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CONSENT AGENDA**

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February 23 - 24, 2022
Austin, Texas

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FACILITIES PLANNING AND CONSTRUCTION COMMITTEE

No items for Consent Agenda

MEETING OF THE BOARD

1. Minutes - U. T. System Board of Regents: Approval of Minutes of the regular meeting held November 17-18, 2021; and the special called meetings held December 15, 2021, January 7, 2022, and February 1, 2022
2. Employment Agreement - U. T. System: Appointment of Jonathan Pruitt as Executive Vice Chancellor for Business Affairs at The University of Texas System

The employment agreement summarized below has been approved by the Chancellor and is recommended for approval by the U. T. System Board of Regents.

Item:	Executive Vice Chancellor for Business Affairs
Funds:	\$650,000 annually
Period:	Beginning March 1, 2022
Description:	Agreement for employment of Mr. Jonathan Pruitt as Executive Vice Chancellor for Business Affairs. The Executive Vice Chancellor for Business Affairs reports to the Chancellor and shall hold office without a fixed term, subject to the pleasure of the Chancellor. The employment agreement is set forth on the following pages.



THE UNIVERSITY of TEXAS SYSTEM
THIRTEEN INSTITUTIONS. UNLIMITED POSSIBILITIES.

Office of the Chancellor
210 West 7th Street
Austin, Texas 78701-2982
512-499-4201
WWW.UTSYSTEM.EDU

January 19, 2022

Mr. Jonathan Pruitt

Dear Jonathan:

I am delighted to offer you the position of Executive Vice Chancellor for Business Affairs at The University of Texas System, effective March 1, 2022.

As Executive Vice Chancellor for Business Affairs, you will report to the Chancellor and hold office without a fixed term, according to the Rules and Regulations of the Board of Regents. Your annual salary will be \$650,000, paid in monthly installments. You will be entitled to all standard UT System fringe benefits under state law, including retirement plan contributions, group insurance plans, and leave entitlement. Details will be provided by the Office of Talent and Innovation, and information on the UT System's plans is available at the following link:

<https://www.utsystem.edu/offices/employee-benefits>

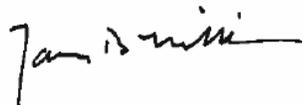
The UT System will pay the reasonable, actual expenses related to moving your household, personal and professional possessions from North Carolina to Texas. During the period prior to March 1, 2022, the UT System will pay reasonable, actual travel and associated expenses related to relocation and onboarding activities in Texas. All moving and relocation expenses will be subject to approval by the Chancellor's designee and subject to applicable taxes.

Once we have received your acceptance of this offer, the Office of Talent and Innovation will contact you to initiate your new hire process. This offer is contingent upon the successful completion of a criminal background check and approval of compensation by the UT System Board of Regents.

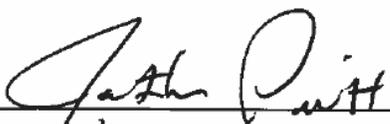
Mr. Jonathan Pruitt
January 19, 2022
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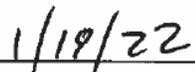
If these terms are agreeable, please sign and date this letter and return it to my office. We are exceedingly pleased that you will be joining the UT family, and we stand ready to assist in your transition to the UT System and the Office of Business Affairs.

Sincerely,



James B. Milliken
Chancellor


Accepted: _____


Date _____

AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE

No items for Consent Agenda

FINANCE AND PLANNING COMMITTEE

3. Other Fiscal Matters - U. T. System Board of Regents: Reallocation of funding authorizations for U. T. Austin campus projects incorporated in Senate Bill 52 (87th Legislature, Third Called Session), such that amounts allocated for the renovations of the Physics, Math, and Astronomy Building and the Microelectronics Research Center at the J.J. Pickle Research Campus are now to be used for renovation by U. T. Austin of the Microelectronics Research Center

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Vice Chancellor for Governmental Relations, and the Interim Executive Vice Chancellor for Business Affairs that the U. T. System Board of Regents approve the reallocation of \$56,153,542 previously authorized bonding authority for the Renovation of the Physics, Math, and Astronomy Building at U. T. Austin to now be used for the Renovation of the Microelectronics Research Center at the J. J. Pickle Research Campus.

During its third special session, the 87th Legislature passed and the Governor signed Senate Bill 52 relating to issuance of revenue bonds to fund capital projects at institutions of higher education, including authorization for the U. T. System Board of Regents to issue \$56,153,542 of bonds for Renovation of the Physics, Math, and Astronomy Building at U. T. Austin and \$56,153,542 of bonds for Renovation of the Microelectronics Research Center at the J. J. Pickle Research Campus codified under *Texas Education Code* Section 55.1792.

The proposed reallocation, consistent with *Texas Education Code* Section 55.1792(e), will permit the renovation of the Microelectronics Research Center to include innovation-oriented semiconductor chip fabrication facility focusing on visionary and forward-looking technologies that will support U. T. Austin's leading-edge research and education needs, better position the U. T. System and the State of Texas to effectively compete for a share of \$13 billion of federal funding in the CHIPS Act, and cement Texas as a national leader in the semiconductor industry.

If authorization for reallocation is approved, notice will be given to the Texas Higher Education Coordinating Board and approval from the Office of the Governor and the Legislative Budget Board will be requested as required by SB 52.

4. Contract (funds going out) - U. T. System: Amendment to Systemwide Master Subscription Agreement with Meltwater News US Inc. to provide access to Newsfeed to monitor print, online, and broadcast news and social media

Agency: Meltwater News US Inc.

Funds: \$1,200,000 over the full five-year term

Period: February 24, 2022 through October 31, 2022

Description: Meltwater News US Inc. will provide Systemwide access to Newsfeed to monitor print, online, and broadcast news and social media. The original Systemwide Agreement, which was competitively bid, was effective November 1, 2017 through October 31, 2022, and had a spending cap of \$900,000. This Amendment to the original Systemwide Agreement raises the spending cap for the remainder of the contract term by \$300,000, for a total cost of \$1,200,000.

5. Contract (funds going out) - U. T. System: Amendment to Agreement with Predictable Business Strategies, LLC, dba PBS of Texas, LLC, to provide U. T. System with custodial services

Agency: Predictable Business Strategies, LLC, dba PBS of Texas, LLC

Funds: \$3,000,000 over the full five-year term

Period: November 15, 2021 through February 28, 2023

Description: Amendment of existing contract with Predictable Business Strategies, LLC, dba PBS of Texas, LLC, to provide custodial services, including cleaning and maintenance, to the U. T. System Building (UTSB) (including Lease Areas), the U. T. System Police Academy, the University Lands Building – Midland, and the U. T. Education and Research Center at Laredo.

The initial Agreement effective March 1, 2018 through February 28, 2021, with two one-year renewal options, provided services to UTSB and the U. T. System Police Academy; and was approved by the Board of Regents on February 27, 2018, with a spending cap of \$2,400,000. The First Amendment, effective June 22, 2020, added UTSB Lease Areas and University Lands Building – Midland to the Services Areas covered; the Second Amendment, effective November 25, 2020, added three new Service Areas in Austin; the Third Amendment, effective March 1, 2021, extended the term for the first one-year renewal;

the Fourth Amendment, effective October 1, 2021, added legislatively required provisions; and this Fifth Amendment adds custodial services to the U. T. Education and Research Center at Laredo. If this request is approved, the total funding for the remaining term of this Agreement is capped at \$3,000,000. The initial Agreement was competitively bid.

6. Contract (funds going out) - U. T. System: Amendment to Agreement with Precision Task Group, Inc., to provide information technology (IT) staff augmentation services

Agency: Precision Task Group, Inc.

Funds: \$2,900,000

Period: March 1, 2022 through December 15, 2024

Description: Precision Task Group, Inc., to provide flexible staff augmentation services to 1) support efforts to improve PUF and AUF land administration processes and systems; and 2) provide staffing resources for custom development, data architecture, system architecture, business analysis, and project management.

This contract was competitively bid. The original Agreement dated December 16, 2019, had a fee cap of \$500,000. An Amendment to the Agreement was entered on September 29, 2020, and approved by the Board of Regents on November 19, 2020, increasing the fee cap to \$1,900,000. This Amendment increases the fee cap to \$2,900,000, to allow continuation, if desired, of the current level of services through February 2023. U. T. System may terminate this contract at any time with thirty days written notice and the System is only obligated to pay for work satisfactorily performed prior to termination.

7. Other Matters - U. T. System: Approval of the Fiscal Year 2023 Budget Preparation Policies including the Calendar for budget operations, and the Annual Operating Budget Rules and Procedures

With the concurrence of the Interim Executive Vice Chancellor for Business Affairs, the Executive Vice Chancellor for Academic Affairs, and the Executive Vice Chancellor for Health Affairs, the Chancellor recommends that the U. T. System Board of Regents approve the Budget Preparation Policies set out on [Pages 289-291](#), including the Calendar for budget operations on [Page 292](#), and the Annual Operating Budget Rules and Procedures on [Pages 293-306](#) for use in preparing the Fiscal Year (FY) 2023 Annual Operating Budget for the U. T. System.

