEVENS AND CANNADA, PLLC, was for the provision of intellectual property and commercial matter related legal services. The attorney hourly rate shall remain unchanged at \$240.00 and the hourly rate for legal assistants will also remain unchanged at \$95.00. The original contract will be amended as follows:

1. The contract term is extended by one year through October 16, 2015.
2. The total amount payable during the one year extension period shall not exceed \$75,000.00.
3. All references to "Butler, Snow, O'Mara, Stevens and Cannada, PLLC" shall be replaced with "Butler Snow LLP".

All other provisions of the Contractual Agreement for Legal Services will remain in full force and effect. The modification will be effective as of October 17, 2014. 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. Change of Status

ASU

Clara Stamps; *from* Vice President for Media and University Relations; salary of \$104,070 per annum, pro rata; E&G Funds; *to* Vice President for Marketing and Communication; no salary change; effective October 1, 2014

JSU

James C. Renick; *from* Provost/Vice President for Academic and Student Affairs; salary of \$185,000 per annum, pro rata; E&G Funds; *to* Provost/Senior Vice President for Academic and Student Affairs; salary of \$210,000 per annum, pro rata; E&G funds; effective September 1, 2014

2. Sabbatical

MSU (Correction to date approved August 2014)

From:

Michael E. Brown, Professor of Geosciences, *from* salary of \$77,945 per annum, pro rata; E&G Funds; *to* salary of \$38,973 for sabbatical period; E&G Funds; effective August 16, 2014 to December 31, 2015; professional improvement

To:

Michael E. Brown, Professor, Geosciences, *from* salary of \$77,945 per annum, pro rata; E&T funds *to* salary of \$38,973 per annum, pro rata; E&G funds; August 16, 2015 to December 31, 2015; professional improvement.

UMMC

Shou Tang, Associate Professor of Medicine; *from* salary of \$75,000 per annum, pro rata; E&G Funds; *to* salary of \$12,500 for sabbatical period; E&G Funds; effective November 1, 2014 to December 31, 2014; professional development.

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3. Emeritus Status

UMMC

Jonathan Fratkin, M.D.; Professor Emeritus of Pathology; effective July 1, 2014

Kaye Bender, Ph.D.; Dean Emeritus of Nursing; effective August 1, 2014

Barbara Rogers, Ph.D.; Professor Emeritus of Nursing; effective August 1, 2014

George Taybos, D.D.S.; Professor Emeritus of Oral and Maxillofacial Surgery and Pathology in the School of Dentistry; effective October 1, 2014

USM

Dolly Lloyd; Instructor Emerita of Marketing; effective July 1, 2014

REGULAR AGENDAS

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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-eight 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. **DELETE** the following **3** academic programs:

JSU BS in Telecommunication Engineering (CIP 14.1001)
USM MAEd Art Education (CIP 13.1302)
USM Master of Science in Early Intervention (CIP 13.1099)

b. **SUSPEND** enrollment into the following **4** academic programs.

MSU Master of Architecture (CIP 04.0201)
MSU Doctor of Education (CIP 13.0101)
USM Master of Science in Interscholastic Athletic Administration (CIP 31.0504)
USM Doctor of Education in Higher Education Administration (CIP 13.0406)

Although students may earn degrees from suspended academic programs, no additional students will be accepted into these majors. If the institution does not request that a suspended program be **deleted or removed from suspension** within 3 academic years, OASA will recommend to the Board that the program be deleted from the academic program inventory.

c. **CONTINUE WITH STIPULATION** the following **28** academic programs (these programs will be subjected to additional review by OASA for two years to assess progress toward future productivity):

DSU Bachelor of Business Administration in Finance (CIP 52.0801)
DSU Bachelor of Business Administration in Insurance and Real Estate
 (CIP 52.1701)
DSU BSEd in Mathematics Education (CIP 13.1311)
DSU BSEd in English Education (CIP 13.1305)
DSU BS in Athletic Training (CIP 51.0913)
JSU BSEd in Mathematics Education (CIP 13.1311)
JSU BMEd in Music Education (CIP 13.1312)
JSU BSEd in Social Sciences Education (CIP 13.1317)

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JSU	Master of Science in Environmental Science (CIP10.103)
JSU	DPH in Public Health (CIP 51.2201)
MSU	PhD in Educational Psychology (CIP 42.2806)
MSU	PhD in Environmental Toxicology (CIP 26.1004)
MSU	PhD in Applied Psychology (CIP 30.0601)
MSU	PhD in College/Postsecondary Student Counseling and Personnel Services (CIP 13.1102)
MUW	Bachelor of Art Education (CIP 13.1302)
MVSU	Bachelor of Arts in Art (CIP 50.0101)
MVSU	Bachelor of Music Education (CIP 13.1312)
MVSU	Bachelor of Secondary Education (CIP 13.1205)
UM	BAEd in Science Education (CIP 13.1316)
UM	Bachelor of Southern Studies (CIP 50.122)
UMMC	PhD in Pathology (CIP 26.0910)
UMMC	PhD in Physiology (Human) and Biophysics (CIP 26.0900)
USM	BA in American Studies (CIP 50.102)
USM	BA in Economics (CIP 52.0601)
USM	BA/BS in Education of the Deaf (CIP 13.1003)
USM	BA in Art (CIP 50.0702)
USM	BA in Religion (CIP 38.0201)
USM	MS in Education (CIP 13.0301)

STAFF RECOMMENDATION: Board staff recommends approval of items a-c.

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1. UMMC- REQUEST APPROVAL OF CONTRACTUAL SERVICES AGREEMENTS

a. Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into an Application Services Provider Agreement with **Atlas Database Software Corp. d/b/a Atlas Development Corporation**, which will allow UMMC's Clinical Laboratory to provide laboratory services to other healthcare organizations throughout Mississippi. Under the agreement, Atlas will provide its LabWorks software, which is an order management and result reporting system that automates test sharing, order routing, joint service catalog management, and system integration across a network of ordering clients and diagnostic service providers, such as laboratories, imaging centers, specialists, etc. This solution provides a web-based user interface for accessing patient data, orderable services, and diagnostic results. LabWorks incorporates UMMC's existing billing software XiFin to complete the full range of services for reference laboratory testing for other healthcare organizations throughout Mississippi.

Contractor's Legal Name: Atlas Database Software Corp. d/b/a Atlas Development Corporation (Atlas)

History of Contract: This is a new contract. UMMC seeks to expand its laboratory services to other healthcare organizations throughout Mississippi with the use of the Atlas software.

Specific Type of Contract: Application Services Provider Agreement

Purpose: The purpose of the agreement is to allow UMMC's Clinical Laboratory to provide laboratory services to other healthcare organizations throughout Mississippi. Under the agreement, Atlas will provide its LabWorks software, which is an order management and result reporting system that automates test sharing, order routing, joint service catalog management, and system integration across a network of ordering clients and diagnostic service providers, such as laboratories, imaging centers, specialists, etc. This solution provides a web-based user interface for accessing patient data, orderable services, and diagnostic results. LabWorks incorporates UMMC's existing billing software XiFin to complete the full range of services for reference laboratory testing for other healthcare organizations throughout Mississippi.

Scope of Work: Atlas grants to UMMC a non-exclusive, non-transferable, license and right during the term to access and use the software. UMMC is required to pay applicable license fees and costs. Under the agreement, Atlas will provide its LabWorks software, which includes a bi-directional interface between UMMC's Laboratory Information System (LIS) and the potential customer's LIS. The customer would be able to order laboratory tests via its LIS, and the Atlas software would transmit that order to UMMC's

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LIS, at which time the Clinical Lab will perform the ordered test. Upon completion of the test, results would be transmitted back to the customer's LIS via the Atlas software. Additionally, the Atlas software incorporates UMMC's existing XiFin billing software, which will be utilized to bill the client. The electronic transmission of the order and results will allow UMMC to provide real-time laboratory services to healthcare organizations and their patients throughout Mississippi.

Term of Contract: The term of the agreement is for 60 months, from on or about November 1, 2014 to October 31, 2019.

Termination Options: Termination options include the following:

- In the event UMMC fails to install the appropriate computer hardware and telecommunications connection within thirty (30) days of the effective start date;
- In the event of a breach by either party after failure to cure the breach within 30 days of notice;
- At any time after the first twenty-four (24) months by UMMC, upon payment of a buy-out option;
- In the event a claim by a third party causes UMMC's quiet enjoyment and use of the software to be seriously disrupted, Atlas may terminate the agreement upon full indemnification of UMMC;
- In the event of a reduction in available funds to UMMC; and
- Failure of Atlas to comply with the federal E-Verify Program.

Contract Amount: The total cost of the agreement is approximately \$914,456.77. This includes the cost for implementation, interfaces, and server license fees, as well as the cost for set-up of up to ten (10) customers for UMMC. The breakdown of costs is as follows:

	One Time Fees	Monthly Fees	Year 1	Year 2*	Year 3*	Year 4*	Year 5*	Total
Contract Implementation for UMMC								
MAC Implementation Charges for Central Server	\$44,900.00		\$44,900.00	\$0.00	\$0.00	\$0.00	\$0.00	\$44,900.00
MAC Central Server License		\$2,048.00	\$24,576.00	\$25,804.80	\$27,095.04	\$28,449.79	\$29,872.28	\$135,797.91
HL-7 Interfaces		\$2,798.00	\$33,576.00	\$35,254.80	\$37,017.54	\$38,868.42	\$40,811.84	\$185,528.59
<i>HL-7 ADT Interface with Beaker</i>		\$773.00						
<i>HL-7 Orders & Results Interface to Beaker</i>		\$810.00						

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<i>HL-7 Billing Interface to XiFin</i>		\$405.00						
<i>HL-7 Orders & Results Interface to CoPath</i>		\$810.00						
ASP Hosting Fees		\$1,295.00	\$15,540.00	\$16,317.00	\$17,132.85	\$17,989.49	\$18,888.97	\$85,868.31
Software Upgrades	\$14,900.00		\$14,900.00	\$0.00	\$0.00	\$0.00	\$0.00	\$14,900.00
Optional/Variable Fees								
Professional fees \$175/hr	\$21,000.00		\$21,000.00					\$21,000.00
Additional Travel \$1500/person/visit	\$6,000.00		\$6,000.00					\$6,000.00
Fees for UMMC Clients								
Ten (10) Additional Client Site Interfaces		\$6,270.00	\$75,240.00	\$79,002.00	\$82,952.10	\$87,099.71	\$91,454.69	\$415,748.50
<i>Max Cost Each Client</i>		\$627.00						
Clients with Separate Send-Out Area**	\$245.00	\$20.00	\$1,455.00	\$756.00	\$793.80	\$833.49	\$875.16	\$4,713.45
Totals	\$86,800.00	\$11,116.00	\$237,187.00	\$157,134.60	\$164,991.33	\$173,240.90	\$181,902.94	\$914,456.77

**Includes a 5% annual price increase.*

*** Assuming only 3 such clients.*

Funding Source of Contract: This contract will be paid from hospital funds.

Contractor Selection Process: LabWorks is an order management and result reporting system that automates test sharing, order routing, joint service catalog management, and system integration across a network of ordering clients and diagnostic service providers, such as laboratories, imaging centers, specialists, etc. This solution provides a web-based user interface for accessing patient data, orderable services, and diagnostic results. Mayo Medical Laboratories has certified that Atlas LabWorks software and UMMC's existing billing software XiFin are the only solutions available in the market to support reference laboratory client connectivity and billing integration. A CP-1 from ITS has been provided for the Board file.

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

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reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

- b. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a service agreement with **GE Medical Systems Information Technologies, Inc. d/b/a GE Healthcare** for the provision of corrective and preventative maintenance services and product support for diagnostic imaging and biomedical equipment for its Grenada and Holmes County Facilities.

Contractor's Legal Name: GE Medical Systems Information Technologies, Inc. d/b/a GE Healthcare (GE)

History of Contract: This is a new agreement. Previously, the Grenada Lake Medical Center contracted with Aramark and several other vendors to provide corrective and preventative maintenance services for biomedical equipment and diagnostic imaging equipment prior to UMMC assuming management of the healthcare facility. The previous contracts totaled \$952,093.80 per year for the Grenada facility. The Holmes County facility does not currently have an agreement for preventative or corrective maintenance for its imaging equipment as any maintenance was paid on a time and materials basis. Over the past year the Holmes County facility has paid \$143,482.00 in time and materials costs.

