



Board of Governors Executive Committee Meeting

<https://us02web.zoom.us/j/83887527599>

Wednesday, 9/21/2022

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 July 20, 2022, Executive Committee meeting minutes

II.A. Approval of 7.20.2022.Exec.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 4

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

A. Approval of bids and award of a contract for 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

IV.A. Approval of bids & award of contract for 1st & 2nd Floor Infills, JVIC - Page 6

B. Approval of bids and award of a contract for the nursing simulation laboratory at Looney Hall on the West Plains Campus

IV.B. Approval of bids & award of contract for Looney Hall Sim Lab, WP - Page 8

C. 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

IV.C. Approval of agreement of Autism Consultant - WP Campus - Page 10

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 12

VI. Adjournment Presented By: Governor Carol Silvey

**MINUTES OF THE
BOARD OF GOVERNORS EXECUTIVE COMMITTEE
MISSOURI STATE UNIVERSITY
WEDNESDAY, JULY 20, 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, July 20, 2022, with Governor Carol Silvey, Chair of the Board, presiding. Governor Silvey called the meeting to order at 4:01 p.m.

Roll Call

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

Also present – Clif Smart, President
Ryan DeBoef, Chief of Staff and Assistant to the President for
Governmental Relations
Rachael Dockery, General Counsel and Chief Compliance Officer
Brent Dunn, Vice President for University Advancement
Anson Elliott, Governor
John Jasinski, Interim Provost
Ann Kampeter, Governor
Matt Morris, Vice President for Administrative Services
Zora Mulligan, Executive Vice President
Suzanne Shaw, Vice President for Marketing and Communications
Dee Siscoe, Vice President for Student Affairs
Rowena Stone, Secretary to the Board of Governors

President Smart introduced Zora Mulligan, Executive Vice President, and Dr. John Jasinski, Interim Provost, who joined the Missouri State University team earlier in the month.

Approval of Minutes

Governor Silvey called for a motion to approve the open and closed minutes of the April 20, 2022, Executive Committee meeting. Governor Lynn Parman provided a motion, receiving a second from Governor Craig Frazier.

Motion passed 4-0.

Financial

President Smart reviewed the contract between the university and Bryan Properties to build a new residence hall for purchase at the appraised price, not to exceed \$24 million. The university closed on the property Friday of last week and has been moving furniture in as of Sunday. The dorm is at 100% occupancy for the fall semester.

Brent Dunn, Vice President for University Advancement, presented a resolution for approval for naming the new residence hall (Gifts No. 178-22) Heitz House. Governor Chris Waters provided a motion for approval, receiving a second from Governor Parman.

Motion passed 4-0.

Facilities and Equipment

Matt Morris, Vice President for Administrative Services, presented a resolution for approval of bids and award of a contract to replace the water heaters at Great Southern Bank Arena (Bids & Quotations No. 1599-22). Work is scheduled to be completed by the spring 2023 semester. Governor Parman provided a motion for approval, receiving a second from Governor Waters.

Motion passed 4-0.

Adjournment

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

Motion passed 4-0.

Meeting adjourned at 4:25 p.m.

Carol Silvey
Board Chair

Passed at the meeting of
September 21, 2022

Rowena Stone
Secretary to the Board

III.A.

MISSOURI STATE UNIVERSITY

BOARD RESOLUTION

PURCHASING ACTIVITY REPORT NO. 514-22
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
September 21, 2022

Rowena Stone
Secretary to the Board

COMMENTS:

Recommend the attached report summarizing all reportable Office of Procurement Services activity from July 13, 2022 through September 14, 2022 be approved.

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

FOR APPROVAL

Single Feasible Source > \$250,000

**Triple Quadrupole Liquid Chromatography/Mass Spectrometry (LC/MS) System
Department of Chemistry and Biochemistry \$383,538.00**

Pursuant to University policy, which addresses justification for making awards on a single feasible source basis, as the grant administrator, the Department of Chemistry and Biochemistry requests approval to procure a Triple Quadrupole Liquid Chromatography/Mass Spectrometry (LC/MS) System from Agilent Technologies.

Analytical instrumentation is used to identify and quantify unknown substances and mixtures. Included are associated accessories and software.