The U. T. System FY 2023 Budget Preparation Policies are consistent with the regulations and directives included in the General Appropriations Act and other general law enacted by the 87th Texas Legislature. As written, this policy provides general direction to the U. T. System institutions. No substantive changes have been made to the Annual Operating Budget Rules and Procedures for FY 2023 and they align with applicable Regents' Rules.

U. T. System Fiscal Year 2023 Budget Preparation Policies

1. **General Guidelines** - The regulations and directives included in the *General Appropriations Act* as enacted by the 87th Texas Legislature serve as the basis for these guidelines and policies. In preparing the draft of the FY 2023 Operating Budget, the president of each institution should adhere to guidelines and policies as detailed below and as included in the *General Appropriations Act*. The Assistant Vice Chancellor, Budget and Planning will issue detailed instructions regarding the implementation of those regulations and directives into the institutional budget process.

The president of each institution should examine the resources used at the institution and, where possible, redirect resources toward high priority mission critical activities and strategic competitive investments that are consistent with the goals and objectives included in the institution's Strategic Plan.

Overall budget totals, including retaining reasonable reserves for potential future financial shortfall, must be limited to the funds available for the year from General Revenue Appropriations, Estimates of Educational and General Income, and limited use of institutional unappropriated balances.

2. **Maintenance of Operating Margin and Use of Prior Year Balances** - Institutions should make all reasonable efforts to maintain a favorable operating margin within the FY 2023 Operating Budget. Use of prior year balances should be limited to critical items, unique opportunities, or projects funded from prior year income committed for that purpose. Generally, balance usage should be reserved for nonrecurring activities. Balance usage cannot be recommended to the U. T. System Board of Regents for approval without the consent of the Chancellor, the appropriate Executive Vice Chancellor, and the Assistant Vice Chancellor, Budget and Planning.
3. **Salary Guidelines** - Recommendations regarding salary policy are subject to the following directives:

Salaries Proportional by Fund - Unless otherwise restricted, payment for salaries, wages, and benefits paid from appropriated funds, including local funds and educational and general funds as defined in *Texas Education Code* Section 51.009 (a) and (c), shall be proportional to the source of funds.

Merit Increases and Promotions - Institutions should consider available resources and resolution of any major salary inequities when implementing merit salary increases for faculty and staff.

As defined in *Texas Education Code* Section 51.962, an employee must have been employed by the institution for the six months immediately preceding the effective date

U. T. System Fiscal Year 2023 Budget Preparation Policies (continued)

of the increase to be eligible for a merit increase, and at least six months must have elapsed since the employee's last merit salary increase. These limitations also apply to one-time merit payments.

Merit increases or advances in rank for faculty are to be on the basis of teaching effectiveness, research, and public service.

Merit increases or promotions for administrative and professional staff and classified staff are to be based on evaluation of performance in areas appropriate to work assignments.

In accordance with Regent's *Rules and Regulations*, performance appraisals are to be conducted annually for all employees of the U. T. System. The U. T. System Administration Office of Talent and Innovation will issue specific guidance related to this requirement.

Other Increases - Equity adjustments, competitive offers, and increases to accomplish contractual commitments should also consider merit where appropriate, subject to available resources. Subject to guidance issued by the Assistant Vice Chancellor, Budget and Planning, such increases should be noted and explained in the supplemental data accompanying the budget.

New Positions - Subject to available resources, new administrative and professional staff, classified staff, and faculty positions are to be requested only when justified by workloads or to meet needs for developing new programs.

Reporting - The Assistant Vice Chancellor, Budget and Planning will issue guidance on reporting of compensation changes and amounts. It is expected that required reports will encompass highly compensated and high-ranking personnel covered by Regents' *Rules and Regulations*, Rules 20203 and 20204 along with those individuals receiving significant changes in compensation.

4. **Staff Benefits Guidelines** - Recommendations regarding the State contribution for employee staff benefits such as group insurance premiums, teacher retirement, and optional retirement are subject to legislative determination via the *General Appropriations Act*. Payments for benefits, including for retirees, should comply with the provisions of Accounting Policy Statements No. 11, "Benefits Proportional by Fund" and the *General Appropriations Act*. The Assistant Vice Chancellor, Budget and Planning will issue instructions regarding the implementation of the benefits into the budget process.

U. T. System Fiscal Year 2023 Budget Preparation Policies (continued)

5. **Other Employee Benefits** - Employer contributions to the self-insured Unemployment Compensation Fund are based on an actuarial study. Workers' Compensation Insurance rates are experience-rated for each institution. Appropriate instructions will be issued regarding the implementation of Unemployment Compensation Fund and Workers' Compensation Insurance Benefits.
6. **Other Operating Expenses Guidelines** - Increases in Maintenance, Operation, Equipment, and Travel are to be justified by expanded workloads, for developing new programs, or for correcting past deferrals or deficiencies.
7. **Calendar** - In the event of unforeseen circumstances, authority is delegated to the Assistant Vice Chancellor, Budget and Planning to modify the Calendar.



THE UNIVERSITY OF TEXAS SYSTEM

FY 2023 OPERATING BUDGET CALENDAR

February 24, 2022	Board of Regents takes appropriate action on budget preparation policies and budget rules
April 29, 2022	Request for Library, Equipment, Repair and Rehabilitation new project instructions and information on balances subject to lapse are sent to institutions
May 14-27, 2022	Institution Budget Meetings with U. T. System Administration
June 1, 2022	Budget instructions issued by U. T. System Administration
June 1, 2022	New Library, Equipment, Repair and Rehabilitation project requests due to U. T. System Administration
June 27, 2022	Draft budget documents due to U. T. System Administration (summary-level with optional detail)
June 29-July 6, 2022	Technical budget review with U. T. System Administration
July 11, 2022	Final budget documents due to U. T. System Administration (summary-level and optional detail)
July 12, 2022	Reports on highly compensated staff covered by Regents' Rule 20204, institutional top ten salaries and high-ranking staff salaries due to U. T. System Administration
August 5, 2022	Operating Budget Summaries provided to the Office of the Board of Regents
August 15, 2022	Detail budget due date (if not previously submitted)
August 25, 2022	Board of Regents takes appropriate action on Operating Budget and compensation of Presidents and Executive Officers
November 17, 2022	Board of Regents takes appropriate action on budget changes resulting from August 15 detail budget

THE UNIVERSITY OF TEXAS SYSTEM

OPERATING BUDGET RULES AND PROCEDURES

For Fiscal Year Ending August 31, 2023

A. INITIAL BUDGET

1. Any transfers subsequent to the approval of the initial budget shall be made only after careful consideration of the allocations, transfer limitations, and general provisions of the current general appropriations act. (See B. Budget Amendments)
2. All appointments are subject to the provisions of the U. T. System Board of Regents' *Rules and Regulations* ("Regents' Rules") for the governance of The University of Texas System.
3. The established merit policy will be observed in determining salary rates.
4. All academic salary rates in the instructional departments of the academic institutions are nine-month rates (September 1 - May 31) unless otherwise specified. In the health-related institutions, all salary rates are twelve-month rates unless otherwise specified.
5. All appointments of classified personnel are based on twelve-month rates and are made within appropriate salary ranges as defined by the classified personnel Pay Plan approved by the president or Chancellor. All appointments of administrative and professional personnel are based on twelve-month rates.
6. Compensation for continuing personnel services (for a period longer than one month), though paid for on an hourly basis, is not to be paid out of maintenance and equipment, or like appropriations, except upon specific approval of the president of the institution or the Chancellor.
7. All maintenance and operation, equipment, and travel appropriations are for twelve months (September 1 - August 31) and should be budgeted and expended accordingly.

B. BUDGET AMENDMENTS

1. Items requiring approval of the U. T. System Administration and subsequent approval by the U. T. System Board of Regents through the Consent Agenda
 - a. New appointments of tenured faculty (Regents' Rule 31007).
 - b. Award of tenure to any faculty member (Regents' Rule 31007).
 - c. New appointments as Regental Professor (Regents' Rule 31001). Titles set forth in Regents' Rule 20301 including Chancellor Emeritus, President Emeritus and similar honorary designations are conferred by the U. T. System Board of Regents.
 - d. Appointments, promotions, and salary increases involving the president (Regents' Rules 20201, 20202, 20203).
 - e. New contracts or contract changes involving athletic directors or head coaches whose total annual compensation, or total contractual compensation, equals or exceeds the amounts specified by Regents' Rule 10501 Section 2.2.12.
 - f. Compensation changes for Key Executives as defined by Regents' Rule 20203.
 - g. Compensation for personnel whose total annual compensation for the first time is, or may exceed, \$1,000,000 during the year (Highly Compensated Personnel) and who are not subject to B.1.e or B.2.f (Regents' Rule 20204).
 - h. Compensation changes for Highly Compensated Personnel greater than five percent (Regents' Rule 20204).
 - i. Increases in budgeted amounts from income or unappropriated balances for Educational and General, Auxiliary Enterprises, Designated Funds, Service Departments, Revolving Funds, and Plant Funds, subject to the thresholds established in B.5 below.
 - j. Increases to Plant Funds which result from transfers from Educational and General Funds, Auxiliary Enterprises, Designated Funds, Service Departments, and Revolving Funds, subject to the thresholds established in B.5 below.
2. Items requiring approval of U. T. System Administration (no Consent Agenda approval required)
 - a. Reappropriation of prior year Educational and General Fund balances, subject to the thresholds established in B.5 below.
 - b. Increases in budgeted amounts from income or unappropriated balances for Educational and General, Auxiliary Enterprises, Designated Funds, Service Departments, Revolving Funds, and Plant Funds, subject to the thresholds established in B.5 below.

