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CONSENT AGENDA**

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May 8-9, 2024
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 February 21-22, 2024; and the special called meetings held February 16, 2024, February 22, 2024, and March 18, 2024

- 2. Other Matters - U. T. System: Approval of Newly Commissioned Peace Officers

In accordance with Section 51.203 of the *Texas Education Code*, the Board is asked to approve the Commissioning of the following Peace Officers. The Officers have completed training at the U. T. System Police Training Academy and passed the State of Texas Police Officer Licensing Examination, effective March 15, 2024.

<u>Name</u>	<u>Institution</u>
Michael D. Brandt	U. T. Austin
Alexis C. Brunson	U. T. Austin
Dylan A. Moore	U. T. Austin
Alec E. Villalobos	U. T. Austin
Savanna M. Woodruff	U. T. Austin
David A. Serna	U. T. Rio Grande Valley
William Chang	U. T. San Antonio
Johnny R. Reed	Stephen F. Austin State University
Hayden P. Hughes	U. T. Health Science Center - Houston
Patrick E. Moore	U. T. Health Science Center - Houston
Merlina R. Shorter	U. T. Health Science Center - Houston

AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE

3. Resolution - U. T. System Board of Regents: Adoption of resolution to contract with Zurich American Insurance Company and affiliates, Schaumburg, Illinois, and to guarantee payments under The University of Texas System's Owner Controlled Insurance Program (OCIP) for the Clinical Services Building (CSB) construction project managed by The University of Texas M. D. Anderson Cancer Center

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs and the Chief Risk Officer that the resolution to contract with Zurich American Insurance Company and affiliates, Schaumburg, Illinois, to guarantee payments under The University of Texas System's Owner Controlled Insurance Program (OCIP) for the Clinical Services Building (CSB) construction project, be adopted as set forth below:

RESOLUTION

WHEREAS, Zurich American Insurance Company and affiliates (Zurich), will insure The University of Texas System (U. T. System) and other persons under the OCIP for the CSB construction project managed by The University of Texas M. D. Anderson Cancer Center;

WHEREAS, Pursuant to this OCIP, Zurich will issue one or more workers' compensation insurance policies and comprehensive general liability insurance policies that contain deductibles of \$250,000 per claim subject to a maximum of \$375,000 per occurrence that include allocated costs and indemnity payments; however, such deductibles are subject to a minimum aggregate limit based on \$830,568,485 in construction value at a rate of \$3.634772 per \$1,000 of construction value; and

WHEREAS, The Board of Regents of U. T. System understands and agrees that this large deductible OCIP requires the prompt reimbursement of sums advanced by Zurich to adjust or pay claims within the deductibles, and the Board desires to guarantee to Zurich the prompt reimbursement of the deductibles for the OCIP;

NOW THEREFORE, BE IT RESOLVED, That the Board hereby guarantees to Zurich the prompt repayment of the sums advanced by Zurich to adjust or pay claims within the deductibles for the OCIP, subject to the aggregate deductible limit for the program. This guaranty shall remain fully binding although Zurich may waive one or more defaults of the insured or fail to exercise any rights against the insured or modify one or more terms of the OCIP as required by law or with the consent of U. T. System; and, be it further

RESOLVED, That the Board represents and warrants to Zurich that the funds necessary to reimburse Zurich for the aggregate deductible liability of the insured for the OCIP are included in the appropriations for The University of Texas M. D. Anderson Cancer Center CSB construction project heretofore approved by the Board.

The resolution, which will be provided in lieu of a letter of credit, trust agreement, or cash, provides Zurich with assurances necessary to complete the CSB OCIP program.

FINANCE AND PLANNING COMMITTEE

4. Contract (funds going out) - U. T. System: TouchNet Information Systems, Inc., to provide central payment hub for an e-commerce system for U. T. institutions

Agency: TouchNet Information Systems, Inc.

Funds: Anticipated total cost expected to exceed \$3,000,000 over life of the contract

Period: February 13, 2023 through February 12, 2026

Description: This nonexclusive Systemwide Agreement will allow each U. T. institution to obtain payment processing services on an as-needed basis. TouchNet Payment Gateway Suite is a central payment hub for an e-commerce system utilized for student payment processing in conjunction with student information systems. It consists of a core of transaction management routines, integration software, administration support routines, and Credit Card, Automated Clearing House (ACH), Debit Card Engines, and Campus Card payment methods. This is a common tool used to safely integrate and process payments. This contract allows the U. T. institutions to purchase the needed components of the software for business needs.

The Agreement has an unspecified cost or monetary value, but is expected to exceed the institutional threshold and is being placed on the Consent Agenda in accordance with Regents' *Rules and Regulations*, Rule 10501, Section 3.1.1. The U. T. System Office of Finance will monitor the spend over the life of the Agreement.

5. Contract (funds going out) - U. T. System: Extension of Agreement for Huron Consulting Services LLC to continue hosting online Effort Certification and Reporting Tool (ECRT) software

Agency: Huron Consulting Services LLC (Huron)

Funds: \$2,497,812 for the extension term; \$6,789,812 over the full contract term

Period: January 1, 2024 through December 31, 2028; subject to any affected U. T. institution terminating its participation earlier, at will, on 30 days' notice to Huron

Description: On November 9, 2007, the Board approved a U. T. System contract to license Huron's Effort Certification and Reporting Tool (ECRT) software for use by U. T. institutions. The software supports compliance with federal regulations on reporting time and effort expended by faculty and staff on research projects and in other professional activities (teaching, patient care, etc).

The ECRT software was initially hosted at U. T. M. D. Anderson Cancer Center. In October 2011, U. T. System transferred ECRT hosting responsibilities to Huron. On May 14, 2015, the Board approved the expenditure of up to \$1,300,000 to pay aggregate fees from inception of the hosting agreement through Calendar Year 2015. On May 12, 2016, the Board approved an extension of the Agreement through Calendar Year 2017, subject to a cap on aggregate hosting fees of \$2,000,000. However, the extension for Calendar Year 2017 was not executed while the institutions pursued adoption of alternative means of compliance.

Most U. T. institutions, however, concluded they lacked the ability to adopt alternative means of compliance, and U. T. System negotiated an extension with Huron through Calendar Year 2023, subject to each institution having the flexibility to terminate its participation earlier, as needed. On February 25, 2021, the Board approved that extension with fees totaling \$1,892,000 for all services related to ongoing use of the ECRT software by all affected institutions for Calendar Years 2021 through 2023. In the meantime, aggregate fees through Calendar Year 2020 under the hosting services agreement totaled \$2,400,000.

6. Other Fiscal Matters - U. T. Rio Grande Valley: Approval of financing for Intercollegiate Athletics Expansion and Renovation Plan; and resolution regarding parity debt

The Executive Vice Chancellor for Business Affairs recommends approval of this item authorizing funding of \$9,000,000 from Revenue Financing System (RFS) bond proceeds for U. T. Rio Grande Valley to finance field renovation at HEB Park. The debt is expected to be repaid with athletics revenues and financial support from the City of Edinburg. Annual debt service is estimated at \$501,000. The institution's Scorecard Rating of 4.4 at the Fiscal Year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt. The institution therefore requests that the Board resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that:

- parity debt shall be issued to fund all or a portion of the projects' cost, including any costs prior to the issuance of such parity debt;
- sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the RFS Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System;
- U. T. Rio Grande Valley, which is a "Member" as such term is used in the RFS Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of parity debt in an aggregate amount of \$9,000,000; and
- this resolution satisfies the official intent requirements set forth in Section 1.150-2 of the *Code of Federal Regulations* that evidences the Board's intention to reimburse project expenditures with bond proceeds.

