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THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS
February 1-2, 2000

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THE UNIVERSITY OF OKLAHOMA

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**MINUTES OF A REGULAR MEETING
THE UNIVERSITY OF OKLAHOMA BOARD OF REGENTS
FEBRUARY 1-2, 2000**

A regular meeting of the Board of Regents governing The University of Oklahoma, Cameron University, and Rogers State University was called to order in Lecture Room 299 of the Robert M. Bird Health Sciences Center Library, 1000 Stanton L. Young Boulevard, Oklahoma City, Oklahoma, on Tuesday, February 1, 2000, beginning at 3:30 p.m.

The following Regents were present: Regent Donald B. Halverstadt, M.D., Chairman of the Board, presiding; Regents C. S. Lewis III, Robin Siegfried, Mary Jane Noble, Stephen F. Bentley and Christy Everest.

Absent: Regent G. T. Blankenship

Others attending all or a part of the meeting included Mr. David L. Boren, President of The University of Oklahoma, Provosts Nancy L. Mergler and Joseph J. Ferretti, Vice Presidents Russell W. Driver, Mark E. Lemons, Joseph Harroz, Jr., General Counsel, and Dr. Chris A. Purcell, Executive Secretary of the Board of Regents.

Those attending the meeting from Cameron University were Dr. Don Davis, President of the University, Provost Terral McKellips, and Vice Presidents Leo Baxter, Louise Brown, Don Sullivan and John Sterling.

Attending the meeting from Rogers State University were Dr. Joe A. Wiley, President of the University, and Vice Presidents Danette Boyle, David Boggs, Ray Brown and Brett Campbell.

Notice of the time, date, and place of this meeting were submitted to the Secretary of State, and the agenda was posted in the Office of the Board of Regents on or before 3:30 p.m. on January 31, 2000, both as required by 25 O.S. 1981, Section 301-314.

ROGERS STATE UNIVERSITY

REPORT OF THE PRESIDENT OF THE UNIVERSITY

President Wiley announced two important dates: the accreditation visit by the North Central Association on April 17-18, and the inaugural Maurice Meyer Lecture on Diversity on March 9-10. The inaugural lecturer will be Rabbi Sherman of Temple Israel in Tulsa. The Regents are invited to attend.

Chairman Halverstadt responded the Board will remain as educated, supportive and helpful as possible as Rogers State goes through the accreditation process.

ANNUAL AUDIT PLAN FOR FY2000, RSU

At the February 2000 Audit Committee meeting, the Committee discussed the annual audit plan and passed a resolution recommending approval of the plan by the full Board of Regents. The proposed annual audit plan for fiscal year 2000 was included in the agenda.

The plan includes a four-year audit cycle. Each unit in the audit universe will be audited at least every four years. Some areas will be audited more often due to certain inherent risks identified in our risk analysis process or because of an external mandate. Any proposed changes to the plan will be brought to the Audit Committee for approval.

The areas proposed for internal audit during FY2000 are as follows:

Accounting
Agency Clearing Accounts
Agency Funds
Alternate Claims
Computing
Disbursements
Investments
Loan Funds
Overhead
Taxes
VP for Business Affairs

In addition to the above listed audits, approximately 15 percent of the available audit hours will be reserved for unforeseen items, and post-audit reviews will be performed when necessary.

President Wiley and the Audit Committee recommended the Board of Regents approve the annual audit plan for 2000.

Regent Siegfried moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

BUSINESS PLAN

Rogers State University has planned and implemented many steps in preparation for attaining regional university status. Most recently the Board of Regents approved the implementation of four baccalaureate programs. The transition from a community college to a regional university requires North Central Association approval. As part of the approval process, Rogers State University must develop a business plan that has been approved by the governing board. The business plan will be part of the self-study submitted to NCA and reviewed by the evaluation team that is scheduled for a visit on April 17 and April 18. The business plan involved broad input, evaluation, and approval. President Wiley has analyzed the plan and recommends approval.

The plan was distributed to the Regents with the agenda.

President Wiley recommended the Board of Regents approve the Rogers State University Business Plan.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

CORPORATION FOR PUBLIC BROADCASTING GRANT

Agency: Corporation for Public Broadcasting
Title: Annual Support for Public Broadcasting
Value: \$266,781
Period: 12 months

President Wiley recommended the Board of Regents ratify the Corporation for Public Broadcasting Grant listed above.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

ACCEPTANCE OF FISCAL YEAR 1998-99 EXTERNAL AUDITS, ANNUAL FINANCIAL REPORTS, AND COMPLIANCE AUDITS OF FEDERALLY FUNDED ASSISTANCE PROGRAMS

At the December, 1999 meeting of the Board of Regents' Audit Committee, Deloitte and Touche, LLP presented the Independent Auditor's Report on the financial statements for the six-month period ended June 30, 1999 for Rogers State University. The audit was conducted in accordance with *Generally Accepted Auditing Standards*, issued by the Auditing Standards Board.

At the December, 1999 meeting of the Board of Regents' Audit Committee, Deloitte and Touche, LLP presented the "Independent Auditors' Report on Compliance and Internal Control over Compliance Applicable to Each Major Federal Award Program and on the Schedule of Expenditures of Federal Awards". This audit was conducted in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

President Wiley recommended the Board of Regents:

- I. Accept the external audit report on the financial statements for the six-month period ended June 30, 1999 for Rogers State University.
- II. Accept the external audit report on Compliance and Internal Control and the Schedule of Expenditures of Federal Awards for the Year Ended June 30, 1999 for Rogers State University.

The Director of Internal Auditing, Mr. Ken Rowe, pointed out the financial statement audit is for a six-month period, and the Board of Regents has not been governing Rogers State University for the full statement period.

Regent Lewis moved approval of the recommendation subject to the caveat that Rogers State University was not under the Board of Regents' governance for the full period covered by the external audit on financial statements. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

ADMINISTRATIVE PERSONNEL ACTIONS

APPOINTMENT:

Volturo, Thomas M., Vice President for Business Affairs, annual rate of \$91,700 for 12 months, anticipated start date is 3/1/00.

B.S., Business Administration, Oklahoma State University
Last Position: Vice President for Fiscal Affairs and Auxiliary Enterprises,
East Central State University

Previous Positions:

Assistant State Auditor and Inspector
Director Internal Audits, Board of Regents of Oklahoma Colleges
Assistant Director, State Auditor and Inspector

Years Experience: 28

RESIGNATION:

Dillsaver, Joe, Dean of Continuing Education, June 30, 2000.

President Wiley recommended the Board of Regents approve the administrative personnel actions listed above.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

LITIGATION

This item was a part of the agenda for the purpose of meeting with General Counsel in executive session, if needed, for a report on pending and possible litigation. There was no executive session or report.

CAMERON UNIVERSITY

REPORT OF THE PRESIDENT OF THE UNIVERSITY

Economic Development Efforts

Cameron University has been chosen by the Wal-Mart and NCR Corporations to receive a \$7 million donation of computer hardware and software. The grant, the largest single donation ever made to CU, includes an NCR WorldMark massively parallel computer system equipped with approximately 1.7 terabytes of storage. A terabyte of information is the equivalent of 250 million pages of text. Six computers were awarded nationwide by Wal-Mart and NCR, and Cameron was the only higher education institution in Oklahoma selected to receive one. By operating this system, Cameron students will be able to see firsthand the opportunities and challenges associated with exceptionally large databases, allowing them to obtain hands-on education in a data-warehousing environment and, hopefully, enter the job market with realworld experience.

Draft of Economic Development Report

A task force organized by Cameron delivered the preliminary draft of an Economic Development Plan for Lawton-Fort Sill in December, culminating nearly a year of work by 80 CU faculty and administrative staff, civic leaders and concerned citizens. Called Planned Progress, the report by the Smart Economy Task Force contains 19 recommendations designed to promote economic development in Southwest Oklahoma. The task force analyzed factors vital to the development of a climate suitable for the growth of advanced technology companies.

Online Learning Exchange

Two Cameron faculty, Mr. Frank Zittle, Assistant Professor in the Department of Education, and Dr. Robert P. Yuyuenyongwatana, Assistant Professor in the Department of Business, have been selected as participants in the Online Learning Exchange, a national pilot establishing online communities where higher education professionals and students can access information and share resources. Oklahoma, California, Georgia and North Carolina will lead efforts to develop and review submission and access processes for the program. The OLE will provide faculty with an extensive and easily-accessible resource for online and multimedia materials.

Access Center for Eisenhower Clearinghouse

Cameron University has been designated as a Center for the Eisenhower National Clearinghouse for Mathematics and Science Education, a group providing teachers in kindergarten through the 12th grade access to science and mathematics materials and training in how to use those resources. The designation makes Cameron part of the Southwest Educational Development Laboratory, a consortium of 31 colleges and universities in five states. As an access center, Cameron will provide online and in-hand resources and training, including

information about the organization, access to electronic resources and providing assistance to educators who want to integrate technology into classroom activities.

Stokes Alliance Names CU as a Partner Institution

Cameron University has been named a partner institution in the Oklahoma Louis Stokes Alliance for Minority Participation, a multimillion dollar program designed to increase the number of minority students receiving college degrees in math and science-related fields. Cameron will receive \$130,000 as its part in the second phase of a 10-year effort that involves a majority of the State's colleges and universities. The program aims to increase the number of minority bachelors degree holders in the fields of science, mathematics, engineering and technology, specifically among American Indians, African-Americans, Hispanics and Pacific Islanders. The alliance, funded through the National Science Foundation, is named in honor of African-American Congressman Louis Stokes of Ohio.

Multimedia Training Promoted

Advancia Corporation recently presented the first in a series of annual scholarships to two Cameron students, demonstrating a commitment to the development of a qualified and skilled high-tech workforce in Southwest Oklahoma. The annual awards, valued at \$1,000 each, are designed to encourage and reward excellence in disciplines that support high technology business solutions. Recipients of the scholarship are selected by CU faculty, with high grades and a dedication to obtaining a degree among criteria for selection. Advancia has agreed to fund two scholarships yearly over a five-year period at Cameron. Advancia also plans to establish a faculty award recognizing excellence in multimedia development.

Koll Named President-Elect of OKAIDE

Dr. Kurtis Koll, Associate Professor in Cameron's Physical Science Department, was named president-elect of the Oklahoma Association for the Improvement of Developmental Education (OKAIDE) during the organization's recent fall conference at Rogers State University. Dr. Koll will also serve as planner for OKAIDE's 2000 conference focusing on educational technology in the classroom, and will serve as the State president in 2001. OKAIDE has been a recognized State organization since 1994 and is a chapter of the National Association for Developmental Education.

Cameron Begins Broadcasting KCCU, CUTV Over the Internet

Internet users can get a real taste of Cameron while they surf the World Wide Web by listening to live broadcasts of radio station KCCU-FM or watching the campus cable channel, CUTV. KCCU is the first public radio station in Oklahoma to stream its audio and Cameron is one of only a few universities nationwide currently streaming a cable channel. A project of Cameron's communications department, CUTV serves as a training ground for Southwest Oklahoma's future broadcasters.

President Davis introduced Vice President Leo Baxter for a slide presentation on the Economic Development Study Task Force report.

ASSOCIATE OF APPLIED SCIENCE DEGREE IN APPLIED TECHNOLOGY

The proposed degree program is an outgrowth of an articulation agreement negotiated by the Oklahoma State Regents for Higher Education (OSRHE) with the United States Navy in behalf of state institutions which offer the associate in applied science degree. The articulation agreement stipulates that such institutions will award up to thirty semester hours of credit for an associate in applied science degree for Naval technical training in accordance with credit evaluations and recommendations by the American Council on Education (ACE). ACE's evaluations produced eight technical specializations for which they recommend at least 30 semester hours of credit. In order to accommodate all eight specializations within a single degree format, this degree format was developed and will be offered by most of the institutions covered by the agreement.

This degree will serve a similar purpose for future cooperative agreements negotiated between Cameron and area vocational/technical schools. The technical components covered by such agreements are similar to Naval technical training and are often evaluated and recommended for credit by ACE. All such cooperative agreements will be required to be approved individually by both the governing board and OSRHE.

The eight technical components covered by the system-wide articulation agreement are: (1) Advanced Electronics and Computer Field Technician; (2) Advanced Electronics and Computer Fire Controlman; (3) Aviation Electronics Technician; (4) Fire Control Technician; (5) Machinist's Mate (Submarines); (6) Nuclear Field Electrician's Mate; (7) Nuclear Field Electronics Technician; and (8) Nuclear Field Machinist Mate. Most of these components are recommended by ACE for considerably more than thirty semester hours of credit but only thirty will be applicable to the degree. Detailed listings of the credit recommendations were included in the agenda.

It is anticipated that these programs will serve four potential audiences: (1) Students who have not enlisted in the Navy and who wish to complete the Cameron portion of the program before enlisting; (2) Students who sign a commitment to the Navy Delayed Entry Program; (3) Active duty Naval personnel who complete the institutional portion by means of alternative delivery systems (Cameron is not yet prepared to serve this population); and (4) Individuals separated from the Navy who have met current advanced standing requirements.

Associate degree programs at Cameron University which are designed primarily to serve military personnel or off-campus sites are ordinarily managed by the Associate Provost for Educational Outreach and this program will be assigned to that office for management purposes. No additional funding, courses or personnel will be required to offer this degree program. This proposal has been reviewed and recommended by the Associate Provost for Educational Outreach, the Curriculum Committee, and the Provost. A detailed program description, the articulation agreement and the ACE credit recommendations were a part of the agenda.

President Davis recommended the Board of Regents approve a new program request for an Associate of Applied Science Degree in Applied Technology.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

SUBSTANTIVE PROGRAM CHANGES

The Oklahoma State Regents for Higher Education require that all substantive changes in degree programs be presented to the institution's governing board for approval before being forwarded to the State Regents for consideration. The changes in the academic programs, a copy of which was included in the agenda, have been approved by the Provost of Cameron University, based on the recommendation of the appropriate department and dean, and the Graduate Council. The changes are being submitted to the Board of Regents for approval prior to submission to the State Regents.

President Davis recommended the Board of Regents approve changes to degree programs as proposed:

Regent Bentley moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

ESTABLISHMENT OF HARVARD L. AND JUDITH D. TOMLINSON OF DUNCAN ENDOWED LECTURESHIP

Harvard L. and Judith D. Tomlinson have donated \$12,500 to enhance the studies of students in the Physical Sciences department. This gift has been matched by \$12,500 from the McCasland Foundation to create a total gift of \$25,000. Mr. Tomlinson graduated from Cameron University with a Bachelors Degree in Business Administration in 1977. In recognition of this gift, President Davis recommends the establishment of the Harvard L. and Judith D. Tomlinson of Duncan Endowed Lectureship in the Physical Sciences and asks approval to seek matching funds from the Endowed Chairs Program of the State Regents. This endowed lectureship will help advance the Physical Sciences department at Cameron.

President Davis recommended the Board of Regents approve the establishment of the Harvard L. and Judith D. Tomlinson of Duncan Endowed Lectureship in the Physical Sciences at Cameron University and the application for matching funds from the Oklahoma State Regents for Higher Education.

Regent Bentley moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

PURCHASE OF TELEPHONE SWITCH

The existing Northern Telecom switch was purchased in fiscal year 1985-86 and has served Cameron University to the present time. This particular switch, software release number fourteen, can no longer be upgraded. Cameron University has approximately 1200 stations attached to this switch and it is short on additional capacity. This switch will not provide some of the more recent telecommunication enhancements for which the University has a need.

This year the administration has searched for the appropriate solution. The University of Oklahoma offered to transfer certain switch equipment that was excess to their needs. In August, 1999, the administration solicited bids for all of the parts and components to build a switch utilizing

The University of Oklahoma's excess equipment. If new parts were purchased from the same supplier with a warranty, there would be a cost of \$308,896. That cost was considered excessive. Only one vendor out of the six that responded indicated that they could supply all of the parts.

In December, 1999, bids were solicited for a complete new switch, warranty and maintenance. Five vendors visited the campus: Lucent Technologies, Pioneer Business Solutions, Williams, G.T.E., and TelCo Supply. One acceptable bid was received from TelCo Supply in the amount of \$355,072.42 with a post-warranty annual maintenance cost of \$14,400. The University currently has a service contract with TelCo Supply that includes maintenance of cable plant, existing switch, adds, moves and changes.

TelCo Supply has proposed a Nortel Network Digital Telephone System and associated equipment (option 81-c with software release number 24). This modern equipment should meet the needs of Cameron University for the foreseeable future.

President Davis recommended the Board of Regents approve the award of a contract to TelCo Supply in the amount of \$355,072.42 for the purchase of a telephone switch.

Regent Bentley moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

REAPPOINTMENT OF EXTERNAL AUDITORS

At the January, 1997, meeting, the Board of Regents selected the firm of Stanfield and O'Dell, P.C., to provide audit services for five fiscal years (renewable each year) beginning with the fiscal year ended June 30, 1997. Stanfield & O'Dell, P.C., has agreed to complete the fourth year of their services to the University and to conduct the University's FY00 financial audit and other required audits as outlined below.

General Purpose Financial Statement Audit	\$15,000
Tax Return for Unrelated Business Income	200
OMB A-133 Compliance Audit	4,000
Arbitrage Rebate Calculations, if needed	2,500
Revenue Bond Continuing Disclosure Report, if needed	1,000
KCCU Audit	<u>3,800</u>
Total	\$26,500

President Davis recommended the Board of Regents:

I. Reappoint Stanfield & O'Dell, P.C., to conduct the annual audit of the University's general financial statements, to conduct compliance audits of federal awards, to provide revenue bond arbitrage rebate calculations and continuing disclosure reporting assistance, prepare IRS Form 990-T (tax return) for the fiscal year ending June 30, 2000, at a fee of \$26,500; and

II. Authorize the University's administration to execute the engagement letter with this firm for these audit services for the fiscal year ending June 30, 2000.

Regent Siegfried moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

QUARTERLY REPORT ON PURCHASES

Policies of the Board of Regents require that purchases in excess of \$75,000 be referred to the Board of Regents for action, with the exception of that the President or his designee may award purchase orders and construction contracts up to, but not exceeding, \$100,000 where (a) competitive bids were solicited; (b) more than one bid was received; and (c) the low responsive bid is selected. Purchases made in these authorized instances are reported quarterly to the Board of Regents.

For the period of July 1, 1999, through September 30, 1999, there were only two vendors:

ITEM	DEPARTMENT	VENDOR	AMOUNT
Computers	Various	Gateway	\$56,246.00
Microfilm Periodicals	Library	University Microfilms	\$40,687.06

This report was presented for information only. No action was required.

INTERNAL AUDITING ACTIVITIES, CAMERON UNIVERSITY

During the quarter ended December 31, 1999, one final report was completed for Cameron University, Computing and Telecommunications. Copies of the audit report were provided to the appropriate Vice President and the Department responsible for the activity audited, the President's Office, and the Regents' Office. No post-audit reviews were performed during this period. Mr. Kenneth D. Rowe, Director, was present to respond to questions.

This report was presented for information and discussion.

ACADEMIC PERSONNEL ACTION

RETIREMENT:

Dr. Mary Rubin, Professor, Department of Education, effective August 1, 2000

President Davis recommended approval of the above academic personnel action.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

LITIGATION

This item was included in the agenda for the purpose of meeting with General Counsel in executive session, if needed, for a report on pending and possible litigation. There was no executive session or report.