- c. Increases to Plant Funds which result from transfers from Educational and General Funds, Auxiliary Enterprises, Designated Funds, Service Departments, and Revolving Funds, subject to the thresholds established in B.5 below.
 - d. Compensation changes for Highly Compensated Personnel whose change in total annual compensation is five percent or less and whose initial compensation was previously approved by the U. T. System Board of Regents (Regents' Rule 20204).
 - e. Appointments and promotions involving administrative and professional personnel reporting directly to the president.
3. Items requiring approval of the president only (Chancellor for U. T. System Administration)
- a. All interdepartmental transfers.
 - b. All budget transfers between line-item appropriations within a department.
 - c. Increases in budgeted amounts from income or unappropriated balances for Educational and General Funds, Auxiliary Enterprises, Designated Funds, Service Departments, and Revolving Funds, subject to the thresholds established in B.5 below.
 - d. Reallocation of unallocated Faculty Salaries. All unfilled and uncommitted line-item faculty salary positions will lapse to the institutional "Unallocated Faculty Salaries" account.
 - e. Reappropriation of Prior Year Educational and General Fund Balances, subject to the thresholds established in B.5 below.
 - f. Promotions involving tenured faculty.
 - g. New honorary title appointments as Dean Emeritus, Chair Emeritus, Professor Emeritus, and similar honorary designations (Regents' Rule 31001).
 - h. Transactions involving all other personnel except those specified in B.1.a, B.1b, B.1c, B.1d, B.1e, B.1f, B.1g, B.1h, B.2d, and B.2e as defined above.
 - i. Changes in sources of funds, changes in time assignments, and other changes in status for personnel categorized in Item B.1, provided no change in the individual's salary rate is involved. In the case of Medical Faculty, this provision applies to "Total Compensation."
 - j. Summer Session Budgets.
 - k. Clinical faculty appointments or changes, including medical or hospital staff, without salary provided the clinical faculty member is not considered to be Highly Compensated Personnel.

4. Effective date of appointments and compensation increases

- a. Any increase in approved compensation for the current fiscal year without a change in classification or position is not to be effective prior to the first day of the month in which the required final approval of the rate change is obtained.
- b. A compensation increase resulting from an appointment to another classification or to a position involving new and different duties may be made effective to the time of the first performance of duties under the new appointment.
- c. The effective date of an appointment is the date on which the individual is first to perform service for the institution under that appointment.
- d. The original appointment during a fiscal year of a person not in a budget for that year or not under an existing appointment for that year may relate back to the first performance of duties during the fiscal year although such person may have been employed in a previous fiscal year and although increased compensation for the same classification or position is involved.

5. Budget amendment criteria

- a. Institutions other than U. T. System Administration with budgeted revenue, including transfers from the Available University Fund, of \$1 billion or more will have a threshold of:
 - i. For B.1i and B.1j – Equal to or greater than \$5,000,000 (budget increase approval on Consent Agenda)
 - ii. For B.2a – Equal to or greater than \$2,000,000 (reappropriation of E&G balances approval by U. T. System Administration)
 - iii. For B.2b and B.2c – Equal to or greater than \$2,000,000 and less than \$5,000,000 (budget increase approval by U. T. System Administration)
 - iv. For B.3c and B.3e – Less than \$2,000,000 (approval by president)
- b. Institutions other than U. T. System Administration with budgeted revenue, including transfers from the Available University Fund, between \$250 million and \$1 billion will have a threshold of:
 - i. For B.1i and B.1j – Equal to or greater than \$2,500,000 (budget increase approval on Consent Agenda)
 - ii. For B.2a – Equal to or greater than \$1,000,000 (reappropriation of E&G balances approval by U. T. System Administration)
 - iii. For B.2b and B.2c – Equal to or greater than \$1,000,000 and less than \$2,500,000 (budget increase approval by U. T. System Administration)
 - iv. For B.3c and B.3e – Less than \$1,000,000 (approval by president)

- c. Institutions other than U. T. System Administration with budgeted revenue, including transfers from the Available University Fund, less than \$250 million will have a threshold of:
 - i. For B.1i and B.1j – Equal to or greater than \$1,000,000 (budget increase approval on Consent Agenda)
 - ii. For B.2a – Equal to or greater than \$250,000 (reappropriation of E&G balances approval by U. T. System Administration)
 - iii. For B.2b and B.2c – Equal to or greater than \$250,000 and less than \$1,000,000 (budget increase approval by U. T. System Administration)
 - iv. For B.3c and B.3e – Less than \$250,000 (approval by president)

- d. U. T. System Administration will have a threshold of:
 - i. For B.1i and B.1j – Equal to or greater than \$1,000,000 (budget increase approval on Consent Agenda)
 - ii. For B.2a and B.3e – All amounts may be approved by the Chancellor (reappropriation of E&G balances)
 - iii. For B.2b, B.2c, and B.3c – All amounts less than \$1,000,000 may be approved by the Chancellor (budget increase approval)
 - iv. Notwithstanding i., ii., and iii., the Chancellor may authorize any budget amendment in the U. T. System revolving insurance funds without limitation.

- e. Notwithstanding a., b., and c. of this section, the president of an institution may authorize any budget amendment related to hospital patient care activities or Medical, Dental, Nursing, and Faculty Services Research and Development Plans, the Allied Health Faculty Services Plan or the Physicians Referral Service Plan without limitation if the budget increase is supported by a corresponding increase in revenue. This exception does not apply to increases from unappropriated balances.

C. OTHER CONSIDERATIONS

1. All appropriations not actually expended or encumbered by August 31 will automatically lapse to the Unappropriated Balance Account except for those reallocated pursuant to Item B.2a and Item B.3e.
2. Compensation indicated as "MSRDP Funds," "DSRDP Funds," "PRS Funds," "FSRDP Funds," "Allied Health Faculty Services Plan" or "Nursing Clinical Enterprise Health Services, Research and Development Plan" is contingent upon its being earned or available in accordance with the regulations applicable to the appropriate Medical Service Research and Development Plan, Dental Service Research and Development Plan, Physicians Referral Service Plan, Faculty Services Research and Development Plan, Allied Health Faculty Services Plan, or Nursing Clinical Enterprise Health Services Research and Development Plan.
3. Budgeted expenditures authorized from sources of funds other than Educational and General Funds are contingent upon receipt of such funds. Appointments from such fund sources will not become an obligation of the institution in the event the supplemental or grant funds are not realized.
4. Leaves of Absence may be granted only in accordance with provisions contained in Regents' Rule 30201.

5. In these Rules, Compensation means total annual compensation as defined by Regents' Rule 20204 or total compensation under a multiyear contract.
6. Appropriations of the Available University Fund are subject to the appropriation limitations and notice requirements found in the General Appropriations Act.

THE UNIVERSITY OF TEXAS SYSTEM

FACULTY WORKLOAD REQUIREMENTS FOR ACADEMIC INSTITUTIONS

For Fiscal Year Ending August 31, 2023

FACULTY WORKLOAD REQUIREMENTS FOR ACADEMIC INSTITUTIONS

The general workload policy for faculty employed at U. T. System academic institutions is set forth in Regents' Rule 31006. Through established shared governance processes, each academic institution has been authorized by the U. T. System Board of Regents to establish a faculty workload policy that adheres to the provisions and reporting requirements of Rule 31006. As required by *Texas Education Code* Section 51.402 and Rule 31006, each academic institution has included their faculty workload policy in this operating budget.

THE UNIVERSITY OF TEXAS SYSTEM

MEDICAL, DENTAL, NURSING, FACULTY SERVICES RESEARCH AND DEVELOPMENT PLANS, ALLIED HEALTH FACULTY SERVICES PLAN AND PHYSICIANS REFERRAL SERVICE

For Fiscal Year Ending August 31, 2023

RULES AND PROCEDURES

1. These Rules and Procedures are to be used for the Medical, Dental, Nursing, and Faculty Services Research and Development Plans, the Allied Health Faculty Services Plan and Physicians Referral Service (“the Plans”) Budgets in conjunction with the Rules and Procedures for the General Operating Budget.
2. Budgeted expenditures authorized from the Plans are contingent upon receipt of such funds. Appointments and other budget transactions from such fund sources shall not become an obligation of any institution in the event the funds are not realized.
3. All income for professional services earned by members of the plans, except royalties, payments for editing scientific publications, and consultation fees as a regional or national consultant to any branch of the U.S. Government as approved by the U. T. System Board of Regents shall be deposited in the appropriate institution’s institutional Trust Fund Account.
4. Administration, operation, and disbursement of funds shall be in accordance with each institutional plan approved by U. T. System Administration and the U. T. System Board of Regents.
5. At U. T. M. D. Anderson Cancer Center, associate members’ earnings will be contingent upon the earned income of the member in accordance with the services rendered to the patient assigned to the member’s specialty by the chief of the major service. All payments will be approved by the Executive Council of the Physicians Referral Service.
6. Budgeted funds can be used for staff retirement and insurance benefits, for actual travel or supplemental travel expenses for attending meetings for the benefit of any institution, for memberships and dues in medical organizations, for official entertainment, and for such other disbursements as may be authorized by the president consistent with the policies approved by the U. T. System Board of Regents and the U. T. System Administration. These expenditures must be in the best interests of the research, educational and patient care activities of any institution and in the best interest of maintaining a distinguished scientific staff for such purposes and activities.

