

C O N T E N T S
MINUTES OF A REGULAR MEETING
BOARD OF REGENTS OF THE UNIVERSITY OF OKLAHOMA
JUNE 16, 1983

Minutes of the regular meeting held on May 12, 1983 (17534)

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MINUTES OF A REGULAR MEETING
THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS
JUNE 16, 1983

A regular meeting of the Board of Regents of The University of Oklahoma was held in Dining Room 5 of the Oklahoma Memorial Union on the Norman Campus of the University on Thursday, June 16, 1983 beginning at 10:00 a.m.

Notice of the time, date, and place of this meeting was submitted to the Secretary of State as required by Enrolled House Bill 1416 (1977 Oklahoma Legislature).

The following were present: Regent Ronald H. White, M.D., President of the Board, presiding; Regents Dan Little, Julian J. Rothbaum, Tom McCurdy, John M. Imel, Thomas Elwood Kemp, and Charles F. Sarratt.

The following also were present: Dr. William S. Banowsky, President of the University, Provosts John R. Morris and Clayton Rich, **Vice** Presidents Anona L. Adair, David A. Burr, and Arthur J. Elbert, and Barbara H. Tuttle, Executive Secretary of the Board of Regents. Other executive officers present were Mr. Stanley M. Ward, General Jay T. Edwards, Mr. Larry C. Brawner, Mr. Gary L. Smith, and Mr. Walter O. Mason.

The minutes of the meeting held on May 12, 1983 were approved as printed and distributed prior to the meeting on motion by Regent McCurdy and with the following affirmative vote: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

I. The University

INVESTMENTS

J. & W. Seligman & Co. recently recommended the following changes in the Regents' investment portfolio:

<u>Amount</u>	<u>Security</u>	<u>Market Price</u>	<u>Market Value</u>	<u>Est'd. Income</u>
<u>SALES</u>				
\$80,000	Federal Farm Credit Banks 15.80% due 1-20-86	113	\$ 90,400	\$12,640
50,000	U.S. Treasury Notes 13 3/4% due 5-15-86	110	55,000	6,875
4,000	Michigan Consolidated Gas 5 1/8% due 6-1-86	87½	3,500	205
10,000	Consolidated Natural Gas 4½% due 3-1-87	85	8,500	450

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<u>Amount</u>	<u>Security</u>	<u>Market Price</u>	<u>Value</u>	<u>Est'd. Income</u>
10,000	Natural Gas Pipeline 6% due 6-1-87	88	8,800	600
10,000	Gen'l. Amer. Trans. 64% due 8-1-87	79	7,900	625
9,000	Columbia Gas System 4 5/8% due 8-1-87	76	6,840	416
20,000	Gen'l. Motors Accep. Corp. 6¼% due 8-1-88	86	17,200	1,250
10,000	Houston Ltg. & Pwr. 3% due 3-1-89	71	7,100	300
15,000	Pub. Svc. Elec. & Gas 5 3/4% due 6-1-91	77½	11,625	862
12,000	Sunbeam 5½% due 8-15-92	61	7,320	660
50,000	U.S. Treasury Bonds 74% due 8-15-92	83	41,500	3,625
10,000	Int'l. Bank Recon. & Dev. 6½% due 3-15-94	74	7,400	650
20,000	Niagara Mohawk Pwr. 4 5/8% due 12-1-94	62	12,400	925
10,000	Florida Pwr. & Lt. 4 5/8% due 3-1-95	62	6,200	462
25,000	Gulf Oil 8½% due 11-15-95	86	21,500	2,125
55,000	Texaco 5 3/4% due 7-15-97	63	34,650	3,162
15,000	Virginia Elec. & Power 4½% due 5-1-95	59	8,850	675
22,000	Westinghouse 8 5/8% due 9-1-95	82½	18,150	1,897
2,500 Shs.	Kroger	40	100,000	4,700
2,000 "	Sysco	36	72,000	640

PURCHASES

\$175,000	U.S. Treasury Notes 10 1/8% due 5-15-93	98½	\$172,375	\$17,718
250,000	U.S. Treasury Bonds 7 7/8% due 11-15-2007	79	197,500	19,687
1,100 Shs.	E-Systems	65	71,500	880
1,500 "	Hillenbrand	49	73,500	1,320
500 "	ServiceMaster	52	26,000	580

In addition, the Regents owned \$50,000 of Harte-Hanks Communications, Inc. 8% convertible subordinated debentures which were called with each \$1,000 bond convertible into 28.17 shares of common stock. J. & W. Seligman & Co. recommended the bonds be converted to common stock.

These investment transactions were approved by the **University** Trust Officer and the President of the University and the transactions **have been** completed.

President Banowsky recommended confirmation of the investment transactions listed above.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously **approved**.

EARLY RETIREMENT POLICY

Among recommendations received for deriving cost savings to help meet reductions to the University's 1983-84 budgets was the implementation of an early retirement policy. The recommendation has been studied by the administration and found to be feasible under the following conditions:

1. The early retirement policy will be a one-year addendum to the University retirement policy for the fiscal year 1983-84 only.
2. Early retirement will be made available to faculty and staff members who are otherwise eligible for University retirement benefits if they are 60 years of age or more with 30 years of service or 62 years of age with 10 **or** more years of service.
3. Early retirement must be agreed to by the employee and the budget unit head and approved by appropriate administrative authority.
4. Election for early retirement must occur between **July 1, 1983** and January 1, 1984 and must be effected by **no** later than end-of-day December 31, 1983.
5. An early retirement benefit will be paid, chargeable to the budget unit(s) from which retirement occurs, equal to 1% of 1983-84 salary times number of years of **Univer-**sity service which are creditable toward University retirement benefits.

President Banowsky recommended approval of the early retirement policy as described.

Regent Little moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

1983-84 BUDGETS

President Banowsky reminded the Regents that at the Committee Meeting yesterday Vice President Elbert presented the following information on the changes necessary in the preliminary budgets, which were distributed to the Regents in May, to meet the allocations for the Norman Campus of the University:

The Preliminary 1983-84 Operating Budget for the main Norman Campus was out of balance by \$1,397,877, pending final determination of the State

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appropriation. The University has received allocations providing the income foreseen in the Preliminary Budget. Balancing the Final Budget **to expected** income thus requires only the following changes:

Norman Campus

Income

Preliminary Budget Income	\$86,285,914	
Increase in Soft Money	<u>12,000</u>	
Budgeted Income 1983-84		<u>\$86,297,914</u>

Expenditures

Preliminary Budget Expenditures	\$87,683,791	
Tulsa Academic Services	\$54,900	
Reductions:		
Fringe Benefits	(302,098)	
Section 13 Equipment		
Computer Equipment	(500,000)	
Academic Equipment	(650,679)	
Soft Money Expenditures	<u>12,000</u>	
Subtotal	<u>(1,385,877)</u>	
Budgeted Expenditures 1983-84		<u>\$86,297,914</u>

Law Center

Income

Preliminary Budget Income	\$ 3,831,557	
Tuition and Fee Increase	8,000	
Extension Study Fees	<u>9,600</u>	
Budgeted Income 1983-84		<u>\$ 3,849,157</u>

Expenditures

Preliminary Budget Expenditures	\$ 3,831,557	
Adjustments:		
College of Law	8,000	
Paralegal Education	2,400	
Continuing Legal Education	<u>7,200</u>	
Budgeted Expenditures 1983-84		<u>\$ 3,849,157</u>

Oklahoma Geological Survey (No Changes)

Total Budget 1983-84		<u>\$ 1,782,231</u>
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Page 79	Business Admin Marketing	John J. Kasulis, include title of Director, MBA Program, Business Administration.
Page 89	Chemistry	Glenn Dryhurst, title changed from Chair/ Professor to Chair/George Lynn Cross Research Professor, July 1, 1983.
Page 138	History	Russell D. Buhite, salary increased from \$51,200 to \$56,000 for 12 months, full time, July 1, 1983.
Page 174	Music	Eugene J. Enrico, salary increased from \$30,000 to \$31,300 for 9 months, full time, September 1, 1983.
Page 205	Regional and City Planning	Charles R. Coins, include title of Deputy Director, Oklahoma Center of Urban and Regional Studies.
Page 211	Social Work	Wayne A. Chess, salary changed from \$46,689 for 12 months to \$38,200 for 9 months, July 1, 1983. Off the payroll July and August 1983.
Page 219	Sociology	Carolyn S. Morgan, correction in salary from \$17,625 for 9 months for .75 time to \$11,750 for 4½ months, full time, September 1, 1983 through January 15, 1984, and \$5,875 for 4½ months, .50 time, January 16 through May 31, 1984.
Page 221	Communication	William R. Carmack, title changed from Pro- fessor to Regents Professor/Professor, September 1, 1983.
Page 221	Communication	Craig A. Dudczak, include stipulation of title and salary contingent upon completion of Ph.D., September 1, 1983.
Page 243	Engineering Dean	Joakim G. Laguros, title changed from Aca- demic Counselor/Professor to Academic Coun- selor/David Ross Boyd Professor.
Page 92	Civil Engr and Envi- ronmental Design	Joakim G. Laguros, title changed from Pro- fessor to David Ross Boyd Professor.
Page 301	Office of Research Admin	Mark L. Elder, title changed from Deputy Director/Security Supervisor to Director, Office of Research Administration, salary increased from \$38,080 to \$40,566 for 12 months, full time, July 1, 1983 .

Page 301	Office of Research Admin	Robert L. Ferrier, Jr., title changed from Manager of Proposal Services to Assistant Director, Office of Research Administration, salary increased from \$30,000 to \$31,500 for 12 months, full time, July 1, 1983.
Page 649	Okla Geo Survey	Robert H. Arndt, salary of \$20,900 for 12 months for .50 time to be \$41,800 for 12 months, full time, with balance contingent upon grant funds.
Page 115	English	David P. French, correction in salary from \$33,200 to \$32,000 for 9 months, full time.
Page 233	Zoology	William L. Shelton, appointment changed from Peace Corps Project to Zoology at \$25,000 for 9 months, full time.
Page 431	Univ Computing Services	Joe A. Utsler, appointed Programmer/Analyst at \$23,400 for 12 months, full time.
Page 590	North Campus Operations	Donna P. Richardson, correction in salary from \$28,262 to \$27,262 for 12 months, full time.
Page 372	Public Mgmt. Programs	Thomas A. Cox, correction in salary from \$26,649 to \$24,649 for 12 months, full time.
Page 140	History	Added Daniel C. Snell, Assistant Professor of History, \$19,300 for 9 months.
Page 240	Dean's Office, Business Adm .	Added Helen A. Hamilton, Financial Coordinator and Adjunct Assistant Professor, \$24,000 for 12 months, full time.

President Banowsky reminded the Regents that the budgets include the following academic promotions for the Norman Campus:

COLLEGE OF ARTS AND SCIENCES

Anthropology

M. Susan Vehik to Associate Professor

Botany and Microbiology

John Lancaster to Professor

Chemistry

Arnulf Hagen to Professor
Arthur Johnson to Associate Professor

Communication

H. Wayland Cummings to Professor

English

Clayton Lewis to Associate Professor
Vinceit Liesenfeld to Associate Professor
Joanna Rapf to Associate Professor

Journalism and Mass Communication

Bill Baxter to Associate Professor
Frank E. Heaston to Professor

Mathematics

Fredric Ancel to Associate Professor
Stanley Eliason to Professor

Philosophy

Edward Sankowski to Associate Professor

Political Science

Donald Maletz to Associate Professor

Psychology

Nancy Mergler to Associate Professor

Sociology

Harold G. Grasmick to Professor

Zoology

Penny Hopkins to Associate Professor
Douglas Mock to Associate Professor
Gary D. Schnell to Professor
Timothy Yoshino to Associate Professor

COLLEGE OF BUSINESS ADMINISTRATION

Accounting

Bart H. Ward to Professor

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COLLEGE OF EDUCATION

Marcia Horne to Associate Professor
Betty Myers to Associate Professor

COLLEGE OF ENGINEERING

Electrical Engineering and Computer Science

John Y. Cheung to Associate Professor

Petroleum and Geological Engineering

Roy M. Knapp to Professor

COLLEGE OF FINE ARTS

Music

Eugene Enrico to Professor

COLLEGE OF GEOSCIENCES

Meteorology

Howard B. Bluestein to Associate Professor

COLLEGE OF LAW

Teree E. Foster to Professor

UNIVERSITY LIBRARIES

Marc T. Faw to Associate Professor of Bibliography
Robert Hauptman to Assistant Professor of Bibliography

President Banowsky recommended that the 1983-84 Norman Campus preliminary budgets be approved along with the changes described above, subject to approval of fee and tuition increases as proposed by the Oklahoma State Regents for Higher Education and necessary adjustments to meet State Regents' allocations.

The 1983-84 Health Sciences Center budget was distributed by Provost Rich to the Regents at the Committee Meeting on Wednesday. President Banowsky recommended the budget, including the Professional Practice Plan Faculty Remuneration Summary, be approved as distributed, subject to approval of fee and tuition increases by the Oklahoma State Regents for Higher **Education** and subject to necessary adjustments to meet State Regents' allocations.