ESTABLISHMENT OF SOUTHWEST OKLAHOMA OPERA GUILD ENDOWED LECTURESHIP

The Southwest Oklahoma Opera Guild has donated \$12,500 to advance the study of operatic music at Cameron University. This gift has been matched by \$12,500 from the McCasland Foundation to create a total gift of \$25,000. In recognition of this gift, President Davis recommends the establishment of the Southwest Oklahoma Opera Guild Endowed Lectureship and asks approval to seek matching funds from the Endowed Chairs Program of the State Regents. This endowed lectureship will help to advance the study of operatic music at Cameron.

President Davis recommended the Board of Regents approve the establishment of the Southwest Oklahoma Opera Guild Endowed Lectureship in operatic music at Cameron University and the application for matching funds from the Oklahoma State Regents for Higher Education.

Regent Siegfried moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

ESTABLISHMENT OF KERR FOUNDATION ENDOWED LECTURESHIP

The Kerr Foundation has donated \$12,500 to enhance the Physical Sciences faculty in research applications and to provide a continuing focus and capability for integrating research into Cameron's curriculum. They have made a letter commitment to provide an additional \$12,500 in September, 2000 to complete the endowment of \$25,000. In recognition of this gift, President Davis recommends the establishment of the Kerr Foundation Endowed Lectureship in Physical Sciences Research and asks approval to seek matching funds from the Endowed Chairs Program of the State Regents. This endowed lectureship will enhance the Physical Sciences faculty and department at Cameron.

President Davis recommended the Board of Regents approve the establishment of the Kerr Foundation Endowed Lectureship in Physical Sciences Research at Cameron University and the application for matching funds from the Oklahoma State Regents for Higher Education.

Regent Siegfried moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

ESTABLISHMENT OF THE TUCK AND ANNA PITTMAN ENDOWED LECTURESHIP

Ms. Dorothy Pittman Carter, Alfred W. Pittman, and Ms. Jessie Dunbar (brother and sister of Dorothy Pittman Carter, respectively) and McCasland Foundation donated a total of \$25,000 to enhance the study and use of Instructional Technology at Cameron University in

memory of their parents, Tuck and Anna Pittman, pioneers of Oklahoma, who treasured education and made many sacrifices to send six of their children to Cameron University. In recognition of this gift, President Davis recommends the establishment of the Tuck and Anna Pittman Endowed Lectureship in Instructional Technology and asks approval to seek matching funds from the Endowed Chairs Program of the State Regents. This endowed lectureship will help advance the study and use of Instructional Technology at Cameron.

President Davis recommended the Board of Regents approve the establishment of the Tuck and Anna Pittman Endowed Lectureship in Instructional Technology at Cameron University and the application for matching funds from the Oklahoma State Regents for Higher Education.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

Chairman Halverstadt recessed the meeting at 4:20 p.m. and announced the Board of Regents would reconvene in regular session at 8:30 a.m. the following morning.

The Regents reconvened in regular session at 9:05 a.m. in the same location and with all Regents present except G. T. Blankenship.

THE UNIVERSITY OF OKLAHOMA

MINUTES

Regent Bentley moved approval of the minutes of the Special meeting held on December 8, 1999, the Regular meeting held on December 8-9, 1999, and the Special meeting held on January 15, 2000, as printed and distributed prior to the meeting. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley and Everest. The Chair declared the motion unanimously approved.

REPORT OF THE PRESIDENT OF THE UNIVERSITY

President Boren reported to the Board the inclusion of the Michael Price College of Business in the Top 50 Colleges of Business by *Forbes Magazine*. That rating can only go higher when you consider only about one fourth of the Price gift has been fully utilized by the College of Business because of professorships waiting for the State match from the State Regents and appropriations by the Legislature. The only other Big XII College of Business included was the University of Texas. OU's rating on the return on investment of tuition dollars for an MBA was 29%--Texas had the same percentage. This underlines what the additional resources are doing for our College of Business. There is a continuing explosion in student interest in our College of Business in terms of enrollment.

President Boren asked Provost Joseph Ferretti and Dean Jerry Vannatta to talk to the Regents about a proposal for OU Health Sciences Center to take the lead in establishing a comprehensive national cancer treatment center. There are few in the U.S., and since we do not have a center within

the State, there are many Oklahomans who feel compelled to go elsewhere to obtain treatment based upon the very latest research. This places a burden on people who need to receive treatment close to home. A cancer center has enormous possibilities for the care of our people and economic development in our State as well.

Provost Ferretti provided comments on establishment of a cancer center, followed by Dr. Vannatta's slide presentation on the need for a cancer center and a funding plan.

REPORT OF THE CHAIRMAN OF THE BOARD

Chairman Halverstadt said he has watched the Health Sciences Center Campus develop over a very long period of time, and this campus exists for one reason--to educate the health manpower necessary to take care of health care needs of the citizens of the State of Oklahoma. The ability to do that depends not only upon classroom teaching but also clinical care of sick patients. We teach young health care providers to do that job and to provide the research necessary to back up both the educational and the clinical activities. Extraordinary progress has been made in developing a mechanism to meet the needs of the people of this State. In some areas, we have progressed to a level of excellence and distinction that is competitive with any institution in this country. As evident in the statistics presented by Dr. Vannatta, we have not been able to put together the comprehensive tool necessary to best serve the citizens of the State. Dr. Halverstadt said the Statement of Need for a Comprehensive Cancer Center the Regents are considering today merits very serious consideration, and we are very hopeful the Legislature will be supportive. Such a Center would bring together a number of capabilities in a way that will allow for expansion and development so that the people of Oklahoma will have the kind of comprehensive care in the area of cancer that will be as good as, if not better than, any other institution in the U.S

RESOLUTION – STATEMENT OF NEED FOR A COMPREHENSIVE CANCER CENTER

RESOLUTION

WHEREAS, every hour, two Oklahomans are diagnosed with cancer and one Oklahoman dies from cancer, resulting in cancer costs to Oklahoma at an estimated \$1.6 billion a year;

WHEREAS, U.S. cancer death rates have declined while Oklahoma rates continue to climb, with cancer now the State's second leading cause of death, estimated to become the leading cause of death within five years;

WHEREAS, Oklahoma is the only State in this region of the country that does not have a comprehensive cancer center, which results in hundreds of Oklahomans leaving the State for cancer treatment;

WHEREAS, addressing the cancer challenge facing the State requires the establishment of comprehensive cancer center facilities to provide Oklahoma citizens with access to a full range of services, the most advanced treatment protocols, and cutting-edge technologies;

WHEREAS, a comprehensive cancer center is the cornerstone of the fight against cancer and will provide an environment wholly focused on better and more effective prevention, treatment and rehabilitation of cancer patients, cancer survivors and those at risk, and will bring together the best scientific minds, innovative laboratory and clinical research, and state-of-the-art scientific infrastructure to translate knowledge gained in cancer research into advances in prevention, detection, diagnosis and treatment;

WHEREAS, the major discoveries by scientists which have advanced our understanding of how cancer cells develop and grow, and how to prevent, detect, and treat cancer are occurring at comprehensive cancer centers at the nation's academic health centers where health care specialists, researchers and clinicians work collaboratively;

WHEREAS, Oklahoma's only academic health center, the University of Oklahoma Health Sciences Center, has campuses in Tulsa and Oklahoma City with internationally prominent faculty involved in cutting edge clinical care, biomedical and clinical cancer research, and is uniquely positioned to provide a comprehensive, interdisciplinary approach to cancer research, treatment, and prevention through the establishment of a comprehensive cancer center to serve the needs of Oklahomans;

NOW THEREFORE, BE IT RESOLVED, that The University of Oklahoma Board of Regents adopts this resolution to illuminate the burden of cancer on the citizens of Oklahoma and the cancer challenge currently facing the state, and to emphasize the University of Oklahoma's commitment to partner with Oklahoma's leaders in this fight against cancer through the establishment of a comprehensive cancer center.

President Boren recommended the Board of Regents approve the Resolution in support of the establishment of a comprehensive cancer center to help Oklahoma gain lost ground in the fight against cancer.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

RESOLUTION – FUNDING FOR A COMPREHENSIVE CANCER CENTER

RESOLUTION

WHEREAS, Oklahoma is faced with disheartening statistics about the number of its citizens who are diagnosed with and ultimately die from cancer, and the number of new cancer cases which continue to increase, emphasizing the formidable task facing Oklahoma's legislative and health care leaders;

WHEREAS, sustained improvement in the fight against cancer requires continued research, development of scientific infrastructure, recruitment of the best scientific minds, and translating knowledge gained in cancer research into advances in prevention, detection, diagnosis, and treatment;

WHEREAS, the University of Oklahoma Health Sciences Center, through the cutting edge discoveries of its scientists and clinicians, is dedicated to bringing the best ideas, technologies and people together to address Oklahoma's cancer challenge, and proposes the establishment of a comprehensive cancer center with clinical facilities in Tulsa and Oklahoma City and a research facility in Oklahoma City;

WHEREAS, the proposed comprehensive cancer center would build upon the solid base of clinical cancer care provided at the University of Oklahoma Health Sciences Center, including its initiatives related to breast cancer and children's cancer through the Oklahoma Institute for Breast Health, serving the 2,000 Oklahoma women who are diagnosed with breast cancer each year, and the Jimmy Everest Center for Cancer and Blood Disorders, providing state-of-the-art care for Oklahoma's children and adolescents with cancer—more than 500 patient visits each month;

WHEREAS, the proposed comprehensive cancer center clinical facilities would facilitate the translation of laboratory findings to patient care and provide Oklahomans with access to diagnostic and treatment services and the newest medications through participation in clinical trials, and the research facility would house scientific laboratories and state-of-the-art equipment where scientists will study molecular and genetic changes resulting in cancer, the properties of cancer-causing agents, and the body's defense against and responses to cancer, and

WHEREAS, the University of Oklahoma Health Sciences Center has targeted strategic initiatives to expand its programs in cancer related research, including awards from the Presbyterian Health Foundation to establish two new endowed chairs in clinical cancer research, and allotment of 8,000 square feet of space in the University's new ambulatory care building to be designed as a clinical cancer center, additional steps are needed to build this much needed program;

WHEREAS, recognizing that converting our knowledge of cancer into advances in prevention and care demands the best ideas, technologies and people, the University of Oklahoma is committed to securing \$34.5 million in federal and private funds to recruit additional distinguished scientists, assist with construction of the new research and clinical facilities, and provide on-going funds for scientific equipment maintenance and replacement;

WHEREAS, projected costs of the comprehensive cancer center facilities in Tulsa and Oklahoma City, new faculty recruitment and start-up, and the research and education fund are approximately \$143 million, the University will commit to raise \$34.5 million and seeks State support in the amount of \$12 million per year for 9 years;

WHEREAS, the vision of Oklahoma's leadership to invest now will yield tremendous benefits in the future that will touch the lives of Oklahomans for decades to come;

NOW THEREFORE, BE IT RESOLVED, The University of Oklahoma Board of Regents, in recognition that winning the fight against cancer requires more extensive and robust research and clinical programs, adopts this Resolution to request the Oklahoma State Legislature to partner with the University in establishing a comprehensive cancer center at the University of Oklahoma Health Sciences Center and, further, that the Oklahoma State Legislature approve, in principle, to provide funding in the amount of \$12 million per year for 9 years.

President Boren recommended the Board of Regents approve the Resolution requesting The Oklahoma State Legislature to assist with funding a comprehensive cancer center at the University of Oklahoma Health Sciences Center.

Regent Siegfried moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

PURCHASE OF LONG DISTANCE TELEPHONE SERVICE - HSC

The University, through its Norman and Health Sciences Center Campuses, contracts for long distance service for use by faculty, staff, students, and in the case of the Health Sciences Center, by three (3) hospitals and various Oklahoma Health Center affiliates.

The Norman Campus contains over 9,500 stations, and annually places over 1.4 million long distance calls totaling over 6.1 million minutes. The Health Sciences Center Campus services approximately 12,000 phones and annually processes over 6.4 million minutes in long distance calls.

As part of an overall program of cost savings, the University issued a Request for Proposal for long distance service. The proposed effective date for the contract will be through June 30, 2000, with an option to renew for three (3) additional years.

The Request for Proposal was sent to eight (8) telecommunications vendors as follows:

Qwest Communications Overland Park, Kansas	Sprint Kansas City, Missouri
Southwestern Bell Oklahoma City	Logix Oklahoma City
Cox Fibernet Oklahoma City	MCI Oklahoma City
AT&T Oklahoma City	Spectracorp Coweta, Oklahoma

Qwest Communications responded with the lowest and best proposal.

Administration requests authorization to negotiate a contract with Qwest Communications for long distance services for the benefit of both the Norman and Health Sciences Center Campuses. The projected annual savings for both campuses total approximately \$180,000. Funds are available from Norman and HSC departments and other Oklahoma Health Center affiliates.

President Boren recommended the Board of Regents authorize the President or his designee to:

- I. Negotiate a contract with Qwest Communications for long distance services, and
- II. Authorize renewals annually for up to three (3) additional years if in the best interest of both the Norman and Health Sciences Center campuses.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

PURCHASE OF AN ELITE FAN BEAM X-RAY BONE DENSITOMETER - HSC

The Department of Nutritional Sciences at the HSC recognizes the need to concentrate on enhancing and building its research program. This equipment will be an important research tool fundamental to enhance existing collaborative research and build the individual programs in fulfilling its research mission. The Elite Fan Beam X-Ray Bone Densitometer can be utilized in a variety of ways and offers a non-invasive, state-of-the-art technology for generating data relative to body composition, specifically information relative to bone mineral mass, body fat mass, and lean body mass (LBM). Measurement of body composition is a difficult task, and some techniques do not allow for accurate measurement of all three body components. The Elite Fan Beam X-Ray Bone Densitometer offers the advantage of measuring, in a single investigation, all three components. This equipment supplies crucial information needed to generate research funding and is a vital component to Nutritional Sciences teaching and learning.

A bid was issued and forwarded to the following vendors:

Amersham Pharmacia Biotech - No Bid Piscataway, New Jersey	Molecular Dynamics - No Bid Sunnyvale, California
Bio-Rad Laboratories - No Bid Hercules, California	Shimadzu Scientific - No Bid Houston
Fisher Scientific - No Bid Houston	VWR Scientific - No Bid Suwanee, Georgia
Hologic Inc - \$109,000 Bedford, Massachusetts	Waters Corp - No Bid Milford, Massachusetts

Administration requests authorization to issue a purchase order to Hologic, Inc. for an Elite Fan Beam X-Ray Bone Densitometer in the amount of \$109,000 plus freight charges, including installation, training, and warranty for twelve (12) months. Funds are available from SPNSR fund, Organization CAH200S.

President Boren recommended the Board of Regents authorize the President or his designee to issue a purchase order to Hologic, Inc. for an Elite Fan Beam X-Ray Bone Densitometer in the amount of \$109,000 plus freight charges, including installation, training and twelve (12) months' warranty.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

PURCHASE OF AN ANALYSIS AND SORTING HIGH PERFORMANCE FLOW CYTOMETER - SCHUSTERMAN HEALTH SCIENCES CENTER, TULSA

The Schusterman Health Sciences Center in Tulsa is building a new laboratory for research to study T-cell immunity for valuable future medical treatment strategies aimed at either harnessing the immune system for treatment of disease or quenching T-cell responses in cases of autoimmunity or T-cell mediated tissue rejection. This research could be of therapeutic value to patients suffering from immune cell-related diseases.

The Cytomation MoFlo cell sorter is the only instrument that has a system pressure range from 5psi up to 100psi. This coupled with the fastest drop drive frequency (up to 200kHz) and a drop delay adjustment to within 1/16 a drop makes it the best cell sorter available because it can deliver high purity at very high speed. Higher sort speeds allow the researcher to collect more cells and reduces the time that cells are out of the body prior to functional analysis. More importantly the MoFlo has a modular design that allows for future addition of 12 more 12-bit analog channels for additional fluorochromes. The addition of more colors for analysis and sorting will prove critical in future experiments as it allows for the detection and separation of more defined populations of cells. As more fluorochromes are becoming available for researchers to use, the purchase of such an upgradable instrument is essential. Other instruments do not have this capability.

Administration requests authorization to issue a purchase order on a sole source basis to Cytomation, Inc. for an analysis and sorting high performance flow cytometer in the amount of \$295,424 plus freight charges and includes installation, on-site training and one year warranty, and authorize renewal of maintenance annually. Funds are available from MISCA Fund, Organization CMT010.

President Boren recommended the Board of Regents authorize the President or his designee to:

- I. Issue a purchase order on a sole source basis to Cytomation, Inc. for an analysis and sorting high performance flow cytometer in the amount of \$295,424 plus freight charges and includes installation, on-site training and one year warranty.
- II. Authorize renewal of maintenance annually.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

PURCHASE OF MODULAR ANALYTICAL FLOW CYTOMETER - SCHUSTERMAN HEALTH SCIENCES CENTER, TULSA

The Schusterman Health Sciences Center in Tulsa is building a new laboratory for research to study T-cell immunity for valuable future medical treatment strategies aimed at either harnessing the immune system for treatment of disease, quenching T-cell responses in cases of autoimmunity or T-cell mediated tissue rejection. This research could be of therapeutic value to patients suffering from immune cell-related diseases.

The Becton Dickinson Facscalibur is the only benchtop multi-sample analysis flow cytometer that has the two lasers necessary for excitation at 488nm and 635nm wavelengths. The

addition of a second 635nm laser allows for detection using antibodies coupled to APC and Cy5 fluorochromes. Four color detection using these fluorochromes is essential for two reasons: 1) Many of the monoclonal antibodies necessary to use for analyses can be purchased coupled to APC and not the alternate fluorochromes used in single laser systems, and 2) the emission of laser light from this 635nm wavelength has less interference with the other colors and thus requires less light compensation and provides more sensitive analysis. Becton Dickinson is the manufacturer and sole source of this equipment.

Administration requests authorization to issue a purchase order on a sole source basis to Becton Dickinson Immunocytometry Systems for a modular analytical flow cytometer in the amount of \$107,000, plus freight charges and includes installation, training and one year warranty, and authorize renewal of maintenance annually. Funds are available from Fund MISCA, Organization CMT010.

President Boren recommended the Board of Regents authorize the President or his designee to:

- I. Issue a purchase order on a sole source basis to Becton Dickinson Immunocytometry Systems for a modular analytical flow cytometer in the amount of \$107,000 plus freight charges and includes installation, training and one year warranty.
- II. Authorize renewal of maintenance annually.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

PURCHASE OF A 7700 SEQUENCE DETECTION SYSTEM - HSC

Polymerase chain reaction (PCR) has revolutionized molecular biology. The OUHSC campus investigators require state-of-the-art equipment for sensitive, rapid and precise quantitative determination of PCR products. The PE Biosystems 7700 Sequence Detection System Fast Assay Development Software provides a foolproof method of customizing and designing complex assays, which will save many hours of time consuming assay development time. Only PE Biosystems is licensed for research applications of TaqMan chemistry. This instrument is unmatched for speed, sensitivity, capacity and flexibility, which will assure its value to a large number of HSC users with widely varying needs and applications. Two other vendors were contacted and neither one could provide a laser light source, which provides more accurate detection of fluorescence emitted from excited dyes. In addition, neither vendor could provide a custom CARD system for high throughput screening. Future needs will require the ability to perform the types of high throughput screening of samples. Because of the importance of PCR technology to many campus users, funds have been committed from a NIH NEI Core Grant, and from the Dean A. McGee Eye Institute to match an equipment grant from Presbyterian Health Foundation. This instrument will be housed in the Biomedical Research Center, and used by the Principal Investigator and his technical staff, and made available to the campus.

