

AGENDA
THE BOARD OF REGENTS
OF THE UNIVERSITY OF NEBRASKA
Central Community College
4500 63rd Street
Columbus, Nebraska
Saturday, August 9, 2003
9:00 a.m.

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN ON JUNE 7, 2003.
- IV. KUDOS AND RESOLUTIONS
- V. STRATEGIC OR POLICY ISSUES:
ACCESS TO HEALTHCARE IN NEBRASKA
- VI. HEARINGS
- VII. PUBLIC COMMENT

The Standing Rules of the Board provide that any person may appear and address the Board of Regents on any item on the agenda for this meeting. Each person will be given up to five minutes to make his or her remarks.

- VIII. COMMITTEE REPORTS AND APPROPRIATE ACTION
- IX. UNIVERSITY CONSENT AGENDA
 - A. ACADEMIC AFFAIRS
 - B. BUSINESS AFFAIRS
- X. UNIVERSITY ADMINISTRATIVE AGENDA
 - A. ACADEMIC AFFAIRS
 - B. BUSINESS AFFAIRS
 - C. FOR INFORMATION ONLY
 - D. REPORTS
- XI. ADDITIONAL BUSINESS

IX. UNIVERSITY CONSENT AGENDA

A. ACADEMIC AFFAIRS

Central Administration

1. President's Personnel Recommendations. Addendum IX-A-1

University of Nebraska at Kearney

2. Approval to award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions. Addendum IX-A-2

University of Nebraska-Lincoln

3. Approval to award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions. Addendum IX-A-3
4. Approve the request for outside employment. Addendum IX-A-4

University of Nebraska Medical Center

5. Approval to award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions. Addendum IX-A-5
6. Approve the requests for outside employment. Addendum IX-A-6

University of Nebraska at Omaha

7. Approval to award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions. Addendum IX-A-7

B. BUSINESS AFFAIRS

Central Administration

1. Approve the name change from Nebraska Health System to Nebraska Medical Center. Addendum IX-B-1

University of Nebraska-Lincoln

2. Approve the Lease between the UNL College of Engineering and Technology and the Suzanne and Walter Scott Foundation. Addendum IX-B-2
3. Approve the modification of Subcontract with Abt Associates Inc. to evaluate the Tobacco Free Nebraska Program. Addendum IX-B-3
4. Approve the Resolution providing for expenditures of up to \$1,846,350 for capital improvements for University Housing facilities from the Replacement Fund of the University of Nebraska-Lincoln (UNL) Student Fees and Facilities Revenue Bonds. Addendum IX-B-4

5. Approve naming the newly constructed resource building at the Cedar Point Biological Station the “Gainsforth Center.” Addendum IX-B-5

University of Nebraska Medical Center

6. Approve long-term leasing of space in Swanson Hall at the University of Nebraska Medical Center. Addendum IX-B-6
7. Approve the University of Nebraska Medical Center as a pilot site for the implementation of a formalized University of Nebraska workplace wellness program administered by *Simply Well*, a program operated by the Nebraska Health System Center for Occupational Health. Addendum IX-B-7

Additional Item – University of Nebraska-Lincoln

8. Approve the name “Wagonhammer Education Center” for the new education building at the UNL/IANR Gudmundsen Sandhills Laboratory, Whitman, Nebraska. Addendum IX-B-8

President's Personnel Recommendations
Meeting Date: August 9, 2003

University of Nebraska-Lincoln

Adjustments

Marjorie J. Kostelnik, Dean (Special) College of Education and Human Sciences, Professor (Continuous) Family and Consumer Science; change title from Dean of College of Human Resources and Family Sciences due to merger of Teachers College and College of Human Resources and Family Sciences into College of Education and Human Sciences effective August 18, 2003, \$156,836 FY, 1.00 FTE (includes \$14,258 administrative stipend).

John Meakin, Professor (Continuous), Mathematics; extend appointment of Milton Mohr Distinguished Professor of Mathematics for an additional 5 year period August 18, 2003 to August 17, 2008, \$121,343 AY, 1.00 FTE (includes \$10,000 professorship stipend).

Jeffrey A. Spinner-Halev, Professor (Continuous), Political Science; extend appointment of Schlesinger Professorship for Social Justice for an additional 5 year period August 18, 2003 to August 17, 2008, \$71,217 AY, 1.00 FTE (includes \$7,500 professorship stipend).

Leaves of Absence***

University of Nebraska Medical Center

New Appointments

Rubens J. Pamies, Vice Chancellor for Academic Affairs (Special) and Dean for Graduate Studies (Special), University of Nebraska Medical Center; and Professor (Continuous), Internal Medicine; effective 09/01/03, \$200,000 FY (includes \$10,000 annual administrative stipend for Vice Chancellor duties), 1.00 FTE.

Virginia P. Tilden, Dean (Special) and Professor (Continuous), College of Nursing; and Professor (Courtesy), Internal Medicine, College of Medicine; effective 10/08/03, \$182,000 FY (includes \$10,000 annual administrative stipend), 1.00 FTE.

Leave of Absence***

University of Nebraska at Omaha

Adjustment

Thomas B. Bragg, Associate Vice Chancellor for Research and Dean for Graduate Studies (Special) and Professor (Continuous), Biology; effective 08/18/03, \$77,865 AY (includes \$7,200 administrative stipend), .75 FTE. Change title to Associate Vice Chancellor and Dean, FTE to .75, and increase stipend from \$3,600.

Leaves of Absence***

*****Members of the public and news media may obtain a copy of the item with the Leaves of Absences in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, NE 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except university holidays.**

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Approval to Award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions.

RECOMMENDED ACTION: It is recommended that the Board of Regents approve the conferral of appropriate degrees and certificates on students of the University of Nebraska at Kearney, as approved and recommended by the faculty, at Commencement ceremonies to be held on December 19, 2003, and May 7, 2004, subject to the satisfactory completion of all requirements. Certified lists will be provided by the Registrar for each Commencement.

PREVIOUS ACTION: July 13, 2002 – The Board granted approval for the 2002-2003 academic year award dates.

EXPLANATION: This action authorizes granting degrees and certificates for the 2003-2004 academic year and 2004 summer sessions to those students who have completed the necessary requirements.

SPONSOR: Galen Hadley
Interim Senior Vice Chancellor for Academic Affairs

APPROVAL: _____
Douglas A. Kristensen, Chancellor
University of Nebraska at Kearney

DATE: July 17, 2003

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Approval to Award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions.

RECOMMENDED ACTION: It is recommended that the Board of Regents approve the conferral of appropriate degrees and certificates on students of the University of Nebraska-Lincoln, as approved and recommended by the faculty, at Commencement ceremonies to be held on December 20, 2003, May 9, 2004, and August 14, 2004.

PREVIOUS ACTION: July 13, 2002 - The Board granted approval for the 2002-2003 academic year award dates.

EXPLANATION: This action authorizes granting degrees and certificates for the 2003-2004 academic year and 2004 summer sessions to those students who have completed the necessary requirements.

SPONSOR: Richard Edwards
Senior Vice Chancellor for Academic Affairs

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 17, 2003

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Request for Approval of Outside Employment

RECOMMENDED ACTION: Approval of the following request to participate in activities outside the University in accordance with University policy as follows.

Duane F. Shell, Research Associate Professor, Health and Human Performance, to provide consultation services to the Nebraska Health and Human Services System.

PREVIOUS ACTION: None

EXPLANATION: The request by Duane F. Shell for approval of outside activity is in accordance with Section 3.4.5(d) of the *Bylaws of the Board of Regents of the University of Nebraska* specifying that University employees must have the approval of the Board of Regents if they are providing professional services for remuneration to a department or agency of state government.

Duane F. Shell is requesting permission of the Board of Regents to provide research and data analysis consultation services for the Nebraska Health and Human Services System, Statewide Nebraska Asthma Program. He will provide statistical analysis and report writing specifically for the 2002 Nebraska Adult Asthma Survey. These duties will be performed beginning August 11, 2003 and will continue through September, 2003. These duties will not interfere with Duane Shell's performance of his university duties and responsibilities.

SPONSOR: Richard Edwards
Senior Vice Chancellor for Academic Affairs

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 17, 2003

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Approval to Award Degrees and Certificates for the 2003-04 academic year and 2004 summer sessions.

RECOMMENDED ACTION: It is recommended that the Board of Regents approve conferral of appropriate degrees and certificates on students of the University of Nebraska Medical Center, as approved and recommended by the faculties, at Commencement ceremonies to be held on:

	Winter Commencement
December 18, 2003 (Thursday)	Kearney-Coll. of Nursing, 7:00 PM
December 19 2003 (Friday)	Omaha, 2:00 PM
December 20, 2003 (Saturday)	Scottsbluff-Coll.of Nsg, 2:00 PM
	UNMC Spring Commencement
May 6, 2004 (Thursday)	Kearney, 7:00 PM Coll. of Nursing, Allied Health & Graduate College
May 7, 2004 (Friday)	Lincoln, 2:00 PM College of Nursing and College of Dentistry
May 10, 2004 (Monday)	Scottsbluff, 10:30 AM
May 14, 2004 (Friday)	Omaha, 1:30 PM
August 13, 2004 (Friday)	Summer Graduation (no ceremony)

PREVIOUS ACTION: The Board granted approval for the 2002-03 academic year award dates on July 13, 2002.

