

Board Book

October 17, 2024

MISSISSIPPI BOARD OF TRUSTEES OF STATE
INSTITUTIONS OF HIGHER LEARNING

Board Meeting Outline

MISSISSIPPI BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING

MEETINGS SCHEDULE

Real Estate Committee | October 16, 2024, 3:00p | IHL Board Room
Health Affairs Committee | October 16, 2024, 3:00p | IHL Board Room
IHL Board Meeting | October 17, 2024, 9:00a | IHL Board Room

CALL TO ORDER INVOCATION

Trustee Bruce Martin
Trustee Teresa Hubbard

MINUTES

September 19-20, 2024 Board Meeting Minutes 7

CONSENT AGENDAS | Trustee Bruce Martin

ACADEMIC AFFAIRS

1. MSU – Request Approval of Modification to An Existing Academic Degree Program
Rename: Bachelor of Science in Medical Technology36
2. SYSTEM – Request Approval of Modification to Existing Academic Units
Rename
 - a. MSU: Department of Communication.....36
 - b. UM: Office of Research and Sponsored Programs.....36
 - c. UMMC: Integrated Patient Care36Delete
 - d. UM: Division of Diversity and Community Engagement37

FINANCE

1. DSU – Request for Approval to Enter a Contract Amendment with Ellucian, L.P.....38
2. IHL Executive Office – Request for Approval to Enter an Agreement with Leon
Consulting, LLC d/b/a LK Marketing Services39
3. MVSU – Request for Approval to Escalate FY 2025 On Campus Budget40
4. MVSU – Request for Approval to Enter a Software License and Service Agreement
with Ellucian Company, LLC41
5. MVSU – Request for Approval to Enter a Software License and Service Agreement
with Ellucian Company, LLC (Banner)43
6. UMMC – Request for Approval to Enter a New Customer Purchasing Agreement with
AVITA Medical Americas LLC44
7. UMMC – Request for Approval to Enter a New Pricing Agreement with Edwards
LifeSciences LLC46
8. UMMC – Request for Approval to Enter a Coding Services Agreement with
Kiwi-Tek, LLC47

9. UMMC – Request for Approval to Enter a New GPO Product Agreement with Ortho-Clinical Diagnostics, Inc.	49
10. UMMC – Request for Approval to Enter a New Cost-Per-Reportable Agreement with Sysmex America, Inc. (Hematology)	51
11. UMMC – Request for Approval to Enter a New Cost-Per-Reportable Agreement with Sysmex America, Inc. (Urinalysis)	53
12. UMMC – Request for Approval to Enter a Program Initiative Services Agreement with Sellers Dorsey & Associates, LLC	54
13. UMMC – Request for Approval to Escalate FY 2024 On Campus Budget	57
14. USM – Request for Approval to Enter Amendment One to Use Permit with National Aeronautics and Space Administration John C. Stennis Space Center	59

REAL ESTATE

Approval of Initiations of Projects/Appointments of Professionals

Bureau of Building Project

1. JSU – GS 103-322 – ARPA – Water Collections & Conveyance, Design Professional – Pickering Firm, Inc.	61
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IHL Projects

2. MSU – IHL 205-359 – Wise Center Renovation and Addition, Design Professional – Eley Guild Hardy, P.A.	62
3. MSU – IHL 205-361 – Davis Wade Stadium – East Suite Improvements, Design Professional – MP Design Group	64
4. UM – IHL 207-514 – Brevard Hall 1 st Floor Lab Renovations, Design Professional – McCarty Architects, P.A.	65
5. UM – IHL 207-517 – Stockard-Martin Sanitary Sewer Corrections, Design Professional – Corbett Legge and Associates, PLLC	67
6. UM – IHL 207-518 – Walton Young House Renovation, Design Professional - McCarty Architects, P.A.	68
7. USM – IHL 214-028 – Gulf Park Friendship Oak Sidewalk and Lighting Project, Design Professional – Neel-Schaffer, Inc.	69

Approval of Budget Increases and/or Changes of Scope/Funding Source(s)

Bureau of Building Projects

8. MUW – GS 104-214 – South Campus Mechanical Plant, Design Professional – Dewberry Engineers, Inc.	71
9. MUW – GS 104-215 – Jones Hall Renovation, Design Professional – Shafer Zahner Zahner, PLLC	72

Approval of Other Real Estate Requests

10. DSU – Approval to Enter a Land Lease Agreement with the City of Cleveland for a Parcel of Land for Flight Training	74
11. MSU – Approval to Purchase Property at 654 Old Mayhew Road, Starkville, MS from Craddock Properties, LLC	75
12. MSU – Approval to Demolish and Delete from Inventory Building #1686 (Wildlife and Forestry Pens) in Starkville, MS	77

13. UM – Approval of Exterior Design for IHL 407-011 Early Learning and Evaluation Center	77
14. UM – Approval of Exterior Design for IHL 207-516 Phi Delta Theta Renovations and Additions	79
15. UM – Approval to Purchase Property at 2118 Harris Drive, Oxford, MS from McMonigle South Properties, LLC	81
16. USM – Approval to Name IHL 214-024 Gulf Park Language and Speech Therapy Center the “Kelly Gene Cook, Sr. Hall”	83

LEGAL

1. JSU – Approval to Hire Armstrong Law, LLC d/b/a Armstrong Immigration as Outside Counsel	85
2. JSU – Approval to Hire Sun Sovereign, LLC d/b/a Ware Immigration as Outside Counsel	87
3. MSU – Approval to Hire Mitchell, McNutt & Sams, P.A. as Outside Counsel	89
4. UM – Approval to Hire Kaplan Kirsch, LLP As Outside Counsel	90
5. MUW – Approval of Linda Ross Aldy as In-State Lobbying Consultant	90
6. DSU – Approval of Dr. Michelle Roberts as Legislative Liaison	91
7. MVSU – Approval of Stephen McDaniel as Legislative Liaison	91

PERSONNEL

1. Employment (DSU)	92
2. Change Of Status (DSU, MVSU)	92

ADMINISTRATION/POLICY

1. MSU – Approval to Award One Honorary Degree	93
2. MVSU – Approval of New Mission Statement	93

REGULAR AGENDAS

ACADEMIC AFFAIRS | Trustee Jeanne Luckey

1. UM – Requests to Add New Academic Degree Programs	
a. Bachelor of Arts in Media and Communication	94
b. Doctor of Philosophy in Nutrition Sciences	95
2. UM – Requests to Add New Academic Units	96
a. Confidential Advocacy, Support, and Education	
b. Division of Access, Opportunity, and Community Engagement	

FINANCE | Trustee Hal Parker

1. DSU – Request for Approval to Enter a License and Facilities Use Agreement with the Cleveland School District	98
2. UMMC – Request for Approval to Enter a Services Agreement with Aramark Healthcare Support Services, LLC	99
3. JSU – Request for Approval to Enter a Service Agreement with BFI Waste Services, LLC d/b/a Republic Services of Jackson	102

4. UM – Request for Approval to Enter a Contractual Services Agreement with First Data Merchant Services LLC and PNC Bank, National Association Bank	104
5. UMMC – Request for Approval to Amend the Informatics Service Agreement with Philips Healthcare Informatics, Inc.	105
6. UMMC – Request for Approval to Enter a New Purchase Agreement with Integra Lifesciences Sales LLC	106
7. UMMC – Request for Approval to Enter a Staffing Services Agreement with Medical Solutions, LLC	108

REAL ESTATE | Trustee Gregg Rader

Approval of Other Real Estate Requests

1. SYSTEM – Approval of First Reading of Proposed Amendments to Board Policy 902 Initiation of Construction Projects	110
2. SYSTEM – Approval of First Reading of Proposed Amendments to Board Policy 904(A) Board Approval.....	112
3. SYSTEM – Approval of First Reading of Proposed Amendments to Board Policy 903(B) Legislative Funding Requests	114
4. SYSTEM – Approval of the Capital Facilities Needs Request – System Bond Plan for the 2025 Legislative Session	115

LEGAL | Trustee Gee Ogletree

1. UMMC – Approval to Amend the Contract with Butler Snow LLP as Outside Counsel	119
2. UMMC – Approval to Settle Tort Claim No. 3543	119
3. UMMC – Approval to Settle Tort Claim No. 3649	119

INFORMATION AGENDAS | Commissioner Dr. Alfred Rankins, Jr.

ACADEMIC AFFAIRS

1. SYSTEM – Intent to Offer, Modify, or Delete Certificate Programs	
<u>Offer</u>	
a. JSU – Business Analytics	120
b. MSU – Addictions Counseling	120
c. USM – Foundations in Accounting	120
<u>Modify</u>	
d. UMMC – Biochemistry	121
<u>Delete</u>	
e. JSU –Endorsement: Emotional Disabilities.....	121
f. JSU – Endorsement: Gifted K-12	121
g. JSU – Endorsement: K-3	121
h. JSU – Endorsement: K-6	122
i. JSU – Endorsement: Mild/Moderate 7-12	122
j. UMMC – Analytics.....	122
k. UMMC – Magnetic Resonance Imaging	122
l. UMMC – Nuclear Medicine Technology	122
m. UMMC –Orthotics and Prosthetics Residency	123
2. SYSTEM – Annual Report on Institutional Accreditation.....	123

FINANCE

- 1. SYSTEM – 2024 *Ayers* Accountability Manual135
- 2. MUW – Grant Agreement with Mississippi Department of Education135

REAL ESTATE

- 1. SYSTEM – Real Estate Items Approved Subsequent to the September 19, 2024 Board Meeting
 - Alcorn State University.....136
 - Mississippi State University138
 - Mississippi University for Women145
 - University of Mississippi145
 - University of Mississippi Medical Center150
 - University of Southern Mississippi152

LEGAL

- 1. SYSTEM – Report of Payments to Outside Counsel153

ADMINISTRATION/POLICY

- 1. SYSTEM – Commissioner’s Notification of Approval.....158

PERSONNEL

- 1. Sabbatical (MSU, UM)159

ADDITIONAL AGENDA ITEMS IF NECESSARY

OTHER BUSINESS/ANNOUNCEMENTS

EXECUTIVE SESSION IF DETERMINED NECESSARY

ADJOURNMENT

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

BE IT REMEMBERED, That the Mississippi Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session in Room 2B at the Mississippi State University Riley Center in Meridian, Mississippi, at 9:00 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on November 22, 2023, to each and every member of said Board said date being at least five days prior to this September 19-20, 2024 meeting. At the above-named place the following members were present to wit: Mr. Don Clark, Jr., Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Jerry L. Griffith, Mr. Jimmy Heidelberg, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin, Mr. Gee Ogletree, Mr. Hal Parker (via Zoom), Mr. Gregg Rader, and Mr. Charlie Stephenson. The meeting was called to order by Mr. Bruce Martin, President. Trustee Greg Rader introduced his son, Mr. Bryce Rader, Pastor of Discipleship at Christ Fellowship Church of Williamsburg, Virginia, who provided the invocation.

APPROVAL OF THE MINUTES

On motion by Trustee Cummings, seconded by Trustee Griffith, with Trustees Luckey and Parker participating via Zoom, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on July 30, 2024, August 15, 2024 and August 30, 2024.

CONSENT AGENDAS

On motion by Trustee Hubbard, seconded by Trustee Heidelberg, with Trustees Luckey and Parker participating via Zoom, all Trustees legally present and participating voted unanimously to approve the following Consent Agendas.

FINANCE

1. **ASU** – Approved the request to enter a service agreement with The National Organization of Professional Black NRCS Employees (NOPBNRCSE) to host a training session for up to 150 Socially Disadvantaged Farmers and Ranchers (SDFRs) in conjunction with the spring 2025 meeting for NOPBNRCSE members. The agreement aims to fund training and technical support to increase the number of new and beginning minority farmers participating in United State Department of Agriculture (USDA) programs. The agreement shall commence on October 1, 2024, and continue through September 30, 2025, unless terminated earlier in accordance with the termination provisions of this agreement. The total contract cost shall not exceed \$495,000. Payment will be issued within 45 days after delivery of the services (training event) upon receipt of an invoice based on actual services rendered. The contract will be funded by federal funds –cooperative agreement with USDA-NIFA (USDA-National Institute of Food and Agriculture). Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

2. **MSU** – Approved the request to escalate the FY2024 educational & general budget for the College of Veterinary Medicine. The escalation will address the financial impact associated with increased clinical caseloads and patient visits. These changes have significantly increased expenses. Hospital income exceeded budget by \$800,000 and will be used as the source of revenue for these additional expenses.

Mississippi State University - College of Veterinary Medicine General Budget Revisions by Major Object			
Category	Current Budget	Increase/(Decrease)	Revised Budget
Salaries	\$ 32,416,696.00	\$ -	\$ 32,416,696.00
Wages	-	-	-
Fringe Benefits	8,212,213.00	-	8,212,213.00
Total Salaries, Wages, and Fringe Benefits	40,628,909.00	-	40,628,909.00
Travel and Subsistence	184,975.00	-	184,975.00
Contractual Services	5,993,249.00	-	5,993,249.00
Commodities	5,806,609.00	800,000.00	6,606,609.00
Capital Outlay			
Non-Equipment	161,286.00	-	161,286.00
Equipment	1,592,936.00	-	1,592,936.00
Total Capital Outlay	1,754,222.00	-	1,754,222.00
Mandatory Transfers			
Debt Service	-	-	-
Matching	-	-	-
Other	934,603.00	-	934,603.00
Total Mandatory Transfers	934,603.00	-	934,603.00
Non-Mandatory Transfers			
Auxiliary Support	-	-	-
Building Projects	-	-	-
Other	-	-	-
Total Non-Mandatory Transfers	-	-	-
Increase in Fund Balance	-	-	-
Total Uses of Funding	\$ 55,302,567.00	800,000.00	\$ 56,102,567.00

3. **MSU** – Approved the request on behalf of the Mississippi Agricultural and Forestry Experiment Station (MAFES) to escalate the special source funds budget for FY 2024. The escalation will address the financial impact of federal dollars appropriated from multiple federal fiscal years being expended during one state fiscal year due to supply chain issues following impacts from Covid-19. Increased federal funds of \$834,684 will provide the source of revenue for additional expenses.

Mississippi State University - Mississippi Agricultural & Forestry Experiment Station General Budget Revisions by Major Object			
Category	Current Budget	Increase/(Decrease)	Revised Budget
Salaries	\$ 18,060,835.00	\$ -	\$ 18,060,835.00
Wages	-	-	-
Fringe Benefits	5,518,728.00	-	5,518,728.00
Total Salaries, Wages, and Fringe B	23,579,563.00	-	23,579,563.00
Travel and Subsistence	323,726.00	-	323,726.00
Contractual Services	6,414,585.00	-	6,414,585.00
Commodities	3,593,433.00	-	3,593,433.00
Capital Outlay			
Non-Equipment	-	-	-
Equipment	10,504.00	834,684.00	845,188.00
Total Capital Outlay	10,504.00	834,684.00	845,188.00
Mandatory Transfers			
Debt Service	-	-	-
Matching	-	-	-
Other	-	-	-
Total Mandatory Transfers	-	-	-
Non-Mandatory Transfers			
Auxiliary Support	-	-	-
Building Projects	-	-	-
Other	-	-	-
Total Non-Mandatory Transfers	-	-	-
Increase in Fund Balance	-	-	-
Total Uses of Funding	\$ 33,921,811.00	834,684.00	\$ 34,756,495.00

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

4. **USM** – Approved a Lease to sublease portions of port facilities to the National Oceanographic and Atmospheric Association (NOAA) including:
- Office, Lab, Workshop and Related Space: 25,683.48 rentable square feet, yielding approximately 15,262 ANSI/BOMA Office Area (ABOA) square feet of office, lab, workshop and related space located on the 1st, and 3rd elevated floors of the Building. The approximately 15,262 ABOA square feet is designated for NOAA as Subleasable Space for Revenue Sharing.
- Covered Secure Storage: 9,337 rentable square feet, yielding approximately 6,820 ABOA square feet of office and related space located on the GROUND floor of the Building.
- Pier Space: 696 linear feet of Deep Water Pier Space (for NOAA vessels) and a small boat pier with a minimum of 180 linear feet for small boats (i.e., more than one), dedicated for NOAA’s exclusive use.
- Outdoor Laydown Space: 166,171 square feet of fenced, secure outdoor laydown space for ship support / wareyard space and storage for NOAA’s exclusive use.
- Offsite Equipment Storage (Hurricane Evacuation Space): Access to offsite equipment storage for use during severe weather or emergency evacuation events.
- Dedicated Roof / Antenna Space: 467 square feet of dedicated roof/antenna space.
- Parking: Non-exclusive access to parking spaces.
- The Lease has a Term of 20 years with 15 years Firm (after 15 years NOAA may terminate the Lease with 365 days written notice). (USM/IHL has legislative authorization under 2022 HB1247 as amended by 2023 HB877 to lease/sublease portions of the property administered by the Mississippi State Port Authority at Gulfport for a term not to exceed forty (40) years.) NOAA will pay USM annual rent, payable in monthly installments in arrears, at the following rates when all leased premises are accepted: Years 1-5 \$1,459,206.90; Years 6-10 \$1,599,793.30; Years 11 -15 \$1,722,613.67; and Years 16-20 \$1,704,704.39. Operating Costs and Insurance allocation costs are subject to adjustment during the term of the lease. Certain portions of the leased premises are not yet available (Pier Space and Evacuation Space). Until required improvements are complete and the Pier Space and Evacuation Space are accepted, NOAA will pay USM annual rent of \$1,155,166.90. Lease payments from NOAA for the entire term would be up to \$32,431,591.30 exclusive of adjustments for operating costs and insurance allocation. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

REGULAR AGENDAS

FINANCE AGENDA

Presented by Trustee Hal Parker, Chair

Trustee Clark recused himself from discussing or voting on item #1 on the Finance Regular Agenda by leaving the room before there was any discussion or vote regarding the same. After Trustee Clark left the room, on motion by Trustee Rader, seconded by Trustee Hubbard, with

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

Trustees Clark absent and not voting and with Trustees Luckey and Parker participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1.

1. **JSU** – Approved the request to enter a contractual service agreement with Bob Rogers Travel, Inc. (BRT) for the purpose of passenger charter services which includes travel, transportation, lodging, meals, attraction, administrative, accidental and other additional costs associated with travel for the JSU Sonic Boom of the South Marching Band for a period of six days and five nights. The term of the contract is December 28th, 2024 through January 2, 2025. The total estimated cost of this agreement is \$895,100. In the event that the travel requires additional fuel costs, the parties agree the fuel costs shall not exceed \$50,000, for a total contract value not to exceed \$945,100. Pursuant to Board Policy 707.03 Approval of Prepayment for Goods or Services, the Board approved the request to prepay the charter services and booking fees in advance of the travel date via two installment payments. The first payment in the amount of \$596,733.34 will be paid on September 27, 2024 and the remaining balance will be paid on October 25, 2024. The agreement will be funded with Education and General Program Funds. Legal Staff has reviewed the proposed agreement for compliance with applicable law and finds same to be acceptable. The agreement is on file in the Board Office.

REAL ESTATE AGENDA

Presented by Trustee Gregg Rader, Chair

Trustee Ogletree recused himself from discussing or voting on item #1 on the Real Estate Regular Agenda by leaving the room before there was any discussion or vote regarding the same. Trustee Clark recused himself and remained out of the room while item #1 was discussed and voted on. After Trustee Ogletree left the room, on motion by Trustee Rader, seconded by Trustee Stephenson, with Trustees Clark and Ogletree absent and not voting and with Trustees Luckey and Parker participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1. Trustees Clark and Ogletree returned to the room following the discussion and vote on item #1 on the Real Estate Regular Agenda.

1. **MSU** – Consistent with the Board's actions during its March 2024 meeting, the Board reviewed and approved the request by MSU on for and on behalf of its Forestry and Wildlife Research Center, to proceed to closing of a transaction among MSU, the Mississippi Department of Environmental Quality (MDEQ), and the Mississippi Forestry Commission (MFC), as Buyers, and Weyerhaeuser Company (Weyerhaeuser), as Seller, through which MSU will acquire an approximate 14,000-acre tract of land along the Wolf River in Hancock and Harrison counties. Under the Purchase and Sale Agreement (PSA), Weyerhaeuser as the Seller, and MSU, along with MDEQ and MFC as the flow-through funding agencies, are jointly acting as Buyers. MSU, however, will be the sole fee title holder of the property. Pursuant to the terms of the proposed PSA, the Buyers obtained an appraisal after execution of the PSA pursuant to the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA), which requires a primary appraisal followed by an independent review appraisal. The UASFLA compliant primary appraisal and review appraisal have been obtained, establishing fair market value of the property at

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

\$27,177,061.00. Weyerhaeuser accepted the appraised value as the purchase price, and the parties have now executed an amendment to the Purchase and Sale Agreement reflecting the same. The parties are on track to close the transaction by November 1, 2024. The purchase price for the project will be funded through a combination of funding by the NFWF Gulf Environmental Benefit Fund (GEBF), the U.S. Forest Service's Forest Legacy Program, and if necessary, The Nature Conservancy. No MSU funds will be used to purchase the property. A Phase I Environmental Site Assessment (ESA) is required before presenting any property to the Board for consideration of purchase or acquisition. The Phase I ESA did not reveal any recognized environmental conditions, controlled recognized environmental conditions, or significant data gaps in connection with the subject property. A copy of the property description and all legal documentation are on file with the IHL Office of Real Estate and Facilities. The Attorney General's Office has reviewed this item for compliance with state law and found it to be acceptable.

ADMINISTRATION/POLICY AGENDA

Presented by Commissioner Alfred Rankins, Jr.

On motion by Trustee Cummings, seconded by Trustee Hubbard, with Trustees Luckey and Parker participating via Zoom, all Trustees legally present and participating voted unanimously to approve item #1 as submitted on the Administration/Policy Regular Agenda.

1. **SYSTEM** – Approved the following individuals to serve on the Mississippi University Research Authority (MURA) in accordance with the Mississippi University Research Authority.

By virtue of the Act, the following are MURA members:

Vice President of the Board of Trustees – Mrs. Jeanne Luckey
Executive Director of the Mississippi Development Authority – Bill Cork or his designee
Ex Officio Commissioner of Higher Education – Dr. Alfred Rankins, Jr.

By virtue of the Act, the following are to be appointed by the IHL Board from among the research officers of the eight institutions and the University of Mississippi Medical Center as MURA members:

Dr. Kelly Lucas, Vice President for Research
University of Southern Mississippi

Dr. Julie Jordan, Vice President for Research and Economic Development
Mississippi State University

Dr. ConSandra McNeil, Interim Vice President of Research and Economic Development
Jackson State University

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

Dr. John Higginbotham, Vice Chancellor of Research and Economic Development
University of Mississippi

Dr. Caroline Compretta, Assistant Vice Chancellor for Research
University of Mississippi Medical Center

INFORMATION AGENDAS

Presented by Commissioner Alfred Rankins, Jr.

REAL ESTATE

1. **SYSTEM** – The Board received the Real Estate items that were approved by the Board staff subsequent to the August 15, 2024 Board meeting in accordance with Board Policy 904 Board Approval. **(See Exhibit 1.)**

LEGAL

2. **SYSTEM** – The Board received a report of the payment of legal fees to outside counsel. **(See Exhibit 2.)**
3. **JSU** – Trustee Gee Ogletree, as Board Legal Committee Chair, on behalf of the Board, has approved JSU’s emergency request to hire the law firm of Butler Snow, LLP as outside counsel for the provision of legal services in the practice area of real estate. The scope of services includes, but is not limited to, advising the University in its purchase of certain real property and advising the University in its response to the Department of Education’s Real Property Status Report regarding the purchase of real property with HEERF funds. The agreement is effective August 15, 2024 through June 30, 2025. Blended hourly rates will be \$345 for all attorneys and \$135 for paralegal services with a maximum amount payable of \$50,000 over the term of the agreement. This firm carries professional liability insurance coverage in the amount of \$20 million per claim and an annual aggregate of \$40 million. This contract has been approved by the Office of the Attorney General.

ADMINISTRATION/POLICY

4. **SYSTEM** – The following items have been approved by the Commissioner on behalf of the Board and are available for review at the Board Office.
 - a. **JSU** – On August 16, 2024 the Jackson State University president requested emergency Commissioner approval of a Group Block Contract between Jackson State University (lessee) and Hilton Garden Inn, Jackson/Downtown (lessor) that was handled by email late Friday afternoon. This contract is for a block of 46 rooms (20 single occupancy rooms and 26 double occupancy rooms) to be made available to the University from August 16, 2024 through September 1, 2024. The special rate offered by the lessor is \$99 per night per room, plus applicable taxes, fees, and incidentals, and will be billed on a weekly basis. The maximum expenditure by the University under the term of the agreement is \$99,616 (16 nights at \$99.75 per room for 46 rooms; meals in the amount of \$16,200 for 15 nights at \$13.50 per meal for a max of 80 meals; and \$10,000 for parking for up to 80 vehicles for the duration

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

of the agreement). The IHL Associate Commissioner for Legal Affairs and Risk Management reviewed this contract and recommended approval, with the stipulation that JSU change one contractual term addressing the venue of any potential litigation arising from JSU's use of the property. This request is compliant with IHL Board Policy 707.01 Land, Property, and Service Contracts, and Commissioner Alfred Rankins, Jr. granted this approval, with the stipulated revision, on Friday evening, August 16, 2024. A copy of the document is on file at the IHL Board Office.

- b. **MSU** – On July 31, 2024 Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and SER, LLC for a 40' x 55' space located at 110 Spruill Industrial Park Road in Starkville, MS to use as storage space for the Michael W. Hall School of Mechanical Engineering during the renovation period of the Patterson Engineering building. The term of the agreement is one year effective August 1, 2024 at a cost of \$15,000 payable in quarterly installments of \$3,750 each. There is an option for three annual renewals by agreement of all parties with a 3% increase each year. The IHL Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the document is on file at the IHL Board Office.
- c. **MSU** – On August 19, 2024 Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and 19185 Commission LLC for approximately 2,400 square feet of space located at 19185 Commission Road, Long Beach, MS for a Resource and Referral Center operated by the University in accordance with the terms of a grant awarded by the Mississippi Department of Human Services. The term of the lease is one-year effective September 15, 2024 through September 14, 2025, at a total cost of \$33,060 payable in monthly installments of \$2,755 each and due on the first of each month. The IHL Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the document is on file at the IHL Board Office.
- d. **MSU** – On August 19, 2024 Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and East Central Community College for approximately 608 square feet of space located at 122 9th Street, Burton Library, Room 102, Decatur, MS for a Resource and Referral Center operated by the University in accordance with the terms of a grant awarded by the Mississippi Department of Human Services. The term of the lease is one-year effective September 1, 2024 through August 31, 2025 at a total cost of \$8,400 payable in monthly installments of \$700 each and due on the first of each month. There is an option to renew the lease for three additional one-year terms by agreement of all parties. The IHL Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

Prepayment for Goods or Services. A copy of the document is on file at the IHL Board Office.

- e. **MSU** – On August 30, 2024 Commissioner Alfred Rankins, Jr. approved the Lease Agreement between Mississippi State University and Copiah-Lincoln Community College for 1102 square feet of space located on the Natchez Campus to provide space for a Resource and Referral Center operated by the University in accordance with the terms of a grant awarded by the Mississippi Department of Human Services. The initial term of the lease is one-year effective September 1, 2024 or when executed by all parties, through August 31, 2025, with an option for three one-year extensions. The total cost of the initial lease term is \$20,937.96 payable in monthly installments of \$1,744.83 each due on the first of each month. If all three extensions are exercised, the total contract cost will be \$83,751.84. This lease was initially submitted by MSU and received approval in June, but the lessor had misquoted the rental rate and that lease was never signed. The IHL Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the document is on file at the IHL Board Office.
- f. **MVSU** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implantation and subsequently reported to the Board. On August 7, 2024, Commissioner Alfred Rankins, Jr. approved the revisions to the FY 2024 *Ayers* endowment diversity program budget after conducting a review of the *Ayers* programs. It appears that these revisions were necessary to align 2024 budgets to individual program needs for the year. Per IHL *Ayers* administrative guidelines, the institutions are required to either report these revisions to the IHL Executive Office (i.e. self-approved revisions) or have certain proposed budgetary revisions pre-approved by the IHL Executive Office. The requested revisions do fit under the pre-approval by the IHL Executive Office policy section of the guidelines. The IHL Executive Office financial and academic staff have reviewed and approved these revisions. These revisions contain no increases in total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- g. **UM** – On August 30, 2024 Commissioner Alfred Rankins, Jr. approved the Amended Lease Agreement between the University of Mississippi (lessor) and Beta Beta Corporation of Beta Theta Pi Fraternity (lessee) for a fraternity residential facility located on lot #404 on the University’s campus. The lease originated on September 1, 2001 for a term of 50 years with a renewal option for an additional 25 years. This amendment will modify the property lines to remove a parking lot and adjust the eastern and southern boundary lines of the property, as well as update the insurance provisions and include an indemnification provision not contained in the original lease. This amendment is being made in conjunction with a renovation project for which the lessee has sought approval. The IHL Associate Commissioner

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file at the IHL Board Office.

- h. **USM** – In accordance with Board Policy 1107 Enactment of Traffic Rules and Regulations, “the Board hereby delegates to the Commissioner of Higher Education the power to approve and authorize the enactment of such university traffic rules and regulations, which shall include university parking and traffic fines and fees, on behalf of the Board.” On July 31, 2024, Commissioner Alfred Rankins, Jr. approved the Parking and Traffic Regulations for the 2024-25 school year, which are effective August 1, 2024. The IHL Associate Commissioner for Legal Affairs and Risk Management has reviewed and approved the documents.
- i. **USM** – On August 13, 2024 Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Southern Mississippi (lessor) and Theta Delta Chapter of Sigma Chi Fraternity and Theta Delta Housing Corporation (lessee) for USM Building #886 located at 209 North 26th Avenue, Hattiesburg, MS in which to house members of the Theta Delta Chapter of Sigma Chi Fraternity. The initial term of the lease is one year, beginning August 16, 2024, and renewable on an annual basis so long as the lessee organization remains in good standing with its national organization. The rent for the term is \$1. The IHL Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement. A copy of the document is on file at the IHL Board Office.
- j. **USM** – 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 implantation and subsequently reported to the Board. On August 14, 2024, Commissioner Alfred Rankins, Jr. approved the revisions to the following budgets for Fiscal Year 2024: On Campus – Hattiesburg, Off Campus – Gulf Park, Children’s Center for Communication and Development, Dubard School, Stennis Center for Higher Learning, Mississippi Polymer Institute, Gulf Coast Research Laboratory, and Auxiliary Enterprises. The IHL Executive Office financial staff have reviewed and approved these revisions. These revisions contain no increases in total budgets but rather reallocations among individual expense categories. A copy of the documents is on file at the Board Office.
- k. **USM** – On August 15, 2024 Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Southern Mississippi (lessor) and The Nature Conservancy (lessee) for approximately 332 square feet of space identified as Rooms 144, 147 and 148A in the Oceanography Building at the USM Gulf Coast Research Lab for use as office space. The term of the lease is two years effective August 15, 2024. Lessee will pay to the University monthly rent in the amount of \$1,660 per month for a total of \$19,920 annually. The IHL Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the document is on file at the IHL Board Office.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

1. **USM** – On August 30, 2024 Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Southern Mississippi and York Mayfair Road, LLC for approximately 5,700 square feet of space identified as Suite 2 of 132 Mayfair Road in Hattiesburg, MS for USM’s Early Childhood Inclusion Center Resource and Referral office operated by the University in accordance with the terms of a grant awarded by the Mississippi Department of Human Services. The term of the lease is one year and one month, effective September 1, 2024 through September 30, 2025, at a total cost of \$78,000 payable in monthly installments of \$6,000 each due on the first of each month. The IHL Associate Commissioner for Legal Affairs and Risk Management has reviewed the agreement and found the same to be compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the document is on file at the IHL Board Office.