THE UNIVERSITY OF TEXAS SYSTEM

PERMANENT UNIVERSITY FUND (PUF) BOND PROCEEDS FOR LIBRARY, EQUIPMENT, REPAIR AND REHABILITATION (LERR) AND FACULTY SCIENCE AND TECHNOLOGY ACQUISITION AND RETENTION (STARS) AND SIMILAR FUNDED PROGRAMS BUDGET RULES AND PROCEDURES

For Fiscal Year Ending August 31, 2023

A. INITIAL BUDGET

1. U. T. System institutions are authorized to purchase approved Library and Equipment items and to contract for Repair and Rehabilitation projects following standard purchasing and contracting procedures. This includes expenditures for STARS (including Faculty and Rising STARS), or similar funded programs.
2. Transfers by the U. T. System Administration of allocated funds to institutional control or to vendors will coincide with vendor payment requirements.
3. Final approval of specific Repair and Rehabilitation projects will be in accordance with U. T. System Board of Regents established procedures for construction projects.
4. All expenditures are subject to the provisions of the Texas *Constitution* of the State of Texas and the U. T. System Board of Regents' Rules and Regulations for the governance of The University of Texas System.

B. BUDGET AMENDMENTS

1. U. T. System institutions are authorized to purchase approved Library and Equipment items and to contract for Repair and Rehabilitation projects following standard purchasing and contracting procedures. This includes expenditures for STARS (including Faculty and Rising STARS), or similar funded programs.
 - a. Substitute Library or Equipment purchases in excess of \$1 million that are not on the approved list.
 - b. Substitute Repair and Rehabilitation projects in excess of \$1 million that are not on the approved list.
2. Items requiring approval of U. T. System Administration (no Consent Agenda approval required)
 - a. Substitute Library or Equipment purchases of \$1 million or less that are not on the approved list.
 - b. Substitute Repair and Rehabilitation projects of \$1 million or less that are not on the approved list.

- c. Transfers of appropriated funds between approved Library, Equipment, Repair and Rehabilitation items.
- d. Transfer of STARs funding between the Faculty STARs program and the Rising STARs program.

C. OTHER CONSIDERATIONS

1. All LERR appropriations must be expended within 36 months from the date of the award or the appropriation will lapse and be made available for future Systemwide reallocation.
2. All STARs or similar program appropriations must be expended within 36 months from the time the faculty member arrives on campus or the appropriation will lapse and be made available for future Systemwide reallocation.
3. Notwithstanding the limitations adopted at the time LERR, STARs, or other similar funding was authorized, these *Budget Rules and Procedures* apply to all previously authorized LERR, STARs and similar funding.
4. In accordance with the *UTS 168 Capital Expenditure Policy*, LERR and STARs funding that is incorporated into a Major Project will be defined as PUF and will be subject to rules applicable to all Major Projects. Major Projects are defined by Regents' Rule 80301.

THE UNIVERSITY OF TEXAS SYSTEM

PERMANENT UNIVERSITY FUND (PUF) BOND PROCEEDS FOR LIBRARY, EQUIPMENT, REPAIR AND REHABILITATION (LERR) AND FACULTY SCIENCE AND TECHNOLOGY ACQUISITION AND RETENTION (STARS) AND SIMILAR FUNDED PROGRAMS EXPENDITURE GUIDELINES

For Fiscal Year Ending August 31, 2023

A. AUTHORIZATION OF PUF BOND PROCEEDS FOR LERR, STARS, OR SIMILARLY FUNDED PROGRAMS

Article VII, Section 18 (b) of the Texas *Constitution* authorizes the U. T. System Board of Regents to issue bonds and notes secured by the U. T. System's interest in the Permanent University Fund for the purpose of:

- acquiring land, with or without permanent improvements;
- constructing and equipping buildings or other permanent improvements;
- major repair and rehabilitation of buildings and other permanent improvements;
- acquiring capital equipment; and
- acquiring library books and library materials.

It is for the last three purposes noted above that the U. T. System Board of Regents has established the LERR, STARS (including Faculty and Rising STARS), and similarly funded programs.

B. RETENTION OF RECORDS

The Internal Revenue Service requires that invoice documentation supporting capital expenditures, including LERR, STARS and similar programs funded with proceeds of tax-exempt bonds, be maintained for a period ending three (3) years after the complete extinguishment of the bonds. Pursuant to the Texas *Constitution*, PUF bonds may be structured with a maximum maturity of 30 years. In order to comply with the IRS requirement and *UTS 181 Policy for Post Bond Issuance Federal Tax Compliance*, U. T. institutions shall maintain invoice documentation for 35 years for any capital expenditures funded with tax-exempt proceeds.

C. ELIGIBILITY FOR PROGRAM FUNDS

Eligibility for LERR, STARS, or other similar funded programs is the same as eligibility for PUF bond proceeds as set forth in the Texas *Constitution*.

D. GENERAL GUIDELINES FOR USE OF PROGRAM FUNDS

In addition to meeting the constitutional requirements outlined above, the general guideline to determine whether an item is eligible for LERR, STARS, or similar funded programs, is that it must have a useful life of at least one year. The following sections are provided to assist with that determination. These guidelines are not intended to be exhaustive and any questions regarding LERR, STARS, or similar funded program eligibility should be directed to the U. T. System Administration Office of Budget and Planning.

Repair and Rehabilitation of Buildings or Other Permanent Improvements

Major repairs or rehabilitation of buildings or other permanent improvements include, but are not limited to, repairs, renovations, replacements, or betterments that are normally expected to extend the useful life, improve operating efficiency, eliminate health and safety hazards, correct structural or mechanical defects, upgrade the quality of existing facilities, or convert these assets to more useful functions, but that are not considered routine maintenance.

The cost of major repairs or rehabilitation of buildings or other improvements can include the contract price or cost of construction and other costs that would be applicable to make the building or improvement suitable for its intended use.

Acquisition of Capital Equipment

Capital equipment is generally regarded as nonexpendable, tangible personal property having a useful life of more than one year. The acquisition cost for equipment includes the net invoice price, including any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. In addition, taxes, duty, in-transit insurance, freight, and installation charges are also included as part of the acquisition cost. Capital equipment, including software, that will be used Systemwide, or between and among U. T. institutions and System Administration, is eligible for LERR, STARS, or similar program funds.

Warranties and Similar Service Features

The cost of warranties and similar service features related to a purchase of capital equipment (such as maintenance agreements and loaner programs) are not eligible for LERR, STARS, or similar program funds as these are considered operating expenses. This ineligibility also applies to warranty and similar service feature costs separately identified during original purchase. For example, a warranty agreement charge that is separately identified on a Laptop purchase is not allowed.

Software

Any capitalized costs associated with the development or implementation of software, including personnel costs (salaries), are eligible for LERR, STARS, or similar funded programs if they are incurred in the Application Development Stage. This principle applies whether the salaries are paid to employees of the institution or to outside parties. See *UTS 142.13 Accounting and Financial Reporting for Intangible Assets* at <https://www.utsystem.edu/sites/policy-library/policies/uts-14213-accounting-and-financial-reporting-intangible-assets>. Training costs related to software usage are discussed below.

The purchase of bundled software included as part of the initial acquisition of computer hardware is capitalizable regardless of threshold and therefore eligible for LERR, STARS, or similar program funds.

Software maintenance costs are considered operating expenses and therefore are not eligible for LERR, STARS, or similar program funds as these are considered operating expense.

Costs for software licenses with a useful life extending beyond one year that will be owned are eligible for LERR, STARS, or similar program funds. Leased or licensed software that requires the payment of an annual fee (i.e., does not have a useful life extending beyond one year) and that will not be owned when the license expires is not eligible for LERR, STARS, or similar program funds.

Employee Training and Travel Costs

Employee training and travel costs are not eligible for LERR or STARS program funds as these are considered operating expenses.

Operating Expenses

Consumables, which generally include those items that have an expected useful life of less than one year, are not eligible for LERR or STARS program funds as these are considered operating expenses. Some examples include, but are not limited to: chemicals, gases, paper, staplers and other office supplies, toner cartridges, medical supplies, disposal services, and laboratory supplies.

Examples of other operating expenses that are not eligible for LERR or STARS program funds include, but are not limited to: monthly telephone services, animals, software maintenance cost, and routine maintenance.