7. Other Fiscal Matters - U. T. Health Science Center - Houston: Approval of financing capital costs of an ambulatory surgery center; and resolution regarding parity debt

On February 23, 2023, the U. T. System Board of Regents authorized U. T. Health Science Center - Houston, together with Surgical Care Affiliates, LLC, a Delaware limited liability company, and/or its affiliate (SCA), to develop and construct an ambulatory surgery center in U. T. Health Science Center - Houston's and U. T. Physicians' multi-specialty clinic at Bellaire Station, 6500 West Loop South, Bellaire, Texas, 77401, and authorized the expenditure of up to \$35,000,000 of institutional funds for U. T. Health Science Center - Houston's portion of the project costs. The Executive Vice Chancellor for Business Affairs recommends approval of this item authorizing up to \$15,000,000 for U. T. Health Science Center - Houston to finance capital costs related to constructing the ambulatory surgery center. The debt is expected to be repaid with clinical revenue. Annual debt service is estimated at \$1,870,000. The institution's Scorecard Rating of 3.5 at Fiscal Year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt. The institution therefore requests that the Board resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that:

- parity debt shall be issued to fund all or a portion of the project, including any costs prior to the issuance of such parity debt;
- sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the RFS Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System;
- U. T. Health Science Center - Houston, which is a "Member" as such term is used in the RFS Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of parity debt in an aggregate amount of \$15,000,000; and
- this resolution satisfies the official intent requirements set forth in Section 1.150-2 of the *Code of Federal Regulations* that evidences the Board's intention to reimburse project expenditures with bond proceeds.

ACADEMIC AFFAIRS COMMITTEE

8. **Report - U. T. System Academic Institutions: Fiscal Year 2023 Post-Tenure Review**

In accordance with *Texas Education Code* Section 51.942 and Regents' *Rules and Regulations*, Rule 31102, the following report on the Fiscal Year 2023 post-tenure review for the U. T. System academic institutions is provided by the Executive Vice Chancellor for Academic Affairs.

During Fiscal Year 2023, 455 tenured faculty members at the nine academic institutions were subject to post-tenure review. Of the 455 faculty members subject to review, 235 or 52% were evaluated as Exceeds Expectations; 203 or 45% received Meets Expectations; 12 or 3% received Does Not Meet Expectations; and 5 or 1% received Unsatisfactory evaluations. Twenty-seven faculty members retired or resigned the tenured position before their post-tenure review.

The following summary tables provide additional details of the post-tenure review results for Academic Year 2022-2023.

Summary of Post-Tenure Review Results

	Total Actually Reviewed*	Total Exceeding Expectations	Total Meets Expectations	Total Does Not Meet Expectations	Total Unsatisfactory	Decided to Retire or Resign Before Review
UTA	35	18	15	1	1	1
UTAUS	161	87	67	3	4	18
UTD	72	25	45	2	0	2
UTEP	42	24	17	1	0	1
UTPB	7	0	7	0	0	0
UTRGV	46	38	8	0	0	0
UTSA	56	29	25	2	0	4
SFA**	20	N/A	18	2	N/A	1
UTT	16	14	1	1	0	0
Total	455	235	203	12	5	27
		52%	45%	3%	1%	

PRESENT STATUS OF EACH REVIEW THAT DOES NOT MEET EXPECTATIONS:

U. T. Arlington: Development plan in place and being monitored by department chair and dean.

U. T. Austin: Development plans in place through AY 2024-2025.

U. T. Dallas: Development plans in place for both faculty and are being monitored by the dean and chair.

U. T. El Paso: Development plan in place, additional support provided to faculty member, and being monitored by the dean and chair.

U. T. San Antonio: Development plans in place with progress monitored by the dean and chair.

Stephen F. Austin: Both faculty retired following the comprehensive reviews.

U. T. Tyler: Faculty member has been assigned an instructional coach to work on improving area of deficiency.

PRESENT STATUS OF EACH UNSATISFACTORY PERFORMANCE:

U. T. Arlington: A performance improvement plan has been developed by the dean and chair.

U. T. Austin: One faculty member retired. Evaluation plan extension approved for one faculty member. Development plans in place for and are being monitored for two faculty members.

* "Total Actually Reviewed" does not include those who decided to retire or resign before review.

** SFA's revised policy on the evaluation of tenured faculty went into effect on September 1, 2023. The first results conforming to the performance categories in Regents' Rule 31102 will appear in the Fiscal 2024 report.

9. Request for Budget Change - U. T. Arlington: Tenure Appointments -- amendment to the 2023-2024 budget

The following Requests for Budget Change (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:

<u>College, Department, and Name</u>	<u>From</u>	<u>To</u>	<u>RBC #</u>
College of Liberal Arts			
History			
Ann Hawkins	New Hire	Associate Vice Provost and Professor (T)	13119
School of Social Work			
Social Work			
Kirk Foster	New Hire	Dean and Professor (T)	13084

10. Contract (funds coming in) - U. T. Austin: Amendment to Agreement with Bottling Group, LLC, to provide and supply beverages, food, and sundry items to contractor-owned vending machines on campus

Agency: Bottling Group, LLC

Funds: \$426,000 for Amendment term; total value of \$2,688,663

Period: January 1, 2025 through December 31, 2027

Description: This is an amendment to an existing Agreement with Bottling Group, LLC. Bottling Group will continue to provide and supply beverages, food, and sundry items for vending machines on campus. The underlying Agreement and all prior Amendments were previously approved by the Board of Regents.

The original parent Vending Machine Agreement had a term of December 1, 2017 through December 31, 2021, with the option to extend for two additional three-year periods. At the end of the initial three-year term, the Fourth Amendment updated the Amendment to replace the original renewal terms with six additional one-year terms. This Seventh Amendment adds \$426,000 to the Agreement and changes the length of the Agreement to one three-year period of January 1, 2025 through December 31, 2027. The Agreement was procured under a competitive procurement process.

Pursuant to *Texas Education Code* Section 51.945, students were provided an opportunity to comment prior to determination that this vending machine provider should be selected. Board approval for this Amendment is sought in accordance with *Texas Government Code* Section 2203.005(a) and The University of Texas Systemwide Policy UTS 130 pertaining to Vending Machine Contracts.

11. Contract (funds coming in and going out) - U. T. Austin: Amendment to Master Research Services Agreement between Ascension Seton and The University of Texas at Austin, on behalf of Dell Medical School

Agency: Ascension Seton

Funds: \$9,000,000 through the end of the amended contract term

Period: March 15, 2024 through August 31, 2025

Description: Under the Agreement, Ascension Seton and U. T. Austin both receive and provide services. Ascension Seton and U. T. Austin add specific research statements of work (SOW) to the Agreement, each of which allows for the provisions of services by one party to the other with respect to joint research efforts. Each SOW identifies a specific research project and set of services, along with payment and other relevant terms. Initial term was October 1, 2017 through August 31, 2019, and did not require Board approval as the contract value was below the institution's delegation threshold. A contract amendment was approved by the Board of Regents on May 23, 2019, at a total contract value of approximately \$2,734,106, and, on May 6, 2020, the Board of Regents approved an increase in total contract value to \$6,000,000.