ANNOUNCEMENT

Trustee Gee Ogletree thanked Mr. and Mrs. Bruce Martin for graciously hosting the dinner the previous evening.

OTHER BUSINESS

Prior to the presentation and discussion regarding a prospective land purchase by Jackson State University from LW Jackson IX, LLC, Trustee Clark recused himself by leaving the room before there was any discussion or vote regarding the same. After Trustee Clark left the room, Dr. Marcus Thompson, President of Jackson State University, gave a presentation on this prospective land purchase.

FIRST EXECUTIVE SESSION

On motion by Trustee Rader, seconded by Trustee Griffith, with Trustees Clark, Luckey, and Parker absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Cunningham, seconded by Trustee Hubbard, with Trustee Clark absent and not voting and with Trustees Luckey and Parking participating via Zoom, all Trustees legally present and participating voted unanimously **to enter Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Transaction of business and discussion regarding the prospective land purchase by Jackson State University from LW Jackson IX, LLC.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

During Executive Session, the following matter was discussed:

The Board discussed a prospective land purchase by Jackson State University from LW Jackson IX, LLC. **No action was taken.**

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

Trustee Clark returned to the room following the presentation and discussion about a prospective land purchase by Jackson State University. The Board proceeded to the annual retreat discussions.

SECOND EXECUTIVE SESSION

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

Discussion of personnel matters relating to the job performance, character and professional competence of the institutional executive officers at each of the nine institutions.

During Executive Session, the following matters were discussed:

The Board discussed the job performance, character and professional competence of the institutional executive officers of the nine institutions. **No action was taken.**

On motion by Trustee Hubbard, seconded by Trustee Heidelberg, with Trustee Parker absent and not voting and with Trustee Luckey participating via Zoom, all Trustees legally present and participating voted unanimously to return to Open Session.

PRESENTATION

The Board received a presentation from Dr. John Pearce, IHL Associate Commissioner of Finance. **No action was taken.**

By consensus, the Board recessed the meeting until after the Legal Committee meeting.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

LEGAL COMMITTEE MEETING

Thursday, September 19, 2024

Committee members participated in the meeting in person or via Zoom. The meeting was called to order by Chairman Gee Ogletree at approximately 2:00 p.m. The following items were discussed.

1. The Committee received a presentation about the Board's role in approving institutions to contract with and later to pay outside counsel. **No action was taken.**
2. Executive Session

On motion by Trustee Rader, seconded by Trustee Clark, with Trustee Parker absent and not voting and Trustee Luckey participating via Zoom, all Committee members legally present and participating voted unanimously to close the meeting to determine whether to declare an Executive Session. On motion by Trustee Rader, seconded by Trustee Hubbard, with Parker absent and not voting and Trustee Luckey participating via Zoom, all Committee members legally present and participating voted unanimously **to enter Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of the pending litigation involving NCAA college athlete name, image, and likeness payments and the application of Title IX. This discussion will contain legally privileged information the disclosure of which in open session would be detrimental to the litigation position of the universities.

Discussion of a personnel matter related to the job performance of a person holding a specific position at UMMC and related litigation filed against UMMC and IHL. This discussion will contain legally privileged information the disclosure of which in open session would be detrimental to the litigation position of IHL and UMMC.

Discussion of a personnel matter related to the job performance of a person holding a specific position at JSU and related potential litigation. This discussion will contain legally privileged information the disclosure of which in open session would be detrimental to the litigation position of JSU.

Discussion of privileged legal advice regarding employment law relevant to pending and prospective litigation against UMMC, IHL, and JSU.

During Executive Session, the following matters were discussed:

The Committee discussed the pending litigation involving NCAA college athlete name, image, and likeness payments and the application of Title IX. This discussion contained legally privileged information the disclosure of which in open session would be detrimental to the litigation position of our involved universities. **No action was taken.**

Before any discussion occurred, Trustee Jimmy Heidelberg recused himself from discussing or voting on the personnel matter related to the job performance of a person holding a specific position at UMMC and related litigation filed against UMMC and IHL.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

After Trustee Heidelberg left the room, the Committee discussed a personnel matter related to the job performance of a person holding a specific position at UMMC and related litigation filed against UMMC and IHL. This discussion contained legally privileged information the disclosure of which in open session would be detrimental to the litigation position of IHL and UMMC. **No action was taken.** After the discussion on this topic, Trustee Jimmy Heidelberg returned to the room.

The Committee discussed a personnel matter related to the job performance of a person holding a specific position at JSU and related potential litigation. This discussion contained legally privileged information the disclosure of which in open session would be detrimental to the litigation position of JSU. **No action was taken.**

The Committee received and discussed of privileged legal advice regarding employment law relevant to pending and prospective litigation against UMMC, IHL, and JSU. **No action was taken.**

On motion by Trustee Heidelberg, seconded by Trustee Cunningham, with Trustees Luckey and Parker absent and not voting, all Committee members legally present and participating voted unanimously to return to open session.

3. On motion by Trustee Cummings, seconded by Trustee Hubbard, with Trustees Luckey and Parker absent and not voting, all Committee members legally present and participating voted unanimously to adjourn the meeting of the Legal Committee.

The following Committee members were present: Mr. Gee Ogletree (Chair), Mr. Don Clark, Jr., Dr. Ormella Cummings, Dr. Steven Cunningham, Mr. Jerry L. Griffith, Mr. Jimmy Heidelberg, Ms. Teresa Hubbard, Ms. Jeanne Luckey (via Zoom), Mr. Bruce Martin, Mr. Gregg Rader, and Mr. Charlie Stephenson. Mr. Hal Parker was absent.

PRESENTATION

The Board received a presentation from Mr. Harold Pizzetta, IHL Associate Commissioner for Legal Affairs and Risk Management. **No action was taken.**

On motion by Trustee Cunningham, seconded by Trustee Rader, with Trustees Luckey, Martin, and Parker absent and not voting, all Trustees legally present and participating voted unanimously to recess the meeting until 9:00 a.m. on September 20, 2024.

The meeting reconvened at approximately 9:00 a.m., on September 20, 2024. The following members were present to wit: Mr. Don Clark, Jr., Dr. Ormella Cummings, Dr. Steven Cunningham (via Zoom), Mr. Jerry L. Griffith, Mr. Jimmy Heidelberg, Ms. Teresa Hubbard, Ms. Jeanne Carter Luckey (via Zoom), Mr. Bruce Martin, Mr. Gee Ogletree, Mr. Gregg Rader, and Mr. Charlie Stephenson. Mr. Hal Parker was absent.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

PRESENTATIONS

The Board received presentations from Mr. Brad Rowland, IHL Associate Commissioner for Real Estate and Facilities; Dr. Alfred Rankins, Jr., Commissioner of Higher Education; and Mr. John Sewell, IHL Director of Communications. **No action was taken.**

ADJOURNMENT

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

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
September 19-20, 2024**

EXHIBITS

- Exhibit 1 Real Estate items that were approved by the IHL Board staff subsequent to the August 15, 2024 Board meeting.
- Exhibit 2 Report of the payment of legal fees to outside counsel.

EXHIBIT 1

September 19, 2024

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE AUGUST 15, 2024, BOARD MEETING SUBMISSION DEADLINE

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

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.

MISSISSIPPI STATE UNIVERSITY

1. MSU-IHL 205-334– RCU RENOVATIONS

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$33,511.40 and zero (0) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, August 26, 2024

Change Order Description: Change Order #3 includes the following: demolished and installed a concrete sidewalk to create two(2) accessible ramps and landing; installed Ardex K-60 to level imperfections and joints of the existing flooring through Phase area; painted mezzanine staircases; and installed new shunt trip breakers for the kitchen area power to be tied into the hood and fire alarm panel.

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

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$128,880.96.

Project Initiation Date: April 20, 2023

Design Professional: MP Design Group

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$2,000,000.00

2. MSU IHL 205-340 – STONE & BOST TRAFFIC CIRCLE

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Kimley-Horn and Associates, Inc.

Approval Status & Date: APPROVED, August 21, 2024

Approval Request #2: Waiver Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by Kimley-Horn and Associates, Inc.

Project Initiation Date: August 17, 2023

EXHIBIT 1

September 19, 2024

Design Professional: Kimley-Horn and Associates, Inc.

General Contractor: TBD

Total Project Budget: \$1,631,000.00

3. **MSU IHL 205-347 – MAGRUDER HALL REPAIRS & RENOVATIONS**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Burris/Wagnon Architects, P.A.

Approval Status & Date: APPROVED, August 8, 2024

Project Initiation Date: January 6, 2023

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

General Contractor: TBD

Total Project Budget: \$125,000.00 (Design Fees Only)

4. **MSU – IHL 205-351 – NEW 13kV DISTRIBUTION BAYS AT MSU ELECTRICAL SUBSTATION**

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$731,000.00 to the apparent low bidder Chancellor Construction, LLC.

Approval Status & Date: APPROVED, August 15, 2024

Project Initiation Date: February 16, 2023

Design Professional: Atwell & Gent, P.A.

General Contractor: Chancellor Construction, LLC

Project Budget: \$2,000,000.00

5. **MSU-IHL 205-353– HATHORN HALL INTERIOR REFINISH**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$1,483.50 and zero (0) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, August 7, 2024

Change Order Description: Change Order #2 includes the following: additional cost for wall graphics allowance.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$19,779.21.

Project Initiation Date: April 20, 2023

Design Professional: Shafer Zahner Zahner

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$3,000,000.00

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

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$25,925.00 and zero (0) additional days to the contract of AnderCorp, LLC.

EXHIBIT 1

September 19, 2024

Approval Status & Date: APPROVED, July 8, 2024

Change Order Description: Change Order #5 includes the following: added plastic laminate finish to two door openings; reconciled the costs associated with the safety padding allowance; relocated a section of the site fencing at the northwest corner of the jobsite for contractor's working on another adjacent project; and installed mineral wool at the second floor water table in lieu of the fiberglass insulation.

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$833,895.70.

Project Initiation Date: March 1, 2019

Design Professional: Dale Partners Architects, P.A.

General Contractor: Anderson Corp, LLC

Total Project Budget: \$65,000,000.00

MISSISSIPPI UNIVERSITY FOR WOMEN

7. MUW- IHL 204-136 – MUW ROOFING

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by JBHM Architects

Approval Status & Date: APPROVED, August 12, 2024

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 12, 2024

Project Initiation Date: July 6, 2023

Design Professional: JBHM Architects

General Contractor: TBD

Total Project Budget: \$2,663,227.00

UNIVERSITY OF MISSISSIPPI

8. UM- IHL 207-473.3 (PH 3) MISC – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (PKG H)

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$119,650.91 and zero (0) additional days to the contract of W&W Construction.

Approval Status & Date: APPROVED, August 7, 2024

Change Order Description: Change Order #3 includes the following: deduct for omitting a portion of concourse level slab waterproofing at spaces that are fully interior and related foam infill below the topping slab; added civil concrete paving per PH 4 final hardscape/site design.

EXHIBIT 1

September 19, 2024

Change Order Justification: This change was necessary due to latent jobsite conditions and user/owner requested modification.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$163,788.04.

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects, P.A.

General Contractor: W&W Construction

Phased Project Budget: \$5,774,686.59

Total Project Budget: \$33,250,000.00

9. **UM- IHL 207-473.4 STADIUM – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (PKG P)**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$16,998.81 and zero (0) additional days to the contract of Tull Brothers, Inc.

Approval Status & Date: APPROVED, August 7, 2024

Change Order Description: Change Order #1 includes the following: revised the layout of the sliding press box window & divided into smaller glass panels for wider openings and an additional track, hardware and engineering.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$16,998.81.

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects, P.A.

General Contractor: Tull Brothers, Inc.

Phased Project Budget: \$19,385,357.47

Total Project Budget: \$33,250,000.00

10. **UM- IHL 207-473.4 STADIUM – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (PKG W)**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$15,193.55 and zero (0) additional days to the contract of Upchurch Plumbing, Inc.

Approval Status & Date: APPROVED, August 7, 2024

Change Order Description: Change Order #2 includes the following: additional underdrains within the lower structural layer of split slab at the concourse level.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$24,874.78.

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects, P.A.

General Contractor: Upchurch Plumbing, Inc.

EXHIBIT 1

September 19, 2024

Phased Project Budget: \$3,327,342.69

Total Project Budget: \$33,250,000.00

11. **UM- IHL 207-473.4 STADIUM – OLE MISS SOFTBALL COMPLEX ADDITION & RENOVATION (PKG X)**

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$62,900.00 and zero (0) additional days to the contract of Advance Electric Co., Inc.

Approval Status & Date: APPROVED, August 7, 2024

Change Order Description: Change Order #1 includes the following: added power and communications for access controls; added raceway and power for audio/video package; added raceway and power to the existing concession stand; removed the primary riser at the north end of the project and added medium voltage cabling from the sectionalizing cabinet to the existing cabinet further northwest.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$62,900.00.

Project Initiation Date: October 21, 2021

Design Professional: McCarty Architects, P.A.

General Contractor: Advance Electric Co., Inc.

Phased Project Budget: \$19,385,357.47

Total Project Budget: \$33,250,000.00

12. **UM- IHL 207-485 – CENTER FOR GRAPHENE RESEARCH & INNOVATION**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$24,801.63 and thirty-eight (38) additional days to the contract of Hill Construction, LLC.

Approval Status & Date: APPROVED, August 7, 2024

Change Order Description: Change Order #2 includes the following: programming Honeywell Fire Alarm to remove demolished devices; and thirty-eight (38) days to the contract, six of which were weather-related days.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$40,967.85.

Project Initiation Date: August 18, 2022

Design Professional: McCarty Architects, P.A.

General Contractor: Hill Construction, LLC

Total Project Budget: \$2,750,000.00

EXHIBIT 1

September 19, 2024

13. UM- IHL 207-493 – SOC 4TH FLOOR SCHOOL OF NURSING

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$59,711.83 and fourteen (14) additional days to the contract of Wagner General Contractors, Inc.

Approval Status & Date: APPROVED, August 12, 2024

Change Order Description: Change Order #2 includes the following: constructed new walls for new egress doors in two (2) corridors; modified existing furrdowns and wing walls into a student space; installed additional hangers to provide adequate support for existing sprinkler lines; added additional underdrains within the lower structural layer of split slab at the concourse level.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$259,176.79.

Project Initiation Date: January 19, 2023

Design Professional: UM Department of Facilities Planning

General Contractor: Wagner General Contractors, Inc.

Total Project Budget: \$3,943,950.00

14. UM- IHL 207-497 – NEW STUDENT HOUSING - REBID

Approval Request #1: Rebid

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

Approval Status & Date: APPROVED, August 9, 2024

Project Initiation Date: January 6, 2023

Design Professional: McCarty Architects, P.A.

General Contractor: Skanska USA Building, Inc. (CMA)

Phased Project Budget: \$162,895,251.32

Total Project Budget: \$165,000,000.00

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

15. UMMC- IHL 209-566 – PATIENT BED EXPANSION

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$289,542.68 and zero (0) additional days to the contract of Flagstar Construction Company, Inc.

Approval Status & Date: APPROVED, August 14, 2024

Change Order Description: Change Order #2 includes the following: added pull stations; moved a lavatory wall and plumbing in three (3) ICU patient rooms; lowered the existing pneumatic tube; installed additional power and data for the pneumatic tube system stations and transfer units; descoped the remaining clock system; installed an additional lavatory; installed a 2-ply modified bitumen roof system over the existing roof system at the 6th floor acute tower; upgraded the electrical feeds to panels in ICU and MedSurg; descoped installation for air handling unit motors; reimbursement to UMMC for damaged medcom cabling repair.

EXHIBIT 1

September 19, 2024

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$773,730.32.

Project Initiation Date: January 19, 2023

Design Professional: ESA Architects

General Contractor: Flagstar Construction Company, Inc.

Total Project Budget: \$23,730,000.00

16. UMMC- IHL 209-579 – UMMC COLONY PARK

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$40,850.44 and zero (0) additional days to the contract of Codaray Construction.

Approval Status & Date: APPROVED, August 14, 2024

Change Order Description: Change Order #5 includes the following: changed out the ceiling grid from steel to aluminum; credit for omitting sixty-eight (68) electrical floor boxes from the first and second floors of the MOB; and changed the brick color.

Change Order Justification: These changes were necessary due to changes in requirements or recommendations by governmental agencies; errors and omissions in the plans and specifications; and user/owner requested modifications..

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$333,815.25.

Project Initiation Date: January 19, 2023

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

General Contractor: Codaray Construction

Total Project Budget: \$105,910,527.00

17. UMMC- IHL 209-584– FEMALE FACULTY SURGERY LOUNGE

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$73,422.12 and fifty (50) additional days to the contract of Fountain Construction.

Approval Status & Date: APPROVED, August 14, 2024

Change Order Description: Change Order #1 includes the following: removed existing asbestos; installed temporary partitions; replaced moisture-damaged gypsum board; credit for reuse of three existing doors and hardware; furr out for plumbing; installed access panels; relocated low voltage junction box; added a light fixture to the passage way ceiling; replaced a door with a hollow metal door with no door lite; added a floor expansion joint; installed access control system for eleven (11) doors; interior signage; relocated a locker; and fifty (50) days to the contract.

Change Order Justification: These changes were necessary due to changes in requirements or recommendations by governmental agencies; errors and omissions in the plans and specifications; latent job site conditions; user/owner requested modifications; and days for work as indicated herein.

EXHIBIT 1

September 19, 2024

Total Project Change Orders and Amount: One (1) change order for a total amount of \$73,422.12.

Project Initiation Date: January 19, 2023

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

General Contractor: Fountain Construction

Total Project Budget: \$1,500,000.00

18. UMMC - IHL 209-586 – BURN UNIT

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by SmithGroup

Approval Status & Date: APPROVED, August 2, 2024

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, August 2, 2024

Project Initiation Date: June 15, 2023

Design Professional: SmithGroup

General Contractor: TBD

Total Project Budget: \$6,300,000.00

19. UMMC IHL 409-006 – SCHOOL OF DENTISTRY

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Eley Guild Hardy Architects, P.A.

Approval Status & Date: APPROVED, August 22, 2024

Project Initiation Date: August 17, 2023

Design Professional: Eley Guild Hardy Architects, P.A.

General Contractor: TBD

Total Project Budget: \$40,000,000.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

20. USM – GS 108-313 – HILLCREST PARKING LOT STORM DRAIN AND UPGRADE

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$1,572,181.36 to the apparent low bidder R&J Construction, Inc.

Approval Status & Date: APPROVED, August 15, 2024

Project Initiation Date: February 16, 2023

Design Professional: Neel-Schaffer

General Contractor: R&J Construction, Inc.

Project Budget: \$3,175,000.00

EXHIBIT 1

September 19, 2024

21. **USM- IHL 214-024 – GULF PARK LANGUAGE & SPEECH THERAPY CENTER**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by MP Design Group.

Approval Status & Date: APPROVED, August 13, 2024

Project Initiation Date: June 16, 2022

Design Professional: MP Design Group

General Contractor: TBD

Total Project Budget: \$12,400,000.00

EXHIBIT 2

September 19, 2024

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini (statements dated 2/16/24 and 8/23/24) from the funds of Mississippi State University. (These statements, in the amounts of \$675.00 and \$700.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,375.00

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 8/7/24) from the funds of Mississippi State University. (This statement, in the amount of \$608.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 608.00

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statements dated 8/9/24 and 8/9/24) from the funds of Mississippi State University. (These statements, in the amounts of \$552.00 and \$9,837.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 10,389.00

Payment of legal fees for professional services rendered by Mitchell McNutt (statement dated 8/9/24) from the funds of Mississippi State University. (This statement, in the amount of \$850.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 850.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/24, 8/1/24 and 8/1/24) from the funds of Mississippi State University. (These statements, in the amounts of \$1,043.11, \$3,150.00 and \$6,150.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 10,343.11

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 8/7/24, 8/7/24 and 8/7/24) from the funds of the University of Mississippi. (These statements, in the amounts of \$138.00, \$1,725.00 and \$759.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,622.00

EXHIBIT 2

September 19, 2024

Payment of legal fees for professional services rendered by Lightfoot Franklin White, LLC (statement dated 8/26/24) from the funds of the University of Mississippi. (This statement, in the amount of \$25,435.75, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 25,435.75

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 8/9/24) from the funds of the University of Mississippi. (This statement, in the amount of \$1,670.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 1,670.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/24 and 8/1/24) from the funds of the University of Mississippi. (These statements, in the amounts of \$541.00 and \$6,150.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 6,691.00

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/13/23, 1/25/24, 6/21/24, 6/21/24, 6/21/24, 6/21/24, 6/21/24, 6/21/24, 6/21/24, 6/21/24, 6/21/24, 6/21/24, 6/28/24, 7/15/24, 7/15/24, 7/15/24, 7/15/24, 7/15/24, 7/15/24 and 7/19/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,121.00, \$160.00, \$64.00, \$12,412.19, \$2,400.00, \$2,816.00, \$3,168.70, \$1,006.50, \$5,756.80, \$320.00, \$160.00, \$21,301.00, \$7,361.55, \$10,025.80, \$4,972.10, \$1,508.05, \$2,112.00, \$2,080.00, \$5,632.00 and \$3,305.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 87,683.19

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statements dated 6/26/24 and 6/26/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$40.00 and \$49.50, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 89.50

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 7/8/24) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$2,582.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,582.50

EXHIBIT 2

September 19, 2024

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 7/1/24, 7/1/24, 7/1/24 and 7/1/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$240.00, \$60.00, \$290.30 and \$80.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 670.30

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 6/24/24 and 6/24/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,930.00 and \$1,517.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 8,447.50

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 6/4/24, 6/13/24, 7/1/24, 7/1/24, 7/8/24 and 7/8/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$81,925.19, \$13,650.00, \$34,605.10, \$34,180.15, \$3,701.00 and \$5,300.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 173,361.44

Payment of legal fees for professional services rendered by the Workman Nydegger (statements dated 6/27/24, 6/27/24, 6/27/24, 6/27/24, 6/27/24, 6/27/24, 6/27/24 and 6/27/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$570.00, \$1,015.00, \$522.00, \$175.00, \$770.00, \$665.00, \$665.00 and \$350.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 4,732.00

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 8/22/24) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$198.28, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 198.28

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 8/9/24) from the funds of the University of Southern Mississippi. (This statement, in the amount of \$4,191.16, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 4,191.16

EXHIBIT 2

September 19, 2024

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 8/1/24, 8/1/24, 8/1/24 and 8/1/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$9.50, \$25.10, \$3,150.00 and \$1,805.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 4,989.60

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

Payment of legal fees for professional services rendered by Bradley Arant Boult Cummings, LLP (statements dated 7/10/24 and 7/10/24) from the funds of Mississippi State University. (These statements, in the amounts of \$157.50 and \$571.00, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 728.50

Payment of legal fees for professional services rendered by Conley Rose (statements dated 8/7/24, 8/7/24, 8/7/24 and 8/7/24) from the funds of Mississippi State University. (These statements, in the amounts of \$2,544.00, \$10,891.06, \$10,980.89 and \$1,120.00, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 25,535.95

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 7/10/24, 8/5/24, 8/5/24 and 8/5/24) from the funds of Mississippi State University. (These statements, in the amounts of \$395.00, \$197.50, \$158.00 and \$300.00, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 1,050.50

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/12/24, 8/12/24, 8/12/24 and 8/12/24) from the funds of Mississippi State University. (These statements, in the amounts of \$4,595.00, \$2,329.00, \$38.00, \$1,453.00, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 8,415.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/22/24, 7/22/24, 7/22/24 and 7/22/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$1,169.00, \$3,075.00, \$704.00 and \$608.00, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 5,556.00

EXHIBIT 2

September 19, 2024

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/15/24, 7/22/24, 7/22/24, 7/22/24, 7/22/24, 8/22/24, 8/22/24, 8/22/24 and 8/22/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$390.50, \$2,560.00, \$1,088.00, \$1,376.00, \$96.00, \$198.28, \$1,138.50, \$669.50, \$1,842.50 and \$69.00, respectively, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 9,428.28

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy P.C. (statements dated 7/10/24, 7/10/24, 7/10/24, 7/10/24 and 7/10/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,975.00, \$2,284.00, \$2,351.00, \$2,817.50 and \$1,313.50, respectively, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 10,741.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024**

1. MSU – MODIFICATION OF AN EXISTING ACADEMIC DEGREE PROGRAM

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

In accordance with Board policy 503, Mississippi State University requests approval for the modification of an existing academic degree program.

RENAMING

Current program title: Bachelor of Science (BS) in Medical Technology

Proposed program title: **Bachelor of Science (BS) in Clinical Laboratory Sciences**

CIP code, sequence: 51.1005, 5242

Total credit hours: 124

Effective date: January 2025

Rationale: The name change aligns with industry standards and reflects MSU’s commitment to providing cutting-edge education that meets the evolving needs of healthcare and scientific fields.

STAFF RECOMMENDATION: Board staff recommends approval of these items.

2. SYSTEM – MODIFICATION TO AN EXISTING ACADEMIC UNITS

In accordance with Board policies 503 and 504, Mississippi State University and the University of Mississippi Medical Center request approval for the modification of existing academic units.

RENAMING

A. **MSU** - *Current unit:* Department of Communication

Proposed unit title: **Department of Communication, Media, and Theatre**

Effective date: August 2025

Rationale: The name change better reflects the variety of subjects and career opportunities students may study within this academic unit.

B. **UM** - *Current unit:* Office of Research and Sponsored Programs

Proposed unit title: **Office for Research and Economic Development**

Effective date: November 2024

Rationale: The name change reflects a strategic shift in focus that aligns with the heightened emphasis on economic and workforce development at UM.

C. **UMMC** - *Current unit:* Integrated Patient Care

Proposed unit title: **Comprehensive General Dentistry**

Effective date: October 2024

Rationale: The name change is aligned with other American dental schools that have a similar model for clinics.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024**

DELETING

D. **UM - Unit:** Division of Diversity and Community Engagement

Effective date: October 2024

Rationale: This unit is being deleted. A new division will be requested to focus on UM's open access mission.

STAFF RECOMMENDATION: Board staff recommends approval of these items.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

1. DSU – REQUEST FOR APPROVAL TO ENTER INTO A CONTRACT AMENDMENT WITH ELLUCIAN, L.P.

Agenda Item Request: Delta State University wishes to enter into a one-year agreement with **Ellucian Company, L.P.** for the maintenance of its ERP system Banner. The Mississippi ITS office has negotiated this contract on behalf of the university.

Contractor’s Legal Name: Ellucian Company L.P.

History of Contract: For the past 30 years, Ellucian has provided maintenance and support for the Banner ERP system for DSU. The contract has been provided through the State of Mississippi Information Technology Services Office.

Specific Type of Contract: One-year maintenance contract renewal

Purpose: To amend the contract renewal for maintenance of the campus Banner ERP system.

Scope of Work: Delta State requests approval of a contract amendment with Ellucian (Ellucian Company LP) for a renewal contract for a maintenance agreement for the Banner ERP system.

Term of Contract: The term of the agreement is one year upon signature and has been approved by the State of Mississippi Information Technology Services Office.

Termination Options: Delta State reserves the right to cancel the contract for any reason beneficial to the University upon ninety days written notice of the contractor. In the event the contractor fails to perform in accordance with any terms, conditions of obligations of this agreement, the University shall notify the contractor, in writing, of the specific nature of the contractor’s default. If the contractor fails to correct or remedy said default within seven calendar days of contractor’s receipt of written notice from the University, the University may, at its discretion, terminate this agreement.

Contract Amount: The contract amount will be \$271,124.00 for one year

Funding Source for Contract: E & G Funds

Contractor Selection Process: The State of Mississippi Information Technology Office completed the contract renewal of the Ellucian maintenance amendment. The ITS project number is 48358.

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

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

2. IHL EXECUTIVE OFFICE – REQUEST FOR APPROVAL TO ENTER INTO AN AGREEMENT WITH LEON CONSULTING, LLC DBA LK MARKETING SERVICES

Agenda Item Request: The Executive Office request approval to enter into an agreement with **Leon Consulting, LLC dba LK Marketing Services** for the systems’ management, integrated marketing strategy, call center supervision general support and reporting for Mississippi’s Complete 2 Compete initiative.

Contractor’s Legal Name: Leon Consulting, LLC dba LK Marketing Services (LK)

History of Contract: In April 2017, the Board approved a three (3) year agreement between the IHL Executive Office and Leon Consulting, LLC dba LK Marketing Services for the purpose of providing the program management, marketing and system services for Mississippi’s Complete 2 Compete initiative. The total approved cost was \$1,334,181. In May 2019, the Board approved an amended to increase the total expenditure amount to \$1,750,000. In January 2020, the Board approved an amendment to increase the total expenditure amount to \$1,816,164 through March 31, 2020, to continue services while proposals from a new RFP were being accepted and a new agreement awarded.

In December 2019, an RFP was released to provide services to sustain Mississippi’s Complete 2 Compete initiative. Leon Consulting, LLC dba LK Marketing Services was the only proposal received. The Board approved a new four-and-a-half-year agreement up to \$3,411,364 in May 2020.

In August 2024, a new RFP was released to provide services to sustain Mississippi’s Complete 2 Compete initiative. Leon Consulting, LLC dba LK Marketing Services was the only proposal received.

Specific Type of Contract: Professional services contract.

Purpose: The purpose of this request is to provide systems’ management, integrated marketing strategy, call center supervision, general support and reporting for Mississippi’s Complete 2 Compete initiative.