After assuming the management of the facility at Grenada and reviewing the cost associated at the Holmes County facility, UMMC solicited proposals for services from Aramark and GE. UMMC estimates that this agreement will provide a cost savings of \$268,308.80 in the first year at the Grenada facility and \$45,864.00 in the first year at the Holmes County location. The total annual savings for this agreement is estimated to be \$314,172.80 in the first year.

Specific Type of Contract: This is a new service agreement for corrective and preventative maintenance of biomedical equipment and diagnostic imaging equipment at UMMC's Grenada and Holmes County facilities.

Purpose: The purpose of this agreement is to provide corrective and preventative maintenance services for biomedical and diagnostic imaging equipment in a timely manner without delaying patient care at UMMC's Grenada and Holmes County facilities.

Scope of Work: GE will provide UMMC with travel, parts, and labor necessary to perform preventative and corrective maintenance on diagnostic imaging equipment and biomedical equipment at both Grenada and Holmes County facilities. The

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equipment covered under the service agreement will fall under one of six (6) types of service plans. An overview of detailed service coverage level is listed below:

Equipment	Offering	Options	Features	Location
GE CT LIGHTSPEED PRO 16 100 KW (C#104A)	AssurePoint Access	INCLUDED: \$ ILINQ SUPPORT \$ SYSTEM USAGE: 0000500-0001000 Patients \$ TUBE COVERAGE: 0000000-9999999 Patients EXCLUDED: \$ ADVANTAGE WINDOWS \$ PERIPHERAL DEVICES \$ UNINTERRUPTED POWER SUPPLY	\$ FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ FE Onsite Response Time: 24 Hours \$ iCenter - Maintenance: SILVER \$ InSite/Tech Phone Support: InSite / Tech Phone Support \$ Parts Shipping: Included, Next Day 10:30 AM LST- GENERAL \$ PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ Software Upgrades and Updates: Software and Quality Updates \$ TiP Answer Line \$ Uptime Commitment: 95%	HOLMES
GE XR AMX4+ AND PRIOR (XMB002)	AssurePoint Standard	INCLUDED: \$ AUTOMATIC EXPOSURE CONTROL \$ BATTERY REPLACEMENT COVERAGE \$ TECHSWITCH \$ TUBE COVERAGE: 0000000-9999999 Patients EXCLUDED: \$ ADVANTAGE WINDOWS \$ DETECTOR \$ DIGITAL RETROFIT KIT \$ PERIPHERAL DEVICES \$ PRINTER \$ UNINTERRUPTED POWER SUPPLY \$ VCR	\$ FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ FE Coverage Weekend: NO COVERAGE HRS \$ FE Onsite Response Time: 4-Hours \$ iCenter - Maintenance: SILVER \$ InSite/Tech Phone Support: InSite / Tech Phone Support \$ PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ Repair Parts: Included, Next Day 10:30 AM LST- GDXR-RAD-US \$ Software Upgrades and Updates: Software and Quality Updates \$ TiP Answer Line \$ Uptime Commitment: 97%	HOLMES
SIEMENS MV XR SIEMENS RAD-MULTIX TOP (XZS523)	AssurePoint Standard	INCLUDED: \$ TUBE COVERAGE: 0000000-9999999 Patients	\$ FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ FE Coverage Weekend: NO COVERAGE HRS \$ FE Onsite Response Time: 6-Hours \$ iCenter - Maintenance: SILVER \$ InSite/Tech Phone Support: InSite / Tech Phone Support \$ PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ Repair Parts: Included, Next Day 10:30 AM LST- GDXR-RAD-US \$ Uptime Commitment: 97%	HOLMES
SHIMADZU MV XR SHIMADZU RF OTHER (XZU999)	AssurePoint Standard	INCLUDED: \$ IMAGE INTENSIFIER \$ TUBE COVERAGE: 0000000-9999999 Patients	\$ FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ FE Coverage Weekend: NO COVERAGE HRS \$ FE Onsite Response Time: 4-Hours \$ iCenter - Maintenance: SILVER \$ InSite/Tech Phone Support: InSite / Tech Phone Support \$ PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ Repair Parts: Included, Next Day 10:30 AM LST- GDXR-RAD-US \$ Uptime Commitment: 97%	HOLMES
LORAD MV XR LORAD M-IV MAMO (XZL007)	AssurePoint Standard	INCLUDED: \$ TUBE COVERAGE: 0000000-9999999 Patients	\$ FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ FE Coverage Weekend: NO COVERAGE HRS \$ FE Onsite Response Time: 6-Hours \$ iCenter - Maintenance: SILVER \$ InSite/Tech Phone Support: InSite / Tech Phone Support \$ PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ Repair Parts: Included, Next Day 10:30 AM LST- GDXR Mammo-US \$ Uptime Commitment: 97%	HOLMES

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GE XR AMX4+ AND PRIOR (XMB001)	AssurePoint Standard	<p>INCLUDED: \$ TUBE COVERAGE: 0000000-9999999 Patients \$ AUTOMATIC EXPOSURE CONTROL \$ BATTERY REPLACEMENT COVERAGE \$ TECHSWITCH EXCLUDED: \$ DETECTOR \$ DIGITAL RETROFIT KIT \$ PERIPHERAL DEVICES \$ PRINTER \$ UNINTERRUPTED POWER SUPPLY \$ VCR \$ ADVANTAGE WINDOWS</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 4-Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST- SAVI-Vascular,GDXR-RAD-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Software Upgrades and Updates: Software and Quality Updates TIP Answer Line: Included Uptime Commitment: 0.97</p>	GRENADA
GE XR AMX4+ AND PRIOR (XMB002)	AssurePoint Standard	<p>INCLUDED: \$ TUBE COVERAGE: 0000000-9999999 Patients \$ AUTOMATIC EXPOSURE CONTROL \$ BATTERY REPLACEMENT COVERAGE \$ TECHSWITCH EXCLUDED: \$ DETECTOR \$ DIGITAL RETROFIT KIT \$ PERIPHERAL DEVICES \$ PRINTER \$ UNINTERRUPTED POWER SUPPLY \$ VCR \$ ADVANTAGE WINDOWS</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 4-Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST- SAVI-Vascular,GDXR-RAD-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Software Upgrades and Updates: Software and Quality Updates TIP Answer Line: Included Uptime Commitment: 0.97</p>	GRENADA
GE XR OEC SERIES 9800 (X#323D)	AssurePoint Standard	<p>INCLUDED: \$ TUBE COVERAGE: 0000000-9999999 Patients \$ BATTERY REPLACEMENT COVERAGE \$ DICOM GATEWAY \$ DIGITAL ACQUISITION SYSTEM \$ PRINTER EXCLUDED: \$ IMAGE INTENSIFIER \$ VCR</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 6-Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST- SAVI-Surgery-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Software Upgrades and Updates: Software and Quality Updates TIP Answer Line: Included Uptime Commitment: 0.97</p>	GRENADA
PHILIPS MV MR PHILIPS INFINION (MZP605)	AssurePoint Standard	<p>INCLUDED: \$ COILS \$ MAGNET MAINTENANCE & CRYOGEN: MAGNET MAINT / COLDHEAD \$ REMOTE MAGNET MONITORING EXCLUDED: \$ GENERATOR \$ MOBILE UNIT \$ OEM APPLICATIONS PHONE SUPPORT \$ UNINTERRUPTED POWER SUPPLY</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-9PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 4-Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST- SAVI-Surgery-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-9PM Uptime Commitment: 0.97</p>	GRENADA
GE BIOMEDICAL BIOMEDICAL EQUIPMENT (OZBIOM)	Biomedical Services		Parts Shipping: Included, Next Day 10:30 AM LST- GENERAL	GRENADA

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<p>PHILIPS MV XR PHILIPS EASY DIAGNOST ELEVA (DIGITAL) (XZP832)</p>	<p>AssurePoint Standard</p>	<p>INCLUDED: \$ TUBE COVERAGE: 0000000-9999999 Patients \$ IMAGE INTENSIFIER \$ VIEWFORUM WORKSTATION EXCLUDED: \$ ACCIDENT COVERAGE - DETECTOR</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 4-Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST- SAVI-Surgery-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Uptime Commitment: 0.97</p>	<p>GRENADA</p>
<p>GE XR ANALOG R&F (Example Legacy) -16in II (XRF005) EOSL: 9/30/2013</p>	<p>EOSL Care Plus</p>	<p>INCLUDED: \$ TOMOGRAPHY: TOMO ADDER (ORDOGRAPH) EXCLUDED: \$ TUBE COVERAGE \$ IMAGE INTENSIFIER \$ PERIPHERAL DEVICES \$ PRINTER \$ UNINTERRUPTED POWER SUPPLY \$ VCR \$ ADVANTAGE WINDOWS</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Repair Parts: Included, Two Day 5:00 PM LST- GDXR- RAD,GDXR-R&F,SAVI Other-US Parts Discount: 20% Parts Discount PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM InSite/Tech Phone Support: InSite / Tech Phone Support</p>	<p>GRENADA</p>
<p>GE CT LIGHTSPEED VCT (64 SLICE) (CSPG01)</p>	<p>AssurePoint Standard</p>	<p>INCLUDED: \$ ICENTER - UTILIZATION: ICENTER UTILITIZATION: SILVER \$ ILINQ RESPONSE TIME: 30 MIN. \$ SYSTEM AND TUBE COVERAGE: 0003001- 0005000 Patients EXCLUDED: \$ MOBILE UNIT \$ PERIPHERAL DEVICES \$ PRINTER \$ UNINTERRUPTED POWER SUPPLY \$ ADVANTAGE WINDOWS</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-9PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 4-Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST-CT- US PM Coverage HOURS/DAYS: MON-FRI, 8AM-9PM Software Upgrades and Updates: Software and Quality Updates TIP Answer Line: Included Uptime Commitment: 0.97</p>	<p>GRENADA</p>
<p>MEDRAD MV PR MEDRAD STELLANT D (SME047)</p>	<p>AssurePoint Standard</p>	<p>EXCLUDED: \$ XDS COVERAGE</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 24 Hours PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Uptime Commitment: 0.95 Parts Shipping: Included, Two Day 5:00 PM LST- GENERAL</p>	<p>GRENADA</p>
<p>GE MV PR GE DIGITAL ENERGY UPS 10 KVA (SGE106)</p>	<p>AssurePoint Standard</p>	<p>EXCLUDED: \$ BATTERY REPLACEMENT COVERAGE</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Onsite Response Time: 6-Hours Repair Parts: Included, Next Day 10:30 AM LST-CT- US PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Uptime Commitment: 0.95</p>	<p>GRENADA</p>
<p>GE XR SENOGRAPHE ESSENTIAL FFDM (NON-MOBILE) (X#60CN)</p>	<p>AssurePoint Standard</p>	<p>INCLUDED: \$ Tube Coverage: w/o SenoBright \$ GE-SOURCED MAMMO PADDLES: GE SOURCED MAMMO PADDLES \$ DETECTOR \$ ILINQ RESPONSE TIME: 30 MIN. EXCLUDED: \$ PERIPHERAL DEVICES \$ PRINTER \$ UNINTERRUPTED POWER SUPPLY \$ ADVANTAGE WINDOWS</p>	<p>FE Coverage HOURS/DAYS: MON-FRI, 8AM-9PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 4-Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST- GDXR Mammo-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-9PM Software Upgrades and Updates: Software and Quality Updates TIP Answer Line: Included Uptime Commitment: 0.97</p>	<p>GRENADA</p>

