



Board of Governors Executive Committee Meeting

<https://us02web.zoom.us/j/85438585025>

Wednesday, 11/16/2022

4:00 - 5:00 PM CT

I. Roll Call Presented By: Governor Carol Silvey

II. Approval of Minutes Presented By: Governor Carol Silvey

A. Approval of open and closed minutes of the September 21, 2022, Executive Committee Meeting

II.A. Approval of minutes of the Sept 21, 2022 Executive Committee Meeting - Open minutes - Page 2

III. Financial Presented By: Steve Foucart, Chief Financial Officer

A. Approval of Procurement Activity Report

III.A. Approval of Procurement Activity Report - Page 5

IV. Facilities and Equipment Presented By: Matt Morris, Vice President for Administrative Services

A. Approval of bids and award of a contract for the renovation of room 229 at Glass Hall

IV.A. Approval of bids and award of a contract for the renovation of room 229 at Glass Hall - Page 11

V. 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

V. Closed Meeting Resolution.ExecutiveCommittee - Page 13

VI. Adjournment Presented By: Governor Carol Silvey

II.A.

**MINUTES OF THE
BOARD OF GOVERNORS EXECUTIVE COMMITTEE
MISSOURI STATE UNIVERSITY
WEDNESDAY, SEPTEMBER 21, 2022, 4:00 P.M.**

The Executive Committee of the Board of Governors for Missouri State University held a meeting via Zoom webinar on Wednesday, September 21, 2022, with Governor Carol Silvey, Chair of the Board, presiding. Governor Silvey called the meeting to order at 4:00 p.m.

Roll Call

Present – Carol Silvey, Committee Chair
Lynn Parman, Committee Member
Chris Waters, Committee Member

Absent – Craig Frazier, Committee Member

Also present – Clif Smart, President
Brad Bodenhausen, Vice President for Community and Global Partnerships
Jeff Coiner, Chief Information Officer
Amelia “Amy” Counts, Governor
Ryan DeBoef, Chief of Staff and Assistant to the President for
Governmental Relations
Rachael Dockery, General Counsel and Chief Compliance Officer
Steve Foucart, Chief Financial Officer
Gabriel Gore, Governor
John Jasinski, Interim Provost
Ann Kampeter, Governor
Dennis Lancaster, Chancellor of the West Plains Campus
Natalie McNish, Director of Internal Audit and Risk Management
Kyle Moats, Director of Athletics
Matt Morris, Vice President for Administrative Services
Zora Mulligan, Executive Vice President
Suzanne Shaw, Vice President for Marketing and Communications
Rowena Stone, Secretary to the Board of Governors

Approval of Minutes

Governor Silvey called for a motion to approve the minutes of the July 20, 2022, Executive Committee meeting. Governor Lynn Parman provided a motion, receiving a second from Governor Chris Waters.

Motion passed 3-0.

Financial

Steve Foucart, Chief Financial Officer, presented a resolution for approval of procurement activity report (Purchasing Activity Report No. 514-22). He shared information on the following item included in the report:

- Triple Quadrupole Liquid Chromatography/Mass Spectrometry (LC/MS) System for the Department of Chemistry and Biochemistry

Governor Waters provided a motion for approval, receiving a second from Governor Parman.

Motion passed 3-0.

Facilities and Equipment

Matt Morris, Vice President for Administrative Services, presented a resolution for approval of bids and award of a contract the first-floor infill for the Missouri Cybersecurity Center of Excellence and second-floor infill for Brewer Science in building 4 at Jordan Valley Innovation Center (Bids & Quotations No. 1600-22). Governor Parman provided a motion for approval, receiving a second from Governor Waters.

Motion passed 3-0.

Mr. Morris presented a resolution for approval of bids and award of a contract for the nursing simulation laboratory at Looney Hall on the West Plains Campus (Bids & Quotations No. 1601-22). Governor Waters provided a motion for approval, receiving a second from Governor Parman.

Motion passed 3-0.