EXPLANATION: The Medical Center awards degrees and certificates at or near the completion of each academic term. Students graduating from UNMC academic programs located at sites other than the Omaha campus will receive their degrees in separate ceremonies in Kearney, Lincoln, and Scottsbluff.

SPONSOR: David A. Crouse, Ph.D.
Interim Vice Chancellor for Academic Affairs

APPROVAL: _____
Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE: July 17, 2003

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Requests for approval of outside employment.

RECOMMENDED ACTION: Approval of the following requests to participate in activities outside the University in accordance with University policy as follows:

COLLEGE OF MEDICINE

Stephen I. Rennard, M.D., Larson Professor of Medicine, Internal Medicine to provide consultative service to Altana Pharmaceuticals.

Phyllis Warkentin, M.D., Professor Pathology/Microbiology and Pediatrics, to do consulting for the Foundation for the Accreditation of Cellular Therapy (FACT).

PREVIOUS ACTION: This is Dr. Rennard's initial request for permission of the Board of Regents for this activity.

The Board of Regents granted permission to Dr. Warkentin from July 1998 through July 2003.

EXPLANATION: These requests for approval of outside activities are in accordance with Section 3.4.5(a) of the *Bylaws of the Board of Regents of the University of Nebraska* specifying that University employees accepting retainer fees or other remuneration on a permanent or yearly basis as professional consultants must have the approval of the Board of Regents.

Stephen Rennard is requesting permission of the Board of Regents to provide consultative advice to Altana Pharmaceuticals regarding development of new drugs for clinical use. This consultative service will be in the form of serving on an advisory board, specifically dedicated to this purpose. Activities of the board include not only providing advice with respect to drug development, but also assisting in the development of clinical trials aimed at exploring the treatment of chronic obstructive pulmonary disease. Dr. Rennard will be involved in these activities during the period of August 2003 through July 2004. For these efforts he will receive remuneration.

Phyllis Warkentin is requesting permission of the Board of Regents to do consulting for the Foundation for the Accreditation of Cellular Therapy on issues of standards for transplantation of cells, tissues and cell and tissue-based products; facility and transplant program inspection and accreditation; and training of inspectors during the period of September 2003 through August 2004. For this effort she will be paid a retainer fee.

The Board granted permission to Dr. Warkentin in 1998-2003 for the same activity.

SPONSOR:

David A. Crouse, Ph.D.
Interim Vice Chancellor for Academic Affairs

APPROVAL:

Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE:

July 17, 2003

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Approval to Award Degrees and Certificates for the 2003-2004 academic year and 2004 summer sessions.

RECOMMENDED ACTION: It is recommended that the Board of Regents approve the conferral of the appropriate degrees and certificates on students of the University of Nebraska at Omaha, as approved and recommended by the faculty at Commencement ceremonies, to be held on December 19, 2003, May 7, 2004, and August 13, 2004, subject to the satisfactory completion of all requirements. Certified lists will be provided by the Registrar for each Commencement.

PREVIOUS ACTION: July 13, 2002 - The Board granted approval for the 2002-2003 academic year award dates.

EXPLANATION: This action authorizes granting degrees and certificates for the 2003-2004 academic year and 2004 summer sessions to those students who have completed the necessary requirements.

SPONSOR: Derek Hodgson
Vice Chancellor for Academic Affairs

APPROVAL: _____
Nancy Belck, Chancellor
University of Nebraska at Omaha

DATE: July 17, 2003

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Nebraska Health System

RECOMMENDED ACTION: Approve the name change from Nebraska Health System to Nebraska Medical Center

PREVIOUS ACTION: September 29, 1997 – The Regents approved a Joint Operating Agreement among Bishop Clarkson Memorial Hospital, Clarkson Regional Health Services, Inc., and the Board of Regents providing for the creation of the Nebraska Health System.

EXPLANATION: The Joint Operating Agreement among Bishop Clarkson Memorial Hospital, Clarkson Regional Health Services, Inc., and the Board of Regents of the University of Nebraska requires that the Board of Regents approve any change in name of the Nebraska Health System (NHS). Due to market analysis and a strategic planning process, the NHS Board has voted to change the name of the hospital to the Nebraska Medical Center, subject to approval by the Board of Regents.

By approval of this agenda item the Board of Regents will adopt the attached resolution of the members of NHS (the Board of Regents and Clarkson Regional Health Services, Inc.) approving the name change and approving the First Amendment to the NHS Articles of Incorporation formalizing the name change.

The Board of Directors of Clarkson Regional Health Services, Inc., adopted the attached resolution on May 5, 2003.

COST: Cost will be borne by NHS.

APPROVAL: _____
L. Dennis Smith
President

DATE: July 17, 2003

**RESOLUTION OF MEMBERS
APPROVING CHANGE IN NAME OF CORPORATION**

The Chairman stated the Board of Directors of Nebraska Health System has presented to each of the Members of Nebraska Health System a proposal that the corporation change its name to “The Nebraska Medical Center”. The Chairman presented a draft of the First Amendment to Articles of Incorporation, a copy of which is attached hereto as Exhibit “A”, which will be filed in the office of the Nebraska Secretary of State to change the corporation’s name from “Nebraska Health System” to “The Nebraska Medical Center” after approval of such First Amendment by the Members of the Nebraska Health System. After discussion, upon motion duly made, seconded, put to vote and unanimously carried it was:

RESOLVED, that the Members hereby approve and agree that the name of corporation shall be changed from “Nebraska Health System” to “The Nebraska Medical Center”.

RESOLVED FURTHER, that the First Amendment to Articles of Incorporation in the form attached hereto as Exhibit “A” shall be, and hereby is, approved and adopted effective immediately.

EXHIBIT “A”

FIRST AMENDMENT TO ARTICLES OF INCORPORATION OF NEBRASKA HEALTH SYSTEM

ARTICLE I.

The name of the corporation is: “NEBRASKA HEALTH SYSTEM” (“Corporation” herein).

ARTICLE II.

Pursuant to Section 21-19,109 of the Nebraska Nonprofit Corporation Act, the undersigned Corporation submits the following for the purpose of amending its Articles of Incorporation by deleting Article I and adopting the following provision:

ARTICLE III.

The name of the Corporation is “The Nebraska Medical Center”.

ARTICLE IV.

The Corporation has two Members of the same class and each voted for the approval of the First Amendment.

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Lease between the University of Nebraska-Lincoln (UNL) College of Engineering and Technology and the Suzanne and Walter Scott Foundation

RECOMMENDED ACTION: Approve the Lease between the UNL College of Engineering and Technology and the Suzanne and Walter Scott Foundation.

PREVIOUS ACTION: None

EXPLANATION: Since the Peter Kiewit Institute (PKI) facility does not have sufficient space to house the new Architectural Engineering programs nor the Computer and Electronics Engineering program growth, additional office and lab space is needed.

The additional 2,568 square feet of leased area in the Suzanne and Walter Scott Foundation facility will allow for growth in research capabilities and educational expansion to embrace new technologies. Without adequate space for research growth, the departments are faced with a severe handicap in competing for research funds.

The leasehold interest will begin on or about August 10, 2003, and terminate five (5) years later on or about August 31, 2008. The monthly rent will be approximately \$3,852 plus a proportionate share of any and all taxes payable by Landlord.

Members of the public and the news media may obtain a copy of the proposed Lease between UNL College of Engineering and Technology and the Suzanne and Walter Scott Foundation in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

PROJECT COST: \$46,224 annually plus a proportionate share of taxes

SOURCE OF FUNDS: Operating Funds

SPONSORS: Christine A. Jackson
Vice Chancellor for Business & Finance

Richard R. Wood
Vice President & General Counsel

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 17, 2003

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Modification of Subcontract with Abt Associates Inc. to evaluate the Tobacco Free Nebraska Program

RECOMMENDED ACTION: Approve the modification of Subcontract with Abt Associates Inc. to evaluate the Tobacco Free Nebraska Program.

PREVIOUS ACTION: July 13, 2002 – The Board approved modification 2 to the Subcontract with Abt Associates Inc.

EXPLANATION: Faculty from the departments of Sociology and Health & Human Performance will continue to assist in developing a resource sharing system to evaluate the Tobacco Free Nebraska Program. The original subcontract for one year beginning April 16, 2001 was funded in the amount of \$129,338 and a second modification for \$236,550 was approved by the Board in July 2002. The attached subcontract modification No. 01-155-Nebraska-7677-3 extends the project for nine months with an additional \$287,722 of funding. The extended subcontract is now effective through December 31, 2003, and the funding for the three years will total \$653,610.

Members of the public and news media may obtain a copy of the proposed agreement in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

PROJECT COST: Not Applicable

SOURCE OF FUNDS: Subcontract with Abt Associates Inc.