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KONICA MV PR Konica Drypro 873 Imager (SKN008)	AssurePoint Standard		FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 24 Hours PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Uptime Commitment: 0.95 Parts Shipping: Included, Two Day 5:00 PM LST- GENERAL	GRENADA
GE LUNAR PRODIGY PRIMO (UBPPF)	AssurePoint Standard	INCLUDED: \$ TUBE COVERAGE: 0000000-9999999 Patients \$ DETECTOR \$ EXTERNAL HARD DRIVE \$ HOST PC \$ MONITOR \$ PRINTER EXCLUDED: \$ PERIPHERAL DEVICES \$ UNINTERRUPTED POWER SUPPLY \$ ADVANTAGE WINDOWS	FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Onsite Response Time: 72 Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Software Upgrades and Updates: Software and Quality Updates Uptime Commitment: 0.95 Parts Shipping: Included, Two Day 5:00 PM LST- GENERAL	GRENADA
SIEMENS MV XR SIEMENS RAD- MULTIX TOP (XZS523)	AssurePoint Standard	INCLUDED: \$ TUBE COVERAGE: 0000000-9999999 Patients	FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 4-Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST- GD XR Mammo-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Uptime Commitment: 0.97	GRENADA
PHILIPS MV NM PHILIPS BRIGHTVIEW (NZP002)	AssurePoint Standard	INCLUDED: \$ CRYSTAL COVERAGE: Crystal Coverage Included	FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 4-Hours iCenter - Maintenance: SILVER InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST- GD XR Mammo-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Uptime Commitment: 0.97	GRENADA
ACUSON MV UL SEQUOIA (UZC004)	AssurePoint Standard	INCLUDED: \$ U/S GENERAL PROBE: U/S GENERAL GE PROBE(S) \$ INTERNAL DICOM \$ U/S SPECIALTY PROBE: U/S SPECIALTY GE PROBE(S) EXCLUDED: \$ ACLINAV SWIFTLINK CONNECTOR \$ EXTERNAL DIGITAL ACQUISITION	FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 6-Hours InSite/Tech Phone Support: InSite / Tech Phone Support Repair Parts: Included, Next Day 10:30 AM LST- GD XR Mammo-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Uptime Commitment: 0.95	GRENADA
GE UL VOLUSON E6 (UKVE6A)	AssurePoint Select	INCLUDED: \$ EXTERNAL DVD R/W \$ DVR \$ PRINTER \$ VCR	Limited Call Counter: 003, M-F 0800-1700 FE Onsite Response Time: 24 Hours Gen/Spe/Accid Probe Replace: 1 General or Specialty or Accidental probe replaced per yr InSite/Tech Phone Support: InSite / Tech Phone Support Labor Discount: 20% Labor Discount, Mon-Fri 8AM- 5PM Parts Shipping: Included, Next Day 10:30 AM LST- GENERAL Parts Discount: 20% Parts Discount PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Software Upgrades and Updates: Software and Quality Updates	GRENADA

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GE WORKSTATION IDI READING WORKSTATION (XMM965)	AssurePoint Standard	INCLUDED: \$ MONITOR EXCLUDED: \$ COLLABORATION SERVER \$ DESKTOP PC \$ DICOM SHUTTLE \$ MD Tech Workstation \$ PERIPHERAL DEVICES \$ TECH INSIGHT WORKSTATION \$ UNINTERRUPTED POWER SUPPLY	FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM FE Coverage Weekend: NO COVERAGE HRS FE Onsite Response Time: 4-Hours iCenter - Maintenance: SILVER IDI Professional Services: 001-US Remote Tech Engineer: 01-US Repair Parts: Included, Next Day 10:30 AM LST- GDXR Mammo-US PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM Software Upgrades and Updates: Software and Quality Updates TIP Answer Line: Included Uptime Commitment: 0.97	GRENADA
GE STANDALONE TIP CUSTOMER LEVEL OFFERING (POOL OF DAYS, STANDALONE TIP, TECH LIFECYCLE, TIP ED ONLINE, TIP NURSING LIBRARY) (00000Z)**	MI-OT****		Parts Shipping: Included, Two Day 5:00 PM LST- GENERAL	Billable pool for biomed- GRENADA
GE STANDALONE TIP CUSTOMER LEVEL OFFERING (POOL OF DAYS, STANDALONE TIP, TECH LIFECYCLE, TIP ED ONLINE, TIP NURSING LIBRARY) (00000Z)	MI-OT**		Parts Shipping: Included, Two Day 5:00 PM LST- GENERAL	50 Hours of overtime annually for biomedical services rendered- GRENADA
SIEMENS MV XR AXIOM ARTIS DFC (XZS222)	AssurePoint Standard	INCLUDED: \$ DETECTOR \$ TUBE COVERAGE: 000000-999999 Patients EXCLUDED: \$ ACCIDENT COVERAGE - DETECTOR	\$ FE Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ FE Coverage Weekend: NO COVERAGE HRS \$ FE Onsite Response Time: 4-Hours \$ iCenter - Maintenance: SILVER \$ InSite/Tech Phone Support: InSite / Tech Phone Support \$ PM Coverage HOURS/DAYS: MON-FRI, 8AM-5PM \$ Repair Parts: Included, Next Day 10:30 AM LST- GDXR-RAD-US \$ Uptime Commitment: 97%	GRENADA

Term of Contract: The term of this agreement is for five (5) years beginning on November 1, 2014 through October 31, 2019.

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

- By After the first year of this agreement and at UMMC’s request, GE Healthcare and UMMC will meet annually at times mutually agreed to by the parties to analyze each party’s performance under this agreement through a business review. Such review may include but not be limited to service program performance metrics, pricing, and productivity analysis. GE Healthcare and UMMC agree to discuss in good faith recommendations for improvements to the service program for the remainder of the term, including but not limited to cost adjustments (both potential increases and decreases) for the remainder of the term. If UMMC is not satisfied with the resolution of such good faith discussions, UMMC may, at UMMC’s sole discretion, terminate this agreement without cause; provided however that written notice is provided to GE Healthcare at least ninety (90) days prior to termination. Upon termination, neither party shall have any

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further obligations under this agreement except for (i) payment obligations arising prior to the date of termination and (ii) obligations, promises or covenants contained in this agreement which by their terms must extend beyond the termination date;

- In the event of breach of a material term of the agreement by either party, unless such breach is remedied within the sixty (60) day period between notification of termination and the effective date of the termination;
- Failure by GE to comply with the federal E-Verify Program; and
- Lack of available funding to UMMC.

Contract Amount: The estimated total cost for the agreement is \$6,412,588.49.

Cost	
Year 1	\$ 781,353.00
Year 2*	\$ 976,691.25
Year 3*	\$ 1,220,864.06
Year 4*	\$ 1,526,080.08
Year 5*	\$ 1,907,600.10
Estimated Total	\$ 6,412,588.49

**The agreement allows for annual increases in the cost beginning after the first year. This amount is based on the current CPI or five percent (5%), whichever is lower. For cost purposes, beginning in year two, UMMC compounded the annual cost to allow 5% for CPI and 20% to cover other variable fees.*

Funding Source of Contract: This agreement will be funded through patient revenues.

Contractor Selection Process: UMMC solicited proposals for services from Aramark and GE. UMMC chose GE as a service provider for UMMC's Grenada and Holmes County facilities as GE is able to provide a broader scope of available resources than has been previously available in its local area. GE is able to provide services to UMMC for the following equipment that Aramark was not able to provide:

Grenada
 GE CT Lightspeed
 Philips Brightview Nuclear Medicine
 GE Seographe Essential Mammography
 GE Voluson Ultrasound
 GE Lunar Prodigy

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Holmes County
GE CT
GE AMX Portable
Siemens X-ray Room
Shimazu X-ray Room
Lorad Mammography Unit

In addition, GE's cost was less than that of Aramark. This agreement not only controls costs, but also allows for a single contact point for the staff to obtain appropriate service engineers and will sustain continuity and tracking for compliance.

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 recommends approval of this item.

- c. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a work order agreement for consulting services with **Leidos Health, LLC** to assist with the ongoing activities related to Epic, UMMC's electronic health record system. UMMC further requests that the Board approve the Vice Chancellor of UMMC to authorize any delineated project orders as covered by the statement of work and which do not change the substantive terms of the contract without further Board approval. Any changes which do impact the substantive terms of the contract will be submitted to the Board for consideration.

Contractor's Legal Name: Leidos Health LLC f/k/a maxIT Healthcare, LLC (Leidos)

History of Contract: On November 17, 2011, the Board approved UMMC to enter into a five (5) year master agreement and corresponding work order agreement with Leidos formally maxIT Healthcare, LLC., for the consulting services of various Epic specialists. This expertise was needed for assistance with the final phases of Epic implementation. The master agreement began December 1, 2011 and continues through November 1, 2016. The corresponding work order began December 1, 2011 and continued through June 1, 2012.

The original work order agreement term allowed for the consulting services to begin December 1, 2011 and end June 1, 2012, based upon a go-live date at April 1, 2012. The go-live for Epic was moved to June 1, 2012. UMMC continued utilizing the consultants under the statement of work until November 30, 2012, based upon the fact

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that the master agreement was still in effect. The amount approved under the previous work order was \$2,964,000.00.

UMMC wishes to re-engage Leidos with a second statement of work to help with further Epic optimization.

A non-solicitation clause was originally included in the master agreement, approved by the Board in 2011. Due to the expense incurred by UMMC to train information technology (IT) personnel on our systems and the highly competitive IT job market, it is in UMMC's best interest to include in this contract a non-solicitation provision. Such provision is meant to deter the vendor from actively soliciting UMMC employees.

Specific Type of Contract: This is a new work order agreement for consulting services.

Purpose: The consulting services that are being offered in this work order are to assist UMMC's Department of Information Systems with additional Epic optimization. Specifically, this work order will provide support in telehealth, meaningful use initiatives, ongoing revenue cycle stabilization, Epic application optimization, Post Epic go-live support services, technology planning, infrastructure consulting, and project management services. The services would be utilized on an as needed basis, rather than a strict timeline. This will allow UMMC to ensure that we have the support necessary in areas where we lack staff.

Scope of Work: Leidos will be providing the following optional services, on an as needed basis, during the work order term:

- Epic Optimization consulting services (EOS)
- Epic go live support services (GLS)
- Information technology planning services (ITS)
- Infrastructure consulting services (ICS)
- Application project management services (APM)

Term of Contract: This work order has a term of twenty-five (25) months beginning on November 1, 2014, and ending on November 30, 2016. The termination date of the work order coincides with the termination of the master agreement.

Termination Options: This agreement and work order may be terminated as follows:

- By either party without cause upon thirty (30) days prior written notice if there are no outstanding work orders; provided, however, that if there is an outstanding work order, then as a condition to termination by UMMC, Leidos shall receive payment for all work performed and related expenses incurred under the affected work order prior to Leidos's receipt of the termination notice;

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- If UMMC defaults in the payment of any amount due under any work order and does not cure the default within forty-five (45) days after receiving written notice of such default from Leidos, then Leidos may terminate the work order;
- If Leidos materially defaults in the performance of any term of a work order or this agreement and does not substantially cure such default within thirty (30) days after receiving written notice of such default from UMMC, then UMMC may terminate the work order or this agreement, as applicable, by providing ten (10) days prior written notice of termination to Leidos; provided, however, that if there is an outstanding work order, then as a condition to termination by UMMC, Leidos shall receive payment for all work performed under the affected work order prior to Leidos's receipt of the termination notice;
- If UMMC's contract with its customer ends for any reason, UMMC may terminate the affected work order immediately upon written notice to Leidos; provided, however, that as a condition to termination, Leidos shall receive payment for all work performed under the affected work order prior to Leidos's receipt of the termination notice; and
- Lack of available funding to UMMC.

Contract Amount: The total estimated cost for this work order is not to exceed \$2,000,000.00.

	Estimated Cost
Consulting Services	\$1,600,000.00
Travel	\$400,000.00
Total	\$2,000,000.00

Funding Source of Contract: This agreement will be funded by patient revenues.

Contractor Selection Process: UMMC is currently under a master agreement with Leidos. Leidos was selected through a request for proposal (RFP) process that resulted in a master agreement being signed. UMMC issued an RFP in March 2011 in anticipation of needed consulting services. UMMC received eleven (11) proposals in response to the RFP. After analyzing the proposals the top three (3) vendors were:

1. Leidos, LLC f/k/a MaxIT Healthcare, LLC,
2. CTG Healthcare Services, and
3. Beacon Partners.

Leidos was ultimately selected as the vendor of choice to begin contract negotiations based on their top scores, positive reference responses, and lowest cost proposal. A CP-1 from ITS has been provided for the Board file.

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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 recommends approval of this item.

- d. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into a new informatics service master agreement with **Philips Healthcare Informatics, Inc.** and a subsequent service schedule for the hardware, software, image storage, disaster recovery and support related to the Intellispace PACS system (PACS), which is the radiology services image archiving system. This agreement will supersede and replace the current master agreement and service schedule UMMC has in place to allow UMMC to incorporate the Grenada facility.