President Banowsky reminded the Regents that the budget includes the following academic promotions:

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COLLEGE OF ALLIED HEALTH

Communication Disorders

Debra R. Bauer to Assistant Professor
Judith W. Black to Assistant Professor
Mary I. Exstrom to Assistant Professor

Radiologic Technology

Donald G. Nichols to Associate Professor

COLLEGE OF DENTISTRY

Community Dentistry

Kevin T. Avery to Professor

Oral Diagnosis

Susan E. Thomas to Assistant Professor

Oral Pathology

Michael D. Rohrer to Associate Professor

Pedodontics

Robert E. Primosch to Associate Professor

Removable Prosthodontics

Joseph R. Cain to Associate Professor
Raleigh A. Holt to Associate Professor

COLLEGE OF MEDICINE

Gynecology and Obstetrics

McClure L. Smith to Professor
Ronald E. Hempling to Clinical Assistant Professor

Medicine

Barry A. Gray to Professor
Petre N. Grozea to Professor
James H. Schmidt to Associate Professor
Udho Thadani to Professor
James H. Wells to Professor

Microbiology and Immunology

Donald C. Graves to Associate Professor

Ophthalmology

J. James Rowsey to Clinical Professor

Pathology

Lawrence E. DeBault to Professor

Stanley D. Kosanke to Associate Professor

Nancy A. Honker to Assistant Professor

Pharmacology

J. Michael Carney to Associate Professor

Lora E. Rikans to Associate Professor

Physiology and Biophysics

Kenneth J. Dormer to Associate Professor

Psychiatry and Behavioral Sciences

Mary Wanda Draper to Professor

Mark W. Cohen to Associate Professor

Jacqueline B. Cook to Associate Professor

Charles H. Elliott to Associate Professor

Jane M. Sullivan to Associate Professor

Radiological Sciences

Dan C. Galloway to Professor

Joe C. Leonard to Professor

Teresa M. Stacy to Associate Professor

Surgery

Norman S. Levine to Professor

Robert T. Buchanan to Associate Professor

Nathan R. Markowitz to Associate Professor of Oral Surgery

Stephen K. Cagle to Clinical Assistant Professor

COLLEGE OF NURSING

Gayle J. Acton to Assistant Professor

M. Kay Miller to Assistant Professor

COLLEGE OF PHARMACY

Garabed P. Basmadjian to Professor
Edwin L. Hall to Associate Professor
Mary Lou Stiles to Associate Professor

COLLEGE OF PUBLIC HEALTH

Health Administration

Jay Wolfson to Associate Professor

TULSA MEDICAL COLLEGE

Family Practice

Gene H. Harrison to Professor
Lester E. Krenning to Associate Professor

Surgery

C. Douglas Wood to Professor

President Banowsky said he believes on balance these budgets are positive for the University. "This is difficult to say since this is the first time in many, many years that higher education has received no increase of appropriation over the previous year. But in view of the nature of the recession we are relieved and happy to recommend this standstill budget. It means the University is not suffering any further cuts over the cuts made in the 1982-83 budget." He reminded the Regents that higher education has received very sensitive treatment from the Legislature and the Governor in these appropriations. He said we now can begin to move again in a positive direction. We must have a resumption of our forward motion in the 1984-85 budget discussions which will begin almost immediately.

Regent Little moved approval of President Banowsky's recommendations on the budgets. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

LEW WENTZ FOUNDATION TRUSTEE

The Trust Agreement of the Lew Wentz Foundation provides for a Regents' Trustee who is a member of and selected by the Board of Regents of The University of Oklahoma. Mr. Charles Engleman is currently the Regents' Trustee on this Board. He was appointed in 1981 and his term expires October 1, 1984. Since he is no longer on the Board of Regents, however, it is necessary for another Regent to complete Mr. Engleman's term as a Lew Wentz Trustee.

President Banowsky recommended that Regent Tom McCurdy be appointed the Regents' Trustee on the Lew Wentz Foundation Board for a term expiring October 1, 1984.

Regent Imel moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

DENTAL INSURANCE

At the April meeting, the Board of Regents approved a two-month extension of the University's first-year dental insurance contract with Delta Dental Plan of Oklahoma. The purpose was to give the University Employment Benefits Committee an opportunity to seek improvement in dental insurance benefits without increasing premiums.

Delta Dental has agreed to delete application of the \$35 deductible to Class I benefits (diagnosis and preventive dentistry). The deductible will be limited to Class II benefits (simple restorations and extractions) in the future. The effect will be to provide all insureds immediate 90% reimbursement for Class I benefits and encourage better dental health for faculty and staff and their dependents.

President Banowsky recommended continuation of the University's contract with Delta Dental Plan of Oklahoma for the policy year beginning July 1, 1983 at the current premium rate and under the conditions described above, provided there are no further reductions in the University's appropriation.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

II. Health Sciences Center

FACULTY PERSONNEL ACTIONS

LEAVES OF ABSENCE:

Elias S. Srouji, Associate Professor of Pediatrics, sabbatical leave of absence with half pay, October 1, 1983 to October 1, 1984, cancelled.

Alvin Eugene Osburn, Associate Professor of Pediatrics, leave of absence without pay, May 9, 1983 through May 8, 1984.

Carol F. Baker, Assistant Professor of Nursing, leave of absence without pay, July 1, 1983 through June 30, 1984.

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APPOINTMENTS:

Merle Leslie Davis, M.D., Clinical Assistant Professor of Family Medicine, without remuneration, March 16, 1983.

John D. Fisher, M.D., Clinical Assistant Professor of Family Medicine, without remuneration, July 1, 1982.

Bert Charles Frichot, III, M.D., Clinical Assistant Professor of Family Medicine, without remuneration, March 16, 1983.

Ronald Fried, D.O., Clinical Assistant Professor of Family Medicine, without remuneration, March 1, 1983.

John Stanley Miller, M.D., Clinical Assistant Professor of Family Medicine, without remuneration, July 1, 1982.

Dan Mitchell, Jr., M.D., Clinical Assistant Professor of Family Medicine, without remuneration, July 1, 1982.

Adhikari Mohan Reddy, M.B.B.S., Clinical Assistant Professor of Family Medicine, without remuneration, July 1, 1982.

David Stanton Russell, M.D., Clinical Assistant Professor of Family Medicine, without remuneration, July 1, 1982.

Richard E. Staerkel, M.D., Clinical Assistant Professor of Family Medicine, without remuneration, July 1, 1982.

James Frank Thayer, M.D., Clinical Assistant Professor of Family Medicine, without remuneration, April 12, 1983.

Sharon Kay Brown, Clinical Assistant Professor of Nursing, without remuneration, May 19, 1983.

Patricia Hahn McLean, Clinical Assistant Professor of Nursing, without remuneration, May 16, 1983.

Alana Elaine Kerns, Clinical Assistant Professor of Pediatrics, without remuneration, July 1, 1983.

Stephen Phillip Burns, Adjunct Instructor in Nursing, without remuneration, May 19, 1983.

Richard Daniel Mandsager, M.D., Clinical Instructor in Pediatrics, without remuneration, June 1, 1983.

Bernet John Bauer, Adjunct Instructor in Pharmacy, without remuneration, April 1, 1983.

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Walter Roy Windel, Jr., Adjunct Instructor in Pharmacy, without remuneration, March 1, 1983.

Jean Laverne Flagg-Newton, Ph.D., Research Associate in Pathology, \$1,666.67 per month, April 18, 1983 through June 30, 1983.

Robert Charles Johnson, D.D.S., Preceptor in Dental Services Administration, without remuneration, April 28, 1983.

NAME and TITLES	ANNUAL FTE CEILING	ANNUAL GUARANTEED BASE SALARY	ANNUAL PPP EARNINGS POTENTIAL	EFFECTIVE DATE	REMARKS
APPOINTMENTS:					
Leonard Nathan Slater, M.D., Assistant Professor of Medicine	\$ 65,000	\$52,500		7-1-83 thru 6-30-84	
Keith Fredrick Clark, M.D., Assis- tant Professor of Otorhinolaryngology	100,800	50,000		7-1-83 thru 6-30-84	
Richard L. Bayles, Ph.D., Instructor in Neurology	20,000	20,000		5-9-83 thru 6-30-83	
Patricia Lou Johnson Miner, reap- pointed Instructor in Nursing; leave of absence without pay, July 1, 1983 through August 30, 1983	29,227	24,356	4,871	8-1-83 thru 6-30-84	
CHANGES :					
Nancy R. Craig, title of Assistant Professor of Surgery deleted. Retains title of Clinical Assistant Professor of Anesthesiology	FROM: 71,500 TO: WITHOUT REMUNERATION	FROM: 66,000 TO: WITHOUT REMUNERATION		5-20-83	
Siavash Nael, Clinical Assistant Pro- fessor of Psychiatry and Behav- ioral Sciences	FROM: 12,600 TO: WITHOUT REMUNERATION	FROM: 5,600 TO: WITHOUT REMUNERATION		11-1-82	.125 time
Nga A. Nguyen, title changed from Clinical Assistant to Assistant Professor of Psychiatry and Behav- ioral Sciences	FROM: WITHOUT REMUNERATION TO: 100,800	FROM: 50,000 TO: 100,800		5-1-83 thru 6-30-83	
David Wayne J. Phillips, Instructor in Psychiatry and Behavioral Sciences	86,400	FROM: 23,566 TO: 24,508		1-1-83 thru 6-30-83	t-n 4- CO
Rodney D. Ice, title changed from Dean and Professor of Pharmacy to Professor of Pharmacy. Retains title of Clinical Associate Professor of Radiological Sciences	FROM: 90,403 TO: 47,000	FROM: 62,403 TO: 47,000	FROM: 28,000 TO: -0-	5-19-83	

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CHANGES:

Charles N. Atkins, Clinical Associate Professor of Family Medicine, salary changed from \$1,286.25 per month, .26 time, to without remuneration, July 1, 1983.

Charles H. Lawrence, Professor of Environmental Health; given additional title of Vice Chair, Department of Environmental Health, without additional remuneration, July 1, 1983 through June 30, 1984.

Margo L. Murphey, Medical Librarian, Tulsa Medical College; given additional title of Assistant Professor of Medical Library Science, without additional remuneration, April 1, 1983.

Janet Schug, title changed from Clinical Assistant Professor of Dental Hygiene to Clinical Assistant Professor of Continuing Education, College of Dentistry, salary changed from \$380.04 to \$400 per month, .20 time, May 1, 1983 through December 31, 1983.

H. Richard Shough, title changed from Assistant Dean to Interim Dean of Pharmacy, June 16, 1983. Retains title of Professor of Pharmacy.

TERMINATIONS:

Jenny Adams, Clinical Instructor in Dental Hygiene, May 13, 1983.

Betty S. Bailey, Instructor in Nursing, July 1, 1983.

Dennis G. Blanchett, Clinical Instructor in Medicine, May 2, 1983.

Sharon Johnson, Assistant Professor of Nursing, July 1, 1983.

Charles W. Rightmer, Clinical Instructor in Endodontics, May 2, 1983.

Joanne M. Samaras, Special Instructor in Family Medicine, July 1, 1983.

Betty Joyce Simpson, Clinical Instructor in Nursing, May 7, 1983.

Steven L. Swales, Adjunct Instructor in Pharmacy, April 2, 1983.

President Banowsky recommended approval of the personnel actions listed above.

Regent White called attention to the fact that these personnel pages include the change in title for Rodney D. Ice which was discussed with Dr. Ice and his attorney at the Committee Meeting yesterday. Regent White asked if Dr. Ice or his attorney would care to make any further comment. Since there was no response from Dr. Ice or his attorney, Regent White entertained a motion approving President Banowsky's recommendation. Regent McCurdy moved

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approval. The following voted yes: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

President Banowsky reported the death of the following faculty member :

Virgil R. Forester, Professor Emeritus of Medicine, on April 1, 1983.

ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS

APPOINTMENTS:

Donna C. Brady, Research Nurse, Department of Medicine, \$22,000 for 12 months, April 1, 1983. Professional Staff.

Patti S. Jacobs, Physician Placement Officer, Office of the Dean, College of Medicine, \$22,500 for 12 months, May 2, 1983. Professional Staff.

Shala Jo Klutts, Research Nurse, Department of Medicine, \$20,000.04 for 12 months, May 9, 1983. Professional Staff.

Linda Kaye McCullough, Clinical Nursing Specialist, Department of Obstetrics and Gynecology, \$22,000 for 12 months, June 1, 1983. Professional Staff.

Cung Nguyen, Database Analyst, Computing Services, Health Sciences Center, \$26,300 for 12 months, May 16, 1983. Professional Staff.

CHANGES:

Janet K. Edwards, Nurse Clinician, transferred from Department of Medicine, Tulsa, to Chronic Disease Care Program, Tulsa, salary increased from \$21,000 to \$23,500 for 12 months, June 1, 1983.

B. F. Seibert, Foreman, Landscape Shop, salary increased from \$20,500 to \$21,800 for 12 months, May 1, 1983.

TERMINATIONS:

Susan A. Day, Pharmacist Counselor, College of Pharmacy, June 2, 1983.

Elizabeth Ann Reifsnider, Clinical Nurse Specialist, Department of Obstetrics and Gynecology, May 20, 1983.

President Banowsky recommended approval of the personnel actions listed above.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

ALTERNATE FUEL SOURCE - STEAM AND CHILLED WATER PLANT

Regent White reminded the Board that information has been presented by Mr. Maurice Wood, President of Waste Systems, Inc., and others to the Health Sciences Center Committee of the Board regarding an alternate fuel source for the Steam and Chilled Water Plant on the Health Sciences Center Campus.

