



Board of Governors Special Meeting

<https://us02web.zoom.us/j/84352649819>

Wednesday, 9/20/2023

4:00 - 5:30 PM CT

I. Roll Call Presented By: Governor Chris Waters

II. Financial Presented By: Matt Morris, Vice President for Administration and Finance

A. Approval of Procurement Activity Report

II.A. Approval of Procurement Activity Report - Page 2

III. Facilities Presented By: Matt Morris, Vice President for Administration and Finance

A. Approval of bids and award of a contract for the autism student support center on the West Plains Campus

III.A. Approval of bids and award of a contract for the autism student support center on the West Plains Campus - Page 5

B. Approval of consultant and authority to enter into an agreement for professional services in conjunction with the new building construction at the Art Annex

III.B. Approval of consultant and authority to enter into an agreement for professional services in conjunction with the new building construction at the Art Annex - Page 7

IV. Resolution Authorizing Closed Meeting, Pursuant to Sections 610.021(1), (2), (3), (6), (9), (11), (12), (13), (14) and/or (17) of the Revised Statutes of Missouri

IV. Closed Special Meeting Resolution - Page 9

V. Adjournment Presented By: Governor Chris Waters

II.A.

MISSOURI STATE UNIVERSITY

BOARD RESOLUTION

PURCHASING ACTIVITY REPORT NO. 524-23
Approval of Procurement Activity Report

BE IT RESOLVED by the Board of Governors for Missouri State University that the attached Activity Report for all reportable actions since the last Board of Governors' meeting, as presented by the Office of Procurement Services, be approved.

Chris Waters
Board Chair

Passed at meeting of
September 20, 2023

Rowena Stone
Secretary to the Board

COMMENTS:

Recommend the attached report summarizing all reportable Office of Procurement Services activity from July 12, 2023 through September 13, 2023 be approved.

**ACTIVITY REPORT
MISSOURI STATE UNIVERSITY
OFFICE OF PROCUREMENT SERVICES**

FOR APPROVAL

Single purchase > \$100,000 that was competitively bid

**Atomic Force Microscope \$296,070.00
Jordan Valley Innovation Center (JVIC)**

In response to required advertising, one bid was received for an atomic force microscope for the Jordan Valley Innovation Center (JVIC).

NX20 atomic force microscope systems from Park Systems, Incorporated, are nano metrology tools that utilize multiple modes for material inspection.

The system will study the various materials that are used to fabricate water sensors for heavy metal detection that are harmful to the environment. Usage by research center staff and students will be to study the characteristics of various materials.

Systems are required to meet the deliverables of a federally funded program, funded by the U.S. Army Engineer Research and Development Center (ERDC), through the program *Quantitative Water Sensing Array for Rapid Sensing and Continuous Monitoring*.

Recommend award to Park Systems, Incorporated, as the only responsive bidder meeting the required specifications of the Request for Quotation (RFQ).

Note: Funding to be from Cooperative Agreement W912HZ2120019 with the U.S. Army Engineer Research and Development Center (ERDC). Payment is to be made through Case Year Three Water Sensing Array Center for Applied Science and Engineering Capital Equipment Research I03109 072008 75001 021.

July 12, 2023 through September 13, 2023

**ACTIVITY REPORT
PAGE TWO**

Contract amendments that cause the estimated value of the contract to be exceeded by 25% or \$50,000, whichever is less.

Periodicals, S1 Domestic Origin Meyer Library	\$797,857.14 (Estimated Ten Months)
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Pursuant to existing University policy, which allows for reasonable modifications and extensions of existing or expired contracts, the University seeks approval to extend the Harrassowitz contract for Class S1 Periodicals Domestic Origin for the Springfield Campus for a ten-month term, September 1, 2023, through June 30, 2024.

Contract C7331-1 Class S1 Periodicals Domestic Origin expired on September 1, 2023. Its original term was July 1, 2016, through June 30, 2017, with six optional one-year renewals through June 30, 2023. The contract was placed for bid on March 23, 2023, and given prolonged evaluation, was then extended by amendment for the period of July 1, 2023, through August 31, 2023.