Scope of Work: The services are to support IHL the 8 public universities and the medical center with the services needed to sustain the Complete 2 Compete initiative. In the event additional funding is secured for 2025 and beyond, and a decision is made for the community colleges to participate in C2C again, these services will support the Mississippi Community College Board and the 15 public community colleges as needed to sustain the C2C initiative.

Term of Contract: The initial term of the agreement is November 1, 2024, through September 30, 2025, with the option to renewal for up to four additional one-year terms

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 FINANCE
 October 17, 2024**

through September 30, 2029. At the time of each renewal, proposal prices and scope may be revised as needed for changes in project. Approval is requested for the full-term beginning November 1, 2024, and ending September 30, 2029.

Termination Options: Termination options include the following:

- by either party upon 10 days written notice;
- by IHL for non-availability of funds; and
- failure by LK to comply with the federal E-Verify Program.

Contract Amount: The total estimated cost of the initial term of the agreement is \$462,405. If the options to renew for the four additional one-year periods are exercised, the estimated additional cost would be approximately \$3,000,000. The Executive Office is requesting approval up to \$3,462,405 for the full term of the agreement November 1, 2024, and ending September 30, 2029.

Funding Source of Contract: IHL Universities financial support for Complete 2 Compete program.

Contractor Selection Process: IHL released RFP No. 2024:0722 in August and received one proposal.

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

3. MVSU – REQUEST FOR APPROVAL TO ESCALATE FY 2025 ON CAMPUS BUDGET

Agenda Item Request: MVSU requests to escalate the FY 2025 On Campus budget for the purpose of adding additional contractual security services. The cost of the increased services will increase the budget by \$180,000 bringing the total FY 2025 On Campus Budget to \$40,923,725. The source of the funds will come from Fund Balance. The original budget was approved at the June 2024 Board Meeting.

Major Object Category	Approved FY 2025	Change	Revised FY 2025
Salaries, Wages and Fringe Benefits	\$ 25,161,789		\$ 25,161,789
Travel	1,164,035		1,164,035
Contractual Services	11,275,533	180,000	11,455,533
Commodities	1,036,666		1,036,666
Capital Outlay	1,610,411		1,610,411
Mandatory Transfers	260,000		260,000

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 FINANCE
 October 17, 2024**

Non-Mandatory Transfers	235,291		235,291
Change in Fund Balance	-		-
Total Budget	\$ 40,743,725	\$ 180,000	\$ 40,923,725

STAFF RECOMMENDATION: Board staff recommends approval of this item.

4. MVSU – REQUEST FOR APPROVAL TO ENTER INTO A SOFTWARE LICENSE AND SERVICE AGREEMENT WITH ELLUCIAN COMPANY, LLC

Agenda Item Request: Mississippi Valley State University requests retroactive approval to July 1, 2024, enter into a software license and service Order Form with **Ellucian Company, LLC**.

Contractor’s Legal Name: Ellucian Company, LLC

History of Contract: This is a new Order Form under a Master Software License and Service Agreement executed in October 2015.

Specific Type of Contract: This is a software license and service Order Form.

Purpose: The purpose of this agreement is to provide support services to support the configuration of Evisions Argos Advanced Features, IntelleCheck, FormFusion, and Degree Works all of which are critical to the University’s continued business administrative operations.

Scope of Work: Software support and maintenance of Evisions Argos Advanced Features, IntelleCheck, FormFusion, and Degree Works.

Term of Contract: Start Date: 7/1/2024 End Date: 6/30/2025

Contract Amount: The total contract cost is \$63,195.00

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

Termination Options:

The agreement may be terminated for the following:

- If either party breaches a material term or condition of this Agreement or the Licensee Order Form and that breach continues for thirty (30) days after the breaching party receives written notice from the other party, then the Licensee Order Form shall be deemed terminated at the end of that period.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

- MVSU may terminate the Licensee Order Form as to itself, in whole or in part, if Ellucian Company becomes the subject of bankruptcy, reorganization, liquidation or receivership proceedings, whether voluntary or involuntary.
- The License Order Form may be terminated in whole or in part upon the mutual, written agreement of Ellucian Company and MVSU.
- Either party may terminate this Agreement with or without cause upon thirty (30) days prior written notice to the other party, but any Licensee Order Form entered into prior to the termination date of the Agreement shall survive termination of the Agreement.
- Upon the expiration of MVSU's Software Support Term, and provided that MVSU has made all payments due to Ellucian Company under the Licensee Order Form, MVSU shall have the right to terminate its Licensee Order Form and destroy or return the Licensed Software to Ellucian Company.
- Upon termination by MVSU, MVSU will be entitled to a refund of applicable unexpended prorated annual Software Support Services fees/charges, if any. In the event of termination, Ellucian Company shall be entitled to receive just and equitable compensation for satisfactory work completed or services rendered by Ellucian Company in connection with the Licensee Order Form through the date of termination. In no case shall said compensation exceed the total contract price.
- Upon termination, (a) MVSU shall immediately cease to use the Licensed Software, (b) MVSU shall forthwith deliver to Ellucian Company, all originals and copies of the Licensed Software and Documentation, and (c) any right to damages shall not be prejudiced by termination. All obligations relating to non-use and non-disclosure of Confidential Information and indemnity shall survive the termination.

Contractor Selection Process: Ellucian was selected in 2015 as offering the best software solutions for the needs of the University's business operations needs.

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

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

5. **MVSU – REQUEST FOR APPROVAL TO ENTER INTO A SOFTWARE LICENSE AND SERVICE AGREEMENT WITH ELLUCIAN COMPANY, LLC (BANNER)**

Agenda Item Request: Mississippi Valley State University requests retroactive approval to July 1, 2024, to enter into a software license and service Order Form with **Ellucian Company, LLC (Banner)**. MVSU also requests approval to enter into a Supplement to the Master Software License and Services Agreement that was procured by the Mississippi Department of Information Technology Services (ITS) on behalf of MVSU for the same services to continue through an entire one (1) year contract period.

Contractor’s Legal Name: Ellucian Company, LLC

History of Contract: This is a new order form under a Master Software License and Service Agreement executed in May 1998 and a new Master Software License and Service Agreement. ITS provided MVSU a CP-1 to procure the Banner services for the period from July 1, 2024 – October 31, 2024, while ITS procured the services for the period from November 1, 2024 – June 30, 2025. ITS is currently negotiating with Ellucian for a new Master Services Agreement and did not want to extend the current order forms longer than one (1) year.

Specific Type of Contract: These are software license and service Order Form.

Purpose: The purpose of this agreement is to provide support services to support the configuration of Banner Financial Aid, Advancement, Finance, Student, Human Resources, Workflow EDISmart, Employee, Faculty and Advisor Self-Service, and Solutions Manager all of which are critical to the University’s continued business administrative operations.

Scope of Work: Software support and maintenance of Banner Financial Aid, Advancement, Finance, Student, Human Resources, Workflow EDISmart, Employee, Faculty and Advisor Self-Service, and Solutions Manager.

Term of Contract: The order form will start on July 1, 2024, and end on October 31, 2024. The Master Software License and Service Agreement will start on November 1, 2024, and end on June 25, 2025.

Contract Amount: The total contract cost for both order forms is \$268,602.00.

Funding Source for Contract: The contract will be funded by E&G and Title III funds.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

Termination Options:

The agreement may be terminated for the following:

- If either party breaches a material term or condition of this Agreement or the Licensee Order Form and that breach continues for thirty (30) days after the breaching party receives written notice from the other party, then the Licensee Order Form shall be deemed terminated at the end of that period.
- MVSU may terminate the Licensee Order Form as to itself, in whole or in part, if Ellucian Company becomes the subject of bankruptcy, reorganization, liquidation or receivership proceedings, whether voluntary or involuntary.
- The License Order Form may be terminated in whole or in part upon the mutual, written agreement of Ellucian Company and MVSU.
- Either party may terminate this Agreement with or without cause upon thirty (30) days prior written notice to the other party, but any Licensee Order Form entered into prior to the termination date of the Agreement shall survive termination of the Agreement.
- Upon the expiration of MVSU's Software Support Term, and provided that MVSU has made all payments due to Ellucian Company under the Licensee Order Form, MVSU shall have the right to terminate its Licensee Order Form and destroy or return the Licensed Software to Ellucian Company.
- Upon termination by MVSU, MVSU will be entitled to a refund of applicable unexpended prorated annual Software Support Services fees/charges, if any. In the event of termination, Ellucian Company shall be entitled to receive just and equitable compensation for satisfactory work completed or services rendered by Ellucian Company in connection with the Licensee Order Form through the date of termination. In no case shall said compensation exceed the total contract price.

Contractor Selection Process: Since MVSU has an existing Master Agreement with Ellucian Company, a contractor selection process was not utilized.

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

6. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A NEW CUSTOMER PURCHASING AGREEMENT WITH AVITA MEDICAL AMERICAS LLC

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a new Customer Purchasing Agreement with **AVITA Medical Americas LLC** (AVITA Medical) to purchase the AVITA Medical ReCell products and systems for the care of burn patients. The purpose of the agreement is to allow UMMC to

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

purchase products for the care of burn patients that will reduce the length of hospital stay and decrease the need for additional procedures or complications. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor's Legal Name: AVITA Medical Americas LLC

History of Contract: This agreement is for the purchase of new products to UMMC. UMMC is entering this agreement at this time because UMMC received Board approval and funding to establish the Mississippi Burn Center for the care of burn patients. With this expansion of services, UMMC's supply needs have similarly expanded.

Specific Type of Contract: This is a Customer Purchasing Agreement.

Purpose: The purpose of the agreement is to allow UMMC to purchase AVITA Medical ReCell products for the care of burn patients that will reduce the length of hospital stay and decrease the need for additional procedures or complications.

Scope of Work: Under this agreement, AVITA Medical will provide products to UMMC as needed at competitive pricing with no purchase or volume commitment to maintain the pricing. Additionally, UMMC is eligible for a rebate of two percent (2%) up to ten percent (10%), which will be determined by UMMC's utilization, offering potential additional cost savings.

Term of Contract: The term of the agreement is two (2) years beginning November 1, 2024 through October 31, 2026.

Termination Options: The agreement may be terminated as follows:

- by either party, due to a material breach, after notice and ten (10) days for the breaching party to cure;
- by either party, with or without cause, with at least sixty (60) days prior written notice to the other party;
- by either party, immediately if the other party takes any action that could constitute a violation of Anti-Corruption Laws; or
- by either party, immediately upon written notice if a force majeure event delays the other party's performance for more than sixty (60) days following notice by the non-delayed party.

Contract Amount: The total estimated cost of the agreement over the two (2) year term is \$8,900,000.00. UMMC has included a fifteen percent (15%) increase in year 2 for potential patient volume growth.

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

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

Contractor Selection Process: The AVITA Medical ReCell products qualify as clinical commodities under Miss Code Ann §31-7-1, which are exempt from procurement requirements under §31-7-13.

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

7. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A NEW PRICING AGREEMENT WITH EDWARDS LIFESCIENCES LLC**

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a new Pricing Agreement with **Edwards Lifesciences LLC** (Edwards) to purchase Pascal transcatheter valve repair systems. The purpose of the agreement is to set pricing and rebate terms for the Pascal transcatheter mitral valve repair system and other associated accessories. The Pascal transcatheter mitral valve repair system is used to repair the mitral valve of the heart without the need for open heart surgery. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor’s Legal Name: Edwards Lifesciences LLC

History of Contract: This agreement is for the purchase of new products to UMMC. UMMC is entering the agreement at this time in order to treat degenerative mitral regurgitation using the latest technology.

Specific Type of Contract: This is a Pricing Agreement.

Purpose: The purpose of the agreement is to set pricing and rebate terms for the Pascal transcatheter mitral valve repair system and other associated accessories. The Pascal transcatheter mitral valve repair system is used to repair the mitral valve of the heart without the need for open heart surgery.

Scope of Work: Under this agreement, Edwards will provide products to UMMC as needed and pay UMMC rebates based on the volume of Pascal transcatheter mitral valve repair system purchases on both a quarterly and annual basis. However, the first five (5) months of the agreement constitute a rebate evaluation period in which UMMC will receive a rebate for each case performed.

Term of Contract: The term of the agreement is five (5) years beginning November 1, 2024, through October 31, 2029.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

Termination Options: The agreement may be terminated as follows:

- by Edwards, if UMMC fails to pay within 45 days of receipt of invoice or otherwise fails to pay an undisputed sum owed;
- by either party, with or without cause, with at least 30 days prior written notice to the other party;
- by either party, due to breach of a material term by a party, unless the breach is cured within 30 days; or
- in the event of a reduction in funds.

Contract Amount: The total estimated cost of the agreement over the 5 year term is \$4,500,000.00.

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

Contractor Selection Process: Edwards is an approved vendor contracted with Vanderbilt Health Purchasing Collaborative, one of UMMC's group purchasing organizations (GPO) pursuant to Miss. Code Ann. 31-7-13(m)(x).

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

8. UMMC- REQUEST FOR APPROVAL TO ENTER INTO A CODING SERVICES AGREEMENT WITH KIWI-TEK, LLC

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Coding Services Agreement with **Kiwi-Tek, LLC** (Kiwi Tek) to perform hospital billing and professional fee remote coding services. Under the agreement, Kiwi Tek will perform hospital-based fee coding, professional fee coding, outpatient coding, and denial reviews as needed.

Contractor's Legal Name: Kiwi-Tek, LLC

History of Contract: This is a new contract with Kiwi Tek for coding services. UMMC utilizes multiple coding vendors for various areas, including professional fee and hospital billing, as well as for specialty departments such as emergency medicine. UMMC plans to contract with two (2) vendors to provide the majority of UMMC's hospital billing and professional fee coding: Kiwi Tek and CorroHealth, Inc. (CorroHealth) UMMC plans to continue using other vendors for specialty needs as appropriate.

On August 15, 2024, the IHL board approved a separate service agreement with CorroHealth for coding services. UMMC seeks to simultaneously contract with multiple

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

coding vendors to provide UMMC with coding and denial services to make sure that UMMC has appropriate coverage for all coding needs.

Specific Type of Contract: This is a new Coding Services Agreement.

Purpose: The purpose of the agreement is for the provision of hospital billing and professional fee coding, outpatient coding, and denial reviews as needed. Medical coders assign the correct code to describe the type of service a patient will receive. This is necessary to make sure UMMC is charging appropriately for services provided. Coders also work as denial specialists, including responsibility for following up directly with commercial and governmental payers to resolve any billing issues and secure appropriate reimbursement.

Scope of Work: Under the Agreement, Kiwi Tek will:

- provide a dedicated coding manager, assistant manager, auditors and coders to code UMMC's patient medical charts as requested;
- provide a monthly quality review reports for each assigned coder;
- develop a comprehensive training manual for all Kiwi Tek coders assigned to UMMC;
- require its employees to follow UMMC's policies and procedures;
- require its coders to have a 95% accuracy rate; and
- have regularly scheduled calls with UMMC staff to discuss progress with coder access, training, and other relevant topics.

Term of Contract: The term of the agreement is five (5) years, from November 1, 2024, through October 31, 2029.

Termination Options: Termination options includes the following:

- by UMMC upon thirty (30) days' written notice to Kiwi Tek with or without cause;
- if Kiwi Tek refuses or fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of the contract, and fails to cure the breach within ten (10) days of receiving written notice from UMMC;
- immediately upon Kiwi Tek's breach of any of the following ongoing representations and warranties that Kiwi Tek, its officers, directors and employees:
 - are not currently excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs;
 - have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs,
 - are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list;

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

- are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Kiwi Tek being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
- if Kiwi Tek is to receive any patients' personal health information, Kiwi Tek represents and warrants that it has implemented safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected.
- by UMMC if Kiwi Tek is unable to provide services for a period of thirty (30) days due to a continuing force majeure event,
- in the event of a reduction in funds;
- in the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (30) days;
- upon written notice to Kiwi Tek of a material breach of the Agreement or violation of the HIPAA Regulations that remains uncured following ten (10) days written notice, or immediately if cure is not possible, in the event Kiwi Tek improperly uses or discloses protected health information; and
- by UMMC immediately if Kiwi Tek violates UMMC's security policy.

Contract Amount: The total estimated cost of the agreement is \$13,150,000 over five (5) year term. Beginning in year two (2), UMMC has included a ten percent (10 %) increase for potential volume increases. Fees are based on a per chart rate or hourly rate for the coding services.

Funding Source for Contract: The contract will be funded by patient revenue.

Contractor Selection Process: In February 2024, UMMC conducted Request for Proposal (RFP) No. 8061 for Professional and Hospital Billing Remote Professional Coding Services. Seven (7) bidders submitted proposals, including CorroHealth, United Audit Systems, Inc, Cognizant Revenue Management Solutions, Kiwi-Tek, Norwood, CHIM Consulting, and Oxford Global Resources. Proposals were evaluated based upon cost and quality so that the lowest and best proposals would be selected. CorroHealth and Kiwi-Tek received the highest overall scores and both suppliers were awarded based on scores.

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

9. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A NEW GPO PRODUCT AGREEMENT WITH ORTHO-CLINICAL DIAGNOSTICS, INC.

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a new GPO Product Agreement with **Ortho-Clinical Diagnostics, Inc.** (Ortho-Clinical) for the rental of three (3) Vision Analyzers for the UMMC Jackson

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

Blood Bank Lab and one (1) Vision Analyzer for the UMMC Grenada Blood Bank Lab, as well as the purchase of disposables for use on the instruments. This instrumentation will be utilized to perform blood type, antibody screens, antibody panels, antigen typings, and crossmatches for patients. This testing is required prior to a patient receiving blood products. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor's Legal Name: Ortho-Clinical Diagnostics Inc.

History of Contract: On August 15, 2019, the Board approved a five (5) year agreement with Ortho-Clinical for the placement of two (2) Vision Analyzers at UMMC Jackson Blood Bank Lab and one (1) Vision Analyzer at UMMC Grenada Blood Bank Lab, as well as disposables to be used with the equipment.

Specific Type of Contract: This is a new GPO Product Agreement.

Purpose: The purpose of the agreement is to allow for the placement of three (3) Vision Analyzers for the UMMC Jackson Blood Bank Lab and one (1) Vision Analyzer for the UMMC Grenada Blood Bank Lab, as well as the purchase of disposables for use on the instruments. This instrumentation will be utilized to perform blood type, antibody screens, antibody panels, antigen typings, and crossmatches for patients. This testing is required prior to a patient receiving blood products.

Scope of Work: Under this agreement, Ortho-Clinical will:

- place four (4) new vision analyzers and related components, three (3) at UMMC Jackson and one (1) at UMMC Grenada;
- conduct a semi-annual analysis of UMMC's usage performance, and if UMMC's actual purchases have not met the minimum volumes, Ortho-Clinical will notice and invoice UMMC for the shortfall amount;
- provide firm pricing throughout the term; and
- provide testing supplies and reagents for use with the analyzers.

Under the agreement, UMMC will meet the annual purchase commitments.

Term of Contract: The term of the agreement is five (5) years beginning November 1, 2024, through October 31, 2029.

Termination Options: The agreement may be terminated as follows:

- in the event of a reduction in funds;
- by UMMC, after twenty-four (24) months with or without cause, with at least 120 days prior written notice to Ortho-Clinical; or
- by UMMC, if Ortho-Clinical is unable to provide service(s) required for a period of thirty (30) consecutive days as a result of a continuing force majeure event.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

Contract Amount: The total estimated cost of the agreement over the five (5) year term is \$2,900,000.00. UMMC has included a ten percent (10%) increase in years 2 through 5 for potential patient volume growth.

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

Contractor Selection Process: Ortho-Clinical is an approved vendor contracted with Vanderbilt Health Purchasing Collaborative (VHPC), one of UMMC's group purchasing organizations (GPO) pursuant to Miss. Code Ann. 31-7-13(m)(x).

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

10. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A NEW COST-PER-REPORTABLE AGREEMENT WITH SYSMEX AMERICA, INC. (HEMATOLOGY)

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a new Cost-Per-Reportable Agreement with **Sysmex America, Inc.** (Sysmex) for the lease of sixteen (16) new hematology analyzers across the UMMC system, the purchase of testing supplies and reagents for use with the analyzers, and service and support for the leased equipment. The analyzers perform complete blood counts used to help diagnose and monitor blood disorders. UMMC also requests approval to add or remove products, as well as move equipment, under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor's Legal Name: Sysmex America Inc.

History of Contract: UMMC currently owns fourteen (14) Sysmex hematology analyzers in use across the UMMC system and has contracted separately with Sysmex for service of the UMMC-owned equipment and purchased testing supplies and reagents without a contract. The UMMC-owned analyzers are end of life and will be put out of service upon the installation of the new analyzers. This Cost-Per-Reportable Agreement is a new arrangement between UMMC and Sysmex that includes the lease of hematology analyzers, purchase of testing supplies and reagents for use with the analyzers, and service and support for the leased equipment.

Specific Type of Contract: This is a new Cost-Per-Reportable Agreement.

Purpose: The purpose of the agreement is to provide the lease of sixteen (16) new hematology analyzers across the UMMC system, the purchase of testing supplies and reagents for use with the analyzers, and service and support for the leased equipment. The

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

analyzers perform complete blood counts used to help diagnose and monitor blood disorders.

Scope of Work: Under this agreement, Sysmex will:

- place sixteen (16) new hematology analyzers at multiple locations across the UMMC system;
- conduct an annual analysis of UMMC's usage rate, and if UMMC's actual purchases have not met the minimum volumes, Sysmex may, subject to UMMC's approval, readjust the cost-per-reportable rate;
- provide testing supplies and reagents for use with the analyzers; and
- provide service and support for the leased equipment.

Under the agreement, UMMC will meet the annual purchase commitments for testing supplies and reagents.

Term of Contract: The term of the agreement is five (5) years beginning November 1, 2024 through October 31, 2029, or until UMMC achieves the total test commitment of 2,004,650 reportable tests, whichever occurs later.

Termination Options: The agreement may be terminated as follows:

- by either party, for a material breach by the other party, after sixty (60) days notice and opportunity to cure by the breaching party;
- by UMMC, with or without cause, with at least one hundred eighty (180) days prior written notice to Sysmex, with UMMC obligated to buy the leased equipment at fair market value; or
- in the event of a reduction in funds.

Contract Amount: The total estimated cost of the agreement over the five (5) year term is \$6,350,000.00. Beginning in year two (2), UMMC has included a ten percent (10%) increase for potential volume growth.

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

Contractor Selection Process: Sysmex is an approved vendor contracted with Vizient, Inc., one of UMMC's group purchasing organizations (GPO) pursuant to Miss. Code Ann. 31-7-13(m)(x).

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

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

11. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A NEW COST-PER-REPORTABLE AGREEMENT WITH SYSMEX AMERICA, INC. (URINALYSIS)

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a new Cost-Per-Reportable Agreement with **Sysmex America, Inc.** (Sysmex) for the lease of five (5) new urinalysis analyzers across the UMMC system, the purchase of testing supplies and reagents for use with the analyzers, and service and support for the leased equipment. The instruments are used to perform the visual, chemical, and microscopic examination of urine which helps diagnose and/or monitor several diseases and conditions, such as kidney disorders and urinary tract infections. UMMC also requests approval to add or remove products, as well as move equipment, under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor’s Legal Name: Sysmex America Inc.

History of Contract: This is the first agreement between UMMC and Sysmex for urinalysis analyzers. Previously, UMMC contracted with Beckman Coulter, Inc. (Beckman Coulter) for urinalysis analyzers. On January 21, 2020, the Board approved a five (5) year lease of urinalysis equipment with Beckman Coulter for equipment currently used in UMMC’s main lab. The Beckman Coulter lease will expire on May 6, 2026.

Specific Type of Contract: This is a new Cost-Per-Reportable Agreement.

Purpose: The purpose of the agreement is for the lease of five (5) new urinalysis analyzers across the UMMC system, the purchase of testing supplies and reagents for use with the analyzers, and service and support for the leased equipment. The purpose of these analyzers is to perform the visual, chemical, and microscopic examination of urine which helps diagnose and/or monitor several diseases and conditions, such as kidney disorders and urinary tract infections.

Scope of Work: Under this agreement, Sysmex will:

- place five (5) new urinalysis analyzers at multiple locations across the UMMC system;
- conduct an annual analysis of UMMC’s usage rate, and if UMMC’s actual purchases have not met the minimum volumes, Sysmex may, subject to UMMC’s approval, readjust the cost-per-reportable rate;
- provide testing supplies and reagents for use with the analyzers; and
- provide service and support for all equipment.

Under the agreement, UMMC will meet the annual purchase commitments for testing supplies and reagents.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

Term of Contract: The term of the agreement is five (5) years beginning November 1, 2024 through October 31, 2029, or until UMMC achieves the total test commitment of 398,525 reportable tests, whichever occurs later.

Termination Options: The agreement may be terminated as follows:

- by either party, for a material breach by the other party, after sixty (60) days notice and opportunity to cure by the breaching party;
- by UMMC, with or without cause, with at least one hundred eighty (180) days prior written notice to Sysmex, with UMMC obligated to buy the leased equipment at fair market value; or
- in the event of a reduction in funds.

Contract Amount: The total estimated cost of the agreement over the five (5) year term is \$1,900,000.00. Beginning in year two (2), UMMC has included a ten percent (10%) increase for potential volume growth.

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

Contractor Selection Process: Sysmex is an approved vendor contracted with Vizient, Inc., one of UMMC's group purchasing organizations (GPO) pursuant to Miss. Code Ann. 31-7-13(m)(x).

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

12. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A PROGRAM INITIATIVE SERVICES AGREEMENT WITH SELLERS DORSEY & ASSOCIATES, LLC**

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Program Initiative Services Agreement with **Sellers Dorsey & Associates, LLC** (Sellers Dorsey) to provide strategic consulting services to UMMC for the purpose of developing and assisting with the implementation of a Graduate Medical Education Medicaid Payment Program for the State of Mississippi (GME Payment Program) as well as ongoing management of the program.

Contractor's Legal Name: **Sellers Dorsey & Associates, LLC**

History of Contract: This is a new agreement for the development and implementation of a GME Payment Program and its ongoing management. This program would be similar to the current Mississippi Medicaid Access to Physician Services (MS MAPS) Program that benefits the State of Mississippi. The GME Payment Program will allow UMMC to

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

maximize federal Medicaid payments for Graduate Medical Education. Under the proposed agreement, Sellers Dorsey will design the GME Payment Program, assist in obtaining State and federal approval for the program, aid in implementing the program, and provide ongoing management for the program.

Specific Type of Contract: This is a new Program Initiative Services Agreement.

Purpose: The purpose of the agreement is to provide professional services to develop and assist with the implementation of a GME Supplemental Payment Program and its ongoing management.

Scope of Work: Under this agreement, Sellers Dorsey will:

- Perform tasks as necessary to investigate, prepare, and design the GME Payment Program, such as:
 - Investigating the current medical education and training landscape as it pertains to UMMC,
 - Assisting UMMC with the development of the policy rationale needed to secure State and federal support for the program,
 - Assisting UMMC with the design of activities intended to impact quality/access/equity goals of the program,
 - Modeling and developing payment methodology options, and
 - Preparing initial drafts of necessary CMS approval documents, including State Plan Amendment, as needed.
- Perform tasks as necessary during the State and CMS approval process, such as:
 - assisting UMMC in finalizing the programmatic policy and aspects of the GME Payment Program with the Mississippi Division of Medicaid (DOM),
 - finalize financial materials for State approval and federal submission,
 - prepare final drafts of any State and CMS approval documents, including State Plan Amendments, IGT amendments, and memoranda of understanding (MOUs), as needed,
 - assist UMMC in explaining the GME Payment Program to State policymakers, and
 - work with UMMC to develop educational materials for discussions with the DOM, legislative leaders, State officials, and stakeholders.
- Perform tasks as necessary to assist with the implementation, operation, and ongoing program management of the GME Payment Program, such as:
 - measuring outcomes and tracking performance of the GME Payment Program through data analytics and reporting,
 - forecasting and tracking program payments,
 - working with UMMC to produce an annual impact report,
 - evaluating opportunities for program enhancement, and
 - completing CMS resubmission package.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

Term of Contract: The total term of the Agreement is six (6) years and eight (8) months, from November 1, 2024, through June 30, 2031. Sellers Dorsey shall provide services for five (5) years ending on October 31, 2029. However, as payments to Sellers Dorsey are based on a contingency fee of the new federal funds generated for UMMC from participation in the GME Payment Program, the additional 20 months of the contract term will allow UMMC to receive the funds and pay Sellers Dorsey the applicable fee.

Termination Options: The agreement may be terminated as follows:

- by either party with or without cause upon providing sixty (60) days' written notice;
- by either party if the other refuses or fails to perform any of the provisions of the agreement, otherwise fails to timely satisfy the agreement provisions, or commits any other substantial breach of this agreement, if not cured within fifteen (15) days or longer time provided in a notice of the breach;
- immediately upon Sellers Dorsey's breach of any of the following ongoing representations and warranties that Sellers Dorsey, its officers, directors and employees:
 - are not currently excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs;
 - have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs,
 - are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list;
 - are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Sellers Dorsey being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
 - has implemented safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected;
- in the event of a reduction in funds; and
- by either party in the event of a change in law resulting in an adverse consequence and the parties cannot agree to renegotiated terms.

Contract Amount: The total estimated cost of the agreement over the six (6) year and eight (8) month term is \$10,850,000. Under the agreement, UMMC pays Sellers Dorsey a contingency fee of 4% of the new federal funds generated for UMMC from participation in the GME Payment Program, as well as travel expenses. UMMC has included an annual growth rate of twenty-five percent (25%) to account for possible increases in the amount of funds received from the program during the term.

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

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

Contractor Selection Process: Sellers Dorsey is best positioned to provide the services under the Agreement, as it has performed similar services in the creation and implementation of the MS MAPS program and has proven to be an excellent partner for UMMC.

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

13. UMMC – REQUEST FOR APPROVAL TO ESCALATE FY 2024 ON-CAMPUS BUDGET ESCALATION

The University of Mississippi Medical Center (UMMC) requests permission to escalate its 2024 On-Campus Budget.

The escalation is requested to increase budgetary spending authority for salaries, wages, and contract labor for patient care services.