SPONSORS: Prem S. Paul
Vice Chancellor for Research & Dean of Graduate Studies

Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 17, 2003

TO: The Board of Regents

Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Capital Improvements for University Housing Facilities

RECOMMENDED ACTION: Approve the Resolution providing for expenditures of up to \$1,846,350 for capital improvements for University Housing facilities from the Replacement Fund of the University of Nebraska-Lincoln Student Fees and Facilities Revenue Bonds.

PREVIOUS ACTION: During the last five years the Board of Regents has approved similar requests as follows:

<u>Prior Approvals</u>	<u>Amount</u>
January, 2003	\$1,855,255
October, 2002	1,066,890
October, 2001	749,197
September, 2000	993,850
October, 1999	1,470,989
October, 1998	1,214,890

At the March, 2003 meeting of the Board of Regents, the University Housing Master Plan was presented.

EXPLANATION: Section 6.2 of the Bond Resolution (December 1, 1964) requires the Board of Regents to keep the "facilities" in good repair, working order and condition, and to make all necessary and proper repairs, etc. Section 6.12 of the Resolution requires the Board to comply with all statutes of the State of Nebraska. The improvements below are among the highest priority needs that have been identified by residents, user groups, and managers of these facilities.

In accordance with the University Housing Master Plan, two projects are proposed: (1) replacement of the original furniture in Selleck Quadrangle (constructed in the 1950s) and Neihardt Hall (constructed in the 1930s), and (2) construction of a passenger elevator in the Cather-Pound-Neihardt (CPN) dining services building. Presently there is no passenger elevator in the CPN dining building, and this addition will address ADA compliance concerns that arise with the completion of the apartments currently under construction at 17th & Vine. Students living in these apartments will have meal plans available to them in the adjacent CPN dining hall.

PROJECT COST:	Furniture Replacements:	
	Selleck Quadrangle	\$922,000
	Neihardt Hall	794,350
	CPN Dining Services elevator	<u>130,000</u>
	Total Project	<u>\$1,846,350</u>

SOURCE OF FUNDS: Student Fees and Facilities Revenue Bonds Replacement Fund

SPONSORS:

James V. Griesen
Vice Chancellor for Student Affairs

Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVAL:

Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 22, 2003

RESOLUTION

BE IT RESOLVED by The Board of Regents of the University of Nebraska (the "Board") as follows:

1. The Board hereby finds and determines:
 - (a) Pursuant to its Bond Resolution dated as of December 1, 1964, authorizing the issuance of Revenue Bonds by the Board (the "Resolution"), the Board has heretofore issued revenue bonds payable from the revenues and fees derived from the ownership and operation of the dormitories and other facilities for the housing and boarding of students, student unions, student health facilities and other facilities for the activities of students located on the campus of the University of Nebraska-Lincoln, under which a 1986 Surplus Fund was created;
 - (b) Section 6.2 of the Resolution requires the Board to operate the Facilities (as defined in the Resolution) in an efficient, sound and economical manner and to keep all Facilities and betterments thereto in good repair, working order and condition and to make all necessary and proper repairs, renewals, replacements, additions, extensions and betterments thereto, so that at all times the business carried on in connection therewith shall be properly and advantageously conducted.
 - (c) The "Facilities" include all facilities and structures for the housing and boarding of students located and currently or hereafter existing on the campus of the University of Nebraska-Lincoln, which student housing facilities require certain renewals, replacements, additions, betterments and extensions to maintain the revenues and fees. In order to accomplish such renewals, replacements, additions, betterments and extensions, the sum of \$1,846,350 should be expended from the Replacement Fund for furniture replacements in the Selleck Quadrangle and Neihardt Hall, and for the construction of a passenger elevator in the Cather-Pound-Neihardt dining services building.
2. Authorization. The Board hereby authorizes the transfer of up to \$1,846,350 from the 1986 Surplus Fund established pursuant to the Resolution to the Replacement Fund, and the expenditure of up to \$1,846,350 from the Replacement Fund for the project herein identified. Such expenditures shall be made for such purposes upon review thereof by the Coordinating Commission for Postsecondary Education and approval by the Executive Board of the Legislative Council. The Vice Chancellor for Business and Finance at the University of Nebraska-Lincoln is hereby designated as the University representative who may certify to the Trustee the specific payments to be made from the Replacement Fund.
3. 1986 Surplus Fund. There currently are monies or investments in the 1986 Surplus Fund including accruals in excess of \$1,846,350.

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Naming the newly constructed resource building at the Cedar Point Biological Station the "Gainsforth Center"

RECOMMENDED ACTION: Approve naming the newly constructed resource building at the Cedar Point Biological Station the "Gainsforth Center"

PREVIOUS ACTION: None

EXPLANATION: President Smith and Chancellor Perlman have approved naming the newly constructed resource building at the Cedar Point Biological Station the "Gainsforth Center."

By naming the new resource building the "Gainsforth Center," the University honors and recognizes the Gainsforth family for its extraordinary support of the University.

SPONSOR: Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVALS:

Harvey Perlman, Chancellor
University of Nebraska-Lincoln

L. Dennis Smith
President

DATE: July 21, 2003

TO: The Board of Regents

Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Lease of space

RECOMMENDED ACTION: Approve long-term leasing of space in Swanson Hall at the University of Nebraska Medical Center (UNMC).

PREVIOUS ACTION: None.

EXPLANATION: Through the approval of this long-term lease, UNMC intends to lease 9,855 square feet of space to the Swanson Center for Human Nutrition, Inc. (the "Swanson Center"). The fifteen-year lease replaces the original twenty-five year lease dated February 21, 1981, which granted Swanson Center space on the third level of Swanson Hall. The proposed lease exchanges the leased space from the third level to the first level of Swanson Hall. UNMC will renovate the space on the first level to better accommodate the needs of the Swanson Center and will assume the responsibility for their relocation. The Swanson Center will not incur a rental expense for this space.

The proposed lease will provide several advantages to both UNMC and the Swanson Center. First, the exchange of space will further enhance the partnership that exists between UNMC and the Swanson Center. In addition, the space located on the third level of Swanson Hall can be better utilized by UNMC to achieve its mission and goals of patient care, education and research. Likewise, the space being allotted to the Swanson Center will allow them to enhance their collaboration with UNMC regarding education and research.

Members of the public and the news media may obtain a copy of the proposed lease in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

PROJECT COST: \$438,000

SOURCE OF FUNDS: University of Nebraska Medical Center Cash Fund

SPONSOR: Donald S. Leuenberger
Vice Chancellor for Business & Finance

APPROVAL: _____
Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE: July 23, 2003

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: *Simply Well* Wellness Program

RECOMMENDED ACTION: Approve the University of Nebraska Medical Center (UNMC) as a pilot site for the implementation of a formalized University of Nebraska workplace wellness program administered by *Simply Well*, a program operated by the Nebraska Health System Center for Occupational Health.

PREVIOUS ACTION: None.

EXPLANATION: As the medical campus of the universitywide system, UNMC is proposing to become a pilot site for the implementation of a formalized workplace wellness program. The program, *Simply Well*, has the dual goals of improving the health of university employees through lifestyle enhancement and disease management, and controlling increases in health insurance costs. Two examples of indirect benefits of such a program are reduced sick leave use and improved workforce morale.

The *Simply Well* program consists of analysis of health insurance data and workforce demographics; individual health risk appraisals, including health factor screenings; individualized and group information programs; and targeted education and disease management promotion. *Simply Well* has had significant success in controlling increases in health insurance costs at NHS, which implemented the program in 2000.

UNMC proposes to implement the *Simply Well* program as a one-year pilot on a voluntary basis for employees from July 2003 through June 2004. Health care savings for the participants will be based on a comparison of actual costs to projected costs in the university health plan. University-wide implementation will be considered.

PROJECT COST: \$172,800

SOURCE OF FUNDS: Cash funds.

SPONSOR:

Donald S. Leuenberger
Vice Chancellor for Business & Finance

APPROVAL:

Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE:

July 16, 2003

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Naming of Building

RECOMMENDED ACTION: Approve the name "Wagonhammer Education Center" for the new education building at the UNL/IANR Gudmundsen Sandhills Laboratory, Whitman, Nebraska.

PREVIOUS ACTION: None

EXPLANATION: A \$250,000 (half of the building's construction cost) gift from Jim and Elaine Wolf is instrumental in the funding for a new education building in support of agricultural research and extension in the Sandhills to be constructed at the Gudmundsen Sandhills Laboratory (GSL), at Whitman, Nebraska. The University of Nebraska and the University of Nebraska Foundation recommend, in recognition of this gift and the Wolf's other contributions to UNL and IANR, that the new building be named the "Wagonhammer Education Center," named in honor of the Wolf's cattle company.

With the GSL Field Day on August 27, it would be fitting to announce and recognize Jim (deceased April 2002) and Elaine for their continuing generosity to the University. Another donor (Ray Bohy) will be recognized within the facility as well.

The Wolfs have supported the University of Nebraska-Lincoln and IANR for over 30 years and are members of the UNL Chancellor's Club with Distinction and the President's Club with Distinction. Jim served as Foundation trustee and was a member of the Foundation Campaign Committee. Jim and Elaine have established excellence funds for NETV and the Nebraska LEAD Program, in addition to establishing the "Melvin Schlesinger Reading Room" in the Department of Agricultural Economics.