Waste Systems, Inc. proposes to provide steam to the Steam and Chilled Water Plant at a rate 10% to 17% (depending on the price of natural gas) less than the cost to the Health Sciences Center of natural gas to produce the steam. Their proposal also includes the following:

1. A plant to be constructed at no cost to the University by Genstar and leased to Waste Systems, Inc. for a period of 15 years. The plant would be located about 3400 feet south of the Steam and Chilled Water Plant on Laird Street between the railroad tracks.
2. Waste Systems, Inc. has a 25-year contract with the City of Oklahoma City to provide to Waste Systems one-half of its municipal waste. This waste would **be** sufficient to generate the steam required for the Health Sciences Center Steam and Chilled Water Plant. The contract with the city provides for a penalty if for any reason the city is not able to provide the waste.
3. Waste Systems, Inc. has calculated their proposal will save the Steam and Chilled Water Plant \$50,000,000 over the next 25 years. Only about 45% of this amount would accrue to the OUHSC since we provide steam and chilled water for the entire Health Center complex. The proposers believe the natural gas price will escalate approximately 10% per year.
4. The plant will be designed and operated by The Benham Group.
5. Waste Systems, Inc. has an agreement with a private investor who will guarantee that the steam will be provided at a cost at least 10% less than the cost of natural gas even if the natural gas price decreases to \$2.00 per MCF or less.
6. I.N.A. has agreed to provide an insurance policy guaranteeing that the plant will operate at **no less** than 80% of the projected capacity.

7. Waste Systems prefers a 25-year contract with the University. Since the University as a State agency cannot commit itself for more than one year at a time, the agreement would be for one year with automatic renewal as long as State-appropriated funds are available to purchase the steam.

A decision to use an alternate fuel source to provide steam for the HSC Steam and Chilled Water Plant would require that the boilers in the plant be shut down permanently. The affect of such a shutdown is uncertain in the event the boilers would be required in the future. It would be necessary to maintain one boiler at "warm" condition in order to provide steam on short notice in the event of an emergency.

If there is sufficient interest in this project, a competent consultant would be engaged to look into the proposed alternate fuel source in more detail.

Regent Kemp moved the proposal be rejected. The following voted yes on the motion: Regents White, Little, Ro_hbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

FACULTY APPEAL - DR. ARNOLD GREENSHER

The following letter under date of May 20, 1983 from Michael E. Yeksavich, attorney for Dr. Arnold Greensher, former member of **the** faculty of The University of Oklahoma Tulsa Medical College, was distributed to each Regent prior to this meeting. The attachments and other letters referred to in this letter, as well as the settlement agreement and release dated June 8, 1981, between Dr. Greensher and the Regents (see Regents' minutes page 16431) and a letter from Provost Rich dated June 2, 1983, making the items purchased from the Kellogg grant money available to Dr. Greensher, were also distributed to the Regents but are not copied in these minutes.

"Gentlemen:

"This letter is in further appeal of the decision of Clayton Rich pertaining to Arnold Greensher dated April 20, 1983. Attached to this letter are copies of other letters that I will refer to by date. The date coupled with the name of the sender will identify which is the foundation for any statement made in this letter.

"The letter of April 20, 1983 of Dr. Rich contains inaccuracies and is not correct. First Dr. Greensher advises me he never announced that he did not intend to see patients. Secondly, the recitals made by Dr. Rich as to the Board of Regents' policy on PPPs refer to a policy that came **into existence** in December, 1981, which is ex post facto and improper for consideration. Dr. Rich is attempting to make a point by using rules that did not even exist

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at the time Dr. Greensher's rights arose. I would assume Dr. **Rich** would not like to be tried for an act made wrong after he committed the act. However, he appears to think it is proper to impose new rules on another person. Thirdly, the statement made that Dr. Greensher 'should have known and does know that the grant was an institutional grant' is obviously garbage. Apparently he has never read the settlement agreement dated June 8, 1981 approved by the Board of Regents that clearly states that the Kellogg Grant is Dr. Greensher's personal property. Again it appears to be ignoring the rights of an individual by agents of the University of Oklahoma. If I sound sarcastic, I apologize, but I have reached my tolerance level for smoke-screen and procrastination. Now having dealt with the matters of Dr. Rich's letter we should turn to the problems that need to be addressed.

"As I have pointed out the settlement agreement clearly gives Dr. Greensher the Kellogg Grant as his personal property. Accordingly it is his property and he should either receive the property or its value without further delay or procrastination. In my letter of June 18, 1982, I point out that we would allow the University if they desire to store the Kellogg materials until the matter was closed and that after 'satisfactory conclusion' there might be no objection by Dr. Greensher to allowing the **University** to have the material. Obviously there has not been a satisfactory conclusion to this matter. Additionally that letter points out that we in no way waived or gave up any rights of Dr. Greensher under the settlement agreement to the Kellogg contract and any material from that contract. It is normally deemed by law abiding citizens that if you take another's property with conditions that you accept those conditions especially when it is clear that the property does belong to the other person. The University of Oklahoma took both the Kellogg materials and stored them and now refused to return them. The University of Oklahoma either took the property as temporary storage to be returned to Dr. Greensher if this matter was not concluded satisfactorily, or the University took the property as a fraud. The question is which is it? Does the University honor its obligations? If fraud is involved there is also the possibility of personal liability in this matter.

"As to the PPP payout, my letter of May 11, 1982, points out the claim for the final payout and the basis for the claim. Ms. Seamans' letter of May 20, 1982, creates a smoke-screen that the University cannot do anything about PPP until the resignation is effective. In retrospect, that appears to have only been an effort to conceal the University's apparent **true intent in** this matter, which was to deny Dr. Greensher what was rightfully his. Request was again made by my letter of September 21, 1982, in which I point out the construction placed upon the letter of Ms. Seamans of May 20, 1982 that vacation pay and PPP payout would be paid. My letter of October 28, 1982, once again points out the reason that Dr. Greensher is entitled to a payout of the PPP. There is no question that the PPP payout should be made. The rules and regulations in force and effect and the promises and commitments made to Dr. Greensher on the PPP required that he be paid a payout of **the** PPP regardless of whether or not he generated any income for the PPP. The operation and existence of the PPP raises serious questions concerning the propriety, in my opinion, of state employees generating private money for themselves.

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In operation this system is bad and your review of the entire file will show that it is only when Dr. Greensher questioned the practices associated with PPP by agents and employees of the University of Oklahoma that he was improperly attacked.

"By my letter of November 30, 1982, a grievance was submitted to the Faculty Appeals Board concerning Dr. Greensher. Ms. Seamans' letter of December 2, 1982, to Carole Sullivan, Chair of the Faculty Appeals Board following my letter of November 30, 1982, giving legal advice to Ms. Sullivan was in clear violation of the Faculty Handbook that existed at that time. Did the University do anything about that violation? Apparently not, even though my letter of December 14, 1982, to Carole Sullivan protested the violation of the rules of the Faculty Handbook. Note that it appears to be all right for agents and employees of the University of Oklahoma to not follow some rules and conditions, but those same agents and employees attempt to impose rules against Dr. Greensher. Why the double standard?

"Carole Sullivan's letters of December 14 and December 20, 1982, was action she took unilaterally since it is not record **(sic) by** the Appeals Board in its entirety, indicating the Faculty Appeals Board never convened. Another violation of the Board since the entire Board makes decisions. Carole Sullivan decided not to allow hearing since she claimed Dr. Greensher was **no** longer employed by the University. Fraud vitiates a contract. In my letter of December 14, 1982, it was pointed out to Carole Sullivan that the employment was continued until such time as all acts required to be completed by the parties were completed.

"In an effort to achieve justice, my letter of January 20, 1983, with enclosures and appeal of Ms. Carole Sullivan's action and the actions of the University were appealed to the Board of Regents. That letter of January 20, 1983, contains essential claims on behalf of Dr. Greensher. A letter of February 7, 1983, by Barbara James, Executive Secretary of the Board of Regents to me, placed us in an administrative process that we have continued to object to throughout. Given the history of the treatment of the questions presented, it is obvious that this has turned into a delay tactic. Edward Tomsovic's letter of February 25, 1983, purported to rule upon the issues involved and my letter of March 18, 1983 to Clayton Rich points out the inaccuracies of Dr. Tomsovic's statements. And then **we** have Dr. Rich's decision dated April 20, 1983, to which I previously referred. **One** further point that should be made about Dr. Rich's letter is that **in** his third paragraph he makes statements such as faculty members on sabbatical do not receive PPP payments as a 'rule' and that payments to faculty members are 'ordinarily tied to their contributions'. Even though such statements are **based** upon a policy that did not exist at the time Dr. Greensher's rights **arose**, we are not dealing with the typical or ordinary situation. We are dealing with rights that Dr. Greensher has and which have been denied him.

"Request is made for Dr. Greensher to personally appear and present his side of the case to the Board of Regents. It is further contended that

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the Board of Regents should allow such appearance and presentation because it is obvious that the agents of the University will and do have personal contact with the Board.

"It is requested that the Board of Regents approve Dr. Greensher's final PPP payout and direct that the Kellogg property be returned or its value be given to Dr. Greensher and in addition, it is requested that the Board of Regents take whatever action is appropriate to correct any violations the Board determines has occurred by the agents of the University of Oklahoma. Additionally, the material furnished to you is being furnished to the Attorney General of the State of Oklahoma for his opinion in this matter and its issues and for whatever action he deems appropriate. Further, if proper redress is not given, we will explore a legislative remedy for Dr. Greensher to be properly paid by private bill. There also remains the possibility of a suit against the appropriate parties. Note that my letter of March 18, 1983, requests the names and addresses of those persons who acted for the University in connection with leading Dr. Greensher and I to believe that the Kellogg Grant was part of the settlement agreement since it is now denied to be part of the agreement. That request has not yet been honored. I hereby once again request that information so that proper parties can be made Defendants if suit is brought. It is also requested that the Regents review the entire file in this case.

Sincerely,

/s/ Michael E. **Yeksavich**

Michael E. Yeksavich"

The following letter under date of June 9, 1983, from Susan Gail Seamans, University Legal Counsel, to the Regents also was distributed prior to this meeting. Again the attachments referred to were **distributed** to the Regents but are not included here.

"In his letter of May 20, 1983, Arnold Greensher's attorney, Michael E. Yeksavich raises several questions, although most of **them** are only tangentially related to the question of whether Dr. Greensher is entitled to any further payments under the settlement agreement between him and the Board of Regents dated June 8, 1981 (Attachment A).

"Dr. Clayton Rich's June 2, 1983, letter to Mr. **Yeksavich making** available the items purchased under the Kellogg grant (Attachment **B**) makes moot the question of whether or not Dr. Greensher is entitled to **those items**, so there is no purpose in arguing that point.

"Next, without citing any sections of the Faculty **Handbook**, Mr. Yeksavich complains that Dr. Greensher was not allowed a **Faculty Appeals** Board hearing several months after he ceased to be an employee of the University and that he has been forced to go through the process of administrative review rather than go directly to the Board of Regents. Dr. Greensher's

resignation was effective July 1, 1982, (Attachment C) and his attempted Faculty Appeals Board appeal was dated November 30, 1982. Section 3.13.1(a) of the October 1982 HSC Faculty Handbook sets forth that the 'Faculty Appeals Board considers all matters brought before it by an individual faculty member, academic units, or the President.' There is no provision for hearing the complaints of ex-faculty members.

"tr. Yeksavich alleges violations of University policy by the Legal Counsel and the chair of the Faculty Appeals Board in the decision for the Faculty Appeals Board not to hear the appeal of an ex-faculty member. However, the only mention of the University Legal Counsel office in the Faculty Appeals Board procedure is in section 3.13.5(c) of the Faculty Handbook, which states that the Faculty Appeals Board may seek advice from the University Legal Counsel. In this instance, there were no secret communications between the Faculty Appeals Board and the Legal Counsel; the Legal Counsel copied Mr. Yeksavich with her request that the Faculty Appeals Board not hear the appeal because it lacked jurisdiction, in order that he might, as he did, have the opportunity to argue another position.

"Nor does Mr. Yeksavich say on what he bases his statement that Ms. Sullivan should have amassed the entire Faculty Appeals Board to determine that the Board could hear complaints only from current faculty members. The only things that the entire Board votes on are the election of the chair and the vice chair (3.13.1(c)), disputed challenges for cause of a hearing committee member (3.13.3(c)), and the status of a hearing committee member whose duties become primarily administrative (3.13.3(1)). It is further a rather novel argument that Dr. Greensher continues to be an employee of the University until all disputes surrounding the settlement agreement are completed. Finally, with regard to his procedural complaints, Mr. Yeksavich's objection to having to appeal up the administrative ladder does not alter the fact that such a requirement is standard administrative procedure both within the University and elsewhere. At any rate, the procedural complaints **have** no bearing on the issue of whether Dr. Greensher is entitled to any PPP payments under the terms of the settlement agreement.

"Neither do Mr. Yeksavich's opinions about the propriety of state employees generating money through private practice nor the disagreements leading to the settlement agreement affect Dr. Greensher's entitlements under the agreement. The settlement agreement supersedes any disagreements which Dr. Greensher and the University may have had, and it supersedes any prior agreements which Dr. Greensher may have made or have thought he made with the chairman of the Tulsa Medical College Department of Family Medicine at the time he was first employed by the University.