The escalation will be funded with increased sales and services resulting from increased patient revenue.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

University of Mississippi Medical Center FY 2024 On-Campus Budget by Major Object			
Category	Original FY 2024 Operating Budget	Revision/ Escalation	Revised FY 2024 Operating Budget
Total Salaries, Wages, and Fringe Benefits	\$ 1,038,614,725	\$ 102,722,848	\$ 1,141,337,573
Travel and Subsistence	\$ 4,199,223	\$ -	\$ 4,199,223
Contractual Services	\$ 299,563,769	\$ (40,840,650)	\$ 258,723,119
Commodities	\$ 381,283,076	\$ -	\$ 381,283,076
Capital Outlay: Non-Equipment	\$ 58,846,261	\$ -	\$ 58,846,261
Capital Outlay: Equipment	\$ 67,568,851	\$ -	\$ 67,568,851
Mandatory Transfers	\$ 96,924,168	\$ -	\$ 96,924,168
Non-Mandatory Transfers			
Total Uses of Funding	\$ 1,947,000,073	\$ 61,882,198	\$ 2,008,882,271
University of Mississippi Medical Center FY 2024 On-Campus Budget by Functional Category			
Category	Original FY 2024 Operating Budget	Revision/ Escalation	Revised FY 2024 Operating Budget
Total Instruction	\$ 219,889,672	\$ -	\$ 219,889,672
Research	\$ 87,443,623	\$ -	\$ 87,443,623
Public Service	\$ -	\$ -	\$ -
Academic Support	\$ 93,424,666	\$ -	\$ 93,424,666
Student Services	\$ 1,330,170	\$ -	\$ 1,330,170
Institutional Support	\$ 19,274,757	\$ -	\$ 19,274,757
Operation and Maintenance	\$ 46,846,337	\$ -	\$ 46,846,337
Inpatient Nursing Service	\$ 252,959,601	\$ 33,465,763	\$ 286,425,364
Professional Service	\$ 498,061,806	\$ 21,236,526	\$ 519,298,332
Ambulatory Service	\$ 457,602,361	\$ 7,179,909	\$ 464,782,270
Patient and General Support	\$ 48,961,984	\$ -	\$ 48,961,984
Operational Service	\$ 221,205,096	\$ -	\$ 221,205,096
Total Uses of Funding	\$ 1,947,000,073	\$ 61,882,198	\$ 2,008,882,271

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024**

University of Mississippi Medical Center FY 2024 On-Campus Budget by Revenue Source			
Category	Original FY 2024 Operating Budget	Revision/ Escalation	Revised FY 2024 Operating Budget
Total Student Fees	\$ 49,746,603	\$ -	\$ 49,746,603
Governmental Appropriations	\$ 261,084,767	\$ -	\$ 261,084,767
Grants and Contracts	\$ 94,640,642	\$ -	\$ 94,640,642
Sales and Services	\$ 1,393,173,860	\$ 61,882,198	\$ 1,455,056,058
Other	\$ 148,354,201	\$ -	\$ 148,354,201
Total Uses of Funding	\$ 1,947,000,073	\$ 61,882,198	\$ 2,008,882,271

STAFF RECOMMENDATION: Board staff recommends approval of this item.

14. USM – REQUEST FOR APPROVAL TO ENTER INTO AMENDMENT ONE TO USE PERMIT WITH NATIONAL AERONAUTICS AND SPACE ADMINISTRATION JOHN C. STENNIS SPACE CENTER

Agenda Item Request: The University of Southern Mississippi requests approval of an Amendment One to Use Permit, between the **National Aeronautics and Space Administration John C. Stennis Space Center (NASA)** and the Board of Trustees of State Institutions of Higher Learning for the Center of Higher Learning and Related University Activities (IHL).

Contractor’s Legal Name: **National Aeronautics and Space Administration John C. Stennis Space Center**

History of Contract: IHL and USM have contracted with the Stennis Space Center (SSC) since 1989 to provide academic and non-academic programs through the Center for Higher Learning (CHL) at SSC facilities. The agreement has been renewed periodically since that time, most recently in November of 2023, when a new Reimbursable Space Act Agreement (RSAA), Use Permit, and Host Tenant Agreement (HTA) were entered into by the parties. The Use Permit, RSAA, and HTA, are related agreements that govern the use and occupancy of SSC premises.

Specific Type of Contract: Amendment One to Use Permit

Purpose: The purpose of this Amendment One is to remove the following USM designated space from the Use Permit which is no longer needed by USM:

AGENCY	BLDG	TYPE	SQ. FT.
USM/DMS	9608	3	2,785
USM/DMS	9612	3	2,785

The removal of the space from USM designated space will result in a reduction of charges to USM of approximately \$1,365 per month.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
FINANCE
October 17, 2024

Scope of Work: SSC provides space in the SSC facilities for both academic and non-academic programs.

Term of Contract: Remaining portion of Five (5) Year term which commenced on November 29, 2023.

Contract Amount: The estimated financial obligation for reimbursable costs owed to NASA for the five (5) term is \$4,033,026 subject to adjustment as provided in the Agreements. The proposed Amendment One will reduce the reimbursable costs owed by approximately \$65,000 over the remaining period of the term.

Funding Source for Contract: State of Mississippi Appropriations for Center of Higher Learning, Education and General funds for the Department of Marine Sciences.

Termination Options: Either party may unilaterally terminate the Fully Reimbursable Space Act Agreement upon thirty (30) days written notice. The Use Permit and Host-Tenant Agreement terminate upon the termination of the Reimbursable Space Act Agreement.

Contractor Selection Process: N/A

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

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

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. JSU – GS 103-322 – ARPA – WATER COLLECTION & CONVEYANCE

Project Request: Jackson State University requests approval to initiate a project, ARPA – Water Collection & Conveyance, and to appoint the Pickering Firm, Inc., as the design professional.

Proposed Design Professional: Pickering Firm, Inc.

Selection Method: The project budget exceeds \$3M therefore it was required that the university use the RFQ method for selection of the design professional. JSU used the RFQ method for selection of the design professional as required.

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

Purpose: Jackson State University is seeking to initiate the project and appoint the project professional, Pickering Firm, Inc., as required by Board Policy so that the university can proceed with the design phase of the project. The purpose of this project is to identify and address deficiencies in JSU’s wastewater system, reduce infiltration/inflow, mitigate potential issues, and minimize the risk of sanitary sewer backups

Project Scope: The project scope includes rehabilitating brick manholes and performing improvements to address wastewater system collection issues based on the August 2023 inspections and smoke testing.

History: A comprehensive assessment of the wastewater collection system was performed during the initial stages of the project to collect flow data, map the routing, identify materials and determine the condition of the existing infrastructure campus wide. The information was utilized by the project professional to identify priorities and

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 OCTOBER 17, 2024**

develop a detailed repair package to address the identified issues within the confines of the project’s budget.

Jackson 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 17, 2024

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 3,511,310.00
Architectural and Engineering Fees:	259,104.84
Misc. Project Costs:	300,000.00
Furniture & Equipment Costs:	0.00
Contingency:	<u>766,376.23</u>
Total Project Budget	\$ 4,836,791.07

Funding Source(s): SB3062, Laws of 2022 - ARPA IHL (\$1,468,766.71); SB 3118, Laws of 2023 - ARPA Statewide (\$2,293,024.36); SB 3164 Laws of 2024 - ARPA Statewide (\$1,075,000.00)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

2. MSU – IHL 205-359 – WISE CENTER RENOVATION AND ADDITION

Project Request: Mississippi State University requests approval to initiate a project, Wise Center Renovation and Addition, and to appoint Eley Guild Hardy, P.A., as the design professional.

Proposed Design Professional: Eley Guild Hardy, P.A.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Selection Method: The project budget exceeds \$3M therefore it was required that the university use the RFQ method for selection of the design professional. MSU used the RFQ selection method as required for selecting the design professional.

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

Purpose: Mississippi State University is seeking to initiate the project and appoint the project professional, Eley Guild Hardy, P.A, as required by Board Policy so that the university can proceed with the design phase of the project.

Project Scope: The Wise Center has been the home of the College of Veterinary Medicine (CVM) at MSU since 1981. Though improvements have been made over the years, CVM must expand and renovate its clinical facilities to continue excellence in teaching, research and clinical service. The proposed additions and renovations will occur over multiple years in phases. The scope of each phase could include a new cattle handling facility, new farm animal hospital, a renovated equine hospital, an expanded small animal hospital, and infrastructure improvements, and systems modernizations.

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

Project Initiation Date: October 17, 2024

Date of Original Construction: 1981

Date of Last Renovation: GS #113-130 Necropsy Renovations – Completed 2014;
GS #113-134 Classroom Addition – Completed 2015; GS #113-130 Necropsy
Cooling Tower – Completed 2016

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 OCTOBER 17, 2024**

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 15,000,000.00
Architectural and Engineering Fees:	1,000,000.00
Misc. Project Costs:	1,300,000.00
Furniture & Equipment Costs:	0.00
Contingency:	700,000.00
 Total Project Budget	 \$ 18,000,000.00

Funding Source(s): S.B. 2468, Laws of 2024 (\$18,000,000)

Staff Recommendation: Board staff recommends approval of this item.

3. MSU – IHL 205-361 – DAVIS WADE STADIUM – EAST SUITE IMPROVEMENTS

Project Request: Mississippi State University requests approval to initiate a project, Davis Wade Stadium – East Suite Improvements, and to appoint MP Design Group, as the design professional.

Proposed Design Professional: MP Design Group

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

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

Purpose: Mississippi State University is seeking to initiate the project and appoint the project professional, Eley Guild Hardy, P.A, as required by Board Policy so that the university can proceed with the design phase of the project. The intent of the project is to aesthetically improve the two levels of suites on the east side of Davis Wade Stadium. The scope will include but is not limited to new interior finishes, millwork, doors, seating and lighting.

Project Scope: The project scope will include aesthetic improvements of existing suites on the east side of Davis Wade Stadium.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 OCTOBER 17, 2024**

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

Project Initiation Date: October 17, 2024

Date of Original Construction: 1914 (Stadium); East Suites (2002)

Date of Last Renovation:

- The east side addition, which houses the suites that will be improved, was completed in 2002.
- The north end zone addition was completed in 2014.
- The relocation of the home locker to the north end zone occurred in 2018.
- The balconies within the upper west side were completed in 2022.

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 2,600,000.00
Architectural and Engineering Fees:	170,000.00
Misc. Project Costs:	90,000.00
Furniture & Equipment Costs:	0.00
Contingency:	140,000.00
Total Project Budget	\$ 3,000,000.00

Funding Source(s): MSU Athletics Internal Funds (\$3,000,000)

Staff Recommendation: Board staff recommends approval of this item.

4. UM – IHL 207-514 – BREVARD HALL 1st FLOOR LAB RENOVATION

Project Request: The University of Mississippi requests approval to initiate a project, Brevard Hall 1st Floor Lab Renovation, and to appoint McCarty Architects, P.A., as the design professional.

Proposed Design Professional: McCarty Architects, P.A.

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that the university use the RFQ method for selection of the design of the

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 OCTOBER 17, 2024**

design professional. UM opted to assign the design professional based on qualifications.

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

Purpose: The University of Mississippi is seeking to initiate the project and appoint the project professional, McCarty Architects, P.A., as required by Board Policy so that the university can proceed with the design phase of the project. The University of Mississippi desires to renovate the Woods Lounge on the 1st floor of Brevard Hall into a research laboratory to accommodate the growth in student population and new faculty members. This project will significantly enhance research capabilities, fostering interdisciplinary collaboration and attracting top-tier faculty and graduate students, thereby bolstering the program’s competitive edge in securing external research funding.

Project Scope: The project consists of adding a door to the hallway, closing the opening to the student lounge, and adding a closet to the space. New floors, casework, paint, and lighting will be added.

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 17, 2024

Date of Original Construction: 1923

Date of Last Renovation: 2024 - (UM-IHL 207-503 Brevard Hall Envelope Ph 2)

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 1,028,161.00
Architectural and Engineering Fees:	82,600.00
Misc. Project Costs:	16,700.00
Furniture & Equipment Costs:	2,975.00
Contingency:	169,564.00
Total Project Budget	\$ 1,300,000.00

Funding Source(s): Internal R&R (\$1,300,000)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Staff Recommendation: Board staff recommends approval of this item.

5. UM – IHL 207-517 – STOCKARD-MARTIN SANITARY SEWER CORRECTIONS

Project Request: The University of Mississippi requests approval to initiate a project, Stockard-Martin Sanitary Sewer Corrections, and to appoint Corbett Legge and Associates, PLLC, as the design professional.

Proposed Design Professional: Corbett Legge and Associates, PLLC

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that the university use the RFQ method for selection of the design of the design professional. UM opted to assign the design professional based on qualifications.

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

Purpose: The University of Mississippi is seeking to initiate the project and appoint the project professional, McCarty Architects, P.A., as required by Board Policy so that the university can proceed with the design phase of the project. The sanitary sewer pipes, original to the building construction, need replacement due to leaks and deterioration.

Project Scope: The scope entails replacing the sanitary & sewer pipe risers that extend through all eleven floors of Stockard and Martin dormitories. A connection between the two buildings will be replaced and connected to the sewer 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 17, 2024

Date of Original Construction: 1967

Date of Last Renovation: 2013 – (Building Envelope Renovation); Minor Renovations in 2014

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 OCTOBER 17, 2024**

Project Budget:

		<i>Estimated</i>
Construction Cost:	\$	961,918.00
Architectural and Engineering Fees:		77,653.00
Misc. Project Costs:		11,500.00
Furniture & Equipment Costs:		0.00
Contingency:		248,929.00
Total Project Budget	\$	1,300,000.00

Funding Source(s): Internal R&R (\$1,300,000)

Staff Recommendation: Board staff recommends approval of this item.

6. UM – IHL 207-518 – WALTON YOUNG HOUSE RENOVATION

Project Request: The University of Mississippi requests approval to initiate a project, Walton Young House Renovation, and to appoint McCarty Architects, P.A., as the design professional.

Proposed Design Professional: McCarty Architects, P.A.

Selection Method: The project budget is not anticipated to exceed \$3M therefore it is not required that the university use the RFQ method for selection of the design of the design professional. UM opted to assign the design professional based on qualifications.

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

Purpose: The University of Mississippi is seeking to initiate the project and appoint the project professional, McCarty Architects, P.A., as required by Board Policy so that the university can proceed with the design phase of the project. The University of Mississippi desires to renovate the Walton Young House for the use of the Ole Miss Women’s Council (OMWC). The OMWC program provides significant guidance and training in leadership skills, exceptional life and career development, meaningful personal growth through cultural and travel opportunities, and beneficial alumni networking throughout the students’ tenure at the university. This project will significantly enhance OMWC’s ability to serve the Student Body and Campus community.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 OCTOBER 17, 2024**

Project Scope: The project consists of a full renovation of the historical 1880 Walton Young House to facilitate the functional operation of the Ole Miss Women’s Council. The Mississippi Department of Archives and History will be fully included throughout this process.

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 17, 2024

Date of Original Construction: 1880

Date of Last Renovation: 2012 – (Exterior Repairs and New Roof)

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$ 1,525,000.00
Architectural and Engineering Fees:	201,388.00
Misc. Project Costs:	293,700.00
Furniture & Equipment Costs:	63,500.00
Contingency:	<u>416,412.00</u>
Total Project Budget	\$ 2,500,000.00

Funding Source(s): Private Gifts (\$2,500,000)

Staff Recommendation: Board staff recommends approval of this item.

7. USM – IHL 214-028 – GULF PARK FRIENDSHIP OAK SIDEWALK AND LIGHTING PROJECT

Project Request: The University of Southern Mississippi requests approval to initiate a project, Gulf Park Friendship Oak Sidewalk and Lighting Project, and to appoint Neel-Shaffer, Inc., as the design professional.

Proposed Design Professional: Neel-Schaffer, Inc.

Selection Method: The project budget is not anticipated to exceed \$3M; therefore, the University is not required to use the RFQ method to select the design professional.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 OCTOBER 17, 2024**

However, the University has considered (3) three qualified firms and has selected Neel-Schaffer, Inc. as its professional services consultant through its internal selection process.

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

Purpose: The University of Southern Mississippi is seeking to initiate the project and appoint the project professional, Neel-Schaffer, Inc., as required by Board Policy so that the university can proceed with the design phase of the project.

Project Scope: The project is located on the southeastern edge of The University of Southern Mississippi’s Gulf Park campus. The project proposes removing existing sidewalks adjacent to Lloyd Hall and Elizabeth Hall and between Hardy Hall and the Administration Plaza. These sidewalks are prone to flooding and are not ADA-compliant. The existing street in front of Friendship Oak will be removed, and a landscape bed will be installed. The new pathways will tie into the existing Bear Bayou pathways on campus. Lighting updates will take place along the new pedestrian infrastructure, creating safer routes for students, faculty, staff, and visitors on campus. Removing and replacing the existing roadway with landscaping beds will decrease the vehicular traffic in this area and provide a dedicated viewing spot for our Friendship Oak. The Friendship Oak receives, on average, approximately fifteen visitors per week.

The University of Southern 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 17, 2024

Project Budget:

		<i>Estimated</i>
Construction Cost:	\$	1,049,882.46
Architectural and Engineering Fees:		83,513.38
Misc. Project Costs:		0.00
Furniture & Equipment Costs:		0.00
Contingency:		59,652.41
Total Project Budget	\$	1,193,048.25

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Funding Source(s): This project is funded by an 80/20 grant administered by the Mississippi Department of Transportation with funds from the Federal Highway Administration as part of the Transportation Alternative Grant Program. The federal share of construction costs is \$660,000.00; the remaining \$533,048.25 will be paid by the University.

Staff Recommendation: Board staff recommends approval of this item.

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

BUREAU OF BUILDING PROJECTS

8. MUW – GS 104-214 – SOUTH CAMPUS MECHANICAL PLANT

Project Request: Mississippi University for Women is requesting approval to increase the budget from \$3,000,000 to \$4,528,310 for an increase in the amount of \$1,528,310. In addition, MUW requests to modify the funding source to include the addition of funds from SB 2971, Laws of 2021, HB 1649, Laws of 2018, as funding sources.

Current Project Phase: Design Phase

Design Professional: Dewberry Engineers, Inc.

General Contractor: TBD

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

Purpose/Justification: The project budget increase is needed due to the new estimated cost after the schematic design phase that now exceeds the board approved budget. The increase also adds various excess funding that has been provided by the Legislature for completed projects that can now be used for the construction of a new mechanical plant. Originally, when the project was initiated, the funding was \$2,115,911.65 from HB 1730 Laws of 2020 and \$884,088.35 from HB 603, Laws 2023. MUW added some funds from unobligated funds and funds left from other completed projects. The new funding for the project is \$1,133,528 from S.B. 2971, Laws of 2021, \$1,770,951.19 from H.B. 1730, Laws of 2020, \$1,500,000 from HB 603, Laws of 2023, and \$123,830.81 from HB 1649 Laws of 2018.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 OCTOBER 17, 2024**

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

Project Initiation Date: March 21, 2024

Proposed Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 2,500,000.00	\$ 4,031,900.00	\$ 1,503,900.00
Architectural and Engineering Fees	\$ 225,000.00	\$ 294,815.00	\$ 69,815.00
Miscellaneous Project Costs	\$ 40,000.00	\$ 0.00	\$ (40,000.00)
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 75,000.00	\$ 201,595.00	\$ 126,595.00
Total Project Budget	\$ 3,000,000.00	\$ 4,528,310.00	\$ 1,528,310.00

Proposed Funding Source(s): SB 2971, Laws of 2021 (\$1,133,528); HB 603, Laws of 2023 (\$1,500,000); HB 1649, Laws of 2018 (\$123,830.81); HB 1730, Laws of 2020 (\$1,770,951.19)

Staff Recommendation: Board staff recommends approval of this item.

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

Project Request: Mississippi University for Women is requesting approval to increase the budget from \$7,500,000 to \$9,578,925 for an increase in the amount of \$2,078,925. In addition, MUW requests to modify the funding source to include the addition of funds from SB 2971, Laws of 2021, HB 1649, Laws of 2018, SB 2906, Laws of 2015, HB 1729, Laws of 2016, HB 3006, Laws of 2024 and MUW funds as funding sources.

Current Project Phase: Design Phase

Design Professional: Shafer Zahner Zahner, PLLC

General Contractor: TBD

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 OCTOBER 17, 2024**

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

Purpose/Justification: The project budget increase is needed due to the new estimated cost after the schematic design phase that now exceeds the board approved budget. The increase also adds various excess funding that has been provided by the Legislature for completed projects that can now be used for the construction of a new mechanical plant. The new funding for the project is \$1,616,472 from SB 2971, Laws of 2021, \$7,212,500 from HB 603, Laws of 2023, \$60,585.40 from HB 1649 Laws of 2018, \$6,687.78 from SB 2906, Laws of 2015, \$3,617.14 from HB 1729, Laws of 2016, \$483,062.68 from HB 3006, Laws of 2024, and \$196,000 from MUW Funds.

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

Project Initiation Date: March 21, 2024**Proposed Project Budget:**

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 6,700,000.00	\$ 8,542,545.00	\$ 1,842,545.00
Architectural and Engineering Fees	\$ 455,000.00	\$ 595,253.00	\$ 140,253.00
Miscellaneous Project Costs	\$ 45,000.00	\$ 14,000.00	\$ (31,000.00)
Furniture & Equipment Costs	\$ 0.00	\$ 0.00	\$ 0.00
Contingency	\$ 300,000.00	\$ 427,127.00	\$ 127,127.00
Total Project Budget	\$ 7,500,000.00	\$ 9,578,925.00	\$ 2,078,925.00

Proposed Funding Source(s): SB 2971, Laws of 2021 (\$1,616,472); HB 603, Laws of 2023 (\$7,212,500); HB 1649, Laws of 2018 (\$60,585.40); SB 2906, Laws of 2015 (\$6,687.78); HB 1729, Laws of 2016 (\$3,617.14); HB 3006, Laws of 2024 (\$483,062.68); MUW Funds (\$196,000)

Staff Recommendation: Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

APPROVAL OF OTHER REAL ESTATE REQUESTS

10. DSU – APPROVAL TO ENTER INTO A LAND LEASE AGREEMENT WITH THE CITY OF CLEVELAND FOR A PARCEL OF LAND FOR FLIGHT TRAINING

Agenda Request: Delta State University requests approval to lease land approximately 4.98 acres from the City of Cleveland for its flight training program.

Contractor’s Legal Name: City of Cleveland

Specific type of contract: This is a land lease agreement

Purpose: The purpose of this lease is to continue the partnership between the City of Cleveland and Delta State University whereby Delta State University utilizes this parcel of land for its flight training and operations center. Delta State University would like to enter an additional 20-year lease and continue to expand its flight operations center at this location.

History of Contract: Delta State University entered into a lease agreement with the City of Cleveland in 1987. During the years that followed Delta State University enhanced the property to include hangars that store the airplanes that Delta State University utilized for its flight operations. Delta State University has also added classrooms and simulation centers on the leased property

Legal Description of the Property: The property consist of approximately 4.98 acres (216,931.60 square feet) and is located on the East Half of the Northwest Quarter of Section 18, Township 22 North, Range 5 West, Bolivar County, Mississippi

Scope of Work: Delta State would lease this land from the City of Cleveland, Mississippi for the purpose of educational training purposes in association with the Delta State aviation department.

Terms of Agreement: The lease agreement term will begin on November 1, 2024, and shall end at midnight on October 31, 2044.

Termination Options: The lease may be terminated by the City of Cleveland based on default or lack of funding by Delta State University.

Contract Amount: The total contract amount over the 20-year lease period is \$498,942.70. The contract rate is determined will be \$0.10 cents per square foot annually from November 1, 2024, through October 31, 2029, for a total of \$1,807.76

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

monthly or \$21,693.16 annually during this period. The contract rate will increase to \$0.11 cents per square foot from November 1, 2029, through October 31, 2034, for a total of \$1,988.54 monthly or \$23,862.48 annually during this period. The contract rate will increase to \$0.12 cents per square foot from November 1, 2034, through October 31, 2039, for a total of \$2,169.32 monthly or \$26,031.79 annually during this period. The contract rate will increase to \$0.13 cents per square foot from November 1, 2039, through October 31, 2044, for a total of \$2,350.09 monthly or \$28,201.11 annually during this period.

Funding Source: Delta State University Aviation Departmental funds and legislative appropriations

Contractor Selection Process: The City of Cleveland owns the land where the hangars and classrooms for the Delta State Aviation department are located.

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

11. MSU – APPROVAL TO PURCHASE PROPERTY AT 654 OLD MAYHEW ROAD, STARKVILLE, MS FROM CRADDOCK PROPERTIES, LLC

Agenda Request: MSU requests retroactive approval to enter into a contract to purchase a tract of land consisting of 3 acres and includes a 7,586 square foot office/warehouse commercial building located at 654 Old Mayhew Road in Starkville, Mississippi from Craddock Properties, LLC.

Seller's Legal Name: Craddock Properties, LLC

Specific type of contract: This is property purchase agreement

Purpose: MSU desires to purchase this property to meet increasing general office and warehouse space demands.

Appraisals: MSU received two independent property appraisals for the property pursuant to Board Policy §905(A), Real Estate Management. The first appraisal was in the amount of \$1,025,000. The second appraisal was in the amount of \$1,050,000. The average of the two appraisals is \$1,037,500. MSU is purchasing the property for a total of \$998,270 which is below the average of the property's two appraised values.

Property Description: The subject property is physically located on 3.00+/- acres of land at 654 Old Mayhew Road, Starkville, Mississippi. The property includes acreage (130,680 square foot parcel) which is improved with a 7,586 square foot

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

office/warehouse that was developed in 2015 that includes offices, meeting rooms, a kitchen, and a storage shop. The land was undeveloped prior to 2015.

Terms of Agreement: The Real Estate Purchase and Sale Agreement was signed by MSU and Craddock Properties, LLC, in June 2024. The Agreement states that transaction is “specifically conditioned on and subject to approval of” the Board. The purchase price is \$998,270.00.

The Closing shall occur on or before December 20, 2024, or as otherwise mutually agreed upon in writing by both Parties. The possession date by the Purchaser shall be the date of closing.

Termination Options: MSU may terminate the contract in the event:

- (i) the Board declines to approve the purchase
- (ii) the condition of the property changes;
- (iii) Seller breaches the purchase contract;
- (iv) the property inspection report, title insurance, or Phase I environmental report are unsatisfactory to MSU or IHL;
- (v) the appraisals do not satisfy Board Policy §905(A)

Environmental Phase I Report: A Phase I Environmental assessment was completed, and no recognized environmental conditions, controlled recognized environmental conditions, historical recognized environmental conditions or *de minimis* conditions were identified for the subject property.

Contract Amount: The purchase price is \$998,270.

Funding Source: The University will fund the purchase price with University Designated Funds

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

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

12. MSU – DEMOLISH AND DELETE FROM INVENTORY – BUILDING #1686 (WILDLIFE AND FORESTRY PENS) – STARKVILLE, MS

Agenda Request: Mississippi State University requests approval to delete from inventory building #1686 (Wildlife and Forestry Pens).

Justification: Building #1686 is a small storage building constructed in 1975 and is in Oktibbeha County. It is necessary to remove this building due to the construction of new deer pens.

The approval letter has been received from the Mississippi Department of Archives and History stating Building #1686 is not eligible for designation as a Mississippi Landmark. All legal documentation will be kept on file in the Office of Real Estate and Facilities. Mississippi State University is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

Staff Recommendation: Board staff recommends approval of this item.

13. UM – IHL 407-011 – EARLY LEARNING AND EVALUATION CENTER– EXTERIOR DESIGN APPROVAL

Agenda Request: The University of Mississippi requests approval of the exterior design of the Early Learning and Evaluation Center.

Design Professional: McCarty Architects, P.A.

General Contractor: TBD

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

Purpose: The University of Mississippi is seeking approval of the exterior rendering for the construction of the Early Learning and Evaluation Center.

Project Scope: The project consists of the development of a comprehensive 54,000 GSF state-of-the-art early learning and evaluation center where clinical and educational services are integrated for all children ages birth to 6 years old. The new

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

center will be constructed at the south side of the University's South Oxford Center (SOC) and utilize existing spaces within the SOC to serve additional needs for the center.

Funding Source(s): SB 3002, Regular Session 2022 (\$10,000,000); University Internal Funding (\$21,415,000); US Department of Education Award #S215K230087 (\$1,360,000)

Project Budget: \$32,775,000.00

The University of Mississippi is acting 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: Front of Early Learning and Evaluation Center



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Rendering 2: Rear of Early Learning and Evaluation Center



**14. UM – IHL 207-516 – PHI DELTA THETA RENOVATIONS AND ADDITIONS
– EXTERIOR DESIGN APPROVAL**

Agenda Request: The University of Mississippi requests approval of the exterior design of the Phi Delta Theta Renovations and Additions.

Design Professional: Weir Boerner Allin Architecture

General Contractor: TBD

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

Purpose: The University of Mississippi is seeking approval of the exterior rendering for the construction of the Phi Delta Theta Renovations and Additions project.

Project Scope: The scope of this project includes renovation and an addition to the Phi Delta Theta house.

Funding Source(s): Mississippi Alpha Chapter House Corporation of Phi Delta Theta

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Project Budget: \$7,000,000.00

The University of Mississippi is acting 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: Phi Delta Theta House (Front)



**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Rendering 2: Phi Delta Theta House (Side)



15. UM – APPROVAL TO PURCHASE PROPERTY AT 2118 HARRIS DRIVE, OXFORD, MS FROM MCMONIGLE SOUTH PROPERTIES, LLC

Agenda Request: The University of Mississippi requests to purchase improved real property contiguous to the University, located at 2118 Harris Drive, Oxford, MS 38655. The property includes a single-family home and approximately 0.8+/- acres of land. The square footage of the home is 1,705 square feet. The home is owned by McMonigle South Properties, LLC, where Craig McMonigle is sole principal and his spouse, Lea McMonigle, is an organizer of the LLC.

Seller’s Legal Name: McMonigle South Properties, LLC

Specific type of contract: This is property purchase agreement

Purpose: The purpose of this request is to purchase real property located at 2118 Harris Drive, Oxford, MS 38655 through a private sale that includes payment of \$322,500 by the University. This property adjoins the University’s northwestern boundary and is adjacent to the Medicinal Plant Garden and Insight Park Ave. This property is valuable to the University in that real estate near the campus is in high demand, low in supply and is generally priced in accordance with such appealing attributes. UM is interested in acquiring properties that support strategic growth of the

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

University, considering factors such as contiguous locations, strategic/mission aligned value, expansion capability, affordability and fit for future use. As such, this property rates highly in the University's overall evaluation of these criteria.

Appraisals: The University of Mississippi received two independent property appraisals for the property pursuant to Board Policy §905(A), Real Estate Management. The first appraisal was in the amount of \$320,000. The second appraisal was in the amount of \$325,000. The average of the two appraisals is \$322,500. UM is purchasing the property for a total of \$322,500 which is the average of the property's two appraised values.