Administration requests authorization to issue a purchase order on a sole source basis to PE Biosystems for a 7700 Sequence Detection System in the amount of \$95,000 plus freight charges, and includes installation, on-site training and one year warranty, and authorize renewal of

maintenance annually. Funds are available from SPNSR Funds, Organization COM407S and COM404S, and from CLNOP fund, Organization COM400.

President Boren recommended the Board of Regents authorize the President or his designee to:

- I. Issue a purchase order on a sole source basis to PE Biosystems for a 7700 Sequence Detection System in the amount of \$95,000 plus freight charges, and includes installation, on-site training and one year warranty.
- II. Authorize renewal of maintenance annually.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

STREET VACATION AND UTILITY RELOCATION - HSC

At the September 1999 meeting, the Board approved adding the Landscape Master Plan, Phase I, including the Stanton L. Young Walk and Core Campus Project, to the Campus Master Plan. Elliott and Associates of Oklahoma City was selected as the architect at the October meeting and design work is currently underway.

In order to build the Stanton L. Young Walk, a portion of Stanton L. Young Boulevard from Everett Drive to Stonewall Avenue must be vacated and closed to public traffic. The legal description of the area to be vacated is attached. The Urban Renewal Authority has filed a vacation request with the City of Oklahoma City and a hearing has been scheduled for February 10, 2000 to consider the request. All the property fronting the street is owned by the University. Utility easements will be retained by the City for all existing water, sewer, gas, and telephone lines in place. The property title will revert to the University for approximately two acres of land currently in the street right-of-way. President Boren recommends that the Board approve closing and vacating the street and accept property ownership.

A critical part of the work involves relocating high-voltage overhead electrical transmission lines which currently run down the median of Stanton L. Young Boulevard. The lines do not serve any agencies of the Health Center but connect two electrical substations together. Oklahoma Gas & Electric Company will relocate the lines around the Health Center instead of through the middle of the complex. The total cost of the relocation of 1.61 miles of new overhead line is \$605,596. The cost to the University will be \$302,798. President Boren requests that the Board approve this expenditure and authorize the President or his designee to execute the necessary agreements to accomplish these actions.

President Boren recommended the Board of Regents:

- I. Approve closing and vacating Stanton L. Young Boulevard from Everett Drive to Stonewall Avenue and accept ownership of the property,
- II. Authorize payment to Oklahoma Gas & Electric Company of \$302,798 for the utility relocation for the Stanton L. Young Walk and Core Campus Project, and

III. Authorize the President or his designee to execute the necessary agreements to accomplish these actions.

During the discussion of this item, President Boren amended his recommendation to add the legal description (for clarity) to the action proposed in the agenda.

Regent Everest moved approval of the amended recommendation as stated by President Boren. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

LANDSCAPE MASTER PLAN, PHASE II - HSC

At the September 1999 meeting, the Board approved Phase One of the Landscape Master Plan, including the Stanton L. Young Walk and Core Campus Project, as the first of a major effort to improve the landscape environment at the Health Sciences Center. Phase Two of the Landscape Master Plan, divided into two parts, marks the continuation of the plan which will line the streets with oak trees, construct sidewalks in strategic locations and build a greenhouse.

The most important part of the Phase Two plan is the planting of trees to create an attractive streetscape. Shumard Oak trees will be planted at thirty foot centers on both sides of the boulevards to line the streets with trees throughout the campus. The trees will be the major factor in creating a campus-like environment and defining the boundaries of the Health Center. Irrigation systems will be installed to assure the trees will have the best chance to survive and grow. Infill trees will be planted around buildings to enhance the areas between buildings. Trees and irrigation are estimated to cost \$370,000 and will be installed by the University's Office of Landscape Services.

Sidewalks will also be installed in strategic locations, including a new Ambulatory Care Center corridor between the Biomedical Sciences Building and Williams Pavilion from N.E. 10th Street to Stanton L. Young Boulevard. October Glory Maples will line both sides of this sidewalk, which extends 600 feet. The estimated cost for sidewalks and related landscape improvements is \$130,000. As a part of the Master Plan, a greenhouse is planned to allow flowers to be grown for planting throughout the campus. The 96'x90' greenhouse will be located west of the Steam and Chilled Water Plant and will include plumbing and ventilation necessary to use the facility year-round. The estimated cost of the greenhouse is \$500,000.

A funding proposal was presented to the Executive Board of the Medical Technology and Research Authority of Oklahoma requesting \$1 million dollars to complete Phase Two of the Landscape Master Plan. The MTRA Board agreed to provide \$500,000 in initial funding for trees and sidewalks contingent upon the sale of bonds in March, with the balance of \$500,000 for the greenhouse to be provided at a later date. The University will not proceed with the greenhouse until additional funds are available. An inter-agency agreement will need to be approved and executed to transfer the \$500,000 grant to the University. The agreement is attached hereto as Exhibit A.

The optimal planting season for trees is the period from November 1 through the end of March. The bidding process was expedited in order to get the trees planted this planting season. An Advertisement to Bid was issued on December 8, 1999, and sent to nine vendors. The advertisement requested unit prices per tree for 860 trees. Bids were received on December 15, 1999, from two bidders and are summarized as follows:

Bidder	Unit Price	Total Price
Marcum Nursery Goldsby, Oklahoma	\$136.00 each	\$116,960.00
Progressive Landscape Construction, Inc. Norman, Oklahoma	\$130.00 each	\$111,800.00

Bids were evaluated by the Office of Landscape Services and Purchasing. Considering current construction areas which cannot be planted this season, there may be less than 860 trees required and therefore, the Board is asked to approve the award of a bid for up to 860 trees to Progressive Landscape Construction, Inc. in the amount of up to \$111,800. Delivery of trees will begin in January.

President Boren recommended that the Board of Regents:

- I. Approve the Landscape Master Plan, Phase II at a cost of \$1,000,000 and add the project to the Campus Master Plan of Capital Improvement Projects,
- II. Authorize the President or his designee to execute an Inter-Agency Agreement with the Medical Technology and Research Authority of Oklahoma to accept funding in the amount of \$500,000 for the project, including trees and sidewalks, and
- III. Approve the award of a bid for up to \$111,800 to Progressive Landscape, Inc. of Norman, Oklahoma for the purchase of Shumard Oak trees.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

LABORATORY RESOURCES ANNEX RENOVATION PROJECT – HSC

The addition of faculty and a growing research base at the Health Sciences Center required the renovation of laboratory support space at the Laboratory Resources Annex. A Bio-Safety Level 2 (BSL 2) laboratory support facility has been planned for some time and a grant was submitted last year to the National Institutes of Health. The NIH made an award to the University under their Extramural Research Facilities Construction Program. The grant and funds from the University will allow the renovation of approximately 1,500 square feet at Resource Annex. The NIH grant of \$191,087 and matching funds from the University place the project cost at \$382,174. The project involves the installation of a large pass-through autoclave in the facility. The project will start February 2000 and be completed by February 2001. Funds are available from MISCA, Organization ORA001. The Health Sciences Center Campus Master Plan will be revised to include the project.

President Boren recommended that the Board of Regents approve the Laboratory Resources Annex Renovation Project at a cost of \$382,174 and the addition of the project to the Campus Master Plan at the Health Sciences Center.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

MODIFICATION TO THE CAMPUS MASTER PLAN AND REPORT ON THE CONSTRUCTION BID FOR THE FORT RENO SCIENCE PARK – HSC

In the fall of 1998 the Health Sciences Center received a National Institute of Health (NIH) extramural research facilities construction grant and funds from the State Regents for Higher Education to allow for the construction of an 8,400 square foot facility at the Fort Reno Science Park in El Reno. In October of 1999, Dr. Frank Waxman, Vice President for Research was notified of the award of an additional \$202,869.00 grant from NIH to be included as a part of the construction funding of the project. This addition will increase the funding for the project to a total of \$1,940,369.00. The Campus Master Plan revision would reflect this increase in the project cost.

At the December 1999 meeting, the Board approved the plans for the Fort Reno Science Park project and authorized the administration to release the plans for bids and negotiate and execute a contract with the best bidder for the construction of the project. The administration wishes to report the results. The bids were taken on January 12, 2000, and a tabulation of the bids was included in the agenda.

The bid response from Gail Armstrong Construction, Inc. was considered the lowest and best. A contract has been signed with Gail Armstrong Construction and work is to begin immediately. The project is expected to be completed in November 2000. Funds are available from Grants awards by the NIH and the State Regents for Higher Education.

President Boren recommended that the Board of Regents approve the modification of the Campus Master Plan at the Health Sciences Center for the Fort Reno Science Park Project.

Regent Bentley moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

CONSULTING SERVICES - HSC

The FutureLink project at the Health Sciences Center has resulted in the acquisition and implementation of the PeopleSoft Human Resource Management System and the PeopleSoft Financials for Education and Government, providing General Ledger, Accounts Payable, Purchasing and Asset Management systems. Accounts Receivable and Billing functionality has been implemented in the Great Plains Dynamics system. All related legacy application systems have been shut down. The FutureLink project is now embarking on the next phase with the implementation of the PeopleSoft Student Administration system and several associated technical projects. The Student Administration system will provide recruitment, degree audit / advisement, admissions, registration, student records, financial aid and student financials functionality for the campus.

During the previous implementations, consulting services providing the specific knowledge and level of expertise desired, were frequently unavailable in the timeframe needed, from the consulting firm that had been contracted with. With this knowledge, OUHSC desires to identify and negotiate with a pool of consulting services providers that can meet the needs encountered in the projects. This will allow OUHSC to secure the required level of expertise when needed and at competitive prices. To effect this, OUHSC conducted a competitive request for proposal. The RFP was sent to more than 60 firms with 30 responding. An extensive evaluation of the responses was conducted by teams made up of 19 functional and technical university personnel. It was determined that the 15 highest ranked firms should be selected to make up this resource pool.

Hourly costs for services range from \$80 to \$190 for consultants and \$155 to \$225 for senior consultants, depending on the specific area and level of expertise. Out of pocket expenses are estimated at 15% to 20% of the hourly rates. On an ongoing basis, OUHSC will negotiate the best rate obtainable for the services required. Funds are available from year end carry-over funds.

President Boren recommended the Board of Regents authorize the President or his designee to negotiate and enter into contracts for consulting services, as needed, from one or more companies including: PeopleSoft USA, Inc.; Crestone International LLC; Ciber Inc.; Cambridge Technology Partners; KPMG LLP; Softlink, Inc.; Entersolve Inc.; Superior Consultant Company, Inc.; The Implementation Partners LLC; Mastech Systems Corporation; Compaq Computer Corporation, Services Division; BZH, Inc.; Wegener Information Technology; Enterprise Networking Systems and / or Comdisco, Inc., in support of the implementation of new administrative systems and associated technical projects, in a combined amount not to exceed \$1,295,000 for a period of one year.

Regent Lewis moved approval of the President's recommendation with an amendment to include an exception to the Acquisition of Goods and Services Policy for this item only and to also include semi-annual informational reports to the Board concerning the results of any action taken. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

PROPOSALS, CONTRACTS AND GRANTS

In accord with Regents' policy, a list of awards and/or modifications in excess of \$100,000 or that establish or make policy for the University, or that otherwise involve a substantial or significant service to be performed by the University, was included in the agenda. Comparative data for fiscal years 1994 through 1997, and current month and year-to-date, were shown on the graphs and tables.

The Provisions of Goods and Services policy (amended December 4, 1992) provides that new contracts and grants in excess of \$100,000 must be referred to the Board of Regents for ratification. In addition, in those cases where a contract, grant, document, or arrangement involved would establish or make policy for the University, or otherwise involve a substantial or significant service to be performed by the University, that contract, arrangement, or document shall be referred to the Board of Regents for approval.

GOALS FOR FY2000

	FY00 GOAL	FY99 TOTAL EXPENDITURES	FY00 YEAR-TO-DATE EXPENDITURES	FY99 YEAR-TO-DATE EXPENDITURES
UNIVERSITY OF OKLAHOMA	\$154,970,042	\$147,098,202	\$79,004,669	\$71,843,946
NORMAN CAMPUS	\$87,500,000	\$81,992,762	\$44,290,871	\$38,660,594
HEALTH SCIENCES CENTER	\$67,470,042	\$65,105,440	\$34,713,798	\$33,183,352

President Boren recommended that the Board of Regents ratify the awards and/or modifications for November and December 1999 submitted with this Agenda Item.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, and Everest. (Regent Bentley was out of the room at the time of this vote). The Chair declared the motion unanimously approved.

COURSE CHANGES - NORMAN CAMPUS

The Oklahoma State Regents for Higher Education confer upon each institution the authority to delete, modify and add courses. The course deletions, modifications, and additions itemized in the list, a copy of which was included in the agenda, have been approved by the appropriate faculty, academic units and deans, the Academic Programs Council, and the Senior Vice President and Provost.

This was reported for information only. No action was required.

NONSUBSTANTIVE PROGRAM CHANGES - NORMAN CAMPUS

The Oklahoma State Regents for Higher Education confer upon each institution the authority to approve modifications that are nonsubstantive but require the changes to be communicated to them for information only. The program modifications itemized in the list below have been approved by the appropriate faculty, academic units and deans, the Academic Programs Council, and the Senior Vice President and Provost.

Changes in Program Requirements:

College of Engineering

1. Environmental Engineering, B.S. in Env. Engr. (RPC 331, MC 0922B): course requirement change. Replace Professional Elective in the junior year with E S/C E 4263, Hazardous and Solid Waste Management. The total number of hours required is unchanged.

Reason for requested action: To bring the environmental engineering degree program into compliance with program criteria required by the Accreditation Board for Engineering and Technology. This change will avoid the program being reported with a deficiency in the final report from ABET.

This was reported for information only. No action was required.

EXPANSION OF THE KGOU-KROU PUBLIC RADIO SERVICE TO NORTHWESTERN OKLAHOMA

On February 17, 2000, the University will make application to the Federal Communications Commission for a construction permit for a repeater (satellite) station to serve the northwest quadrant of Oklahoma. On that date, the University will also submit an application to the Public Telecommunications Facilities Program of the U.S. Department of Commerce to pay 75% of the construction costs. A citizen's committee, headed by Tony Adams of Durham and Kathleen Hallren of Woodward, will raise the matching funds from the planned service area. The matching funds will be used for the construction support and annual operating support.

The northwest quadrant has no public radio service. The proposed station will operate at 88.1 FM with 100,000 watts at 900 feet on a tower owned by Mr. Doug Williams, near Woodward. A map is attached to identify the proposed service area.

Grants and gifts will fund the project. If these are not available, the project will not be initiated. The construction costs are estimated to be approximately \$365,000, with the local match estimated to be approximately \$91,250. The annual operating costs are estimated to be \$60,000 in the first year. These will be covered by specific grants in the first years until listenership increases as do individual donations.

The prospects of obtaining a construction grant from PTFP/NTIA/DOC are high because this project has the second-highest funding priority. Award announcements will be made in October 2000. Obtaining a construction permit from the FCC may be more difficult. It is highly likely that other organizations will submit competing applications. The FCC issues construction permits concurrent with the PTFP grant awards, but competing applications could slow the process, extending several years.

This project will extend the KGOU-KROU public service mission of encouraging life-long learning to an area that has no public radio service. The image and reputation as the pacesetter institution of higher education in Oklahoma will be extended to an area where The University of Oklahoma has not had an electronic voice. A map of the proposed service area in northwestern Oklahoma was included in the agenda.

This item was presented for information only. No action was required.

BENEFITS CONTRACT RENEWALS

HEALTH

There has been an increase in the cost of health benefits throughout the country that will also impact the University rates for FY01. The recommended premiums in the table, attached hereto as Exhibit B, will result in an FY01 increased cost to the University of approximately \$1,894,500 (11.95%) over FY00.

ACCIDENTAL DEATH AND DISMEMBERMENT (AD&D) WITH CNA

Renewal with no change in rates.

LONG TERM CARE (LTC) WITH CNA

Renewal with no change in rates.

LIFE INSURANCE WITH CANADA LIFE

The recommended renewal rate will save approximately \$250,000 per year for 3 years and be a guaranteed rate for 3 years. The savings will be applied to the University's increase in FY01 cost for health benefits.

LONG TERM DISABILITY (LTD) WITH AETNA

The recommended renewal rates will save University employees approximately \$42,000 per year for 2 years and will have a guaranteed rate for 2 years.

DENTAL PLAN

In an effort to ensure the best value for the University's and the employees' costs, the University conducted a Request For Proposal (RFP) process for dental benefits.

Thirty-six RFPs were sent to potential providers. Seven providers responded. They were BlueCross BlueShield of Oklahoma, Delta Dental, MetLife, Mutual of Omaha, Oklahoma State & Education Employees Group Insurance Board, Protective DentalCare, and Prudential. The proposals were evaluated by an ad hoc University committee composed of members of the Employment Benefits Committee (EBC) and the staff of the Offices of Personnel Services from all campuses and the University's consultant, Corporate Health Plans of America (CHPA). A slightly revised plan with Delta Dental is recommended. The University's additional cost is approximately \$71,200 (10%). The increase in the rate is primarily a result of an increase in claims experience for the University.

President Boren recommended the Board of Regents:

- I. Approve University benefits as indicated below, effective July 1, 2000 and

II. Authorize the President or his designee to finalize and execute the dental contract.

There was extensive discussion of this item. President Boren said it is his understanding in terms of the coverage provided, that the benefits presented in this item meet or exceed the recommendation of the Campus Benefits Committee. The life insurance negotiations are still evolving, and the action proposed for this item would need to be amended to provide that, because life insurance negotiations are still evolving, authorization be given the President to approve life insurance with a company providing the best value to the University, including negotiated premiums, which result in terms no less favorable than those published in this agenda. The result of the negotiations would be reported to the Board of Regents at its next meeting.

Regent Lewis asked if it would be detrimental to the University if this item was held over until the March meeting. President Boren responded there could be, in terms of enrolling for insurance that takes effect July 1. He also suggested this item should come to the Board earlier in the process in the future. Dr. Driver said there is a very short time frame to accomplish everything necessary for implementation. Regent Lewis asked if everyone is comfortable that University employees have had adequate opportunities to look at the proposals and have input. President Boren introduced Theta Dempsey, Chair of the Benefits Committee, who responded the Committee spent hours reviewing and evaluating the proposals. With regard to health care proposed increases, there was great concern over proposed rates for employees to cover spouses and dependents. The rates presented to the Regents today are a significant improvement over those the Committee first considered, Ms. Dempsey said.

Regent Lewis moved the Board authorize the President to implement the provisions of this agenda item at his discretion or to improve upon parts of this at his discretion and to execute whatever contracts are necessary to do so and to report back to the Board of Regents in due course. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

MAX WESTHEIMER AIRPORT TAXIWAY "A" AND APRON AREA RECONSTRUCTION - NC

The Max Westheimer Airport Improvements project was approved by the Board of Regents at its May 1999 meeting as a part of the overall Campus Master Plan of Capital Improvement Projects for the Norman Campus. This project describes a variety of improvements at the airport that will be needed over the next several years. One such improvement is the reconstruction of Taxiway "A." The work associated with this portion of the project includes reconstruction of approximately 2,100 linear feet of the existing Taxiway "A," which is parallel to Runway 3/21. If adequate funds become available, reconstruction of the apron area adjacent to the "T" Hangars on Goddard Avenue will be added to the project. The "T" hangar pavement reconstruction will also include analysis of the existing drainage inlets and design of any necessary improvements to the storm sewer system in the "T" hangar area.