"One other point raised by Mr. Yeksavich which should **be clarified** before discussing the issue of PPP payments under the settlement agreement is his denomination of the Professional Practice Plan as an ex post facto document. Although there were changes to the document causing it to be retyped in December, 1981, the document was in existence in all pertinent parts at the

time Dr. Greensher began his employment with the University. Furthermore, one condition of employment with the University is compliance with regential policies which may be passed or amended during the term of the person's employment. The changes to the document made in November 1980 made the policy applicable to part-time employees, changed the term full-time equivalent salary to full-time equivalent income, added to the definition of the HSC Campus, provided for a full-time director of the Professional Practice Plan, incorporated a maximum income ceiling, and changed the make-up of the Advisory Council. In October 1981, the Board raised the full-time equivalent ceiling and removed the maximum income ceiling. In July 1982, the Board added a provision to have the vice chair of the Advisory Council serve as chairman the following year. In short, the sections of the Professional Practice Plan to which Dr. Tomsovic and Dr. Rich referred in their letters to Mr. Yeksavich were part of the plan when Dr. Greensher accepted employment and have remained a part of the Plan. Of course, if there are any discrepancies between the Regents' document and a departmental document, the Regents' document governs, as a departmental document must comply with general University policy.

"That leaves the question of whether Dr. Greensher is entitled to any payments from the Professional Practice Plan under the terms of the June 8, 1981, settlement agreement. Paragraph 3 of the Settlement Agreement states that Dr. Greensher was to receive income of \$54,000.00 for the 1981-1982 academic year. The next to the last sentence of paragraph 6 of the agreement states specifically with regard to payments from the Professional Practice Plan as follows: 'It is agreed that if during the sabbatical time period Greensher receives professional income from other than the University that should be placed into a professional practice plan fund, then Greensher shall place such income into the appropriate professional practice plan fund and shall thereafter be entitled to receive his portion of such professional practice plan fund.' Dr. Greensher deposited no funds into the Professional Practice Plan during the 1981-82 academic year, and as a result, he was entitled to receive no payments from the Professional Practice Plan. That term in the settlement agreement governs over any statements made by Dr. Good in 1978 that Dr. Greensher would receive a minimum of \$1,000 per month from the Professional Practice Plan. See Mr. Yeksavich's letter of October 28, 1982. In addition, apart from the constitutional prohibition against committing funds beyond the current fiscal year, as Dr. Rich pointed out in his letter of April 20, 1983, the Professional Practice Plan document has always tied a faculty member's earnings from the PPP to the amount of income he generates for the PPP, except where, because of particular non-income-producing contributions to the University, a different arrangement is made on a fiscal year basis. No PPP arrangement was made for Dr. Greensher for the 1981-82 fiscal year other than what is set out in the settlement agreement.

"The settlement agreement superseded any arrangements Dr. Greensher may have had for prior years. He was entitled to a 1981-1982 salary of \$54,000, which he received. He was entitled to accrue benefits, and he received payment for leave time accrued in 1981-1982, even though he had no University assignments during that time. He would have been entitled to a

portion, as figured under the PPP policy, of professional income deposited in the PPP during 1981-1982 had he deposited anything in the Plan. As he deposited nothing, he was and remains entitled to nothing. "

Dr. Greensher was present at the Regents' Committee of the Whole meeting on Wednesday and distributed additional information to the Regents and explained his position and appeal in more detail. The material distributed by Dr. Greensher is included in his personnel file in the Regents' Office.

Regent Imel moved Dr. Greensher's appeal be denied. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

STUDENT APPEAL - E. J. OLOMIYE

At the May meeting (page 17511) the Board voted to request Provost Rich to work out an alternate plan which would allow Mr. Olomiye an eventual second defense of his dissertation after he has strengthened the areas of weakness which caused the first failure. The report of Provost Rich under date of June 8, 1983 is as follows:

"I have asked Vice Provost Hoving to work with Mr. Olomive's dissertation committee to determine the areas in which there seem to be deficiencies which may have been responsible for his inability to present and defend an acceptable dissertation. The committee, with the addition of Dean Levin and Dean Daniels, met with Vice Provost Hoving and discussed a series of courses in research design and statistics which were felt would be of help to Mr. Olomiye. Course sequences in the College of Public Health at the Health Sciences Center campus as well as a sequence in Psychology and Sociology on the Norman campus were considered. The dissertation committee, as well as Dean Levin, felt that it might be especially helpful if a major portion of the program of study could be completed on the Norman campus. Vice Provost Hoving subsequently explored the sequences in both Psychology and Sociology on the Norman campus and met with a portion of the dissertation committee in a second meeting. The design and methodology sequence in the Department of Sociology seemed to be the most appropriate for the type of research which Mr. Olomiye would most likely be involved with in environmental health. The dissertation committee felt that it was appropriate, however, for there to be a change in the membership of Mr. Olomiye's committee and that the new dissertation committee should propose and approve the course of study.

"A new doctoral committee was subsequently assembled consisting of the following individuals: Dr. Charles Lawrence and Dr. Robert Nelson from the Department of Environmental Health, Dr. Pat Hart from the Department of Social Science and Health, Dr. Roy Deal from the Department of Biostatistics & Epidemiology. All of these individuals have their primary appointments in the College of Public Health and Nelson, Hart and Deal were on Mr. Olomiye's original committee. In addition, Dr. Harold Grasmick, Chair and Professor of

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Sociology and Dr. Ed Klehr from the Department of Civil Engineering and Environmental Sciences on the Norman campus were asked to consider **servng** on the dissertation committee. Both Drs. Grasmick and Klehr were selected because of their experience and expertise in areas relevant to Mr. Olomiye 's general dissertation area. In addition Dr. Grasmick teaches the sequence in Sociology which would seem to be most appropriate to provide the statistical and design work which the student needs. This potential committee would involve two members from the Department of Environmental Health, which is responsible for the degree program which the student seeks to obtain. Departmental regulations require that a minimum of three members of the department **be** present on any doctoral committee for the department but I have been assured that two members from the department will be satisfactory in this instance. **A six** member committee is not uncommon and seems appropriate in the present circumstances. Mr. Olomiye will select one of these members as the Chair of the committee. I am convinced that the committee will do all it can **to** insure that Mr. Olomiye is given every opportunity to gain the necessary knowledge and expertise so that he can develop and defend an appropriate dissertation.

"The required course sequence, which is felt by the committee to be most appropriate to enable Mr. Olomiye to overcome his deficiencies, is as follows. During the Fall 1983 semester he enroll in Sociology 5953, Advanced Methods in Social Research; BSE 5663, Analysis of Frequency Data; SSHB 5990, Section 716, Special Studies. In the Spring semester the second **course** in the Sociology sequence would be Sociology 5283, Advanced Sociological Statistics, with the remaining hours devoted to dissertation work. Sociology 6233 is a seminar entitled Seminar in Research Methodology and is offered in the Summer as a follow on to the Sociology 5283. The three term **sequence** in Sociology is designed to enable students to become familiar with the development of hypotheses from theory, the development of appropriate research designs, the development of questionnaire materials and their administration, and the development of experience in presenting data and defending the analysis proposed in the Seminar which follows the two courses. This sequence is felt by the committee to be ideally suited to provide the **background** and experience the student needs. The two hours of special studies with Dr. Pat Hart is designed to aid the student to develop materials which are relevant to his program in environmental health. The enrollment of two hours of work would involve a maximum of two hours per week on a one-to-one basis with Dr. Hart. The remaining course recommended for the Fall is a course taught by the Department of Biostatistics & Epidemiology and deals with the analysis of data which requires the use of non parametric statistics. These techniques are used with regularity in the field of environmental health due to the nature of the research problems frequently undertaken in this field. The standard of performance at the graduate level is a grade of "B" or better, and students who do not meet this standard are placed on probation **and** eventually dropped from the program. Students on probation are required to achieve a grade average of "B" or better, and students who are admitted. conditionally are usually required to achieve a grade of "B" or better in every course during the first two semesters. The committee recommends, and I concur, that the student be required to achieve a grade of "B" or better in each of the three graded courses undertaken.

"The doctoral committee does not feel the dissertation itself was adequate. Major work will be necessary if the student wishes to present an acceptable dissertation. The dissertation committee feels that it would be in the student's best interest to develop an approved prospectus. This prospectus would describe in some detail the problem area, methodology, data set, and analysis which would be involved in the dissertation. It was felt important that Mr. Olomiye develop an acceptable topic for the dissertation by the end of January, 1984. This could be the same or a major modification of the topic previously presented. He should also select an advisor by that point. acceptable dissertation prospectus should be developed and approved by the committee by March but in no case later than the end of May, 1984. The committee feels that the failure to develop an acceptable prospectus by the end of May, 1984 would indicate that it is unlikely that the student could successfully complete and defend a dissertation. Therefore, the student should be dropped from the program at that point if he fails to demonstrate appropriate progress.

"It is expected that the student will begin work on the dissertation sometime during the Spring semester, 1984, and that it will be completed during the fall semester of that year. The failure to complete the dissertation by the end of the spring semester of 1985 would again be grounds for terminating the student's further enrollment.

"Vice Provost Hoving and I feel that the committee is committed to doing all that they can to enable the student to successfully complete the degree requirements and receive the Doctor of Public Health degree. This program provides the student an excellent opportunity to develop the required knowledge and skills involved in completing and defending an acceptable dissertation."

Regent Little commended and expressed appreciation to Dean Hoving, the faculty doctoral committee, and Provosts Rich and Morris for working out a program which will give this student a second chance, which will strengthen his academic skills, and which will maintain the academic standards of the University. In order to allow time for Mr. Olomiye to meet with the doctoral committee to work out possible modifications in some of the details, Regent Little moved that this matter be tabled until the July meeting. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

PROPOSAL, CONTRACT, AND GRANT REPORT

A summary of proposals for contracts and grants for the Health Sciences Center, including the Tulsa Medical College branch, for May, 1983, was included in the agenda for this meeting. A list of all contracts executed during the same period of time on proposals previously reported was also included.

President Banowsky recommended that the President of the University or the President's designees be authorized to execute contracts **on** the pending proposals as negotiations are completed. The contract budgets **may differ from** the proposed amounts depending on these negotiations.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

JANITORIAL SERVICE CONTRACT

Invitations to bid were distributed recently covering janitorial service for The University of Oklahoma Tulsa Medical College for the period July 1, 1983 through June 30, 1984. The following bids were received:

B & D Janitorial Services Sand Springs	\$39,570.60
Executive Janitors Tulsa	40,930.32
Horizon's Empire Inc. Tulsa	44,489.28
Custom Cleaning Custodial Corp. Tulsa	50,567.28
Pritchard Services, Inc. Tulsa	54,891.84
John L. Rucker Co. (JLR Co.) Tulsa	57,542.40
The Cleaning Connection, Etc. Tulsa	128,910.48
Handy Andy Janitorial and Consulting, Inc. Tulsa	3,848,556.00

Funds are available in the following budget accounts to **cover this** cost: 2819-5, A0010199, A0010499, A0020299, A0010599.

President Banowsky recommended the award of a **contract to B & D Janitorial Services, Sand Springs**, for janitorial services for the Tulsa Medical College for the period July 1, 1983 through June 30, 1984 at a total cost of \$39,570.60.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Litte, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

ELEVATOR MAINTENANCE AGREEMENT

A maintenance agreement for the existing Montgomery elevators located on the Oklahoma City Campus has been proposed. Because of technical reasons, service, and past experience it is desirable that the local company affiliated with the manufacturer of the equipment be retained to provide the elevator inspection, maintenance and service. The contract is from July 1, 1983 through June 30, 1984 at a total annual cost of \$48,934.92.

Funds are available in Budget Account 7010-8 to cover this expenditure.

President Banowsky recommended the award of a purchase order to Montgomery Elevator Company, Oklahoma City, to cover the maintenance of the Montgomery elevators on the Oklahoma City C^ampus for the period July 1, 1983 through June 30, 1984 at a total cost of \$48,934.92.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

LEASE RENEWALS - FAMILY PRACTICE CLINICS

Lease renewals for the following Family Practice Clinics have been proposed for the period July 1, 1983 through June 30, 1984:

Enid Family Practice Clinic - with the Enid Clinic covering space in the Enid Clinic Building at 617 S. Quincy Street at an annual rental rate of \$48,093.84.

Shawnee Family Practice Clinic - with the Shawnee Hospital Authority for 5,320 square feet of space in the Shawnee Hospital and Clinic at 1102-1106 West McArthur at an annual rental rate of \$45,756.00.

Tulsa Family Practice Clinic - with Murphy Properties, Tulsa, covering 9,000 square feet of space in the building at 9912 E. 21st Street South, Tulsa, at an annual rate of \$54,474.24.

Budgeted funds will be available to cover the lease payments.

President Banowsky recommended approval of renewing the leases for the Family Practice Clinics as described above for the 1983-84 fiscal year.

Regent Sarratt moved approval of the recommendation. **The following** voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

COMPLETED CONSTRUCTION PROJECTS

Contractors have completed work on the following Health Sciences Center projects:

1. Steam and Chilled Water System Expansion, Phase V, Part I, Project 3A and 3B, Pharmacy Building Tunnel and Piping - In accordance with the terms of the construction contract, representatives of Frankfurt-Short-Bruza, the project engineers; Wynn Construction Company, Inc., the general contractor, and the University of Oklahoma have completed a final inspection of the Pharmacy Building Tunnel and Piping project. The construction cost of this project was \$291,289. A punch list of incomplete items was provided to the contractor. The staff of Architectural and Engineering **Services has reviewed** the results of the inspection and recommends that the project be accepted subject to the completion of all punch list items.
2. Steam and Chilled Water System Expansion, Phase V, Part I, Project 4A, Tunnel - In accordance with the terms-of the construction contract, representatives of Frankfurt-Short-Bruza, the project engineers; Gilbert Ingle dba Ingle Construction Company, the contractor, and the University of Oklahoma have completed a final inspection of this tunnel system expansion project. The construction cost of this work was \$300,522. **A** punch list of incomplete items was provided to the contractor. The staff of Architectural and Engineering Services has reviewed the results of the inspection and recommends that the project be accepted subject to the completion of all punch list items.
3. Steam and Chilled Water System Expansion Phase V, Part I, Project 4B, Piping - In accordance with the terms of the construction contract, representatives of Frankfurt-Short-Bruza, the project engineers; Kay Engineering Company, the contractor, and the University of Oklahoma have completed a final inspection of this piping project. The cost of this work was \$208,521. A copy of the final punch list of incomplete items was provided to the contractor. The staff of Architectural and Engineering **Services** has reviewed the results of the inspection, and recommends that the project be accepted subject to the completion of all punch list items.