Property Description: The subject property is physically located at 2118 Harris Drive, Oxford, Mississippi. The property includes a single-family home and approximately 0.8+/- acres of land. The square footage of the home is 1,705 square feet. The home was constructed in 2002.

Terms of Agreement: The terms of sale include a property valuation, supported by the average of two independent appraisals of \$322,500. The purchase component is to occur through internal R&R funds

The Closing shall occur on mutually agreed upon date no later than 45 days after the effective date, unless extended by mutual written consent of the parties.

Termination Options: The purchase can be terminated at any time and for any reason prior to the execution of the Purchase Agreement, including denial by the IHL Board.

Environmental Phase I Report: A Phase I Environmental assessment, lead paint, and asbestos testing has been completed with successful test results. A property disclosure statement was provided by the seller, and no material or substantive adverse conditions were noted.

Contract Amount: The purchase price is \$322,500.

Funding Source: Internal R&R funds

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

environmental report be completed by qualified personnel and submitted to the Board’s Real Estate and Facilities Office.

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

16. USM – IHL 214-024 – GULF PARK LANGUAGE AND SPEECH THERAPY CENTER – NAMING OF THE BUILDING AS “KELLY GENE COOK, SR. HALL”

Agenda Request: The University of Southern Mississippi requests approval to name the Gulf Park Language and Speech Therapy Center as “Kelly Gene Cook, Sr. Hall”.

Design Professional: M|P Design Group

General Contractor: TBD

Kelly Gene Cook, Sr. Bio: Kelly Gene Cook, Sr., was born in 1930 in French Camp, Mississippi. He graduated from Mississippi State University with a degree in Civil Engineering.

Mr. Cook was a pipeliner for more than three decades. He joined Houston Contracting Company in 1956 and became vice president and general manager for domestic and foreign operations in 1971. In this capacity, he dealt with pipelines throughout the Middle East, Brazil, Trinidad, Ecuador, and Nigeria. In 1976, he and a partner formed Gregory & Cook, Inc., a pipeline contracting firm in Houston, Texas. Mr. Cook was active in the industry associations, serving on the International Pipeline Contractors Association and the American Pipeline Contractors Association boards.

Before his passing in 1989, Mr. Cook and his wife, Peggy, formed the Kelly Gene Cook, Sr. Charitable Foundation, Inc. The Foundation continues his legacy of philanthropic support of religious, charitable, scientific, and educational organizations in Mississippi, Louisiana, and Texas. A long-time supporter of higher education, the Kelly Gene Cook, Sr. Foundation has also been a long-time supporter of USM’s DuBard School for Language Disorders. Through his Foundation, thousands of individuals have been impacted by Kelly Gene Cook, Sr.

Purpose: The University of Southern Mississippi is seeking approval to name the new Gulf Park Language and Speech Therapy Center.

Project Scope: The project comprises the new construction of a two-story facility (approximately 25,250 square feet) on the Gulf Park Campus.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Funding Source(s): Community Project Funding/Congressionally Directed Spending (CDS) projects funding from the US Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA) as part of the Consolidated Appropriations Act, 2022 (PL 117-103) and The University of Southern Mississippi Foundation (\$4.5M).

Project Budget: \$12,400,000.00

The University of Southern 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.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 LEGAL
 OCTOBER 17, 2024**

1. **JSU – APPROVAL TO HIRE ARMSTRONG LAW, LLC d/b/a ARMSTRONG IMMIGRATION AS OUTSIDE COUNSEL**

Jackson State University requests approval to enter into a contract with Armstrong Law, LLC d/b/a Armstrong Immigration as outside counsel to perform services necessary in preparing labor certification applications, immigration applications, immigration petitions, and provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The contract term is one-year effective November 1, 2024 through October 31, 2025. The rates are set out in the fee schedule below. The maximum amount payable under the term of this agreement is \$50,000. This firm carries professional liability insurance coverage in the amount of \$1 million per claim with an annual aggregate of \$1 million. This request is pending approval by the Office of the Attorney General.

**Summary of Legal Fees - Jackson State University
 Effective November 1, 2024**

<u>Type of Immigration Processing</u>	<u>Attorney’s Fees¹</u>
Permanent resident status (“green card”/immigrant) processing – labor certification required	
“Special handling” labor certification for faculty (teaching positions only) – using original recruitment	\$2,500.00
“Special handling” labor certification for faculty (teaching positions only) – re-recruitment	\$3,500.00
“Basic recruitment” labor certification for non-teaching positions	\$5,000.00
Audit response (if required by US Department of Labor)	\$1,500.00
Immigrant petition for alien worker (I-140) – for employee	\$2,800.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$2,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee (if filing concurrently)	\$1,500.00
“Standalone” Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$2,500.00
“Standalone” Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$2,000.00

¹ Exclusive of all required US Citizenship and Immigration Services filing fees and costs of recruitment (if required); all additional work, including assistance in ad placement, renewal applications for employment authorization or advance parole during the period the application for adjustment of status is pending, preparation for and attendance at interviews with immigration officers, or appeals of any denials of any immigration petition or application filed, will be billed at normal hourly rates (currently \$350 an hour)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 LEGAL
 OCTOBER 17, 2024**

I-485 Supplement J (standalone)	\$1,500.00
Preparation for and attendance at USCIS interview	\$2,000.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00

<u>Type of Immigration Processing</u>	<u>Attorney's Fees</u>
Permanent resident status (“green card”/immigrant) processing – “Outstanding professors and researchers” (labor certification not required)	
Immigrant petition for alien worker (I-140) – for employee	\$6,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$2,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$ 1,500.00
“Standalone” Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$2,500.00
“Standalone” Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$2,000.00
Preparation for and attendance at USCIS interview	\$2,000.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
Permanent resident status (“green card”/immigrant) processing – “extraordinary ability” or “National Interest Waiver” (labor certification not required)	
Immigrant petition for alien worker (I-140) – for employee	\$6,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for employee	\$2,000.00
Application to adjust status (I-485) and related applications if applicable (I-765, I-131) for each dependent of employee	\$1,500.00
Preparation for and attendance at USCIS interview	\$2,000.00
Application to renew employment authorization and/or advance parole (per application)	\$ 500.00
Temporary status (nonimmigrant) processing	
H-1B “specialty occupation” petition	\$2,500.00
H-1B/LCA Withdrawal	\$ 200.00
E-3 petition or consular processing	\$2,500.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 LEGAL
 OCTOBER 17, 2024**

<u>Type of Immigration Processing</u>	<u>Attorney's Fees</u>
O-1 "extraordinary ability" petition (initial filing)	\$7,500.00
O-1 "extraordinary ability" petition (extension)	\$4,000.00
O-1 additional rush fee if case must be filed within 60 days	\$2,000.00
TN "NAFTA professional" petition	\$2,500.00
Application for Waiver of J-1 Foreign Residence Requirement (based upon state Conrad 30 program)	\$7,500.00
Application for Waiver of J-1 Foreign Residence Requirement (based upon extreme hardship)	\$6,000.00
Application to extend or change nonimmigrant status (for dependents of employee who are in the US in another nonimmigrant status) when filed with I-129 Petition for primary	\$ 750.00
Application for employment authorization of H-4 spouse (if qualified) when filed with I-539 Application and I-129 Petition	\$ 750.00

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

2. **JSU – APPROVAL TO HIRE SUN SOVEREIGN, LLC d/b/a WARE| IMMIGRATION AS OUTSDIE COUNSEL**

Jackson State University requests approval to enter into a contract with Sun Sovereign, LLC d/b/a Ware|Immigration as outside counsel to perform services necessary in preparing labor certification applications, immigration applications and petitions, and provide immigration related services on behalf of the University for its employees who seek temporary or permanent residence status, as well as providing other related services. The contract term is one-year effective November 1, 2024 through October 31, 2025. The rates are set out in the fee schedule below. The maximum amount payable under the term of this agreement is \$50,000. This firm carries professional liability insurance coverage in the amount of \$3 million per claim with an annual aggregate of \$3 million. This request is pending approval by the Office of the Attorney General.

Schedule of Legal Fees for Academia

Nonimmigrant Petitions and Processes

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

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 LEGAL
 OCTOBER 17, 2024**

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

Permanent Residence Process with Labor Certification: Faculty

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

Permanent Residence Process with Labor Certification: Non-Faculty

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

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

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

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

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 LEGAL
 OCTOBER 17, 2024**

Employment Authorization and Advance Parole Renewal

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

Marriage Based Permanent Residence

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

Other Services

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

General Legal Advice and Unusual Matters Which Fall Outside This Fee Schedule

Such matters will be billed at our hourly rate:

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

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

3. **MSU – APPROVAL TO HIRE MITCHELL, McNUTT & SAMS, P.A. AS OUTSIDE COUNSEL**

Mississippi State University requests approval to enter into a contract with Mitchell, McNutt & Sams, P.A. as outside counsel to represent the University in a contract and billing dispute with a local utility provider. The contract term is one year effective December 1, 2024 through November 30, 2025. The hourly rates are \$250 for attorneys and \$85 for paralegal services with a maximum amount payable of \$125,000 under the term of the agreement. This firm carries professional liability insurance coverage in the amount of \$10 million per claim with an annual aggregate of \$10 million. This request has been approved by the Office of the Attorney General.

STAFF RECOMMENDATION: Board Staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
OCTOBER 17, 2024**

4. **UM – APPROVAL TO HIRE KAPLAN KIRSCH, LLP AS OUTSIDE COUNSEL**

The University of Mississippi requests approval to enter into a contract with Kaplan Kirsch, LLP as outside counsel for the provision of legal services in the area of FAA legal and regulatory issues and other legal matters as assigned. The term of the agreement begins October 17, 2024 and expires on June 30, 2025. The blended hourly rate for all attorneys is \$475 and an hourly rate not to exceed \$150 for paralegal services. The maximum amount payable under the term of the agreement is \$75,000. This firm carries professional liability insurance coverage in the amount of \$5 million per claim with an annual aggregate of \$5 million. This request is pending approval by the Office of the Attorney General.

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

5. **MUW – APPROVAL OF LINDA ROSS ALDY AS IN-STATE LOBBYING CONSULTANT**

Agenda Item Request: Pursuant to IHL Board Policy 201.0506, Mississippi University for Women requests approval to enter into an agreement with Linda Ross Aldy to provide a full scope of legislative lobbying services within the State of Mississippi.

Contractor’s Legal Name: Linda Ross Aldy

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

Purpose: Linda Ross Aldy will provide lobbying services effective upon execution of the agreement and continuing through the 2025 Regular Session of the Mississippi Legislature.

Scope of Work: Arrange and attend meetings with key political leadership beginning upon execution of this Agreement and continuing throughout the 2025 Regular Legislative Session in order to educate and promote MUW’s interest in related pieces of legislation.

Term of Contract: The term of the agreement is one year from October 1, 2024 through September 30, 2025.

Contract Amount and Funding Source: The contract amount is \$35,000 to be paid in monthly installments of \$2,916.66 each. This fee will be paid with self-generated by the MUW Foundation.

Termination Options: Either party, on notice to the other party, may terminate this contract with or without cause upon written notice to the other party. On notice of termination by MUW, Aldy shall cease all work in connection with the project and MUW shall pay Aldy all consideration through the date of termination. On notice of termination

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
OCTOBER 17, 2024**

by Aldy, Aldy shall deliver all work in progress to MUW, whereupon Aldy shall have no further obligation to MUW, except as set forth in the confidentiality provision of this agreement.

Client List:

None.

STAFF RECOMMENDATION: The Attorney General’s Office has reviewed the agreement and found same to be compliant with applicable law and Board policy. Board Staff recommends approval of this item.

6. **DSU – APPROVAL OF DR. MICHELLE ROBERTS AS LEGISLATIVE LIAISON**

Delta State University requests approval of Dr. Michelle Roberts as legislative liaison.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

7. **MVSU – APPROVAL OF STEPHEN MCDANIEL AS LEGISLATIVE LIAISON**

Mississippi Valley State University requests approval of Stephen McDaniel as legislative liaison.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
PERSONNEL
OCTOBER 17, 2024**

APPROVAL OF PERSONNEL ACTION REQUESTS

1. **Employment**

Delta State University

- Lisa Giger; *part-time, rehired retiree*; Human Resources Specialist; salary \$38,265 per annum, pro rata; Fund 10 funds; 12-month contract; effective October 1, 2024
- Michelle Roberts; *part-time, rehired retiree*; Special Assistant to the President; salary \$85,392 per annum, pro rata; Fund 10 funds; 12-month contract; effective September 1, 2024

2. **Change of Status**

Delta State University

Kelvin Davis; *from* Comptroller; salary \$105,575 per annum, pro rata; E&G Funds; 12-month contract; *to* Associate Vice President for Finance and Administration; salary \$130,000 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2024

Mississippi Valley State University

Dameon Shaw, *from* Vice President for University Advancement, External Relations and Information Security; salary \$120,100 per annum, pro rata; E&G Funds; 12-month contract; *to* Vice President for Information Technology; salary \$124,306 per annum, pro rata; E&G Funds; 12-month contract; effective July 1, 2024

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
ADMINISTRATION/POLICY
OCTOBER 17, 2024**

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

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

Staff Recommendation: Board staff recommends approval of this item.

2. **MVSU – APPROVAL OF NEW MISSION STATEMENT**

Below is Mississippi Valley State University’s current mission statement approved by the IHL Board at its October 19, 2017 meeting and the proposed new mission statement for the Board’s consideration.

Current Mission Statement

~~Mississippi Valley State University, as a Carnegie Classified Master's University, provides comprehensive undergraduate and graduate programs in education, the arts and sciences, and professional studies. The University is driven by its commitment to excellence in teaching, learning, service, and research—a commitment resulting in a learner-centered environment that prepares critical thinkers, exceptional communicators, and service-oriented, engaged, and productive citizens. MVSU is fundamentally committed to positively impacting the quality of life and creating extraordinary educational opportunities for the Mississippi Delta and beyond.~~

Proposed Mission Statement

Through personal connection, Mississippi Valley State University provides quality undergraduate and graduate programs to a diverse community of learners. MVSU’s commitment to teaching, learning, research, and service enables students to achieve their academic and career goals and contributes to the betterment of the Mississippi Delta and beyond.

Staff Recommendation: Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024**

1. **UM – REQUESTS TO ADD NEW ACADEMIC DEGREE PROGRAMS**

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

In accordance with Board Policy 502, the University of Mississippi requests approval to establish new academic degree programs.

A. *Proposed degree program title:* **Bachelor of Arts (BA) in Media and Communication**

CIP code: 09.0102

Total credit hours: 120

Effective date: August 2024

Incremental, five-year cost of implementation: \$0

Potential new, five-year revenue: \$1,665,360

Unit where academic program will be housed: Department of Media and Communication

Number of students expected to enroll in first five years: 75

Number of students expected to graduate in first five years: 35

Program description: This new academic degree program will give undergraduates rigorous training in the critique and analysis of media. While the existing academic degree programs in this school prepare students for careers in journalism, public relations, advertising, and marketing communications, the BA in Media and Communication will focus on preparing students for a changing and increasingly global media and communication landscape including careers and/or graduate study in media and communication research, criticism, policy, and management.

Institution(s) offering similar program(s): ASU – BA in Mass Communication; JSU – BS in Journalism and Media Studies

National and state supply and demand: According to the Bureau of Labor Statistics, “overall employment in media and communication occupations is projected to grow about as fast as the average for all occupations from 2022 to 2032” with approximately 114,300 job openings per year. Students who graduate with a BA in Media and Communication are prepared for a host of specific occupations, including many listed as “Arts, Design, Entertainment, Sports, and Media Occupations,” a category that boasts an estimated 1,315 annual job openings and many listed as “Sales and Related Occupations,” a category that boasts an estimated 17,560 annual job openings, according to long-term occupational employment projections (2020-2030) published by the Mississippi Department of Employment Securities.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024

Average wages: For the categories listed above, the Bureau of Labor Statistics estimates mean annual wages ranging from \$50k to \$75k.

B. Proposed degree program title: Doctor of Philosophy (PhD) in Nutrition Sciences

CIP code: 30.1901

Total credit hours: 60

Effective date: August 2024

Unit where academic program will be housed: Department of Nutrition and Hospitality Management

Number of students expected to enroll in first five years: 44

Number of students expected to graduate in first five years: 10

Program description: The Department of Nutrition and Hospitality Management at the University of Mississippi currently offers a PhD in Nutrition and Hospitality Management with two emphasis areas: nutrition and hospitality management. The current program CIP code (52.0901) is accurate for the emphasis on hospitality management but not for the emphasis on nutrition. The proposed PhD in Nutrition Sciences with a CIP code of 30.1901 is necessary to attract and retain students interested in nutrition sciences and to develop nutrition scientists for the academy and industry. This degree program will replace the currently existing PhD in Nutrition and Hospitality Management with an emphasis in nutrition.

Institution(s) offering similar program(s): MSU – PhD in Food Science, Nutrition, and Health Promotion with concentrations in Food Science and Technology or Nutrition; USM – PhD in Nutrition and Food Systems

National and state supply and demand: The PhD in Nutrition Sciences equips graduates with the expertise necessary for diverse professional pathways, encompassing research, teaching, and advanced-level practice within esteemed sectors such as higher education institutions, government agencies, and the public and private domains. Potential career trajectories include securing positions as tenure-track professors or engaging in impactful research roles within industry or governmental bodies, with a specific focus on nutrition, food, and health. Opportunities for research and education roles extend to prominent organizations such as the US Department of Agriculture's Cooperative Extension Service, the Food and Drug Administration, the Centers for Disease Control, and the Food and Nutrition Board. Graduates possessing a Registered Dietitian (RD) credential also have the option to pursue roles within clinical settings. This comprehensive program provides a robust foundation for professional success across a spectrum of impactful and influential sectors.

Average wages: For the categories listed above, the Bureau of Labor Statistics estimates mean annual wages ranging from \$70k to \$95k.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024**

STAFF RECOMMENDATION: Board staff recommends approval of these items.

2. **UM – REQUESTS TO ADD NEW ACADEMIC UNITS**

In accordance with Board policies 503 and 504, the University of Mississippi submits requests to create new academic units.

A. ***Proposed unit title: Confidential Advocacy, Support, and Education (CASE)***

Unit Location: Student Affairs, Dean of Students Community of Practice

Organizational units to operate under proposed unit: None

Degree programs to be offered within the proposed unit: None

Effective date: September 2024

Cost of implementation: \$0

Total number of faculty/new faculty: 0/0

Total number of staff/new staff: 3.5/0.5

Reason for request: This unit currently exists as a program. The request to establish a stand-alone department is to increase visibility and prominence as a key service for students and a referral resource for faculty and staff. The mission of CASE is to provide confidential advocacy to assist students who may have been impacted by interpersonal violence and serve as a liaison between the University and local resource groups. Confidential advocates are certified campus advocates who provide non-judgmental support and empower students to create an individualized plan for healing. Staff and peer educators also promote awareness through programming and provide education for students, faculty, and staff concerning these topics.

B. ***Proposed unit title: Division of Access, Opportunity, and Community Engagement***

Unit Location: Academic Affairs

Organizational units to operate under proposed unit:

Center for Community Engagement

Center for Inclusion and Cross Cultural Engagement

Student Disability Services

Equal Opportunity and Regulatory Compliance

Degree programs to be offered within the proposed unit:

Community Engaged Leadership Minor

Effective date: October 2024

Cost of implementation: \$1,581,200

Total number of faculty/new faculty: 0/0

Total number of staff/new staff: 43/4

Reason for request: The new Division of Access, Opportunity, and Community Engagement aims to tackle Mississippi's growing issue of declining high school graduates enrolling in higher education. UM's goal is to better align resources to prioritize student persistence, success, and graduation. To achieve this, UM needs to

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024**

enhance its focus on expanding access to higher education, particularly for students facing limited resources, minimal family experience with higher education, and other barriers. Also, with an expanded focus on accessibility, this unit would bring together four areas not currently coordinated to maximize efficiency and campus support of individuals with disabilities.

STAFF RECOMMENDATION: Board staff recommends approval of these items.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024**

1. DSU – REQUEST FOR APPROVAL TO ENTER INTO A LICENSE AND FACILITIES USE AGREEMENT WITH THE CLEVELAND SCHOOL DISTRICT

Agenda Item Request: Delta State University requests approval of the License and Facilities Use Agreement between Delta State University and the Cleveland School District for the use of Kethley Hall. The purpose of the agreement is to utilize Kethley Hall for Hayes Cooper School to house approximately 325 students that were displaced due to an explosion and fire that affected their school building.

The goals of the Hayes Cooper Center (HCC)- DSU Elementary Education Partnership are two-fold: 1) to promote experiential learning in the K-6 setting through dynamic, scaffolded, and extended clinical experiences to include a pre-internship and internship; and 2) to simultaneously positively impact K-6 student learning and provide support and resources to classroom teachers. The partnership includes continuous planning and support through leadership team meetings with DSU faculty and HCC teachers.

Contractor’s Legal Name: The Cleveland School District

History of Contract: SB 3006 and SB 2468 provided \$ 2.5 million for the joint operation of the Hayes Cooper School at DSU to provide for "Delta State University may enter into a partnership with the Cleveland School District to create a model rural education school to serve Pre-K through sixth-grade students from Bolivar County and a model program which shall also serve as a model for the education of teachers and administrators. To accomplish that purpose, Delta State University and the Cleveland School District are each authorized, in their discretion:

- A) To enter into an agreement for the purpose of designing, construction, maintaining and operating a model rural education school to serve Pre-K through sixth-grade students from Bolivar County; and
- B) To transfer funds to the other and expend such funds on mutually agreeable terms and conditions for the construction, maintenance and operation of such school."

Specific Type of Contract: This is a License and Facilities Use Agreement

Purpose: The purpose of the agreement is to provide a safe and secure location for the Hayes Cooper School to operate as well as provide educational opportunities for HCC students, DSU students, and Hayes Cooper faculty through the Elementary Education Partnership.

Scope of Work: The agreement is to allow the utilization of 40,465 square feet of educational space for the Cleveland School District to operate Hayes Cooper School. Classroom and office construction including the addition of access control will be added

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024

to Kethley Hall. Additional construction for the moving of DSU faculty and staff to other areas of campus will also occur.

Term of Contract: The agreement term will be for the 2024-25 academic year.

Termination Options: The License and Facilities Use Agreement is for one year but could be continued based on new agreement and availability of funds from the legislature. Future termination options to be addressed in a later agreement.

Contract Amount: No funding will be utilized for the rent of the space, however funding from the legislative bill will be used for parking permits for staff, additional cost associated with meal plans, construction of spaces and canopies, relocation of DSU staff, utility costs and other costs associated with the operation of the school

Funding Source for Contract: SB 3006 L'24 and SB 2468 L'24

Contractor Selection Process: Construction costs for this project did not require bidding. Contractors were selected based on availability to complete the work prior to school year beginning

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

2. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A SERVICES AGREEMENT WITH ARAMARK HEALTHCARE SUPPORT SERVICES, LLC**

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a Services Agreement with **Aramark Healthcare Support Services, LLC** (Aramark) to provide management of UMMC's food service program, including patient food, retail food, and nutrition services on the Jackson, Grenada, and Holmes County campuses. Additionally, UMMC requests permission to amend the agreement as needed to add or remove the facilities covered by the agreement, without seeking prior board approval as long as it does not increase the approved expenditure level. Pursuant to IHL policy 707.03 *Approval of Prepayment for Goods and Services*, UMMC also requests a waiver to allow prepayment of the estimated contract cost at the beginning of each month.

Contractor's Legal Name: Aramark Healthcare Support Services, LLC.

History of Contract: This is a new contract with Aramark for the provision of food service management to UMMC. On June 17, 2021, the Board approved a five (5) year agreement with Morrison Management Specialists, Inc. (Morrison) for the provision of

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024

food services. The agreement will expire on June 30, 2026, however UMMC may terminate it upon mutual written agreement of the parties.

Specific Type of Contract: This is a new Services Agreement

Purpose: The purpose of this agreement is to provide management of food service program for UMMC's enterprise with a focus on consistent levels of service for all UMMC entities.

Scope of Work: Under this agreement, Aramark will:

- provide food and nutrition services for UMMC patients, visitors, students, and staff;
- provide a food program manager and staff at each UMMC location served;
- provide hourly employee positions needed for the provision of services;
- provide safety equipment needed for the safe performance of the food program in the kitchen area;
- provide patient meal delivery;
- provide host/hostess services for patients;
- be responsible for the routine cleaning and housekeeping of all food preparation areas including cafeteria tables and chairs;
- provide personnel to collaborate with UMMC's in house dietitians and support diet office software;
- operate UMMC's retail locations including all hospital cafeterias, private dining rooms, and School of Medicine coffee shop;
- maintain high food quality standards;
- make an investment of up to \$2,500,000 in capital equipment used to provide food services on UMMC's campuses; and
- place \$400,000 at risk annually under quality metrics mutually agreed upon with UMMC.

UMMC will:

- maintain ownership of the food and related supplies;
- provide building maintenance services for the UMMC locations;
- provide safety equipment needed for the safe performance of the food program outside the kitchen area;
- be responsible for regular cleaning of cafeteria walls, windows, and floors, as well as all grease traps, duct work, and roof fans;
- be responsible for garbage removal and extermination services;
- employ in-house dietitians;
- be responsible for all costs incurred in providing the services including, the costs of employing Aramark's employees at the facilities and the costs of all products, supplies, equipment and services purchased and used, or expenses incurred, by Aramark; and,

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024

- offer a \$400,000 annual quality performance incentive based on quality metrics mutually agreed upon with Aramark.

Term of Contract: The term of the agreement is five (5) years and three (3) months, from November 1, 2024, through January 31, 2030. Aramark will begin providing services to UMMC on February 1, 2025. The period from November 1, 2024 to February 1, 2025 will be a transition period which will allow Aramark assume all aspects of UMMC's food service program.

Termination Options: The agreement may be terminated as follows:

- by either party upon 180 days written;
- by either party upon sixty (60) days prior written notice, if the other party fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of the contract, and fails to cure the breach within ten (30) days of receiving written notice from UMMC;
- by UMMC immediately upon Aramark's breach of any of the following ongoing representations and warranties that Aramark, its officers, directors and employees:
 - are not currently excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs;
 - have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs,
 - are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list;
 - are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Medical Solutions being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
 - implementation of safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected.
- by either party, if the other party is unable to perform under the agreement for thirty (30) consecutive days due to a continuing force majeure event;
- by UMMC in the event of a reduction in funds;
- in the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (60) days; and
- upon written notice to Aramark of a material breach of the Agreement or violation of the HIPAA regulations that remains uncured following ten (10) days written notice, or immediately if cure is not possible, in the event Aramark improperly uses or discloses protected health information.

Contract Amount: The total estimated cost of the agreement over the five (5) year and three (3) month term is \$75,325,000. Beginning in year two (2), UMMC has included

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024**

annual increases of five percent (5%) for services and three percent (3%) for volume. Aramark may increase service fees by up to five (5%) percent per year.

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

Contractor Selection Process: In October 2023, UMMC conducted Request for Proposal (RFP) No. 8063 for Food and Nutrition Services and four (4) bidders submitted proposals. After reviewing the proposals, a selection committee composed of representatives from UMMC's departments of Infection Prevention, Supply Chain, and Nutrition Services, as well as hospital executive leadership found that only two bidders met the scope of the RFP: Morrison and Aramark. Of the two, Aramark received the highest score based on organizational capabilities, service quality, and was the lowest cost bidder.

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

3. JSU– REQUEST FOR APPROVAL TO ENTER INTO A SERVICE AGREEMENT WITH BFI WASTE SERVICES, LLC DBA REPUBLIC SERVICES OF JACKSON

Agenda Item Request: Jackson State University (JSU) requests approval to enter into a new Solid Waste Services Agreement with **BFI Waste Services, LLC. d/b/a Republic Services of Jackson** (Republic) to provide solid waste removal, disposal, and recycling services at JSU's main campus, the JSU Downtown 101 Building and the Mississippi Veterans Memorial Stadium. In addition, JSU requests approval to add and/or remove locations specified in the Agreement without seeking prior Board approval as long as adequate funds are available. JSU also seeks approval of a retroactive start date of October 1, 2024.

Contractor's Legal Name: **BFI Waste Services, LLC. d/b/a. Republic Services of Jackson**

History of Contract: On or about July 23, 2009, JSU entered into multiple agreements with Advanced Disposal, a company now known as Republic Services, to perform trash disposal services. Since then, JSU has exercised renewal options under these agreements. In order to avoid an additional five (5) year renewal term and to revise outdated terms of the previous agreements, on April 29, 2024 JSU sent a notice to terminate in accordance with the terms of the previous agreement. JSU then issued Request for Proposal 24-12 seeking bids for a new multi-year solid waste services contract on April 30, 2024.

Specific Type of Contract: This is a new Solid Waste Services Agreement.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024

Purpose: The purpose of this new Agreement is to provide solid waste removal, disposal, and recycling services to the JSU main campus, the JSU Downtown 101 Building and the Mississippi Veterans Memorial Stadium.

Scope of Work:

Under the Agreement, Republic will:

- provide approximate sized dumpsters/compactors (containers) at designated JSU sites;
- remove and dispose of the waste from containers on a specified regular schedule;
- repair and maintain the containers, as necessary;
- haul the recyclable materials to a recycle facility; and
- work with JSU to adjust schedules for removal of waste as may be necessary for any specific JSU site.

JSU will provide the following:

- appropriate electrical outlets for all compactors;
- appropriate access locations for containers; and
- adjustment of removal schedules, as appropriate.

Term of Contract: The term of this Agreement is five (5) years beginning October 1, 2024, with the option to renew for three (3) consecutive one (1) year terms, through September 30, 2029.

Termination Options: Termination options include the following:

- by JSU with or without cause upon written notice to Republic;
- by the non-breaching party upon thirty (30) days written notice; and,
- by JSU upon Republic's failure to comply with E-Verify.

Contract Amount: The estimated cost of the contract is \$4,088,626.65.

Funding Source for Contract: The contract will be funded by general funds.

Contractor Selection Process: In April 2024, JSU conducted RFP 24-12 for a new multi-year solid waste services contract. Three (3) bidders responded to RFP 24-12, BFI Waste Services LLC d/b/a Republic Services of Jackson, Waste Management Services, and Delta Waste Solutions LLC. JSU selected BFI Waste Services LLC d/b/a Republic Services of Jackson, who 1) presented the lowest competitive pricing structure that offers significant savings to JSU; 2) submitted a comprehensive and well-organized proposal that addressed all the requirements outlined in the RFP; and 3) has proven to be reliable, prompt in responding to needs, and offering high-quality customer support.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024**

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

4. UM – REQUEST FOR APPROVAL TO ENTER INTO A CONTRACTUAL SERVICES AGREEMENT WITH FIRST DATA MERCHANT SERVICES LLC AND PNC BANK, NATIONAL ASSOCIATION BANK

Agenda Item Request: The University of Mississippi (UM) requests approval to enter into a contract with **First Data Merchant Services (First Data) and PNC Bank, National Association (Bank)** for credit card merchant processing services.