PROJECT COST: Estimated at \$500,000 to \$540,000

SOURCE OF FUNDS: University of Nebraska Foundation

SPONSORS: John C. Owens
Vice President and Vice Chancellor for Agriculture and Natural Resources

Harvey Perlman
Chancellor, University of Nebraska-Lincoln

APPROVAL: _____
L. Dennis Smith
President

DATE: August 5, 2003

X. UNIVERSITY ADMINISTRATIVE AGENDA

A. ACADEMIC AFFAIRS

University of Nebraska at Kearney

1. Merging of the current three Departments of Criminal Justice; Geography and Earth Sciences; and Sociology and Social Work into the two new Departments of Criminal Justice and Social Work; and Sociology, Geography, and Earth Sciences at the University of Nebraska at Kearney. Addendum X-A-1

University of Nebraska-Lincoln

2. Approval of the request to eliminate the Research Division of the Nebraska State Museum as proposed under the University of Nebraska-Lincoln budget reduction plan. Addendum X-A-2

University of Nebraska at Omaha

3. Redesignate the Juvenile Justice Initiative as the Juvenile Justice Institute in the Department of Criminal Justice of the College of Public Affairs and Community Service. Addendum X-A-3
4. Approve proposed Interlocal agreement with Millard Public Schools for pilot dual-enrollment program. Addendum X-A-4

B. BUSINESS AFFAIRS

Central Administration

1. Approve revisions to Executive Memorandum No. 9 regarding Interim Budget Requirements. Addendum X-B-1

University of Nebraska-Lincoln

2. Approve the Program Statement for the UNL Library Depository/Retrieval Center. Addendum X-B-2
3. Approve the Resolution for the Library Depository/Retrieval Center Project. The resolution includes: (1) approving and authorizing the execution and delivery of a Site Lease, a Lease-Purchase Agreement, a Continuing Disclosure Agreement, and a Tax Compliance Agreement in connection with the issuance of not to exceed \$3.6 million principal amount of The University of Nebraska Facilities Corporation Lease Rental Revenue Bonds, Series 2003 (University of Nebraska-Lincoln Library Project), (2) authorizing the sale of such Revenue Bonds, Series 2003, at a negotiated sale, a Bond Purchase Agreement, an Inducement Letter and the Preliminary Official Statement and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average interest rate of 5.50%), principal amounts, principal maturities and redemption provisions of such Revenue Bonds, Series 2003, and (3) approving the preparation and use of a final Official Statement. Addendum X-B-3

4. Approve the Program Statement for the Renovation of the UNL Harper/Schramm/Smith Residence Halls. Addendum X-B-4
5. Approve the Resolution (1) adopting a Supplemental Resolution authorizing the issuance of not to exceed \$27,600,000 aggregate principal amount of UNL Student Fees and Facilities Revenue Bonds, Series 2003C, for the Renovation of the UNL Harper/Schramm/Smith Residence Halls, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003C at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.50%), principal amounts and principal maturities of such Revenue Bonds, Series 2003C, (4) approving the preparation and use of a final Official Statement, and (5) authorizing the use of Series 2003C bond funds not expended on these Projects for UNL Housing renovations, subject to approval of the Board. Addendum X-B-5
6. Approve the Exclusive License Agreement of Certain Media Rights, Including Live Radio Broadcast Rights (the "Agreement") with Pinnacle Sports Productions granting the following rights associated with the University of Nebraska-Lincoln's Department of Intercollegiate Athletics: (1) live radio broadcast rights for UNL Varsity Intercollegiate Football, Men's and Women's Varsity Intercollegiate Basketball, Varsity Intercollegiate Volleyball, Varsity Intercollegiate Baseball and Varsity Intercollegiate Softball along with related pre-game/post-game and coaches' shows; (2) rights to distribute coaches' television shows produced by UNL's HuskerVision studios; and (3) rights to sell advertising in the football program distributed at home UNL football games. Addendum X-B-6
7. Approve the Program Statement for the Renovation of the University of Nebraska-Lincoln 1700 Y Street Building for Printing Services. Addendum X-B-7
8. Approve the purchase of a 4- to 6-color offset printing press at an amount not to exceed \$950,000. Addendum X-B-8

University of Nebraska Medical Center

9. Approve the Resolution (1) adopting the Second Supplemental Resolution for the Fourth Series Resolution authorizing the issuance of not to exceed \$5,750,000 aggregate principal amount of Revenue Bonds, Series 2003, for the Construction of a Student Apartment Complex, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003 at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.50%), principal amounts and principal maturities of such Revenue Bonds, Series 2003, (4) approving the preparation and use of a final Official Statement, and (5) authorizing the use of Series 2003 bond funds not expended on this Apartment Complex Construction, subject to approval of the Board. Addendum X-B-9

University of Nebraska at Omaha

10. Approve the purchase and transfer of ownership of Scott Village to the Board of Regents of the University of Nebraska and authorize the President to execute all legal instruments necessary to carry out the transfer and conditions of the proposed transaction. Addendum X-B-10

11. Approve the Resolution (1) adopting the Second Supplemental Resolution to the Sixth Series Resolution authorizing the issuance of not to exceed \$16,000,000 aggregate principal amount of UNO Student Fees and Facilities Revenue Bonds, Series 2003, for the Scott Village Student Housing, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003 at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.50%), principal amounts and principal maturities of such Revenue Bonds, Series 2003, and (4) approving the preparation and use of a final Official Statement. Addendum X-B-11

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Merging of the current three Departments of Criminal Justice; Geography and Earth Sciences; and Sociology and Social Work into the two new Departments of Criminal Justice and Social Work; and Sociology, Geography, and Earth Sciences at the University of Nebraska at Kearney.

RECOMMENDED ACTION: It is recommended that the Board of Regents approve the merging of the current Departments of Criminal Justice; Geography and Earth Sciences; and Sociology and Social Work into the Departments of Criminal Justice and Social Work; and Sociology, Geography, and Earth Sciences at the University of Nebraska at Kearney.

PREVIOUS ACTION: None

EXPLANATION: The Social Work Program, with three faculty members, is too small to exist as a stand-alone department or program. It will merge with the Department of Criminal Justice to become the Department of Criminal Justice and Social Work. Both programs in the new Department are applied social-science baccalaureate programs with numerous majors that prepare students for entry-level professional jobs and emphasize field placement/internships. Both are designated as campus priority programs. This will be a more compatible combination than the former Social Work-Sociology combination.

The Sociology, Geography, and Earth Science Programs will merge to form the Department of Sociology, Geography, and Earth Science. Each program has six faculty positions and some areas of topical overlap. They also are similar in enrollment and major roles in the General Studies Program, but relatively modest numbers of majors.

PROGRAM COSTS: This merger will save approximately \$35,000, which is equal to the salary of one secretarial staff member and the stipend of one department chair.

SPONSOR: Galen Hadley
Interim Senior Vice Chancellor for Academic Affairs

APPROVAL: _____
Douglas Kristensen, Chancellor
University of Nebraska at Kearney

DATE: July 14, 2003

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Elimination of the Research Division of the Nebraska State Museum

RECOMMENDED ACTION: Approval of the following request to eliminate the Research Division of the Nebraska State Museum as proposed under the University of Nebraska-Lincoln budget reduction plan.

PREVIOUS ACTION: None

EXPLANATION: It is recommended that the Board of Regents approve the elimination of the Research Division of the State Museum at the University of Nebraska-Lincoln. The elimination of the research division as part of the budget reduction has been reviewed by the University of Nebraska-Lincoln Academic Planning Committee and has received the final approval of the Chancellor for such elimination.

Museum-related scientific research, as well as other research and teaching that draw upon museum collections, although on a reduced scale, will continue to be performed at UNL by faculty members in related academic departments.

SPONSOR: Richard Edwards
Senior Vice Chancellor for Academic Affairs

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 17, 2003

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Juvenile Justice Institute

RECOMMENDED ACTION: Redesignate the Juvenile Justice Initiative as the Juvenile Justice Institute in the Department of Criminal Justice of the College of Public Affairs and Community Service.

PREVIOUS ACTION: None

EXPLANATION: In 2002 the Nebraska Legislature provided funding to establish the Juvenile Justice Initiative to serve as a principal source of technical assistance in juvenile justice issues for the State of Nebraska. The initiative was created to conduct applied research on juvenile justice issues; provide consulting services to State and local agencies and public officials; and form partnerships among policy-makers, administrators, practitioners and scholars to facilitate program collaboration, grant applications, and improvements in the juvenile justice system. The initiative is administratively housed in UNO's nationally-ranked Department of Criminal Justice in the College of Public Affairs and Community Service. The department is designated as one of UNO's 13 top academic program priority areas.