Acquisition of Library Books and Library Materials

The acquisition of library books and library materials is eligible for LERR. A library book is generally defined as a literary composition bound into a separate volume and identifiable as a separate copyrighted unit. Library materials are information sources other than books, including journals, periodicals, microforms, audio/visual media, computer-based information, manuscripts, maps, documents, and similar items that provide information essential to the learning process or enhance the quality of university library programs. A purchase of a license for library materials is allowable if the license period is in excess of one year. Annual license subscriptions and payments are not eligible for LERR.

The acquisition cost of library books and library materials can include the invoice price, freight-in, handling and insurance, binding, electronic access charges, reproduction, and other like costs required to put these assets in place, except for library salaries.

Prohibition for Student Housing, Athletics, and Auxiliary Enterprises

Article VII, Section 18 (d) of the Texas *Constitution* prohibits the use of PUF bond proceeds, and therefore the use of LERR, STARS, and similar program funds, for student housing, intercollegiate athletics, or auxiliary enterprises.

E. SPECIAL PROGRAM FUNDING

Allocations of STARS funding by the Board of Regents are for the Faculty STARS program. With appropriate approvals those funds can be redirected to the Rising STARS program.

Faculty STARS Program

The Faculty STARS program funded by PUF bond proceeds supports the recruitment and retention of the best-qualified faculty at both academic and health institutions by providing additional resources to build and enhance research infrastructure. Because the Faculty STARS program is funded in the same manner as LERR, the same guidelines apply, and each item must have a useful life of more than one year. Faculty STARS funds are available for laboratory renovation and equipment purchases; however, faculty and other staff salaries cannot be paid from Faculty STARS funds.

There are three related program goals that form the basis of the Faculty STARS program:

- recruit senior faculty with national prominence; and
- improve the quality of new faculty and research capacity of the institutions by augmenting the start-up packages for tenure and tenure-track faculty; and
- retain high quality faculty who have had offers from another research institution or have the potential to leave because of limited access to quality equipment or laboratories.

Rising STARS Program

The Rising STARS program makes up to \$300,000 available for recruitment of promising faculty members who are recruited in a tenure track position at any academic level, i.e. assistant, associate or full professor. Rising STARS funding is limited to the same equipment and renovation expenditure restrictions as Faculty STARS.

8. Real Estate Report - U. T. System: Summary Report of Separately Invested Assets Managed by U. T. System

**THE UNIVERSITY OF TEXAS SYSTEM
SEPARATELY INVESTED ASSETS
Managed by U. T. System
Summary Report at November 30, 2021**

	FUND TYPE							
	Current Purpose Restricted		Endowment and Similar Funds		Annuity and Life Income Funds		TOTAL	
	Book	Market	Book	Market	Book	Market	Book	Market
Land and Buildings:								
Ending Value 08/31/2021	\$ 3,209,757	\$ 18,342,793	\$ 97,747,463	\$ 579,163,383	\$ -	\$ -	\$ 100,957,220	\$ 597,506,176
Increase or Decrease	(91,925)	(89,896)	-	1,098,468	-	-	(91,925)	1,008,572
Ending Value 11/30/2021	\$ 3,117,832	\$ 18,252,897	\$ 97,747,463	\$ 580,261,851	\$ -	\$ -	\$ 100,865,295	\$ 598,514,748
Other Real Estate:								
Ending Value 08/31/2021	\$ -	\$ -	\$ 5	\$ 5	\$ -	\$ -	\$ 5	\$ 5
Increase or Decrease	-	-	-	-	-	-	-	-
Ending Value 11/30/2021	\$ -	\$ -	\$ 5	\$ 5	\$ -	\$ -	\$ 5	\$ 5

Report prepared in accordance with Sec. 51.0032 of the *Texas Education Code*. Details of individual assets by account furnished on request.

Note: Surface estates are managed by the U. T. System Real Estate Office. Mineral estates are managed by U. T. System University Lands. The royalty interests received from the Estate of John A. Jackson for the John A. and Katherine G. Jackson Endowed Fund in Geosciences are managed by the U. T. Austin Geology Foundation, with the assistance of the Bureau of Economic Geology.

ACADEMIC AFFAIRS COMMITTEE

9. Request for Budget Change - U. T. Arlington: Tenure Appointment -- amendment to the 2021-2022 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
College of Architecture, Planning and Public Affairs					
Public Affairs and Planning					
Assistant Vice Provost for Academic Planning and Policy and Professor					
Amber Smallwood					
From: Professor		100	12	145,600	11710
To: Professor (T)	2/24-8/31	100	12	145,600	

10. Contract (funds coming in) - U. T. Austin: Amendment to Graduate Medical Education (GME) Program Director Agreement by and among Ascension Seton (formerly known as Seton Family of Hospitals) and U. T. Austin, on behalf of Dell Medical School, to provide academic program director services

Agency: Ascension Seton (formerly known as Seton Family of Hospitals)

Funds: \$7,900,000 over the total five-year term; thereafter, \$4,000,000 annually

Period: September 1, 2021 through August 31, 2022; with the authority to extend for additional one-year periods if desired

Description: Under the initial Agreement, Seton Family of Hospitals compensated Dell Medical School for the services of two physicians to provide professional medical Program Director Services from December 17, 2017 through August 31, 2018. The fees paid are based on a percentage of each physicians' time at a rate determined by level of skill and practice area. On August 15, 2019, U. T. Austin obtained

Board approval for the First Amendment to increase the contract value to \$5,000,000. In 2020, the Second Amendment extended the term, added additional providers, replaced some providers, and updated the payment rates, with an increased total contract value of \$5,234,044. This Third Amendment extends the term to August 31, 2022, adds additional providers, replaces some providers, and updates the payment rates, with an increased total contract value of approximately \$7,900,000 through the end of the term. Going forward, to address additional potential renewals, approval of a contract value of \$4,000,000 annually is requested, with the understanding that notice of the desired renewal be provided in advance to the Executive Vice Chancellor for Academic Affairs.

11. Contract (funds coming in) - U. T. Austin: Amended and Restated Master Services Agreement by and between Central Texas Community Health Centers, dba CommUnityCare, on behalf of the Dell Medical School at U. T. Austin, for the provision of clinical professional services

Agency: Central Texas Community Health Centers, dba CommUnityCare (CUC), a Texas nonprofit corporation

Funds: Approximately \$9,400,000 during the five-year term; thereafter, \$2,500,000 annually

Period: December 1, 2021 through December 31, 2023; with three automatic renewals of one year each, with the authority to extend to additional one-year terms if desired

Description: The Amended and Restated Master Services Agreement, together with its amendments, is a Master Agreement for the provision of clinical professional services by physicians employed by U. T. Austin to CUC and was created to provide high-quality health care services to the community and to improve health outcomes. The base Agreement allows for the addition of individual, customized exhibits detailing the expected effort and compensation terms for each individual physician covered under the agreement. The parties have replaced a prior Agreement with this updated version and anticipate the total contract value to be approximately \$9,400,000 over the term of the agreement. Going forward, should the Agreement be amended to extend the term, the Board is asked to approve a value of \$2,500,000 annually, with the understanding that notice of the desired renewal be provided in advance to the Executive Vice Chancellor for Academic Affairs.

12. Request for Budget Change - U. T. Austin: Tenure Appointment -- amendment to the 2021-2022 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
Dell Medical School					
Medicine					
Associate Professor					
Curry Koenig (T)	2/1-8/31	100	12	244,000	11709

13. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Offensive Pass Game Coordinator/Wide Receivers Football Coach Brennan Marion

The following terms of the Employment Agreement for new Offensive Pass Game Coordinator/ Wide Receivers Football Coach Brennan Marion have been approved by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel and are recommended for approval by the U. T. System Board of Regents. If the terms are approved, total compensation for the contract period will be in excess of \$1 million. The Agreement references the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic conference of which The University of Texas at Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. A violation of the provisions of such constitution, bylaws, rules, regulations, or policies may be grounds for suspension without pay and/or dismissal.

Proposed:

Guaranteed compensation:

Annual Salary:

Contract Year 1: \$400,000

Contract Year 2: \$400,000

Contract Year 3: \$425,000

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Assumption of Previous Contractual Obligation: U. T. Austin will make a one-time payment of \$105,000, to Offensive Pass Game Coordinator/Wide Receivers Football Coach's previous employer, University of Pittsburgh, to satisfy a contractual obligation owed as a result of the voluntary termination of Offensive Pass Game Coordinator/ Wide Receivers Football Coach's previous employment agreement. U. T. Austin agrees to make the Offensive Pass Game Coordinator/Wide Receivers Football Coach whole for any tax liability incurred as a result of such payment.

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Source of Funds: Intercollegiate Athletics

Period: December 31, 2021 through February 29, 2024

14. Employment Agreement - U. T. Austin: Approval of terms of Employment Agreement for new Running Backs Football Coach Tashard Choice

The following terms of the Employment Agreement for new Running Backs Football Coach Tashard Choice have been approved by the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel and are recommended for approval by the U. T. System Board of Regents. If the terms are approved, total compensation for the contract period will be in excess of \$1 million. The Agreement references the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic conference of which The University of Texas at Austin is a member, the Regents' *Rules and Regulations*, and the policies of The University of Texas at Austin. A violation of the provisions of such constitution, bylaws, rules, regulations, or policies may be grounds for suspension without pay and/or dismissal.