Contractor’s Legal Name: **First Data Merchant Services LLC and PNC Bank, National Association (Bank)**

History of Contract: This is a new contract

Specific Type of Contract: This contract is a result of RFP 718 for credit card merchant services for the University’s main and satellite campuses.

Purpose: This contract provides payment processing services while reducing payment transaction fees and administrative costs and improving payment card industry compliance.

Scope of Work: First Data will process the University’s electronic credit card and debit card transactions from the four major card brands. The Bank sponsors First Data as a member service provider under the network rules allowing First Data to process payment authorizations, transmissions, and settlement activities for Visa and Mastercard transactions under the Bank’s direction. First Data will also provide the University with acquiring services for its debit card transactions.

Term of Contract: This Agreement commences on the later of the dates it is signed by First Data or the University and will continue for an initial term of 5 years.

Termination Options: Either party may terminate this Agreement for any reason (without cause) by giving the other party 180 days’ advance written notice of termination. University may terminate this Agreement, including any Schedule issued pursuant to the Agreement, for non-availability of funds, in the event that the funds used by University to pay for any Services become unavailable due to a decrease or change in the legislative appropriation. Either the University or First Data may terminate this Agreement by giving 30 days’ advance written notice if the other materially breaches this Agreement and fails to remedy the breach within 30 days of receiving notice of it.

Contract Amount: The total amount of this contract shall not exceed \$3,000,000.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024**

Funding Source for Contract: E&G funds

Contractor Selection Process: The contractor was selected through the RFP process with review by the RFP selection committee. Seven vendors provided proposals during the process. The awarded contractor presented a proposal that was lower in overall cost while processing for all major card brands, supporting point-to-point encryption, EMV and PIN-secured debit and also provided an infrastructure that more closely met the criteria set forth in the RFP. The awarded contractor has over 50 years of processing payments serving approximately 3,000 higher ed institutions and a strong financial backing.

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

5. **UMMC – REQUEST FOR APPROVAL TO AMEND THE INFORMATICS SERVICE AGREEMENT WITH PHILIPS HEALTHCARE INFORMATICS, INC.**

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to amend its Informatics Service Agreement with **Philips Healthcare Informatics, Inc.** (Philips) to extend the term of the current agreement. The purpose of the agreement is to provide hardware, software license and upgrades, image storage, disaster recovery, and maintenance support services for the Intellispace PACS (PACS) system used at UMMC for radiology services imaging and archiving. Additionally, UMMC requests approval to add or remove services from the agreement without requiring prior submission for Board approval, so long as it does not exceed the approved expenditure level.

Contractor’s Legal Name: Philips Healthcare Informatics, Inc.

History of Contract: On October 16, 2014, the Board approved the Informatics Service Agreement for Philips to provide the hardware, software, licensing, archiving, and maintenance for the PACS. On October 17, 2019, the Board approved Amendment 1 to extend the term for one (1) year. On October 15, 2020, the Board approved Amendment 2 to extend the term for two (2) years. On October 20, 2022, the Board approved Amendment 3 to extend the term for an additional two (2) years. The agreement will expire on November 19, 2024.

Specific Type of Contract: Amendment 4 to the Informatics Service Agreement.

Purpose: The purpose of Amendment 4 is to extend the term of the Informatics Service Agreement. The purpose of the agreement is to provide hardware, software, licensing, archiving, and maintenance support for the Intellispace PACS system.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024**

Scope of Work: Under this amended agreement, Philips will continue to provide hardware, software, licensing, archiving, and maintenance support services for the Intellispace PACS system.

Term of Contract: The term of the amended agreement is eleven (11) years beginning November 20, 2014 through November 19, 2025. The original term of the contract was five (5) years, beginning November 20, 2014 through November 19, 2019.

Termination Options: The agreement may be terminated as follows:

- UMMC may terminate the agreement without cause upon sixty (60) days prior written notice;
- Either party may terminate the agreement due to a material breach and such breach is not cured 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;
- UMMC may terminate the agreement for non-appropriation of funds;
- UMMC may terminate the agreement due to Philips failure to comply with E-Verify; or
- UMMC may terminate the agreement if Philips fails to meet <95.90% uptime performance after three (3) consecutive months.

Contract Amount: The total estimated cost of the amended agreement over the eleven (11) year term is \$23,653,160. The anticipated cost of Amendment 4 is \$2,019,845. The original estimated cost of the agreement was \$9,219,140.

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

Contractor Selection Process: UMMC is currently contracted with Philips.

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

6. UMMC – REQUEST FOR APPROVAL TO ENTER INTO A NEW PURCHASE AGREEMENT WITH INTEGRA LIFESCIENCES SALES LLC

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a new purchase agreement with **Integra LifeSciences Sales LLC** (Integra) to purchase biologic and biosynthetic wound dressings for the treatment of advance wounds and burns. The purpose of the agreement is to purchase products for the care of

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024

advanced wounds and burns. The Integra products are needed for the treatment of third degree burns as well as the repair of scar contractures. UMMC also requests approval to add or remove products under the agreement without seeking prior Board approval as long as adequate funds are available.

Contractor's Legal Name: Integra LifeSciences Sales LLC

History of Contract: This agreement is for the purchase of new products to UMMC. UMMC is entering this agreement at this time because UMMC received Board approval and funding to establish the Mississippi Burn Center for the care of burn patients. With this expansion of services, UMMC's supply needs have similarly expanded.

Specific Type of Contract: This is a purchase agreement.

Purpose: The purpose of the agreement is to purchase products for the care of advanced wounds and burns. The Integra products are needed for the treatment of third degree burns as well as the repair of scar contractures.

Scope of Work: Under this agreement, Integra will provide products to UMMC as needed at an average discount price of fifteen percent (15%) off list price, with pricing for years 2 and 3 based upon meeting a specified purchase volume commitment during the prior year. UMMC can earn rebates in an amount of three percent (3%) up to five percent (5%) based on purchase volume.

Term of Contract: The term of the agreement is three (3) years beginning November 1, 2024, through October 31, 2027.

Termination Options: The agreement may be terminated as follows:

- by Integra, for UMMC's failure to pay an undisputed amount after due and ten (10) days' notice to UMMC;
- by either party, with or without cause, with at least 30 days prior written notice to the other party;
- by UMMC, if Integra is unable to provide service(s) required for a period of thirty (30) consecutive days as a result of a continuing force majeure event;
- in the event of a reduction in funds.

Contract Amount: The total estimated cost of the agreement over the three (3) year term is \$22,000,000.00. UMMC has included a fifteen percent (15%) increase in years 2 and 3 for potential patient volume growth.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024**

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

Contractor Selection Process: The Integra products qualify as clinical commodities under Miss Code Ann §31-7-1, which are exempt from procurement requirements under §31-7-13.

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

7. **UMMC – REQUEST FOR APPROVAL TO ENTER INTO A STAFFING SERVICES AGREEMENT WITH MEDICAL SOLUTIONS, LLC**

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a new Staffing Services Agreement with **Medical Solutions, L.L.C.** (Medical Solutions) for augmentation of nursing, nursing assistants, therapists, technologists and technicians to be utilized on an as-needed basis at all UMMC locations.

Contractor’s Legal Name: Medical Solutions, L.L.C.

History of Contract: On May 19, 2022 the Board approved a three (3) year Services Agreement with Medical Solutions for temporary staffing services as needed at UMMC. The agreement would expire on May 31, 2025; however, it will be superseded by this new agreement.

Specific Type of Contract: This is a new Staffing Services Agreement

Purpose: The purpose of the agreement is to augment nursing, nursing assistants, hospital technicians, allied health, therapists, technologists and technician staffing, to be utilized on an as-needed basis at all UMMC locations.

Scope of Work: Under this agreement, upon request by UMMC, Medical Solutions will provide staffing for clinical positions such as nurses, nursing assistants, therapists, technologists, and technicians. Medical Solutions has also contracted with other clinical staffing companies to provide additional individuals as needed, in order to ensure fulfillment of all UMMC requests.

Under the agreement, UMMC may directly hire Medical Solutions’ employees for the payment of a fee that is reduced for each week the employee works at UMMC. After two (2) thirteen (13) week assignments, UMMC may hire the Medical Solutions staff without a fee.

Term of Contract: The term of the agreement is three (3) years, from November 1, 2024, through October 31, 2027.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
FINANCE
October 17, 2024

Termination Options: The agreement may be terminated as follows:

- by agreement of the parties;
- upon sixty (60) days' written notice by either party with or without cause;
- if Medical Solutions refuses or fails to perform any of the provisions of the contract or otherwise fails to timely satisfy the contract provisions, or commits any other substantial breach of the contract, and fails to cure the breach within ten (10) days of receiving written notice from UMMC;
- immediately upon Medical Solutions' breach of any of the following ongoing representations and warranties that Medical Solutions, its officers, directors and employees:
 - are not currently excluded, debarred, or otherwise ineligible to participate in any federal health care programs or any state healthcare programs;
 - have not been convicted of a criminal offense related to the provision of healthcare items or services and have not been excluded, debarred, or otherwise declared ineligible to participate in the Federal Healthcare Programs or any state healthcare programs,
 - are not, nor have ever been included on the Office of Foreign Assets Control, Specially Designated Nationals and Blocked Persons list;
 - are not, to the best of its knowledge, under investigation or otherwise aware of any circumstances which may result in Medical Solutions being excluded from participation in the Federal Healthcare Programs or any state healthcare programs; and
 - if Medical Solutions is to receive any patients' personal health information, Medical Solutions represents and warrants that it has implemented safeguards to ensure that the privacy and confidentiality of patients' personal health information is protected.
- by UMMC if Medical Solutions is unable to provide services for a period of thirty consecutive days due to a force majeure event;
- in the event of a reduction in funds; and
- in the event of an adverse change in law and the parties cannot agree upon renegotiated terms within thirty (30) days.

Contract Amount: The total estimated cost of the agreement over the three (3) year term is \$54,000,000.

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

Contractor Selection Process: UMMC is currently contracted with Medical Solutions and has been satisfied with the services it has provided. Additionally, Medical Solutions has contracted with other clinical staffing companies to provide additional individuals as needed, in order to ensure fulfillment of UMMC needs.

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
REAL ESTATE
October 17, 2024**

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

APPROVAL OF OTHER REAL ESTATE REQUESTS

1. SYSTEM – APPROVAL OF FIRST READING OF PROPOSED AMENDMENTS TO BOARD POLICY 902, INITIATION OF CONSTRUCTION PROJECTS

Agenda Request: Board approval of first reading is requested for proposed amendments to Board Policy 902, Initiation of Construction Projects. The proposed amendments, if approved by the Board of Trustees, will be submitted to the Board of Trustees in November for a final reading.

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 (“Construction Projects”) requires the approval of the Board, the office of Real Estate and Facilities, or the Institutional Executive Officer, with a total budget exceeding \$1,000,000 regardless of how these 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.~~

For Mississippi State University, the University of Mississippi, and the University of Mississippi Medical Center, the Board must approve the initiation of all Construction Projects with a total project budget exceeding \$5,000,000. Initiation of all Construction Projects with a total project budget exceeding \$3,000,000 but equal to or less than \$5,000,000 must be approved by the appropriate staff in the Office of Real Estate and Facilities and reported to the Board as an Information item at the next regularly scheduled Board meeting. Initiation of all Construction Projects with a total project budget of \$3,000,000 or less may be approved by the Institutional Executive Officer. However, the Office of Real Estate and Facilities must be notified before the

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
REAL ESTATE
October 17, 2024

initiation of all Construction Projects utilizing any state appropriated, state bond or federal funds with a total project budget less than \$3,000,000. This notification should be on forms established by the Office of Real Estate and Facilities. After notification, only changes in the project budget need to be reported to the Office of Real Estate and Facilities.

For Jackson State University and the University of Southern Mississippi (including Gulf Coast campuses), the Board must approve the initiation of all Construction Projects with a total project budget exceeding \$3,000,000. Initiation of all Construction Projects with a total project budget exceeding \$1,000,000 but equal to or less than \$3,000,000 must be approved by the appropriate staff in the Office of Real Estate and Facilities and reported to the Board as an Information item at the next regularly scheduled Board meeting. Initiation of all Construction Projects with a total project budget of \$1,000,000 or less may be approved by the Institutional Executive Officer. However, the Office of Real Estate and Facilities must be notified before the initiation of all Construction Projects utilizing any state appropriated, state bond or federal funds with a total project budget less than \$3,000,000. This notification should be on forms established by the Office of Real Estate and Facilities. After notification, only changes in the project budget need to be reported to the Office of Real Estate and Facilities.

For Alcorn State University, Delta State University, Mississippi University for Women, Mississippi Valley State University, and the Education and Research Center, the Board must approve the initiation of all Construction Projects with a total project budget exceeding \$1,000,000. Initiation of all Construction Projects with a total project budget of \$1,000,000 or less may be approved by the Institutional Executive Officer. However, the Office of Real Estate and Facilities must be notified before the initiation of all Construction Projects utilizing any state appropriated, state bond or federal funds with a total project budget less than \$1,000,000. This notification should be on forms established by the Office of Real Estate and Facilities. After notification, only changes in the project budget need to be reported to the Office of Real Estate and Facilities.

(BT Minutes, 9/90; 3/98; 8/2003; 2/2007; 4/2010; X/2024)

Staff Recommendation: Board staff recommends approval of First Reading of Board Policy 902, Initiation of Construction Projects

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
REAL ESTATE
October 17, 2024**

2. SYSTEM – APPROVAL OF FIRST READING OF PROPOSED AMENDMENTS TO BOARD POLICY 904(A), BOARD APPROVAL

Agenda Request: Board approval of first reading is requested for proposed amendments to Board Policy 904(A), Board Approval. The proposed amendments, if approved by the Board of Trustees, will be submitted to the Board of Trustees in November for a final reading.

BOARD POLICY 904(A), BOARD APPROVAL

- A. ~~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 (building program), the total budget, the funding source and the design professional recommended to the Board for approval.~~

For projects requiring approval by the Board or the Office of Real Estate and Facilities under Board Policy §902, Initiation of Construction Projects, the institution's request shall include a detailed description of the work to be accomplished, the total budget, and the proposed funding source(s). The institution's request must also seek approval for the appointment of the design professional and any construction manager or similar service contract in which advisory services are being provided to the institution in connection with the project. All contracts for Commissioning Agent services on construction projects approved by the Board shall be approved by the appropriate staff within the Office of Real Estate and Facilities and reported to the Board as an information item at the next regularly scheduled meeting.

It is the intent of the Board that its appropriate Office of Real Estate and Facilities staff under the direction of the Commissioner shall be involved in all phases of building projects requiring approval by the Board or the Office of Real Estate and Facilities. For projects requiring approval by the Board under Board Policy §902, no further Board action is required after approval of the ~~After the Board has granted approval of both the initiation of a project and the appointment of a~~ specified professionals design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
REAL ESTATE
October 17, 2024**

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 Office of 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 schematic design documents, design development documents, construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders. For projects requiring approval by the Office of Real Estate and Facilities under Board Policy §902, that office shall have the authority to approve any and all necessary documents for the completion of the subject construction project.

Prior to entering the construction document stage of a construction project, the institution must receive the commencement of construction the Board approval for ~~must approve~~ the exterior design of any 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 other entity ~~a private developer~~.

(BT Minutes, 2/2007; X/2024)

Staff Recommendation: Board staff recommends approval of First Reading of Board Policy 904(A), Board Approval.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
REAL ESTATE
October 17, 2024**

3. SYSTEM – APPROVAL OF FIRST READING OF PROPOSED AMENDMENTS TO BOARD POLICY 903(B), LEGISLATIVE FUNDING REQUESTS

Agenda Request: Board approval of first reading is requested for proposed amendments to Board Policy 903(B), Legislative Funding Requests. The proposed amendments, if approved by the Board of Trustees, will be submitted to the Board of Trustees in November for a final reading.

BOARD POLICY 903(B), LEGISLATIVE FUNDING REQUESTS

It is the policy of the Board of Trustees to offer a unified funding request to the Legislature that represents the funding needs of all institutions in a fair and transparent manner. Therefore, the Board has determined the following parameters by which institutions may make funding requests of the Legislature. The Commissioner, after consultation with the Institutional Executive Officers, shall prepare and submit an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature. ~~These requests~~ The annual request shall be submitted as a multi-year capital facilities funding plan for Board approval ~~in May of each year~~ prior to the Legislative Session. In developing ~~the list of requests~~ the annual capital facilities funding plan, the Commissioner shall consider institutional priorities, missions, enrollment, campus square footage, building conditions, comparative funding and other appropriate criteria. The Board shall then approve and furnish to the Legislature each year a ~~priority list of~~ funding plan for the capital improvements and repair and renovation projects for all institutions under its control. Projects, priorities, and requests which are not approved by the Board as part of the capital facilities funding plan shall not be submitted to the Legislature by any institution unless otherwise approved by the Commissioner on behalf of the Board. ~~In addition, priorities and requests of the individual institutions may not be presented or communicated to any individual legislators without the prior approval of the Board.~~ Any subsequent approval authorized by the Commissioner on behalf of the Board shall be provided by the Institutional Executive Officer as an information item at the next regularly scheduled meeting of the Board of Trustees.

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

(BT Minutes, 9/90; 3/98; 8/2003; 2/2007; X/2024)

Staff Recommendation: Board staff recommends approval of First Reading of Board Policy 903(B), Legislative Funding Requests.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
REAL ESTATE
October 17, 2024**

**4. SYSTEM OFFICE – APPROVAL OF THE CAPITAL FACILITIES NEEDS
REQUEST – SYSTEM BOND PLAN FOR THE 2025 LEGISLATIVE SESSION**

Request: Board approval is requested for the capital facilities bond plan of proposed funding for the 2025 Legislative Session. Each university prepared a list of top five capital needs that was submitted to Board staff. These needs are reflected in the bond plan and funding is proposed based on evaluation of these priorities in comparison to the overall system needs. The proposed bond plan is for the 2025 Legislative Session with projections out into future sessions in 2026 and 2027 for the Board’s information. IHL is seeking approval of the bond plan for the 2025 Session in accordance with Board Policy §903(B), Legislative Funding Requests, which requires the preparation and submittal of an annual request for capital improvements and repair and renovation for approval by the Board prior to its submission to the Legislature.

Staff Recommendation: Board staff recommends approval of this item.

**PROPOSED 4-YEAR BOND PLAN FOR CAPITAL IMPROVEMENTS
(Summary of 2024-2027 Legislative Sessions)**

Institution	Anticipated Project Title	2024 Legislative Session (Funds Received)	2025 Legislative Session (Funds Requested)	2026 Legislative Session (Funds Requested)	2027 Legislative Session (Funds Requested)	Grand Total
Alcorn State University	Whitney Complex & Wellness Center	\$ 8,311,736.00	\$ -	\$ -	\$ -	\$ 8,311,736.00
	R&R Upgrades to Existing Facilities	\$ -	\$ 5,108,264.00	\$ 7,500,000.00	\$ 6,500,000.00	\$ 19,108,264.00
	Walter Washington Adm. & Classroom Renovation Phase I (PrePlan and Funding for Project)	\$ -	\$ 500,000.00	\$ 3,500,000.00	\$ -	\$ 4,000,000.00
	Renovation of K.L. Simmons Technology Building, Phase I (PrePlan and Funding for Project)	\$ -	\$ -	\$ 500,000.00	\$ 3,250,000.00	\$ 3,750,000.00
	ADA Modifications, Phase II	\$ -	\$ -	\$ -	\$ -	\$ -
	Faculty and Staff Housing, Phase II (Partial Funding of a \$13.5M project)	\$ -	\$ -	\$ -	\$ 250,000.00	\$ 250,000.00
	Subtotal	\$ 8,311,736.00	\$ 5,608,264.00	\$ 11,500,000.00	\$ 10,000,000.00	\$ 35,420,000.00
ASU-AG	Poultry/Animal Science Academic Research Center, Phase I	\$ -	\$ 3,570,000.00	\$ -	\$ -	\$ 3,570,000.00
	Ag. Facility Envelope & Infrastructure Repairs, Phase I (Pre-Plan of a \$2.3M Project)	\$ -	\$ -	\$ -	\$ 570,000.00	\$ 570,000.00
	Subtotal	\$ -	\$ 3,570,000.00	\$ -	\$ 570,000.00	\$ 4,140,000.00
Delta State University	Campus Wide Roofing Project [Funded]	\$ 4,020,808.00	\$ -	\$ -	\$ -	\$ 4,020,808.00
	Renovation, Upgrades and Demolition of Campus Buildings (Planning and Construction)		\$ 6,859,192.00	\$ 5,000,000.00	\$ 9,000,000.00	\$ 20,859,192.00
	HVAC and Electrical Upgrades	\$ -	\$ -	\$ 4,540,000.00	\$ -	\$ 4,540,000.00
	Renovation of Ward and Cleveland Hall	\$ 6,000,000.00	\$ -	\$ -	\$ -	\$ 6,000,000.00
	Subtotal	\$ 10,020,808.00	\$ 6,859,192.00	\$ 9,540,000.00	\$ 9,000,000.00	\$ 35,420,000.00
Jackson State University	McAllister Residential Renovation, Alternative Water Resources and Campus R&R [Funded]	\$ 16,020,794.00	\$ -	\$ -	\$ -	\$ 16,020,794.00
	Repair, Renovation and Purchase of a New Residential Hall	\$ 7,000,000.00	\$ -	\$ -	\$ -	\$ 7,000,000.00
	General R&R		\$ 2,000,000.00	\$ 2,000,000.00	\$ 1,919,206.00	\$ 5,919,206.00
	T.B. Ellis Interior Renovations	\$ -	\$ 6,500,000.00	\$ 6,500,000.00	\$ -	\$ 13,000,000.00
	Heritage Renovations	\$ -	\$ -	\$ 500,000.00	\$ 5,500,000.00	\$ 6,000,000.00
	Campus Safety Project	\$ -	\$ -	\$ -	\$ -	\$ -
	Rose E. McCoy Repair and Renovation	\$ -	\$ -	\$ -	\$ -	\$ -
	Subtotal	\$ 23,020,794.00	\$ 8,500,000.00	\$ 9,000,000.00	\$ 7,419,206.00	\$ 47,940,000.00
Mississippi State University	New Facility for College of Architecture, Art and Design	\$ 13,284,608.00	\$ 1,716,000.00			\$ 15,000,608.00
	South Campus Mechanical Plant		\$ 25,000,000.00			\$ 25,000,000.00
	Multiple New Facilities (Pre-Plan)			\$ 3,000,000.00		\$ 3,000,000.00
	Renovation of Existing Facilities [Magruder, Carpenter, Hull, Etheredge Hall or Similar] (Partial Funding of a \$24M Project)			\$ 10,000,000.00	\$ 5,850,000.00	\$ 15,850,000.00
	Subtotal	\$ 13,284,608.00	\$ 26,716,000.00	\$ 13,000,000.00	\$ 5,850,000.00	\$ 58,850,608.00

**PROPOSED 4-YEAR BOND PLAN FOR CAPITAL IMPROVEMENTS
(Summary of 2024-2027 Legislative Sessions)**

Institution	Anticipated Project Title	2024 Legislative Session (Funds Received)	2025 Legislative Session (Funds Requested)	2026 Legislative Session (Funds Requested)	2027 Legislative Session (Funds Requested)	Grand Total
Mississippi State University -DAFVM	Bost Extension Center/Technology Renovation and Dorman Hall [Funded]	\$ 10,231,362.00	\$ -	\$ -	\$ -	\$ 10,231,362.00
	Bost Extension Center Technology Renovation	\$ -	\$ 10,000,000.00	\$ -	\$ -	\$ 10,000,000.00
	Multiple New Facilities (PrePlan and Partial Funding of a larger project, budget TBD)	\$ -	\$ 500,000.00	\$ 5,250,000.00	\$ 5,250,000.00	\$ 11,000,000.00
	Wise Center	\$ 18,000,000.00	\$ -	\$ -	\$ -	\$ 18,000,000.00
	Transforming MAFES Research & Extension Center Infrastructure (PrePlan and Partial Funding of a \$16M project)	\$ -	\$ -	\$ 1,750,000.00	\$ 1,750,000.00	\$ 3,500,000.00
Subtotal		\$ 28,231,362.00	\$ 10,500,000.00	\$ 7,000,000.00	\$ 7,000,000.00	\$ 52,731,362.00
Mississippi University for Women	General R&R	\$ 3,160,000.00	\$ 3,650,000.00	\$ -	\$ 300,000.00	\$ 7,110,000.00
	Painter Hall Renovation	\$ 300,000.00	\$ 11,350,000.00	\$ -	\$ -	\$ 11,650,000.00
	Old Pohl Gym Renovation	\$ -	\$ -	\$ 9,080,000.00	\$ -	\$ 9,080,000.00
	Hogarth Center Renovation [Partial Funding of a \$22.7M Project]	\$ -	\$ -	\$ -	\$ 7,580,000.00	\$ 7,580,000.00
	Subtotal		\$ 3,460,000.00	\$ 15,000,000.00	\$ 9,080,000.00	\$ 7,880,000.00
Mississippi Valley State University	New Residence Hall [EBC Bonds to fund balance of project]	\$ 8,856,405.00	\$ -	\$ -	\$ -	\$ 8,856,405.00
	O.P. Lowe Education Building [Preplan and Partial Funding]	\$ -	\$ 282,595.00	\$ 8,000,000.00	\$ 8,000,000.00	\$ 16,282,595.00
	General R&R	\$ -	\$ 5,000,000.00	\$ 3,000,000.00	\$ 2,000,000.00	\$ 10,000,000.00
	Walter Sillers Fine Arts Building [Pre-Plan]	\$ -	\$ 281,000.00	\$ -	\$ -	\$ 281,000.00
	F.L. Wright Math and Science Renovation	\$ -	\$ -	\$ -	\$ -	\$ -
	Infrastructure R&R	\$ -	\$ -	\$ -	\$ -	\$ -
	Subtotal		\$ 8,856,405.00	\$ 5,563,595.00	\$ 11,000,000.00	\$ 10,000,000.00
University of Mississippi	School of Accountancy	\$ -	\$ 20,000,000.00	\$ 10,000,000.00	\$ 12,288,523.00	\$ 42,288,523.00
	New Research Facility	\$ -	\$ -	\$ -	\$ -	\$ -
	Data Center Renovation and Power Plant [Funded]	\$ 16,561,477.00	\$ -	\$ -	\$ -	\$ 16,561,477.00
	Northwest Mechanical Plant	\$ -	\$ -	\$ -	\$ -	\$ -
	Shoemaker Hall Renovation	\$ -	\$ -	\$ -	\$ -	\$ -
	Peabody Hall Renovation	\$ -	\$ -	\$ -	\$ -	\$ -
	Subtotal		\$ 16,561,477.00	\$ 20,000,000.00	\$ 10,000,000.00	\$ 12,288,523.00
University of Mississippi Medical Center	Critical Infrastructure Needs & Campus Repairs	\$ 7,085,124.00	\$ 10,000,000.00	\$ 15,250,000.00	\$ 17,344,876.00	\$ 49,680,000.00
Subtotal		\$ 7,085,124.00	\$ 10,000,000.00	\$ 15,250,000.00	\$ 17,344,876.00	\$ 49,680,000.00
University of Southern Mississippi	Science Research Building and Central Mechanical Plant [\$57M of a \$100M Project Received]	\$ 18,627,686.00	\$ 3,000,000.00	\$ 5,000,000.00	\$ -	\$ 26,627,686.00
	General R&R	\$ 1,000,000.00	\$ 3,000,000.00	\$ 5,000,000.00	\$ 8,000,000.00	\$ 17,000,000.00
	Hickman Hall Renovation	\$ -	\$ -	\$ -	\$ 14,722,314.00	\$ 14,722,314.00
	Southern Hall Renovation (Pre-Planning)	\$ -	\$ -	\$ -	\$ 500,000.00	\$ 500,000.00
	Subtotal		\$ 19,627,686.00	\$ 6,000,000.00	\$ 10,000,000.00	\$ 23,222,314.00

**PROPOSED 4-YEAR BOND PLAN FOR CAPITAL IMPROVEMENTS
(Summary of 2024-2027 Legislative Sessions)**

Institution	Anticipated Project Title	2024 Legislative Session (Funds Received)	2025 Legislative Session (Funds Requested)	2026 Legislative Session (Funds Requested)	2027 Legislative Session (Funds Requested)	Grand Total
University of Southern Mississippi-Gulf Coast Campuses	GCRL- General R&R	\$ 567,500.00	\$ 700,000.00	\$ 1,000,000.00	\$ 900,000.00	\$ 3,167,500.00
	Gulf Park - General R&R	\$ 681,000.00	\$ 700,000.00	\$ 1,000,000.00	\$ 900,000.00	\$ 3,281,000.00
	GCRL - Short Term Housing Replacement	\$ -	\$ 700,000.00	\$ -	\$ -	\$ 700,000.00
	Stennis Space Center R&R	\$ -	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 900,000.00
	Gulf Park Campus Research and Science District Pre-Planning & Infrastructure Improvements	\$ -	\$ -	\$ 1,000,000.00	\$ 151,500.00	\$ 1,151,500.00
Subtotal		\$ 1,248,500.00	\$ 2,400,000.00	\$ 3,300,000.00	\$ 2,251,500.00	\$ 9,200,000.00
Education & Research Center	Repair and Replacement of Fire Detection and Suppression System [Funded]	\$ 500,000.00	\$ -	\$ -	\$ -	\$ 500,000.00
	Campus Site Drainage and General R&R	\$ -	\$ 3,500,000.00	\$ -	\$ -	\$ 3,500,000.00
	First Floor Window Replacement at ERC Tower and Universities Center	\$ -	\$ 2,000,000.00	\$ -	\$ -	\$ 2,000,000.00
	ETV/JSU Mechanical/Electrical Improvements	\$ -	\$ -	\$ 5,000,000.00	\$ -	\$ 5,000,000.00
	ERC Plumbing Replacement	\$ -	\$ -	\$ -	\$ 1,500,000.00	\$ 1,500,000.00
Subtotal		\$ 500,000.00	\$ 5,500,000.00	\$ 5,000,000.00	\$ 1,500,000.00	\$ 12,500,000.00
System Total		\$ 140,208,500.00	\$ 126,217,051.00	\$ 113,670,000.00	\$ 114,326,419.00	\$ 494,421,970.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
LEGAL
OCTOBER 17, 2024**

1. **UMMC – APPROVAL TO AMEND CONTRACT WITH BUTLER SNOW LLP AS OUTSIDE COUNSEL**

The University of Mississippi Medical Center requests approval to amend its contract for legal services with the law firm of Butler Snow LLP as outside counsel to advise on intellectual property matters, healthcare regulatory and compliance matters, healthcare administrative hearings, human resources issues, and commercial and general matters. The IHL Board approved this contract at its June 2023 regular meeting for a term of July 1, 2023 through June 30, 2025 with a maximum amount payable of \$1,600,000.00 over the two-year term of the agreement. UMMC has experienced an unanticipated increase in services required and, as such, requests approval to increase the maximum amount payable under the term of the agreement to \$2,500,000.00. The hourly rate from July 1, 2024 through June 30, 2025 will remain \$345 for attorneys, \$235 for healthcare policy, compliance and coding advisors, and \$135 for paralegal services, and all other provisions of the existing agreement will remain unchanged. This request is pending approval by the Office of the Attorney General.