Contractor's Legal Name: Philips Healthcare Informatics, Inc. (Philips)

History of Contract: On March 17, 2005, the Board approved a new agreement for hardware, software, image storage, disaster recovery and related support for the PACS system for a term of five (5) years. On June 16, 2010, the Board approved UMMC to enter into a new master agreement and service schedule for a term of five (5) years to provide for the hardware, software, image storage, disaster recovery and related support for all radiological images produced at UMMC. The amount approved for this agreement was \$9,500,000.00.

This is a new master agreement and service schedule that will supersede the existing agreement and will allow UMMC to incorporate the Grenada facility.

Specific Type of Contract: This is a new master agreement and service schedule for the hardware, software, image storage, disaster recovery and related support.

Purpose: The purpose of this agreement is to provide the organization with a radiological image archiving system (PACS) to maintain and manage all radiographic imaging for interpretations and archiving.

Scope of Work: This service schedule agreement provides UMMC with all hardware, software, licensing, archiving and maintenance needed for the institution's radiologic image archiving system (PACS). This contract also provides licenses for 5 additional remote locations within UMMC's purview.

Term of Contract: The term of the agreement and service schedule is 5 (five) years from November 1, 2014 through October 31, 2019.

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Termination Options: This agreement may be terminated as follows:

- Upon the first anniversary and anytime thereafter either party may terminate the agreement without cause provided one hundred and twenty (120) days written notice is given to the other party;
- Either party may terminate the agreement if the other party materially breaches the agreement and does not cure such breach within ninety (90) days after receiving written notice from the non-breaching party specifying the nature of such breach;
 - Philips may terminate the agreement if UMMC breaches a payment obligation and does not cure such breach within forty-five (45) days after receiving written notice from Philips regarding such breach;
 - Either party may terminate the agreement immediately if the other party makes an assignment for the benefit of creditors, files a petition in bankruptcy, is adjudged bankrupt, becomes insolvent or is placed in the hands of a receiver;
 - If the state fails to appropriate sufficient monies to provide for the continuation of the agreement, or if such appropriation is reduced by veto of the state, or for any other lawful purpose, and the effect of such reduction is to provide insufficient monies for the continuation of the agreement, the agreement may be terminated on the date of the beginning of the first fiscal year for which funds have not been appropriated;
 - Failure of Philips to comply with E-Verify; or
 - Failure of Philips to meet <95.90% uptime performance after three (3) consecutive months.

Contract Amount: The estimated total cost of this service schedule is \$9,219,140.00. The estimated cost breakdown is provided below:

Description	Cost per Unit	Volume Per Year	Cost Per Year	Estimated Total for Five (5) Years
Image Storage	\$4.00	433342	\$1,733,368.00	\$8,666,840.00
Prior Study	\$2.00	30000	\$ 60,000.00	\$300,000.00
Read and Purge	\$1.00	50000	\$ 50,000.00	\$250,000.00
Data Migration	\$0.23	2000	\$ 460.00	\$2,300.00
Estimated Total Cost				\$9,219,140.00

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

Contractor Selection Process: This is a sole-source agreement as this system is currently installed and running at UMMC's main campus. At this time it would be cost prohibitive to replace the current system. A CP-1 from Mississippi Information Technology Services (ITS) has been obtained and is provided in the IHL contract packet.

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 recommends approval of this item.*

- e. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to lease from **Physicians Realty L.P. d/b/a DOC-GRENADA MOB, LLC.** , 6060 square feet of space located in Suite F of the Grenada Medical Complex, located at 1300 Sunset Drive, Grenada, MS.

Contractor's Legal Name: **Physicians Realty, L.P. d/b/a DOC-GRENADA MOB, LLC. (Physicians Realty)**

History of Contract: This is a new contract for UMMC Grenada. UMMC Grenada is hiring three family practice physicians that are currently conducting clinical operations in the space.

Specific Type of Contract: Lease Agreement for Clinical Space

Purpose: The purpose of this agreement is agreement is to continue family medicine clinic operations for the citizens of Grenada, MS, in its current location. In addition, the continuation of this service addresses the educational need to train primary care physicians and provides medical education to referral/teaching physicians that in turn enhance the expertise of UMMC Grenada. The space allows UMMC Grenada to expand the educational needs for the resident education program in a rural healthcare setting. The overarching purpose of the agreement is to establish an improved system of access to healthcare and healthcare information for the citizens of Grenada, Mississippi and the surrounding areas.

Scope of Work: DOC-Grenada MOB, LLC agrees to lease 6060 square feet of medical office space to the University of Mississippi Medical Center Grenada per the

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terms negotiated in the lease agreement. This agreement provides University of Mississippi Medical Center the opportunity to provide convenient family medicine clinic services to the citizens of Grenada, Mississippi and the surrounding areas.

Term of Contract: The term of the lease shall be for a period of sixty (60) months beginning November 1, 2014.

Termination Options: Either party can terminate this agreement with 180 day notice to the other party.

Contract Amount: The total cost for lease agreement amount is \$892,516.80. The initial base year cost is \$28.02 per square foot or \$169,801.20 for the first year. Each year thereafter, the rent rate will escalate 2.5% as shown below:

Year	Rent Rate per Square Foot	Total Annual Rent
1	\$28.02	\$169,801.20
2	\$28.72	\$174,043.20
3	\$29.44	\$178,406.40
4	\$30.17	\$182,830.20
5	\$30.93	\$187,435.80
Total Cost for Lease		\$892,516.80

Funding Source of Contract: The agreement will be funded by patient revenues.

Contractor Selection Process: Established location of the family medicine clinic.

Staff Recommendation: Based on Board Policy 707.01, *Personal Property and Service Contracts*, Board approval is required prior to execution of leases in an amount greater than \$100,000. However, Board approval is required prior to execution of all oil, gas and mineral leases, regardless of amount. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

- f. **Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to lease from **Physicians Realty L.P. d/b/a DOC-GRENADA MOB, LLC.** , 1750 square feet of space located in Suite R of the Grenada Medical Complex, located at 1300 Sunset Drive, Grenada, MS.

Contractor’s Legal Name: Physicians Realty, L.P. d/b/a DOC-GRENADA MOB, LLC. (Physicians Realty)

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History of Contract: This is a new contract for UMMC Grenada. Physicians Realty LP purchased Grenada Medical Complex earlier this year and all the tenants' lease agreements are being updated. The original lease agreement was with Grenada Lakes Medical Center utilized for a general surgery clinic. UMMC Grenada will continue to use the space as a general surgery clinic.

Specific Type of Contract: Lease Agreement for Clinical Space

Purpose: The purpose of this agreement is to continue to offer surgical clinic needs for the citizens of Grenada, MS. In addition, the continuation of this service addresses the educational need to train physicians and provides medical education to referral/teaching physicians that in turn enhance the expertise of UMMC Grenada. The space allows UMMC Grenada to expand the educational needs for the resident education program in a rural healthcare setting. The overarching purpose of the agreement is to establish an improved system of access to healthcare and healthcare information for the citizens of Grenada, Mississippi and the surrounding areas.

Scope of Work: DOC-Grenada MOB, LLC agrees to lease 1750 square feet of medical office space to the University of Mississippi Medical Center Grenada per the terms negotiated in the lease agreement. This agreement provides University of Mississippi Medical Center the opportunity to provide convenient general surgery clinic services to the citizens of Grenada, Mississippi and the surrounding areas.

Term of Contract: The term of the lease shall be for a period of sixty (60) months beginning November 1, 2014.

Termination Options: Either party can terminate this agreement with 180 day notice to the other party.

Contract Amount: The total cost for lease agreement amount is \$257,740.00. The initial base year cost is \$28.02 per square foot or \$49,035.00 for the first year. Each year thereafter, the rent rate will escalate 2.5% as shown below:

Year	Rent Rate per Square Foot	Total Annual Rent
1	\$28.02	\$49,035.00
2	\$28.72	\$50,260.00
3	\$29.44	\$51,520.00
4	\$30.17	\$52,797.50
5	\$30.93	\$54,127.50
Total Cost for Lease		\$257,740.00

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Funding Source of Contract: The agreement will be funded by patient revenues.

Contractor Selection Process: Established location of the general surgery clinic.

Staff Recommendation: *Based on Board Policy 707.01, Personal Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. However, Board approval is required prior to execution of all oil, gas and mineral leases, regardless of amount. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

- g. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to amend the existing lease agreement with **Select Specialty Hospital – Jackson, Inc.** to lease additional space for UMMC's Child Development Clinic (CDC). The amendment will allow UMMC to continue its mission to be the preferred provider of children's healthcare in the State of Mississippi by improving access to patients seeking services of the CDC, as well as expanding Pediatric Cardiology services in the space vacated by CDC.

Contractor's Legal Name: **Select Specialty Hospital – Jackson, Inc. (Select Specialty Hospital)**

History of Contract: UMMC is currently in a lease agreement with Select Specialty Hospital. The lease agreement was approved by the Board at its August 15, 2013 meeting. The current lease agreement is effective September 1, 2013, through August 31, 2022. The cost of the original lease agreement was \$6,796,915.10.

Specific Type of Contract: First Amendment to Lease Agreement

Purpose: The purpose of the amendment to the lease is to secure clinic space for UMMC's Child Development Clinic, which is presently located on the 4th floor of the Round Tower Building on UMMC's Main Campus. The amendment will allow UMMC to continue its mission to be the preferred provider of children's healthcare in the State of Mississippi by improving access to patients seeking services of the CDC, as well as expanding Pediatric Cardiology services in the space vacated by CDC.

Scope of Work: Under the lease, Select Specialty Hospital provides:

- Utilities, including heating, air conditioning, electricity, gas, sewer, and water;
- Maintenance services, including plumbing, water pipes, heating, cooling, and ventilation systems, elevator equipment, sprinkler systems, and electrical and lighting fixtures;

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- Payment for any and all real property taxes;
- Janitorial services and waste disposal;
- Medical gas or oxygen in the event UMMC elects to use it;
- Security services;
- Parking spaces in UMMC's pro rata share of available spaces at the building;
and
- A restrictive covenant that prohibits Select Specialty Hospital from leasing space to any cardiologist, cardiology group, urologist, urology group, or other like entity unless UMMC consents.

UMM will be responsible for:

- Using the leased premises for UMMC's Child Development Clinic, Sleep Disorder Clinic, and University Heart and Urology medical offices;
- Preserving and maintaining the leased premises in clean and good condition;
- Ensuring any physician providing medical services in the premises shall be a Mississippi licensed physician and participates in the Medicare Program;
- Payment for the use of any medical gases, which UMMC currently does not utilize; and
- Payment of the fixed monthly rent.

Term of Contract: The existing lease agreement was effective September 1, 2013, and will expire August 31, 2022. The lease amendment will be effective November 1, 2014, and will end coterminous with the existing lease agreement. Payments will begin following the completion of landlord improvements to the space, which is expected to be on or about January 1, 2015.

Termination Options: The options for termination include:

- After the third anniversary of the effective date, either party may terminate the Lease by giving 120 days' written notice;
- Select Specialty Hospital may terminate the Lease in the event UMMC engages in a prohibited use and fails to cure such violation within 30 days following written notice;
- If the premises is destroyed by fire, the elements, or any material injury to the premises which renders the premises untenable for at least 90 days, the Lease may be terminated by either party;
- If the entire building or premises are taken by right of eminent domain or conveyed in lieu thereof, the Lease shall terminate as of the date of such condemnation;

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- Upon default, including nonpayment of rent, failure by UMMC or Select Specialty Hospital to observe and perform any material provision of the lease, and bankruptcy, and failure to cure the default within 30 days, the Lease may be terminated; and
- In the event that changes occur in government regulations or third party reimbursement policies which reduce the amounts receivable by Select Specialty Hospital for the operation of a hospital in the building due to UMMC's lease of space, the Lease may be terminated upon 90 days' written notice.

