



Board of Governors Executive Committee Meeting

<https://us02web.zoom.us/j/81851858233>

Wednesday, 11/17/2021

4:00 - 5:00 PM CT

I. Roll Call Presented By: Governor Amy Counts

**II. Approval of Minutes of the Open and Closed September 15, 2021 Executive Committee Meetings
Presented By: Governor Amy Counts**

II. Approval of 9.15.2021 Executive Committee 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 welding lab renovation at Broadway Building
on the West Plains Campus**

*IV.A. Approval of bids and award of a contract for the welding lab renovation at Broadway Building on the West Plains Campus
- Page 10*

**B. Approval of bids and award of a contract for the exterior slab extension repairs at Woods
House and Wells House**

*IV.B. Approval of bids and award of a contract for the exterior slab extension repairs at Woods House and Wells House -
Page 12*

**C. Approval of consultant and authority to enter into an agreement for professional services in
conjunction with the first and second floor infills at Jordan Valley Innovation Center**

*IV.C. Approval of consultant and authority to enter into an agreement for professional services in conjunction with the first
and second floor infills at Jordan Valley Innovation Center - Page 15*

**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 16

VI. Adjournment Presented By: Governor Amy Counts

**MINUTES OF THE
BOARD OF GOVERNORS EXECUTIVE COMMITTEE
MISSOURI STATE UNIVERSITY
WEDNESDAY, SEPTEMBER 15, 2021, 4:00 P.M.**

Governor Amelia “Amy” Counts, Chair of the Board of Governors, called the meeting to order at 4:01 p.m. via Zoom webinar.

Roll Call

Present – Amelia “Amy” Counts, Committee Chair
Craig Frazier, Committee Member
Carol Silvey, Committee Member
Chris Waters, Committee Member

Also present – Clif Smart, President
Jeff Coiner, Chief Information Officer
Rachael Dockery, General Counsel and Chief Compliance Officer
Briar Douglas, Student Governor
Frank Einhellig, Provost
Steve Foucart, Chief Financial Officer
Natalie McNish, Interim Director of Internal Audit and Risk Management
Beverly Miller Keltner, Governor
Matt Morris, Vice President for Administrative Services
Lynn Parman, Governor
Suzanne Shaw, Vice President for Marketing and Communications
Rowena Stone, Secretary to the Board of Governors
Carrie Tergin, Governor
Shawn Wahl, Dean of the Reynolds College of Arts and Letters
Jay Wasson, Governor

Approval of Minutes

Governor Counts called for a motion to approve the minutes of the July 21, 2021, Executive Committee meeting. Governor Chris Waters provided a motion, receiving a second from Governor Carol Silvey.

Motion passed 4-0.

COVID-19 and Enrollment Updates

President Clif Smart provided a COVID-19 update for the Springfield campus. Highlights of his report included cases, Magers positivity rate, and COVID-19 housing numbers all by week and semester. Greene County cases and positivity rate were also reviewed. He shared that vaccination rates are at 78.82% for employees and 65.5% for on-campus students who are living in a residence hall. President Smart discussed the temporary masking policy, vaccination boosters, and the executive orders as part of President Biden’s “Path out of the Pandemic.” President Smart shared that the university is expecting more details on the executive orders issued by President Biden mandating vaccines. There is still uncertainty on if university employees fall under either of these

orders and the university is awaiting additional guidance from the federal government. Litigation is anticipated over each of the orders. He stated that the university does not plan to mandate vaccines for employees or students during the current semester.

President Smart provided an enrollment update. The Springfield campus is down around 4% in total enrollment with the most significant drop in continuing undergraduate students. President Smart attributes this to the pandemic. Once census numbers are available, the university will work to identify the groups of continuing undergraduate students who stopped out in order to create specific initiatives, incentives, and programs to help them return to the university. He shared that graduate student enrollment is up 7.5%. Overall credit hours are down 4.4% which totals close to \$4 million in lost revenue to budget for the fall semester. President Smart shared that the university side of the Higher Education Emergency Relief Funds (HEERF) III funds will help fill this budget hole, but that the university has to distribute the student HEERF III funds before receiving any university funds. He concluded his report by sharing the West Plains campus is doing well and is slightly up in enrollment.

Financial

Steve Foucart, Chief Financial Officer, presented a resolution for approval of a procurement activity report (Purchasing Activity Report No. 504-21). The one item included for approval in the resolution was:

- Approval to issue an amendment to extend Contract C7442-1 Custodial Supplies Campus-Wide with Hillyard for the period of January 1, 2022, through December 31, 2022, to include five one-year optional renewal periods. Extension need is due to the substantial cost involved in changing the vendor, timeline of training custodial services, and the overall pandemic crisis, including the emergence of the COVID-19 Delta Variant. The contract cost is estimated at \$600,000 for the one year and to be funded from ongoing operational budgets.