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

2. **UMMC – APPROVAL TO SETTLE TORT CLAIM**

The University of Mississippi Medical Center is seeking Board approval for settlement of tort claim number 3543.

3. **UMMC – APPROVAL TO SETTLE TORT CLAIM**

The University of Mississippi Medical Center is seeking Board approval for settlement of tort claim number 3649.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024

1. **SYSTEM – INTENT TO OFFER, MODIFY, OR DELETE CERTIFICATE PROGRAMS**

OFFER

A. **JSU – Certificate program title: Business Analytics**

Responsible academic unit: College of Health Sciences, Department of Epidemiology and Biostatistics

Level: post-baccalaureate

Total credit hours: 15

CIP code: 30.7102

Effective date: August 2024

Program summary: The Business Analytics certificate program prepares students to apply data science to solve business challenges in healthcare. This graduate-level certificate program includes instruction in machine learning, optimization methods, computer algorithms, project management, revenue cycle, stochastic models, information economics, logistics, strategy, consumer behavior, marketing, and visual analytics.

B. **MSU – Certificate program title: Addictions Counseling**

Responsible academic unit: Division of Education, Meridian campus

Level: post-baccalaureate

Total credit hours: 12

CIP code: 42.9999

Effective date: May 2024

Program summary: The Addictions Counseling certificate program is designed for professionals seeking specialized knowledge and skills in the field of addictions. This graduate-level certificate program consists of 12 hours of coursework, offering a comprehensive curriculum that explores the multifaceted aspects of addictions, including theoretical foundations, assessment strategies, evidence-based interventions, and ethical considerations.

C. **USM – Certificate program title: Foundations in Accounting**

Responsible academic unit: College of Business and Economic Development, School of Accountancy

Level: pre-baccalaureate, post-baccalaureate

Total credit hours: 12

CIP code: 52.0301

Effective date: August 2024

Program summary: The Foundations in Accounting certificate program is a 12-hour curriculum that provides foundational knowledge and skills in accounting. This certificate program is open to current business majors and other members of the community who have an undergraduate degree from a U.S. regionally accredited institution (in any discipline) and are interested in acquiring foundational knowledge and skills in accounting. The number of credit hours earned for this certificate will not be adequate for CPA licensure in most states nor will BA 250 count as an accounting course for CPA licensure. One looking at earning the credit hours required for CPA licensure is encouraged to explore the certificate in

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024

Professional Accountancy.

MODIFY

- D. **UMMC** – Current certificate program title: Biochemistry
New certificate program title: **Molecular Medicine**
Responsible academic unit: School of Graduate Studies in Health Sciences
Level: pre-baccalaureate
Total credit hours: 11-14
CIP code: 26.0202, 8101
Effective date: May 2024
Reason for request: All requirements for the certificate remain the same. The request reflects only a change in title.

DELETE

- E. **JSU** – Certificate program title: **Endorsement: Emotional Disabilities**
Responsible academic unit: College of Education and Human Development
Level: post-baccalaureate
Total credit hours: 15
CIP code: 13.1005, 8107
Effective date: August 2024
Program summary: Licensed educators meeting the requirements for the Supplemental Endorsement 206 - Emotional Disability (K-12) are still able to add-on the licensure endorsement by completing the coursework at JSU without enrolling in a certificate program.
- F. **JSU** – Certificate program title: **Endorsement: Gifted K-12**
Responsible academic unit: College of Education and Human Development
Level: post-baccalaureate
Total credit hours: 15
CIP code: 13.1004, 8106
Effective date: August 2024
Program summary: Licensed educators meeting the requirements the Supplemental Endorsement 207 - Gifted (K-12) are still able to add-on the licensure endorsement by completing the coursework at JSU without enrolling in a certificate program.
- G. **JSU** – Certificate program title: **Endorsement: K-3**
Responsible academic unit: College of Education and Human Development
Level: post-master's
Total credit hours: 18
CIP code: 13.1202, 8103
Effective date: August 2024
Program summary: Licensed educators meeting the requirements for the Supplemental Endorsement 223 – Mild/Moderate Disability (K-8) are still able to add-on the licensure endorsement by completing the coursework at JSU without enrolling in a certificate program.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024

- H. **JSU – Certificate program title: Endorsement: K-6**
Responsible academic unit: College of Education and Human Development
Level: post-master's
Total credit hours: 18
CIP code: 13.1209, 8104
Effective date: August 2024
Program summary: Licensed educators meeting the requirements for the Supplemental Endorsement 223 – Mild/Moderate Disability (K-8) are still able to add-on the licensure endorsement by completing the coursework at JSU without enrolling in a certificate program.
- I. **JSU – Certificate program title: Endorsement: Mild/Moderate 7-12**
Responsible academic unit: College of Education and Human Development
Level: post-baccalaureate
Total credit hours: 18
CIP code: 13.1018, 8105
Effective date: August 2024
Program summary: Licensed educators meeting the requirements for the Supplemental Endorsement 224 – Mild/Moderate Disability (7-12) are still able to add-on the licensure endorsement by completing the coursework at JSU without enrolling in a certificate program.
- J. **UMMC – Certificate program title: Analytics**
Level: post-baccalaureate
CIP code: 30.7101, 8133
Effective date: September 2024
Program summary: This program has been inactive for many years but was never removed from the Academic Program Inventory.
- K. **UMMC – Certificate program title: Magnetic Resonance Imaging**
Level: pre-baccalaureate
CIP code: 51.0920, 8064
Effective date: September 2024
Program summary: This program has been inactive since 2016 but was never removed from the Academic Program Inventory.
- L. **UMMC – Certificate program title: Nuclear Medicine Technology**
Level: pre-baccalaureate
CIP code: 51.0905, 8013
Effective date: September 2024
Program summary: This program has been inactive since 2016 but was never removed from the Academic Program Inventory.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 ACADEMIC AFFAIRS
 OCTOBER 17, 2024**

M. UMMC – Certificate program title: Orthotics and Prosthetics Residency

Level: pre-baccalaureate

CIP code: 51.2307, 8065

Effective date: September 2024

Program summary: This program has been inactive for many years but was never removed from the Academic Program Inventory.

2. SYSTEM – ANNUAL REPORT ON INSTITUTIONAL ACCREDITATION

In accordance with Board Policy 508 (2): Accreditation Procedures “*The Commissioner of Higher Education shall report to the Board at least annually, through its Academic Affairs Committee, on each accreditation visit or change in accreditation status of each university,*” the table below summarizes system accreditation activity beginning July 1, 2023, and ending June 30, 2024.

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Alcorn State University					
College of Arts & Sciences Department of Social Work Social Work BSW	Council on Social Work Education (CSWE)	Status Notification: Self-Study submitted August 1, 2023	Accreditation Reaffirmation		Reaffirmation through 2032.
School of Business Department of Business	Accreditation Council for Business School and Programs (ACBSP)	February 19-21, 2024	Accreditation Reaffirmation		Reaffirmation through 2034.
School of Nursing ASN Program	Accreditation Commission for Education in Nursing (ACEN)	October 13, 2023	Formal notification of the action of the Board of Commissioners based on the March 7-9, 2023 reaccreditation site visit	Annual Program Report submitted to ACEN October 2023	Continuing Accreditation with next evaluation Spring 2031
School of Nursing BSN Program	Accreditation Commission for Education in Nursing (ACEN)	October 13, 2023	Formal notification of the action of the Board of Commissioners based on the March 7-9, 2023 reaccreditation site visit	Annual Program Report submitted to ACEN October 2023	Continuing Accreditation with condition for two years with follow-up report due July 15, 2025
School of Nursing ASN Program	Mississippi Institutions of Higher Learning (IHL)	May 16, 2024	Annual Program Evaluation based on Annual Report submitted October 2023	Performance Improvement Plan submitted June 25, 2024 and accepted	Continuing Accreditation with Conditions
School of Nursing BSN Program	Mississippi Institutions of Higher Learning (IHL)	May 16, 2024	Annual Program Evaluation based on Annual Report submitted October 2023	Follow-up Report due to ACEN July 15, 2025	Continuing Accreditation with Conditions

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 ACADEMIC AFFAIRS
 OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
School of Nursing MSN/PMC Program	Mississippi Institutions of Higher Learning (IHL)	May 16, 2024	Annual Program Evaluation based on Annual Report submitted October 2023	Evaluation Site Visit September 24-25, 2024	Continuing Accreditation with Conditions
School of Nursing DNP Program	Mississippi Institutions of Higher Learning (IHL)	May 16, 2024	Annual Program Evaluation based on Annual Report submitted October 2023	Next Annual Report due October 1, 2024	Continuing Accreditation
Delta State University					
Robert E. Smith School of Nursing BSN, MSN, DNP degree programs, & Post-Graduate APRN Certificate program	Commission on Collegiate Nursing Education (CCNE)	November 2023	Continuing Accreditation	Annual Progress Report submitted to AACN/CCNE	Report accepted .
Robert E. Smith School of Nursing	MS Institutions of Higher Learning (IHL)	October 2023	Continuing Accreditation	Annual Progress Report submitted to IHL	Report accepted – received notification, April 2024 of Continuing Accreditation for the BSN, MSN, DNP programs.
Robert E. Smith School of Nursing	MS Institutions of Higher Learning (IHL)	June 2024	Continuing Accreditation	Substantive Change Report	Report accepted – received notification of acceptance and review of the changes, July, 2024
College of Business and Aviation BBA – Marketing, Management, Business Administration, Healthcare Administration, Accountancy, Computer Information Systems, Finance, Masters in Business Administration, Masters in Professional Accountancy	Accreditation Council for Business School and Programs (ACBSP)	March 2024	Quality Assurance Report; Continuing Accreditation	Report submitted February 2024	Report accepted. Reaffirmation is scheduled for 2026.
College of Business and Aviation Commercial Aviation Division BCA Flight Operations and Aviation Management	Aviation Accreditation Board	September 2023	Reaffirmation Application; Continuing Accreditation	Application was submitted August 2024	Reaffirmation application approved. Division is self-study year. Document due July 2024.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 ACADEMIC AFFAIRS
 OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
College of Education, Arts, and Humanities; School of Arts, Humanities, and Social Science BFA in Studio Art BA in Art	National Association of Schools of Art and Design (NASAD)	November 2022	Site Visit by NASAD for renewal of accreditation	DSU submitted an Optional Response in September 2023	DSU is in good standing as NASAD-Accredited Institution until the next Site Visit in 2031.
College of Education, Arts, and Humanities; School of Arts, Humanities, and Social Science BME, BM, BA in Music	National Association of Schools of Music (NASM)	Spring 2025	Continuing Accreditation	Self-Study Document Due December 2024	Results pending Site Visit Spring 2025.
College of Education & Human Sciences (now the College of Education, Arts, and Humanities)	Council for the Association of Counseling and Related Educational Programs (CACREP)	August 2020	Reaccreditation of the M.Ed. in Clinical Mental Health and School Counseling	CACREP Annual Report submitted December 2023	Full accreditation through 2028.
College of Education & Human Sciences (now the College of Education, Arts, and Humanities)	Council for the Association of Counseling and Related Educational Programs (CACREP)	February 2023	Change in mode of delivery of CED courses	Substantive Change Report submitted February 2023	CACREP responded with considerations for all faculty and adjuncts have training, preparation, and experience to develop and teach the course content effectively in digital environment in next required accreditation cycle report.
Department of Counselor Education (now in the College of Education, Arts, and Humanities as a program not a department)	Council for the Association of Counseling and Related Educational Programs (CACREP)	December 2023	Continuing Accreditation	Annual Report	Report submitted and accepted.
Department of Social Work (now in the College of Nursing, Health, and Sciences as a program not a department) BSW	Council on Social Work Education (CSWE)	August 2023	Continuing Accreditation	Progress Report	Submitting another report due to data missing – extension requested from the August 1 deadline.
Institution	SACSCOC Focused Report	April 2024	10-year reaffirmation	Progress Report	Continuing accreditation for 10 years; results pending December 2024 board meeting.
Institution	SACSCOC Compliance Report	April 2024	10-year reaffirmation	Rejoinder	Continuing accreditation for 10 years; results pending December 2024 board meeting.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 ACADEMIC AFFAIRS
 OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Institution	Quality Enhancement Plan	April 2024	10-year reaffirmation	Rejoinder	Continuing accreditation for 10 years; results pending December 2024 board meeting.
Jackson State University					
College of Health Sciences School of Public Health	Council on Education for Public Health (CEPH)	October 2023 – Site Visit March 2024 – Notification of Status Change	Continuing Accreditation	Annual Report – December 2024	Awarded Continued Accreditation; Conferred Probationary period through July 1, 2026; Next Site Visit is January 26-28, 2026.
College of Health Sciences School of Social Work BSW MSW	Council on Social Work Education (CSWE)	April 2024	Continuing Accreditation	Reaffirmation documents submitted for review	Reaffirmation Site Visit – September 24, 2024.
College of Liberal Arts Department of Art	National Association of Schools of Art and Design (NASAD)	November 2023	Continuing Accreditation	Progress Report	Continuing Accreditation for 10 years through 2033.
College of Science, Engineering, and Technology Industrial Technology Program	Association of Technology, Management, and Applied Engineering (ATMAE)	March 2024	Continuing Accreditation	Progress Report due in 2 years	Continuing Accreditation for 6 years through 2030 with a progress report due in 2 years.
College of Science, Engineering, and Technology Urban and Regional Planning	Planning Accreditation Board	August 2023	Continuing Accreditation	None	Continuing Accreditation expanded (January 1, 2021 – December 31, 2027)
Mississippi State University					
College of Architecture, Art & Design, School of Architecture	National Architectural Accrediting Board (NAAB)	November 2023; June 2024	Continuing Accreditation	Progress Report submitted; Special Report	Accreditation for 8 years (2016) with one year COVID extension; next visit Spring 2025.
College of Architecture, Art & Design, Department of Art and Department of Interior Design	National Association of Schools of Art and Design (NASAD)	November 2023 Action Report	Site Visit and Renewal of Membership Self Study. Action Report Received with Deferral of Renewal of Membership	Response to Action Report submitted on August 20, 2024	Commission vote and Action Report for MSU’s response to Action Report scheduled for October 2024 commission meeting.
College of Arts & Sciences Department of Communication	Accrediting Council on Education in Journalism and Mass Communications (ACEJMC)	Initial Application submitted fall 2023	Initial Accreditation	Preliminary Self-Study Report prepared: to be submitted	Results pending – decision expected in spring 2025.
College of Arts & Sciences Social Work BSW	Council on Social Work Education (CSWE)	Program fully accredited through June 2024. Next Site Visit Date: January 25, 2024	Continuing Accreditation	Self-Study submitted fall 2023	Accreditation Letter Received 7/2016. Fully Accredited for 8 years (2024).

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
College of Arts & Sciences Psychology	American Psychological Association (APA)	Site Visit on November 9-10, 2023	Continuing Accreditation	Annual Accreditation Maintenance Report submitted September 5, 2022	Results pending.
College of Education Industrial Technology BS	Association of Technology Management and Applied Engineering (ATMAE)	November 2023	Initial Accreditation	Progress Report due in 2025	Accreditation of program granted by ATMAE.
College of Education Kinesiology BS	Council on Accreditation of Strength and Conditioning Education (CASCE)	January 2024	Continuing Accreditation	Self-Study and On-Site Visitors	Results pending – decision expected in October 2024.
College of Education Educational Psychology PhD	American Psychological Association (APA)	June 2024	Continuing Accreditation	Self-Study and On-Site Visitors	Results pending – decision expected in spring 2025.
Mississippi University for Women					
School of Education Department of Education	Mississippi Department of Education (MDE)	Spring 2024	Continuing Approval		Accreditation status is effective between spring 2023-spring 2027.
College of Arts and Sciences Department of Music	National Association of Schools of Music (NASM)	Spring 2024	Continuing Accreditation		Results pending.
College of Business and Professional Studies Department of Legal Studies	American Bar Association (ABAd)	Spring 2024	Continuing Accreditation		In August 2024, the House of Delegates granted reapproval.
Nursing ASN, BSN, MSN, & DNP	MS Institutions of Higher Learning (IHL)	May 16, 2024	Annual Program Evaluation based on Annual Report Submitted October 2023	Next Annual Report due October 1, 2024	Continuing Accreditation
Mississippi Valley State University					
Social Work BSW	Council on Social Work Education (CSWE)	November 2023	Continuing Accreditation	None	Continued Accreditation for 8 years
Social Work MSW	Council on Social Work Education (CSWE)	November 2023	Continuing Accreditation	None	Continued Accreditation for 8 years
Computer Science BS	Accreditation Board for Engineering Technology (ABET)	October 2023	Continuing Accreditation	Periodic Report	Continued Accreditation until 2029
Business Administration BS	Accreditation Council for Business School and Programs (ACBSP)	May 2024	Continuing Accreditation	None	Continued Accreditation until 2034
Accounting BS	Accreditation Council for Business School and Programs (ACBSP)	May 2024	Continuing Accreditation	None	Continued Accreditation until 2034

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 ACADEMIC AFFAIRS
 OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Business Administration MBA	Accreditation Council for Business School and Programs (ACBSP)	May 2024	Continuing Accreditation	None	Continued Accreditation until 2034
Art BA	National Association of Schools of Art and Design (NASAD)	Site Visit March 2024	Continuing Accreditation	Optional Response Report	Results pending
Environmental Health MS	National Environmental Health Science and Protection Accreditation Council (EHAC)	July 2024	Continuing Accreditation	None	Continued Accreditation until 2030
University of Mississippi					
Theatre Arts BA	National Association of Schools of Theatre (NAST)	April 2024	Continuing Accreditation	Optional Response due February 2025	Accreditation action expected March 2025
Theatre Arts BFA	National Association of Schools of Theatre (NAST)	April 2024	Continuing Accreditation	Optional Response due February 2025	Accreditation action expected March 2025
Film Production BFA	National Association of Schools of Theatre (NAST)	April 2024	Continuing Accreditation	Optional Response due February 2025	Accreditation action expected March 2025
University of Mississippi Medical Center					
Health Informatics and Information Management (HIIM) BS	Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM)	CAHIIM reaccrredits on an annual basis via annual report	Continuing Accreditation	CAHIIM 2023 Annual Report submitted	Continued CAHIIM Accreditation for 7 years
Master of Health Informatics and Information Management (MHIIM)	Commission on Accreditation for Health Informatics and Information Management Education (CAHIIM)	CAHIIM reaccrredits on an annual basis via annual report	Continuing Accreditation	CAHIIM 20223 Annual Report submitted and accepted	Continued CAHIIM Accreditation
Magnetic Resonance Imaging (MRI) MS	Joint Review Committee on Education in Radiologic Technology (JRCERT)		Continuing Accreditation	JRCERT 2023 Annual Report due October 2023	Continued JRCERT Accreditation through 2027.
Medical Laboratory Science (MLS) BS	National Accreditation Agency for Clinical Laboratory Sciences (NAACLS)		Continuing Accreditation	NAACLS 2023 Annual Report	Continued NAACLS Accreditation

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Nuclear Medicine Technology (NMT) MS	Joint Review Committee on Education in Radiologic Technology (JRCERT)		Continuing Accreditation	JRCERT 2023 Annual Report submitted and accepted	Continued JRCERT Accreditation
Doctor of Occupational Therapy (OTD)	Accreditation Council for Occupational Therapy Education (ACOTE)		Initial Accreditation	ACOTE 2023 Annual Report submitted and accepted	Continued ACOTE Accreditation
Doctor of Physical Therapy (DPT)	Commission on Accreditation in Physical Therapy Education (CAPTE)		Continuing Accreditation	CAPTE 2023 Annual Report submitted and accepted	Continued CAPTE Accreditation
Doctor of Audiology (AuD)	Accreditation Commission for Audiology Education (ACAE)		Developmental Status	Progress Report on application for ACAE accreditation submitted and approved	On track for application for ACAE accreditation in the 2026-27 academic year.
Radiologic Sciences BS	Joint Review Committee on Education in Radiologic Technology (JRCERT)		Continuing Accreditation	JRCERT 2023 Annual Report submitted and accepted	Continued JRCERT Accreditation
School of Nursing, MSN Program, Adult-Gerontology Primary Care Nurse Practitioner Track APRN certificate and DNP Programs	Commission on Collegiate Nursing (CCNE) and MS Institutions of Higher Learning (IHL)	July 2023	Permanent closure of the track (previously submitted a track suspension notification and no students are currently enrolled)	Substantive change report submitted	IHL accepted the report with no further action. CCNE response pending as of 9/25/24.
School of Nursing BSN Program, Traditional - Oxford	Commission on Collegiate Nursing (CCNE) and MS Institutions of Higher Learning (IHL)	September 2023	Reinstate Traditional BSN program at Oxford instructional site	Substantive change report submitted	IHL accepted the report with no further action. CCNE response pending as of 9/25/24.
School of Nursing BSN, MSN, Post-Graduate APRN Certificate and DNP Programs	Commission on Collegiate Nursing (CCNE)	November 2023	Notification of the United States Department of Education heightened cash monitoring status and subsequent rescinding of the status	Substantive change report submitted	CCNE response pending as of 9/25/24.
School of Nursing DNP Program, Nurse Anesthesia (CRNA) Track	MS Institutions of Higher Learning (IHL)	April 2024	Proposal for new CRNA track in the DNP program	Substantive change report submitted	IHL confirmed receipt and asked to be copied on correspondence with SACSCOC, CCNE, and or Council on Accreditation of Nurse Anesthesia (COA)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ACADEMIC AFFAIRS
OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
School of Nursing BSN, MSN, Post-Graduate APRN Certificate and DNP Programs	Commission on Collegiate Nursing (CCNE)	June 2024	Site Verification Visit: In-person verification visit (procedural necessity since virtual accreditation evaluation in March 2022)	School of Nursing Administrative team toured facilities with CCNE site visitor	In-person verification was completed and no identified areas for follow-up related to CCNE Standards were identified.
School of Nursing DNP Program, Nurse Anesthesia (CRNA) Track	SACSCOC	Jun 2024	Proposal for new CRNA track in the DNP program	Prospectus submitted	7/31/24 – Additional information requested by SACSCOC. 8/28/24 – Additional information submitted to SACSCOC, as requested.
Nursing BSN, MSN, & DNP	MS Institutions of Higher Learning (IHL)	May 16, 2024	Annual Program Evaluation based on Annual Report Submitted October 2023	Next Annual Report due October 1, 2024	Continuing Accreditation
University of Southern Mississippi					
Computer Science, BS	Accreditation Board for Engineering and Technology (ABET) Computing Accreditation Commission (CAC)	October 2023	Site Visit	Hosted Site Visit	Response received August 2024. Accredited until September 30, 2028.
Computer Engineering, BS	Accreditation Board for Engineering and Technology (ABET) Engineering Accreditation Commission (EAC)	September 2023	Initial Accreditation Decision	Received Response	Response received September 2023. Accredited until September 30, 2025.
Ocean Engineering, BS	Accreditation Board for Engineering and Technology (ABET) Engineering Accreditation	September 2023	Initial Accreditation Decision	Received Response	Response received September 2023. Accredited until September 30, 2025.
Information Technology, BS	Accrediting Board for Engineering and Technology (ABET) Computing Accreditation Commission (CAC)	September 2023	Initial Accreditation Decision	Received Response	Response received September 2023. Accredited until September 30, 2025.
Chemistry, BS	American Chemical Society (ACS)	August 2023	Annual Report	Submitted annual report	N/A
Chemistry (Biochemistry), BS	American Chemical Society (ACS)	January 2024	Accreditation Report	Submitted report	Response received January 2024. Provisional accreditation status granted through December 31, 2026.
Public Health (Allied Health), BS	Council on Education for Public Health (CEPH)	October 2023	Interim Report	Submitted interim report	Awaiting response

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 ACADEMIC AFFAIRS
 OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Public Health (Health Education), BS	Council on Education for Public Health (CEPH)	October 2023	Interim Report	Submitted interim report	Awaiting response
Public Health (Health Policy and Administration), BS	Council on Education for Public Health (CEPH)	October 2023	Interim Report	Submitted interim report	Awaiting response
Public Health (Epidemiology and Biostatistics), MPH	Council on Education for Public Health (CEPH)	October 2023	Interim Report	Submitted interim report	Awaiting response.
Public Health (Health Policy and Administration), MPH	Council on Education for Public Health (CEPH)	October 2023	Interim Report	Submitted interim report	Awaiting response.
Public Health (Health Promotion and Health Behavior), MPH	Council on Education for Public Health (CEPH)	October 2023	Interim Report	Submitted interim report	Awaiting response.
Dietetics Internship	Accreditation Council for Education in Nutrition and Dietetics (ACEND)	July 2023	Continuous Improvement Plan	Submitted Continuous Improvement Plan	Awaiting response.
Physics (Polymer Physics), MS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2023	Program closure		Response received August 2023. Closure approved.
School Counseling, MEd	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2023	Program closure		Response received August 2023. Closure approved.
STEM Education (Mathematics), MS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2023	Program closure		Response received August 2023. Closure approved.
STEM Education (Mathematics), PhD	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2023	Program closure		Response received August 2023. Closure approved.
Organizational Leadership, BSBA	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	October 2023	New program approval		Response received August 2023. Program approved.
Architectural Engineering Technology, BS	Accrediting Board for Engineering and Technology (ABET) and Engineering Technology Accreditation Commission (ETAC)	October 2023	Site Visit	Hosted Site Visit	Response received August 2024. Accredited until September 30, 2028.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 ACADEMIC AFFAIRS
 OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Dance (Performance and Choreography), BFA	National Association of Schools of Dance (NASD)	Spring 2024	Site Visit	Awaiting visit	NASD was unable to identify site visitors in time for the planned visit. The visit has been postponed until the 2024-25 academic year.
Dance (Dance Education), BFA	National Association of Schools of Dance (NASD)	Spring 2024	Site Visit	Awaiting visit	NASD was unable to identify site visitors in time for the planned visit. The visit has been postponed until the 2024-25 academic year.
Nursing (Nurse Anesthesia), DNP	Council on Accreditation (COA)	November 2023	Self-Study		Response received November 2023. Accredited for 10 years.
Psychology (Clinical), PhD	American Psychological Association (APA)	December 2022	Reaccreditation	Submitted Self-Study	Awaiting response. Received notification in October 2023 that APA shifted site visit due to accrediting agency delays.
English (English Education), BA	Council for the Accreditation of Educator Preparation (CAEP)	March 2024	SPA Report	Submitted SPA Report	Received response July 2024. Received National Recognition.
Recreational Therapy, BS	Committee on Accreditation of Recreational Therapy Education (CARTE)	November 2023	Initial Accreditation		Received response November 2023. Initial accreditation awarded.
Audiology (Clinical), AuD	American Speech-Language-Hearing Association (ASHA)	February 2024	Accreditation Action Report	Submitted Accreditation Action Report	Continued Accreditation effective February 9, 2024
Speech and Hearing Sciences (Speech-Language Pathology), MS	American Speech-Language-Hearing Association (ASHA)	February 2024	Accreditation Action Report	Submitted Accreditation Action Report	Continued Accreditation effective February 9, 2024
History (Social Studies Education), BA	Council for the Accreditation of Educator Preparation (CAEP)	March 2024	SPA Report	Submitted SPA Report	Awaiting response.
World Languages (Licensure), BA	Council for the Accreditation of Educator Preparation (CAEP)	March 2024	SPA Report	Submitted SPA Report	Awaiting response.
Kinesiology (Exercise Science), BS	Commission on Accreditation of Allied Health Education Programs (CAAHEP)	May 2024	Initial Accreditation		Received response May 2024. Initial accreditation awarded.
Marriage and Family Therapy, MS	Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE)	March 2024	Reaccreditation	Hosted Site Visit	Received initial report from site visit. Awaiting decision on reaccreditation.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 ACADEMIC AFFAIRS
 OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Physician's Assistant, MS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	January 2024	New Program Approval	Submitted a Substantive Change Prospectus	Received response April 2024. New program approval was received.
Special Education (K-12 Licensure), BS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	August 2023	Program closure	Submitted Teach-Out Plan	Response received November 2023. Closure approved.
Media Entertainment Arts Production Undergraduate Certificate	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	November 2023	Program closure	Submitted Teach-Out Plan	Response received January 2024. Closure approved.
Higher Education Administration, PhD	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	January 2024	Program closure	Submitted Teach-Out Plan	Response received March 2024. Closure approved.
Public Health (Health Policy and Administration) MPH	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	January 2024	Program closure	Submitted Teach-Out Plan	Response received March 2024. Closure approved.
Management BSBA	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	March 2024	Program closure at Gulf Park site only	Submitted Teach-Out Plan for Gulf Park site only	Response received April 2024. Closure at site approved.
Marketing BSBA	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	March 2024	Program closure at Gulf Park site only	Submitted Teach-Out Plan for Gulf Park site only	Response received April 2024. Closure at site approved.
Business Foundations Graduate Certificate	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	March 2024	Program closure	Submitted Teach-Out Plan	Response received May 2024. Closure approved.
Business Administration (Sport Event Security Management), MBA	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	March 2024	Program closure	Submitted Teach-Out Plan	Response received May 2024. Closure approved.
Public Health (Allied Health), BS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	April 2024	Program closure	Submitted Teach-Out Plan	Response received May 2024. Closure approved.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 ACADEMIC AFFAIRS
 OCTOBER 17, 2024**

Institution/Area	Accreditation Agency	Date of Visit or Notification of Status Change	Reason for Visit or Status Change	Institutional Action	Accreditation Agency Action
Public Health (Health Education), BS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	April 2024	Program closure	Submitted Teach-Out Plan	Response received May 2024. Closure approved.
Public Health (Health Policy and Administration), BS	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	April 2024	Program closure	Submitted Teach-Out Plan	Response received May 2024. Closure approved.
Cybersecurity Management Graduate Certificate	Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)	July 2024	New Program Approval	Submitted a Substantive Change Prospectus	Awaiting response.
Psychology (Counseling), PhD	American Psychological Association (APA)	July 2023	Site Visit	Hosted Site Visit	Response received August 2024. Accredited until 2033.
Nursing, BSN	MS Institutions of Higher Learning (IHL)	October 2023 May 16, 2024	Annual Report Annual Program Evaluation based on Annual Report Submitted October 2023	Submitted Annual Report Next Annual Report due October 1, 2024	Response received May 2024. Continued accreditation. Continuing Accreditation
Nursing, DNP	MS Institutions of Higher Learning (IHL)	October 2023 May 16, 2024	Annual Report Annual Program Evaluation based on Annual Report Submitted October 2023	Submitted Annual Report Next Annual Report due October 1, 2024	Response received May 2024. Continued accreditation. Continuing Accreditation
Polymer Science and Engineering, BS	Accreditation Board for Engineering and Technology (ABET) Engineering Accreditation Commission (EAC)	June 2024	Self-Study	Submitted Self-Study	Awaiting response.