Contract Amount: The amendment for CDC is at the Medical Office Suites rate, or \$17.50 per square foot plus annual increases up to CPI. Payments will begin following the completion of landlord improvements to the space, which is expected to be on or about January 1, 2015. The cost of the original lease agreement was \$6,796,915.10, and the amendment will cost approximately \$912,946.62, for a total cost of the amended lease agreement to be approximately \$7,709,861.72. The breakdown of costs is as follows:

	Medical Office Suites*	Hospital Suite*	Original Lease Annual Costs	Amendment Base Annual Costs	Amendment Additional Rent	TOTAL ANNUAL COST
Per Square Foot	\$17.50	\$34.00		\$17.50		
Year 1 (9/1/2013 - 8/31/2014)	\$276,307.50	\$392,734.00	\$669,041.50			\$669,041.50
Year 2 (9/1/2014 - 8/31/2015)**	\$284,596.73	\$404,516.02	\$689,112.75	\$93,423.58	\$10,959.04	\$793,495.37
Year 3 (9/1/2015 - 8/31/2016)	\$293,134.63	\$416,651.50	\$709,786.13	\$96,226.28	\$16,438.56	\$822,450.97
Year 4 (9/1/2016 - 8/31/2017)	\$301,928.67	\$429,151.05	\$731,079.71	\$99,113.07	\$16,438.56	\$846,631.34
Year 5 (9/1/2017 - 8/31/2018)	\$310,986.53	\$442,025.58	\$753,012.10	\$102,086.46	\$16,438.56	\$871,537.12

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Year 6 (9/1/2018 - 8/31/2019)	\$320,316.12	\$455,286.34	\$775,602.47	\$105,149.06	\$16,438.56	\$897,190.09
Year 7 (9/1/2019 - 8/31/2020)***	\$329,925.60	\$468,944.93	\$798,870.54	\$108,303.53	\$5,479.52	\$912,653.59
Year 8 (9/1/2020 - 8/31/2021)	\$339,823.37	\$483,013.28	\$822,836.66	\$111,552.63	\$0.00	\$934,389.29
Year 9 (9/1/2021 - 8/31/2022)	\$350,018.07	\$497,503.68	\$847,521.76	\$114,899.21	\$0.00	\$962,420.97
TOTAL	\$2,807,037.22	\$3,989,826.39	\$6,796,915.10	\$830,753.82	\$82,192.80	\$7,709,861.72

**Rates include annual increase of 3.0% for increases up to current CPI beginning in Year 2. Amendment base cost starts at \$18.025, which is \$17.50 plus a 3% increase.*

***Year 2 includes eight (8) months of amendment costs for additional rent.*

****Year 7 includes four (4) months of amendment costs for additional rent.*

Funding Source of Contract: The agreement will be funded by patient revenues.

Contractor Selection Process: Select Specialty Hospital is the existing landlord.

Staff Recommendation: *Based on Board Policy 707.01, Personal Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. However, Board approval is required prior to execution of all oil, gas and mineral leases, regardless of amount. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.*

- h. Agenda Item Request:** The University of Mississippi Medical Center (UMMC) requests approval to enter into an agreement with **Werfen USA LLC d/b/a Instrumentation Laboratory** to lease and service coagulation equipment and purchase testing supplies for the hospital's Clinical Laboratory. Under the agreement, IL will lease six (6) coagulation instruments to UMMC and provide services for those instruments. UMMC will purchase the necessary reagents and consumables to be used with the coagulation instruments. With this instrumentation, clinical diagnostic testing will be performed, which can indicate the presence of certain medical conditions.

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Contractor's Legal Name: Werfen USA LLC d/b/a Instrumentation Laboratory (IL)

History of Contract: UMMC currently owns six (6) Siemens coagulation instruments. The instruments have exceeded their expected end of life, and UMMC wishes to replace them with new IL models. The new IL instruments also have the capability to run additional diagnostic tests that the old Siemens instruments are unable to run.

Specific Type of Contract: Agreement for lease, purchase and service of equipment and commodities.

Purpose: Under the agreement, IL will lease six (6) coagulation instruments to UMMC and provide services for those instruments. UMMC will commit to purchase at least a minimum annual amount of reagents and consumables to be used with the coagulation instruments. With this instrumentation, clinical diagnostic testing will be performed, which can indicate the presence of certain medical conditions.

Scope of Work: Under the agreement, IL will provide six (6) coagulation instruments. The instruments will be covered by a sixty (60) month warranty and service package. In exchange, UMMC agrees to purchase a minimum annual amount of reagents and supplies.

Term of Contract: The term of the agreement is five (5) years, beginning on or about November 1, 2014, and continuing through October 31, 2019.

Termination Options: Termination options include the following:

- By UMMC upon thirty (30) days' written notice and payment of a buy-out fee;
- In the event either party materially breaches the agreement and fails to cure the breach within thirty (30) days after the date of written notice of the breach from the non-breaching party,
- In the event either party materially breaches the agreement and fails to commence diligent efforts to cure the breach if it cannot reasonably be cured within ninety (90) days, the non-breaching party may terminate the agreement after a ten (10) day written notice to the breaching party;
- In the event of any reduction in available funds to UMMC, the contract may be terminated without penalty to UMMC; and
- Failure by IL to comply with the federal E-Verify Program.

Contract Amount: The total estimated cost cost for the five (5) year term is \$2,078,358.44, which includes potential price increases after the first year of up to

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three percent (3%). The contract includes flat rates for the lease and service of the six (6) coagulation instruments, a minimum annual commitment of reagent/consumable purchases, additional purchases of reagents/consumables as needed, shipping, and optional additional training as needed. For the first twelve (12) months of the agreement, the instruments are covered under warranty. Service coverage and payments will begin at the expiration of the warranty. A breakdown of the cost of the contract is as follows:

	Lease	Service	Consumables*	Shipping**	Training***	Total
Year 1	\$74,890.80	\$0.00	\$221,998.61	\$5,000.00	\$16,000.00	\$317,889.41
Year 2 ⁱ	\$77,137.52	\$46,025.04	\$251,524.43	\$5,000.00		\$379,686.99
Year 3	\$79,451.65	\$47,405.79	\$284,977.17	\$5,000.00		\$416,834.61
Year 4	\$81,835.20	\$48,827.96	\$322,879.14	\$5,000.00		\$458,542.30
Year 5	\$84,290.26	\$50,292.80	\$365,822.06	\$5,000.00		\$505,405.12
Total	\$397,605.43	\$192,551.60	\$1,447,201.41	\$25,000.00	\$16,000.00	\$2,078,358.44

**Calculated based upon historical purchases with previous vendor, includes minimum commitment and estimated additional purchases. Years 2-5 include a 10% increase each year for potential patient volume increases.*

***Shipping costs are for additional consumables only. IL will pay for shipping the committed quantity of consumables.*

****Optional additional training, calculated at \$4,000 per person for four (4) individuals.*

ⁱIncludes 3% annual increase after Year 1, as IL may increase prices by up to 3% annually.

Funding Source of Contract: This agreement will be funded by patient revenues.

Contractor Selection Process: Werfen USA LLC is an approved vendor contracted with Novation, UMMC's primary group purchasing organization (GPO) pursuant to Miss. Code Ann. § 31-7-13(m)(x).

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 recommends approval of this item.

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1. SYSTEM – REQUEST FOR APPROVAL FOR FIRST READING OF NEW POLICY 707.0101 CONTRACTS WITH SUPPORTIVE ENTITIES

Board approval for first reading is requested regarding the below proposed new Board Policy 707.0101 Contracts with Supportive Entities. The following new policy is proposed in order to specify university obligations prior to a university contracting with supportive entities and prior to expending funds or obligating the university regarding a contemplated supportive entity building project.

707.0101 CONTRACTS WITH SUPPORTIVE ENTITIES

The Board understands and appreciates that foundations, alumni associations and other entities, such as businesses and corporations, (all referred to collectively as supportive entities) may, in appropriate cases, provide substantial assistance to the universities through arrangements other than a direct transfer of funds to the university itself. For example, a supportive entity may act to own, purchase, build or develop buildings or other facilities that are designed to be used by the institution itself or by students of the institution. Such arrangements are often beneficial to the institutions.

The financial health of the university system as a whole makes it necessary that the Board conduct the necessary review to ensure that all such projects are self-sufficient and that there has been appropriate use by foundations and alumni associations of resources provided by private donors to benefit the universities. Even if such projects involve financial arrangements that are directly and formally borne by the supportive entities, the indirect effect of such arrangements may be to place upon the universities or the students the ultimate burden of that financial cost. For example, a supportive entity that incurs its own debt to construct a dormitory may bear the burden of repayment; however, if as a practical matter the university has an implied or other obligation to lease the dormitory to students to provide the revenues to repay the indebtedness, the students ultimately bear the cost of the debt.

To ensure appropriate oversight, Board approval is required for any contract or other arrangement of any university with any supportive entity (or with any entity associated or affiliated with, or sponsored or created by, any supportive entity) relating to constructing, building, developing, operating, or managing any facility to be used by the university itself, any entity related to the university, or the students of the university. There shall be a *de minimus* exception to this policy if the Commissioner finds and notifies the Board prior to execution of any such contract or arrangement that the project, over the total life of the contract or arrangement, will involve an amount less than \$250,000 in expenditures by a supportive entity, by the university, and by the students of the university.

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Any such contract or arrangement must provide adequate assurance that entities participating in such projects are selected on the basis of such factors as ability, quality, price and all factors required by applicable laws, and not as a result of favoritism or improper influence. Thus, it is expected that all such arrangements would involve appropriate procedures that would allow consideration of a number of entities seeking to provide any service, rather than just one such entity. It is also expected that all consideration of the project would be conducted so as not to allow “favored participation” in the planning process in a manner that would provide any substantial advantage to any one entity seeking to provide the services. Additionally, since arrangements that have a financial effect on public institutions and students are of vital interest to the public, stringent efforts should be taken to conduct all preliminary or other consideration of such a method in a manner that does not create any public perception that inappropriate favoritism is being shown to a particular entity. Finally, of course, any such arrangements must provide adequate assurance for verification that the costs to be incurred are reasonable and appropriate.

Any university proposing to undertake any such contract or arrangement with a supportive entity is required to notify the Commissioner before any substantial expenditure of funds has commenced and before any associated contract with the university is executed, and if approval by the Board is required, to secure approval before any substantial expenditure of funds by the university or the supportive entity has been made, and before any associated contract with the university is executed.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

2. **JSU – APPROVAL OF WORTH THOMAS d/b/a W. T. CONSULTANTS AS IN-STATE LOBBYING CONSULTANT**

Board Policy 201.0506 Political Activity requires annual Board approval of the use of all outside lobbyists which will perform lobbying activities within the State of Mississippi on behalf of any of the institutions prior to an institution contracting therewith. In addition, Board Policy 201.0506 requires that the Board approve the actual contract with such a lobbyist. The request for approval must include disclosure of all other clients represented by the proposed lobbyist, as well as the specific source of funding to be used for payment of the lobbyist, including expenses. The request must indicate whether funding is to be derived from state general funds or self-generated funds. Further, the contractual agreement with such an outside lobbyist to conduct in-state lobbying must provide that the agreement is either terminable at will, or it must contain a provision that provides that such contract may be terminated by IHL or the client institution if IHL or the institution determines that a new client of the lobbyist creates a conflict. Lastly, board policy requires that such lobbyists are required to apprise the Commissioner

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regarding lobbying activities related to IHL or any individual IHL institution, and to coordinate those activities within system strategies and processes prescribed by the IHL Board. In response to the various requirements of Board Policy 201.0506 regarding the approval requirements in order to use an outside lobbyist for lobbying activities within the State of Mississippi, the institution has submitted the following for the Board's consideration.

In accordance with Board Policy 201.0506, *Political Activity*, JSU hereby requests approval of a consultant agreement between Jackson State University, Jackson State University Development Foundation and Worth Thomas of W.T. Consultants, who will provide a full scope of legislative liaison services within the State of Mississippi, with such services designed to achieve the state agency and governmental relations goals of Jackson State University.

Lobbyist/Firm Clients:

1. Altria Client Services, Inc.
2. AT&T
3. American Red Cross
4. Biosketch
5. Blake Enterprises
6. Cash Depot
7. Jackson State University
8. MS Action for Progress
9. MS Baptist Health Systems, Inc.
10. MS Power
11. Millcreek, MS a division of Acadia Health Co.
12. Senior Care Centers of MS, LLC d/b/a Baptist Adult Day Health Services

Contract Date: To Commence on the date of Execution of the Agreement
September 2014 – June 30, 2015

Contract Amount: \$ 80,000.00
Plus an approved expense reimbursement of \$2,500.00

Source of Funds: **No E & G funds will be used.** All payments to W. T. Consultants will be made by the Jackson State University Development Foundation.

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GOVERNMENT RELATION SERVICES AGREEMENT

This agreement (“Agreement”) entered into by and between **Worth Thomas dba W.T. Consultants**, (“WTC”), located at 200 South Lamar Street, Post Office Box 774, Jackson, MS 39205 and **Jackson State University (“JSU”), and Jackson State University Development Foundation**, located at 1400 J.R. Lynch Street, Jackson, MS 39217.