Governor Waters made a motion for approval, receiving a second from Governor Criag Frazier.

Motion passed 4-0.

Mr. Foucart presented a resolution for the approval of the HEERF III Fall Distribution Plan (Finance No. 1099-21). The resolution requests approval to distribute the remaining HEERF III funds \$20,299,914 to Springfield campus students and the remaining \$1,724,172 to West Plains campus students as identified by the institution and awarded within the established grant tiers. Governor Silvey made a motion for approval, receiving a second from Governor Waters.

Motion passed 4-0.

Facilities and Equipment

Matt Morris, Vice President for Administrative Services, presented a resolution for approval of a project budget and construction management at risk firm with authority to enter into an agreement for professional construction management services in conjunction with the improvements to the pedestrian underpass at Grand Street (Agreement No. 450-21). The project budget is \$3,836,748.00 to be paid from the Grand Street Underpass budget funded by the Federal Budget

Stabilization Fund (\$3,056,610.00), President's Program Enhancement Fund (\$750,000.00), and Maintenance and Repair – Operating (\$30,138.00) budget. Work is expected to be completed by the end of May 2022. Governor Waters made a motion for approval, receiving a second from Governor Silvey.

Motion passed 4-0.

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 Counts 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 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:

R.S.Mo. 610.021(2). "Leasing, purchase or sale of real estate by a public governmental body..."

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

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

The open meeting was recessed at 4:49 p.m. to go into closed session.

The open meeting was reconvened at 5:33 p.m.

Adjournment

With no additional information needing to be discussed, Governor Counts called to adjourn the meeting at 5:34 p.m. Governor Frazier made a motion, receiving a second from Governor Waters.

Motion passed 4-0.

Amelia Counts
Board Chair

Passed at the meeting of
November 17, 2021

Rowena Stone
Secretary to the Board

III.A.

RECOMMENDED ACTION - Approval of Procurement Activity Report

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

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.

VOTE: **AYE** _____
 NAY _____

COMMENTS:

Recommend the attached report summarizing all reportable Office of Procurement Services activity from September 8, 2021 through November 10, 2021 be approved.

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

FOR APPROVAL

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

Reinsurance (Stop Loss) for Employee Group Medical Plan Human Resources	\$1,174,984.68 (Estimated One-Year)
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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 \$1,142,229.48, 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 2021, and it accepted all participants at the \$275,000.00 specific deductible level.

Proposals for calendar year 2022 were received from three sources, and again only the incumbent, Tokio Marine HCC, offered a competitive proposal.

Med-Pay has recommended that the University accept Tokio Marine HCC's renewal proposal of \$1,174,984.68, 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 5% cost increase utilizing the quoted enrollment. Med-Pay advises this offer is reasonable. The contract period is from January 1, 2022 through December 31, 2022.

Note: Funding to be from ongoing operational budgets.

September 8, 2021 through November 10, 2021

ACTIVITY REPORT
PAGE TWO

Single Feasible Source > \$250,000

Mechanical and Electrical Equipment – Chiller Station Six Expansion \$2,280,000.00
Facilities Management/Maintenance (Estimated)

Pursuant to University policy, which addresses justification for making awards on a single feasible source basis, Facilities Management requests to purchase new mechanical and electrical equipment for Chiller Station Six, which serves the district chilled water system.

New mechanical and electrical equipment associated with the expansion of Chiller Station Six is being purchased to help ensure the district chilled water system has adequate capacity to service the Springfield campus, and to also increase reliability of the system.

Equipment is selected to fit within the existing space, be compatible with structural dimensions and capacities, match existing equipment already in use on the district chilled water system and in the building, enhance the efficiency of maintenance and operation of the equipment, and reduce long-term maintenance costs.

September 8, 2021 through November 10, 2021

ACTIVITY REPORT
PAGE THREE

Vendor	Manufacturer	Model/Description	Cost (Estimated)
Blackmore & Glunt	Bell & Gossett	e-1510 series base-mounted end suction pumps and e-80 series vertical inline pumps	\$930,000.00
	Aerco	Benchmark BMK6000 high efficiency condensing boilers	
McQueeny Group	York	YMC² centrifugal magnetic bearing chiller	\$550,000.00
Midwest Machinery	Marley	NC844WAN crossflow dual cell cooling tower	\$420,000.00
Graybar Electric (Pricing -- OMNIA Partners Buying Cooperative)	Square D	Unit substation with 15kV incoming medium voltage switch; dry-type transformer; and an integral distribution section with main service disconnect and branch fusible switches or branch circuit breakers. Separate distribution panel with branch fusible switches or branch circuit breakers.	\$250,000.00
Universal Utility Supply Company	S&C Electrical Company	Vista 514 outdoor pad-mounted 15 KV medium-voltage switch	\$130,000.00
Total			\$2,280,000.00

September 8, 2021 through November 10, 2021

ACTIVITY REPORT
PAGE FOUR

Purchase of equipment is for installation under an upcoming construction project to increase the capacity of the district chilled water system. The district chilled water system serves a total of approximately 3.9 million square feet and includes eight (8) chilled water stations housing a total of 13 chillers. The system provides chilled water to 40 buildings on the Springfield campus, and it is vital to academic, as well as auxiliary operations on the Springfield campus.