Mr. Morris presented a resolution for approval of consultant and authority to enter into an agreement for professional services in conjunction with the autism student support center on the West Plains Campus (Agreement No. 461-22). Governor Parman provided a motion for approval, receiving a second from Governor Waters.

Motion passed 3-0.

Closed Meeting

It was determined that the Board of Governors needed to meet in a closed session to consider items of business provided in the Revised Statutes of Missouri. Governor Silvey asked if a resolution authorizing a closed meeting of the Board was prepared. Thereupon, the following resolution was presented for consideration:

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

R.S.Mo. 610.021(1). "Legal actions, causes of action, or litigation involving a public governmental body..."

R.S.Mo. 610.021(13). "Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment,..."

Governor Waters provided a motion for approval, receiving a second from Governor Parman.

A roll call vote on the motion was as follows: those voting in favor – Parman, Silvey, and Waters; those voting against – none; absent – Frazier.

The open meeting recessed at 4:16 p.m. to go into closed session.

The open meeting reconvened at 4:41 p.m.

Adjournment

With no additional information needing to be discussed, Governor Silvey called for a motion to adjourn the meeting. Governor Parman made a motion, receiving a second from Governor Waters.

Motion passed 3-0.

Meeting adjourned at 4:41 p.m.

Carol Silvey
Board Chair

Passed at the meeting of
November 16, 2022

Rowena Stone
Secretary to the Board

III.A.

MISSOURI STATE UNIVERSITY

BOARD RESOLUTION

PURCHASING ACTIVITY REPORT NO. 516-22
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.

Carol Silvey
Board Chair

Passed at meeting of
November 16, 2022

Rowena Stone
Secretary to the Board

COMMENTS:

Recommend the attached report summarizing all reportable Office of Procurement Services activity from September 9, 2022 through November 4, 2022 be approved.

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

FOR APPROVAL

Revenue Contract > \$250,000

Procurement Card and Business Travel Card Services	\$315,000.00
Office of Procurement Services	(Estimated Annual Revenue)

A cooperative UMB Bank contract currently utilized by the University was issued by the State of Missouri for Procurement Card and Business Travel Card Services. The term of the agreement is November 1, 2021 through October 31, 2024, with two optional one-year renewals. Previous UMB Bank contracts for the same services were for similar terms.

Recommend approval to establish and participate in a new statewide Missouri Higher Education Procurement Card Consortium with Missouri State University as the lead, and UMB Bank as the chair for a three-year term.

Participation in the consortium would result in an increased negotiated rebate from 1.32% to a minimum of 1.50%, including additional rebate based on group spend, and an upfront signing bonus of \$25,000.00.

The University has a long-standing over twenty-year relationship with UMB Bank. There are currently multiple programs affiliated with UMB Bank, including the Procurement card program, Single event travel (SET) card program, Foundation credit card program, and the Automated payables program. There is seamless integration with the University's ERP platform, and the only additional fees to be incurred will be on foreign transactions and on cash advances.

Estimated annual spend is set to increase, given the recent increase in the procurement card thresholds, and the upcoming automated payables program supplier enrollment. Furthermore, increased participation in the consortium would provide additional rebate.

Based on \$21,000,000.00 in estimated annual Procurement Card (\$15,000,000.00) and Visa Payable Financial Services (\$6,000,000) transactions, overall estimated annual revenue would increase from \$277,000.00 to \$315,000.00.

Note: Funding to be Revenue.

September 9, 2022 through November 4, 2022

ACTIVITY REPORT
PAGE TWO

Contracts for the purchase of goods and services estimated > \$250,000

Air Charter Transportation Services **\$339,839.00**
Intercollegiate Athletics – Men’s and Women’s Basketball **(Estimated)**

In response to required advertising, and transmittals of solicitations to seven (7) contractors, three (3) bids were received for air charter transportation. Services are to be for eleven (11) trips for the Men’s and Women’s Basketball team for the 2022/2023 season.