Equipment will be used by the Department of Chemistry and Biochemistry and the Department of Biology in the course of research by undergraduate and graduate students, and in teaching laboratories and training. Anyone in the departments who is doing research, or is in a class, or is a member of faculty, as well as other trained persons could use the system.

Funding is from a National Science Foundation Major Research Instrumentation (NSF-MRI) grant. The grant was approved for this instrument, and the University is not allowed to deviate from what was approved by the NSF-MRI review panel.

Recommend award to Agilent Technologies as the sole source vendor.

Note: Funding to be from a National Science Foundation Major Research Instrumentation (NSF-MRI) Grant, through grant budget I03073 PI0063 75001 021.

**I03073 Chemistry Mass Spectrometry System
PI0063 College of Natural and Applied Science Chemistry (CNAS) - Biagioni
75001 Capital Equipment
021 Institute and Research Centers**

July 13, 2022 through September 14, 2022

IV.A.

MISSOURI STATE UNIVERSITY

BOARD RESOLUTION

BIDS & QUOTATIONS NO. 1600-22

Approval of bids and award of a contract for 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

BE IT RESOLVED by the Board of Governors for Missouri State University that the low bid of DeWitt & Associates, Inc. in the amount of One Million Eight Hundred Thirty-four Thousand Two Hundred Twenty and 00/100ths dollars (\$1,834,220.00) for the base bids for 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 be accepted, approved, and awarded.

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

Project Budget	
Consultant Fees	\$390,900.00
Construction Costs	\$1,834,220.00
Project Administration	\$181,880.00
Construction Contingency	\$183,000.00
Furniture, Fixtures, and Equipment	\$0.00
Telecommunications	\$80,000.00
Relocation Costs	\$0.00
Total Project Budget	\$2,670,000.00
Funding Source	
JVIC Building #4 budget	\$557,900.00
JVIC Building 4 Brewer Infill budget	\$2,112,100.00
Total Funding Source	\$2,670,000.00

BE IT FURTHER RESOLVED that the first-floor infill be paid from the JVIC Building #4 budget funded by the Roy Blunt JVIC Rental Fund, and the second-floor infill be paid from the JVIC Building 4 Brewer Infill budget funded by the Roy Blunt JVIC Rental Fund, Associate VP for Economic Development Operating carryforward, CASE Indirect funds, President's Program Enhancement Fund, 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
September 21, 2022

Rowena Stone
Secretary to the Board

COMMENTS:

The bids received on this project are as follows:

Contractor	De Witt & Associates, Inc.	KCI Construction	Carson- Mitchell, Inc.
Base Bid - Package A (First Floor Infill)	\$313,220.00	\$374,340.00	\$378,700.00
Alternate A1	\$59,600.00	\$44,100.00	\$47,000.00
Alternate A2	\$8,400.00	\$6,050.00	\$7,200.00
Alternate A3	\$81,000.00	\$75,500.00	\$72,000.00
Alternate A4	\$42,000.00	\$41,400.00	\$41,000.00
Base Bid - Package B (Second Floor Infill)	\$1,521,000.00	\$1,624,763.00	\$1,660,000.00
Total (Base Bids Only)	\$1,834,220.00	\$1,999,103.00	\$2,038,700.00

This project infills the first-floor for Missouri Cybersecurity Center of Excellence (MCCoE). The new area is approximately 2,000 square feet and will include a breakout area, office, control platform, operations floor, and support spaces. The second-floor infill is for Brewer Science. The new area is approximately 10,000 square feet with an additional area of 3,000 square feet in the existing building 3 being reconfigured. The work will include a conference room, offices, flex offices, personal health room, open office workstations, break area, lab, clean room, and support spaces. The work is scheduled to be completed prior to the 2023 fall semester.

Alternate A1 would have provided a low-profile fixed-height access flooring system for rooms 171 and 171a. Alternate A2 would have provided electrified privacy glass at door 171.1 and the adjacent storefront system. Alternate A3 would have provided a luminous ceiling in addition to track light strips in room 171. Alternate A4 would have provided a felt panel ceiling and integrated diffusers in room 171. These alternates are not being accepted due to cost.

The first-floor infill will be paid from the JVIC Building #4 budget funded by the Roy Blunt JVIC Rental Fund (\$557,900.00), and the second-floor infill be paid from the JVIC Building 4 Brewer Infill budget funded by the Roy Blunt JVIC Rental Fund (\$500,000.00), Associate VP for Economic Development Operating carryforward (\$162,100.00), CASE Indirect funds (\$300,000.00), President's Program Enhancement Fund (\$300,000.00), and private donations (\$850,000.00).