Actual funds expended or received to date total approximately \$7,120,000. U. T. Austin is requesting approval to increase the total contract value to \$9,000,000 for the duration of the current term based on new and expected research.

12. Contract (funds coming in and going out) - U. T. Austin: Sodexo Operations, LLC, to provide concessions and catering services for University Athletic Facilities

Agency: Sodexo Operations, LLC

Funds: \$310,500,000 over the full contract term, including renewal option

Period: March 18, 2024 through June 30, 2031; with one three-year renewal option

Description: Sodexo Operations, LLC, will provide concessions, catering, premium hospitality, club services, and student-athlete performance nutrition for Athletic Facilities. The Agreement was procured based upon a competitive procurement, namely, a Request for Proposal.

Pursuant to *Texas Education Code* Section 51.945, student athletes were provided an opportunity to comment prior to the determination that this food service provider should be selected.

13. Contract (funds going out) - U. T. Austin: BEST Crowd Management to provide temporary staff labor workforce services at University events

Agency: BEST Crowd Management

Funds: \$7,500,000 over the full contract term, including renewal options

Period: January 1, 2024 through December 31, 2026; with three two-year renewal options

Description: BEST Crowd Management will provide temporary staff labor workforce services on an as-needed basis for University events. This Agreement was procured based upon a competitive procurement, namely, a Request for Proposal.

14. Contract (funds going out) - U. T. Austin: Innovative Solution Advisors, LLC, dba Stadium People, to provide temporary staff labor workforce services at University events

Agency: Innovation Solution Advisors, LLC, dba Stadium People

Funds: \$12,500,000 over the full contract term, including renewal options

Period: January 1, 2024 through December 31, 2026; with three two-year renewal options

Description: Innovative Solution Advisors, LLC, dba Stadium People, will provide temporary staff labor workforce services on an as-needed basis for University events. This Agreement was procured based upon a competitive procurement, namely, a Request for Proposal.

15. Interagency Agreement (funds coming in) - U. T. Austin: Amendment to Interagency Agreement with the Texas Department of Family and Protective Services

Agency: Texas Department of Family and Protective Services

Funds: \$5,076,472 through the end of the amended contract term

Period: March 1, 2024 through December 31, 2025

Description: This is an Amendment to an existing Interagency Agreement. Under this Agreement, U. T. Austin will provide conference and training services for the Texas Department of Family and Protective Services. This Fifth Amendment adds \$1,510,963 to the Revenue Generation Agreement, bringing the total contract value to \$5,076,472.

16. Request for Budget Change - U. T. Austin: Transfer \$7,306,677 from Applied Research Laboratories (ARL) Prorated Direct Costs (PDC), Operating Income to ARL PDC, Salaries and Wages and Maintenance, Operations, and Equipment for FY 2022-2023 operations (RBC No. 13101) -- amendment to the 2022-2023 budget

The following Request for Budget Change (RBC) for FY 2022-2023 operations has been administratively approved by the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	\$ Amount	RBC #
Amount of Transfer:	7,306,677	13101
From: Applied Research Laboratories Prorated Direct Costs – - Service Center funds - Operating Income	7,306,677	
To: Applied Research Laboratories Prorated Direct Costs – - Service Center funds - Salaries and Wages	5,087,000	
Applied Research Laboratories Prorated Direct Costs – - Service Center funds - Maintenance, Operation, and Equipment	2,219,677	

17. Request for Budget Change - U. T. Austin: Transfer \$10,299,620 from Texas Advanced Computing Center (TACC) Data Services, Equipment Rep (Income) to TACC Data Services, Equipment Rep (Expenses) for hardware purchases and staff service center support for FY 2023-2024 operations (RBC No. 13123) -- amendment to the 2023-2024 budget

18. Request for Budget Change - U. T. Austin: Tenure Appointments -- amendment to the 2023-2024 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:

<u>College, Department, and Name</u>	<u>From</u>	<u>To</u>	<u>RBC #</u>
College of Natural Sciences			
Molecular Biosciences			
Sarah Ades	New Hire	Dean and Professor (T)	13128
LBJ School of Public Affairs			
Public Affairs			
Herschel Thomas	New Hire	Associate Professor (T)	13130

19. Lease - U. T. Austin: Authorization to extend the lease of approximately 15,212 rentable square feet of space located at 28 West 44th Street, New York City, New York, from APF 28W44 Owner LP, a limited partnership, for mission use, including by the McCombs School of Business, Moody College of Communication, and College of Fine Arts

Description: Authorization to extend the lease of approximately 15,212 rentable square feet of space located at 28 West 44th Street, New York City, New York, for mission use, including by McCombs School of Business, Moody College of Communication, and College of Fine Arts

Lessor: APF 28W44 Owner LP, a limited partnership

Term: The existing lease for U. T. Austin's benefit expires on January 31, 2027. The institution is responding to favorable market conditions by restructuring and extending the lease by an additional 10 years in exchange for a reduction in rent and a significant contribution from Lessor in the form of free rent and a tenant improvement allowance.

The remaining two years of the current lease term will be added to the 10-year extension, resulting in a new 12-year term, with one renewal option of five years at 95% of fair market value. Lessee will have the option to terminate the lease on the seventh anniversary of the new lease commencement date with at least 12 months prior written notice.

Savings Due to Restructure: Lessee's remaining obligation for the current lease term is \$2,175,698. Lessor will reduce this obligation by \$829,395 over the first two years of the new lease term as the result of a rental rate reduction and a 10-month rent abatement period. Lessee will also receive a tenant improvement allowance of \$55 per rentable square foot, equal to \$836,660.

Lease Cost: Initial annual base rent is \$60.50 per rentable square foot for five years and 10 months and will escalate to \$63.50 per rentable square foot through the expiration of the term, with a compounding 1.5% fixed annual escalation in lieu of pro-rata Operating Expense payments. Lessee will pay its proportionate share of increases in real estate taxes over a 2025 Base Year, currently estimated at \$806,844 over the term of the 12-year lease term. Electricity to the space will be sub-metered and Lessee will be responsible for electric costs plus 5%.

The cumulative cost of Lessee's Base Rent, Fixed Escalations, and estimated Taxes during the 12-year lease term equals approximately \$12,612,073.

20. Contract (funds going out) - U. T. Dallas: Top Material Co., Ltd, to provide equipment for Pouch Cell R&D Line and Cylindrical R&D Line for the Batteries and Energy to Advance Commercialization and National Security (BEACONS) Center

Agency: Top Material Co., Ltd

Funds: Approximately \$4,344,000

Period: March 7, 2024 through December 1, 2024

Description: U. T. Dallas will receive \$30,000,000 over three years from the U.S. Department of Defense to develop and commercialize new battery technologies and manufacturing processes, enhance the domestic availability of critical raw materials, and train high-quality workers for jobs in an expanding battery energy storage workforce. Top Material Co, Ltd, will provide capital equipment for use in the pouch cell research and development line and the cylindrical research and development line at the Batteries and Energy to Advance Commercialization and National Security (BEACONS) center. The Pouch Cell R&D line and Cylindrical Cell R&D line equipment are specialized semi-automated battery production lines required to meet deliverables defined in U. T. Dallas's agreement with the Department of Defense.