Due to the publishing and pricing complexity of the contract, it was determined to cancel the proposed contract award and request an amendment to extend the expiring contract for ten more months, in order to issue and evaluate a new solicitation.

Included consideration was the need to review library subscriptions, periodicals, and titles. Contributing to the complexity of the contract, Harrassowitz added a large group of periodicals and titles published by Wiley and Taylor & Francis.

Changes increased the value of the contract, requiring further evaluation.

Note: Funding to be from ongoing operational budgets.

July 12, 2023 through September 13, 2023

III.A.

MISSOURI STATE UNIVERSITY

BOARD RESOLUTION

BIDS & QUOTATIONS NO. 1609-23

Approval of bids and award of a contract for the autism student support center on the West Plains Campus

BE IT RESOLVED by the Board of Governors for Missouri State University that the low bid of RIHC Contracting, Inc. in the amount of Eight Million Six Hundred Thousand and 00/100ths dollars (\$8,600,000.00) for the base bid plus alternates 4 and 6 for the autism student support center on the West Plains Campus be accepted, approved, and awarded.

BE IT FURTHER RESOLVED that the financial plan be established as follows:

Project Budget	
Consultant Fees	\$700,000.00
Construction Costs	\$8,600,000.00
Project Administration	\$142,000.00
Construction Contingency	\$758,000.00
Furniture, Fixtures, and Equipment	\$250,000.00
Telecommunications	\$80,000.00
Relocation Costs	\$0.00
Total Project Budget	\$10,530,000.00
Funding Source	
West Plains - Autism Center budget	\$10,530,000.00
Total Funding Source	\$10,530,000.00

BE IT FURTHER RESOLVED that this be paid from the West Plains – Autism Center budget funded by State of Missouri ARPA funds, Howell County ARPA funds, President’s Program Enhancement fund, and private donations.

BE IT FURTHER RESOLVED that the Vice President for Administration and Finance or the University Architect and Director of Planning, Design and Construction be authorized to sign the agreement with the selected contractor, incorporated herein by reference, and perform those acts necessary to carry out and perform the terms of the agreement. With approval of the above project budget, authorization is also provided to further sign agreements or amendments to existing agreements directly related to this project as long as the approved project budget is not exceeded.

Chris Waters
Board Chair

Passed at meeting of
September 20, 2023

Rowena Stone
Secretary to the Board

COMMENTS:

The bids received on this project are as follows:

Contractor	RIHC Contracting, Inc.	John Adams Construction Co., Inc.	KCI Construction Company
Base Bid	\$8,480,000.00	\$8,928,328.00	\$9,188,700.00
Alternate 1	\$190,000.00	\$157,810.00	\$153,200.00
Alternate 2	\$148,000.00	\$178,196.00	\$157,800.00
Alternate 3	\$72,000.00	\$75,185.00	\$25,400.00
Alternate 4	\$90,000.00	\$1,516.00	\$65,500.00
Alternate 5	\$133,000.00	\$81,137.00	\$12,200.00
Alternate 6	\$30,000.00	\$30,288.00	\$8,500.00
Total (Base Bid + Alt 4 & 6)	\$8,600,000.00	\$8,960,132.00	\$9,262,700.00

This project constructs a new autism student support center on the West Plains campus, which will house the ASCEND program and serve the campus community. The facility will be located to the west of Gohn Hall and south of the amphitheater. The new facility will house ten (10) coordinator offices, a student lounge space, a private sensory garden, reception desk, work room, two decompression rooms, a small meeting room, and two classrooms. The new facility will incorporate autism specific architectural strategies, with special attention paid to acoustics, spatial sequencing, escape spaces, compartmentalization, transition zones, and sensory zones. Work is scheduled to be completed during the fall 2024 semester.

Alternate 4 provides a fire suppression system to fully protect the building. Alternate 6 provides trees, plants, and irrigation for the sensory garden. It is recommended that these alternates be accepted.