The selected engineering consultant will refine the scope of work, develop an estimate of total cost, and assist the University in the preparation of a grant proposal that will be submitted to the Oklahoma Aeronautics and Space Commission (OASC) and the Federal Aviation Administration (FAA). It is anticipated that the FAA will provide 90 percent of the project funding, with an additional five percent to be provided by the OASC, and five percent to be provided by Max

Westheimer Airport auxiliary funds. The engineer will provide the professional services required to produce the design and the construction documents and administer the construction contract for the project.

The committee to interview and evaluate engineering firms for the project was composed of the following:

- C. Thomas Knotts, Project Coordinator, Architectural and Engineering Services, Chair
- Donald C. Carter, P.E., General Manager Engineering, Physical Plant
- Scott L. Keith, Manager, Airport Operations, Max Westheimer Airport
- Richard C. Ryan, Associate Professor, College of Architecture
- Walter B. Strong, Jr., Administrator, University Airport and North Campus

Proposals to provide the needed professional services for the project were received from eight engineering firms, and five were selected by the interview committee for further evaluation. Subsequently, at the beginning of the week in which the interviews were scheduled to occur, two of the five firms formally withdrew from the selection process. The committee conducted interviews with the remaining three firms and rated them from highest to lowest as follows:

1. Horizon Engineering, Inc., Tulsa
2. Chiang, Patel & Yerby, Inc., Oklahoma City
3. Brawley Engineering Corp., Oklahoma City

MAX WESTHEIMER AIRPORT TAXIWAY "A" AND APRON AREA RECONSTRUCTION EVALUATION SUMMARY

	<u>Horizon Engineering, Inc.</u>	<u>Chiang, Patel & Yerby, Inc.</u>	<u>Brawley Engineering Corp.</u>
Acceptability of Design	85	73	55
Quality of Engineering	85	72	63
Adherence to Cost Limits	39	38	32
Adherence to Time Limits	38	37	32
Volume of Changes	37	33	29
Stability of Firm	39	39	33
Total Points	323	292	244

The estimated total project budget for this work is \$450,000. The project will be funded with a combination of federal (FAA), state (OASC), and airport auxiliary funds.

President Boren recommended the Board of Regents:

- I. Rank in the order presented above, engineering firms which are under consideration to provide professional services required for the Max Westheimer Airport Taxiway "A" and Apron Reconstruction project;
- II. Authorize the University administration to negotiate the terms of an agreement and a fee starting with the highest ranked firm; and
- III. Authorize the President or his designee to execute the consultant contract, with the understanding that the President will report back to the Board the action taken under this authority.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

FACULTY-IN-RESIDENCE (KRAETTLI APARTMENTS) - NC

At its April 1996 meeting, the Board of Regents approved construction of the initial living quarters for the Faculty-In-Residence (FIR) program. To date, five have been constructed in residence halls. These apartments are located in Couch, Cate, Adams, Walker and Sooner Centers.

FIR #6 will be located in the Kraettli Apartments complex. Design and construction documents for competitive bidding were developed by Hite-Culver Associates, an on-call architectural consultant to the University. This residence is designed as a one-story, free-standing structure and will be located on a central site convenient to the residents throughout the Kraettli Apartments complex.

I. AWARD A CONTRACT

On January 12, 2000, bids for construction of FIR #6 were received from six firms. The bids have been evaluated by the project architect, Hite-Culver Associates, and representatives of the University administration (David Schrage, Assistant Vice President for Housing and Food Services; Michael Moorman, Director, Architectural and Engineering Services; and Michael Tower, Staff Architect, Architectural and Engineering Services). A complete tabulation of the bids received is shown below.

It is recommended that a contract be awarded to L. G. Construction Co., Inc. of Oklahoma City, Oklahoma, as follows.

Base Proposal	\$ 229,876
Alternate No. 2, Modified Roof/Eave Framing	<u> (1,500)</u>
Total Proposed Contract Amount	\$ 228,376

II. AUTHORIZE ALTERNATIVE AWARD, IF NECESSARY

III. SIGN THE AGREEMENT

State statutes allow change orders to be issued for up to fifteen percent of the construction cost for projects costing one million dollars or less. Board approval of this phase of the project will authorize the President or his designee to sign the Agreement for Construction and will allow issuance of necessary change orders of up to fifteen percent of the contract amount, within project budget limitations.

The total project budget of \$300,000 is funded from Oklahoma Development Finance Authority (ODFA) Revenue Bonds, Series 1995, interest proceeds and Housing and Food Services auxiliary funds.

TABULATION OF BIDS
FACULTY-IN-RESIDENCE #6 (KRAETTLI)

	L. G. Construction Co., Inc. Oklahoma City	Robust Construction L.L.C. Lawton	Bedrock Construction Co., Inc. Edmond	5 S Inc. Norman	PI Construction Corporation Norman	Selmon Enterprises, Inc. Norman
Base Bid	\$229,876	\$262,882	\$319,312	\$339,409	\$339,500	\$353,000
Alternate No. 1, Concrete Patio	8,990	2,865	2,800	4,984	3,700	6,000
Alternate No. 2, Modified Roof/Eave Framing	(1,500)	(1,800)	(3,900)	7,380	(4,500)	2,000
Base Bid + Alternate 2	\$228,376	\$261,082	\$315,412	\$346,789	\$335,000	\$355,000

President Boren recommended the Board of Regents:

- I. Award a contract in the amount of \$228,376 to L. G. Construction Co., the low bidder, for construction of Faculty-In-Residence living quarters #6 which is to be located in the Kraettli Apartments complex;
- II. If it is not possible to execute a contract with the low bidder, authorize award of a contract to the second low bidder; and
- III. Authorize the President or his designee to sign the Agreement for Construction and the necessary change orders during construction within the statutory and project budget limitations.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

TERTIARY CHILLED WATER PUMPS - NC

The installation of a tertiary chilled water pumping system is one of the utility infrastructure improvements identified in the Campus Utility Master Plan prepared by Frankfurt-Short-Bruza (FSB) engineering consultants and funded from Utility System Revenue Bonds, Series 1999.

Currently the OU Chilled Water Plant utilizes a primary constant volume pumping system to serve the main campus chilled water needs. It is intended that by redesigning the current primary pumping system to include secondary and tertiary pumps the university will increase efficiency by varying the flow of chilled water to meet individual building demand and separating the primary (constant volume) pumping from the secondary and tertiary (variable volume) pumping. This will provide for better control of return water temperature which allows the chillers to operate at their optimum design conditions resulting in reduced pumping energy requirements.

At this time approval is requested to purchase a complete system to serve 19 main campus buildings. It is intended that additional buildings will be added in the future as funding is identified. When funding is obtained, plans and specifications will be developed for bid. Once bids are received, Board approval will be requested before issuance of purchase orders at or above \$100,000.

Invitations to Bid were sent to 18 contractors, three plan rooms and advertised in *The Norman Transcript*. Evaluation criteria included cost, conformance to specifications, experience and the ability to meet project time constraints.

Bid responses were received from five vendors as follows:

<u>Company/City, State</u>	<u>Amount</u>
Matherly Mechanical Contractors Inc. Midwest City, Oklahoma	\$404,600
United Mechanical Inc. Oklahoma City	\$479,900
Acme Mechanical Contractors Inc. Oklahoma City	\$491,000
Wattie Wolfe Co. Oklahoma City	\$519,000
J. H. Kelly, LLC Oklahoma City	\$586,000

The evaluation committee consisted of the following individuals.

Gary Ward, Director, Physical Plant
Don Carter, General Manager, Engineering, Physical Plant
Scott Davis, Power Plant Manager, Physical Plant
Fred Erdman, Chief Mechanical Engineer, Frankfurt-Short-Bruza
George Horn, Assistant Director, Purchasing

President Boren recommended the Board of Regents approve award of a purchase order in the amount of approximately \$ 404,600 to Matherly Mechanical Contractors, Inc. to furnish and install a complete tertiary chilled water pumping system for 19 main campus buildings on the Norman Campus.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

ASP AVENUE PARKING FACILITY - NC

For some time it has been recognized that a shortage exists of parking spaces in core campus areas. Based on the parking study performed by Barton-Aschman, Associates, Inc., the Elm Avenue Parking Facility was constructed. This facility was completed about two and one-half years ago and has reduced the parking shortage in the northwest area of campus. In addition a number of new parking lots have been constructed and opened for use by faculty, staff, and primarily students.

It is now apparent that another parking garage may be warranted to support parking demands in the south central core area as well as in the area of the stadium. Construction of a new facility with a capacity of approximately 800 vehicles and a total cost of approximately \$9 million is proposed. It is proposed that the new garage be located along the east side of Asp Avenue, between Asp and the west side of Oklahoma Memorial Stadium where currently a surface parking lot exists. This new facility would be located near many of the University's major academic buildings and would serve the daily parking needs of students, faculty and staff. In addition, covered and protected parking spaces would be available for guests and special events during the evening and on weekends. A map was included in the agenda.

This project, if approved, will be funded by the sale of revenue bonds.

If this recommendation is approved, the process to select an architectural firm for a project feasibility study and project design will begin immediately.

President Boren recommended the Board of Regents approve the Asp Avenue Parking Facility project and authorize addition of the project to the Campus Master Plan of Capital Improvement Projects for the Norman Campus.

President Boren stated he would like to amend his recommendation for action as follows:

President Boren recommended the Board of Regents approve the Asp Avenue Parking Facility project and authorize addition of the project to the Campus Master Plan of Capital Improvement Projects for the Norman Campus *in a manner compatible with planning for the development or improvements of Oklahoma Memorial Stadium.*

Regent Siegfried moved approval of the amended recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

**NIELSEN HALL ADDITION AND RENOVATION, PHASE I (WEST ADDITION)
AUDIO-VIDEO-COMPUTER SYSTEMS - NC**

Construction of Phase I of the Nielsen Hall Addition and Renovation project, the west addition, is anticipated to be completed in March 2000. As a part of the project, an audiovisual system has been designed by the project consultant, J. W. McSorley, Architech, P.C. To complete the project, audiovisual equipment needs to be installed in the two large classrooms that comprise a major portion of the new construction.

Bids for the audio-video computer systems were sent to 17 vendors. Responses were received from four bidders on January 18, 2000. The bids were evaluated by the following individuals.

- J. W. McSorley, Architect
- Michael Moorman, Director, Architectural and Engineering Services
- William Forester, Staff Architect, Architectural and Engineering Services
- Ryan Doezema, Chair/Professor, Department of Chemistry and Biochemistry
- Denise Miles, Instructional Services Equipment Specialist, TV & Satellite Services
- Florian Giza, Procurement Specialist III, Procurement Services

A complete tabulation of the bids received is shown below:

Consolidated Media Services Systems Engineering, Branson, Missouri	\$220,816.00
Fairview AFX, Inc., Tulsa	\$234,732.82
Fowler Productions Inc., Norman	\$243,519.10
Cory's Audio Visual, Oklahoma City	\$254,154.00

The recommendation was based on pricing, ability to meet required deadlines and specifications, and the qualifications of the bidder. The committee determined that the bid submitted by Consolidated Media Services Systems Engineering was the best value to the University.

Funds for this portion of the project were approved as part of the Nielsen Hall Addition and Renovation, Phase I project budget and are available from project funds.

President Boren recommended the Board of Regents approve award of a purchase order in the amount of \$220,816 to Consolidated Media Services Systems Engineering, the low bidder, for Audio-Video-Computer Systems for the Nielsen Hall West Addition.

Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

LLOYD NOBLE CENTER EXPANSION AND IMPROVEMENTS -NC

At its June 1999 meeting, the Board of Regents accepted and approved the Lloyd Noble Center Facility Master Plan; approved the expansion and improvements project; authorized the addition of the project to the Campus Master Plan of Capital Improvement Projects for the Norman Campus; and authorized proceeding with preparation of architectural plans for the project.

I. APPROVE DESIGN DEVELOPMENT PLANS

The project architects, Ellerbe Becket, Inc., have completed the design development phase plans for the project which includes the addition of new space for the men's and women's intercollegiate basketball programs' practice, locker room, training, and strength facilities; office space for both programs; and additional public restrooms and concessions. Also included in the project are renovations to the Lloyd Noble Center that will provide important accessibility and life safety improvements; electrical and mechanical improvements; additional courtside seating; remodeling of the arena ceiling; and a new building roof. A south driveway from Chautauqua Avenue and expansion of the southwest quadrant of the parking lot are also included in the project.

II. APPROVE BUDGET AND MODIFY CAMPUS MASTER PLAN

Based on the design development phase estimate of probable construction cost, the total project budget necessary for the project is estimated to be \$16,875,000. Funds are to be provided from the generous gift of the Noble Foundation, other private sources, and Athletic Department funds. It will be necessary to modify the Campus Master Plan of Capital Improvement Projects for the Norman Campus to reflect this project budget.

Several major elements of the project are being developed as alternates in the event the entire project cost, as indicated above, cannot be raised. However, with the continued success of private fundraising, all elements may be included in the construction contract to be awarded.

III. PREPARE CONSTRUCTION DOCUMENTS

IV. ADVERTISE AND RECEIVE CONSTRUCTION BIDS

President Boren recommended the Board of Regents:

- I. Approve the design development phase plans for the Lloyd Noble Center Expansion and Improvements project;
- II. Approve a total project budget of \$16,875,000 and authorize the required modification of the Campus Master Plan of Capital Improvement Projects for the Norman Campus;
- III. Authorize preparation of construction documents for the project; and

- IV. Authorize the University administration to advertise the project for bids and to receive bids for construction.

Director of Athletics, Joseph Castiglione, and Director of Architectural and Engineering Services, Mr. Michael Moorman, presented a report and displayed renderings of the Lloyd Noble Center expansion. President Boren asked that renderings be prepared showing other possibilities for using red brick to "tie in" this expansion with the rest of Campus.

Regent Bentley moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

SAM NOBLE OKLAHOMA MUSEUM OF NATURAL HISTORY EXHIBIT TRACK LIGHTING FIXTURES AND ACCESSORIES

In May 1999, the Board of Regents approved substantial completion of the Sam Noble Oklahoma Museum of Natural History building. Currently, Charles M. Maltbie Associates, Inc. and Chase Studios, Inc. along with Museum staff are constructing and installing the initial exhibits at the Museum in preparation for the public opening on May 1, 2000.

The Litelab exhibit track lighting system was specified for use in the Museum's exhibit galleries primarily because the system requires half the electrical circuits compared with other manufacturers' systems. Use of the Litelab system reduces requirements for panel boards, track supports and other miscellaneous electrical components and thereby reduces costs.

The fixtures and accessories necessary to complete this system are only manufactured by Litelab. Normally orders would be placed through an electrical supplies distributor, however, Litelab has agreed to sell directly to the University, further reducing costs.

Pricing was requested from Litelab Corporation of Buffalo, NY. The estimate for this project is \$215,000. The actual award amount will be established once the final order quantities have been determined by the consultant on this project.

Funding for this project will come from SNOMNH exhibit funds.

President Boren recommended the Board of Regents authorize award of a sole source purchase order to Litelab Corporation in an amount not to exceed \$215,000 for exhibit lighting fixtures and accessories for the Sam Noble Oklahoma Museum of Natural History.

Regent Noble moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

YORKSHIRE APARTMENTS RENOVATION – NC

At its July 1999 meeting, the Board of Regents ranked architectural firms, and authorized the administration to negotiate the terms of an agreement and a fee and to execute a consultant agreement for design of the Yorkshire Apartments Renovation project. Subsequently, an agreement between the University and Richard R. Brown Associates Architects, of Oklahoma City, Oklahoma was executed. The total fee will not exceed \$164,455.

I. APPROVE DESIGN DEVELOPMENT PLANS

Richard R. Brown Associates Architects has now completed the design development phase plans for the project. The project includes improvements throughout the complex to meet various maintenance needs and to bring the buildings back to good condition. The apartment complex, which was constructed in 1969 and later acquired by the University, has seen many years of heavy use and is in need of comprehensive repairs. The most crucial improvements included are structural in nature. The project also involves upgrading and modernizing the façade and replacing all roofs.

II. PREPARE CONSTRUCTION DOCUMENTS

III. ADVERTISE AND RECEIVE CONSTRUCTION BIDS

President Boren recommended the Board of Regents:

- I. Approve the design development phase plans for the Yorkshire Apartments Renovation project;
- II. Authorize preparation of construction documents for the project; and
- III. Authorize the University administration to advertise the project for bids and to receive bids for construction.

Regent Bentley moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

CONSULTING SERVICES - TULSA

The Oklahoma Department of Human Services (DHS) contracted with the University's National Resource Center for Youth Services (NRCYS) in Tulsa to provide training and assistance to DHS child welfare staff who are identified to participate in the "Promoting Safe and Stable Families" program.

NRCYS responsibilities will focus on providing training as requested and technical assistance to community collaborative teams to develop and revise county funding plans. Ingraham & Associates is engaged in the business of and has developed extensive professional credentials in this area of training and technical assistance.

NRCYS desires to contract with Ingraham & Associates on a sole source basis for the following reasons:

1. The University does not have an employee with the ability to perform the services necessary to fulfill the contract with DHS.
2. Ingraham & Associates has extensive experience in this area.
3. DHS has indicated that Ingraham & Associates is the only firm capable of performing the necessary services.
4. NRCYS has been directed by DHS to use Ingraham & Associates for this service

The contract will be funded by a Federal flow-through grant through DHS.

President Boren recommended the Board of Regents approve award of a sole source contract in the amount of \$120,000 to Ingraham & Associates to provide consulting services to the National Resource Center for Youth Services.

Regent Lewis moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

ACCEPTANCE OF FISCAL YEAR 1998-99 EXTERNAL AUDITS, ANNUAL FINANCIAL REPORTS, AND COMPLIANCE AUDITS OF FEDERALLY FUNDED ASSISTANCE PROGRAMS

At the December, 1999 meeting of the Board of Regents' Audit Committee, KPMG Peat Marwick LLP (KPMG) presented for the fiscal year ended June 30, 1999, the Independent Auditor's Report, the Annual Financial Statements, Additional Information, and the Report on Compliance and on Internal Control over Financial Reporting based on audits of the Norman and Health Sciences Center Campuses financial statements. The audits were conducted in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States.

At the December 1999 meeting of the Board of Regents' Audit Committee, Deloitte and Touche LLP presented for the fiscal year ended June 30, 1999, the Independent Auditors' Report on the Schedule of Expenditures of Federal Awards and the Independent Auditors' Report on Compliance and Internal Control over Compliance Applicable to each Major Federal Program for the Norman and Health Sciences Center Campuses. These audits were conducted in accordance with generally accepted auditing standards, standards applicable to financial audits contained in *Government Auditing Standards*, and U.S. Office of Management and Budget (OMB) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

President Boren recommended the Board of Regents:

- I. Accept the 1998-99 External Audit Financial Reports for the Norman and Health Sciences Center Campuses and;
- II. Accept the 1998-99 Compliance Audits of Federally Funded Assistance Agreements for the Norman and Health Sciences Center Campuses.

Regent Siegfried moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

REGENTS' FUND STATEMENT OF INVESTMENT POLICY

As outlined in the Regents' Fund *Statement of Investment Policy*, the Board of Regents should review the policy on a regular basis. As a part of the Board's current review process a Tulsa firm, ADAMS HALL Investment Management, reviewed the policy and offered several meaningful suggestions related thereto.