21. Lease - U. T. Dallas: Authorization to extend and expand the leased area to approximately 40,345 square feet of space located at 1600 Viceroy Drive, Dallas County, Dallas, Texas, from 1600 Viceroy Summit, LLC, and Argyle 377 Investments, LLC, for mission related purposes including office and research use by the U. T. Dallas Center for Vital Longevity and other U. T. Dallas programs

Description: Authorization to extend and expand the leased area of approximately 34,852 square feet to approximately 40,345 square feet of space located at 1600 Viceroy Drive in Dallas, Texas. The space is used for offices and research by the U. T. Dallas Center for Vital Longevity and other U. T. Dallas programs. The institution is also requesting approval to extend the term.

Lessor: 1600 Viceroy Summit, LLC, and Argyle 377 Investments, LLC, its successors and/or assigns

Term: The initial lease approved by the Board on March 3, 2010, was for approximately 31,734 rentable square feet, with a size increase of an additional 3,118 square feet, for a total of 34,852 square feet, which became effective January 1, 2011. The lease commenced on June 1, 2010, for a period of 120 months, with one 60-month renewal option. In lieu of exercising the 60-month renewal option, the first lease amendment extended the term to May 31, 2023. This second lease amendment extends the term of the lease for an additional 60 months until May 31, 2028.

Lease Cost: The total lease expense previously approved by the Board of Regents was approximately \$9,621,805 for the initial term and potential 60-month renewal option. The first lease amendment did not include additional expenses beyond what the Board previously approved and did not require Board approval.

This second amendment initial base rent is \$23.00 per square foot annually with partial rent abatement for the first three months for an estimated total of \$4,608,090. Lessee is responsible for operating expenses in excess of the Base Year 2011 amount, and the excess amount is estimated to be \$755,965 for the second amendment lease term. Lessee is also responsible for electricity charges for the second amendment lease term, estimated to be \$888,918.

Tenant Improvements: The lessor provided the initial lease space in turnkey condition and contributed additional tenant improvement funds of approximately \$276,000 related to the First Amendment and this Second Amendment. The institution has contributed an estimated approximate \$362,000 towards improvements related to the lease space since the initial lease.

Total Cost: Total estimated lease expense to be approved by the Board of Regents for the Second Amendment is approximately \$6,252,974, which includes estimated base rent, estimated operating expenses, and estimated utilities. Additionally, approval of the lessee funded tenant improvement expenses outlined above is requested.

22. Request for Budget Change - U. T. El Paso: Transfer \$9,452,589 from Road Shows and Special Events Revenue to Road Shows and Special Events Maintenance and Operations to adjust budget related to increased stadium event activities (RBC No. 13138) -- amendment to the 2023-2024 budget

23. Purchase - U. T. Rio Grande Valley: Authorization to purchase two adjacent tracts of land totaling a combined approximately 1.81 acres of land improved with a vacant medical support facility consisting of approximately 9,094 square feet, located at 1720 Treasure Hills Boulevard, Harlingen, Cameron County, Texas, from Valley Baptist Medical Development Corporation and Valley Baptist Realty Company, LLC, for mission purposes to include classrooms, offices, and student support space

Description: Authorization to purchase approximately 1.81 acres of land improved with a vacant medical support facility consisting of approximately 9,094 square feet, located at 1720 Treasure Hills Boulevard, Harlingen, Cameron County, Texas. The property is adjacent to the institution's Harlingen campus and will initially be used by the U. T. Rio Grande Valley School of Podiatric Medicine for classrooms, offices, and student support space.

U. T. Rio Grande Valley intends to renovate the property after acquisition and has estimated the costs to be approximately \$8,630,000.

Seller: Valley Baptist Realty Company, LLC, and Valley Baptist Medical Development Corporation, or successors or assigns

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

24. Other Matters - U. T. Rio Grande Valley: Formal approval to conclude negotiations and authorize execution of necessary document for athletic conference membership in the Southland Conference

The Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel support the request that the institutional president be delegated authority to conclude negotiations and execute necessary document(s) for membership in the Southland Conference (Southland), with significant terms as outlined below:

1. U. T. Rio Grande Valley will join Southland on July 1, 2024.
2. U. T. Rio Grande Valley will be assessed a one-time entrance fee of \$250,000 spread over the first five years in equal installments (\$50,000 per year) from monies withheld by Southland from annual Southland distributions to the institution.
3. U. T. Rio Grande Valley will be responsible for annual Southland membership dues of \$41,000 beginning on July 1, 2024.
4. U. T. Rio Grande Valley will be responsible for causing the payment by Southland of the institution's withdrawal fee from the Western Athletic Conference (not to exceed \$2,000,000). U. T. Rio Grande Valley will repay the Southland \$250,000 of this amount spread over the first five years in equal installments (\$50,000 per year) from monies withheld by the Southland from annual Southland distributions to the institution.

The change in conference membership was reviewed in March 2024 following the process provided for certain time-sensitive athletics matters as allowed by Regents' Rule 10501, Subsection 2.2.13, upon a determination of special circumstances.

U. T. Rio Grande Valley has determined that Southland is the most suitable conference because it is geographically and financially advantageous to an enhanced student-athlete experience through building in-state, natural rivalries within the institution's primary recruiting base, facilitating parents' attendance, and supporting student-athletes academically through reduced travel time. Southland membership aligns with the strategic plans for athletics and the university.

Full membership in Southland when U. T. Rio Grande Valley joins the conference will include the following institutions: Houston Christian University; the University of the Incarnate Word; Lamar University; McNeese State University; University of New Orleans; Nicholls State University; Northwestern State University; Southeastern Louisiana University; Texas A&M University-Commerce; and Texas A&M University-Corpus Christi.

25. Contract (funds coming in) - U. T. San Antonio: Trademark License Agreement with Playfly Sports Properties, LLC

Agency: Playfly Sports Properties, LLC (Playfly)

Funds: \$20,725,000 guaranteed royalty for the entire term and a signing bonus of \$250,000, plus the potential for additional revenue to U. T. San Antonio related to contract incentives. In addition, Playfly will invest and expend \$750,000 for various revenue-generating initiatives, such as replacement or upgrades to existing non-permanent signage or marketing promotions, with the specific use of such expenditures to be mutually agreed upon between U. T. San Antonio and Playfly.

Period: February 26, 2024 through June 30, 2033

Description: Athletics Trademark License and Multimedia Rights Program Agreement licensing U. T. San Antonio trademarks and other athletic multimedia rights to Playfly in exchange for royalties benefiting U. T. San Antonio's Athletics Department arising out of sponsorship agreements, social media operations, broadcasting and publishing arrangements, and related revenue-generating media engagements.

The Agreement resulted from a competitive selection process facilitated by U. T. San Antonio's Purchasing Office, in which Playfly was the highest ranked respondent.