1. SCOPE OF SERVICES. WTC agrees to provide consulting services with respect to state agencies and officials within the State of Mississippi to include (without limitation) direct communication with legislators or other officials concerning relevant legislation, as part of JSU exploring the best possible avenues for implementation of its legislative and economic development agenda. Consultant will coordinate all services and activities with the President of Jackson State University, and/or any representative designated by the President. WTC agrees to comply with all laws, registration or any other requirements of any governing body overseeing such Services as performed in this Agreement, including but not limited to, the compliance requirements of the Lobbying Law Reform Act of 1994 as well as Mississippi Code § 37-101-15(d), as well as any by-laws of the Mississippi Institutions of Higher Learning, Board of Trustees. WTC agrees to adhere to the requirements of the Mississippi State Institutions of Higher Learning bylaws, including IHL Board Policy 201.0506(3), as amended and as may be hereafter revised. Specifically, WTC agrees to apprise the IHL Board, through the Commissioner, of all new clients after engaging the client or clients. Under Policy 201.0506 (3), WTC shall also apprise the Commissioner regarding lobbying activities related to IHL or any individual IHL institution and shall coordinate those activities within system strategies and processes prescribed by the Board.

2. REQUIRED FILINGS. WTC shall register as a lobbyist, and file required periodic reports, for JSU with the Secretary of State of Mississippi relating to lobbying laws in Mississippi. WTC will also advise and assist JSU, at its request, in fulfilling all JSU-related reporting as required under State Lobbying laws.

3. TERM OF AGREEMENT. The Term of this Agreement shall commence on the date of execution of this Agreement (_____, 2014) and shall continue in full force to **June 30, 2015**, unless otherwise terminated as provided herein. This Agreement may be renewed for an additional period(s) upon written mutual agreement of both parties.

4. PAYMENT. Compensation for Services performed under this agreement shall be \$80,000.00. WTC will be paid quarterly by the Jackson State University Development Foundation, as follows:

September 30, 2014 \$20,000.00

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December 31, 2014	\$20,000.00
March 31, 2015	\$20,000.00
June 30, 2015	\$20,000.00

5. EXPENSES. WTC will be reimbursed by the Jackson State University Development Foundation for approved reasonable and necessary expenses incurred in performance of services under this Agreement up to a maximum of \$2,500.00. Invoices for expenses reimbursable hereunder shall be rendered monthly in arrears and shall be due within forty-five (45) days of receipt of invoice. WTC agrees to provide reasonable documentation in support of any reimbursement requests.

6. ADDITIONAL TERMS AND CONDITIONS. All terms and conditions that Jackson State University is required to follow by law, relevant Federal Management Circulars, the Code of Federal Regulations, JSU policy, and governing board bylaws must be adhered to by WTC.

7. TERMINATION. Any party may terminate this Agreement upon thirty (30) days prior written notice to the other parties. Upon termination, any payment earned and unpaid to WTC shall be paid in full within forty-five (45) days of JSU's receipt of such invoice. Services performed through a portion of a quarter shall be prorated in accordance with the date of termination.

8. REPORTS. Reports shall be submitted to JSU on a continuous basis, including a report at the end of each project period, and a Final Report to be submitted no later than ten (10) days after the initial term of this contract ends, and after any additional terms agreed to between the parties.

9. RELATIONSHIP. The parties understand that WTC is an independent contractor with respect to JSU and not an employee of JSU. This Agreement is neither intended to nor will it be construed as, creating any other relationship, including one of employment, joint venture, or agency.

10. ENTIRE AGREEMENT. This instrument constitutes the entire Agreement of the parties with respect to the subject matter written.

11. CLIENT IDENTIFICATION. WTC represents that it has disclosed a list of its clients as of the date that his Agreement is executed, and WTC agrees to disclose the identity of all new clients which are acquired by WTC during the term of this Agreement (and any extensions thereof) to IHL and JSU. If IHL or JSU determines that a conflict of

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interest exists in regard to clients of WTC, then JSU may elect to terminate this Agreement by written notification.

12. MISSISSIPPI AGENCY PROVISIONS.

Nondiscrimination. The parties agree to comply with all applicable state and federal laws, rules, and regulations governing equal employment opportunity, immigration, e-verify, and nondiscrimination.

Conflict of Interest. This Agreement is subject to Section 25-4-101 of the Mississippi Code Annotated, as amended. This Agreement may be cancelled if any person significantly involved in the initiating, negotiating, securing, drafting or creating of the Agreement on behalf of the University is an employee, consultant, or agent of any other party to this agreement. Should this Agreement violate a Mississippi Conflict of Interest law, the Agreement may be declared void.

Records. The parties shall retain all records directly relating to this Agreement during the Agreement's term and for a minimum of an additional three (3) years. Further, such records will be available at reasonable times for inspection and audit by University or the State of Mississippi during the term of this agreement and for three (3) years thereafter. A copy of the records shall be provided at Jackson State University in Jackson, Mississippi, upon request.

Failure of Legislature to appropriate. If University's performance under this agreement depends upon the appropriation of funds by the Mississippi Legislature, and if the Legislature fails to appropriate the funds necessary for performance, then the University may provide written notice of such non-appropriation and cancel this Agreement without further obligation of the University.

E-Verify. The Parties represent and warrant that each will ensure its compliance with the Mississippi Employment Protection and will register and participate in the status of verification system for all newly hired employees. The term "employee" as used herein means any person that is hired to perform work within the State of Mississippi. As used herein, "status verification system" means the Illegal Immigration Reform and Immigration Responsibility Act of 1996 that is operated by the United States Department of Homeland Security, also known as the E-Verify Program, or any other successor electronic verification system replacing the E-Verify Program. The Parties agree to maintain records of such compliance and, upon request of the State of Mississippi, to provide a copy of each such verification to the State of Mississippi. The Parties further represent and warrant that any of its employees assigned by such Party to perform services hereunder meets the employment eligibility requirements of all immigration laws of the State of Mississippi. The Parties understand and agree that any breach of these

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warranties may subject the Parties to the following: (a) termination of this Agreement and ineligibility for any state or public contract in Mississippi for up to three (3) years, with notice of such cancellation/termination being made public, or (b) the loss of any license, permit, certificate or other document granted to such Party by an agency, department or governmental entity for the right to do business in Mississippi for up to one (1) year, or (c) both.

Mississippi Law. This Agreement shall be governed and construed according to the laws of the State of Mississippi.

In Witness whereof, the parties have executed this Agreement in duplicate counterparts, each of which shall be deemed an original, but both of which shall constitute a single instrument.

WT CONSULTANTS
200 South Lamar Street, Suite 1057
P. O. Box 774
Jackson, MS 39205-0774

JACKSON STATE UNIVERSITY
Office of the President
1400 J.R. Lynch Street
Jackson, MS 39217

Worth Thomas, Consultant
Tax I.D. Number 16-1655028

Dr. Carolyn W. Meyers, President

Date: _____

Date: _____

JACKSON STATE UNIVERSITY
DEVELOPMENT FOUNDATION

Dr. Mary M. White
Interim Executive Director

Date: _____

STAFF RECOMMENDATION: Board staff recommends approval of this item.

INFORMATION AGENDAS

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1. SYSTEM – AYERS ACCOUNTABILITY MANUAL AS REQUIRED BY THE SETTLEMENT OF JAKE AYERS, JR. ET. AL. AND UNITED STATES OF AMERICA V RONNIE MUSGROVE, GOVERNOR, STATE OF MISSISSIPPI, ET. AL.

In accordance with the *JAKE AYERS, JR. ET.AL. and United States of America v RONNIE MUSGROVE, GOVERNOR, STATE OF MISSISSIPPI, ET.AL.* Settlement (aka: *Ayers Settlement Agreement*), the Board, through its counsel, shall provide to lead counsel for the private plaintiffs and counsel for the United States an annual disclosure report reflecting specified line-item information. This document is due October 1 of each year and has been presented to the Court.

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**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
August 21, 2014 BOARD MEETING SUBMISSION DEADLINE**

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

Board Policy §904(A), Board Approval

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

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

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

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

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

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A L C O R N S T A T E U N I V E R S I T Y

1. ASU– GS 101-292 – Bowles Hall Renovations

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$20,410.40 and fifteen (15) additional days to the contract of Flagstar Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 12, 2014

Change Order Justification: Change Order #3 is necessary to revise the casework containing the under counter oven to agree with the ADA heights for the accepted submitted oven, to add a glass wall system at the 3rd floor reception area, and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$27,363.64.

Project Initiation Date: August 18, 2011

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

General Contractor: Flagstar Construction Company, Inc.

Project Budget: \$8,200,000.00

D E L T A S T A T E U N I V E R S I T Y

2. DSU– GS 102-237 – Caylor White Walters Phase III Rebid

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$23,252.92 and eleven (11) additional days to the contract of Panola Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 25, 2014

Change Order Justification: Change Order #4 is necessary to reroute water from phase 3 to bathrooms at the planetarium, pricing for rerouting service, provide plugmold instead of wiremold on endcaps of student workstations, 3 illuminated exit signs, installation at

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various doors, credit for a door which was to be a “B” type door in a “4” type frame, cut an opening in the west planetarium wall, install a hollow metal doorframe & hardware plus carpet/vet threshold, provide 2 cmu walls & extend to deck and paint, cut cmu to create a finished masonry opening into the hallway where the existing door is to be removed, add offset to existing fire main riser, provide a price for labor & materials to route plumbing lines across a hallway and up into a new chase and additional days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$622,081.34.

Project Initiation Date: August 18, 2011

Design Professional: Architecture South, P.A.

General Contractor: Panola Construction Company, Inc.

Project Budget: \$16,915,249.00

JACKSON STATE UNIVERSITY

3. JSU– GS 103-267 – Alexander Center Renovation Phase I

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$523,500.00 and one hundred (100) additional days to the contract of Coleman Hammons Construction Company, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 30, 2014

Change Order Justification: Change Order #3 is necessary to replace the existing roofing over the entire building (west wing, east wing and middle wing) and additional days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$652,828.11.

Project Initiation Date: June 16, 2011

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: Coleman Hammons Construction Company, Inc.

Project Budget: \$7,684,000.00

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MISSISSIPPI STATE UNIVERSITY

4. MSU– GS 105-345 (GC002) – MSU Classroom Building with Parking (Mechanical)

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$5,222.62 and zero (0) additional days to the contract of Upchurch Plumbing, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, August 1, 2014

Change Order Justification: Change Order #2 is necessary to install a French drain system around the transformers & connect to the new storm sewer inlet, credit for controls bid coming in under the allowance, and to raise the existing sconces on the interior of the central plant at the new mezzanine so they are out of sitelines.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$10,427.96.

Project Initiation Date: August 19, 2010

Design Professional: Belinda Stewart Architects, P. A.

General Contractor: Upchurch Plumbing, Inc.

Project Budget: \$41,314,339.00

5. MSU – GS 113-134 – Wise Center Classroom Addition

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$23,000.06 and twenty-eight (28) additional days to the contract of Tyler Construction Group Corporation. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 18, 2014

Change Order Justification: Change Order #1 is necessary to relocate the existing 10” waterline, reduce the width of the sidewalk/stair, reconfigure the retaining wall, connect the existing 10” roof drain to the new 24” x 24” grate inlet and additional days for work as indicated herein.

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Total Project Change Order and Amount: One (1) change order for a total amount of \$23,000.06.

Project Initiation Date: October 21, 2010

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

General Contractor: Tyler Construction Group Corporation

Project Budget: \$3,775,077.33

6. MSU – IHL 205-231 – MSU South Entrance Road

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Neel-Schaffer, Inc.

Staff Approval Date: APPROVED, July 1, 2014

Project Initiation Date: August 15, 2007

Design Professional: Neel-Schaffer, Inc.

General Contractor: TBD

Project Budget: \$18,700,000.00

7. MSU – IHL 205-260 – Expansion & Renovation to Davis Wade Stadium

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$636,707.10 and zero (0) additional days to the contract of Harrell Contracting Group, LLC.