In less than a year the initiative has been instrumental in a variety of projects related to juvenile justice. These include: (1) working with Douglas County and the City of Omaha to restructure their responses to the arrests of juveniles, resulting in the release of \$389,000 in HHS funding and a grant of \$300,000 to establish a juvenile assessment center in Douglas County; (2) assisting Hall and Howard Counties in preparing their Community Juvenile Services Plans; and (3) providing testimony at a legislative hearing regarding the proposed closure of two Nebraska correctional facilities. And initiative staffs have been invited to serve on a number of State and local juvenile justice and justice system committees. It is recommended that the initiative be redesignated as the Juvenile Justice Institute to afford a more appropriate organizational structure for this unit. It will continue to be housed within the Department of Criminal Justice, with the institute coordinator reporting to the department chairperson.

PROJECT COSTS: The state-supported budget of the Juvenile Justice Initiative totals \$97,640. No additional state funding is necessary for the continuance of the unit's operations at their present level. The unit, often in cooperation with various State and local juvenile

justice and justice system agencies and officials, will seek external grants and contracts to support additional projects, programs, and activities consistent with the Institute's mission.

SUPPORT FOR THE PROGRAM:

The proposed redesignation of the Juvenile Justice Institute has been recommended for approval by the Department of Criminal Justice, and the College of Public Affairs and Community Service. In addition to the Nebraska Legislature, public support for the unit is evident from the state and local organizations that have invited the membership or participation of JJI staff. These include: State Probation-HHS/Office of Juvenile Services Workgroup, Governor's Substance Abuse Task Force (Governor's appointment), Nebraska Coalition for Juvenile Justice, State of Nebraska Juvenile Justice Integrated Information System Workgroup, Douglas County/City of Omaha Juvenile Accountability Incentive Block Grant Steering Committee, and others.

SPONSORS:

B. J. Reed
Dean, College of Public Affairs and Community Service

Derek Hodgson
Vice Chancellor for Academic Affairs

APPROVAL:

Nancy Belck, Chancellor
University of Nebraska at Omaha

DATE:

July 17, 2003

UNIVERSITY OF NEBRASKA AT OMAHA
COLLEGE OF PUBLIC AFFAIRS AND COMMUNITY SERVICE
DEPARTMENT OF CRIMINAL JUSTICE

JUVENILE JUSTICE INSTITUTE: A PROPOSAL

History

In the 2002 session, the Nebraska Legislature appropriated funding to establish a juvenile justice institute that would serve as a key source of technical assistance for the State in juvenile justice matters. More specifically, the institute was intended to:

- Provide communication and coordination between state and local agencies responsible for juvenile justice services;
- Use applied research to identify and address the needs of the juvenile justice system;
- Monitor and address the over-representation of juveniles in the justice system based on their race and gender; and
- Provide education and training to juvenile justice practitioners.

The Legislature requested the University of Nebraska Board of Regents to establish the institute within the Department of Criminal Justice at the University of Nebraska at Omaha. Since authority to establish such organizational units within the University rests solely with the Board of Regents, the activity was launched in July 2002 as the Juvenile Justice Initiative (JJI) within the Department of Criminal Justice, one of UNO's 13 designated academic program priorities. As an initiative, the JJI has steadily developed the tools and relationships needed to become a respected research program; a source of supplemental funding for faculty, staff, and students; and, most importantly, an integral part of Nebraska's efforts to improve its juvenile justice system. Based on its successful first year of operation, it is proposed to redesignate this unit as the Juvenile Justice Institute in accordance with the legislative intent.

Proposed Mission

The mission of the proposed Juvenile Justice Institute is as follows:

The Juvenile Justice Institute is an independent research program and information clearinghouse that provides technical assistance to the Nebraska Governor, Legislature, court system, and those state and local governmental entities involved in defining the policies and implementing the practices related to the juvenile justice system.

The Institute coordinates its research activities with the needs of practitioners and policy makers by serving on task forces, working groups, and committees. The Institute balances the strength of innovative, rigorous scholarship with the pragmatic demands of the dedicated practitioners who deliver care, treatment, and sanctions to juvenile offenders in Nebraska.

In addition to its state funding, the Institute pursues additional financial resources through grant applications and research contracts.

Rationale

The Legislature demonstrated its commitment for establishing the Juvenile Justice Institute through the enabling legislation requesting the Board's creation of the Institute, as well as providing funding for the program's support. This action demonstrates the confidence placed by the Legislature in the University of Nebraska to provide effective technical assistance to governmental agencies and providers.

The JJI's initial budget funded one full-time researcher/community liaison, a part-time administrative assistant, and a part-time graduate research assistant. Since it commenced operation, the JJI leveraged this core support to secure external grant and contract awards totaling nearly \$130,000. This additional has enabled the JJI to employ a full-time administrative assistant, a second full-time researcher, and 2.5 full-time graduate research assistants in 2003-2004. Other grant and contract projects are currently under development.

Designation of this unit as the Juvenile Justice Institute will facilitate its continued development as a provider of technical assistance to the State in this important area of public policy and administration. It is consistent with the mission of the Department of Criminal Justice and the College of Public Affairs and Community Service. An institute represents a more appropriate organizational structure and is in accord with the expressed intent of the Legislature.

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Pilot PreK-16 Initiative Dual-Enrollment Interlocal Agreement with Millard Public Schools

RECOMMENDED ACTION: Approve proposed Interlocal agreement with Millard Public Schools for pilot dual-enrollment program

PREVIOUS ACTION: None

EXPLANATION: In collaboration with the Superintendent of the Millard Public Schools who also co-chairs UNO's Content-Pedagogy Council, UNO proposes a pilot dual-enrollment program involving designated Advanced Placement courses offered in Millard high schools and enhanced with UNO faculty involvement. AP courses are taught at a higher level of academic rigor than regular high school courses and the ones in this program will have additional content and enhancements specifically related to the Language Arts and Math articulation documents from the PreK-16 Initiative. Millard is uniquely qualified for this enhancement due to their long-standing analytical writing assessment adopted by the State Department of Education two years ago. Millard has been requiring such assessment of student writing for over 10 years. Further, Millard is the only district in the state of Nebraska requiring additional Essential Learner Outcomes (ELO) assessments which students must pass in order to graduate. The Nebraska Department of Education has deemed Millard's standards required of PreK-12 students to exceed state standards.

Classes will be taught by AP-certified Millard teachers with master's degrees who meet the same academic requirements as UNO adjunct faculty. College-level academic credit will be awarded by UNO to students successfully completing the enhanced courses. Teacher credentials and course materials will be reviewed by participating UNO academic departments to ensure appropriate postsecondary-level academic quality. The program may include courses in the following academic areas: Biology, Chemistry, Computer Science, Economics, Foreign Languages, History, Music Theory, Physics, and Psychology. The students will be concurrently enrolled in their high school and at UNO and will be charged a fee of \$200.00 per 3-hour course. Students will be selected based on their GPA and

teacher recommendation for advanced study. This program will provide an opportunity to engage talented high school students with more challenging college-level curriculum. It will begin to erase the barriers between PreK-12 and the university through content teams and through alignment of content-specific materials and assessment of student learning outcomes. Additionally the content teams will have the opportunity to incorporate the PreK-16 Math and Language Arts Articulation documents into their discussions and curricula. The program is envisioned as a key element of UNO's commitment to the Nebraska PK-16 Initiative.

Dual-enrollment at secondary and postsecondary institutions has become a well-accepted practice in recent years. UNO records indicate that of 1,902 first-time freshmen students in the fall of 2002, 246 of them transferred a total of 1,826 semester hours of college credits taken while still in high school.

The pilot program will be offered during the 2003-2004 school year and will be carefully assessed, to include examination of course content, student learning, enhancement activities and projects, and alignment of written, taught and assessed content appropriate for college-level credit. The results of the detailed assessment will be submitted to the President of the University. If appropriate and justified by the detailed assessment, the report will provide recommendations for new Regents policy governing dual enrollment programs for the University of Nebraska..

PROJECT COSTS:

The program will be self-supporting, with the cost of teacher salaries borne by the Millard Public Schools.

SPONSOR:

John Christensen
Interim Vice Chancellor for Academic and Student Affairs

APPROVAL:

Nancy Belck, Chancellor
University of Nebraska at Omaha

DATE:

July 17, 2003

INTERLOCAL COOPERATION AGREEMENT

Dual Enrollment Initiative

This agreement is made and entered into this 11th day of August 2003, by and between **DOUGLAS COUNTY SCHOOL DISTRICT 017**, d/b/a **MILLARD PUBLIC SCHOOLS**, ("the District"), and **THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA**, a public body corporate and agency of the State of Nebraska, for and on behalf of the University of Nebraska at Omaha ("the University").

WHEREAS, the District and the University are public agencies as defined in the Interlocal Cooperation Act (Neb. Rev. Stat., Sections **13-801** to **13-827**); and

WHEREAS, Sections **13-804** and **13-807** of the Interlocal Cooperation Act authorize any two or more public agencies to enter into agreements with one another for joint or cooperative action, including performance of any governmental service, activity or undertaking which at least one of the agencies is authorized by law to perform; and

WHEREAS, the University and the District are committed to the Nebraska Pre K - 16 Initiative; and

WHEREAS, the University and the District currently participate in the Metropolitan Omaha Educational Consortium under letter of understanding since 1988;

WHEREAS, the University and the District co-chair UNO's Content Pedagogy Council through a shared mission since 2000;

WHEREAS, the University and the District by this interlocal cooperation agreement will implement a pilot dual enrollment program for appropriate students of the District;

NOW, THEREFORE, the District and the University agree as follows:

Section 1. Purpose.