26. Lease - U. T. San Antonio: Authorization to market and lease approximately 2.7 acres of vacant land, and possibly additional adjacent land containing a creek, on the Northwest corner of the Main Campus, located at the Southeast corner of Babcock Road and North Loop 1604 West, San Antonio, Bexar County, Texas, to a yet to be determined lessee

Description: Authorization to market and lease approximately 2.7 acres of vacant land on the Northwest corner of the Main Campus, located at the Southeast corner of Babcock Road and North Loop 1604 West, San Antonio, Bexar County, Texas, to a yet to be determined lessee. The lease may include additional adjacent land containing a creek.

The lease property is separated from the rest of the Main Campus by Maverick Creek. U. T. San Antonio seeks to lease the property, likely for commercial uses under a long-term ground lease.

Lease Terms: The property is currently being marketed by U. T. San Antonio, although the institution may also market the property through brokers. The institution expects the lease will be for a commercially reasonable term and will include typical ground lease provisions. The Board's fee interest in the property will not be subordinated.

Ground Rent: Ground rent will be no less than fair market value. The institution has obtained an appraisal of market value; the appraisal is confidential pursuant to *Texas Education Code* Section 51.951.

27. Purchase - U. T. San Antonio: Authorization to purchase approximately 1.5 acres of land improved with commercial storefront buildings and a surface parking lot, bounded by Dolorosa Street, South Flores Street, and West Nueva Street, San Antonio, Bexar County, Texas, from GrayStreet Kallison LLC, for future campus expansion; and resolution regarding parity debt

Description: Authorization to purchase approximately 1.5 acres of land improved with commercial storefront buildings and a surface parking lot in downtown San Antonio, Bexar County, Texas. The property includes approximately 68,500 square feet of mostly vacant commercial storefront improvements and approximately 125 surface parking spaces. Bounded by Dolorosa Street, South Flores Street, and West Nueva Street, the property abuts U. T. San Antonio's San Pedro downtown campus and is adjacent to the recently built San Pedro I building containing the institution's National Security Collaboration Center.

The subject property will consolidate with U. T. San Antonio's existing San Pedro campus, currently containing approximately 6.6 acres of land. It will extend the campus to Flores Street, both protecting the campus edge and creating a presence on a major commercial street adjacent to San Antonio City Hall, the Bexar County Courthouse, and the cathedral of San Antonio.

Seller: GrayStreet Kallison LLC, a Texas limited liability company, or assigns

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

Use: The property will be used for future campus expansion, which may include mission use and third party uses. Immediate use by U. T. San Antonio will be for parking and parking monetization.

Source of Funds: Revenue Financing System debt to be repaid out of institutional funds. The institution's Scorecard Rating of 3.3 at Fiscal Year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt.

In approving this item, the Board will be making the findings required under Section 5 of the Amended and Restated Master Resolution establishing the Revenue Financing System relating to the issuance of parity debt on behalf of U. T. San Antonio in an aggregate amount not to exceed fair market value as established by independent appraisal, and this action satisfies the official intent requirements set forth in Section 1.150-2 of the *Code of Federal Regulations*.

28. Request for Budget Change - **Stephen F. Austin State University**: Tenure Appointments -- amendment to the 2023-2024 budget

The following Requests for Budget Change (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:

<u>College, Department, and Name</u>	<u>From</u>	<u>To</u>	<u>RBC #</u>
James I. Perkins College of Education Kinesiology and Health Science Wycliffe Njororai	New Hire	Chair and Professor (T)	13064
Arthur Temple College of Forestry and Agriculture Department of Agriculture Joe Douglas Smith	New Hire	Chair and Associate Professor (T)	13065
James I. Perkins College of Education Department of Human Services and Educational Leadership Forrest C. Lane	New Hire	Dean and Professor (T)	13136

29. Employment Agreement - **Stephen F. Austin State University**: Approval of terms of Employment Agreement with Neal Weaver, Ph.D., as President of Stephen F. Austin State University

The following agreement has been approved by the Chancellor and Executive Vice Chancellor for Academic Affairs, has been signed by Dr. Weaver, and is recommended for approval by the U. T. System Board of Regents. Terms of employment under this agreement are subject to Regents' *Rules and Regulations*, Rules 10501 and 20201, and *Texas Education Code* Section 51.948.

Item:	President
Funds:	\$525,000 annually
Period:	Beginning May 13, 2024
Description:	Agreement for employment of Dr. Neal Weaver, as President of Stephen F. Austin State University. The President reports to the Chancellor and shall hold office without fixed term, subject to the pleasure of the Chancellor following input by the Executive Vice Chancellor for Academic Affairs and approval by the Board of Regents. The employment agreement is on the following pages.



The University of Texas System

OFFICE OF THE CHANCELLOR
210 WEST SEVENTH STREET
AUSTIN, TX 78701
512.499.4201
UTSYSTEM.EDU

March 21, 2024

Neal Weaver, PhD

Dear Dr. Weaver:

On behalf of the Board of Regents of The University of Texas System, I am pleased to offer you the position of President of Stephen F. Austin State University, effective May 13, 2024. Your annual salary will be \$525,000, payable in monthly installments. You will be eligible for annual salary increases upon the Chancellor's recommendation to the Board of Regents, beginning September 2025. State law also entitles you to applicable fringe benefits. Among these benefits are State-paid OASI, longevity pay, workers' compensation liability, insurance coverage, retirement, insurance premium sharing, and paid leave. Information about these benefits will be transmitted under separate cover.

You will receive a one-time payment of \$30,000, less any applicable taxes, for transitional expenses. Acceptance of this offer may have tax consequences for you. If you have questions about the tax implications of the relocation allowance payment, you may wish to consult a tax professional for advice.

As a condition of your employment, for the benefit and convenience of SFA and The University of Texas System, you will be required to reside in the Juanita Curry Boynton House during your term as President. The Juanita Curry Boynton House is used as the President's official residence and as a venue for SFA activities. Under the current rules of the Internal Revenue Service, it is our understanding that the provision of a required official residence is not considered taxable income to you. The use of Juanita Curry Boynton House and any renovation, furnishing, and décor is subject to applicable Regents' Rules and Stephen F. Austin State University Handbook of Operating Procedures Policy 05-405. The university provides necessary furnishings in event space and utilities for the operation of the Juanita Curry Boynton House, including phone lines, basic cable, internet, and computer equipment. Assigned university personnel may be utilized to provide agreed-upon personal services, with the understanding that the time and value of such use is documented. The value of the personal services will be reported as taxable income to you.

THE UNIVERSITY OF TEXAS AT ARLINGTON · THE UNIVERSITY OF TEXAS AT AUSTIN · THE UNIVERSITY OF TEXAS AT DALLAS · THE UNIVERSITY OF TEXAS AT EL PASO
THE UNIVERSITY OF TEXAS PERMIAN BASIN · THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY · THE UNIVERSITY OF TEXAS AT SAN ANTONIO
STEPHEN F. AUSTIN STATE UNIVERSITY · THE UNIVERSITY OF TEXAS AT TYLER · THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER
THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON · THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON
THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO · THE UNIVERSITY OF TEXAS MD ANDERSON CANCER CENTER

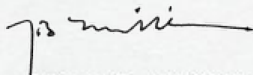
Neal Weaver, PhD
March 21, 2024
Page 2

Under Regents' Rule 20201, presidents of UT institutions serve without fixed terms, subject to the continuing approval of the Chancellor and the Board. Your performance as President of SFA will be evaluated annually under Rule 20201, and you will be asked to present your vision and goals for SFA to the Board within 12 to 18 months of taking office.