Their recommendations with rationale were included in a letter provided by the University administration to all Board members. The policy changes being recommended by ADAMS HALL and the University's administration include the following:

1. provision for one primary investment goal followed by other prioritized considerations;
2. inclusion of a formal rebalancing section to help ensure that assets are properly allocated within asset classes;
3. provision for tolerance limits for specific equity and fixed income asset classes;
4. provision for greater balance between current income distributions and long-term growth of capital value; and
5. provision for the investment of non-endowed, but long-term oriented funds (such as student loan funds) in the Consolidated Investment Fund.

The specific policy changes being recommended are as follows (additions are underlined and deletions are lined through):

University of Oklahoma Regents' Fund Policy

Statement of Investment Policy

Definition and Function

In recognition of its fiduciary responsibilities, the Board of Regents of the University of Oklahoma (hereafter referred to as the "University") has adopted the following statement of investment policy. ~~These~~ This policy will establish the investment strategies and guidelines relate to be used in the management of these gifts and donations received by the University in the form of endowments, other University funds with long-term benefit investment objectives, and these other monies set aside and designated by the Board University as quasi-endowments.

~~The Investments~~ investment of these assets will generally be limited to those firms and/or securities, strategies and advisory firms which adhere to the standards of these guidelines this investment policy statement, and which meet prudent investment standards all other relevant legal, ethical and fiduciary standards.

Purpose of Statement

The purpose of the endowment fund in which these assets are invested (hereafter referred to as the "Consolidated Investment Fund" or "CIF") is to support the University and its mission over the long term. Accordingly, the purpose of this statement is to establish a written policy for the investment of the CIF assets, and to ensure that the future growth of the CIF is sufficient to offset normal inflation, fees and costs, ~~plus and~~ a reasonable rate of spending. A principal objective of this policy, therefore, is to thereby preserving preserve the constant dollar value and purchasing power of the Regents' Fund endowments for future generations. This statement will establish appropriate risk and return objectives for the CIF in light of the CIF's University's risk tolerance, and investment time horizon and other objectives. These objectives, as well as the related asset allocation guidelines, summary of suitable investments, and description of responsibilities of the Investment Manager(s) chosen to manage these funds, are outlined below contained herein.

Objectives of the Consolidated Investment Fund (CIF)

The objectives of the CIF ~~shall be defined as follows:~~ include a number of specific measures related to the investment and operation of the fund. In order to meet the principal objective of the University which is to maintain the purchasing power of the endowment, the rate of return of the investment funds will be an important measure of success. Also important will be the time horizon of the endowment, the risk tolerance of the University, the planned spending policy and the degree of liquidity required to maintain this spending policy.

In terms of spending, the University plans to distribute annually 5.5% of a trailing three year (twelve quarter) average of the CIF's total market value, with the understanding that this spending rate, plus the rate of inflation, will not normally exceed the long-term total return earned on the investments. It is understood, nonetheless, that this total return basis for calculating spending is sanctioned by the Uniform Management of Institutional Funds Act (UMIFA), under which guidelines the University is permitted to spend an amount in excess of current yield (interest and dividends earned), including realized or unrealized appreciation. The return policy of the University, in turn, is driven by the spending policy.

In terms of investment return policy, the University will measure the return on investment in three ways as follows:

Absolute Return Objective - which shall be measured in real (i.e., net of inflation) rate-of-return terms and shall have the longest time horizon for measurement;

Relative Return Objective - which shall be measured as time-weighted rates of return versus capital market indices index benchmarks; and,

Comparative Return Objective - which shall measure performance as compared to a universe of similar investment funds.

The Absolute Return Objective of the CIF is to seek an average total annual return ~~of 5.0% or~~ equal to CPI and other costs plus 5%. This objective shall be measured over an annualized, rolling five and ten year time periods. As note above, the intent of this objective is to preserve, over time, the principal value of the assets as measured in real, inflation adjusted terms. This is the principal objective of the University regarding performance of the endowment.

The Relative Return Objective of the CIF is to seek competitive investment performance versus appropriate or relative capital market measures, such as securities indices. This objective shall be measured primarily by comparing investment results, over a moving annualized one, three, and five, and ten year time periods to the appropriate market index benchmark for the total assets of the endowment and each asset class., ~~to:~~ The principal asset class market index benchmarks are as follows:

The ~~Standard and Poor 500~~ Russell 3000 Index as a the benchmark for the U.S. Equity Component;

The Salomon Brothers Broad Market Index (“BMI”) World ex-US Index for the International Equity Component;

The Lehman Aggregate Bond Index as a the benchmark for the Fixed Income Component;

The Salomon Brothers 91-Day Treasury Bill Index as the benchmark for the Cash and Cash Equivalent Component.

The Comparative ~~performance~~ Return Objective of the CIF is to achieve a total rate of return that is above equal to or greater than the median performance of a universe of similar managed funds. This objective will be measured over the same time horizons as the Relative Return Objective. The Relative Return and Comparative Return Objectives are important as measures of progress toward the Absolute Return Objective and as measures of the performance of asset classes and investment advisors selected for use in the fund.

In terms of time horizon and risk tolerance, The the CIF assets have a long term, indefinite time horizon that runs concurrent with the endurance of the University, ~~in perpetuity.~~ In effect, the time horizon of the endowment funds will run into perpetuity. As such, these funds can ~~assume a time horizon that extends well beyond~~ make investments and take on risks that will run well beyond a normal market cycle of five to seven years, and can assume an above-average level of risk as measured by the standard deviation of annual returns. It is expected, however, that both professional investment management and sufficient portfolio diversification will have the effect of smoothing the shorter-term smooth volatility of endowment returns, and will help to assure a reasonable consistency of return.

Target Asset Allocation

The University believes that the asset allocation decision significantly affects the long-term rate of return and return volatility of the fund. The asset allocation of the CIF should reflect a proper balance of the University’s objectives regarding return, risk, spending policy and liquidity. The target asset mix that will be consistent with the achievement of these long-term objectives will be a balanced investment approach.

~~To~~ Thus, to achieve its the investment objectives outlined above, the CIF shall be allocated among a number of asset classes. These asset classes shall include: ~~domestic U.S. and international equity, domestic U.S. and international fixed income, international equity, international fixed income, and cash. The purpose of allocating among asset classes is to ensure the proper level of diversification within the CIF.~~

Based on the University's assessment of their objectives, the CIF shall have an overall target asset allocation of 70% in equities and 30% fixed income, and be invested in the major asset classes as follows:

The following Target Asset Mix Table defines the CIF's target asset allocation and the minimum and maximum allocation limits of each asset class:

Target Asset Mix Table

Asset Class	Minimum %	Target	Maximum %	Representative Index
<u>U.S. Equities</u>	<u>52 65%</u>	<u>55 70%</u>	<u>58 75%</u>	<u>Russell 3000 Index S&P 500</u>
<u>International Equities</u>	<u>12</u>	<u>15%</u>	<u>18%</u>	<u>Salomon BMI World Ex-US Index</u>
<u>Fixed Income*</u>	<u>27 25%</u>	<u>30%</u>	<u>33 35%</u>	<u>Lehman Aggregate Bond Index</u>
<u>Cash</u>	<u>0</u>	<u>0%</u>	<u>5%</u>	<u>Salomon 91-Day Treasury Bill Index</u>

- II. This target asset allocation may include both U.S. and international fixed income. During the process of Investment Manager selection, the specific investment guidelines and performance objectives, including target asset mix between U.S. and international fixed income, will be established.

III.

The general policy shall be to diversify investments among both equity and fixed income securities so as to provide a balance that will enhance total return while avoiding undue risk concentration in any single asset class or investment category.

It is the University's policy to rebalance to its target asset allocation on a uniform basis so as not to cause undue expense to be allocated to the portfolio. It is the University's policy to review rebalancing the portfolio at least annually or sooner if desired by the person(s) charged with the oversight of the portfolio's investments. The method of rebalancing will be based on the "tolerance" rebalancing formula, which generally states that the portfolio will be rebalanced if the target asset allocation goes beyond the stated tolerance for any particular asset class.

As an example, if the target asset allocation for U.S. Equities is 55% with a 3% tolerance, then no rebalancing would be required under this investment policy if the range for equity investments remained within a 52% to 58% range; otherwise, management is required to direct the investment manager(s) to rebalance the portfolio to within target limits. Further, at least annually (usually corresponding to the year-end report to the Board of Regents), the University will review these rebalancing ranges to assure that they remain reasonable and workable within the context of the goals of the endowment.

Asset Class Strategies

The University believes that no single asset class, investment style, or strategy can consistently be the top performer. Therefore, as outlined above, CIF assets will be diversified across asset classes, and they will also be diversified across investment strategies and styles within each asset class.

Equities will be diversified by investment style and strategy (i.e., growth, value, market-oriented, and quantitative and qualitative). The equity category may include US dollar denominated and international common, preferred, and convertible stocks. All assets will be of sufficient size and held in issues that are actively enough traded to facilitate transactions at minimum cost and accurate market valuation. The aggregate equity portfolio should be well diversified to avoid undue exposure to any single economic sector, industry group, country, currency or individual security. Within the above guidelines and restrictions, the Investment Manager(s) has complete discretion over the timing and selection of equity securities.

Fixed income will be diversified by investment style and strategy (i.e., duration, sector, quality). The fixed income category may include US dollar denominated marketable bonds and convertible securities. All assets will be of sufficient size and held in issues that are actively enough traded to facilitate transactions at minimum cost and accurate market valuation. The aggregate fixed income portfolio should be well-diversified to avoid undue exposure to maturity, issuer, country, currency and credit quality. Within the above guidelines and restrictions, the Investment Manager(s) has complete discretion over the timing and selection of fixed income securities.

Uninvested cash and cash equivalent reserves shall be kept to a minimum as short term, cash equivalent securities are usually not considered an appropriate investment vehicle for endowment assets. The University has made no policy allocation to cash. However, such vehicles are appropriate as depository for income distributions from longer-term endowment investments, or as needed for temporary placement of funds directed for future investment to the longer-term capital markets.

Cash managers may invest in the highest quality commercial paper, repurchase agreements, Treasury Bills, certificates of deposit, and money market funds to provide income, liquidity for expense payments, and preservation of the CIF's principle value. Commercial paper assets must be rated at least A1 or P-1 (by Moody's or S&P). No more than 5% of the total market value of the CIF's cash assets may be invested in the obligations of a single issuer, with the exception of the U.S. Government and its agencies. Within this asset class, the Investment Manager(s) has complete discretion over the timing and selection of cash equivalent securities.

The University may, from time to time, decide to invest in real estate, private equity, venture capital, or other types of investment not explicitly permitted in this investment policy statement. This will represent a specific decision and will be handled either by a special arrangement with the existing Investment Manager(s) or through the selection of a new Investment Manager(s). It is not anticipated that such special investment will exceed 5% of assets.

The use of the derivative securities for speculative purposes shall be prohibited. The Investment Manager(s), however, may and shall be expected to make use of derivative securities (such as listed stock and bond index futures and options) for the purpose of securitizing cash holdings within a portfolio or as an alternative means of achieving exposure to the stock and bond markets.

Investment Manager(s) Appointed

Endowment assets will be managed by a duly appointed investment management fiduciary. Assets in the CIF may be invested in various funds and/or separately managed portfolios. Consistent with this investment policy statement, each Investment Manager has full investment discretion over the assets under its control with respect to asset mix, security selection, and timing of transactions, subject to the specific investment guidelines and performance objectives established for that Manager. These guidelines and objectives will be developed relative to, and documented with, the selection of specific Managers. Each set of guidelines and objectives will be tailored to an individual Investment Manager and reflect the characteristics of the investment approach utilized by that Manager. The purpose of tailored guidelines and objectives is to help ensure that each Investment Manager adds value while serving in a well-defined, diversifying role within the overall fund.

Investment Policies, Guidelines, and Restrictions

~~The investment policies, guidelines, and restrictions presented in this policy statement serve as a framework to help the CIF achieve the investment objectives at a level of risk deemed acceptable. The CIF will be diversified both by asset class and within asset classes. Within each asset class, securities will be diversified among economic sector, industry, quality, and size. The purpose of diversification is to provide reasonable assurance that no single security or class of securities will have a disproportionate impact on the performance of the total fund. As a result, the risk level associated with the portfolio investment is reduced.~~

~~Equity Securities — The purpose of equity investments, both domestic and international, in the CIF is to provide capital appreciation, growth of income, and current income, with the recognition that this asset class carries with it the assumption of greater market volatility and increased risk of loss. The equity portion of the portfolio should be maintained at a risk level roughly equivalent to that of the equity market as a whole, with an additional objective of exceeding its results as represented by the annualized returns of the S&P 500 Index, over an annualized moving three and five year time periods.~~

~~Equity holdings shall generally be restricted to high quality, readily marketable securities of corporations that are actively traded on the major stock exchanges, including NASDAQ. International equity investment of similar quality and marketability will be permitted up to 20% of the total equity portfolio.~~

~~Within the above guidelines and restrictions, the Investment Manager(s) has complete discretion over the timing and selection of equity securities.~~

~~Fixed Income Securities — The purpose of fixed income investments, both domestic and international, is to provide diversification, and a predictable and dependent source of current income. It is expected that fixed income investments will not be totally dedicated to the long term bond market, but will be flexibly allocated among maturities of different lengths according to interest rate prospects. Fixed instruments should reduce the overall volatility of the CIF's assets, and provide a deflation hedge.~~

~~Investments in fixed income securities should be managed actively by the investment manager(s) to pursue opportunities presented by changes in interest rates, credit ratings, and maturity premiums, with the objective of meeting or exceeding the results of the fixed income market as represented by~~

~~the annualized returns of the Lehman Aggregate Bond Index over an annualized moving three and five year time periods.~~

~~The Investment Manager(s) may select from appropriately liquid preferred stocks, corporate debt securities, international obligations, and obligations of the U.S. Government and its agencies.~~

~~Within the above guidelines and restrictions, the Manager(s) has complete discretion over the timing and selection of fixed income securities.~~

~~Cash and Equivalents – Uninvested cash reserves shall be kept to a minimum; short term, cash equivalent securities are usually not considered an appropriate investment vehicle for endowment assets. However, such vehicles are appropriate as depository for income distributions from longer-term endowment investments, or as needed for temporary placement of funds directed for future investment to the longer term capital markets.~~

~~Managers may invest in the highest quality commercial paper, repurchase agreements, Treasury Bills, certificates of deposit, and money market funds to provide income, liquidity for expense payments, and preservation of the CIF's principle value. Commercial paper assets must be rated at least A1 or P-1 (by Moody's or S&P). No more than 5% of the total market value of the CIF's assets may be invested in the obligations of a single issuer, with the exception of the U.S. Government and its agencies.~~

~~Within this asset class, the investment manager(s) has complete discretion over the timing and selection of cash equivalent securities.~~

~~Other Securities – Derivatives and Derivative Securities – In general, the use of derivative securities shall be discouraged, unless such an opportunity presents itself that the use of these sophisticated securities would provide substantial opportunity to increase investment returns at an appropriately equivalent level of risk to the remainder of the total portfolio.~~

Performance Standards

In the prudent exercise of its fiduciary responsibility, the University intends periodically to evaluate the Investment Managers' performance over a full market cycle (i.e., historically five years or longer) by taking into account relevant measures. The following are the general long-term measures established by the University. Specific measures for the individual Manager(s) will be developed relative to, and documented with, the selection of specific Managers. (Note: Performance will be measured using time-weighted rates of return.)

Composite CIF results should exceed the return of a Composite Market Index, which combines the various market index benchmarks representing the fund's asset allocation as established in this policy.

U.S. Equity results should exceed the return of appropriate market index and, where reasonable, attain above median performance in a universe of professionally managed domestic equity funds with similar characteristics

International Equity results should exceed the return of appropriate market index and, where reasonable, attain above median performance in a universe of professionally managed international equity funds with similar characteristics.

Fixed Income results should exceed the return of appropriate market indexes and, where reasonable, attain above median performance in a universe of professionally managed domestic fixed income funds with similar characteristics.

In fulfilling their fiduciary responsibility to periodically review the results achieved by the Investment Manager(s), the University will not base its judgments regarding a Manager's suitability solely on the results of a relatively short time period. Generally, a full market cycle of performance history is needed before results alone can play a substantial role in evaluating a Manager. In the short term, other factors should be given significant consideration. These may include, but are not be limited to, substantive changes in investment strategy, portfolio structure, and market value of the assets, as well as significant changes in ownership, organizational structure, financial conditions, and senior personnel staffing at the firm. The Investment Manager(s) shall meet regularly, or as reasonably expected, with interested parties representing the University.

Duties and Responsibilities

The University, as fiduciary, is responsible for the general administration of the fund. These responsibilities include the following specific duties, which may be undertaken by the University or delegated to appropriate committees, staff or outside parties.

- Comply with and fulfill all aspects of pertinent state and federal laws, regulations, and rulings that relate to the investment process, to ensure that fund assets are well managed.
- Select appropriate asset classes and ranges, and continually review the fund's overall asset allocation to ensure it remains within the stated target ranges.
- Evaluate and select a qualified Investment Manager(s) for the management of fund assets; with appropriate regard for diversification, the University determines the number and types of Investment Managers as well as the portion of fund assets allocated to each; the University will review Investment Manager selections in light of investment philosophy, process, personnel, investment performance, the capital market outlook, and changes in the characteristics of the fund.
- Establish investment objectives, guidelines, and performance standards for the fund and each Investment Manager, and communicate these to all appropriate fiduciaries.
- Review and evaluate the results of the Investment Managers against the established performance standards, and review the Manager structure to confirm the continued suitability of the Managers given the funds overall investment objectives and risk levels.
- Take whatever corrective action is deemed prudent and appropriate when an Investment Manager or any fiduciary fails to perform against established policy objectives and guidelines.
- Select a trustee/custodian to account for and custody fund assets, as necessary and appropriate.

The Investment Manager(s), as a fiduciary retained by the University, is responsible for the prudent and careful management of assets under its direction. These responsibilities include the following specific duties.

- Accept assets as directed by the University, and exercise complete investment discretion within the guidelines assigned to them; such discretion includes security selection and timing of transactions, subject to the specific investment guidelines and performance standards established for that Manager.
- Supply statements to the University at least quarterly, which include a detailed description of time-weighted rates of return, asset allocation, and portfolio strategy and characteristics.
- Provide, at least annually, audited financial statements of any pooled or collective trust fund in which fund assets are invested.
- Exercise any and all voting rights, with the intent of fulfilling the investment policies and objectives of the fund.
- Inform the University of any significant matters affecting the Investment Manager and its ability to manage the fund's assets; such matters may include, but not be limited to, substantive changes in investment strategy, portfolio structure, and market value of the assets, as well as significant changes in ownership, organizational structure, financial conditions, or senior personnel staffing.
- Meet periodically with the University to review the portfolio and investment results within the context of this Statement of Investment Policy.
- Provide advice, assistance, reports, research and other such services as the University may reasonable expect from the Manager.

Review of Investment Policy Statement

Communications

~~The investment manager(s) shall meet regularly, or as reasonably expected, with interested parties representing the University. The investment policy shall be reviewed at least once a year.~~

The investment policy statement should be reviewed in detail no less than biannually (every two years) by the Board of Regents of the University. There are external factors that can have an immediate effect on the governance of the policy. If such factors occur, the Regents may deem it necessary to review the policy prior to the next scheduled review. These factors include but are not limited to donations, market conditions effecting spending, and new investment options.