The purpose of this Agreement shall be to implement a pilot program providing for the granting of University credit for Advanced Placement courses offered to appropriate students of the District.

Section 2. Term.

This Agreement shall commence on August 11, 2003, for a period of one (1) year.

Section 3. Duties and Responsibilities of the University.

- a. Collaborate with Millard teachers to enhance the content and associated activities of designated Advanced Placement (AP) courses.
- b. Review Millard teacher credentials and course materials to ensure postsecondary-level academic quality and rigor.
- c. Award academic credit to students successfully completing the designated AP courses.
- d. The University will charge and directly bill participating students \$200 per student for each 3 credit hour course. The University will remit a total of \$150 per course to the Millard Public Schools Foundation.

Section 4. Duties and Responsibilities of the District.

- a. Teach designated AP courses as prescribed and with enhancements to be developed with University faculty counterparts.
- b. Provide appropriate teaching personnel and classroom facilities; Millard teacher salaries to be paid by the District.
- c. Report grades assigned to dual-enrolled students at the end of each semester.

Section 5. Administration and Governance.

The University and the District shall each designate one or more administrator(s) responsible for management of the cooperative undertaking set forth in this Agreement. The administrators may be changed from time to time by the Party appointing such administrator(s) upon no less than seven (7) days written notice to the other Party. Each administrator shall communicate with the other administrator(s) as necessary to effectuate the terms of this Agreement. The administrators shall meet or confer no less often than once every three months to discuss any matters pertinent to this Agreement and in particular shall discuss course content, student learning, enhancement activities and projects and alignment of written, taught and assessed content appropriate for college credit.

Section 6. Expenses.

Each party shall pay its own costs and expenses in connection with the transactions contemplated by this Agreement.

Section 7. Indemnification.

To the maximum extent permitted by law each party to this Agreement hereby agrees to indemnify, defend and hold harmless the other party and its directors, officers and employees from and against any and all loss, damage, expense (including court costs and reasonable attorney's fees), suit, action, claim, liability or obligation relating to, caused by, arising from or on account of any negligent or wrongful act of the indemnifying party or its officers, employees or agents.

Section 8. Termination of Agreement.

Either party shall have a right to terminate this Agreement at any time by giving the other party ninety (90) days written notice of termination.

Section 9. Notices.

All notices, and other communications under this Agreement, shall be in writing and delivered personally or sent by registered or certified mail, postage prepaid, as follows:

If to the District:

Dr. Keith Lutz
Superintendent
Millard Public Schools
Don Stroh Administration Center
5606 South 147 Street
Omaha, NE 68137

If to the University:

Dr. Sheri Rogers
Assistant Vice Chancellor for
Academic and Student Affairs
Eppley Admin Room 203
6001 Dodge Street
Omaha, NE 68182

Section 10. Amendment.

This Agreement may only be amended by written instrument duly approved by the parties in accordance with the requirements of the Interlocal Cooperation Act.

Section 11. Compliance with Laws Prohibiting Unlawful Discrimination.

Neither the District nor the University shall discriminate against any employee or applicant for employment in relation to this agreement because of race, color, religion, sex, national origin, or disability.

Section 12. Applicable Law.

This Agreement shall be governed by and construed in accordance with the laws of the State of Nebraska.

Section 13. Severability.

In case any one or more of the provisions contained herein shall, for any reason, be held to be invalid, illegal or unenforceable, in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, but this Agreement shall be construed as if such invalid, illegal or unenforceable provision or provisions had never been contained herein.

IN WITNESS WHEREOF, THE District and the University have executed this Agreement on the day and year first above written.

ATTEST:

DOUGLAS COUNTY SCHOOL
DISTRICT 017

By:

Brad Burwell
Secretary, Board of Education

By:

Jean Stothert
President, Board of Education

ATTEST:

THE BOARD OF REGENTS OF THE
UNIVERSITY OF NEBRASKA

By:

Kim M. Robak
Corporation Secretary

By:

L. Dennis Smith
President

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Revisions to Executive Memorandum No. 9

RECOMMENDED ACTION: Approve revisions to Executive Memorandum No. 9 regarding Interim Budget Requirements.

PREVIOUS ACTION: December 8, 1978 – The Board of Regents approved Executive Memorandum No. 9.

EXPLANATION: Section 2.2 of the *Bylaws of the Board of Regents of the University of Nebraska* states that “the President shall enforce the regulations and orders of the Board and may issue directives and executive orders not in contravention of existing policies of the Board.” One of the tools used by the President to enforce the regulations and orders of the Board has been through the use of Executive Memorandums.

The proposed changes to Executive Memorandum No. 9 allow more practical leeway to the President in making interim budget adjustments. Prior language limited the President to changes of 1% or less. In restructuring operations, balancing budgets and implementing cuts announced across the University, it is clear that a larger percentage will allow for more efficient operations and better coordination with the state budget office.

The proposed changes to Executive Memorandum No. 9 require Board approval as Section 6.6 of the *Bylaws of the Board of Regents of the University of Nebraska* states that “the President shall submit the operating and capital construction budgets for all University activities, in accordance with legislative appropriations, for approval by the Board.”

PROJECT COST: None

SOURCE OF FUNDS: None

SPONSOR: David E. Lechner
Vice President for Business & Finance

APPROVAL: _____
L. Dennis Smith
President

DATE: July 17, 2003

EXECUTIVE MEMORANDUM NO. 9
Interim Budget Adjustments

Policy:

1. All change – minimum requirement: All adjustments to the operating budget of any campus of the University must be approved as follows: The campus Chancellor will establish internal review processes, but minimum procedures will involve the review and advice of the chief business officer or his designee.
2. Expenditure increases: Increases in overall expense budgets that do not exceed 1% (in the aggregate) on an annual basis for state-aided programs or auxiliary operations may be approved by the Chancellor with the concurrence of the President and must be reported to the Board of Regents at its next regularly scheduled meeting.
3. Regental Approval: Increases in expense budgets that equal or exceed 1% 2% on an annual basis for state-aided programs or auxiliary operations in addition to requiring the approval of the Chancellor and President, must be approved by the Board of Regents and increases that exceed 1% and are less than 2% must be approved by the Executive Committee of the Board of Regents.

Discussion:

The annual operating and capital budgets of the University are established by the Board or Regents (generally under guidelines consistent with state appropriations and indications of legislative intent). Subsequent interim adjustments of the operating budget have heretofore been accomplished with less regental involvement once legislative and gubernatorial approval had been received to requests for so-called “technical amendments” resulting generally from changes in self-generated revenue.

With the Supreme Court decision of July 27, 1977, clarifying certain matters relating to governance of the University, a clear statement of regental policy respecting interim budget changes has attained added importance.

General:

In all instances of budget adjustment the President may defer action until such time as such additional review as he may require has been accomplished.

Any increase in budgeted expenditures must clearly identify the funding source and explain the adjustment fully.

Reference: BRUN, December 8, 1978
BRUN, August 9, 2003

TO: The Board of Regents

Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Program Statement for the University of Nebraska-Lincoln (UNL)
Library Depository/Retrieval Center

RECOMMENDED ACTION: Approve the Program Statement for the UNL Library
Depository/Retrieval Center

PREVIOUS ACTION: July 25, 1998 - The Board approved the University of Nebraska Capital
Construction Budget Request for the 1999-2001 Biennium, which
included funding for the UNL Library Central Storage Facility.

EXPLANATION: This proposed project would be an 8,975 gross square feet new building
on the East Campus of UNL. The major project goal is to provide
additional space for library collections that are continuing to grow at
significant rates. Lesser-used materials are to be shifted to this specially
designed high-density library retrieval facility to reduce current
overcrowded shelving conditions. The facility will house approximately
800,000 library print volumes and documents. The stringent
environmental conditions in the storage area (carefully regulated
temperature and humidity conditions and filtered air supply) will
minimize the deterioration of books and other documents stored in the
facility.

Proposed start of construction:	July 2004
Proposed completion of construction:	July 2005

PROJECT COST: \$2,997,000

ON-GOING FISCAL	Annual Operating Costs:	\$42,389
IMPACT:	2% Assessment:	\$59,940

SOURCE OF FUNDS: University of Nebraska Facilities Corporation Lease Rental Revenue Bonds

SPONSORS: Joan Giesecke
Dean of Libraries

Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 17, 2003

University of Nebraska-Lincoln (UNL)
Library Depository / Retrieval Center
Program Statement

Campus: UNL-East Campus
Date: June 30, 2003
Prepared by: UNL Facilities Planning

Phone Number: 472-3131

1. Introduction

a. Background and History

The proposed project will construct a library storage facility on the UNL East Campus for the University of Nebraska-Lincoln libraries. A depository/retrieval facility is a relatively inexpensive and quick solution to library material shelving needs. It does not address a variety of other needs such as user space, but it provides an appropriate solution for material storage.