All of us look forward to working with you as President of Stephen F. Austin State University, and we stand ready to assist you in your transition.

Please sign and date this letter and return it to my office if these terms are agreeable. If you have any questions, please let me know.

Sincerely,


James B. Milliken
Chancellor

Accepted: 

Date: MARCH 27, 2024

cc: Archie Holmes, Executive Vice Chancellor for Academic Affairs
Jonathan Pruitt, Executive Vice Chancellor for Business Affairs
Stacey Napier, General Counsel to the Board of Regents
Judith Kruwell, Interim Vice President for Finance & Administration,
Stephen F. Austin State University

30. Request for Budget Change - U. T. Tyler: Tenure Appointments -- amendment to the 2023-2024 budget

The following Request for Budget Change (RBC) has 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:

<u>College, Department, and Name</u>	<u>From</u>	<u>To</u>	<u>RBC #</u>
College of Engineering			
Civil Engineering Sudarshan Kurwadkar	New Hire	Chair and Professor (T)	13141
School of Nursing			
Martin Rivera	New Hire	Chair and Professor (T)	13043

HEALTH AFFAIRS COMMITTEE

31. Report - U. T. System Health Institutions: Fiscal Year 2023 Post-Tenure Review

In accordance with *Texas Education Code* Section 51.942 and Regents' *Rules and Regulations*, Rule 31102, the following report on the Fiscal Year 2023 post-tenure review for the U. T. System health institutions is provided by the Executive Vice Chancellor for Health Affairs.

During Fiscal Year 2023, 210 tenured faculty members at the five health institutions with tenured faculty were subject to post-tenure review. Of the 210 tenured faculty members a total of 195 faculty members were reviewed, 95 or 48.71% were evaluated as Exceed Expectations; 96 or 49.23% received Meet Expectations; 2 or 1.03% received Does Not Meet Expectations; and 2 or 1.03% received Unsatisfactory evaluations. Of the 210 tenured faculty members, fifteen faculty members retired or resigned the tenured position before their post-tenure review.

The following summary tables provide additional details of the post-tenure review results for Academic Year 2022-2023.

Summary of Post-Tenure Review Results

	Total Subject to Review*	Total Exceeds Expectations	Total Meets Expectations	Total Does Not Meet Expectations	Total Unsatisfactory	Decided to Retire or Resign Before Review
UTSWMC	43	28	13	1	1	5
UTMB	29	16	13	0	0	2
UTHSC-H	34	27	7	0	0	5
UTHSC-SA	30	20	10	0	0	3
UTMDACC	59	4	53	1	1	0
Total	195	95	96	2	2	15
		48.71%	49.23%	1.03%	1.03%	

PERFORMANCE THAT DOES NOT MEET EXPECTATIONS:

U. T. Southwestern Medical Center: The faculty member was provided an action plan; salary was reduced for Fiscal Year 2024. The faculty member will be reviewed again in Fiscal Year 2025.

U. T. M. D. Anderson Cancer Center: The faculty member was in the fifth year of term tenure and did not receive a vote for renewal of term tenure in Fiscal Year 2023 and was provided expectations for increased academic productivity. The faculty member engaged in increased academic productivity and was approved for term tenure in Fiscal Year 2024.

UNSATISFACTORY PERFORMANCE:

U. T. Southwestern Medical Center: The faculty member was provided an action plan and re-reviewed from the prior year. The faculty member will be reviewed again in Fiscal Year 2024.

U. T. M. D. Anderson Cancer Center: The faculty member was reviewed as unsatisfactory in Fiscal Year 2023 and received a non-renewal of appointment notification for Fiscal Year 2024.

* "Total Subject to Review" does not include those who decided to retire or resign before review.

32. Contract (funds going out) - U. T. Southwestern Medical Center: Asher Media, Inc., to perform media buying and planning services

Agency: Asher Media, Inc.

Funds: \$50,000,000 over the entire term, including renewals

Period: March 19, 2024 through March 18, 2027; with option to renew for two additional one-year terms

Description: Asher Media, Inc., will perform media buying and planning services. The Agreement was competitively bid.

33. Contract (funds going out) - U. T. Southwestern Medical Center: The Adcom Group, Inc., to perform media buying and planning services

Agency: The Adcom Group, Inc.

Funds: \$50,000,000 over the entire term, including renewals

Period: March 20, 2024 through March 19, 2027; with option to renew for two additional one-year terms

Description: The Adcom Group, Inc., will perform media buying and planning services. The Agreement was competitively bid.

34. Contract (funds going out) - U. T. Southwestern Medical Center: Lanier Parking Meter Services, LLC., will provide valet parking services to patients and visitors

Agency: Lanier Parking Meter Services, LLC.

Funds: \$42,000,000 over the entire term, including renewals

Period: March 1, 2024 through December 31, 2028; including two one-year renewal options

Description: Lanier Parking Meter Services, LLC., will provide valet parking services to patients and visitors. Services will be performed at 10 U. T. Southwestern Medical Center hospital and clinic locations with some locations operating seven days a week. The Agreement was competitively bid.

35. Contract (funds going out) - U. T. Southwestern Medical Center: Amendment to Agreement with Nash Holdings, Inc., dba Endeavor Management, dba RTRN Strategy, to provide advertising and video production services

Agency: Nash Holdings, Inc., dba Endeavor Management, dba RTRN Strategy

Funds: \$5,615,000 over the entire term, including renewals

Period: March 19, 2024 through July 20, 2024; with option to renew for two additional one-year terms

Description: Nash Holdings, Inc., will provide advertising and video production services. The Agreement dated July 21, 2021, was not previously submitted for Board consideration because the total contract amount was below the institution's delegated approval threshold. This First Amendment increases the fee cap to \$5,615,000. The Agreement was competitively bid.

36. Contract (funds going out) - U. T. Southwestern Medical Center: Amendment to Agreement with Unify, Inc., to provide managed voice telecom services

Agency: Unify, Inc.

Funds: \$7,157,334

Period: March 1, 2024 through February 28, 2027

Description: Unify, Inc., will provide managed voice telecom services to the main campus and other facilities at U. T. Southwestern Medical Center. The initial Agreement, with a contract value of \$8,000,000, was with Atos IT Solutions and Services, Inc., which was purchased by Unify, Inc., and was effective March 1, 2018, and approved by the Board on May 1, 2018. The initial Agreement was acquired via an Exclusive Acquisition Justification. The First Amendment to the Agreement added \$1,100,000 to the contract value and was effective March 1, 2021, and approved by the Board on May 6, 2021. The estimated value for this Second Amendment is \$7,157,334, for a total of \$16,257,334 over the full contract term.