Manager(s) Reporting and Evaluation

~~The investment manager(s) shall report quarterly on the performance of the portfolio, including comparative returns for the funds and their respective benchmarks.~~

~~The University recognizes that the market conditions may greatly influence the ability of a manager to meet year to year investment goals and objectives. Further, the University realizes that significant cash flow may also affect the ability of a manager to meet a specific short term objective. Accordingly, the University expects to monitor CIF performance through absolute, relative, and comparative terms over annualized time periods. Absolute results will determine rate of fund~~

~~growth, while relative results will provide the University with a view of investment performance compared to the securities markets and comparative results will present performance as compared to other investment managers.~~

~~Review of portfolio results in absolute terms shall be made with consideration towards meeting and/or exceeding the expressed minimum real rate of return over a moving five and ten year time period.~~

~~Review of portfolio results in relative terms shall be accomplished primarily by comparing results, over a moving annualized three and five year time periods, to assigned market indices.~~

~~Review of portfolio results in comparative terms shall be accomplished through universe comparisons over moving annualized one, three, and/or five year time periods.~~

Spending Policy

~~It is the University's policy to distribute annually a 5.25% of a trailing five year (twenty quarter) average of the CIF's total market value, with the understanding that this spending rate plus inflation will not normally exceed total return from investment. However, it is understood that this total return basis for calculating spending is sanctioned by the Uniform Management of Institutional Funds Act (UMIFA), under which guidelines the University is permitted to spend an amount in excess of current yield (interest and dividends earned), including realized or unrealized appreciation.~~

President Boren recommended the Board of Regents review Regents' Fund Policy and approve the revisions as proposed.

Regent Siegfried moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

REVENUE BONDS FOR CAPITAL PROJECTS - NC MULTIPURPOSE RESEARCH FACILITIES

This item was pulled from consideration prior to the meeting.

SAM NOBLE OKLAHOMA MUSEUM OF NATURAL HISTORY - NC

At its October 1999 meeting, the Board of Regents approved a project to construct the Conoco Oklahoma Oil Pioneers Plaza at the Sam Noble Oklahoma Museum of Natural History. In order to facilitate completion of the plaza prior to the opening of the museum in the spring of 2000, the Regents also authorized the administration to proceed with the development of construction documents, advertising and receipt of bids, and award of a construction contract, with a report to the Board at its meeting following the award.

Bids for construction of the plaza were received from three bidders on December 21, 1999. The bids were evaluated by Kaighn Associates Architects, Inc. and Solomon & Bauer Architects Inc., the joint venture architects for the project; and Michael Moorman and William Forester, Architectural and Engineering Services. A construction contract in the amount of \$129,000 has been awarded to Flintco, Inc. of Oklahoma City, the low bidder.

A complete tabulation of the bids received is shown below.

Flintco, Inc., Oklahoma City	\$ 129,000
Barbour & Short, Inc., Norman	\$ 136,990
PI Construction Corporation, Austin, Texas	\$ 186,530

This was reported for information only. No action was required.

REVENUE BONDS FOR CAPITAL PROJECTS - NC ATHLETIC FACILITIES

Section 4002.1 of Title 70 of the Oklahoma Statutes requires Legislative approval expressed by concurrent resolution prior to commencing any action in anticipation of issuance of revenue bonds or any other bonds authorized by law to be issued by the Board of Regents of the University of Oklahoma, or in anticipation of entering into loan agreements with or executing promissory notes to a public trust.

The Concurrent Resolution, a copy of which is attached hereto as Exhibit C, is being considered for submission to the Legislature. If that action is carried out, the resulting funds (not to exceed \$15 million) would be intended for use by the Athletic Department to construct, renovate, remodel, expand, and equip several Athletic Department capital projects to include, but not be limited to, student usage facilities, revenue-producing facilities, and other renovations including furnishings, equipment, and related landscaping and exterior amenities on the Norman Campus. Projects would include, but not be limited to, improvements and additions to the Lloyd Noble Center, women's softball, Fieldhouse, Oklahoma Memorial Stadium and facilities related thereto; and new or renovated facilities for women's soccer, men's and women's tennis, and men's and women's track.

This action is the first step in the process of issuing revenue bonds and does not commit the University to the issuance of them. The approval of the Concurrent Resolution by the Legislature simply allows the University to proceed with the planning for such an issue. Should the planning indicate the feasibility of these revenue bonds, the University will at a later date seek Regents' approval to proceed with the preparation of the required documents for the issuance of them.

This was reported for information only. No action was required.

YEAR 2000 FOLLOW-UP REPORT - NC AND HSC

The Norman and Health Sciences Center campuses experienced a smooth transition into the year 2000. Neither campus had any down time or catastrophic events.

NORMAN CAMPUS

Norman Campus Administrative Affairs representatives from the Department of Computing and Telecommunications Services, Physical Plant, Housing and Food Services as well as the Department of Public Safety were on site the weekend of the rollover to ensure a successful transition. There were no substantial Y2K-related issues. Individual academic departments, which were responsible for their own Y2K efforts have reported no Y2K problems on campus.

HEALTH SCIENCES CENTER CAMPUS

Administrative Affairs, Campus Police, Educational Services, Physical Plant and Information Technology personnel were on-site for periods on December 31 and January 1 to ensure that all physical and informational systems and software rolled over to the Year 2000 successfully. No problems of any nature were experienced during this period. With the resumption of normal work, one minor problem occurred and was quickly corrected. The departmental areas throughout the campus have not reported any problems or disruptions.

This item was presented for information only. No action was required.

ON-CALL ARCHITECTS AND ENGINEERS QUARTERLY REPORT - NC AND HSC

In June 1996, the Board of Regents authorized a group of architectural and engineering firms to provide professional services for small projects on an on-call basis to the University. It was indicated that the administration would provide a quarterly report to the Board of the work completed by each architect or engineer. Some of the firms in this group are now completing work authorized prior to June 30, 1999.

In June 1999, the Board authorized a new group of architectural and engineering firms to provide the professional services required for small projects. Work completed during the second quarter of Fiscal Year 2000 by on-call architectural and engineering firms in the 1999 selection group is summarized below.

For the Norman Campus:

<u>Firm Name</u>	<u>Date Initiated</u>	<u>Work Performed</u>	<u>Fee</u>
Frankfurt-Short-Bruza Associates, P.C. Oklahoma City	December 2, 1999	Mechanical and Electrical Engineering (Biological Station Emergency Generator)	\$6,253
	December 2, 1999	Structural Engineering (Bizzell 5th Floor Compact Shelving)	\$1,280

For the Health Sciences Center:

Elliott & Associates Architects Oklahoma City	July 23, 1999	Conceptual Design Work (Stanton L. Young Walk)	\$15,875
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February 2, 2000

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Determan Scheirman Consulting Engineers Oklahoma City	July 1, 1999	Electrical Engineering Robert M. Bird Library (Auditorium Renovation)	\$ 4,538
	August 5, 1999	Electrical Engineering (PA Classroom Addition at Family Medicine Center)	\$18,232

This was reported for information only. No action was required.

ON-CALL CONSTRUCTION RELATED SERVICES CONTRACT - NC

In March 1998, the Board of Regents authorized the administration to award a contract for on-call construction related services on the Norman campus to Pi Construction. At that time, it was indicated that the administration would provide to the Board at each of its meetings a report of the work completed since the last report. In addition, it was indicated that the administration would seek prior Board approval for any project that had an estimated cost of \$100,000 or greater.

COMPLETED SINCE LAST REPORT:

<u>Building/Location</u>	<u>Project</u>	<u>Estimated cost of work</u>
Carpenter Hall	Basement Remodel	\$ 99,997
Adams Hall	Modify Podium in Room 150	\$ 303
CCE Administration Building	Install Mailboxes	\$ 4,248
Sarkey Energy Center	Installation of Coffee Cart	\$ 10,459
Bizzell Library	Room 102 Modifications	\$ 763
Chemistry Annex	Remodel Room B-14	\$ 23,546
Catlett Music Center	Install Drywall, Acoustical Panels, and Wood Trim	\$ 7,648
Oklahoma Memorial Stadium South End Zone	Recoat Rubber Floor	\$ 17,531
Oklahoma Memorial Stadium	Install Track Lights in Switzer Center	\$ 2,000
Cross Center	Replace Street Light Fixtures	\$ 5,655

This item was reported for information only. No action was required.

QUARTERLY REPORT OF PURCHASES - NC and HSC

Current Board of Regents' policy requires that all purchases over \$100,000 as well as those between \$75,000 and \$100,000 (not awarded to the lowest bidder) be referred to the Regents for approval. Additionally, a report summarizing all competitively awarded purchases between \$35,000 and \$75,000 is provided quarterly to the Regents as an information item. The quarterly reports for the Norman Campus and Health Sciences were included in the agenda.

This report was presented for information. No action was required.

INTERNAL AUDITING ACTIVITIES, THE UNIVERSITY OF OKLAHOMA

During the quarter ended December 31, 1999, six audits were completed for the Norman Campus and the Health Sciences Center in addition to a due diligence review of the George Nigh Rehabilitation Institute prior to the transfer of this facility to The University of Oklahoma. A listing of these audits is as follows:

Norman Campus
Faculty Senate and Staff Senate
Film and Video Studies
Oklahoma Geological Survey
Loan Funds

Health Sciences Center
Faculty/Staff Employee Senates
Department of Orthopedic Surgery and Rehabilitation
Due Diligence Review – George Nigh Rehabilitation Institute

Copies of the audit reports were provided to the appropriate Vice President and the Department responsible for the activity audited, the President's Office, and the Regents' Office.

In addition to the audits completed by Internal Auditing this quarter, twelve post-audit reviews were conducted. Of the forty-three recommendations revisited, thirty of the recommendations have been fully implemented or adequate progress has been made toward implementation. Second PAR's will have to be performed on recommendations made in the College of Medicine, Department of Medicine, Department of Urology, Department of Neurology, and Department of Neurosurgery audits, and the Personnel/Payroll, Norman Campus audit. These additional followups will be completed during the 3rd quarter to ensure the recommendations have been implemented. The post-audit reviews conducted were:

Norman Campus
Graduate College
Alumni Affairs
Personnel/Payroll
Mailing and Document Production
Film and Video Studies
Recreational Programs
Regents' Office

Health Sciences Center
College of Medicine, Department of Medicine
University Physicians Medical Group
College of Medicine, Department of Urology
College of Medicine, Department of Neurology
College of Medicine, Department of Neurosurgery

Mr. Kenneth D. Rowe, Director, was present to respond to questions.

This report was presented for information and discussion.

ACADEMIC PERSONNEL ACTIONS

Health Sciences Center:

LEAVES OF ABSENCE:

Hines, Shirley A., Assistant Professor of Nursing, short term disability leave of absence with full pay, December 10, 1999 through June 10, 2000.

Mills, Stanley, Associate Professor of Pharmaceutical Sciences, leave of absence without pay March 1, 2000 through February 28, 2001.

APPOINTMENTS OR REAPPOINTMENTS:

Amundsen II, Gerald Arthur, M.D., Instructor in Family and Preventive Medicine, annualized rate of \$70,000 for 12 months (\$5,833.33 per month), January 1, 2000 through June 30, 2000.

Boutsen, Frank R., Ph.D., Assistant Professor of Communication Sciences and Disorders, FTE: \$70,000, annualized rate of \$50,000 for 12 months (\$4,166.67 per month), PPP: \$20,000, July 1, 2000 through June 30, 2001. (New tenure track faculty)

Cornelison, Raymond L., M.D., Clinical Professor of Dermatology, annualized rate of \$30,000 for 12 months (\$2,500.00 per month), .25 time, December 1, 1999 through June 30, 2000.

Giddens, Cheryl C., Assistant Professor of Communication Sciences and Disorders, FTE: \$60,000, annualized rate of \$40,000 for 12 months (\$3,333.33 per month), PPP: \$20,000, July 1, 2000 through June 30, 2001. (New tenure track faculty)

Griffin, Don, Assistant Professor of Health Administration and Policy, annualized rate of \$54,000 for 12 months (\$4,500.00 per month), January 1, 2000 through June 30, 2000. (New consecutive term faculty)

Holden, Michael T., Clinical Instructor in Medicine, annualized rate of \$75,000 for 12 months (\$6,250.00 per month), January 1, 2000 through June 30, 2000.

Price, William F., M.D., Instructor in Family and Preventive Medicine, annualized rate of \$70,000 for 12 months (\$5,833.33 per month), December 20, 1999 through June 30, 2000.

Roberts-Warrior, Deborah A., Assistant Professor of Physical Therapy and Adjunct Assistant Professor of Allied Health Sciences, FTE: \$78,000, annualized rate of \$58,000 for 12 months (\$4,833.34 per month), PPP: \$20,000, January 18, 2000 through June 30, 2000. (New tenure track faculty)

Teague, T. Kent, Ph.D., Assistant Professor of Surgery-Tulsa, annualized rate of \$85,000 for 12 months (\$7,083.33 per month), January 1, 2000 through June 30, 2000. (New tenure track faculty)

CHANGES:

Brandt Jr., Edward N., Regents' Professor of Health Administration and Policy, Clinical Professor of Medicine, Adjunct Professor of Biostatistics and Epidemiology, Family and Preventive Medicine, and of Psychiatry and Behavioral Sciences, Director of Center for Health Policy Research and Development; given additional title of Chair of Health Administration and Policy, salary changed from annualized rate of \$160,769 for 12 months (\$13,397.42 per month), to annualized rate of \$166,769 for 12 months (\$13,897.42 per month), January 6, 2000. Includes \$6,000 administrative supplement while serving as Chair.

Britton, B. Hill, Clinical Associate Professor of Otorhinolaryngology, salary changed from without remuneration to annualized rate of \$11,364 for 12 months (\$947.00 per month), .16 time, September 1, 1999 through June 30, 2000.

Bryant, Cheryl, title changed from Clinical Instructor to Clinical Assistant Professor of Pediatrics, November 1, 1999 through June 30, 2000.

Carter, Donald A., title changed from Professor of Surgery to Clinical Professor of Surgery, December 30, 1999.

Coleman, Nancy P., Adjunct Assistant Professor of Occupational and Environmental Health, salary changed from without remuneration to annualized rate of \$25,920 for 12 months (\$2,160.00 per month), .25 time, December 1, 1999 through June 30, 2000.

Copeland, Kenneth Claud, M.D., Paul and Ruth Jonas Chair in Diabetes and Professor of Pediatrics; appointed Professor of Pediatrics with tenure, September 1, 1999.

Gerbrandt, Kim, Clinical Assistant Professor of Pharmacy Practice, salary changed from \$57,630 for 12 months (\$4,802.50 per month) to annualized rate of \$62,000 for 12 months (\$5,166.67 per month), July 1, 1999 through June 30, 2000. Contract for 99-00 just completed.

Gilmore, Michael S., Professor of Ophthalmology, George Lynn Cross Research Professor of Microbiology and Immunology; given additional title of The M.G. McCool Chair in Ophthalmology, December 1, 1999.

Hall, H. Douglas, Clinical Assistant Professor of Periodontics, salary changed from annualized rate of \$30,000 for 12 months (\$2,500.00 per month), .50 time, to annualized rate of \$48,000 for 12 months (\$4,000.00 per month), .80 time, January 1, 2000 through June 30, 2000.

Harper, Kenneth E., title changed from Assistant Professor to Clinical Assistant Professor of Radiological Sciences, salary changed from annualized rate of \$50,000 for 12 months (\$4,166.67 per month) to annualized rate of \$24,500 for 12 months (\$2,041.67 per month), .49 time, January 1, 2000 through June 30, 2000.

Kirshman, Rosita, Clinical Assistant Professor of Pediatrics, salary changed from without remuneration to annualized rate of \$36,000 for 12 months (\$3,000.00 per month), .45 time, December 1, 1999 through June 30, 2000.

McGinnis, James, Professor of Cell Biology and Ophthalmology, and Doris and Jules Stein Professorship of Ophthalmology, salary changed from annualized rate of \$91,800 for 12 months (\$7,649.99 for 12 months) to annualized rate of \$125,900 for 12 months (\$10,491.67 per month), October 1, 1999. Includes tenured base salary of \$65,000 and \$60,900 non-tenured base salary.

Morse, R. Michael, Professor of Family Medicine, Tulsa, and the Founders of Doctors Hospital, Inc. Endowed Chair in Family Medicine; appointed Professor of Family Medicine, Tulsa, with tenure, November 1, 1999.

Okada, Robert D., title changed from Professor of Medicine to Professor of Research, William K. Warren Medical Research Institute, Department of Medicine; title Medical Director, William K. Warren Medical Research Institute, deleted, January 5, 2000 through June 30, 2000.

Reinke, Lester A., Professor of Pharmaceutical Sciences, given additional title of Associate Dean for Graduate Studies and Research, salary changed from annualized rate of \$80,467 (\$6,705.56 per month) to annualized rate of \$92,537 (\$7,711.41 per month), January 1, 2000. Includes \$12,070 administrative supplement while serving as Associate Dean.

Simon, Stuart B., Clinical Assistant Professor of Psychiatry and Behavioral Sciences, salary changed from annualized rate of \$14,400 for 12 months (\$1,200.00 per month), .20 time to annualized rate of \$28,800 for 12 months (\$2,400.00 per month), .40 time, January 1, 2000 through June 30, 2000.

Spector, Peter S., Assistant Professor of Medicine, given additional titles Director of Electrophysiology, and Adjunct Assistant Professor of Physiology, salary changed from annualized rate of \$60,000 for 12 months (\$5,000.00 per month) to annualized rate of \$100,000 for 12 months (\$8,333.33 per month), September 1, 1999 through June 30, 2000. Received NIH grant which provides the temporary increase of \$40,000 while serving as director). Tenured base salary remains at \$60,000.

Weisz, Michael A., Associate Professor of Internal Medicine-Tulsa, title Interim Chair of Internal Medicine-Tulsa, deleted; July 1, 1999.

Wortmann, Robert L., Professor and Chair of Internal Medicine-Tulsa, given additional title Adjunct Professor of Medicine, October 1, 1999.

RESIGNATIONS AND/OR TERMINATIONS:

Burstein, Samuel A., Professor of Medicine, December 9, 1999 (with accrued vacation through February 4, 2000).

Jain, Uday, Professor of Anesthesiology, May 14, 1999 (with accrued vacation through August 14, 1999).

McAuley, William J., Professor and Interim Chair of Health Administration and Policy, December 31, 1999 (with accrued vacation through February 21, 2000).

Miller, Laura, Assistant Professor of Family and Preventive Medicine, December 31, 1999.

Taylor, Michael D., Assistant Professor of Anesthesiology, December 17, 1999 (with accrued vacation through February 3, 2000).

RETIREMENTS:

Asal, Nabih R., David Ross Boyd Professor of Biostatistics and Epidemiology, January 3, 2000 (with accrued vacation through February 22, 2000); named David Ross Boyd Professor Emeritus, January 3, 2000.

Coleman, Ronald L., Professor of Occupational and Environmental Health, January 30, 2000 (with accrued vacation through March 7, 2000), named Professor Emeritus, February 1, 2000.

Norman Campus:

LEAVES OF ABSENCE:

Black, Elena V., Assistant Professor of Mathematics, leave of absence without pay extended January 1, 2000 through May 15, 2000.

Jordan, Rosetta D., Associate Professor of Modern Languages, Literatures and Linguistics, leave of absence with pay, January 1, 2000 through May 15, 2000. Short-term disability.

Mallinson, Richard G., Professor of Chemical Engineering and Materials Science, sabbatical leave of absence with half pay, January 1, 2000 through May 15, 2000, canceled.

Muenzler, Georgia A., Associate Professor of Architecture, ending date on leave of absence with pay changed from December 31, 1999 to November 15, 1999.