President Banowsky recommended that the Board of Regents accept as substantially complete effective June 1, 1983 and authorize final payments to the contractors for work on Project 3A and 3B, Project 4A, and Project 4B of Phase V, Part I of the Steam and Chilled Water System expansion, subject to completion of all punch list items.

Regent Imel moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved. ✓

REPORT ON MAJOR CAPITAL IMPROVEMENT PROJECTS

As shown on the following page, a report was presented to the Regents on major capital improvement projects now under construction and in various stages of planning on the Health Sciences Center campus. No action was required.

III. Norman Campus

FACULTY PERSONNEL ACTIONS

LEAVE OF ABSENCE:

Lennie-Marie Tolliver, Professor of Social Work, leave of absence without pay, September 1, 1983 through May 31, 1984. To continue as Commissioner on Aging, U.S. Department of Health and Human Services.

APPOINTMENTS:

George Demetrios Economou, Ph.D., Chair and Professor of English with tenure, \$49,000 for 12 months, August 1, 1983.

William Arthur Collins, Ph.D., Associate Professor of Accounting, \$40,000 for 9 months, September 1, 1983 through May 31, 1984.

Robert Lewis Shambaugh, Ph.D., Associate Professor of Chemical Engineering and Materials Science, \$34,000 for 9 months, September 1, 1983 through May 31, 1984.

David Hall, J.D., Associate Professor of Law, \$38,000 for 9 months, September 1, 1983 through May 31, 1984.

Tom Elmer Morton, reappointed Adjunct Associate Professor of Petroleum and Geological Engineering, \$18,000 for 9 months, .50 time, September 1, 1983 through May 31, 1984.

Julie Haney Collins, Assistant Professor of Accounting, \$35,000 for 9 months, September 1, 1983 through May 31, 1984. If Ph.D. not complete by September 1, 1983, title to be changed to Acting Assistant Professor.

David Patrick Nagle, Jr., Ph.D., Assistant Professor of Botany and Microbiology, \$22,000 for 9 months, September 1, 1983 through May 31, 1984.

Sandra Lee Ragan, Ph.D., Assistant Professor of Communication, \$22,000 for 9 months, September 1, 1983 through May 31, 1984.

Courtney Ann Vaughn-Roberson, Ed.D., Assistant Professor of Education, \$24,000 for 12 months, July 1, 1983 through June 30, 1984.

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Russell John Reising, Ph.D., Assistant Professor of English, \$18,500 for 9 months, September 1, 1983 through May 31, 1984.

William J. Cosgrove, reappointed Acting Assistant Professor of Management, \$29,000 for 9 months, September 1, 1983 through May 31, 1984.

Kevin Robert Coombes, Ph.D., Assistant Professor of Mathematics, \$22,000 for 9 months, September 1, 1983 through May 31, 1984.

Archie McEwen Brown, Visiting Assistant Professor of Music, \$13,000 for 9 months, .50 time, September 1, 1983 through May 31, 1984.

Emmett Wayne Busby, reappointed Clinical Assistant Professor of Social Work, \$28,000 for 9 months, September 1, 1983 through May 31, 1984.

Virginia E. Olds, reappointed Clinical Assistant Professor of Social Work, \$14,000 for 9 months, .50 time, September 1, 1983 through May 31, 1984.

Katherine Cole Larson, Research Associate, Stovall Museum, rate of \$1,200 for 12 months, .05 time, May 1, 1983 through December 31, 1983. Paid from grant funds.

Vladislav Mazur, reappointed Postdoctoral Fellow, Cooperative Institute for Mesoscale and Meteorological Studies, rate of \$25,000 for 12 months, July 1, 1983 through December 31, 1983. Paid from grant funds.

CHANGES:

Marilyn Affleck, title of Assistant Dean, Graduate College, deleted, salary changed from \$37,536 for 12 months to \$30,711 for 9 months, September 1, 1983. Retains titles of Associate Professor of Sociology and of Women's Studies.

Bill L. Baxter, Associate Professor of Journalism and Mass Communication; given additional title of Assistant Director for Administration, School of Journalism and Mass Communication, salary changed from \$24,500 for 9 months to \$31,300 for 12 months, August 1, 1983.

Phillip D. Harsha, title changed from Acting Assistant Professor of Accounting to Assistant Professor of Accounting, September 1, 1983 through May 31, 1984.

Frank E. Heaston, title of Assistant Director for Administration, School of Journalism and Mass Communication, deleted, salary changed from \$38,000 for 12 months to \$32,400 for 9 months, August 1, 1983.

Richard W. Hemingway, Professor of Law; appointed Eugene Kuntz Professor of Oil, Gas, and Natural Resources Law for 5-year term, salary supplement of \$10,000 each year, September 1, 1983 to June 1, 1988.

David J. Moore, Assistant Professor of Business Administration, beginning date changed from September 1, 1983 to January 16, 1984.

Project	Architects or Engineers	Contractors	Contract Award Date	Original Adjusted Completion Date	Original Current Contract Amount	Status Percent Complete	Source of Funds
Steam and Chilled Water System Expansion, Phase V, Part II , Project 3	Frankfurt-Short-Bruza	Kay Engineering Company	04/16/81	01/05/82 07/01/83	\$2,832,447 \$2,847,008	998	Revenue Bond Funds.
Energy Conservation Measures, Biomedical Sciences Building	Collins-Soter Engineering, Inc.	Commercial Mechanical, Inc.	09/17/81	06/13/82 07/15/83	\$ 362,244	998	Department of Energy Grant and Section 13 Funds.
College of Pharmacy Building	Architectural Design Group	Yordi Construction, Inc.	01/14/82	05/23/83 06/17/83	\$6,550,775 \$6,314,199	858	State Building Funds.
Steam and Chilled Water System Expansion, Phase V, Part I , Project 3A and 3B, Pharmacy Building Tunnel and Piping	Frankfurt-Short-Bruza	Wynn Construction Company, Inc.	01/14/82	06/24/82	\$ 292,000 \$ 291,289	1008	Revenue Bond Funds.
Steam and Chilled Water System Expansion , Phase V, Part I , Project 4A , Tunnel	Frankfurt-Short-Bruza	Gilbert Ingle dba Ingle Construction Company	06/10/82	12/17/82 05/20/83	\$ 298,700 \$ 300,522	1008	Revenue Bond Funds.
Steam and Chilled Water System Expansion Phase V , Part 1 , Project 4B , Piping	Frankfurt-Short-Bruza	Kay Engineering Company	06/10/82	01/21/83 05/20/83	\$ 199,647 \$ 208,521	1008	Revenue Bond Funds.
College of Health Building Renovation, Phase II	Lawrence, Lawrence and Flesher	Wynn Construction Company Inc.	06/10/82	04/27/83 08/15/83	\$1,396,100 \$1,474,561	758	State Building Funds.
College of Health Building Renovation, Phase II, Windows	Lawrence, Lawrence and Flesher	ABCO , Inc.	11/11/82	07/15/83	\$ 164,355	758	State Building Funds.
Steam and Chilled Water System Expansion, Phase V, Part III , Project 1, Energy Retrofit	Frankfurt-Short-Bruza	Kay Engineering Company	07/22/82	12/24/82 09/01/83	\$ 189,300	706	Revenue Bond Funds.

Project	CMP Priority Number	Architects or Engineers	Contract or Letter	Estimated Cost	Status
Health Sciences Library Equipment	NC 1B	Architectural and Engineering Services., OUHSC	---	\$ 411,381	Inactive.
Physical Fitness Center	--	Coleman, Ervin a Associates	09/11/80	\$3,000,000	Inactive.
Steam and Chilled Water System Expansion, Phase V	--	Frankfurt-Short-Bruza	11/30/79	\$4,700,000	Final plans have been completed for portions of this project. Construction has been started and completed on portions of this project.
Steam and Chilled Water System Expansion , Phase V, Part III , Project I, Energy Conservation	--	Frankfurt-Short-Bruza	11/30/79	\$ 400,000	Part of this project is under construction.
Family Medicine Building, Phase I	NC 2	Architectural and Engineering	---	\$ 850,000	Preliminary studies are underway.

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Rebecca S. Roberts, title changed from Assistant Professor of Geography and Research Fellow, Science and Public Policy, to Assistant Professor of Geography, September 1, 1983 through May 31, 1984.

Gerald E. Ruffin, title of Adjunct Assistant Professor of Business Law deleted, August 31, 1972. Retains title of Program Manager, Economic Development Programs.

Richard Leslie Simms, title changed from Adjunct Assistant Professor to Assistant Professor of Education, \$22,500 for 12 months, July 1, 1983 through June 30, 1984.

John E. Steffens, Executive Director, Public Responsibility and Community Affairs, and Director, American Indian Institute; given additional title of Adjunct Assistant Professor of Education, without additional remuneration, July 1, 1983 through June 30, 1984.

Ananth Sundararajan, reappointed Postdoctoral Fellow, Analysis of Lidar Radar grant, School of Meteorology, rate of \$14,784 for 12 months, .50 time, July 1, 1983 through February 28, 1984. Paid from grant funds. Retains title of Adjunct Assistant Professor of Meteorology.

RESIGNATIONS:

Daniel R. Fesenmaier, Assistant Professor of Geography, June 1, **1983**. To accept a position at Texas A&M.

David C. Kay, Professor of Mathematics, June 1, 1983. To accept position as Professor and Chair, Department of Mathematics, University of North Carolina at Asheville.

David F. Marten, Assistant Professor of Chemistry, September 1, **1983**.

William Scharnberg, Assistant Professor of Music, June 1, 1983. To accept a position in the School of Music at North Texas State University.

President Banowsky recommended approval of the personnel actions listed above.

Regent Rothbaum moved approval of the recommendation. **The** following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS

LEAVE OF ABSENCE:

Lari L. Murry, Program Manager, Business Programs, leave of absence without pay, April 1, 1983 through April 1, 1984. To work on Ph.D. program.

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APPOINTMENTS:

*Carla Lynn Cates, reappointed Assistant to the Director, Information Systems Programs, \$20,700 for 12 months, July 1, 1983 through June 30, 1984. Managerial Staff.

Kamran Sadeghi, reappointed Electronics Instrumentation Specialist, Department of Psychology, \$22,300 for 12 months, June 14, 1983 to June 14, 1984. Professional Staff.

CHANGES:

*Lilburn H. Autry, title of Program Manager, Public Management Programs, deleted, May 1, 1983. Retains title of Project Director, Rehabilitation Administration and Management Programs.

Mark L. Elder, promoted from Deputy Director and Security Supervisor, to Director, Office of Research Administration, salary increased from \$38,080 to \$40,566 for 12 months, July 1, 1983. Administrative Officer.

*Ramana B. V. Rao, title changed from Petroleum Engineer to Manager, Petroleum Geology and Engineering, Information Systems Programs, May 1, **1983 through** June 30, 1983. Changed from Professional to Managerial Staff.

Jack H. Stout, on administrative leave; appointed Director of **University** Services, Tulsa, \$49,900 for 12 months, July 1, 1983. Administrative Officer. --

RESIGNATIONS:

Dorma L. Carter Shaw, Program Specialist, Management Development Programs, September 1, 1982.

Ruth M. Loftin, Accountant II, University Libraries, March 16, **1983**.

RETIREMENTS:

Taylor C. Anthony, Director, Office of Research Administration, July 14, **1983**.

Donald F. Robinson, Director Emeritus, Goddard Health Center, August 3, 1983.

President Banowsky recommended approval of the personnel actions listed above.

Regent Sarratt moved approval of the recommendation. **The following** voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously **approved**.

*Subject to the availability of funds.

BASKETBALL COACH

The following has been proposed regarding Coach Billy Tubbs' salary and letter of intent for 1983-84:

1. Annual salary - \$55,000 for 12 months
2. Annual expense allowance - \$3,000
3. A current commitment to retain Coach Tubbs as Head Basketball Coach for five years, beginning July 1, 1983
4. An annual review with regard to salary and the other terms of his letter of intent

President Banowsky recommended approval of a letter of intent for Coach Tubbs as shown above.

Regent Rothbaum moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

FACILITIES SECURITY CLEARANCE

In November, 1977, the Board of Regents appointed individuals occupying certain administrative positions on the Norman Campus as the Managerial Group for purposes of securing a facilities security clearance.

The action has been modified several times because of changes in personnel and changes in the Board of Regents. It is appropriate that the action be modified again at this time.