37. Contract (funds going out) - U. T. Medical Branch - Galveston: Amendment to Agreement with Avant Healthcare Professionals, LLC, to provide contract nurses

Agency: Avant Healthcare Professionals, LLC

Funds: \$10,910,000

Period: November 1, 2023 through December 19, 2025

Description: U. T. Medical Branch - Galveston (UTMB) entered into an initial Staffing Agreement (Agreement) with Avant Healthcare Professionals, LLC (Avant), effective December 20, 2022, wherein nurse staffing services were provided to several UTMB facilities. The initial Agreement did not require Board approval as the total contract value was below the institution's delegated approval threshold. This First Amendment of Staffing Agreement, effective November 1, 2023, seeks to increase the contract value from \$2,660,000 to \$10,910,000 to provide additional services at the Texas Department of Criminal Justice Hospital Galveston and Jennie Sealy Hospital medical-surgical units.

38. Request for Budget Change - U. T. Medical Branch - Galveston: Tenure Appointments -- amendment to the 2023-2024 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:

College, Department, and Name	From	To	RBC #
School of Nursing			
Graduate Studies			
Patricia Ann Carter	New Hire	Professor (T)	13114
School of Medicine			
Obstetrics and Gynecology			
Karin Fox	New Hire	Professor (T)	13121
Internal Medicine			
Vineet Gupta (T)	New Hire	Professor (T)	13122
Orthopedic Surgery and Rehabilitation Services			
Susan Chubinskaya	New Hire	Professor (T)	13131

39. Interagency Agreement (funds coming in) - U. T. Health Science Center - Houston: To provide resources to aid in the diagnosis of child abuse and neglect for the Texas Department of Family and Protective Services

Agency: Texas Department of Family and Protective Services

Funds: \$14,474,185

Period: September 1, 2024 through August 31, 2029

Description: Interagency contract to create resources that will improve access to medical professionals with expertise in the diagnosis of child abuse or neglect for the Texas Department of Family and Protective Services.

40. Request for Budget Change - U. T. Health Science Center - San Antonio: Tenure Appointments -- amendment to the 2023-2024 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:

College, Department, and Name	From	To	RBC #
Long School of Medicine			
Glenn Biggs Institute for Alzheimer's Neurodegenerative Diseases			
Antonio Lucio Teixeira Junior	New Hire	Professor (T)	13120
School of Health Professions			
Health Sciences			
Ahmad Galaleldeen	New Hire	Professor (T)	13118
School of Public Health			
Health, Behavior, and Society			
Cristina S. Barroso	New Hire	Chair and Associate Professor (T)	13116

41. Lease - U. T. Health Science Center - San Antonio: Authorization to lease approximately 45,000 rentable square feet of space located at 11071 State Highway 151, San Antonio, Bexar County, Texas, from Westover Hills MOB I, LLC, for medical and office uses

Description: Authorization to lease approximately 45,000 rentable square feet of space composed of the initial premises (approximately 30,000 square feet), and additional premises (approximately 15,000 square feet) of shell space located at 11071 State Highway 151, San Antonio, Bexar County, Texas, from Westover Hills MOB I, LLC, for medical and office uses. The additional premises rent will be a shell rent rate for approximately seven months, which landlord will then buildout and begin charging full base rent.

Additionally, the lease contains a right of first refusal allowing U. T. Health Science Center - San Antonio to lease additional space that may be available in the building. The additional lease space of approximately 15,000 would increase the total lease premises up to approximately 60,000 square feet.

Authorization is sought for the expenditure of funds for possible future space size increases of up to approximately 60,000 square feet, at rental rates not exceeding fair market value.

Lessor: Westover Hills MOB I, LLC

Term: The initial term of the lease will be for approximately 93 months from the lease commencement date, which is estimated to be November 1, 2024, for both the initial premises of approximately 30,000 square feet, and the additional premises of approximately 15,000 square feet of space to total approximately 45,000 rentable square feet. U. T. Health Science Center - San Antonio will receive potentially up to three months of abated base rent for the initial premises and additional premises. Tenant will also have the option to extend the term of the lease for approximately 84 months. Furthermore, the term may be extended if the right of first refusal is exercised for a period beyond 84 months.

Lease Cost: Estimated base rent for the initial term and potential renewal term, including the additional premises once the shell space is built out is approximately \$30,264,348, which includes the shell rent of \$10.00 per square foot for the additional premises, estimated to be \$87,500. It is anticipated the shell rent for the additional premises of approximately 15,000 square feet will be paid from approximately February 1, 2025, to August 31, 2025, which already takes into consideration the three months of abated base rent.

Full rent for additional premises will start on approximately September 1, 2025.

Initial base rent in year one of the initial term will be \$28.00 per square foot with 3% annual increases each year thereafter. The base rent for the renewal period will be the then current fair market value.

Tenant is responsible for operating expenses. Total estimated operating expenses for the initial term, which includes exercising the right of first refusal space of approximately 15,000 square feet in the second year of the initial term, are estimated to be approximately \$5,546,972. The initial annual operating expense is estimated to be approximately \$12.00 per square foot. The three months of abated base rent totals approximately \$315,000, which includes the initial premises and additional premises. Assuming 3% annual operating expense escalations, operating expenses during the renewal term are estimated to be approximately \$6,785,180.

Tenant Improvements: The Lessor is contributing approximately \$3,375,000 (\$75 per square foot). Additionally, U. T. Health Science Center - San Antonio will contribute an estimated \$50.00 per square foot, which is currently estimated to be \$3,000,000, assuming that U. T. exercises the right of first refusal.

Additional Future Lease Space: U. T. Health Science Center - San Antonio may desire to lease additional space within the building in the future as the right of first refusal provision allows. The total building size is approximately 60,000 square feet. Were the Board of Regents to authorize the additional approximately 15,000 square feet of space, U. T. Health Science Center - San Antonio would occupy the entire building of approximately 60,000 square feet. If the remaining approximately 15,000 square feet becomes available, U. T. Health Science Center - San Antonio requests authority to lease the building of approximately 60,000 square feet at rental rates not exceeding fair market value.

Total Cost: Total estimated lease expense over the initial term and potential renewal term is approximately \$45,596,501. The total estimated lease expense assumes U. T. exercises the right of first refusal for approximately 15,000 square feet, beginning in the second year of the initial term and continuing through the end of the potential renewal term, and includes all estimated base rent, operating expenses, and proposed tenant improvements paid by U. T. Health Science Center - San Antonio.

42. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: DXC Technology Services LLC to provide implementation support services and project-based staff augmentation for information services activities and initiatives

Agency: DXC Technology Services LLC

Funds: The total cost of services under this Agreement, including all renewals, is estimated to be \$20,000,000.

Period: April 1, 2024 through March 31, 2029; with three one-year renewal options

Description: DXC Technology Services LLC (DXC) will provide resources consisting of trained and experienced personnel to support U. T. M. D. Anderson Cancer Center's Information Services division in the Enterprise Development & Integration work area. DXC will provide implementation support services and project-based staff augmentation as needed for U. T. M. D. Anderson Cancer Center's Information Services activities and initiatives. The implementation services could include, but are not limited to, application implementation services, technical implementation services, process re-design services and organizational change management services. This Agreement was competitively bid.

43. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: GSD&M LLC to perform advertising services

Agency: GSD&M LLC

Funds: The total cost of services under this Agreement, including all renewals, is estimated to be \$225,000,000.