Contractor – Minimum Seating Capacity 30	Price
CharterSearch (Incumbent)	\$339,839.08
SoFly	\$344,440.00
Private Jet Services	\$393,790.00

Payment terms are to be a combined 50% deposit for all trips after contract award. Balance is due 60 days prior to actual departure date and can be negotiable if required.

Men’s Basketball

Date	University	Location
12.27.22	University of Northern Iowa	Waterloo, Iowa
01.17.23	Drake University	Des Moines, Iowa
02.11.23	Evansville University	Evansville, Indiana
02.15.23	Bradley University	Peoria, Illinois
02.25.23	Indiana State University	Terre Haute, Indiana

Women’s Basketball

Date	University	Location
11.23.22	Las Vegas Invitational Tournament	Las Vegas, Nevada
12.03.22	University of Toledo	Toledo, Ohio
12.08.22	Texas Christian University	Ft. Worth, Texas
01.19.23	Belmont University	Nashville, Tennessee
03.04.23	University of Northern Iowa	Cedar Falls, Iowa
03.12.23	MVC Tournament	Moline, Illinois

Note: Funding to be from the FY23 operational budget.

September 9, 2022 through November 4, 2022

ACTIVITY REPORT
PAGE THREE

Other purchases at the discretion of the Director of Procurement Services with approval from the Chief Financial Officer or President, with description of the rationale

State Government Relations Services **\$474,000.00**
Office of the President

Hahn O'Daniel has represented the University's interests in Jefferson City for the past seven years and has held an all-inclusive state government relations contract with the University since 2019. During this time the University has accomplished significant success in state advocacy and desires to continue its relationship with Hahn O'Daniel. The University's contract with Hahn O'Daniel recently ended.

The new contract is a thirty-eight (38) month agreement with payments of \$12,000.00 per month for the first 14 months, \$12,500.00 per month for the next year, and \$13,000.00 per month for the final year. The contract contains an automatic-renewal option for an additional two-year term at the end of the initial term with payments of \$13,000.00 per month.

Under the University's 2019 contract with Hahn O'Daniel, the University paid \$10,500.00 per month. Inflation since 2019 has totaled more than 16%. The \$12,000.00 per month payments during the first fourteen months of the new contract are less than the value of the monthly payments made in 2019 when we account for inflation. The increases in the second and third year of the contract are approximately 4% per year.

Note: Funding to be from A02000 302000 73420 061 Operating – Other Professional Services.

September 9, 2022 through November 4, 2022

ACTIVITY REPORT
PAGE FOUR

Single purchase > \$250,000 that was competitively bid

Reinsurance (Stop Loss) for Employee Group Medical Plan Human Resources	\$1,159,958.52 (Estimated)
--	---------------------------------------

The University's Employee Group Medical Plan is self-insured. Reinsurance (stop loss) coverage is obtained to set limitations on the University's exposure on a per covered life basis in excess of the agreed upon group specific deductible retention level of \$275,000.00.

Additionally, the University utilizes an aggregating specific deductible of \$300,000.00, for which the University must fund claims in excess of the group specific deductible, prior to claims being eligible for reimbursement. This amount can be met by one or multiple covered lives whose claims exceed the specific deductible retention level during the contract period.

Last year, Med-Pay recommended to accept the Tokio Marine HCC estimated proposal of \$1,174,984.68 which equates to \$1,154,417.76 utilizing this year's quoted enrollment, with a specific deductible of \$275,000.00, and an aggregating specific deductible of \$300,000.00. Tokio Marine HCC was the best option for calendar year 2022, and it accepted all participants at the \$275,000.00 specific deductible level.

Proposals for calendar year 2023 were received from nine respondents, and the incumbent, Tokio Marine HCC, offered the most competitive proposal.

Med-Pay has recommended that the University accept Tokio Marine HCC's renewal proposal of \$1,159,958.52 which includes the same \$275,000.00 specific deductible, and \$300,000.00 aggregating specific deductible, with no lasers.