IV.B.

MISSOURI STATE UNIVERSITY

BOARD RESOLUTION

BIDS & QUOTATIONS NO. 1601-22

Approval of bids and award of a contract for
the nursing simulation laboratory at Looney
Hall on the West Plains Campus

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 Nine Hundred Seventy Thousand Seven Hundred Seventy-three and 00/100ths dollars (\$2,970,773.00) for the base bid plus alternates 1 and 2 for the nursing simulation laboratory at Looney Hall 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	\$273,200.00
Construction Costs	\$2,970,773.00
Project Administration	\$153,949.70
Construction Contingency	\$297,077.30
Furniture, Fixtures, and Equipment	\$100,000.00
Telecommunications	\$45,000.00
Relocation Costs	\$10,000.00
Total Project Budget	\$3,850,000.00
Funding Source	
West Plains - Looney Nursing Simulation Laboratory budget	\$3,850,000.00
Total Funding Source	\$3,850,000.00

BE IT FURTHER RESOLVED that this be paid from the West Plains – Looney Nursing Simulation Laboratory budget funded by Health Resources and Services Administration Funds, FY23 MoExcels Workforce Initiative, and West Plains 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
September 21, 2022

Rowena Stone
Secretary to the Board

COMMENTS:

The bids received on this project are as follows:

Contractor	Base Bid	Alt. 1	Alt. 2	Total (Base Bid + Alt. 1 & 2)
John Adams Construction Company, Inc.	\$1,607,732.00	\$1,281,376.00	\$81,665.00	\$2,970,773.00
Cahills Construction, Inc.	\$3,370,000.00	\$450,000.00	\$315,000.00	\$4,135,000.00

This project includes a new nursing simulation laboratory, new elevator, and interior renovations. The new addition will be approximately 2,700 square feet, located at the north end of the existing building at the lower level. Minor modifications will also be required to the existing interior of the lower level and the existing nursing simulation laboratory on the first floor. Work is scheduled to be completed during the spring 2023 semester.

Alternate 1 provides an elevator shaft addition and new elevator. Alternate 2 removes the existing flooring, provides new finishes, lighting, and air devices in the first-floor corridor. It is recommended that these alternates be accepted.

The project bids are subject to Health Resources and Services Administration (HRSA) approval; the project will not be awarded until HRSA approval is received.

This project will be paid from the West Plains – Nursing Simulation Laboratory budget funded by Health Resources and Services Administration Funds (\$2,500,000.00), FY23 MoExcels Workforce Initiative (\$1,250,000.00), and West Plains private donations (\$100,000.00).

IV.C.

MISSOURI STATE UNIVERSITY

BOARD RESOLUTION

AGREEMENT NO. 461-22

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

BE IT RESOLVED by the Board of Governors of Missouri State University that the professional services of Dake | Wells Architecture in conjunction with the autism student support center on the West Plains Campus be accepted, approved, and awarded.

BE IT FURTHER RESOLVED that Dake | Wells Architecture perform this work for a fixed fee of Six Hundred Sixty-one Thousand Two Hundred Fifty and 00/100ths dollars (\$661,250.00) plus reimbursable expenses.

BE IT FURTHER RESOLVED that this be paid from the West Plains Autism Center budget funded by the Department of Higher Education and Workforce Development 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 firm selected, incorporated herein by reference, and perform those acts necessary to carry out and perform the terms of the agreement.

Carol Silvey
Board Chair

Passed at meeting of
September 21, 2022

Rowena Stone
Secretary to the Board

COMMENTS:

The university desires to facilitate the design of the autism student support center on the West Plains Campus. The new facility will house ten (10) coordinator offices, a student lounge space, a private sensory garden, receptionist 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.

Design will occur through summer 2023. Construction work is scheduled to be completed by the end of 2024.

Dake | Wells Architecture was the firm selected for this project due to past knowledge and experience on the West Plains Campus. The consultant will provide comprehensive design services, from schematic design through post-construction.

This project will be paid from the West Plains Autism Center budget funded by the Department of Higher Education and Workforce Development Fund (\$661,250.00).

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,..."