Alternate 1 would have provided the restroom infill in the basement. Alternate 2 would have provided veneered plywood panels in lieu of the outer layer of decorative sheet rock layer to the common areas. Alternate 3 would have provided trees, plants, and irrigation in all areas except the sensory garden. Alternate 5 would have provided a board felt wall covering and a board felt graphic in lieu of a painted finish. None of these alternates are being accepted due to cost.

Unit prices were also received during bidding, and additional site work may be addressed based on unit prices as needs and funding are identified.

This project will be paid from the West Plains – Autism Center budget funded by State of Missouri ARPA funds (\$7,500,000.00), Howell County ARPA funds (\$500,547.97), President’s Program Enhancement fund (\$2,499,452.03), and private donations (\$30,000.00)

III.B.

MISSOURI STATE UNIVERSITY

BOARD RESOLUTION

AGREEMENT NO. 467-23

Approval of consultant and authority to enter into an agreement for professional services in conjunction with the new building construction at the Art Annex

BE IT RESOLVED by the Board of Governors of Missouri State University that the professional services of Dake Wells Architecture in conjunction with the new building construction at the Art Annex be accepted, approved, and awarded.

BE IT FURTHER RESOLVED that Dake Wells Architecture perform this work for a fixed fee of One Million Four Hundred Sixty-one Thousand Six Hundred and 00/100ths dollars (\$1,461,600.00) plus reimbursable expenses.

BE IT FURTHER RESOLVED that this be paid from the Art Annex Construction budget funded by private donations.

BE IT FURTHER RESOLVED that the Vice President for Administration and Finance or the University Architect and Director of Planning, Design and Construction be authorized to sign the agreement with the firm selected, incorporated herein by reference, and perform those acts necessary to carry out and perform the terms of the agreement.

Chris Waters
Board Chair

Passed at meeting of
September 20, 2023

Rowena Stone
Secretary to the Board

COMMENTS:

The university desires to facilitate the design of a new building for the Reynolds College of Arts, Social Sciences and Humanities. This project will demolish the current Art Annex and replace it with a new multi-purpose facility that compliments the design of the Grand Street Underpass and the John Goodman Amphitheatre at the Reynolds Arts Park. Most of the building's existing program requirements and occupants will be maintained in the new facility with additional components of a multi-purpose space for students, faculty, staff, alumni, donor, and community events.

The University will utilize a Construction Manager at Risk (CMAR) delivery method. Construction work is scheduled to be completed by the spring 2026 semester.

Dake Wells Architecture was the firm selected for this project due to previous experience with complex building construction projects. The consultant will provide comprehensive design services, from pre-design through post-construction.

This project will be paid from the Art Annex Construction budget funded by private donations (\$1,461,600.00).

IV.

RECOMMENDED ACTION - Resolution authorizing closed meeting

The following resolution was moved by _____ and seconded
by _____:

BE IT RESOLVED by the Board of Governors for the Missouri State University that a closed meeting, with closed records and closed vote, be held during a recess of this special meeting of the Board of Governors to consider items pursuant...

- A. R.S.Mo. 610.021(1). "Legal actions, causes of action, or litigation involving a public governmental body..."
- B. R.S.Mo. 610.021(2). "Leasing, purchase or sale of real estate by a public governmental body..."
- C. R.S.Mo. 610.021(3). "Hiring, firing, disciplining or promoting of particular employees by a public governmental body..."
- D. R.S.Mo. 610.021(6). "Scholastic probation, expulsion, or graduation of identifiable individuals..."
- E. R.S.Mo. 610.021(9). "Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;"
- F. R.S. Mo. 610.021(11) and (12). "Specifications for competitive bidding..." and "Sealed bids and related documents..."
- G. R.S.Mo. 610.021(13). "Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment..."
- H. R.S.Mo. 610.021(14). "Records which are protected from disclosure by law;" and
- I. R.S.Mo. 610.021(17). "Confidential or privileged communications between a public governmental body and its auditor,..."

VOTE: ___ AYE

___ NAY