Acceptance of the Tokio Marine HCC proposal reflects an approximate 0.5% cost increase utilizing the quoted enrollment. Med-Pay advises this offer is reasonable. The contract period is from January 1, 2023 through December 31, 2023.

Note: Funding to be from ongoing operational budgets.

September 9, 2022 through November 4, 2022

ACTIVITY REPORT
PAGE FIVE

Single purchase > \$250,000 from established cooperative contract

Buildings and Contents Insurance	\$2,411,423.00
All Campuses	

In May 2022, the board approved continuing property insurance through the Midwestern Higher Exchange Compact (MHEC) for the estimated premium cost of \$1,886,457.00. Since May, the program administrator, Marsh, has been negotiating final terms and coverages with insurance providers. Unfortunately, the market rates for areas in high wind risk areas are experiencing higher than usual rate increases.

As a result, the final negotiated rate for Missouri State University is \$2,411,423.00, an increase over the May Board approved amount of \$524,966.00. The operating funds for the Springfield and West Plains campuses account for approximately 60% of the cost allocation. Open positions in these areas can cover these cost increases.

Note: Funding to be from ongoing operational budgets.

IV.A.

MISSOURI STATE UNIVERSITY

BOARD RESOLUTION

BIDS & QUOTATIONS NO. 1604-22

Approval of bids and award of a contract for
the renovation of room 229 at Glass Hall

BE IT RESOLVED by the Board of Governors for Missouri State University that the low bid of MSI Constructors in the amount of Five Hundred Twenty-three Thousand and 00/100ths dollars (\$523,000.00) for the base bid for the renovation of room 229 at Glass Hall be accepted, approved, and awarded.

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

Project Budget	
Consultant Fees	\$16,000.00
Construction Costs	\$523,000.00
Project Administration	\$28,300.00
Construction Contingency	\$100,000.00
Furniture, Fixtures, and Equipment	\$50,000.00
Telecommunications	\$35,200.00
Classroom Technology	\$100,000.00
Relocation Costs	\$2,500.00
Total Project Budget	\$855,000.00
Funding Source	
Relocate HID/MFD Glass Hall budget	
Total Funding Source	\$855,000.00

BE IT FURTHER RESOLVED that this be paid from the Relocate HID/MFD Glass Hall budget funded by College of Business – Upper-Level Business Course Fees, College of Business – Graduate Differential Fees, Center of Business Excellence – Facilities & Administration (Indirect) budget, and private donations.

BE IT FURTHER RESOLVED that the Vice President for Administrative Services 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.

Carol Silvey
Board Chair

Passed at meeting of
November 16, 2022

Rowena Stone
Secretary to the Board

COMMENTS:

The bids received on this project are as follows:

Contractor	Base Bid
MSI Constructors	\$523,000.00
Friga Construction Company, Inc.	\$532,700.00
Bales Construction Company, Inc.	\$544,800.00
Carson-Mitchell, Inc.	\$554,000.00
DeWitt & Associates, Inc.	\$574,700.00
Kenmar Construction, Inc.	\$630,000.00

This project will include renovations to Glass Hall room 229 to create space for the Interior Design (HID) program and the Merchandising and Fashion Design (MFD) department to relocate from the Park Central Office Building (PCOB). The scope will consist of creating three computer lab classrooms for HID, MFD, and one for ACC (Accounting). It will also include creating a sample library, storage space, and display windows for HID and MFD. The work is scheduled to be completed during the 2023 summer semester.

This project will be paid from the Relocate HID/MFD Glass Hall budget funded by College of Business – Upper-Level Business Course Fees (\$218,333.00), College of Business – Graduate Differential Fees (\$218,333.00), Center of Business Excellence – Facilities & Administration (Indirect) budget (\$218,334.00), and private donations (\$200,000.00).

BOARD RESOLUTIONResolution Authorizing Closed Meeting

BE IT RESOLVED by the Executive Committee of 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 the Executive Committee of the Board of Governors to consider items pursuant to

- 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,..."