Period: March 20, 2024 through March 19, 2027; with two 12-month renewal options

Description: GSD&M LLC will perform advertising services to promote U. T. M. D. Anderson Cancer Center's brand and reputation. GSD&M LLC will dedicate a team to support U. T. M. D. Anderson Cancer Center's advertising strategy, regional and local media planning and buying, media monitoring, tracking and optimizations, reporting, creative development and production, and research support for key campaigns. GSD&M LLC will also provide estimates for purchases of media and estimates of work to U. T. M. D. Anderson Cancer Center. This Agreement was competitively bid.

44. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Jacobs Engineering Group Inc. to conduct inspections for a detailed comprehensive assessment of facilities to identify systems and components that require maintenance or planned action

Agency: Jacobs Engineering Group Inc.

Funds: Approximately \$14,000,000 over the full contract term, including all renewal options

Period: December 15, 2023 through December 14, 2026; with two 12-month renewal options

Description: Jacobs Engineering Group Inc. will conduct inspections of distinct systems and system components of U. T. M. D. Anderson Cancer Center's facilities, as assigned by U. T. M. D. Anderson Cancer Center, and provide a detailed comprehensive assessment of needed maintenance or planned action for those systems and system components. Jacobs Engineering Group Inc. will establish an integrated program that will provide U. T. M. D. Anderson Cancer Center with the ability to update data and continue using the program for developing ongoing facilities maintenance, renewal, and adaptation plans. The Agreement was competitively bid.

45. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Moroch Partners, Inc., to perform advertising services

Agency: Moroch Partners, Inc.

Funds: The total cost of services under this Agreement, including all renewals, is estimated to be \$75,000,000.

Period: March 20, 2024 through March 19, 2027; with two 12-month renewal options

Description: Moroch Partners, Inc., will perform advertising services to promote U. T. M. D. Anderson Cancer Center's brand and reputation. Moroch Partners, Inc., will dedicate a team to support U. T. M. D. Anderson Cancer Center's advertising strategy, media planning and buying, media monitoring, tracking and optimizations, reporting, creative development and production, research support for key campaigns; and will also provide estimates for purchase of media and estimate of work to U. T. M. D. Anderson Cancer Center. Moroch Partners, Inc., will handle primarily local offline buying and analytics. This Agreement was competitively bid.

46. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: P&W Architects, LLP, dba PhiloWilke Partnership, to provide architectural services

Agency: P&W Architects, LLP, dba PhiloWilke Partnership

Funds: Approximately \$10,000,000 over the full contract term, including renewal options

Period: June 7, 2022 through June 6, 2024; with three successive 12-month renewal options

Description: P&W Architects, LLP, will provide architectural services on miscellaneous projects of limited scope to be performed on a nonexclusive, indefinite quantity basis, as requested by U. T. M. D. Anderson Cancer Center and there is no minimum amount of work required. The estimated contract spend has been updated based on new information regarding expanded construction activities, and it is being brought forward for Board approval as required by Section 3.1.1 of Regents' Rule 10501. This Agreement was competitively bid.

47. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Stantec Architecture, Inc., to provide architectural services

Agency: Stantec Architecture, Inc.

Funds: Approximately \$10,000,000 over the full contract term, including renewal options

Period: May 25, 2022 through May 24, 2024; with three successive 12-month renewal options

Description: Stantec Architecture, Inc., will provide architectural services on miscellaneous projects of limited scope to be performed on a nonexclusive, indefinite quantity basis, as requested by U. T. M. D. Anderson Cancer Center and there is no minimum amount of work required. The estimated contract spend has been updated based on new information regarding expanded construction activities, and it is being brought forward for Board approval as required by Section 3.1.1 of Regents' Rule 10501. This Agreement was competitively bid.

48. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Amendment to Local Sponsorship Agreement with Dash Soccer, LLC, to provide sponsorship and promotional benefits

Agency: Dash Soccer, LLC

Funds: Not to exceed \$5,588,625

Period: March 1, 2024 through December 31, 2027

Description Dash Soccer, LLC, provides sponsorship and promotional benefits subject to U. T. M. D. Anderson Cancer Center's payment of the Sponsorship Fees. Dash Soccer, LLC, provides multiple opportunities for marketing, community relations, cancer prevention education, patient acquisition, fundraising, and business development for U. T. M. D. Anderson Cancer Center. U. T. M. D. Anderson Cancer Center gains significant brand exposure through prominent logo placement across the front of the Dash jersey, in addition to stadium signage and social/digital/broadcast media. This sponsorship allows U. T. M. D. Anderson Cancer Center to reach national and international audiences. This First Amendment extends the term by three years and increases the contract value to \$5,588,625.

The initial Sponsorship Agreement effective January 9, 2020, and the Local Sponsorship Agreement, effective January 1, 2023, were not submitted for Board approval as the total contract value was below the institution's delegated approval threshold. The Agreement was acquired via an Exclusive Acquisition Justification.

49. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Amendment to Amended and Restated Sponsorship Agreement with Dynamo Soccer, LLC, and Dynamo Stadium, LLC, to provide sponsorship and promotional benefits

Agency: Dynamo Soccer, LLC, and Dynamo Stadium, LLC

Funds: Not to exceed \$32,854,500

Period: February 8, 2024 through December 31, 2027

Description Dynamo Soccer, LLC, provides sponsorship and promotional benefits subject to U. T. M. D. Anderson Cancer Center's payment of the Sponsorship Fees. Dynamo Soccer, LLC, provides multiple opportunities for marketing, community relations, cancer prevention education, patient acquisition, fundraising, and business development for U. T. M. D. Anderson Cancer Center. U. T. M. D. Anderson Cancer Center gains significant brand exposure through prominent logo placement across the front of the Dynamo jersey, in addition to stadium signage and social/digital/broadcast media. This sponsorship allows U. T. M. D. Anderson Cancer Center to reach national and international audiences. This Second Amendment, dated February 8, 2024, extends the term by three years and adds \$15,454,500 to the cap amount, bringing the total estimated contract value to \$32,854,500.

The Amended and Restated Sponsorship Agreement, with a contract value not to exceed \$13,400,000 and effective December 1, 2019, was submitted and approved by the Board on February 27, 2020. The First Amendment to the Amended and Restated Sponsorship Agreement, which increased the cap amount by \$4,000,000 to \$17,400,000, was submitted and approved by the Board on February 22, 2023. The original Sponsorship Agreement, effective August 1, 2018, was not submitted for Board approval as the total contract value was below the institution's delegated approval threshold. This Agreement was acquired via an Exclusive Acquisition Justification.

50. Request for Budget Change - U. T. M. D. Anderson Cancer Center: Tenure Appointments -- amendment to the 2023-2024 budget

The following Requests for Budget Change (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:

<u>College, Department, and Name</u>	<u>From</u>	<u>To</u>	<u>RBC #</u>
Medical Staff			
Department of Head and Neck Surgery Mark E. Zafereo	Professor	Professor (T)	13124
Department of Immunology Susan Bullman	New Hire	Associate Professor (T)	13125
Department of Genomic Medicine Christopher D. Johnston	New Hire	Associate Professor (T)	13126
Department of Gastrointestinal Medical Oncology Xiling Shen	New Hire	Professor (T)	13127

FACILITIES PLANNING AND CONSTRUCTION COMMITTEE

No items for Consent Agenda