Approval Status & Date: APPROVED, July 22, 2014

Change Order Justification: Change Order #4 is necessary for a new trench drain at the field terrace, two additional pre-cast seating unit drains, piping for loge seating trench drains, revision to the electrical room walls, piping to six area drains at the lower bowl seating area, plumbing provisions for 2 sinks in the field club suites, revisions due to grade issues at the south plaza, public access improvements for the north lower bowl seating area, new storm drain to be relocated and inlets reworked, additional electrical metering, added floor drain to paint storage room, additional lighting at south ticket gate ramp, scoreboard revisions, additional fencing, gate & paving, new handicap ramp, new

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limestone finish at the west concourse, HVAC added to first aid room, plumbing & electrical work for ARAMARK, louvered door for pump room, new water line to existing ARAMARK prep room & field paint area, additional paper towel dispensers, main electrical stair & door revisions, removal of ductwork & installation of new ductwork at the field club level, replace existing west stadium seating joint, add tube steel header to west entry gates, custom elevator buttons, temporary provisions for west concourse fire protection, pedestrian waterproofing in lieu of sub-roof system at scoreboard club terrace tub slab, ceiling for elevator control room, field terrace revisions, coiling door revisions, loading dock equipment power, field level ramp to east stadium, relocation of HVAC heating pumps, revised exhaust duct routing, chilled water piping relocated due to space clearance, floor drains added beneath mid bowl, modifications to new coolers & freezers in commissary kitchen, additional panels for new breakers due to space requirements, additional chair back seats in suites 1&2, and to paint the back side of the southwest elevator to match adjacent surfaces.

Total Project Change Order and Amount: Four (4) change orders for a total amount of \$2,249,276.27.

Project Initiation Date: May 19, 2011

Design Professional: LPK Architects, P.A.

General Contractor: Harrell Contracting Group, LLC

Project Budget: \$80,000,000.00

8. MSU– IHL 205-272 (Phase I Base Building) – Campus Services Shop Building

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,451,000 to the apparent low bidder, Weathers Construction, Inc.

Approval Status & Date: APPROVED, July 1, 2014

Project Initiation Date: October 17, 2013

Design Professional: Michael T. Muzzi, AIA, AUA

General Contractor: Weathers Construction, Inc.

Project Budget: \$2,000,000.00

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MISSISSIPPI UNIVERSITY FOR WOMEN

9. MUW– GS 104-182 – Fant Library Renovation – PH II

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$9,343.24 and zero (0) additional days to the contract of Amason & Associates, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 10, 2014

Change Order Justification: Change Order #1 is necessary to install 12 temporary power/data outlets at the library for student use, reroute temporary ductwork installed in Phase I to allow construction of women's toilets & demolition of existing floor toilets, provide a credit for the controls allowance, and for eliminating water heating piping & preheat coils that were made redundant while reengineering AHU's to ensure clearances in the mechanical penthouse, and to provide gas service to the gas-powered standby generator.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$9,343.24.

Project Initiation Date: October 21, 2010

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

General Contractor: Amason & Associates, Inc.

Project Budget: \$5,400,000.00

MISSISSIPPI VALLEY STATE UNIVERSITY

10. MVSU – GS 106-218 – New President's Home

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$2,650.67 and zero (0) additional days to the contract of David Smith Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 25, 2014

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Change Order Justification: Change Order #1 is necessary to change the vent hood surround from 36” to 48”, also field finish the vent hood surround in lieu of factory finish and add an additional chandelier.

Total Project Change Order and Amount: One (1) change order for a total amount of \$2,650.67.

Approval Request #2: Increase in Budget

In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by C.D. Smith, Chair of the Real Estate and Facilities Committee on September 8, 2014, approving a budget increase for the New President’s Home . The project budget was increased from \$1,292,696 to \$1,456,313 for an increase of \$163,617. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Budget Increase Justification: The increase in the project budget is necessary to expedite the construction of the road/driveway to the house and provide for a commemorative plaque. The road was originally planned to be bid as a separate project but the BOB would prefer to include it as part of the current project.

Interim Approval Status & Date: APPROVED, September 8, 2014

Project Initiation Date: March 20, 2009

Design Professional: Shafer & Associates Architects, PLLC

General Contractor: David Smith Construction, Inc.

Project Budget: \$1,456,313.00

11. MVSU – GS 106-237 – Harrison Renovation

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$14,684.62 and fourteen (14) additional days to the contract of Evan Johnson & Sons Construction, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 29, 2014

Change Order Justification: Change Order #2 is necessary to recircuit electrical power to the aquatic building, credit for doors at stairwells, credit on electrical panels, install LED

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lighting at teamstore and paint the column, relocate the chiller and additional days for work as indicated herein.

Total Project Change Order and Amount: Two (2) change orders for a total amount of \$82,466.82.

Project Initiation Date: October 21, 2010

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

General Contractor: Evan Johnson & Sons Construction, Inc.

Project Budget: \$17,775,000.00

UNIVERSITY OF MISSISSIPPI

12. UM – GS 107-311 – Music Hall West Wing Renovation

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the **credit amount** of \$37,280.00 and two (2) additional days to the contract of D. Carroll Construction, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property Management.

Approval Status & Date: APPROVED, July 1, 2014

Change Order Justification: Change Order #1 is necessary to remove two additional trees, credit for controls allowance and additional days for work as indicated herein.

Total Project Change Order and Amount: One (1) change order for a total **credit** amount of \$37,280.00.

Project Initiation Date: November 15, 2011

Design Professional: Shafer & Associates, PLLC

General Contractor: D. Carroll Construction, LLC

Project Budget: \$3,400,000.00

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13. UM– IHL 207-341 – Thad Cochran Natural Products Center – Phase II

Approval Request #1: Change Order #8

Board staff approved Change Order #8 in the **credit amount** of \$114,268.00 and four (4) additional days to the contract of Carothers Construction, Inc.

Approval Status & Date: APPROVED, July 5, 2014

Change Order Justification: Change Order #8 is necessary to add communications outlets in several offices, adding drywall expansion joints at soffits, adjusting the reverse osmosis allowance, adding chase walls in the corridors, adding a 60-amp feeder and 60amp bucket for VFD serving, adding a fire alarm & power to the fire smoke dampers, adding fire-rated plywood to the communications rooms, additional supply and return RO piping connection, credit for deleting nitrogen/argon storage enclosure, refrigeration line sets for the walk-in coolers & freezers, signage allowance & screen wall allowance, relocation of the existing 4” acid waste pipe at the 3rd floor renovation area, ductwork modifications, relocation of hoods at the autoclaves in various rooms, reworking 100 7M2 columns at the 4th floor roof parapet and additional days for work as indicated herein.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$168,444.19.

Project Initiation Date: May 20, 2010

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

General Contractor: Carothers Construction, Inc.

Project Budget: \$40,000,000.00

14. UM– IHL 207-353 – Coulter Hall Addition and Renovation

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$5,142.00 and eighteen (18) additional days to the contract of Carothers Construction, Inc.

Approval Status & Date: APPROVED, August 14, 2014

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Change Order Justification: Change Order #4 is necessary for additional underground work and additional days for work as indicated herein.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$62,123.00.

Project Initiation Date: February 16, 2012

Design Professional: Barlow Eddy Jenkins/CDFL – A Professional Association

General Contractor: Carothers Construction, Inc.

Project Budget: \$18,000,000.00

15. UM– IHL 207-354 – Honors College Renovation and Addition

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$460,126.03 and twenty-eight (28) additional days to the contract of Hooker Construction, Inc.

Approval Status & Date: APPROVED, July 30, 2014

Change Order Justification: Change Order #1 is necessary to reroute existing sanitary sewer piping, including two manholes, rerouting of fire sprinkler main piping & the storm sewer behind Kappa Delta House to make room for other new utilities, interior renovation of kitchen & basement study dungeons, new raised exterior deck and additional days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$460,126.03.

Project Initiation Date: November 17, 2011

Design Professional: The McCarty Company Design Group, P.A.

General Contractor: Hooker Construction, Inc.

Project Budget: \$6,600,000.00

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16. UM– IHL 207-361 – Lamar Hall Phase IIB

Approval Request #1: Change Order #6

Board staff approved Change Order #6 in the amount of \$48,880.58 and seventy-six (76) additional days to the contract of D. Carroll Construction, LLC.

Approval Status & Date: APPROVED, July 28, 2014

Change Order Justification: Change Order #6 is necessary to replace unstable CMU backup at the east elevations below the plaza stair, credit not to paint basement ceiling due to existing acoustical/thermal spray insulation, modify existing door frames to receive glass transoms, credit for deletion of the first floor interior slab to wall waterproofing, new exhaust snorkel at Archeology Lab, power to instantaneous water heaters in two rooms, additional wall support, electrical repair, and resetting of the supply fan at the AHU plenum, additional VCT required to complete the final floor pattern at the 5th floor, light and switch at the refurbished service elevator pit, and emergency lighting at the existing classrooms and additional days for work as indicated herein.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$597,840.15.

Project Initiation Date: August 16, 2012

Design Professional: Barlow Eddy Jenkins Architects, P.A.

General Contractor: D. Carroll Construction, LLC

Project Budget: \$7,800,000.00

17. UM– IHL 207-371 – Stockard Hall Elevator Refurbishment

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$38,688.00 and zero (0) additional days to the contract of Barnes & Brower, Inc.

Approval Status & Date: APPROVED, June 25, 2014

Change Order Justification: Change Order #1 is necessary for replacement of cost for elevator doors, added electrical controls for automatic transfer switch, and cost for an interim maintenance agreement for elevators.

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Total Project Change Orders and Amount: One (1) change order for a total amount of \$38,688.00.

Project Initiation Date: March 21, 2013

Design Professional: Corbett Legge and Associates, PLLC

General Contractor: Barnes & Brower, Inc.

Project Budget: \$1,100,000.00

18. UM– IHL 207-375 – Student Housing Phase II

Interim Approval: In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. C. D. Smith, Chair of the Real Estate and Facilities Committee on February 3, 2014 to approve the appointment of the design professional and increase the project budget from \$2,000,000.00 to \$40,000,000.00 for a total increase of 38,000,000.00.

Interim Approval Status & Date: July 14, 2014

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by The McCarty Company – Design Group, P.A.

Approval Status and Date: APPROVED, July 30, 2014

Project Initiation Date: November 21, 2013

Design Professional: The McCarty Company – Design Group, P.A.

General Contractor: TBA

Project Budget: \$40,000,000.00

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19. UM– IHL 207-378 – New Student Housing at Northgate

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the **credit amount** of \$74,834.00 and zero (0) additional days to the contract of Roy Anderson Corporation.

Approval Status & Date: APPROVED, July 10, 2014

Change Order Justification: Change Order #1 is necessary to reduce the controls allowance, to deduct for relocation of storm pipe, and the cost to undercut unsuitable material from under the north retaining wall to support this wall.

Total Project Change Orders and Amount: One (1) change order for a total **credit** amount of \$74,834.00.

Project Initiation Date: February 20, 2014

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

General Contractor: Roy Anderson Corporation

Project Budget: \$20,500,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

20. UMMC – IHL 209-532 – Cardiovascular Renovations

Approval Request #1: Change Order #15

Board staff approved Change Order #15 in the amount of \$70,446.00 and eighty-two (82) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, June 20, 2014

Change Order Justification: Change Order #15 is necessary to remove & replace asphalt with reinforced concrete, adding fire dampers at the basement, adding a shelf in order to install storage racks in the catheter storage area, patching the floor in labs, and additional days for work as indicated herein.

Approval Request #2: Change Order #16

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Board staff approved Change Order #16 in the amount of \$45,940.00 and fourteen (14) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, July 22, 2014

Change Order Justification: Change Order #16 is necessary to provide additional fiber and data for the fire alarm panels, exterior exit walkway widened , milling the road an additional 2” and overlaying with asphalt up to where the road had been replaced, new fire alarm devices (reprogrammed) into existing fire alarm panels in various locations, additional conduit for proper functioning of equipment, and additional days for work as indicated herein.

Total Project Change Orders and Amount: Fifteen (16) change orders for a total amount of \$825,046.84.

Project Initiation Date: February 18, 2010

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

General Contractor: Fountain Construction Company, Inc.

Project Budget: \$20,182,526.00

21. UMMC – IHL 209-548 – School of Medicine - Utilities

Approval Request #1: Change Order #4

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

Approval Status & Date: APPROVED, July 18, 2014

Change Order Justification: Change Order #4 is necessary for administrative purposes only, a procedural budget modification between UMMC and MDA.

Approval Request #2: Change Order #5

Board staff approved Change Order #5 in the amount of \$102,382.00 and twenty-eight (28) additional days to the contract of Fountain Construction Company, Inc.