STAFF RECOMMENDATION: Board staff recommends these items be accepted as information.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION ITEM
FINANCE
October 17, 2024

1. **SYSTEM - 2024 AYERS ACCOUNTABILITY MANUAL**

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.

Under separate cover.

2. **MUW- GRANT AGREEMENT WITH MISSISSIPPI DEPARTMENT OF EDUCATION**

Mississippi University for Women has entered into a grant agreement with the Mississippi Department of Education for the purpose of providing funds appropriated by the 2024 Mississippi Legislature in House Bill 1823 for the Mississippi School for Mathematics and Science. The time period for the grant is July 1, 2024 to June 30, 2025.

Information is on file in the Commissioner's Office.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
SEPTEMBER 19, 2024, BOARD MEETING SUBMISSION DEADLINE**

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

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.

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

1. ASU-IHL 201-257 – GREENHOUSE RENOVATIONS

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$26,750.00 and thirty (30) additional days to the contract of Barnard and Sons Construction, LLC.

Approval Status & Date: APPROVED, August 27, 2024

Change Order Description: Change Order #2 includes the following: changes to the lighting controls for the grow lights; added provisions for fiber & wireless access points; and thirty (30) days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$31,036.00.

Project Initiation Date: May 19, 2022

Design Professional: Duplantis Design Group

General Contractor: Barnard and Sons Construction, LLC

Total Project Budget: \$2,339,302.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

**2. ASU-IHL 201-259 – POULTRY PROCESSING & INCINERTOR SHED
RENOVATIONS**

Approval Request #1: Change Order #2

Board staff approved Change Order #2 in the amount of \$46,409.00 and forty-five (45) additional days to the contract of Barnard and Sons Construction, LLC.

Approval Status & Date: APPROVED, August 27, 2024

Change Order Description: Change Order #2 includes the following: provided empty conduit underneath a fence at the south end of the building for future “IT” wiring; electrical revisions at the incinerator shed and prefabricated the garage to the house; electrical revisions/additions for “IT” requirements in the storage room; demolished the existing concrete and installed a new heavy duty entry driveway at the south end of the site and also at the north end of the site; retrofitting of an existing electrical feeder line to the surface of the grade in the area where heavy duty paving for the driveway is to occur; and forty-five (45) days to the contract.

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

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$62,171.00.

Project Initiation Date: May 19, 2022

Design Professional: Vernell Barnes Architects

General Contractor: Barnard and Sons Construction, LLC

Total Project Budget: \$2,031,900.00

**3. ASU IHL 201-264 – MATT THOMAS, JR. GARDEN APARTMENT
RENOVAITONS -PHASE 1**

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Canizaro , Cawthon, and Davis

Approval Status & Date: APPROVED, August 27, 2024

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Approval Request #2: Waiver Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by Canizaro, Cawthon, and Davis.

Approval Status & Date: APPROVED, August 27, 2024

Project Initiation Date: August 17, 2023

Design Professional: Kimley-Horn and Associates, Inc.

General Contractor: TBD

Total Project Budget: \$1,631,000.00

MISSISSIPPI STATE UNIVERSITY

4. MSU-GS 105-366– 20-INCH SEWER FORCE MAIN – PHASE 2

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the credit amount of \$104,518.28 and twenty-eight (28) additional days to the contract of Eubank Construction Company.

Approval Status & Date: APPROVED, August 27, 2024

Change Order Description: Change Order #1 includes the following: design and layout changes to the force main system to include quantity adjustments for pipe, fittings, roadway bores, and paving items; removal of roadway bore, added a new directional drill with HDPE piping, deduct for reduction in the scope of aggregate backfill requirements, added flowable fill to abandoned force main and repair of the existing force main; and twenty-eight (28) days to the contract, ten of these days are weather-related days.

Change Order Justification: This change order was necessary due to latent job site conditions and days for work as indicated herein.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$104,518.28.

Project Initiation Date: April 20, 2023

Design Professional: Garver Engineering

General Contractor: Eubank Construction Company

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Total Project Budget: \$3,175,000.00

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

Approval Request #1: Change Order #12

Board staff approved Change Order #12 in the credit amount of \$347,913.00 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc.

Approval Status & Date: APPROVED, October 2, 2024

Change Order Description: Change Order #12 includes the following: Installed a temporary portable court floor for the 2022-2023 basketball season; refinished the temporary portable court floor and transported back to Tupelo Covington Flooring; provided carpet around the perimeter of the temporary portable court floor; installed a new wood playing court; added additional white glazing for the court logo and lane/cable tray cuts.

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

Total Project Change Orders and Amount: Twelve (12) change orders for a total amount of \$2,326,595.13.

Project Initiation Date: June 16, 2018

Design Professional: Dale Partners Architects, P.A.

General Contractor: Thrash Commercial Contractors, Inc.

Total Project Budget: \$50,000,000.00

6. MSU-IHL 205-334– RCU RENOVATIONS

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$113,021.92 and twenty-one (21) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, September 26, 2024

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Change Order Description: Change Order #4 includes the following: added a hall light switch; miscellaneous architectural demolition & installation; relocated area B HVAC wall unit to a storage area; floor plan change to area B; area A expansion joint assembly; area B existing door replacement; area B door modifications to move the channel in the header; repaired the sheetrock; and twenty-one (21) days to the contract.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$241,902.88.

Project Initiation Date: April 20, 2023

Design Professional: MP Design Group

General Contractor: Ethos Contracting Group, LLC

Total Project Budget: \$2,000,000.00

7. MSU IHL 205-338 – WINGO WAY EXTENDED

Approval Request #1: Schematic Design Documents

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

Approval Status & Date: APPROVED, September 16, 2024

Approval Request #2: Waiver Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by Neel-Schaffer, Inc.

Approval Status & Date: APPROVED, September 16, 2024

Project Initiation Date: August 17, 2023

Design Professional: Neel-Schaffer, Inc.

General Contractor: TBD

Total Project Budget: \$6,150,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

8. MSU IHL 205-349 – REPAIRS AND RENOVATIONS TO ETHERIDGE HALL

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Dunaway Williams

Approval Status & Date: APPROVED, September 16, 2024

Project Initiation Date: August 17, 2023

Design Professional: Dunaway Williams

General Contractor: TBD

Total Project Budget: \$175,000.00 (Design Fees Only)

9. MSU IHL 205-354 – NPHC PLAZA

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Christian Preus Landscape Architecture

Approval Status & Date: APPROVED, September 16, 2024

Approval Request #2: Waiver Design Development Documents

Board staff approved the Waiver of Design Development Documents as submitted by Christian Preus Landscape Architecture

Approval Status & Date: APPROVED, September 16, 2024

Project Initiation Date: August 17, 2023

Design Professional: Christian Preus Landscape Architecture

General Contractor: TBD

Total Project Budget: \$250,000.00 (Design Fees Only)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

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

Approval Request #2: Change Order #6

Board staff approved Change Order #6 in the credit amount of \$140,682.00 and six (6) additional days to the contract of AnderCorp, LLC.

Approval Status & Date: APPROVED, September 23, 2024

Change Order Description: Change Order #6 includes the following: reconciled the brick allowance; redesigned the window shades to include revision of the operation and omitted the roller shades; installed two (2) stainless steel strips at the terrazzo stairs, in lieu of the specified epoxy abrasive strips; switched the equipment yard gates from the original designed gates to the Ameristar Aegis II.

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

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$693,213.70.

Project Initiation Date: March 1, 2019

Design Professional: Dale Partners Architects, P.A.

General Contractor: AnderCorp, LLC

Total Project Budget: \$65,000,000.00

11. MSU IHL 405-003B – CAAD – HOWELL HALL RENOVATIONS AND ADDITIONS

Approval Request #1: Design Development Documents

Board staff approved the Design Development Documents as submitted by Belinda Stewart Architects & Wier Boerner Allin Architects – A Joint Venture.

Approval Status & Date: APPROVED, August 27, 2024

Project Initiation Date: August 19, 2021

Design Professional: Belinda Stewart Architects & Wier Boerner Allin Architects – A Joint Venture

General Contractor: TBD

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Phased Project Budget: \$26,962,500.00

Total Project Budget: \$35,732,500.00

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

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$53,174.28 and zero (0) additional days to the contract of West Brothers Construction.

Approval Status & Date: APPROVED, August 27, 2024

Change Order Description: Change Order #5 includes the following: excavate 68' of roadway from Technology Blvd. to the start of the Entomology parking lot; lime stabilized sub-grade & installed 6" of crushed limestone; extended the concrete curb/gutter 25' from the current contract drawing limits, to the existing Entomology Building parking lot curb on the north side of the entrance drive; installed 4" of asphalt base course & 2" of asphalt wearing surface course; installed pavement markings at the stop sign at Technology Blvd. and a double yellow centerline on the new asphalt pavement; installed metal stud & drywall column wraps at seven(7) locations in the building interior; and provided a wide stile aluminum storefront door, in lieu of the narrow stile door.

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

Approval Request #2: Change Order #6

Board staff approved Change Order #6 in the amount of \$16,031.35 and zero (0) additional days to the contract of West Brothers Construction.

Approval Status & Date: APPROVED, September 10, 2024

Change Order Description: Change Order #6 includes the following: changed the VRF unit in the Pre-Function room from a ceiling cassette to a ducted unit.

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

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$354,120.29.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024

Project Initiation Date: October 19, 2020
Design Professional: Dale Partners Architects, P.A.
General Contractor: West Brothers Construction
Total Project Budget: \$45,000,000.00

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

Approval Request #1: Change Order #5

Board staff approved Change Order #5 in the amount of \$133,924.88 and zero (0) additional days to the contract of Ethos Contracting Group, LLC.

Approval Status & Date: APPROVED, September 23, 2024

Change Order Description: Change Order #5 includes the following: leveled floor for finishes; added LVT material; installed a knee wall at the east entrance; added an additional roof drain at the new expansion joint; tuckpointing of the existing stone band; replaced green tiles; fiber communication routing and cable changes performed; fire-rated access panel and door access control cabling was added; credit for F-Mold trim, landscaping and casework deletions; blinds changed to cordless lift blinds; storm drain was extended to an existing ditch; added power and data for new copiers and refrigerators; fire line was moved to make room for a projector; the new steel columns were painted; removed glass from mechanical room double doors; repairs to asphalt structure; added strobes and CO detectors; added a wood base in lieu of a rubber base; installed a new light fixture; and adjusted an existing storm sewer top.

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

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$513,374.71.

Project Initiation Date: August 20, 2020
Design Professional: Belinda Stewart Architects
General Contractor: Ethos Contracting Group, LLC
Total Project Budget: \$13,000,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

MISSISSIPPI UNIVERSITY FOR WOMEN

14. MUW- GS 104-215 – JONES HALL RENOVATIONS

Approval Request #1: Schematic Design Documents

Board staff approved the Schematic Design Documents as submitted by Shafer Zahner Zahner

Approval Status & Date: APPROVED, September 6, 2024

Project Initiation Date: March 21, 2024

Design Professional: Shafer Zahner Zahner

General Contractor: TBD

Total Project Budget: \$7,500,000.00

UNIVERSITY OF MISSISSIPPI

15. UM- IHL 207-492.2 – OXFORD-UNIVERSITY STADIUM EXPANSION-PHASE 2

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the credit amount of \$65,311.00 and zero (0) additional days to the contract of Ford Audio-Video Systems, LLC.

Approval Status & Date: APPROVED, September 12, 2024

Change Order Description: Change Order #1 includes the following: deduct to correspond with the reduced scope of work

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

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$65,311.00.

Project Initiation Date: January 19, 2023

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

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

CMA: ICM, LLC

General Contractor: Ford Audio-Video Systems, LLC

Phased project Budget: \$3,180,953.00

Total Project Budget: \$30,000,000.00

16. UM- IHL 207-498 – NW MECHANICAL PLANT (MECHANICAL PHASE III)

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the amount of \$89,281.50 and zero (0) additional days to the contract of Codaray Construction, LLC.

Approval Status & Date: APPROVED, September 16, 2024

Change Order Description: Change Order #1 includes the following: special structural inspection performed.

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

Total Project Change Orders and Amount: One (1) change order for a total amount of \$89,281.50.

Project Initiation Date: January 6, 2023

Design Professional: Eley Guild Hardy Architects

General Contractor: Codaray Construction, LLC

Total Project Budget: \$31,400,000.00

17. UM- IHL 207-502 NEW PARKING STRUCTURE

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Eley Guild Hardy Architects

Approval Status & Date: APPROVED, October 2, 2024

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Approval Status & Date: APPROVED, October 2, 2024

Project Initiation Date: October 19, 2023

Design Professional: Eley Guild Hardy Architects

General Contractor: Innovative Construction Management, LLC – Construction Manager
Advisor

Total Project Budget: \$55,400,308.00

18. UM- IHL 207-506 SHOEMAKER HVAC REPLACEMENT

Approval Request #1: Contract Documents

Board staff approved Contract Documents as submitted by Corbett Legge & Associates, PLLC

Approval Status & Date: APPROVED, October 2, 2024

Approval Request #2: Advertise

Board staff approved request to advertise for receipt of bids.

Approval Status & Date: APPROVED, October 2, 2024

Project Initiation Date: October 19, 2023

Design Professional: Corbett Legge & Associates

General Contractor: TBD

Total Project Budget: \$1,500,000.00

19. UM – IHL 407-001.2 – CSTI FAULKNER MEMORIAL GARDEN

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$3,749,000.00 to the apparent low bidder Abbey Bridges Construction Co., LLC.

Approval Status & Date: APPROVED, September 10, 2024

Project Initiation Date: January 16, 2012

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Design Professional: McCarty Architects
General Contractor: Abbey Bridges Construction Co., LLC
Phased Project Budget: \$5,100,000.00
Total Project Budget: \$175,200,000.00

20. UM- IHL 407-002 – DATA CENTER RENOVATION & EXPANSION

Approval Request #1: Change Order #4

Board staff approved Change Order #4 in the amount of \$24,028.61 and zero (0) additional days to the contract of Codaray Construction, LLC.

Approval Status & Date: APPROVED, October 3, 2024

Change Order Description: Change Order #4 includes the following: added additional water line connections at the north side of Area A; relocated two (2) existing light poles in conflict with new work being performed; added an under-slab termite control; removed and disposed a tank that was discovered and excavated from the construction site; and reduced the scope of the dumpster enclosure work.

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

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$89,281.50.

Project Initiation Date: January 6, 2023
Design Professional: Duvall Decker Architects, P.A.
General Contractor: Codaray Construction, LLC
Phased Project Budget: \$35,000,000.00
Total Project Budget: \$40,000,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

21. UM- IHL 407-012 (207-493) – SOUTH OXFORD CENTER 4TH FLOOR SCHOOL OF NURSING

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$15,813.22 and eight (8) additional days to the contract of Wagner General Contractors, Inc.

Approval Status & Date: APPROVED, September 10, 2024

Change Order Description: Change Order #3 includes the following: replaced sixty (60) mechanical tees for the existing sprinkler system; leveled concrete floor surface that was out of level; and eight (8) days to the contract.

Change Order Justification: This change was necessary due to latent job site conditions and days for work as indicated herein.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$274,990.01.

Project Initiation Date: January 19, 2023

Design Professional: UM Department of Facilities Planning

General Contractor: Wagner General Contractors, Inc.

Total Project Budget: \$3,943,950.00

22. UM – IHL 407-008.1 – NWMP (ELECT. PH 11)-13kV ELECT. DIST. IMP. PART A

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$987,399.45 to the apparent low bidder Chancellor Construction, Inc.

Approval Status & Date: APPROVED, September 16, 2024

Project Initiation Date: January 6, 2023

Design Professional: Atwell & Gent, Electrical & Consulting Engineers

General Contractor: Chancellor Construction, Inc.

Phased Project Budget: \$1,650,000.00

Total Project Budget: \$25,200,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

23. UMMC- IHL 209-579 – UMMC COLONY PARK

Approval Request #1: Change Order #6

Board staff approved Change Order #6 in the amount of \$8,239.50 and zero (0) additional days to the contract of Codaray Construction, LLC.

Approval Status & Date: APPROVED, September 24, 2024

Change Order Description: Change Order #6 includes the following: repaired the failed proof roll at the southeast end of the east parking lot to include removing the failed spoils and replaced with new select fill.

Change Order Justification: This change was necessary due to latent job site conditions.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$342,054.75.

Project Initiation Date: April 20, 2023

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

General Contractor: Codaray Construction, LLC.

Total Project Budget: \$105,910,527.00

24. UMMC -IHL 209-580C ADOLESCENT PSYCH

Approval Request #1 (INTERIM): In accordance with Board Policy §904 (B) Board Approval, *Interim Chair Approval* was granted by Mr. Greg Rader, Chair of the Real Estate and Facilities Committee on September 4, 2024, to approve the budget increase from \$8,500,000.00 to \$10,500,000.00 for an increase of \$2,000,000.00 for the Adolescent Psych project.

Interim Approval Status & Date: APPROVED, September 4, 2024

Approval Request #2: Award of Construction Contract

Board staff approved the Award of Contract in the amount of 4,298,500.00 to the apparent low bidder Fountain Construction Company, Inc.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Approval Status & Date: APPROVED, September 5, 2024

Project Initiation Date: August 18, 2022

Design Professional: JH&H Architects Planners Interiors, P.A.

General Contractor: Fountain Construction Company, Inc.

Total Project Budget: \$10,500,000.00

25. UMMC – IHL 209-586 – THE NEW BURN UNIT

Approval Request #1: Award of Construction Contract

Board staff approved the Award of Contract in the amount of \$2,388,000.00 to the apparent low bidder Fountain Construction Company.

Approval Status & Date: APPROVED, September 27, 2024

Project Initiation Date: June 15, 2023

Design Professional: Smith Group

General Contractor: Fountain Construction Company

Total Project Budget: \$6,300,000.00

26. UMMC- IHL 409-001 – RESEARCH AHU REPLACEMENT

Approval Request #1: Change Order #3

Board staff approved Change Order #3 in the amount of \$55,754.00 and zero (0) additional days to the contract of Fountain Construction Company.

Approval Status & Date: APPROVED, September 27, 2024

Change Order Description: Change Order #3 includes the following: installed a condensate pump & piping.

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

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$74,221.42.

Project Initiation Date: August 16, 2018

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
OCTOBER 17, 2024**

Design Professional: Dean and Dean Architects
General Contractor: Fountain Construction Company
Total Project Budget: \$2,122,624.00

UNIVERSITY OF SOUTHERN MISSISSIPPI

27. USM- IHL 208-357 – OWINGS MCQUAGGE HALL ROOF REPLACEMENT

Approval Request #1: Change Order #1

Board staff approved Change Order #1 in the credit amount of \$49,450.00 and zero (0) additional days to the contract of Rowell Roofing, Inc.

Approval Status & Date: APPROVED, September 18, 2024

Change Order Description: Change Order #1 includes the following: changed the ¼” per foot tapered insulation to 1/8” per foot to allow constant edge thickness to closely match the existing and allow for the existing roof access adders to be re-used.

Change Order Justification: This change was necessary due to changes in requirements or recommendations by governmental agencies; and user/owner requested modifications.

Total Project Change Orders and Amount: One (1) change order for a total credit amount of \$49,450.00.

Project Initiation Date: August 17, 2023
Design Professional: Weir Boerner Allin Architecture, PLLC
General Contractor: Rowell Roofing, Inc.
Total Project Budget: \$1,115,530.24

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 LEGAL
 OCTOBER 17, 2024**

1. SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

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

Payment of legal fees for professional services rendered by Brunini (statement dated 9/23/24) from the funds of Mississippi State University. (This statement, in the amount of \$175.00, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 175.00

Payment of legal fees for professional services rendered by Butler|Snow (statement dated 9/5/24) from the funds of Mississippi State University. (This statement, in the amount of \$578.25, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 578.25

Payment of legal fees for professional services rendered by Copeland Cook Taylor & Bush (statements dated 9/23/24 and 9/23/24) from the funds of Mississippi State University. (These statements, in the amounts of \$3,968.00 and \$184.00, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 4,152.00

Payment of legal fees for professional services rendered by Ware|Immigration (statement dated 9/1/24) from the funds of Mississippi State University. (This statement, in the amount of \$30.55, represents services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 30.55

Payment of legal fees for professional services rendered by Mitchell McNutt (statements dated 6/19/24, 7/8/24 and 9/5/24) from the funds of Mississippi State University. (These statements, in the amounts of \$2,125.00, \$150.00 and \$2,958.54, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 5,233.54

Payment of legal fees for professional services rendered by Brunini (statement dated 9/23/24) from the funds of the University of Mississippi. (This statement, in the amount of \$262.50, represents services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 262.50

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 LEGAL
 OCTOBER 17, 2024**

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 9/20/24 and 9/20/24) from the funds of the University of Mississippi. (These statements, in the amounts of \$1,725.00 and \$379.50, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,104.50

Payment of legal fees for professional services rendered by Lightfoot Franklin White, LLC (statement dated 9/16/24) from the funds of the University of Mississippi. (This statement, in the amount of \$19,641.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 19,641.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statements dated 9/11/24 and 9/13/24) from the funds of the University of Mississippi. (These statements, in the amounts of \$575.00 and \$1,550.00, respectively, represent services and expenses in connection with general legal advice.)

TOTAL DUE.....\$ 2,125.00

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 9/1/24, 9/1/24, 9/1/24, 9/1/24 and 9/1/24) from the funds of the University of Mississippi. (These statements, in the amounts of \$219.87, \$567.00, \$5.60, \$29.43 and \$300.00, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 1,121.90

Payment of legal fees for professional services rendered by Butler|Snow (statements dated 7/15/24, 7/15/24, 7/15/24, 7/15/24, 7/19/24, 7/19/24 7/19/24, 8/9/24, 8/9/24, 8/14/24, 8/14/24 and 8/14/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$80.00, \$4,243.31, \$384.00, \$15,359.70, \$162.00, \$99.00, \$1,539.90, \$5,926.60, \$8,670.70, \$345.00, \$584.60 and \$6,847.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 44,241.21

Payment of legal fees for professional services rendered by Currie Johnson & Myers, P.A. (statement dated 7/17/24) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$5,521.10, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 5,521.10

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 LEGAL
 OCTOBER 17, 2024**

Payment of legal fees for professional services rendered by Foreman Watkins & Krutz, LLP (statement dated 7/18/24) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$950.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 950.00

Payment of legal fees for professional services rendered by Gore, Kilpatrick & Dambrino, PLLC (statement dated 7/26/24) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$340.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 340.00

Payment of legal fees for professional services rendered by Hogan Lovells, US, LLP (statement dated 7/25/24) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$45,481.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 45,481.00

Payment of legal fees for professional services rendered by Mayo Mallette, PLLC (statement dated 8/6/24) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$645.00, represents services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 645.00

Payment of legal fees for professional services rendered by Page, Kruger & Holland (statements dated 8/1/24, 8/1/24, 8/1/24 and 8/1/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$40.00, \$187.80, \$765.00 and \$115.50, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,108.30

Payment of legal fees for professional services rendered by Steen, Dalehite & Pace (statements dated 7/23/24 and 7/25/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$954.00 and \$768.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 1,722.00

Payment of legal fees for professional services rendered by Watkins & Eager, PLLC (statements dated 7/22/24, 7/24/24, 7/24/24, 7/25/24, 7/25/24, 7/25/24, 7/25/24, 7/26/24, 7/26/24, 7/26/24, 7/26/24, 7/26/24 and 8/6/24) from the funds of the University of Mississippi Medical Center.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 LEGAL
 OCTOBER 17, 2024**

(These statements, in the amounts of \$6,995.18, \$1,412.10, \$100.00, \$4,260.00, \$2,645.40, \$1,484.00, \$26.50, \$26.50, \$3,683.50, \$159.00, \$1,302.65, \$212.00 and \$397.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 22,704.33

Payment of legal fees for professional services rendered by Vernis & Bowling of Mississippi (statements dated 7/23/24, 7/24/24, 7/24/24, 7/24/24, 7/24/24, 7/24/24, 7/24/24 and 7/24/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$6,600.00, \$672.50, \$183.00, \$106.50, \$400.45, \$354.00, \$8,317.82 and \$1,369.50, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 18,003.77

Payment of legal fees for professional services rendered by Ware|Immigration (statements dated 9/1/24, 9/1/24 and 9/10/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$27.40, \$2,650.00 and \$2,650.00, respectively, represent services and expenses in connection with immigration/labor certification matters.)

TOTAL DUE.....\$ 5,327.40

Payment of legal fees for professional services rendered by Wise Carter (statements dated 8/19/24, 9/12/24 and 9/16/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$448.50, \$526.50 and \$1,443.00, respectively, represent services and expenses in connection with legal advice.)

TOTAL DUE.....\$ 2,418.00

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

Payment of legal fees for professional services rendered by Bradley Arant Boult Cummings, LLP (statement dated 8/9/24) from the funds of Mississippi State University. (This statement, in the amounts of \$189.00, represents services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 189.00

Payment of legal fees for professional services rendered by Conley Rose (statements dated 9/11/24 and 9/11/24) from the funds of Mississippi State University. (These statements, in the amounts of \$10,934.65 and \$1,281.60, represent services and expenses in connection with patents or intellectual property matters.)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 INFORMATION AGENDA
 LEGAL
 OCTOBER 17, 2024**

TOTAL DUE.....\$ 12,216.25

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy (statements dated 9/10/24, 9/10/24, 9/10/24, 9/10/24, 9/10/24, 9/10/24, 9/10/24, 9/10/24, 9/10/24, 9/10/24 and 9/10/24) from the funds of Mississippi State University. (These statements, in the amounts of \$2,370.00, \$4,912.00, \$2,873.50, \$316.00, \$197.50, \$158.00, \$118.50, \$645.00, \$842.50, \$684.50 and \$237.00, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 13,354.50

Payment of legal fees for professional services rendered by Workman Nydegger (statements dated 7/17/24, 7/17/24, 7/17/24, 7/17/24, 8/14,24, 8/14/24 and 8/14/24) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$350.00, \$423.94, \$2,140.29, \$8,014.00, \$1,050.00, \$1,430.75 and \$122.50, respectively, represent services and expenses in connection with intellectual property patents.)

TOTAL DUE.....\$ 13,531.48

Payment of legal fees for professional services rendered by Mendelsohn Dunleavy, P.C. (statements dated 9/10/24, 9/10/24, 9/10/24, 9/10/24, 9/10/24, 9/10/24 and 9/10/24) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$105.00, \$1,943.07, \$140.00, \$44.00, \$2,983.00, \$5,125.00 and \$5,115.00, represent services and expenses in connection with patents or intellectual property matters.)

TOTAL DUE.....\$ 15,455.07

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
OCTOBER 17, 2024**

1. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL

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

- a. **MVSU** – In accordance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On September 9, 2024, Commissioner Alfred Rankins, Jr. approved the revisions to the On Campus Budget for Fiscal Year 2024. The IHL Executive Office financial staff have reviewed and approved these revisions. The revision contains no increases in total budgets but rather a reallocation among individual expense categories. A copy of the documents is on file at the Board Office.
- b. **UM** – On September 30, 2024 Commissioner Alfred Rankins, Jr. approved the Stormwater Detention and Drainage Easement between the University of Mississippi and the City of Oxford, Mississippi for the construction of a stormwater detention and drainage pond to meet the City’s stormwater detention ordinance. The university will receive a nonmonetary benefit to downstream UM property by the construction of this detention and drainage pond. The IHL Associate Commissioner for Legal Affairs and Risk Management reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts. A copy of the document is on file in the IHL Board Office.
- c. **USM** – On September 26, 2024, Commissioner Alfred Rankins, Jr. approved the Lease Agreement between the University of Southern Mississippi and ANewSouth Properties, LLC for approximately 1,760 square feet of space located at 370 Courthouse Road, Suite 101, Gulfport, Mississippi for USM’s Gulfport location of the Mississippi Early Childhood Inclusion Center Resource and Referral Office. The term of this lease is one year effective October 1, 2024 through September 30, 2025, with a total annual cost of \$24,000 payable in monthly installments of \$2,000 each due on the first of each month. This lease is funded by a grant from the Mississippi Department of Human Services. USM has confirmed that the lease is in compliance with the terms of that grant and is otherwise a legally permissible use of the grant funds. The IHL Associate Commissioner for Legal Affairs and Risk Management reviewed this item and found it compliant with Board Policy 707.01 Land, Property, and Service Contracts and Policy 707.03 Approval for Prepayment for Goods or Services. A copy of the document is on file in the IHL Board Office.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
PERSONNEL
OCTOBER 17, 2024**

PERSONNEL ACTION REPORT

1. **Sabbatical**

Mississippi State University

FROM: Sawsan Abutabeneh; Associate Professor of Political Science and Public Administration; *from* salary \$86,700.00 per annum, pro rata; E&G Funds; 9-month contract; *to* salary \$43,350.00 per annum, pro rata for sabbatical period; E&G Funds; effective August 16, 2024, to December 31, 2024; professional development
[Originally approved by IHL Board March 21, 2024]

CORRECTED: This item was rescinded.

University of Mississippi

FROM: Rory Ledbetter; Associate Professor of Theatre Arts; salary \$69,184 per annum, pro rata; E&G Funds; 9-month contract; no change in salary during sabbatical period; E&G Funds; effective January 21, 2025 to May 10, 2025; professional development
[Originally approved by IHL Board February 15, 2024]

CORRECTED: This item was rescinded.