APPOINTMENTS OR REAPPOINTMENTS:

Kogan, Yefim L., reappointed Research Professor of Meteorology and Senior Research Scientist, Cooperative Institute for Mesoscale Meteorological Studies, annualized rate of \$82,925 for 12 months (\$6,910.41 per month), January 1, 2000 through June 30, 2000. Paid from grant funds; subject to availability of funds.

Martin, Paul S., Assistant Professor of Political Science, annualized rate of \$40,000 for 9 months, (\$4,444.44 per month), August 16, 2000 through May 15, 2001. If Ph.D. not completed by August 16, 1999, title to be changed to Acting Assistant Professor and salary changed to \$38,000 for 9 months. New tenure-track faculty.

Pedersen, Jon E., Ph.D., Professor of Instructional Leadership and Academic Curriculum, annualized rate of \$54,000 for 9 months (\$6,000.00 per month), August 16, 2000 through May 15, 2001. New tenure-track faculty.

CHANGES:

Atkinson, Gordon, Professor of Chemistry and Biochemistry, letter received of intention to retire effective May 2002, in lieu of completing post-tenure review in Spring 2000.

Benson, Hugh H., Professor and Chair of the Department of Philosophy, reappointed to a four-year term as Chair of the Department of Philosophy, salary changed from annualized rate of \$65,176 for 12 months (\$5,431.33 per month) to annualized rate of \$79,225 for 12 months (\$6,602.08 per month), July 1, 2000. Paid \$6,000 administrative stipend while serving as Chair.

Blank, Clarence L., David Ross Boyd Professor of Chemistry and Biochemistry, given additional title Assistant Chair, Department of Chemistry and Biochemistry, salary remains at annualized rate of \$60,262 for 9 months (\$6,695.77 per month), January 1, 2000.

Bush, Thomas D., Assistant Professor of Civil Engineering and Environmental Science, salary changed from annualized rate of \$46,509 for 9 months (\$5,167.66 per month) to annualized rate of \$47,439 for 9 months (\$5,270.99 per month), October 1, 1999. Correction in merit raise computation.

Cox, Robert H., Associate Professor of Political Science and Coordinator of European Area Studies, salary changed from annualized rate of \$48,893 for 9 months (\$5,432.56 per month) to annualized rate of \$62,000 for 9 months (\$6,888.89 per month), August 16, 2000. Negotiated counter offer.

Dary, David S., Professor of Journalism and Mass Communication and Director of the H. H. Herbert School of Journalism and Mass Communication, given additional title Edward L. and Thelma Gaylord Chair in Journalism and Mass Communication, salary changed from annualized rate of \$93,330 for 12 months (\$7,777.50 per month) to annualized rate of \$122,000 for 12 months (\$10,166.66 per month), January 1, 2000.

Doezema, Ryan E., Professor and Chair of Physics and Astronomy, reappointed to a four-year term as Chair of the Department of Physics and Astronomy, salary changed from annualized rate of \$94,024 for 12 months (\$7,835.33 per month) to annualized rate of \$100,024 for 12 months (\$8,335.33 per month), July 1, 1999 through September 30, 1999. Salary increased to annualized rate of \$103,784 for 12 months (\$8,648.67 per month), October 1, 1999. Paid \$6,000 administrative stipend while serving as Chair.

Elmore, Richard D., Professor and Robert and Doris Klabzuba Professor, Geology and Geophysics, given additional title Associate Dean, College of Geosciences, salary changed from annualized rate of \$87,589 for 9 months (\$9,732.12 per month) to annualized rate of \$134,785 for 12 months (\$11,232.08 per month), January 1, 2000. Changed from 9-month faculty to 12-month academic administrator. Paid \$18,000 administrative stipend (\$4,500 from soft funds) while serving as Associate Dean.

Fry, Pamela G., Associate Professor and Interim Chair of Instructional Leadership and Academic Curriculum, delete Interim Chair, June 30, 2000. Title changed from Associate Professor of Instructional Leadership and Academic Curriculum to Associate Professor of Educational Leadership and Policy Studies (with tenure) and salary changed from annualized rate of \$71,000 for 12 months (\$5,916.67 per month) to annualized rate of \$51,748 for 9 months, (\$5,749.78 per month), August 16, 2000. Changing from 12-month academic administrator to 9-month faculty. Off payroll July 1, 2000 through August 15, 2000.

Horton, Andrew S., Jeanne Hoffman Smith Professor in Film and Video Studies, Interim Director deleted May 16, 2000. Given additional title of Director of Film and Video Studies, salary changed from annualized rate of \$77,100 for 9 months (\$8,566.67 per month) to annualized rate of \$106,940 for 12 months (\$8,911.67 per month), July 1, 2000. Changing from 9-month faculty to 12-month academic administrator. Paid \$6,000 administrative stipend while serving as Director. Off payroll May 16, 2000 through June 30, 2000.

Jensen, Kevan L., title changed from Acting Assistant Professor to Assistant Professor of Accounting, salary changed from annualized rate of \$80,000 for 9 months (\$8,888.89 per month) to annualized rate of \$85,000 for 9 months (\$9,444.44 per month), January 1, 2000 through May 15, 2000. Completed Ph.D. New tenure-track faculty.

Matthews, William J., Professor of Zoology and Curator of Ichthyology, Sam Noble Oklahoma Museum of Natural History, title of Interim Director of Biological Station Programs deleted, salary changed from annualized rate of \$73,653 for 12 months (\$6,137.75 per month) to annualized rate of \$68,653 for 12 months (\$5,721.08), January 1, 2000. \$5,000 administrative stipend removed.

Miller, Gerald A., Assistant Professor of Civil Engineering and Environmental Science, salary changed from annualized rate of \$53,691 for 9 months (\$5,965.66 per month) to annualized rate of \$54,212 for 9 months (\$6,023.56 per month), October 1, 1999. Correction in merit raise computation.

Millheim, Keith K., Professor, Eberly Family Chair and Director of Petroleum and Geological Engineering, salary changed from annualized rate of \$123,195 for 12 months (\$10,266.33 per month) to annualized rate of \$140,000 for 12 months (\$11,666.66 per month), December 1, 1999. Equity increase.

O'Meara, Daniel J., Associate Professor and Director of Institute for Reservoir Characterization, Energy Center, extend Interim Director of Reservoir Engineering Center, annualized rate of \$100,000 for 12 months, (\$11,111.12 per month), January 1, 2000 through May 15, 2000.

Ostas, Daniel T., Professor of Marketing and James G. Harlow Chair in Business Ethics and Community Service, title changed to Professor of Legal Studies and James G. Harlow, Chair in Business Ethics and Community Service, June 1, 1999. Correcting professorial title.

Razook, Nim M., Associate Professor of Marketing, title changed to Associate Professor of Legal Studies, August 16, 1999.

Rai, Chandra S., Professor of Petroleum and Geological Engineering, Tulsa Petroleum and Geological Engineering Masters Program, award of tenure has been recommended, December 10, 1999.

Ramos, Antonio C., Research Associate, Geology and Geophysics, beginning date changed from December 1, 1999 to January 1, 2000.

Russell, Bruce W., Associate Professor of Civil Engineering and Environmental Science, salary changed from annualized rate of \$55,871 for 9 months (\$6,207.88 per month) to annualized rate of \$56,414 for 9 months (\$6,268.33 per month), October 1, 1999. Correction in merit raise computation.

Schlegel, Robert E., Professor of Industrial Engineering, delete title Associate Director of Research, Wireless Electromagnetic Compatibility Center, salary changed from annualized rate of \$80,659 for 9 months (\$8,962.08 per month) to annualized rate of \$73,592 for 9 months (\$8,176.88 per month), January 1, 2000.

Shove, Christopher, Associate Professor of Regional and City Planning, delete title Director, Division of Regional and City Planning, salary changed from annualized rate of \$56,715 for 9 months (\$6,301.66 per month) to annualized rate of \$53,215 for 9 months (\$5,912.78 per month), November 17, 1999.

Sondergeld, Carl H., Professor of Petroleum and Geological Engineering, Tulsa Petroleum and Geological Engineering Masters Program, award of tenure recommended, December 10, 1999.

Stead, Robin G., Visiting Assistant Professor of Marketing, title changed to Visiting Assistant Professor of Legal Studies, August 1, 1999.

Tucker, Edwin E., Adjunct Professor and Senior Research Associate, Chemistry and Biochemistry, salary changed from annualized rate of \$64,800 for 12 months (\$5,400.00 per month) to annualized rate of \$67,320 for 12 months (\$5,610.00 per month), January 1, 2000. Paid from grant funds; subject to availability of funds.

Vieux, Baxter E., Associate Professor of Civil Engineering and Environmental Science, given additional title Director, International Center for Natural Hazards and Disaster Research, salary remains at annualized rate of \$59,150 for 9 months (\$6,572.22 per month), August 16, 1999.

Wallace, Benjamin J., Associate Professor of Civil Engineering and Environmental Science, December 31, 1999.

Weinel, Eleanor F., Associate Professor of Architecture, delete title Associate Dean, College of Architecture, salary changed from annualized rate of \$65,149 for 12 months (\$5,429.08 per month) to annualized rate of \$59,649 for 9 months (\$6,627.67 per month), July 1, 2000. Changing from 12-month academic administrator to 9-month faculty. Off payroll July 1, 2000 through August 16, 2000.

RESIGNATIONS AND/OR TERMINATIONS:

Bystrom, Keith N., Professor of Law and Director, Clinical Legal Education, Law Office Student Practice, February 1, 2000.

Johnson, Jeffrey D., Senior Research Associate, Petroleum and Geological Engineering, January 1, 2000.

Moore, Anne L., Assistant Professor of Bibliography and Head, Access Services, University Libraries, November 30, 1999.

RETIREMENTS:

Frueh, Forrest L., title changed from Professor Emeritus of Marketing to Professor Emeritus of Legal Studies, August 1, 1999.

Robertson, Terry D., Associate Professor of Finance, August 10, 2000; named Professor Emeritus of Finance.

Wallace, Benjamin J., Associate Professor of Civil Engineering and Environmental Science, December 31, 1999.

President Boren recommended the Board of Regents approve the academic personnel actions shown above.

Regent Bentley moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

President Boren reported the following deaths:

Bingham, Tom L., Geologist II, Oklahoma Geological Survey, on December 13, 1999.

Llewellyn, Thomas S., Clinical Professor of Radiological Sciences, Tulsa, December 26, 1999.

Steen, W. David, retired, Professor Emeritus of Community Medicine and Dentistry, December 12, 1999.

Wright, Logan, Jr., retired, Professor of Psychology, on December 18, 1999.

ADMINISTRATIVE AND PROFESSIONAL PERSONNEL ACTIONS

Health Sciences Center:

LEAVE OF ABSENCE:

Brose, Margaret, Assistant Director, Data Administration, Department of Information Technology, leave of absence with pay, December 6, 1999 through March 20, 2000.

CHANGES:

Frank, Keith, title changed from Administrative Services Director, Tulsa to Voice and Data Administrator, Tulsa, Department of CMT Administration and Finance, December 1, 1999. Administrative Staff.

Largent, Parke, title changed from Assistant Director of Student Services to Alternate Pathway Program Coordinator, Department of Pharmacy Student Services, salary changed from annualized rate of \$56,750.00 for 12 months (\$4,729.00 per month) to annualized rate of \$60,000.00 for 12 months (\$5,000.00 per month), October 1, 1999. Professional Staff.

Moore, Randy, title changed from Network Analyst to Security Analyst, Department of Information Technology, salary changed from annualized rate of \$55,459.00 for 12 months (\$4,521.58 per month) to annualized rate of \$68,000.00 for 12 months (\$5,666.66 per month), January 1, 2000. Administrative Staff.

Presley, Larry E., title changed from Senior Systems Analyst to Business Analyst, Department of Information Technology, December 1, 1999. Professional Staff.

Seamans, Susan G., Legal Counsel, Department of Legal Counsel, salary changed from annualized rate of \$76,980.00 for 12 months (\$6,415.00 per month) to annualized rate of \$82,980.00 for 12 months (\$6,915.00 per month), February 1, 2000. Administrative Staff.

Smith, J. Dennis, Chief of Campus Police and Public Safety, Department of Campus Police and Public Safety, salary changed from annualized rate of \$57,005.00 for 12 months (\$4,750.42 per month) to annualized rate of \$68,205.00 for 12 months (\$5,683.75 per month), January 1, 2000. Administrative Officer. Additional responsibilities.

RESIGNATION AND/OR TERMINATION:

Holden, Mike T., Software/Hardware Development Engineer, Department of Medicine/Cardiology, December 31, 1999 (moving to faculty appointment effective January 1, 2000). Professional Staff.

Norman Campus:

APPOINTMENT OR REAPPOINTMENT:

Green, Matthew, Associate Development Officer, Engineering Dean's Office, annualized rate of \$60,000 for 12 months (\$5,000.00 per month), January 15, 2000 through June 30, 2000. Managerial Staff.

CHANGES:

Biscoe, Belinda P., title changed from Program Director, Public and Community Services, Center for Continuing Education, to Department Administrator, Public and Community Services, Center for Continuing Education, salary changed from annualized rate of \$63,683 for 12 months (\$5,306.91 per month) to annualized rate of \$68,683 for 12 months (\$5,723.58 per month), January 1, 2000. Administrative Staff. Paid from grant funds; subject to availability of funds.

Chisolm, Anita S., title changed from Director, American Indian Institute, to Department Administrator, American Indian Institute, salary changed from annualized rate of \$59,215 for 12 months (\$4,934.58) to annualized rate of \$64,215 for 12 months (\$5,351.25 per month), January 1, 2000. Administrative Staff. Paid from grant funds; subject to availability of funds.

Mangino, Mark T., Assistant Football Coach, Athletic General Operations, salary changed from annualized rate of \$99,999.96 for 12 months (\$8,333.33 per month) to annualized rate of \$114,999.96 for 12 months (\$9,583.33 per month), December 15, 1999. Professional Staff.
Assumed additional responsibilities.

Millington, Lisa, title changed from Staff Attorney, Legal Counsel, to University Equal Opportunity/Affirmative Action Officer, Equal Opportunity and Affirmative Action Office, salary changed from annualized rate of \$56,775 for 12 months (\$4,731.25 per month) to annualized rate of \$75,000 for 12 months (\$6,250.00 per month), December 20, 1999. Executive Officer.

Ockerhauser, Kurt, Associate Chief Counsel, Legal Counsel, salary changed from annualized rate of \$85,203 for 12 months (\$7,100.25 per month) to annualized rate of \$91,203 for 12 months (\$7,600.25 per month), February 1, 2000. Administrative Officer. Equity/retention/performance.

Poarch, David A., Law Center Program Director, Development, Alumni and Career Services, title changed to Assistant Dean, College of Law, salary changed from annualized rate of \$72,450 for 12 months (\$6,037.50 per month) to annualized rate of \$77,450 for 12 months (\$6,454.17 per month), October 10, 1999. Administrative Staff.

Steffens, John E., Executive Director, Region VII Comprehensive Center, Public Service Institute, Center for Continuing Education, salary changed from annualized rate of \$85,067 for 12 months (\$7,088.92 per month) to annualized rate of \$90,067 for 12 months (\$7,505.58 per month), January 1, 2000. Administrative Officer. Subject to availability of funds.

Thomas, James C., title changed from Director, Saturn Project, to Department Administrator, Center for Continuing Education, Department of Human Services/SATTRN Project, Vice Provost Office, Center for Continuing Education, salary changed from annualized rate of \$61,301.40 for 12 months (\$5,108.45 per month) to annualized rate of \$66,301.44 for 12 months (\$5,525.12 per month), January 1, 2000. Administrative Staff. Paid from grant funds; subject to availability of funds.

RESIGNATIONS AND/OR TERMINATIONS:

Jensen, Jerry E., University Equal Opportunity and Affirmative Action Officer, December 31, 1999.

Rosborough, Kathy A., Senior Systems Analyst, Geology and Geophysics, December 16, 1999.

President Boren recommended the Board of Regents approve administrative and professional personnel actions shown above.

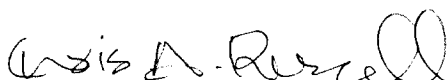
Regent Everest moved approval of the recommendation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

LITIGATION

Regent Lewis moved the Board meet in executive session for the purpose of discussing pending and possible litigation. The following voted yes on the motion: Regents Lewis, Siegfried, Noble, Bentley, and Everest. The Chair declared the motion unanimously approved.

The executive session began at 12:28 p.m. in the same location. The Regents reconvened in regular session at 12:58 p.m. No report on litigation was given in open session.

There being no further business, the meeting adjourned at 12:59 p.m.



Chris A. Purcell
Executive Secretary of the Board of Regents

INTER-AGENCY AGREEMENT

Oklahoma Health Center Landscaping Improvements

This Inter-Agency Agreement (this "Agreement"), dated and effective as of the "Effective Date" (hereinafter defined), is made and entered into by and between the Medical Technology and Research Authority of Oklahoma ("MTRA") and the Board of Regents of the University of Oklahoma (the "University").

WITNESSETH:

WHEREAS, MTRA proposes to issue and sell parking revenue bonds in an aggregate principal amount of \$15,500,000 (the "Bonds"); and

WHEREAS, the proposed uses of the proceeds to be derived from the sale of the Bonds include, among other things, a proposed capital expenditure in the amount of \$600,000 for landscaping purposes within MTRA's statutory district, including landscaping on and about the Oklahoma Health Center campus in Oklahoma City, Oklahoma; and

WHEREAS, the University has recently developed a beautification plan for the Oklahoma Health Center campus, including a "Street Tree Master Plan" (the "Master Plan") designed by the University's Office of Landscape Services; and

WHEREAS, the Master Plan contemplates and provides for (i) the purchase and planting of trees, (ii) the construction and installation of irrigation systems and enhancements, and (iii) the construction and installation of sidewalk improvements and enhancements for the soon-to-be-constructed ambulatory care center (collectively, the "Landscaping Improvements"); and

WHEREAS, the University has requested that \$500,000 of the amount proposed to be used by MTRA for landscaping purposes, when available from the sale of the Bonds, be transferred and contributed to the University for the Landscaping Improvements; and

WHEREAS, in order to optimize the potential benefits of the two proposed landscaping projects and avoid a duplication of resources and other problems or complexities likely to be encountered in any attempt to coordinate two independent projects designed to achieve the same result, MTRA has agreed to transfer and contribute the requested amount to the University for the Landscaping Improvements, subject, however, to MTRA completing a successful sale of the Bonds on terms satisfactory to MTRA; and

WHEREAS, MTRA and the University desire that their agreement be set forth in writing;

NOW, THEREFORE, in consideration of these premises, and in consideration of their mutual covenants set forth herein, MTRA and the University hereby agree:

1. *Sale of Bonds.* MTRA shall use its best reasonable efforts to issue the Bonds and conclude the sale thereof before March 31, 2000, on terms satisfactory to MTRA; *provided, however,* nothing in this Agreement shall create, impose or constitute a duty, obligation or liability on the part of MTRA to issue or sell the Bonds, either in

whole or in part, at a time, on terms or subject to conditions or restrictions not entirely satisfactory to MTRA, as determined solely in the judgment and discretion of MTRA's governing board.

2. *Transfer of Bond Proceeds.* Upon concluding a successful sale of the Bonds on terms satisfactory to MTRA, as herein provided, MTRA shall transfer to the University from the proceeds thereof, but not otherwise, the sum of \$500,000 (the "Transferred Bond Proceeds"); *provided, however,* nothing in this Agreement shall create, impose or constitute a duty, obligation or liability on the part of MTRA to advance, reimburse, transfer, contribute or otherwise pay any sum of money to the University for any purpose from any source of funds or revenues other than the proceeds derived by MTRA from the sale of the Bonds.