Equipment has extremely long lead times and is being procured in advance so installation can proceed in a timely fashion once the contract for construction is executed. The purchased equipment is expected to arrive in early to middle-spring of 2022, and the goal is to complete construction on the expansion of Chiller Station Six by late summer or early fall of 2022.

Note: Per the July 21, 2021 Board Resolution, funding will be a tax-exempt lease purchase agreement. The lease will be approved and executed by the Board in December 2021.

IV.A.

RECOMMENDED ACTION – Approval of bids and award of a contract for the welding lab renovation at Broadway Building on the West Plains Campus.

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

BE IT RESOLVED by the Board of Governors for Missouri State University that the low bid of John Adams Construction Company, Inc. in the amount of Two Million Six Hundred Fifty-two Thousand Four Hundred Seventy-six and 00/100ths dollars (\$2,652,476.00) for the base bid for the welding lab renovation at Broadway Building 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	\$195,000.00
Construction Costs	\$2,652,476.00
Other Construction Costs	\$50,000.00
Project Administration	\$42,276.40
Construction Contingency	\$265,247.60
Furniture, Fixtures, and Equipment	\$0.00
Telecommunications	\$45,000.00
Relocation Costs	\$0.00
Total Project Budget	\$3,250,000.00
Funding Source	
West Plains - Welding Lab Renovation budget	\$3,250,000.00
Total Funding Source	\$3,250,000.00

BE IT FURTHER RESOLVED that this be paid from the West Plains – Welding Lab Renovation budget funded by 50/50 State Match Appropriation, Federal Budget Stabilization Fund, Private Donations, and the West Plains Operating Reserves.

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.

VOTE: AYE _____

NAY _____

COMMENTS:

The bids received on this project are as follows:

Contractor	Base Bid	Alt. 1	Alt. 2	Alt. 3	Total (Base bid only)
John Adams Construction Company, Inc.	\$2,652,476.00	\$76,138.70	\$13,932.60	\$23,100.00	\$2,652,476.00
BP Builders, LLC	\$3,043,653.00	\$116,314.00	\$14,482.00	\$77,751.00	\$3,043,653.00

This project will include a renovation of approximately 11,500 square feet of the Broadway Building on the West Plains campus to house the welding program for Missouri State University-West Plains. The project will also require an addition of approximately 2,000 square feet for new restrooms, an exit stairway, and an elevator. The first floor will include welding booths, a fabrication area, project area, material storage, gas storage, material receiving, restrooms, locker area, entry, offices, breakroom, workroom, and a classroom. The second floor will accommodate two additional classrooms. Work is scheduled to be completed during the summer 2022 semester.

Alternate 1 would have replaced the windows and included additional tuck pointing. Alternate 2 would have included painting of the existing exposed concrete floors. Alternate 3 would have provided a built-up roof system in lieu of a Thermoplastic Polyolefin (TPO) roof system. These alternates are not being accepted due to cost.

Other construction costs include asbestos abatement for the demolition and construction of this project.

This project will be paid from the West Plains – Welding Lab Renovation budget funded by 50/50 State Match Appropriation (\$1,000,000.00), Federal Budget Stabilization Fund (\$566,415.00), Private Donations (\$500,000.00), and the West Plains Operating Reserves (\$1,183,585.00).

IV.B.

RECOMMENDED ACTION – Approval of bid and award of a contract for the exterior slab extension repairs at Woods House and Wells House.

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

BE IT RESOLVED by the Board of Governors for Missouri State University that the bid of MTS Contracting, Inc. in the amount of Six Hundred Forty-eight Thousand and 00/100ths dollars (\$648,000.00) for the base bid plus alternates 1 and 2 for the exterior slab extension repairs at Woods House and Wells House be accepted, approved, and awarded.

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

Project Budget	
Consultant Fees	\$10,630.00
Construction Costs	\$648,000.00
Project Administration	\$64,170.00
Construction Contingency	\$97,200.00
Furniture, Fixtures, and Equipment	\$0.00
Telecommunications	\$0.00
Relocation Costs	\$0.00
Total Project Budget	\$820,000.00
Funding Source	
Woods/Wells Ledge Repairs budget	\$820,000.00
Total Funding Source	\$820,000.00

BE IT FURTHER RESOLVED that this be paid from the Woods/Wells Ledge Repairs budget funded by the Residence Hall Reserve Fund.