This project was originally conceived as a larger central storage facility to service all campuses of the University of Nebraska. The UNL Academic Planning Committee approved the original Project Initiation Request in 1996 and the Board of Regents approved the project Program Statement in 1998. The project did not proceed due to a lack of State funding. The original project has been revised to address the shelving needs of the UNL Libraries with limited space for unique materials from other campuses in this initial phase.

The renovation of Love Library, completed in 2002, primarily addressed the building's heating, air conditioning and ventilation needs, but did not provide additional space to accommodate shelving for library materials.

The Library Depository/Retrieval Center will be an expandable facility with the initial phase handling the current leased off-campus storage as well as relieving overcrowding at Love and branch libraries. The high-density off-site storage approach was pioneered by Harvard University in the mid-1980s. Ohio State University, the University of Missouri, the University of Texas and the Library of Congress have used this approach.

Facilities of this type have been termed "thermos bottle" structures. That is to say, they are typically very tightly sealed and well insulated spaces within the envelope of a larger building. These structures are relatively energy efficient as they contain few doors and windows, and have "air locks" limiting the intrusion of outside air. Air quality inside such facilities is maintained by extensive air filtration systems.

b. Project Description

The proposed facility will be approximately 8,975 gross square feet in size with a high roof (approximately 35 feet) to create a large volume space for the storage of library print volumes and documents under carefully controlled environmental conditions. The actual storage area within the facility will have 4,485 square feet of floor area accommodating approximately 800,000 volumes. The stringent environmental conditions in the storage area (carefully regulated temperature and humidity conditions and filtered air supply) will minimize the deterioration of books and other documents stored in the facility.

The project will also include equipment for the proposed new facility, including heavy duty shelving, a motorized "order picker" to provide worker access to the shelved material, computer equipment for recording the location of stored materials and for monitoring building environmental conditions, and other typical office equipment such as work tables, desks, chairs, book carts, etc.

Other project components include site preparation, the extension of utilities to the building site, parking improvements, exterior lighting, sidewalks, and landscaping.

c. Purpose and Objectives

The major project goal is to provide additional space for library collections that are continuing to grow at significant rates. Within this goal are several objectives:

1. Lesser-used materials are to be shifted to a specially designed high-density library retrieval facility.
2. These materials are to be stored in preservationally sound conditions.
3. Stored materials are to be bibliographically accessible for library patrons.
4. Stored materials are to be delivered to campus locations within the University Libraries upon request.
5. Lesser-used materials are to be removed from library units within the University Libraries to reduce current overcrowded shelving conditions.
6. The proposed storage facility should provide collection growth space for the near future, but must also be planned so that additional storage modules can be added in the future.

The project is consistent with University Libraries Mission Statement goals:

- ***“Select, acquire, retain, and provide access to materials and other information resources necessary to support the teaching, research, and service missions for the present and future of the University of Nebraska-Lincoln.”***

The proposed storage facility allows for the retention and accessing of materials important to missions of the University.

- ***“Preserve library materials for the future while providing for current use, with special attention to protecting unique items and distinctive collections.”***

A key attribute of the proposed storage facility is climate-controlled storage. It will provide proper climatic conditions for the preservation of books, periodicals, and related library materials.

- ***“Provide and maintain equipment and facilities which ensure optimal conditions for accessing, housing and arranging collections, as well as for staff, users, operations, and services.”***

The proposed storage facility directly addresses this goal in that it will provide space for collections and enable the University Libraries to provide access through a variety of delivery services such as delivering the original format, fax transmission, digital delivery, etc. The proposed facility would forestall the installation of shelving and the elimination of seating in several library units.

The June 1998 Academic Program Review for the Libraries referred to space shortages, and noted that several of the branches were short of space for collections. The Academic Program Review also cited the need for additional seating within Love Library. The proposed storage

facility would remedy these problems by adding shelving at a alternate location, which would free up existing space within Love Library that can be converted into seating.

2. Justification of the Project

a. Data that supports the funding request

The UNL Libraries has a critical and immediate need for increased shelving capacity. The following table provides shelving capacity information for codex (traditional print) volumes. It must be noted that other formats such as microforms, recordings, and videotapes are not included.

A note of explanation is also needed to indicate that typical library book stacks cannot be shelved at 100% capacity. Library materials are shelved in classification order so that materials on similar subjects are shelved nearby. Room must be left on shelves to allow for the insertion of new materials in the proper sequence.

The University Libraries determine criticality of shelving needs by examining the percentage of shelving filled. When shelves are filled to 85% of capacity, it becomes increasingly difficult to shelve new materials in their proper location without constant re-shifting to create space at the needed location.

Table 1 Codex Volume Capacities

Library	Estimated 100% Volume Capacity	Volumes Held 6/30/2002	Remaining Volume Capacity	% of Capacity Filled
Architecture	42,445	44,934	*	100%
Biological Science	84,947	90,312	*	100%
Chemistry	59,757	59,894	*	100%
C.Y. Thompson	384,105	361,267	22,838	94.05 %
Engineering	144,232	125,947	18,285	87.32 %
Geology	55,621	51,050	4,571	91.78 %
Love	1,566,423	1,525,306	41,117	97.37 %
Mathematics	24,417	27,667	*	100 %
Music	56,471	53,024	3,447	93.89 %
Physics	33,921	40,575	*	100 %
Total	2,452,339	2,379,976		

* *NOTE: Volumes exceeding capacity have been moved to leased space in retrieval warehouses. These units have a limited growth capacity of 1-3 years.*

As can be seen from Table 1, all library units are at near capacity. The limited remaining

time is especially critical when one considers the lead-time necessary for planning and erecting a new depository/retrieval facility.

Although the Libraries are purchasing a greater variety of materials in electronic formats, print materials still comprise the vast majority of library acquisitions and will for the foreseeable future. There are no electronic equivalents, as yet, for most print resources. The Libraries cannot ignore print resources and must plan appropriately to navigate the period of transition until the promise of the new electronic era becomes reality.

Listed below are figures showing the annual acquisition rates for print (codex) volumes for the UNL Libraries over the past twelve years:

Table 2 UNL Libraries Print Volume Annual Acquisitions
(includes foreign and domestic acquisitions)

1990	45,143
1991	43,490
1992	46,453
1993	53,389
1994	51,523
1995	43,566
1996	48,852
1997	43,527
1998	45,787
1999	40,218
2000	42,098
2001	40,291

While the Table 2 certainly indicates significant growth, it doesn't readily depict the spatial requirements for typical book stacks. A standard double-faced shelving section with 14 three-foot long shelves holds 250 print volumes. This section requires 17.4 square feet of space including allowances for aisles.

Over the past twelve years, the number of acquisitions has averaged 45,361. However in recent years, the number of acquisitions has declined due to budget reductions. If we assume a continued modest annual growth of only 40,000 volumes, this would require 160 double-faced sections filled to 100% capacity. This is not possible in normal shelving operations. Those 160 sections would require 2,784 square feet. In other words, every year the 160 sections would require space equivalent to a large house.

The proposed Library Depository/Retrieval Center would address the immediate need for growth space by relieving shelving at Love Library and the branch libraries. It would address library collection space needs at a relatively low cost. The proposed modular concept would also allow for the inevitable, ongoing and future needs for collection storage. It is not however, a substitute for the need for additional user and instructional space as described in the plans for an addition to Love Library. The primary justification for the depository/retrieval facility is to address the collection storage and retrieval needs of the UNL Libraries.

b. Alternatives considered

The key element in developing a library storage facility is determining the square footage required for type of shelving systems utilized.

Conventional library shelving units are 90" high, 3' long, double-faced and have twelve adjustable shelves. Each of these units can shelve 250 books when filled to 85% of capacity. The floor space required for each of these units, including aisle space, is 19.5 square foot. This equates to 12.8 volumes per square foot.

Using compact library storage systems with movable aisles, the number of volumes per square foot increases to 30. The cost of these track-mounted units is substantially higher than conventional shelving systems and can be difficult to maintain fully operational.

High-density storage systems similar to the Harvard model can increase the volume capacity to 123 per square foot by sorting volumes by size and using high rack shelving. The resulting footprint for this type of building is considerably smaller than a facility utilizing conventional or movable aisle shelving. High rack utilitarian shelving systems cost considerably less than conventional library shelving.

Table 3 Comparative Cost

	Conventional Shelving	Movable Aisle (Compact)	Library Depository & Retrieval Center
Volumes per Square Foot	12.8	30	123*
Shelving Cost	\$845,000	\$3,390,000	\$430,000
Building Size (GSF)	65,088	29,355	8,975
Estimated Total Project Cost	\$10,940,000	\$8,260,000	\$2,997,000

* Square footage includes support spaces required to process volumes.