President Banowsky recommended approval of the following:

That those persons occupying the following positions among the officers and members of The University of Oklahoma shall be known as the Managerial Group as described in the Industrial Security Manual for Safeguarding Classified Information:

William S. Banowsky, President
John R. Morris, Jr., Provost
Kenneth L. Hoving, Vice Provost for Research
Administration and Dean, Graduate College

That the President and other members of the Managerial Group have been processed for personnel clearances for access to classified information to the level of the facility clearance granted to The University of Oklahoma as provided for in the aforementioned Industrial Security Manual.

That the said Managerial Group is hereby delegated all of the **Board**'s duties and responsibilities pertaining to the protection of classified information under classified contracts of the Department of Defense or User Agencies of its Industrial Security Program awarded to The University of Oklahoma.

That the following named members of the Board of Regents of The University of Oklahoma (unless they apply and are approved for security clearance) shall not have and will be effectively excluded from access to all classified information in the possession of The University of Oklahoma and shall not affect adversely the procedures established and approved under the Department of Defense Industrial Security Program for safeguarding of classified information that may be received at The University of Oklahoma:

Ronald H. White, M.D., President, Board of Regents
Dan Little, Vice President, Board of Regents
Julian J. Rothbaum, Regent
Thomas M. McCurdy, Regent
John M. Imel, Regent
Thomas Elwood Kemp, Regent
Charles F. Sarratt, Regent

The authority and responsibilities of any individual named herein shall cease immediately upon cessation of his appointment to and service in the position designated herein.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously **approved**.

ASSOCIATES FUNDS - COLLEGE OF BUSINESS ADMINISTRATION

In the 1982-83 budget, University of Oklahoma Associates funds in the amount of \$50,000 were used for graduate assistant salaries **in** the College of Business Administration. This continued the level of funding provided for this purpose in 1981-82. These funds now need to be transferred from the Foundation to the University budget. This amount is being annualized in the 1983-84 budget and Associates funds will not be required.

President Banowsky recommended approval of the expenditure of University of Oklahoma Associates funds in the amount of \$50,000 for 1982-83 College of Business Administration graduate assistant salaries.

Regent Imel moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

OKLAHOMA MEMORIAL UNION BUDGET

The proposed budget for the Oklahoma Memorial Union for 1983-84 was distributed to each Regent prior to this meeting and discussed in detail at the Committee of the Whole meeting on Wednesday. The lease between the Regents and the Trustees of the Oklahoma Memorial Union provides that the Board of Regents must approve the Union operating budget each year.

President Banowsky recommended approval of the 1983-84 Oklahoma Memorial Union budget as presented.

Regent Imel moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

AIR TRANSPORTATION - 1983 FOOTBALL SEASON

Bids were requested to furnish air transportation for the football team and support staff for the away games during the 1983 season.

Payment will be made from Athletic Department account 171-121 and Athletic Foundation funds.

Three bids were received as follows:

	Price per Seat	Total
1. House of Travel, Inc. Norman		
a. Stanford		
110 passengers	\$317.64	\$34,940.40
118 passengers	438.51	51,744.18
118 passengers w/o meals	427.95	50,498.10

The 110 passenger bid of \$34,940.40 does not meet the 6,000 to 7,500 lbs. equipment space requirement. The limit would be 2,500 lbs. which is not acceptable.

b. KSU at Manhattan

110 passengers	229.76	\$25,273.60
118 passengers	120.78	14,252.04
118 passengers w/o meals	114.03	13,455.54

The 118 passenger bids do not meet the departure schedules required.

		Price per <u>Seat</u>	<u>Total</u>
C. <u>Texas at Dallas</u>			
95 passengers			
Over 21	40 ea	75.00	\$3,000.00
Students	55 ea	60.00	<u>3,300.00</u>
w/o meals			\$6,300.00
Meals	95 ea	6.75	641.25
			\$6,941.25

d. <u>Missouri at Columbia</u>			
110 passengers		209.25	\$23,017.50
118 passengers		147.13	17,361.34
118 passengers w/o meals		140.38	16,564.84

The 118 passenger bids do not meet the departure schedules required.

2. Globe Trotter Travel & Tours
Oklahoma City

a. Stanford			
50 passengers		\$280.00	\$14,000.00
97 passengers		530.37	51,445.89
107 passengers		437.23	46,783.61
110 passengers		363.64	40,000.40
150 passengers		369.54	55,431.00

The bids based on less than 107 passengers are not acceptable; a minimum of 105 would be necessary to meet the department's requirements.

b. KSU at Manhattan			
97 passengers		\$193.76	\$18,794.72
107 passengers		321.07	34,354.49
110 passengers		229.76	25,273.60

C. <u>Texas at Dallas</u>			
97 passengers		\$192.97	\$18,718.09
97 passengers		206.19	20,000.43
100 passengers		72.75	7,275.00
107 passengers		338.53	36,222.71

	Price per Seat	Total
d. Missouri at Columbia		
97 passengers	\$217.81	\$21,127.57
107 passengers	321.14	34,361.98
110 passengers	209.24	23,016.40
3. Charter Services, Inc. Albuquerque, New Mexico		
a. Stanford		
119 passengers	\$318.77	\$37,933.63
146 passengers	318.68	46,527.28
b. KSU at Manhattan		
110 passengers	\$176.51	\$19,416.10
118 passengers	128.39	15,150.02
C. Texas at Dallas		
118 passengers	\$ 60.99	\$ 7,196.82
d. Missouri at Columbia		
110 passengers	\$179.70	\$19,767.00
118 passengers	154.73	18,258.14

The 118 passenger bid does not meet the departure schedule required.

All bids were reviewed by the Athletic Department and the following bids meet all specifications and are considered to be the best **bids** to meet the University's scheduling and seating requirements:

1. Charter Services, Inc.		
Stanford	146 passengers	\$46,527.28
Missouri	110 passengers	19,767.00
		\$66,294.28
2. House of Travel, Inc.		
KSU	118 passengers	\$14,252.04
Dallas	95 passengers	<u>6,941.25</u>
		\$21,193.29

The 146 passenger capacity for the Stanford game exceeds the team/staff seating requirement but is the best per seat cost that meets the specifications. Approximately 17 of the extra seats will be purchased by the cheerleaders, offsetting the University's total cost.

President Banowsky recommended that the Board of Regents approve the award of purchase orders to Charter Services, Inc. in the amount of \$66,294.28 and House of Travel, Inc. in the amount of \$21,193.29 to furnish air transportation for the 1983 football team and support staff.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

PURCHASE OF SOFTWARE

University Computing Services is testing two Licensed Programs for the IBM Computer which will replace the MVS/SP, Version 1, 5740-XYS. The new programs will have virtual and real storage addressing and input/output capabilities.

The purchase will be charged to Computing Services account 147-110.

These program products are available only from IBM and the following bid was received from them:

1. MVS/SP-JE52, Version 2, Licensed Program 5740-XC6	Price/Mo	\$ 3,400.00	Price/Yr	\$40,800.00
Program Support Charges	Price/Mo	\$ 588.00	Price/Yr	7,056.00
One time basic initial license charge				12,000.00
2. Data Facility Product, Licensed Program 5665-284	Price/Mo	\$ 382.50	Price/Yr	4,590.00
Program Support Charges	Price/Mo	\$ 70.00	Price/Yr	840.00
One time basic initial license charge				<u>1,350.00</u>
			Total	\$66,636.00

There is a 60-day pre-installation test period for the software before billing and an additional 90 days on post installation if necessary.

The above prices include IBM's standard educational discount of 15%.

The bid is acceptable to the Director of Computing **Services.**

President Banowsky recommended that the Board of Regents approve the award of a purchase order to International Business Machines in the amount of \$66,636.00 for the purchase of software for University Computing Services.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

PURCHASE OF STOCK FORMS - UNIVERSITY COMPUTING SERVICES

Bids were circulated to furnish estimated quantities of sixteen stock forms for Computing Services. The bid provided for pricing based on six months and one year.

The purchase will be charged to Computing Services Account 147-110.

Bids were received as follows for the sixteen form items. The bids indicated are for the six month period as the annual bids were substantially higher.

	Bowater Okla. City	Moore Business Okla. City	Data Documents Okla. City	Origami Okla. City
1. 1 ply, 14 7/8 x 8 1/2	\$40,848.00	\$43,512.00	\$44,044.80	\$40,670.40
2. 2 ply, 14 7/8 x 8 1/2	11,256.00	8,917.44	8,769.60	8,312.64
3. 3 ply, 14 7/8 x 8 1/2	8,178.00	6,288.00	6,270.00	5,874.00
4. 4 ply, 14 7/8 x 8 1/2	8,908.80	6,600.00	6,600.00	6,487.20
5. 5 ply, 14 7/8 x 8 1/2	4,244.40	3,297.60	3,195.00	3,173.40
6. Label, 3 up	N/B	N/B	2,430.00	2,281.50
7. 1 ply, 9 1/2 x 11	2,047.86	2,817.90	2,583.54	2,404.98
8. 2 ply, 9 1/2 x 11	995.40	1,012.20	1,496.88	1,001.28
9. 3 ply, 9 1/2 x 11	847.20	912.00	1,260.48	953.76
10. 2 ply, 9 7/8 x 7 1/3	N/B	1,898.40	1,512.00	1,422.00
11. 1 ply, 10 5/8 x 8 1/2	N/B	292.38	270.60	332.64
12. 2 ply, 10 5/8 x 8 1/2	N/B	1,057.50	1,141.20	1,165.50
13. 3 ply, 10 5/8 x 8 1/2	N/B	4,860.00	5,089.50	4,949.10
14. 4 ply, 10 5/8 x 8 1/2	N/B	1,728.00	2,911.50	2,185.20
15. 1 ply, 14 7/8 x 11	1,294.26	1,391.94	1,385.28	1,522.92
16. 1 ply, 12 x 8 1/2	N/B	540.00	664.20	544.32

A breakdown of the low bids by vendor appears **below with one exception.** Item 411 is recommended for award to the second low bidder because the low bidder in item 411, Data Documents, is not being awarded any other items. The difference in the two bids is \$19.78 and does not justify the cost of a separate purchase order.

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Vendor	Items	Amount	Total
Bowater	7.	\$ 2,047.86	
	8.	995.40	
	9.	847.20	
	15.	1,294.26	
			\$ 5,184.72
Moore Business Forms	11.	292.38	
	12.	1,057.50	
	13.	4,860.00	
	14.	1,728.00	
	16.	540.00	
			\$ 8,477.88
Origami, Inc.	1.	\$40,670.40	
	2.	8,312.64	
	3.	5,874.00	
	4.	6,487.20	
	5.	3,173.40	
	6.	2,281.50	
	10.	1,422.00	
			\$68,221.14

The awards proposed are acceptable to the Director of Computing Services.

President Banowsky recommended that the Board of Regents approve the award of purchase orders to the following vendors to supply stock paper to the University Computing Services for the next six months: Bowater Computer Forms in the amount of \$5,184.72, Moore Business Forms in the amount of \$8,477.88 and Origami in the amount of \$68,221.14.

Regent Imel moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously **approved**.

PURCHASE OF SPECTROFLUOROMETER

Bids were circulated to furnish and install a dual channel subnanosecond spectrofluorometer and operating accessories for use in biochemical research in the Department of Chemistry.

Payment will be made from accounts 127-421 and 127-221.

Bids were received from the following vendors:

Perkin-Elmer Corporation	
Richardson, Texas	\$32,553.00

SLM Instruments Company Urbana, Illinois	\$47,663.00
Photochemical Research Associates, Inc. Oak Ridge, Tennessee	\$59,795.00

Analysis of the performance data provided by the bidders to the primary research user, Dr. Gregory Reinhardt, indicated that the Perkin-Elmer instrument did not meet the specifications for fluorescence lifetime measurement capability.

The SLM Instruments Company bid meets all specifications and is acceptable to the Department of Chemistry.

President Banowsky recommended that the Board of Regents approve the award of a purchase order in the amount of \$47,663.00 to SLM Instruments Company for the purchase of a subnanosecond spectrofluorometer for the Department of Chemistry.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

PROPOSAL, CONTRACT, AND GRANT REPORT

A summary of proposals for contracts and grants for the Norman Campus for May, 1983 was included in the agenda for this meeting. A list of all contracts executed during the same period of time on proposals previously reported was also included.

President Banowsky recommended that the President of the University or the President's designees be authorized to execute contracts on the pending proposals as negotiations are completed. The contract budgets may differ from the proposed amounts depending on these negotiations.

Regent Imel moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

MAINTENANCE AGREEMENT FOR BUILDING AUTOMATION SYSTEM

Single bid negotiations with Johnson Controls, Inc. have been completed for a programmed maintenance agreement for the Norman Campus JC-80/55 building automation system. The agreement includes all scheduled maintenance visits, labor, material, and record keeping for all CRT's, central processing unit, field processing unit, printers and control points in 53 buildings for the period July 1, 1983, through June 30, 1984. This agreement reflects the addition of 11 new buildings into the system during the past year.

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This purchase will be charged to Physical Plant Utility account 147-202.

The bid has been reviewed and evaluated by the Director of Physical Plant and is acceptable.

Bid Price:	\$78,380.00
Allowance for State budget reduction to higher education, not to exceed 4%:	<u>-3,135.00</u>
Contract Price:	\$75,245.00

The services contained in the bid relate directly to the maintenance of equipment and records for the JC-80/55 computerized building automation system designed and manufactured by Johnson Controls, Inc. This single source purchase is the only alternative available to provide maximum benefit of the energy management features of the system.