Proposed: **Guaranteed compensation:**

Annual Salary:

Contract Year 1: \$500,000

Contract Year 2: \$500,000

Contract Year 3: \$550,000

Automobile: One dealer car

Club membership: In accordance with Athletics Department's policies and procedures, and based on availability and business need

Relocation and Temporary Housing Allowance: \$29,000

Tickets: In accordance with Athletics Department's policies and procedures, and based on availability

Assumption of Previous Contractual Obligation: U. T. Austin will make a one-time payment of \$150,000, to Running Backs Football Coach's previous employer, Georgia Institute of Technology, to satisfy a contractual obligation owed as a result of the voluntary termination of Running Backs Football Coach's previous employment agreement. U. T. Austin agrees to make the Running Backs Football Coach whole for any tax liability incurred as a result of such payment.

Nonguaranteed compensation:

Sports Camps and Clinics: In accordance with Athletics Department's policies and procedures and determined by the Head Coach and Vice President and Athletics Director

Incentives:

Team performance incentives: maximum of 19% of that year's annual salary

Source of Funds: Intercollegiate Athletics

Period: December 20, 2021 through February 29, 2024

15. Request for Budget Change - U. T. El Paso: New Hires with Tenure -- amendment to the 2021-2022 budget

The following Requests for Budget Changes (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and are recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
College of Business Administration					
Accounting and Information Systems					
Chair and Professor					
Kevin Eric Dow (T)	1/16-8/31	100	09	\$194,000	11711
		SUPP	12	\$2,667	
College of Health Sciences					
Dean's Office and Rehabilitation Sciences					
Associate Dean and Associate Professor					
Stacy A. Wagovich (T)	3/1-8/31	50	09	\$97,500	11712
		50	12	\$130,000	

16. Request for Budget Change - U. T. Permian Basin: New Hire with Tenure -- amendment to the 2021-2022 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
College of Engineering					
Department of Engineering					
Associate Dean of Engineering and Associate Professor of Mechanical Engineering					
Monica Annamarie Gray (T)	1/3-8/31	100	12	150,000	11692

17. Contract (funds going out) - U. T. Rio Grande Valley: Contract for Sale and Purchase of Natural Gas with Cokinos Energy Corporation

Agency: Cokinos Energy Corporation

Funds: Not exceed \$1,500,000 over the full five-year term

Period: November 1, 2021 through October 31, 2024; with option to renew for two one-year additional terms

Description: Contract for sale and purchase of natural gas with Cokinos Energy Corporation for Cokinos to supply estimated monthly natural gas for U. T. Rio Grande Valley.

18. Request for Budget Change - U. T. Rio Grande Valley: Tenure Appointment -- amendment to the 2019-2020 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
School of Nursing					
School of Nursing					
Executive Vice Dean and Associate Professor					
MaryJane Lewitt (T)	10/21-12/31	100	12	150,000	11715

Note: Appointment to be retroactive to October 21, 2019, to correct clerical error in the delayed processing of the recommendation.

19. Contract (funds going out) - U. T. San Antonio: Job Order Contracting Agreements with The Pounds Group LLC, dba Sullivan Contracting Services; Nobel Texas Builders, LLC; Waterman Construction, LLC; and Skanska USA Building Inc., to provide job order contracting services for minor construction projects

Agencies: The Pound Group LLC, dba Sullivan Contracting Services; Nobel Texas Builders, LLC; Waterman Construction, LLC; and Skanska USA Building Inc.

Funds: For each Agreement with each entity listed above, possible fees of up to \$10,000,000 for the entire term, including all renewal terms. Total fees may increase or decrease depending on volume of construction projects. Each job order issued under each contract will be independently evaluated and executed.

Period: Initial two-year term beginning December 1, 2021, with three additional two-year renewal options, with each renewal option being at U. T. San Antonio's discretion.

Description: The Agreements secure job order contracting services to support U. T. San Antonio's minor construction and renovation projects.

The Agreements resulted from a competitive Request for Proposal (RFP) intended to select multiple contractors. The highest-ranked proposals were selected under the RFP.

20. Gift - U. T. San Antonio: Authorization to accept the gift of a sculpture to be placed outdoors in front of the new School of Data Science and the National Security Collaboration Center in downtown San Antonio

Description: U. T. San Antonio requests approval to accept the donation of a sculpture from the estate of the late Fletcher Benton by his daughter, Ashlie Benton, on behalf of The Fletcher Benton Foundation. The sculpture will be placed in front of the new School of Data Science and the National Security Collaboration Center located in downtown San Antonio at 506 Dolorosa Street. The building is scheduled to open in July 2022.

The outdoor art, entitled "Drum Rhythm No. 11", is eight feet long by eight feet wide and 18 feet tall. It has a diameter of nine feet and weighs 3,500 pounds. The sculpture is made of Corten Steel and was completed by Mr. Benton in 2012.

As part of the expansion effort in downtown San Antonio, U. T. San Antonio is committed to creating interesting, engaging, pedestrian-friendly spaces. The gift of "Drum Rhythm No. 11" was facilitated through the university's partnership with Centro San Antonio to support the city's effort to establish San Antonio as a placemaking leader through art. The sculpture complements the design elements of the San Pedro Creek Culture Park, located adjacent to the new School of Data Science Building.

Donor: Fletcher Benton was a prominent American artist and sculptor of large-scale geometric and shaped forms of steel. He received his B.F.A. from Miami University and an honorary doctorate of Fine Arts from Santa Clara University. Beginning in the 1960's, Benton experimented with movement in geometric pattern pieces. In the 1970's he transitioned to traditional sculpture forms using bronze and steel. His work is included in the collections of the Metropolitan Museum of Art, The Victoria and Albert Museum, and the San Francisco Museum of Art among many others. In 2008, Benton received the International Sculpture Center's Lifetime Achievement in Contemporary Sculpture Award. Benton passed away on June 26, 2019. His daughter Ashlie manages his estate and owns a California-based design shop.

Value/Expenses:

In January 2022, Roth Fine Art Appraisals provided a report concluding that the fair market value of the sculpture is \$171,550.

The university's building contractor Whiting-Turner will assume the costs of moving the sculpture from its current location in San Francisco and installing it in its new location in downtown San Antonio. The installation will include a concrete pad with a brushed finish. Long-term maintenance costs will be assumed by the university, funded out of the general budget for the new building set aside for exterior art. U. T. San Antonio has a long-term plan for maintenance over the next 15 to 20 years, with an estimated cost of \$2,000 per year.



HEALTH AFFAIRS COMMITTEE

21. Contract (funds going out) - U. T. Southwestern Medical Center: Agreement with Netsync Network Solutions to provide service for Cisco equipment, products, and associated maintenance

Agency: Netsync Network Solutions

Funds: \$30,000,000 over the three-year term and two optional one-year renewals

Period: January 1, 2022 through December 31, 2025; with the option to renew for two additional one-year terms

Description: Netsync Network Solutions will provide service for Cisco equipment, products, and associated maintenance. The contract was awarded following a recent Request for Proposal process.

22. Contract (funds going out) - U. T. Southwestern Medical Center: Southwest Transplant Alliance, Inc., to provide organ procurement

Agency: Southwest Transplant Alliance, Inc.

Funds: \$15,000,000

Period: February 1, 2022 through January 31, 2024; with the option to renew for three additional one-year terms

Description: Southwest Transplant Alliance, Inc., will provide organ procurement and coordination of anatomical gift donations of organs, tissues, and eyes. This Agreement was not competitively bid as, under the *Texas Government Code*, Chapter 2254.003, a government entity may not select a provider of professional services on the basis of competitive bids, but instead must make the selection based on the demonstrated competence and qualifications to perform the services and for a fair and reasonable price.

23. Lease - U. T. Southwestern Medical Center: Authorization to lease up to approximately 33,000 square feet of space at 2999 Olympus Boulevard, Dallas, Dallas County, Texas, from EPC-CW 13, LLC, or its successors or assigns, for mission purposes to include medical office and clinical use

Description: Authorization to lease up to approximately 33,000 square feet of space located at 2999 Olympus Boulevard, Dallas, Dallas County, Texas, for mission purposes to include medical office and clinical use.

The space is located on the third floor a 10-story office building presently under construction and scheduled for completion in May of 2022. The location is near the intersection of South Belt Line Road and IH 635 in the northwest area of Dallas within the master planned community of Cypress Waters, which includes office, multi-family, and retail uses.

The location provides the institution an excellent opportunity to expand its growing Family Medicine platform into this area of the Dallas-Fort Worth Metroplex.

U. T. Southwestern Medical Center intends to initially occupy approximately 20,000 square feet of space and it is anticipated the Lease will contain a right of first refusal provision allowing the institution to lease an additional 13,000 square feet on the third floor. The institution is considering leasing the entire 33,000 square feet at the outset of the primary term and the estimates below reflect expenditures for the entire space.

Lessor: EPC-CW13, LLC; a domestic limited liability company, or its successors or assigns, or a related entity

Term: The lease is scheduled to commence in the third quarter of 2022 and is for a period of 10 years and five months, with two five-year renewal periods thereafter.