3. *Use of Transferred Bond Proceeds.* (a) Unless otherwise hereafter agreed by MTRA in writing, the Transferred Bond Proceeds shall be used by the University for the sole purpose of paying (or reimbursing the University) the actual direct costs incurred for the Landscaping Improvements. If any amount of the Transferred Bond Proceeds is not used for such authorized purpose within a reasonable time scheduled therefor, or if any amount of the Transferred Bond Proceeds is used for any other purpose without the prior written consent of MTRA, such amount shall be promptly returned by the University to MTRA at the written notice and request of MTRA.

(b) If, in the opinion of MTRA's bond counsel, any use of bond proceeds contemplated by this Agreement may adversely affect the tax-exempt status of the Bonds for state or federal income tax purposes or otherwise cause any adverse consequences to the holders of the Bonds or to MTRA in connection with the issuance and sale of the Bonds, MTRA may, at the option of MTRA, withhold the transfer of bond proceeds hereunder, in whole or in part, according to the opinion and advice of bond counsel. If the transfer of all bond proceeds hereunder is withheld by MTRA, as herein provided, this Agreement may be terminated in conjunction therewith pursuant to a written notice thereof from MTRA to the University. The parties hereto acknowledge and expressly agree that this Agreement, including the proposed transfer of bond proceeds hereunder and the proposed use of the Transferred Bond Proceeds, as set forth herein, shall be subject to review and approval by MTRA's bond counsel in conjunction with the issuance of the Bonds. Prior to the issuance of the Bonds, and so long thereafter as any of the Bonds remain outstanding, the University shall furnish in a timely manner such information that either MTRA or its bond counsel may from time to time request concerning the Master Plan, the Landscaping Improvements and/or the University's receipt, acceptance, investment, use and disposition of the Transferred Bond Proceeds.

(c) The University, upon and in conjunction with its acceptance of the Transferred Bond Proceeds from MTRA, in whole or in part, shall observe and fully comply with any and all requirements, restrictions or limitations imposed by MTRA's bond counsel with respect to or regarding the University's receipt, acceptance, investment, use and disposition of the Transferred Bond Proceeds; *provided, however,* nothing in this Agreement shall create, impose or constitute a duty, obligation or liability on the part of the University to accept the Transferred Bond Proceeds, either in whole or in part, on terms or subject to conditions or restrictions not entirely satisfactory to the University, as determined solely in the judgment and discretion of the University's governing board. If the acceptance of all bond proceeds hereunder is declined by the University, as herein provided, this Agreement may be terminated in conjunction therewith pursuant to a written notice thereof from the University to MTRA.

(d) In consideration of the Transferred Bond Proceeds, the University shall, upon acceptance and receipt thereof, diligently commence and complete the Landscaping Improvements in accordance with the specifications of the Master Plan. If the Master Plan is hereafter changed or modified in any material respect, the University shall not thereafter use the Transferred Bond Proceeds, or any part thereof, for the Landscaping Improvements, as modified, without the prior written consent of MTRA.

(e) The University shall observe and comply with all required public competitive bidding procedures, if any, in conjunction with the Landscaping Improvements.

4. *Extent of MTRA Commitment.* This Agreement sets forth the entire undertaking, commitment and obligation of MTRA to the University with respect to the Landscaping Improvements. The full extent of MTRA's commitment and obligation with respect to the Landscaping Improvements shall be \$500,000, payable solely from the proceeds of the Bonds and subject to all other conditions imposed by this Agreement. MTRA shall have no duty, obligation or liability under this Agreement to incur, advance, reimburse, contribute, transfer or pay any direct or indirect costs of or relating to the Landscaping Improvements or any other work or project proposed or undertaken by the University except as herein expressly provided.

5. *Books and Records.* The University shall permit the Oklahoma State Auditor and Inspector and other entities, if any, from time to time designated by MTRA, at reasonable times upon reasonable notice, to have access to, for purposes of examining, inspecting, copying and/or making excerpts therefrom or transcripts thereof, any and all books, ledgers, files and other records kept or maintained by the University with respect or relating to this Agreement, the transfer of bond proceeds hereunder and the use of the Transferred Bond Proceeds.

6. *Assignment.* No assignment of this Agreement, in whole or in part, by either of the parties hereto shall be binding or effective without the prior written consent of the other party.

7. *Amendment; Waiver.* No amendment or modification of this Agreement shall be binding or effective unless set forth in a writing signed by each of the parties. No waiver of any right under this Agreement shall be binding or effective unless set forth in a writing signed by the party against whom the enforcement of such waiver is sought.

8. *Consents.* If any action by a party under or with respect to this Agreement requires consent from another party, such consent shall not be unreasonably withheld.

9. *Notices.* All notices required or given pursuant to this Agreement shall be in writing and shall be deemed sufficiently given when sent to a party by certified mail, postage prepaid, at the following notice address or at such other address as may hereafter be designated by a party in writing:

If to the University:

University of Oklahoma Health Sciences Center
Office of Administrative Affairs
1100 N. Lindsay
Oklahoma City, Oklahoma 73104
Attention: Vice President

If to MTRA:

Medical Technology and Research Authority
505 N.E. 13th Street
Oklahoma City, Oklahoma 73104
Attention: Chief Executive Officer

10. *Relationship of the Parties.* The parties hereto have entered into this Agreement, and shall perform their respective obligations hereunder, as independent contractors. Nothing in this Agreement, express or implied, shall create, constitute or be construed as a relationship of principal and agent or as a general or limited partnership, joint venture or other business organization or association of any kind by or between the parties. Neither of the parties shall have any power or authority, express or implied, to act for, to bind or to obligate the other party.

11. *Third-Party Beneficiaries.* Nothing in this Agreement, express or implied, shall directly or indirectly confer, or be deemed to confer, any rights, privileges or benefits of any kind in favor of any person or entity other than the parties hereto, their respective successors and their permitted assigns. The parties hereto intend and agree that there shall be no third-party beneficiaries of this Agreement.

12. *Legal Expenses.* If any action or proceeding is brought by either party hereto for the purpose of exercising any right or remedy under this Agreement or to enforce any obligation of the other party under this Agreement, the prevailing party in such action or proceeding shall be entitled to recover the reasonable expenses thereof, including court costs, attorneys' fees, expert witness fees and other incidental costs, as set by the court and as provided by law.

13. *Binding Effect.* This Agreement shall be binding on and shall inure to the benefit of the parties hereto, their respective successors and their permitted assigns.

14. *Severability.* If any sentence, clause, phrase or provision of this Agreement shall be held for any reason to be invalid, such invalid sentence, clause, phrase or provision shall be deemed a separate, distinct and independent subject of such holding and shall not affect the validity of the remaining provisions hereof, which shall remain in force and effect.

15. *Governing Law.* This Agreement is a contract made and entered into, and to be performed, by the parties hereto within the State of Oklahoma. The laws of the State of Oklahoma shall govern, in all respects, the interpretation, performance and enforcement of this Agreement.

16. *Immunities and Defenses.* Nothing in this Agreement, express or implied, shall constitute, or be deemed to constitute, a waiver by MTRA or the University of any right, privilege, immunity, defense, exemption from liability or limitation of liability at any time available to either party as an agency or institution of the State of Oklahoma under the "Governmental Tort Claims Act" and/or other applicable state or federal laws and regulations.

17. *Captions.* The paragraph headings and captions in this Agreement, having been included herein solely for convenience of reference, shall not be used or relied on to define, construe, interpret, supplement, explain, limit or vary the meaning or intent of any provision of this Agreement.

18. *Prior Dealings.* Prior dealings, if any, between the parties hereto shall not be used or relied on to define, construe, interpret, supplement, explain, limit or vary the

meaning or intent of any provision of this Agreement. As used herein, "prior dealings" shall mean any and all dealings between the parties hereto, including contracts and agreements, if any, prior to the Effective Date of this Agreement.

19. *Construction.* The following rules of construction shall be applicable with respect to this Agreement: (i) all terms defined herein in the singular shall include the plural, if and as the context may require, and vice-versa; (ii) pronouns used herein and stated in the neuter gender shall include the masculine, the feminine and the neuter genders; (iii) the word "or," as used herein, shall not be deemed exclusive; (iv) the word "including," as used herein, shall not be deemed exclusive or otherwise limiting; and (v) all references herein to this Agreement shall include, unless otherwise specified, all modifications, amendments or supplements hereto, if any, and all extensions or renewals hereof, if any.

20. *Entire Agreement.* This writing constitutes the entire understanding and agreement of the parties hereto with respect to its subject matter. All prior statements, representations, promises and agreements, whether written or unwritten, by or between the parties hereto or either of them regarding the subject matter hereof are merged in and superseded by this writing.

21. *Counterparts.* This Agreement may be executed and delivered by the parties hereto in multiple counterparts, each of which shall be deemed an original hereof for all purposes, but all of which shall be deemed one and the same agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Inter-Agency Agreement to be duly executed and delivered by their authorized representatives as of the _____ day of _____, 2000 (the "Effective Date").

Medical Technology and Research
Authority of Oklahoma

By : _____
J.R. Caton, Chief Executive Officer

Board of Regents of the University
of Oklahoma

By : _____
Mark E. Lemons, Vice President
Office of Administrative Affairs

HEALTH

University of Oklahoma Self-Insured Health Plan (Blue Cross/Blue Shield)

Category	Enrollment*			FY99-00	FY00-01	Difference	FY99-00	FY00-01	Difference	FY99-00	FY00-01	Difference
	Norman	HSC	Total	Total Premium	Total Premium		Employee Share	Employee Share		Employer Share	Employer Share	
Employee Only	1,437	884	2,321	161.00	178.55	17.55	0.00	0.00	0.00	161.00	178.55	17.55
Employee/Spouse	241	181	422	331.80	367.97	36.17	170.80	189.42	18.62	161.00	178.55	17.55
Employee/Children	183	120	303	303.46	336.54	33.08	142.46	157.99	15.53	161.00	178.55	17.55
Employee/Family	369	450	819	413.70	458.79	45.09	252.70	280.24	27.54	161.00	178.55	17.55
2 Employee/Children	226	-	226	206.86**	229.41**	22.55**	45.86**	50.86**	5.00**	161.00**	178.55**	17.55**
Total	2,456	1,635	4,091									

* enrollment information is as of 12/1999.

**per employee

Prudential Point of Service

Category	Enrollment*			FY99-00	FY00-01	Difference	FY99-00	FY00-01	Difference	FY99-00	FY00-01	Difference
	Norman	HSC	Total	Total Premium	Total Premium		Employee Share	Employee Share		Employer Share	Employer Share	
Employee Only	836	844	1,680	155.00	178.72	23.72	-6.00	0.17	6.17	161.00	178.55	17.55
Employee/Spouse	94	85	179	332.00	382.80	50.80	171.00	204.25	33.25	161.00	178.55	17.55
Employee/Children	125	172	297	315.00	363.20	48.20	154.00	184.65	30.65	161.00	178.55	17.55
Employee/Family	96	148	244	441.00	508.47	67.47	280.00	329.92	49.92	161.00	178.55	17.55
Total	1,151	1,249	2,400									

* enrollment information is as of 12/1999.

NOTE: Premium amounts are presented on a per month basis.

DENTAL

Basic Plan

Category	Enrollment*			FY99-00	FY00-01	Difference	FY99-00	FY00-01	Difference	FY99-00	FY00-01	Difference
	Norman	HSC	Total	Total Premium	Total Premium		Employee Share	Employee Share		Employer Share	Employer Share	
Employee Only	1,943	1,355	3,298	7.76	8.54	0.78	0.00	0.00	0.00	7.76	8.54	0.78
Employee/Spouse	295	209	504	27.84	30.62	2.78	20.08	22.08	2.00	7.76	8.54	0.78
Employee/Children	250	175	425	24.59	27.05	2.46	16.83	18.51	1.68	7.76	8.54	0.78
Employee/Family	248	227	475	44.99	49.49	4.50	37.23	40.95	3.72	7.76	8.54	0.78
Total	2,736	1,966	4,702									

* enrollment information is as of 12/1999.

Alternate

Category	Enrollment*			FY99-00	FY00-01	Difference	FY99-00	FY00-01	Difference	FY99-00	FY00-01	Difference
	Norman	HSC	Total	Total Premium	Total Premium		Employee Share	Employee Share		Employer Share	Employer Share	
Employee Only	472	379	851	28.24	31.06	2.82	20.48	22.52	2.04	7.76	8.54	0.78
Employee/Spouse	138	124	262	54.82	60.30	5.48	47.06	51.76	4.70	7.76	8.54	0.78
Employee/Children	127	108	235	49.84	54.82	4.98	42.08	46.28	4.20	7.76	8.54	0.78
Employee/Family	156	179	335	76.40	84.04	7.64	68.64	75.50	6.86	7.76	8.54	0.78
Total	893	790	1,683									

* enrollment information is as of 12/1999.

NOTE: Premium amounts are presented on a per month basis.

**CONCURRENT RESOLUTION
(Norman Campus)**

A Concurrent Resolution authorizing the Board of Regents of The University of Oklahoma, acting on behalf of The University of Oklahoma, to issue certain revenue bonds pursuant to Sections 4001-4017 etc. of Title 70 of the Oklahoma Statutes; and directing distribution.

WHEREAS, Section 4002.1 of Title 70 of the Oklahoma Statutes requires legislative approval expressed by concurrent resolution prior to commencing any action in anticipation of issuance by a board of regents of revenue bonds authorized by Sections 4001-4017 etc. of Title 70 of the Oklahoma Statutes, or any other bonds authorized by law to be issued by such boards, or in anticipation of entering into loan agreements with or executing promissory notes to a public trust created pursuant to Section 176 et seq. of Title 60 of the Oklahoma Statutes which has the State of Oklahoma as its beneficiary; and

WHEREAS, the Board of Regents of The University of Oklahoma, acting on behalf of The University of Oklahoma may desire to construct, renovate, remodel, expand, and equip several Athletic Department capital projects to include, but not be limited to, student usage facilities, revenue-producing facilities, and other renovations including furnishings, equipment, and related landscaping and exterior amenities on its Norman Campus including, but not limited to, improvements and additions to the Lloyd Noble Center and Oklahoma Memorial Stadium and facilities related thereto; and

WHEREAS, the amount of borrowed funds necessary for constructing, renovating, remodeling, expanding, and equipping the above facilities shall not exceed the sum of Fifteen Million Dollars (\$15,000,000); and

WHEREAS, certain gifts and bequests may become available for a portion of the funding or reimbursement of funding for certain needed projects; and

WHEREAS, the Board of Regents of The University of Oklahoma may desire to issue its revenue bonds or enter into loan agreements with or execute promissory notes to a public trust created pursuant to Section 176 et seq. of Title 60 of the Oklahoma Statutes which has the State of Oklahoma as its beneficiary, pursuant to Sections 4001-4017 etc. of Title 70 of the Oklahoma Statutes to provide funds for constructing, renovating, remodeling, expanding, and equipping several Athletic Department capital projects to include, but not be limited to, student usage facilities, revenue-producing facilities, and other renovations including furnishings, equipment, and related landscaping and exterior amenities on its Norman Campus including, but not limited to, improvements and additions to the Lloyd Noble Center and Oklahoma Memorial Stadium and facilities related thereto; and

WHEREAS, revenue bonds issued by the Board of Regents of The University of Oklahoma, and loan agreements or promissory notes executed to a public trust, created pursuant to Section 176 et seq. of Title 60 of the Oklahoma Statutes which has the State of Oklahoma as its beneficiary, by the Board of Regents of The University of Oklahoma, acting on behalf of The University of Oklahoma, are not a general obligation or an indebtedness of the State of Oklahoma, The University of Oklahoma, or the Board of Regents of The University of Oklahoma; and

WHEREAS, the Oklahoma State Legislature shall not be obligated to appropriate funds for the repayment of the revenue bonds, loan agreements, or notes and shall be under no obligation to pay principal of or interest on the revenue bonds, loan agreements, or notes; and

WHEREAS, the revenue bonds, loan agreements, and notes are limited and special obligations of the Board of Regents of The University of Oklahoma payable solely from the pledged revenues; and

WHEREAS, by law the Board of Regents of The University of Oklahoma is authorized to enter into loan agreements, investment agreements or other appropriate contractual arrangements with any public trust created pursuant to Section 176 et seq. of Title 60 of the Oklahoma Statutes, which has the State of Oklahoma as its beneficiary, for the purpose of obtaining funds for reimbursement for capital expenditures; and

WHEREAS, by law the Board of Regents of The University of Oklahoma is authorized to provide for the repayment of the above described debt obligations and debts to a public trust from any then-existing revenue-producing buildings or facilities or new revenue-producing buildings or facilities or from other income and revenues, including contributions and all other legally available funds; and

WHEREAS, neither the faith and credit nor the taxing power of the State of Oklahoma or any political subdivision thereof is obligated to pay the principal of, or interest on, the revenue bonds, loan agreements, or notes; and

WHEREAS, by law as stated in Sections 4003 and 4004 of Title 70 of the Oklahoma Statutes, such revenue bonds issued and loan agreements or notes executed pursuant to Sections 4001-4017 etc. of Title 70 of the Oklahoma Statutes shall never become obligations of the State of Oklahoma.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION OF THE 47TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT the Oklahoma State Legislature hereby authorizes the Board of Regents of The University of Oklahoma to issue revenue bonds and execute loan agreements and notes authorized by Sections 4001-4017 etc. of Title 70 of the Oklahoma Statutes in the sum of not to exceed Fifteen Million Dollars (\$15,000,000), said bonds, loan agreements, and notes never to become obligations of the State of Oklahoma, for the purpose of constructing, renovating, remodeling, expanding, and equipping several Athletic Department capital projects to include, but not be limited to, student usage facilities, revenue-producing facilities, and other renovations including furnishings, equipment, and related landscaping and exterior amenities on its Norman Campus including, but not limited to, improvements and additions to the Lloyd Noble Center and Oklahoma Memorial Stadium and facilities related thereto.

THAT, the revenue bonds, loan agreements, and notes authorized pursuant to this resolution are not a general obligation or an indebtedness of the State of Oklahoma, The University of Oklahoma, or the Board of Regents of The University of Oklahoma. The Legislature shall not be obligated to appropriate funds for the repayment of the revenue bonds, loan agreements, or notes and shall be under no obligation to pay principal of, or interest on, the revenue bonds, loan agreements, or notes. The revenue bonds, loan agreements, and notes are limited and special obligations of the Board of Regents of The University of Oklahoma. The revenue bonds are payable solely from certain pledged revenues of the above-described revenue-producing facilities, other revenue-producing facilities, contributions and other monies authorized by law for such purposes. The loan agreements and notes executed to a public trust created pursuant to Section 176 et seq. of Title 60 of the Oklahoma Statutes which has the State of Oklahoma as its beneficiary are payable solely from any revenue-producing buildings or facilities existing at the time loan agreements or notes are executed or from new revenue-producing buildings and facilities or contributions or other monies authorized by law for such purposes. Neither the faith and credit nor the taxing power of the State of Oklahoma or any political subdivision thereof is obligated to pay the principal of, or the interest on, the revenue bonds, loan agreements, or notes.

THAT, copies of this resolution be distributed to the Board of Regents of The University of Oklahoma and to the Oklahoma State Regents for Higher Education.

Adopted by the Senate the ____ day of _____, 2000.

President of the Senate

Adopted, by the House of Representatives the ____ day of _____, 2000.

Speaker of the House of Representatives