President Banowsky recommended that the Regents approve the award of a purchase order in the amount of \$75,245.00 to Johnson Controls, Inc. for JC-80/55 system maintenance.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

ENERGY CONSERVATION PROJECT

Section 13 and New College funds were previously approved for the University share of a U.S. Department of Energy energy conservation grant to install heat reclamation equipment in the Physical Sciences Center. Subsequently, it was determined that the estimated savings would require a much larger expenditure than originally anticipated with an increased payback from 2.9 to 6.5 years.

After discussion with the U.S. Department of Energy, a substitute project was submitted of approximately the same scope with a better payback. This project involves the conversion of a 1000 ton steam turbine driven chiller to an electric drive in Chilled Water Plant #2. The project has a payback of just under three years and was approved by the U.S. Department of Energy on May 31, 1983.

The project budget is \$105,500 with \$60,000 funded with Section 13 funds and \$45,500 funded with U.S. Department of Energy grant funds.

President Banowsky recommended the Board of Regents authorize the Chilled Water Plant X62 electric drive project to be funded with \$60,000 of Section 13 and New College funds and a U.S. Department of Energy grant of \$45,500.

Regent McCurdy moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

SECTION 13 AND NEW COLLEGE EXPENDITURE

The Board of Regents is requested to approve a change in the Capital Improvements Program to permit the expenditure of \$279,000 of Section 13 and New College Funds for items of fixed and movable equipment and related installation work needed to complete the move into the Doris W. Neustadt Wing of Bizzell Memorial Library. The additional work includes the purchase and installation of (1) telephones, (2) area identification signs and graphics, (3) book security equipment, (4) items of furniture and movable equipment, (5) special vault insulation, and (6) other related items of work.

President Banowsky recommended that the Board of Regents approve a change in the Capital Improvements Program to authorize the expenditure of \$279,000 of Section 13 and New College Funds for items of fixed and movable equipment and related installation work.

Regent Imel moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

NATIONAL SEVERE STORMS LABORATORY LEASE

In 1971 the Regents approved leasing land on the North Campus to the Oklahoma University Development Authority (OUDA) for the purpose of issuing bonds and constructing a building for the 'rational Severe Storms Laboratory (NSSL). The bonds were issued, the building was constructed, and was leased to the Department of Commerce for the NSSL for a period of 10 years. The annual rental rate was approximately \$120,000, which was the amount necessary to retire the bonds within the 10-year period. The bond payments were completed in 1982 and all interest OUDA had in the property was transferred to the Regents.

A lease agreement has been negotiated with the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Environmental Research Laboratories, covering the 23,187 square foot two-story building and improvements and approximately 13.7749 acres of land.

The initial term of the lease is January 1, 1983 through September 30, 1983 and is renewable at the option of the government for four additional one-year periods at the current rental rate and for five additional one-year periods, making a total of nine years, nine months, including the original lease term. The rental rate has been set at \$10,160.09 per month for the building and land.

The University will provide water, electricity, heat and trash removal, but will be reimbursed by the government upon receipt of direct billing of the

cost of all such utilities. As a part of the rental consideration, the University will furnish parking privileges at no cost to the employees of NSSL and visitors, use of all access roads and driveways to the premises, fire alarm and fire extinguishing equipment, will maintain the building in good repair and condition during the lease, and will make all replacements and **repairs necessitated** by normal wear and tear.

The University will provide and maintain sewage line **service** and disposal, street lighting maintenance and repair, storm sewage, landscape design and grounds maintenance, including lawn care, and fire and police protection. The amount in the original lease term set for these site service charges is \$500 per month, but these costs will be audited annually and the monthly rental increased or decreased to reflect the actual expense of the **service**.

The University will provide the usual janitorial and custodial services and will be reimbursed for these services by the government upon **direct billing**.

The United States government will have the right at **its own** cost and expense to make certain alterations and modifications to the leased premises during the lease term.

The lease may be terminated at any time by either the **United States** government or the University by giving at least 180 days' notice **in writing** to the other party.

President Banowsky recommended approval of the lease agreement described above between the Regents and the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Environmental Research Laboratories, to be effective January 1, 1983.

Regent Little moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously **approved**.

WESTHEIMER FIELD IMPROVEMENTS - PHASE III

Bids for the Phase III improvements to Runway 17-35 and to the taxiway parallel to the southern portion of Runway 03-21 were **received** from five contractors on June 7, 1983.

The project involves:

1. Improvements to Runway 17-35 - This part of the project includes the partial reconstruction of the runway, drainage improvements, resurfacing of the runway and runway markings.
2. Improvements to the taxiway parallel to Runway 03.21 - The reconstruction of portions of the taxiway, resurfacing the taxiway, drainage improvements and new markings are included in this part of the project.

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All bids received were reviewed by C. H. Guernsey and Company, Inc., the project engineers, and members of the University staff.

The bids are summarized below:

<u>Contractor</u>	<u>Bid</u>	<u>Sales Tax Savings</u>	<u>Net Bid</u>
T. J. Campbell Construction Co.	\$602,225.73	\$ 4,639.00	\$597,586.73
Cherokee Paving Company	\$660,647.77	\$14,900.00	\$645,747.77
Shell Construction Company, Inc.	\$721,895.22	\$10,000.00	\$711,895.22
Haskell Lemon Construction Company	\$752,259.90	\$ 4,340.00	\$747,919.90
Co-Mate Construction Co.	\$824,875.93	\$ 4,400.00	\$820,475.93

President Banowsky recommended that the Board of Regents accept the low bid and sales tax savings proposal submitted by T. J. Campbell Construction Co. and award a contract in the amount of \$597,586.73 contingent upon the approval of the Federal Aviation Administration of the bidding process, the low bid, and the awarding of a grant to provide the necessary funds.

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

COMPLETED CONSTRUCTION PROJECTS

Contractors have completed work on the following Norman Campus projects:

1. Bizzell Library Expansion Site Development and Landscaping Project, Phase II, Paving and Construction Work - On May 24, 1983, a final inspection of the paving and construction work included in this project was conducted by representatives from Architectural and Engineering Services, Physical Plant, Hellmuth, Obata and Kassabaum, Inc., the project architects, and Harmon Construction Company, Inc., the general contractors. A punch list of incomplete items was provided to the contractor. The scope of this project included the construction and installation of: (1) walkways, (2) service drives, (3) storm drains, (4) retaining walls, (5) accent and security lighting, and (6) a fountain in the areas west of the clock tower to Elm Street, north to DeBarr Hall and south to Nielsen Hall. The total construction cost of this project was \$943,948 including \$661,448 for this contract.

2. Bizzell Library Expansion Site Development and Landscaping Project, Phase II, Trees and Plant Materials - On May 24, 1983, a final inspection of the trees, plant materials, and other landscaping work included in this project was conducted by representatives from Architectural and Engineering Services, Physical Plant, Hellmuth, Obata and Kassabaum, Inc., the project architects, and Howard Johnson doing business as Twam Nurseries, Inc. A punch list of incomplete items was provided to the contractor. The scope of this project included the installation of trees, grass, ground cover and other plant materials needed to complete the project. The cost of this work was \$58,073.

The staff of Architectural and Engineering Services has reviewed the results of these inspections and recommends that the projects be accepted subject to the completion of all punch list items.

President Banowsky recommended that the Board of Regents accept as substantially complete effective May 24, 1983 and authorize final payments to the contractors for work on the following projects upon completion of all punch list items: (1) Bizzell Memorial Library Expansion Site Development and Landscaping Project, Phase II (paving and construction work) and (2) Bizzell Memorial Library Expansion Site Development and Landscaping Project, Phase II (trees and plant materials).

Regent Sarratt moved approval of the recommendation. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

REPORT ON MAJOR CAPITAL IMPROVEMENT PROJECTS

As shown on the following pages, a report was presented **to** the Regents on major capital improvement projects now under construction and **in** various stages of planning on the Norman Campus. No action was required.

Regent White declared a brief recess at 10:26 a.m. pending the arrival of Governor George Nigh. The meeting reconvened at 10:32 a.m.

ENERGY CENTER BUILDING

Bids for construction of Phases II and III of the Energy Center Building project were received on June 7, 1983. Five general contractors submitted bids. A complete tabulation of the bids received is attached.

All **of** the bids received were reviewed by The Benham Group, the project architects and engineers, and members of the University staff. The low combined bid of \$9,229,613 for Phase II of the Energy Center Building project was submitted by Harmon Construction Company, Inc. A summary of the combined bid is as follows:

THE UNIVERSITY OF OKLAHOMA, NORMAN CAMPUS
MAJOR CAPITAL IMPROVEMENTS PROGRAM

PROJECTS UNDER CONSTRUCTION

ARCHITECTURAL AND ENGINEERING SERVICES
PROGRESS REPORT - JUNE, 1983

Project	Architects or Engineers	Contractors	Contract Award Date	Original Adjusted Completion Date	Original Current Contract Amount	Status Percent Complete	Source of Funds
Bizzell Library Expansion, Site Development, Landscaping	Hellmuth, Obata & Kassabaum, Inc.	Harmon Construction Company, Inc.	06/10/82	12/29/82 05/28/83	\$ 825,640 \$ 661,448	1008	State Building Funds.
Bizzell Library Expansion, Site Development, Landscaping Plant Materials	Hellmuth, Obata & Kassabaum, Inc.	Twam Nurseries, Inc.	09/09/82	02/08/83 05/15/83	\$ 42,000 \$ 58,073	1008	State Building Funds.
Max Westheimer Runway and Taxiway Reconstruction, Phase II	C.H. Guernsey and Company	T.J. Campbell Company	11/15/82	02/15/83 05/15/83	\$ 315,398 \$ 321,630	918	DOT Grant/ University Funds.
KGOU Radio Station	Architectural and Engineering Services	Physical Plant	---	02/28/83	\$ 211,000	988	Section 13/New College Funds.
Felgar Hall, Engineering Library Renovation	Turnbull & Mills, Inc.	Pope & Wilson Construction	01/13/83	08/28/83	\$ <u>194,310</u> \$ 264,006	86%	Section 13/New College Funds.
Jenkins Avenue Parking Area	Lawrence, Lawrence and Flesher	Connelly Paving Company, Inc.	---	---	\$ 217,290	08	State Building Funds.
Phi Kappa Psi Fraternity House Reconstruction	---	Physical Plant	---	08/25/83	\$ 487,000	308	Insurance Proceeds/Private Funds.
Campus Lighting Program	Paul Sprehe and Associates, Inc.	Physical Plant	---	12/20/63	\$ 175,000	298	Section 13/New College Funds.
North Oval Improvements	Hellmuth, Obata & Kassabaum, Inc.	Physical Plant	---	07/01/83	\$ 200,000	508	State Building Funds.

Project	CMP Priority Number	Architects or Engineers	Contract or Letter	Estimated Cost	Status
Science Hall Renovation	M&R 28	Shaw Associates, Inc.	01/22/76	\$ 886,201	Schematic plans have been approved. Project is inactive.
Gould Hall Renovation, Phase II	M&R 13B.	Loftis, Bell & Downing Architects and Planners	07/22/82	\$ 1,695,000	This project is inactive.
Gould Hall Renovation, Phase IIA	M&R 13D	Loftis, Bell & Downing Architects and Planners	07/22/82	\$ 250,000	Final plans have been completed.
Golf Course Improvement Program, Dam, Lake, and Pumping System, Part 1	---	Associated Engineers, Inc.	12/10/80	\$ 450,000	Final plans have been completed.
Golf Course Improvement Program, Water Distribution and Sprinkler System, Part 2	---	Architectural and Engineering Services	---	\$ 300,000	Final plans have been completed.
Golf Course Improvement Program, Landscaping and Other Improvements, Part 3	---	Architectural and Engineering Services	---	\$ 250,000	Preliminary studies are in process.
Golf Course Improvement Program, Effluent Line, Part 4	---	Associated Engineers, Inc.	12/10/80	\$ 150,000	Final plans have been completed.
Expansion of Electric Power, Heating and Cooling System	M&R 42	C.N. Guernsey & Company	04/21/82	\$ 100,000	The final report is being completed.
Energy Center Building	NC 2	The Benham Group	12/16/81	\$45,000,000	Bids for Phases II, III and IIIA are to be received on June 7, 1983.
School of Music Building	NC 3&4	Kaighn Associates Architects, Inc./Bauer, Stark & Lashbrook	04/08/82	\$13,400,000	Contract documents have been completed for Phases IA, IB, IC and ID.
Brooks Street Parking Area	---	Lawrence, Lawrence, and Flesher	07/27/79	\$ 750,000	Inactive. Preliminary plans have been completed.
Copeland Hall Addition	NC 5	Murray-Jones-Murray	03/01/83	\$ 5,000,000	Schematic Design plans are being completed.
College of Environmental Design Expansion	M&R 56	Architectural and Engineering Services	---	\$ 800,000	Preliminary studies are underway. The architectural firm selection process has been initiated.
Career Planning and Placement Renovation	M&R 59	Architectural and Engineering Services	---	\$ 200,000	Plans are being prepared.
Max Westheimer Runway and Taxiway Reconstruction, Phase III	NI 18	C.H. Guernsey and Company	04/14/83	\$ 699,250	Bids for this phase are to be received June 7, 1983.

Project	CMP Priority Number	Architects or Engineers	Contract or Letter	Estimated Cost	Status
Academic Research and Instructional Equipment	ME 8	---	---	\$ 175,000	Final selections are being made.
University Childhood Center	ANC 1	Architectural and Engineering	---	\$ 800,000	Design Development Phase plans are underway.