Lease Cost: Annual base rental rate is initially \$28 per square foot, net of operating expenses, taxes and insurance which will be paid by the institution. Additionally, the institution will be responsible for its share of electrical costs for the project and these expenditures are included in the estimated operating expenses. The base rent escalates by 2.5% annually for a total estimated amount of \$10,352,000 over the initial term of the lease for the entire 33,000 square feet. Base rent for the first five months of the lease is abated. The estimated lease cost over the initial term, including rent, operating expenses, taxes and insurance is projected to be approximately \$14,644,000. The rent, operating expenses, taxes and insurance over the renewal terms are an estimated additional \$19,262,000.

Tenant Improvements: The Lessor will cause the buildout to be performed and will provide a \$60 per square foot tenant finish allowance, which the Institution intends will be applied to the entire 33,000 square feet and is estimated to be approximately \$1,980,000. The institution estimates it may spend up to an additional approximately \$190 per square foot in tenant improvement costs to finish the space as required for its uses; accordingly, U. T. Southwestern Medical Center will be responsible for up to approximately \$6,270,000 in finish out costs.

Total Project Cost: The total base rent along with estimated operating expenses, taxes, insurance, and excess tenant improvements the institution will be responsible for is projected to be approximately \$20,914,000 for the initial term. If the institution were to exercise both of the renewal options for the approximately 33,000 square feet, based on the assumptions described above, the total cost of occupancy over the extended term of the lease is estimated to be approximately \$40,176,000.

24. Lease - U. T. Southwestern Medical Center: Authorization to increase size of space lease from approximately 40,303 square feet of space to approximately 46,884 square feet of space at 7609 Preston Road, Plano, Collin County, Texas, from Children's Health Clinical Operations, dba Children's Medical Center of Dallas, or its successors or assigns, for mission purposes, including medical and clinical uses

Description: U. T. Southwestern Medical Center requests approval to increase the size of a previously approved space lease of up to approximately 40,303 square feet of office space to approximately 46,884 square feet of space located at 7609 Preston Road in Plano, Collin County, Texas, for mission purposes to include medical and clinical uses. In August of 2020, The Board of Regents authorized the institution to lease up to approximately 40,303 square feet at this location. However, U. T. Southwestern Medical Center intends to occupy a larger lease space on the second and third floors rather than the space on the third and fourth floors as initially programmed because the larger space is better suited to meet its needs.

Lessor: Children's Health Clinical Operations, a Texas nonprofit corporation, or its successor of assigns

Term: Proposed 120 months with a commencement date anticipated in the first quarter of 2022.

- Lease Cost:** The annual rental rate begins at \$31.00 per square foot, with Lessor abating the first four months, for a total cost of approximately \$968,936 in year one. Rent escalates by 2.5% annually for a total approximate amount of \$15,799,000 over the full term for the approximately 46,884 square feet of space. This is a full-service lease with typical operating expenses, including taxes, insurance, utilities, and common area maintenance being included in the rental rate. However, U. T. Southwestern Medical Center is responsible for a few expenses such as medical waste disposal, document shredding, and internet cable service, and the cost is estimated to be \$2.00 per square foot annually or approximately \$1,050,600 over the 10-year term assuming a 2.5% annual increase.
- Tenant Improvements:** The premises are currently built out. Lessor will renovate the existing space to Lessee's requirements and provide a \$50 per square foot tenant improvement allowance equal to an estimated \$2,344,200. Any additional improvement costs will be at Lessee expense. U. T. Southwestern Medical Center projects an additional approximately \$170 per square foot, or approximately \$7,970,300, will be required to be funded by the institution to pay for expected improvement costs above the allowance provided by Lessor.
- Total Project Cost:** Projected to be approximately \$24,819,500, which includes rent for the entire space, Lessee funded expenses, and tenant improvement costs.

25. Contract (funds going out) - U. T. Medical Branch - Galveston: Accuity Delivery Systems, LLC, to provide medical record review for reimbursement accuracy

Agency: Accuity Delivery Systems, LLC

Funds: \$8,424,000 over the full five-year term

Period: December 21, 2021 through December 20, 2024; with two one-year renewal options

Description: Accuity Delivery Systems, LLC (Accuity) will review U. T. Medical Branch - Galveston medical records prior to billing to accurately and appropriately capture the level of care provided, patient health status, and other clinical information through accurate and compliant physician documentation thereby leading to increased reimbursement values. The Agreement also contains a 90-day pilot period wherein Accuity will not charge U. T. Medical Branch - Galveston for services, and U. T. Medical Branch - Galveston may terminate the Agreement without further contractual obligation. The total estimated value of this Agreement is \$8,424,000.

This Agreement was procured via a Sole Source Exclusive Acquisition Justification as this is the only vendor providing this service utilizing certified staff to perform the work.

26. Request for Budget Change - U. T. Medical Branch - Galveston: New Hire with Tenure -- amendment to the 2021-2022 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Health Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
School of Medicine					
Department of Preventive Medicine and Population Health					
Professor					
Tse-Chuan Yang (T)	9/1-8/31	100	12	149,000	11691

27. Lease - U. T. Medical Branch - Galveston: Authorization of approximately 68,541 square feet of leased space and authorization to increase the leased area by approximately 6,723 square feet to approximately 75,264 square feet and lease additional space in the future, all located at 250 Blossom Street, Webster, Texas, from G & E Healthcare REIT Mountain Plains TX LLC, or related entity for mission purposes including clinical, research and educational uses

Description: U. T. Medical Branch - Galveston (UTMB) requests approval to increase the size of space lease of approximately 68,541 square feet by approximately 6,723 square feet to approximately 75,264 square feet and lease additional space in the future all located at 250 Blossom Street, Webster, Texas, for clinical, research, and educational uses.

In 2018, the Board of Regents approved leasing space in the building to provide a location for a group of physicians to be employed as UTMB faculty and increase the clinical presence in the area. The authorization provided for UTMB to lease the necessary physician office space and investigate the assumption of the physicians existing leases at the location for an estimated \$30,000,000 primary term lease obligation. However, the resulting transaction was a direct lease with the Landlord of approximately 61,253 square feet of space for a longer term that included renewal options and rental expenditures exceeding the previously approved \$30,000,000 amount for the assumption of the physicians existing leases. The direct lease also provides UTMB a right of first refusal to acquire the property if the Landlord receives a bona fide purchase offer from a third party and Landlord desires to sell.

Additionally, the existing lease contains a right of first refusal provision allowing UTMB to lease additional space that may be available in the building. UTMB has previously exercised this right of first refusal to lease additional space and executed a first lease amendment to increase the space size by approximately 7,288 square feet to its current approximately 68,541 square feet.

Board of Regents authorization of the first amendment to the lease and the expenditure of the additional funds in excess of the \$30,000,000 referenced above allowing for a longer-term direct lease with the Landlord was inadvertently not obtained. Presently, the rental expenditures along with tenant improvement costs funded by UTMB that are associated with the approximately 68,541 square foot lease are estimated to be approximately \$104,631,000 and authorization of the lease and expenditure of these funds is sought, along with the increase in space size described below.

The recommended additional increase in space size to approximately 75,624 square feet is the result of a second right of first refusal opportunity, which will allow UTMB to continue to expand and provide needed services to the growing area. The additional rental expenditures along with tenant improvement costs funded by UTMB for the approximately 6,723-square-foot expansion are estimated to be approximately \$10,396,561 over the term, inclusive of the renewal options.

Authorization is sought for the expenditure of funds for the approximately 68,541 square foot direct lease with the Landlord, the increase in the size of the space lease to approximately 75,624 square feet, and for possible future space size increases at rental rates not exceeding fair market value as described below.

- Lessor: G & E Healthcare REIT Mountain Plains TX LLC or related entity, successors or assigns
- Term: The original base lease term is for a period of 15 years and there are three five-year renewal options thereafter. The First Amendment is coterminous with the base lease and the Second Amendment is intended to be coterminous as well.
- Lease Cost: The initial base rental rate for the space size increase of 6,723 square feet is approximately \$23.15 per square foot and is consistent with the rent schedule in the existing lease which incorporates estimated annual FMV rent growth of two percent. The estimated amount of base rent and operating expenses for the primary term for the entire approximately 75,264 square feet is approximately \$47,546,000 plus an additional estimated \$66,249,000 for the three five-year renewal options.
- Tenant Improvements: Landlord will replace ceiling tiles and lighting in a portion of the 6,723 square foot expansion space as well as provide approximately \$4.50 per square foot in tenant improvement allowance for approximately 3,028 square feet of the approximately 6,723 square foot space. The Institution projects an additional expenditure of approximately \$772,101 for improvements to the expansion space.

Additional Future
Lease Space:

UTMB may desire to lease additional space within the building in the future as the existing right of first refusal to lease additional space provision allows. The total building size is approximately 109,426 square feet. Were the Board of Regents to authorize the additional approximately 6,723 square feet of space, UTMB would occupy approximately 75,264 square feet of the building and the portion of the building not occupied by UTMB would be approximately 33,802 square feet. In the event that all or a portion of the 33,802 square feet becomes available, UTMB requests authority to lease all or part of the additional future space at rental rates not exceeding fair market value. The estimated amount of base rent, operating expenses and tenant improvements to be funded by UTMB if the entire remaining 33,802 square feet were to be occupied is projected to be approximately \$51,336,000, which assumes the term is coterminous with the existing lease, includes the renewal periods, the existing lease rental rate schedule is utilized and does not exceed fair market value, and UTMB spends \$100 per square foot on tenant improvements.