Approval Status & Date: APPROVED, July 18, 2014

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Change Order Justification: Change Order #5 is necessary to reroute natural gas piping to avoid the footprint of planned Garage C, provide labor & materials to support directional boring & buried piping, modify valve locations & pipe sizes, install two 12-in. underground isolation valves in existing fire main to limit the impact of shutdown, account for existing valves that do not properly hold closure, allow for planned sequencing of Phase G, install valves as indicated, and additional days for work as indicated herein.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$121,787.00.

Project Initiation Date: August 15, 2013

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

General Contractor: Fountain Construction Company, Inc.

Project Budget: \$10,000,000.00

22. UMMC– IHL 209-549 – Hospital Main Lab Serology & Virology Renovations 2013

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Foil Wyatt Architects & Planners, PLLC

Approval Status and Date: APPROVED, July 10, 2014

Project Initiation Date: January 16, 2014

Design Professional: Foil Wyatt Architects & Planners, PLLC

General Contractor: TBA

Project Budget: \$1,720,000.00

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UNIVERSITY OF SOUTHERN MISSISSIPPI

23. USM- IHL 208-313 – Fine Arts Complex Tornado Repairs & Renovations – PH II

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$149,107.36 and ninety (90) additional days to the contract of B.W. Sullivan Building Contractor, Inc.

Approval Status & Date: APPROVED, June 9, 2014

Change Order Justification: Change Order #2 is necessary to credit for steam cleaning the carpet, deletion of door signs & material, deleting one coat of floor wax, deleting all Cisco equipment & installation, change conduit to surface mounted wire mold, reroute & add conduit for camera & monitor control cable, door alarm system, raise existing energy management control, conduit & wiring to above the unistrut grid in the Gallery/Museum, rework & extend fire alarm circuits for duct detectors, and mount to new air ducts at air handlers, connect electrical power to new control panel for the organ, install spare conduit in the George Hurst Bldg., install flooring & base, change six projector mounts, install a scissor projector left in Gallery/Museum, install a fire alarm system, install two conduits from the current AV conduit location, stage right to AV equipment control box location, replace existing acoustical ceiling grid and tiles, remove, clean & reinstall existing light fixtures in various rooms, replace existing acoustical ceiling grid & tiles in various corridors, replace corridor lighting, and additional days for work indicated herein.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$170,107.35

Project Initiation Date: June 4, 2013

Design Professional: Allred Architectural Group

General Contractor: B.W. Sullivan Building Contractor

Project Budget: \$5,402,302.84

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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 Ware/Gasparian (statement dated 9/1/2014) from the funds of Mississippi State University. (This statement, in the amount of \$2,500.00, represents services and expenses in connection with immigration/labor certifications.)

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

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 7/30/14 and 8/13/14) from the funds of the University of Mississippi. (These statements, in the amounts of \$6,624.00 and \$1,608.00, respectively, represent services and expenses in connection with legal advice regarding federal income tax audits.)

TOTAL DUE.....\$ 8,232.00

Payment of legal fees for professional services rendered by Evans Petree (statements dated 6/2/14, 7/17/14 and 8/1/14) from the funds of the University of Mississippi. (These statements, in the amounts of \$6,288.19, \$4,145.98 and \$3,400.00, respectively, represent services and expenses in connection with legal advice regarding Construction Defects at the Inn at Ole Miss.)

TOTAL DUE.....\$ 13,834.17

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statement dated 5/12/14) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$6,100.50, represents services and expenses in connection with legal advice and litigation matters.)

TOTAL DUE.....\$ 6,100.50

Payment of legal fees for professional services rendered by Kitchens Hardwick (statements dated 8/1/14 and 9/3/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$280.50 and \$19,372.00, respectively, represent services and expenses in connection with legal advice and litigation matters.)

TOTAL DUE.....\$ 19,652.50

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Payment of legal fees for professional services rendered by Bryan/Nelson (statement dated 9/5/14) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$1,290.60, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,290.60

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statement dated 8/20/14) from the funds of the University of Southern Mississippi. (This statement represents services and expenses in connection with legal advice regarding the Toxicology Laboratory Building – FEMA Arbitration - \$1,176.00.)

TOTAL DUE.....\$ 1,176.00

Payment of legal fees for professional services rendered by Mayo Mallette (statement dated 9/10/14) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$313.50, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 313.50

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 7/30/14, 7/30/14, 7/30/14, 7/30/14, 7/30/14, 7/30/14, 8/22/14, 8/22/14, 8/22/14 and 8/22/14) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Laser-Induced Breakdown Spectroscopy for Specimen Analysis” - \$192.00; “MOS Charge Pump” - \$192.00; “General IP Matters” - \$168.00; “Methods for Maize Transformation Coupled with Adventitious Regeneration Utilizing Nodal Section Explants and Mature Zygotic Embryos” - \$48.00; “Steele – Solid Heat Carrier Pyrolysis Reactor” - \$600.00; “Alcohol Esterification (Condensor Train)” - \$216.00; “Live Attenuated Catfish Vaccine” - \$936.00; “Alcohol Esterification (Condensor Train)” - \$50.00; “Laser-Induced Breakdown Spectroscopy for Specimen Analysis” - \$72.00 and “MOS-Charge Pump” - \$72.00, respectively.)

TOTAL DUE.....\$ 2,546.00

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 8/25/14, 8/25/14 and 8/26/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Cache Mapping Technology” - \$1,577.10; “Stuttering Inhibition Device” - \$362.00 and “Animal Model of Anxiety and Depression” - \$168.00, respectively.)

TOTAL DUE.....\$ 2,107.10

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Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 8/12/14 and 8/13/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Highly Selective Sigma Receptor Ligands Radioligands” - \$1,175.00 and “Synthesis and Evaluation of Dual-Activity Opioid-NPFF Ligands” - \$3,650.00, respectively.)

TOTAL DUE.....\$ 4,825.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/15/14) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Indolinize-Based Donors as Organic Sensitizer Components for Dye Sensitizers” - \$3,177.00; “Methods for Detecting Humans” - \$1,028.00; “Novel Tools for Assessing the Skin Sensitization Potential of Chemicals” - \$66.50; “Stabilized Formulation of Triamcinolone Acetonide” - \$3,999.50; “Stabilized Formulation of Triamcinolone Acetonide” - \$422.00 and “Gas Separating Membranes” - \$326.50.)

TOTAL DUE.....\$ 9,019.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/15/14) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$198.00, \$38.00, \$471.50 and \$2,901.00, represent services and expenses in connection with intellectual property/patents.)

TOTAL DUE.....\$ 3,608.50

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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. **ASU** – In accordance with Board Policy 707.01 Land, Property, and Service Contracts, “The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000.” On September 17, 2014, the Commissioner approved a lease agreement with Toyota Motor Sales, U.S.A., Inc. (“Toyota”). This agreement is for the use of a Toyota Prius to be used by the employees of ASU’s Athletic Department for recruitment and/or business travel. The lease will run for a two (2) year period, or through approximately September 17, 2016. In lieu of a rental payment, ASU will maintain the vehicle in good working order, condition and repair. The Executive Office legal staff have reviewed and approved the contract documents. A copy of the documents are included in the *October 16, 2014 Board Working File*.
- b. **JSU** – 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 17, 2014, the Commissioner approved a lease agreement with Toyota Motor Sales, U.S.A., Inc. (“Toyota”). This agreement is for the use of a Toyota Prius to be used by the employees of JSU’s Athletic Department for recruitment and/or business travel. The lease will run for a two (2) year period, or through approximately September 17, 2016. In lieu of a rental payment, JSU will maintain the vehicle in good working order, condition and repair. The Executive Office legal staff have reviewed and approved the contract documents. A copy of the documents are included in the *October 16, 2014 Board Working File*.
- 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 9, 2014, the Commissioner approved the renewal of a lease agreement with the United States of America (USA) acting by and through the USDA Agricultural Research Service. This agreement is for the lease of 4,164 square feet of greenhouse space at the MSU Delta Branch Experiment Station in Stoneville, MS. The space will be used by the USA for soybean breeding research in support of its ARS (Agricultural Research Service) mission. The lease renewal will run for an additional twelve (12) month period and may be extended for an additional twelve (12) month period upon mutual agreement of the parties

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and subsequent approval of the Commissioner. This is Year 5 of a total ten (10) year lease term. In lieu of a payment of rent, government personnel will provide all necessary renovations, repairs and upkeep of the greenhouse space. The Executive Office legal staff have reviewed and approved the contract documents. A copy of the documents are included in the *October 16, 2014 Board Working File*.

- 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 9, 2014, the Commissioner approved the request by MSU on behalf of its Northern Gulf Institute (NGI) to amend its current lease agreement with Mississippi State University Research & Technology Corporation (RTC). Under the amendment, the lease will be extended for an additional twelve (12) month period, October 1, 2014 through September 30, 2015. In addition, the monthly rental cost will be increased from \$5,898.60 to \$6,069.79. As background, MSU’s Northern Gulf Institute is a cooperative institute led by MSU that is made up of five academic institutions and the National Oceanic and Atmospheric Administration (NOAA). The institute conducts research of natural and human impacts on the ecosystem of the northern Gulf of Mexico. The agreement is for the lease of approximately 4,372 square feet to be used by NGI as office, meeting, and classroom at the Stennis Space Center. The lease term will run for an additional twelve month period. MSU will pay a total of \$72,837.48 for the lease of the space. In addition to rent costs, MSU will be responsible for telephone and internet services. RTC, as Lessor, will provide utilities and janitorial services. This agreement is funded in part by federal USDA grant funds and in part by university funds. The Executive Office legal staff have reviewed and approved the contract documents. A copy of the documents are included in the *October 16, 2014 Board Working File*.
- e. **MVSU** – 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 10, 2014, the Commissioner approved a lease agreement with Toyota Motor Sales, U.S.A., Inc. (“Toyota”). This agreement is for the use of a Toyota Prius to be used by the employees of MVSU’s Athletic Department for recruitment and/or business travel. The lease will run for a two (2) year period, or through approximately September 17, 2016. In lieu of a rental payment, MVSU will maintain the vehicle in good working order, condition and repair. The

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Executive Office legal staff have reviewed and approved the contract documents. A copy of the documents are included in the *October 16, 2014 Board Working File*.

- f. **UMMC** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On September 24, 2014, the Commissioner approved a 2nd amendment to its current lease agreement with Eye Clinic of Meridian, PLLC (Meridian). (As background, the original agreement was approved by the Commissioner on April 7, 2014 and Amendment 1 to the agreement was approved on July 8, 2014.) The agreement is for the lease of medically equipped and furnished clinical space in the Eye Clinic of Meridian facility located at 1301 20th Avenue, Meridian, MS. The area will be used by UMMC Ophthalmology physicians for the provision of specialized care to patients in this area of the State. UMMC physicians are currently on-site one (1) day per month for patient consultation and supervision. The agreement is for a five (5) year period and will run through March 31, 2019. Currently, the total cost for the lease term is \$33,000. Meridian, as Lessor, provides utilities, and, customary maintenance for the building, grounds and parking lot. Under this amendment, UMMC will increase its usage of the space from one (1) day per month to two (2) days per month. As a result, the total estimated contract cost is increased from \$33,000 to \$66,000. The Executive Office legal staff have reviewed and approved the contract documents. A copy of the documents are included in the *October 16, 2014 Board Working File*.
- g. **USM** - In accordance with Board Policy 707.01 Land, Property, and Service Contracts, "The Commissioner is authorized and empowered to approve non-oil, gas and mineral leases in an amount equal to or less than \$100,000." On July 31, 2014, the Commissioner approved a revenue generating lease agreement with William Carey University (Carey). This agreement is for the lease of approximately 621 square feet of laboratory space in USM's Accelerator Building. The proposed lease is for Space No. 168 which will be used by Carey to pursue the analysis and research of DNA. The lease term will run for an initial six (6) month period beginning on the date the agreement is signed and will be extended for up to five additional six (6) month terms unless written notice of termination is given by either party at least sixty (60) days prior to the end of the then current lease term. In return for the lease of the designated space, USM will receive a rent payment of \$7,762.50 per term or, a total of \$46,575 for the lease term. The university, as Lessor, will provide utilities, janitorial services and

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routine maintenance services for the premises. The Executive Office legal staff have reviewed and approved the contract documents. A copy of the documents are included in the *October 16, 2014 Board Working File*.