THE UNIVERSITY OF OKLAHOMA
ARCHITECTURAL AND ENGINEERING SERVICES

ENERGY CENTER BUILDING, PHASES II, III AND IIIA
SUMMARY REPORT ON THE BIDS RECEIVED ON JUNE 7, 1983

Item	Flintco	Harmon Construction	Law <u>Construction</u>	Lippert Brothers	Manhattan Construction
1. Phase II, Base Bid	\$ 9,700,000	\$ 9,238,000	\$10,286,000	\$11,100,000	\$10,175,000
2. Less Sales Tax Savings	165,000	195,600	216,000	153,800	189,000
3. Net Base Bid	\$ 9,535,000	\$ 9,042,400	\$10,070,000	\$10,946,200	\$ 9,986,000
4. Alternate #1, Roofing #1	156,000	128,700	156,475	154,350	126,506
5. Alternate #2, Roofing #2	164,000	207,900	209,827	206,850	160,979
6. Alternate #3, Precast Stone	(14,000)	N.C.	10,440	10,000	(28,000)
7. Alternate #4, Vinyl Wall Covering	59,000	56,000	51,929	51,500	50,950
8. Alternate #5, Demountable Partitions	1,000	5,300	9,000	19,000	14,191
9. Alternate #6, Chilled Water Pumps	55,000	47,600	52,314	52,000	56,500
10. Alternate #7, Master Clock	1,000	600	767	2,000	644
11. Alternate #8, Central Processing Unit	11,000	10,500	11,054	11,200	1,000

<u>Item</u>	Flintco	Harmon Construction	Law <u>Construction</u>	Lippert Brothers	Manhattan Construction
1. Phase III, Base Bid	\$ 3,600,000	\$ 3,760,000	\$ 3,685,000	\$ 3,815,000	\$ 3,640,000
2. Less Sales Tax Savings	60,000	57,000	61,445	41,800	51,000
3. Net Base Bid	\$ 3,540,000	\$ 3,703,000	\$ 3,623,555	\$ 3,773,200	\$ 3,589,000
4. Alternate 11, Roofing #1	117,000	86,000	117,146	115,500	85,155
5. Alternate #2, Roofing #2	97,000	152,900	154,357	152,250	95,038
6. Alternate #3, Precast Stone	N.C.	No Bid	(34,335)	10,000	525
7. Alternate #4, Vinyl Wall Covering	28,000	46,200	39,425	39,000	38,660
8. Alternate #5, Demountable Partitions	(100)	60,900	(2,794)	13,500	10,572
9. Alternate #6, Piping and Ductwork #1	34,000	56,700	59,254	57,600	58,136
10. Alternate #7, Piping and Ductwork #2	38,000	68,300	105,907	68,200	68,640
11. Alternate #8, Comp., N2, Dm, H	59,000	84,300	85,146	84,600	84,452
12. Alternate #9, Dust Collector Scrubbers	350,000	391,700	300,219	373,500	370,700
13. Alternate #10, Heat Exchange, etc.	100,000	105,000	105,841	106,500	104,669
14. Alternate #11, Automation Systems	150,000	148,100	149,142	147,700	146,328

Item	Flintco	<u>Harmon Construction</u>	<u>Law Construction</u>	Lippert Brothers	<u>Manhattan Construction</u>
1. Phase IIIA, Base Bid	\$ 1,080,000	\$ 1,080,000	\$ 1,125,000	\$ 1,053,000	\$ 1,076,000
2. Less Sales Tax Savings	15,000	14,300	16,355	10,200	13,500
3. Net Base Bid	\$ 1,065,000	\$ 1,065,700	\$ 1,108,645	\$ 1,042,800	\$ 1,062,500
4. Alternate #1, Roofing #1	16,000	13,100	15,774	14,700	12,967
5. Alternate #2, Roofing #2	23,000	22,700	22,876	22,000	22,521
6. Alternate #3, Precast Stone	3,000	1,300	5,371	4,000	1,100
7. Alternate #4, Vinyl Wall Covering	15,000	15,800	11,254	11,200	11,042
8. Alternate #5, Piping and Ductwork	4,000	7,300	8,215	8,000	8,060

Item	Flintco	Harmon Construction	Law Construction	Lippert Brothers	Manhattan Construction
Unit Prices:					
1. Wall Closure Per Linear Foot	\$ 360.00	\$ 313.00	\$ 355.00	\$ 429.00	\$ 422.00
2. 18" Pier Per Linear Foot	14.00	10.00	23.00	+17.00 - 4.50	10.60
3. 20" Pier Per Linear Foot	16.00	12.00	26.00	+23.00 - 6.00	12.80
4. 30" Pier Per Linear Foot	26.00	22.00	28.00	+32.00 - 7.50	25.40

Item	Flintco	Harmon Construction	<u>Law Construction</u>	Lippert Brothers	<u>Manhattan Construction</u>
1. Sales Tax Savings on all Alternates	\$10.00/\$1,000	\$ 1.00/\$1,000	\$20.00/\$1,000	\$4.35/\$1,000	\$5.00/\$1,000

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Item	<u>Amount</u>
Base Bid	\$ 9,238,000
Sales Tax Credit (Base Bid)	<u>195,600</u>
Net Base Bid	\$ 9,042,400
Alternate II-1, Membrane Roofing #1	128,700
Alternate II-6, Chilled Water Pumps	47,600
Alternate II-7, Master Clock	600
Alternate II-8, Central Processing Unit	10,500
Sales Tax Credit (Alternates)	<u>187</u>
Recommended Combined Bid	\$ 9,229,613

In addition to the work listed above as alternates to Phase II, other alternates bid with Phase III provide for the installation of laboratory and building equipment and support systems that are common to both the Phase II and Phase III. In order to make all of the areas included in Phase II fully operational, the following alternates must be subdivided and portions of--.,the work included in these alternates need to be constructed and installed as a part of Phase II.

Item	
Alternate III-6, Piping and Ductwork	\$ 56,700
Alternate III-8, Deionized Water System	\$ 84,300
Alternate III-9, Dust Collectors	\$ 391,700
Alternate III-10, Heat Exchanger	\$ 105,000
Alternate III-11, Automation System	\$ 148,100

Based on the bids, the estimated total cost of work included in these alternates to Phase III needed to complete Phase II is approximately \$501,287. Within this limit, it is requested that the President of the University or his designee be authorized to develop exact contract amounts for portions of these

alternates and award change orders for the necessary work **in** a total amount not to exceed \$501,287. When this \$501,287 is added to the combined bid of \$9,229,613 the total construction contract amount would total \$9,730,900.

Phase II will provide approximately 100,000 gross square feet of building area. The Phase II construction contract is to be funded with a combination of private gifts and State capital project funds.

President Banowsky recommended that the Board of Regents (1) accept the combined bid of \$9,229,613 for Phase II of the Energy Center Building project, (2) award a contract to Harmon Construction Company, Inc., and (3) authorize the President of the University or his designee to develop exact contract amounts and award change orders not to exceed \$501,287 for work included in Phase III alternates which apply to Phase II.

Regent White called on Vice President Elbert who reviewed the bids received on the Energy Center Building and explained in more detail the proposal for the award of a contract. He introduced representatives **of** The Benham Group and Harmon Construction Company who were present. He also presented background information on Harmon Construction Company. Vice President Elbert said it is hoped that some time between now and the end of the year the University will be able to award a contract for Phases III and IIIA. The bid specifications included a requirement that all bids for Phase III and IIIA be held open until January 15, 1984 so that if the University is able to raise the money a contract can be awarded for Phase III. Vice President Elbert emphasized that the recommendation today is to award the contract **for** Phase II only but the administration hopes to be able to come to the Board at a future meeting to ask for the award of the Phase III contract, again to Harmon Construction Company. He said the bid specifications provided that the contract awarded would be the low combined bid of Phase II and Phase III. Therefore, the next action will be to authorize Harmon Construction Company to proceed with Phase III.

Regent Sarratt moved approval of President Banowsky's recommendations. The following voted yes on the motion: Regents White, Little, Rothbaum, McCurdy, Imel, Kemp, and Sarratt. The Chair declared the motion unanimously approved.

Regent White said this is another exciting day in the evolution of the process of the Energy Center and it is with great pleasure that The University of Oklahoma Board of Regents and The University of Oklahoma welcome a man who has taken the lead in the improvement of higher education **in Oklahoma**. "I think we can safely say that the State of Oklahoma has not had a chief executive who has done more for higher education nor has been more sensitive to the needs of higher education than Governor Nigh. During **his** years as Governor, the State has set national records for new support for its colleges and universities. In light of the State's current economic situation we are very relieved that we did not suffer any additional cuts for the '83-84 budgets and we owe a great deal to the Governor for seeing that this budget was maintained

where it is and we appreciate that. " Regent White said that Governor Nigh also wants to see the Energy Center completed and if it had not been for his leadership and his commitment to the project it never would have gotten off the ground. Regent White reminded everyone that Governor Nigh agreed to commit \$15 million of State funds to this project so The University of Oklahoma could establish a world-class Energy Center which ultimately will cost approximately \$45 million. He commented that Governor Nigh has continued to be a supporter of the Energy Center, but not only has he been a supporter of this, he has been a supporter of all areas of higher education in order to make higher education in Oklahoma progress at the rate we would like to see it progress. "So I think it's only appropriate that today as we begin the first construction phase of the Energy Center project that the very good friend of higher education, Governor George Nigh, be present to share in the excitement with us. "

Governor Nigh was welcomed enthusiastically with a round of applause and made the following statement:

"Thank you, Dr. White, Mr. President, and the members of the Board. Let me tell you how honored and literally thrilled I am to **be here** today to participate in what is another historic event in the State of Oklahoma. The Energy Center is a high point of my administration and I welcome the opportunity to come here at this time and participate in this unveiling that we are going to do and the awarding of the contract.

"Several years ago I wanted to be Governor and was successful and then was giving consideration as to whether or not I would run for re-election. Several members of the press commented that since I was an old history teacher that I probably would run for re-election because I would **like to** do something historical. In becoming the first Governor ever to be elected twice, that history book chapter was written. I would like to underscore **today**, though, that is not really any reason why any candidate should ever be a candidate for office. And as a history teacher I certainly hope that today I can stand here on the campus at The University of Oklahoma and say that I don't want history to record only in one paragraph the fact that a person named George Nigh was re-elected twice and was the first to do it. Adlai Stevenson is my quotable of all quotables and Adlai Stevenson said, 'Winning the election is not nearly so important as governing the State.' I hope that when history is written that it will include some of the things Dr. White said, that we were able to do more in Oklahoma now than ever before, not the fact that somebody got elected or got a vote or did this, what did they do in performance, what was done in that administration. Certainly we've made great strides in Oklahoma these past four years, thanks to the economy, thanks to the public support of the various projects, and particularly thanks to the legislative support. It would be inappropriate if I came here today and accepted the great introduction Dr. White gave me without mentioning that a Governor proposes and a legislature disposes. And while I could make a commitment speaking for me, it took the legislative commitment to appropriate the money and it took the State Regents' commitment to pass through the money and this Board of Regents and support of its President to raise the private money that in this very

special instant matches dollar for dollar what the State has appropriated and will appropriate. This is a unique thing, it's a partnership that has never before existed in the State of Oklahoma: the private sector and the public together building any facility like this. But, the Energy Center here on this campus will be equally matched by the Agricultural Renewable Natural Resources Center on the campus of OSU and with the commitment to the other institutions of higher education that should their campuses develop special projects like this, that the State will look towards matching what they are able to raise in the future years.

"So this is unusual, it is historic, it is historic that it is the first time that we did it, historic in the magnitude with which we are doing it, and it's historic in the fact that it is a partnership in a time of great troubles in the country, that Oklahoma historically was able to maintain a high level of economic development so that we could continue these projects.

"We've done a lot in the past four years as I said, and I would just mention in passing that Oklahoma literally today even in a troubled time is still the envy of the nation. When every single veterans facility in the State is being improved and upgraded, in the fact that we have more veterans facilities than any state in the Union and we're upgrading them **all**. When we're under a court order and doing more in the area of corrections than literally any state in this country and doing some of it because we wanted to and some of it because we were forced to, but all of it because we need to. And doing things in the areas of mental health, like right **here** in Norman in phasing in the construction from the ground up of a new mental health facility in the State of Oklahoma. In the process of upgrading all the mentally retarded institutions in the State, etc., etc., etc. The only reason I mention them is that while I'm excited about what we're doing on the campus at OU today, I'm equally excited as the Governor of all of Oklahoma what we've been able to do these past few years all over this State **in virtually** every area of interest.

"But to be specific, the Energy Center here at OU: I want to congratulate the leadership of the University and the leadership on this Board for putting together this unique partnership. This really is a milestone in many ways and I hope that we do not come here today and talk about Phase II and looking to Phase III and even looking to Phase IV, **V** and VI, **but** consider that this facility is the end of what we're trying to do in higher education in Oklahoma. This center is just a part of the attitude that is **in** the State of Oklahoma as we move toward excellence and I'm very proud of that attitude as exemplified on this campus and is spreading out across the State.

"Mr. Chairman, as Governor of Oklahoma I am excited to **be** here for this historic occasion and I congratulate those private citizens who have given their money, not just through paying their taxes, but through their contributions and I am happy to have this opportunity to be with you. Thank You. "

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Regent White and President Banowsky thanked the Governor for his participation in the meeting today.

There being no further business, Regent White declared the meeting adjourned at 10:50 a.m.

Barbara H. Tuttle
Executive Secretary of the board of Regents