Total Cost:

The estimated amount of base rent, operating expenses and tenant improvements to be funded by UTMB for the entire approximately 75,264 square feet, inclusive of the approximately 6,723 square feet, is projected to be approximately \$115,027,000. In the event UTMB pursues an opportunity to add additional future space to the existing lease, it is projected that may include up to an additional \$51,336,000, if the entire 33,802 square feet not presently occupied by UTMB were to be leased by UTMB as described above.

28. Purchase - U. T. Medical Branch - Galveston: Authorization to purchase an undeveloped approximately 1.72 acres on Professional Park Drive, Webster, Harris County, Texas, from HCM Development, LLC, a Texas limited liability company, for future expansion of the institution's Clear Lake campus with a right of first refusal and right of first offer to purchase other nearby tracts owned by seller

Description: Authorization to purchase three parcels totaling approximately 1.72 acres located along the south line, north line, and east line of Professional Park Drive, within Clear Lake Professional Park, City of Webster, Harris County, Texas. The property will be used by the institution for future expansion of its Clear Lake campus. Right of First Refusal and Right of First Offer are included for nearby properties owned by seller for possible future acquisition at prices to be determined. Board of Regents approval for the possible future acquisition of referenced nearby properties will be requested at a later date as appropriate.

Seller: HCM Development, LLC, a Texas limited liability company, or a related entity

Purchase Price: Not to exceed fair market value as determined by independent appraisal; appraisal confidential pursuant to *Texas Education Code* Section 51.951.

29. Interagency Agreement (funds coming in) - U. T. Health Science Center - Houston: To operate an inpatient mental health hospital

Agency: Texas Health and Human Services Commission

Funds: \$39,709,760

Period: Date of execution through August 31, 2023, with four automatic two-year renewals

Description: Pursuant to an Interagency Cooperation Contract, U. T. Health Science Center - Houston will operate the new inpatient mental health hospital known as the John S. Dunn Behavioral Sciences Center. U. T. Health Science Center - Houston will be responsible for the day-to-day operations of the hospital.

30. Contract (funds going out) - U. T. Health Science Center - San Antonio: ECG Management Consultants, LLC, to provide hospital operational consulting services to support the activation of the Multispecialty and Research Hospital

Agency: ECG Management Consultants, LLC

Funds: The total cost of services under this Agreement, including all expenses, is estimated to be \$9,225,544.

Period: January 15, 2022 through September 30, 2024

Description: ECG Management Consultants, LLC, will provide operational guidance to U. T. Science Center - San Antonio on the development of its new inpatient facility, the UT Health Multispecialty and Research Hospital. Services will include project management, operations design, and detailed project-planning and schedules to ensure efficient hospital operations and successful activation of the new Multispecialty Research Hospital opening in 2024. The programs to be developed include clinical and operational design to achieve necessary accreditation, staffing models and training programs, technology configuration plans, and a facility activation program. The Agreement was competitively bid.

31. Request for Budget Change - U. T. Health Science Center - San Antonio: New Hires with Tenure -- amendment to the 2021-2022 budget

The following Requests for Budget Changes (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Health Affairs and are recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
School of Medicine					
Cell Systems and Anatomy Professor Gang Huang (T)	9/1-8/31	100	12	185,000	11670
Gastroenterology Professor Mansour Zadeh (T)	10/1-8/31	100	12	275,000	11708
School of Health Professions					
Health Sciences Professor Giselle Carnaby (T)	10/1-8/31	100	12	171,000	11707

32. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Huron Consulting LLC to deliver information technology services

Agency: Huron Consulting LLC

Funds: Total cost of services under this Agreement, including all renewals, is estimated to be \$32,950,000.

Period: December 1, 2021 through November 30, 2026; with three one-year renewal options

Description: Huron Consulting Services LLC will offer resources consisting of trained and experienced personnel to provide project-based support, including implementation services, to U. T. M. D. Anderson Cancer Center's Information Services division in the following work areas: Electronic Health Record, and Enterprise Business Systems. The Agreement was competitively bid.

33. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Perficient, Inc., to deliver information technology services

Agency: Perficient, Inc.

Funds: Total cost of services under this Agreement, including all renewals, is estimated to be \$10,000,000.

Period: January 1, 2022 through December 31, 2026; with three one-year renewal options

Description: Perficient, Inc., will offer resources consisting of trained and experienced personnel to provide project-based support, including implementation services, to U. T. M. D. Anderson Cancer Center's Information Services division in the following work areas: Enterprise Business Systems. The Agreement was competitively bid.

34. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Agreement with Jacobs Project Management Co. to provide project management services for various construction or renovation projects

Agency: Jacobs Project Management Co.

Funds: Total contract value is estimated to be \$12,000,000 over the full five-year term, including the two year term of the Second Amendment, although the maximum amount is indeterminable at this time.

Period: September 27, 2020 through September 26, 2022; with no renewal options remaining

Description: Jacobs Project Management Co. will act as a project manager to provide repair, renovation, and rehabilitation services on a per-project basis as requested by U. T. M. D. Anderson Cancer Center. Services are on a nonexclusive, indefinite quantity basis, and there is no minimum amount of work required.

The initial Agreement was competitively bid and did not require Board approval as the anticipated contract value was within the institution's delegated approval threshold. The initial Agreement was effective September 27, 2017 through September 26, 2019. The First Amendment extended the contract term to September 26, 2020, and did not increase the contract value. The Second Amendment extended the term through September 26, 2022. On May 6, 2021, along with the Second Amendment to extend the term, the estimated contract value of \$6,000,000 was approved by the Board. The estimated contract value of the Second Amendment has now increased to \$12,000,000, although the maximum amount is undeterminable at this time. There are no changes to the Second Amendment other than the increase in estimated contract value.

35. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Agreement with Broaddus & Associates, Inc., to provide project management services for various construction or renovation projects

Agency: Broaddus & Associates, Inc.

Funds: The total contract value is estimated to be \$10,500,000 over the full five-year term, including the two year term of the Second Amendment, although the maximum amount is indeterminable at this time.

Period: August 14, 2020 through August 13, 2022; with no renewal options

Description: Broaddus & Associates, Inc., will act as a project manager to provide project management services for projects on a per-project basis as requested by U. T. M. D. Anderson Cancer Center. Services are on a nonexclusive, indefinite quantity basis, and there is no minimum amount of work required. The Master Agreement dated August 14, 2017, and the First Amendment dated August 14, 2019, did not require Board approval as the cap amount was within the institution's delegated approval threshold. The First Amendment extended the term one year and amended the Historically Underutilized Business rider. The Second Amendment extended the term. On August 20, 2020, along with the Second Amendment to extend the term, the contract value of \$6,500,000 was approved by the Board. The estimated contract value of the Second Amendment has now increased to \$10,500,000, although the maximum amount is indeterminable at this time. There are no changes to the Second Amendment other than the increase in estimated contract value. The Master Agreement was competitively bid.

36. Request for Budget Change - U. T. M. D. Anderson Cancer Center: New Hire with Tenure -- amendment to the 2021-2022 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Health Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	Effective Date	% Time	Full-time Salary		RBC #
			No. Mos.	Rate \$	
Department of Neuroradiology Division of Diagnostic Imaging Chair, Professor Max Wintermark (T)	2/7-8/31	100	12	573,000	11704

37. Purchase - U. T. M. D. Anderson Cancer Center: Authorization to purchase improved land totaling approximately 3.96 acres containing an approximate 45,080-square-foot commercial structure located at the southeast corner of State Highway 249 and Lake Road and to obtain a 24-month right of first refusal on an adjacent improved tract of land of approximately 3.65 acres containing two commercial structures of approximately 16,054 square feet and approximately 24,125 square feet, all in in Houston, Harris County, Texas, from 21614 Tomball LLC, for future mission use including clinical facilities

Description: Purchase of improved land totaling approximately 3.96 acres containing an approximate 45,080-square-foot single-story commercial structure located at the southeast corner of State Highway 249 and Lake Road in Houston, Harris County, Texas. The facility is currently built out as a fitness center. The adjacent right of first refusal property contains two single story commercial structures of approximately 16,054 and 24,125 square feet, and is configured with shared driveways. The right of first refusal will be valid for approximately 24 months from closing; if exercised, U. T. M. D. Anderson Cancer Center will seek authorization to purchase at that time. The institution will use the property for mission use, including the development and operation of clinical facilities.

Seller: 21614 Tomball LLC, a Texas limited liability corporation, or a related entity

Purchase Price: Not to exceed fair market value as determined by an independent appraisal. The purchase price may be adjusted based on the actual area of the property or improvements, as further determined by survey or re-measurement; appraisal confidential pursuant to *Texas Education Code* Section 51.951.

FACILITIES PLANNING AND CONSTRUCTION COMMITTEE

No items for Consent Agenda