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.

VOTE: AYE _____

NAY _____

COMMENTS:

The bid received on this project is as follows:

Contractor	MTS Contracting, Inc.
Base Bid	\$549,000.00
Alternate No. 1	\$48,000.00
Alternate No. 2	\$51,000.00
Unit Price No. 1: Remove existing flashing & associated materials	\$15.38
Unit Price No. 2: Remove existing reglet	\$33.00
Unit Price No. 3: Patch existing reglet opening	\$8.00
Unit Price No. 4: Create slope from reglet to wall	\$10.00
Unit Price No. 5: Chase cracks and patch with SikaQuick VOH	\$40.00
Unit Price No. 6: Remove coating above crack and coat with FerroGard	\$18.00
Unit Price No. 7: Clean and prep ledges	\$1.75
Unit Price No. 8: Caulk 90-degree corners	\$12.50
Unit Price No. 9: Fill any honeycombs	\$20.00
Unit Price No. 10: Coat with elastomeric coating	\$3.70
Unit Price No. 11: Full depth patching of damaged concrete	\$350.00
Unit Price No. 12: Chase small cracks and patch with SikaQuick VOH	\$35.00
Unit Price No. 13: Remove coating above crack and coat with FerroGard	\$15.00
Unit Price No. 14: Clean and prep ledges	\$1.60
Unit Price No. 15: Caulk 90-degree corners	\$12.50
Unit Price No. 16: Fill any honeycombs	\$30.00
Unit Price No. 17: Coat with elastomeric coating	\$3.70
Unit Price No. 18: Caulk between ledge and wall	\$10.00
Calendar Days	250
Total (Base bid + Alt 1 & 2)	\$648,000.00

This project is to repair cracking and spalling that is occurring along the exterior slab extensions at Woods House and Wells House. Some extensions will require significant work which will include removal of flashing and existing sealant, patching, caulking, and installation of an elastomeric coating. Other ledges may involve cleaning and coating only. Work is scheduled to be completed during the summer 2022 semester.

Alternate 1 provides elastomeric coating of the columns at Woods House. Alternate 2 provides elastomeric coating of the columns at Wells House. These alternates are being accepted.

Unit prices were received during bidding, as additional site work may be addressed as needs are identified. The contingency for this project is larger than normal to allow for the additional site work by using unit prices.

While only one bid was received for this project, it is in line with the anticipated costs.

This project will be paid from the Woods/Wells Ledge Repairs budget funded by the Residence Hall Reserve Fund (\$820,000.00).

IV.C.

RECOMMENDED ACTION - Approval of consultant and authority to enter into an agreement for professional services in conjunction with the first and second floor infills at Jordan Valley Innovation Center.

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

BE IT RESOLVED by the Board of Governors of Missouri State University that the professional services of Clark | Huesemann LC in conjunction with the first and second floor infills at Jordan Valley Innovation Center be accepted, approved, and awarded.

BE IT FURTHER RESOLVED that Clark | Huesemann LC perform this work for a fixed fee of Three Hundred Ninety Thousand Nine Hundred and 00/100ths dollars (\$390,900.00) plus reimbursable expenses.

BE IT FURTHER RESOLVED that this be paid from the JVIC Building #4 budget funded by MoExcels Workforce Initiative and the Roy Blunt JVIC Rental Fund, and the JVIC Building 4 Brewer Infill budget funded by private gifts.

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 firm selected, incorporated herein by reference, and perform those acts necessary to carry out and perform the terms of the agreement.

VOTE: **AYE** _____

NAY _____

COMMENTS:

The university desires to facilitate the design for the tenant infills of the first and second floors of the building four expansion of the Jordan Valley Innovation Center. The first-floor infill will include a command center, control center for training, office space, and a conference room to support the Missouri Cybersecurity Center of Excellence (MCCoE). The second-floor infill will include a series of specialty labs, a clean room, and office components to support Brewer Science.

Design will occur through spring 2022. Work is scheduled to be completed during the spring 2023 semester.

Clark | Huesemann LC was the firm selected for this project due to past knowledge and experience with the university. The consultant will provide comprehensive design services, from schematic design through post-construction.

This project will be paid from the JVIC Building #4 budget (\$154,000.00) and the JVIC Building 4 Brewer Infill budget (\$236,900.00).

V.

RECOMMENDED ACTION - Resolution authorizing closed meeting

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

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,...."

VOTE: _____ AYE

_____ NAY