3. Location and site considerations

- a. County: Lancaster
- b. Town or campus: UNL East Campus
- c. Proposed site:

Figure 1 East Campus Site Location

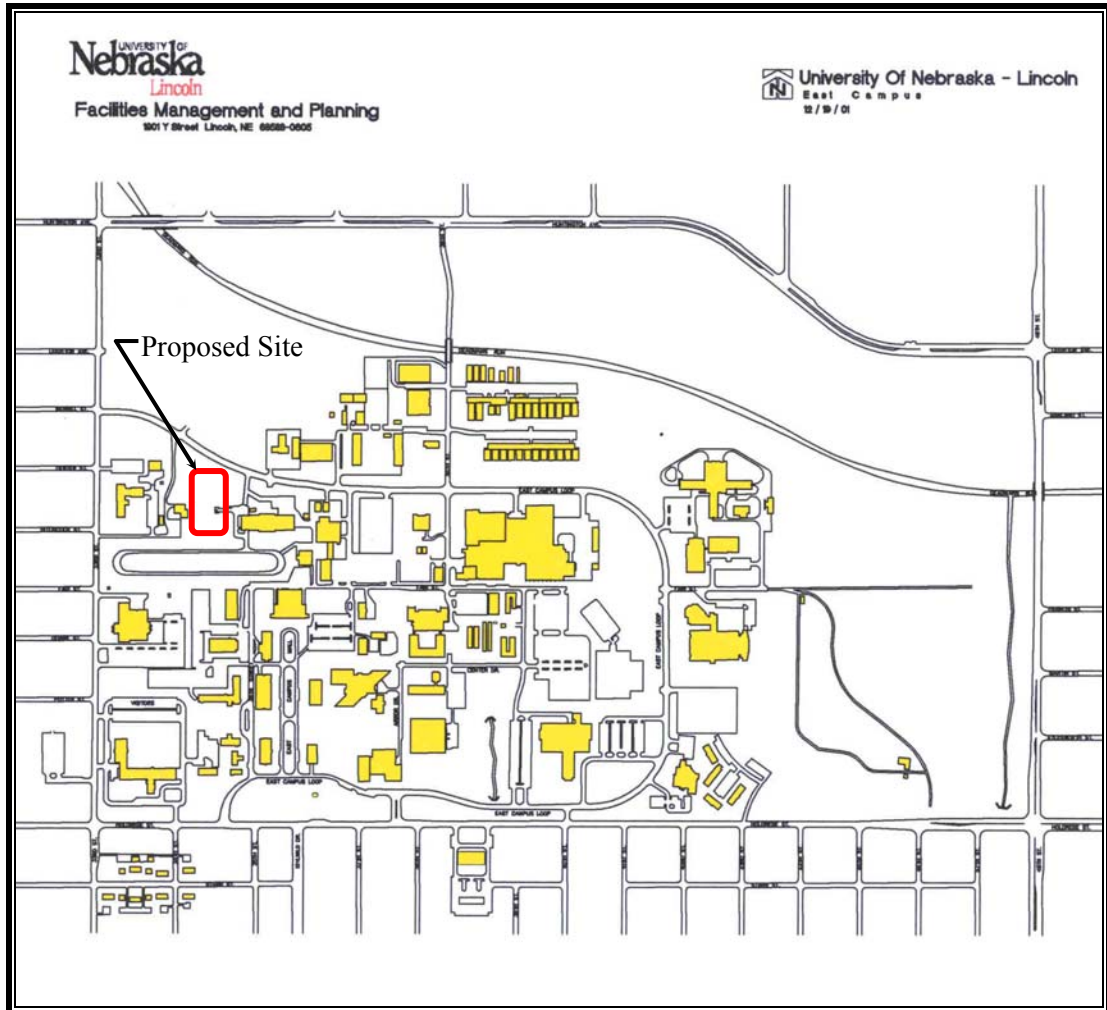
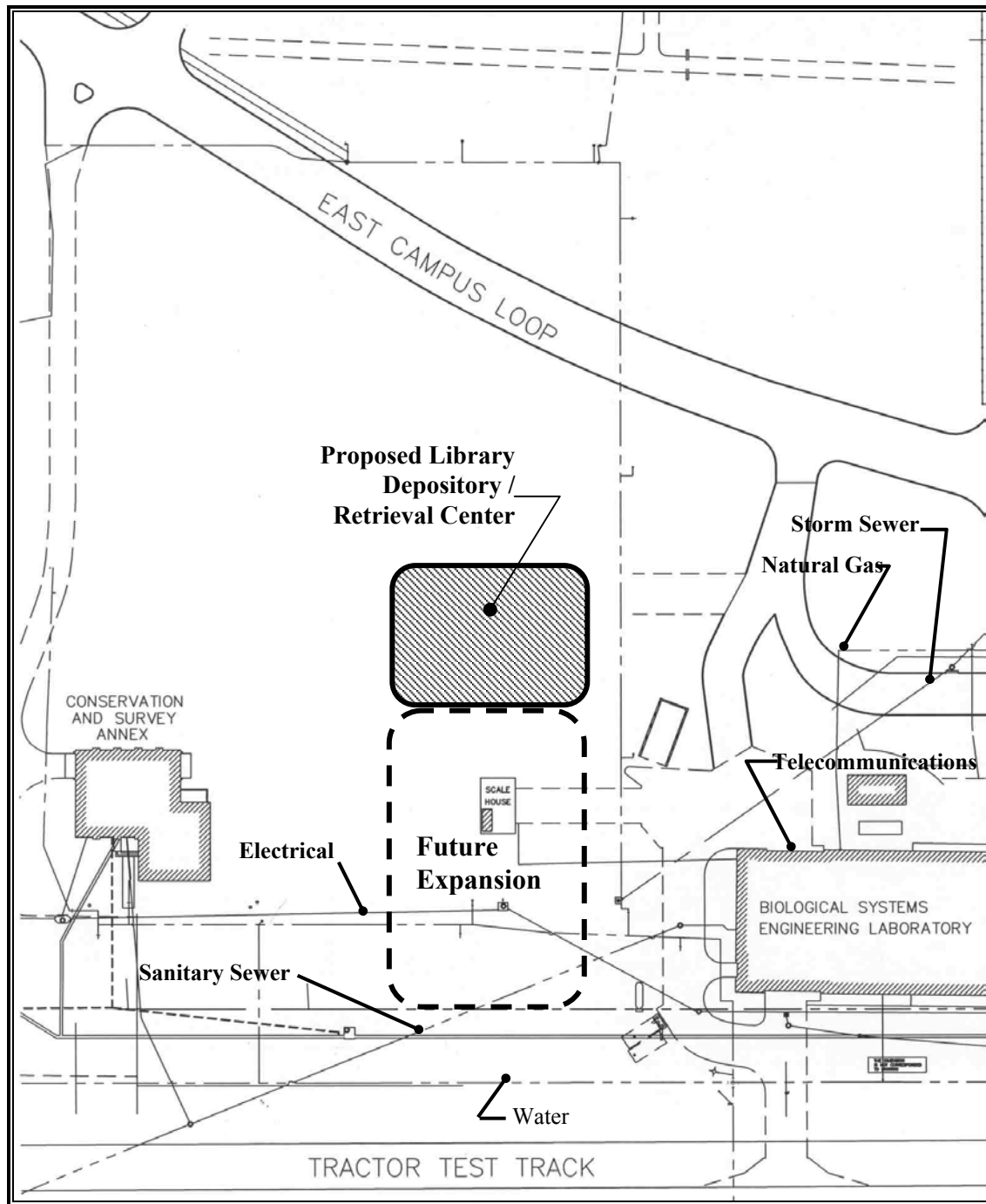


Figure 2 Proposed Site



- d. Statewide building inventory: New building number to be assigned upon completion of construction.

e. Influence of project on existing site conditions

(1) Relationship to neighbors and environment:

The proposed location of the facility is on the UNL East Campus, east of the Conservation and Survey Annex building, south of the East Campus Loop Road and west of the Biological Systems Engineering Laboratory. The Tractor Test Track is located to the south. This site is away from the core of East Campus, accessible from major streets and is ideal for a service facility such as this.

A portion of the proposed site is currently being used as a Landscape Services nursery. The plant materials in the nursery are primarily large yews that can be moved to other locations. Funds have been included in the project budget for this relocation if required. Existing trees along the Loop Road will be retained.

(2) Utilities:

Utilities that must be brought to the proposed facility as part of the project include natural gas, electric power, domestic water, sanitary sewer, University telephone and data service, and storm sewer if the latter is required for building or site drainage. The approximate location of these utilities is shown on Figure 2. University steam and chilled water will not be brought to the project at this time.

(3) Parking and circulation:

The facility may be accessed directly from East Campus Loop Road or from another service road off of East Campus Loop Road. The cost of providing a paved access road to the storage facility will be part of the project. A paved sidewalk to the main building entrance will be provided from the parking lot. A small concrete slab will be provided outside of the emergency exit from the storage facility. A paved apron at the loading dock, which may be combined with a paved parking lot for not less than five vehicles, will also be part of the project.

4. Comprehensive plan compliance

a. University of Nebraska Strategic Framework

The project complies with the objectives of the University of Nebraska Strategic Framework 2000-2004, adopted by the Board of Regents, February 26, 2000:

- *“Enhance the business and administrative operations of the University to support, serve and enhance the learning, research and outreach goals of the University.”*

b. Strategic Agenda of UNL

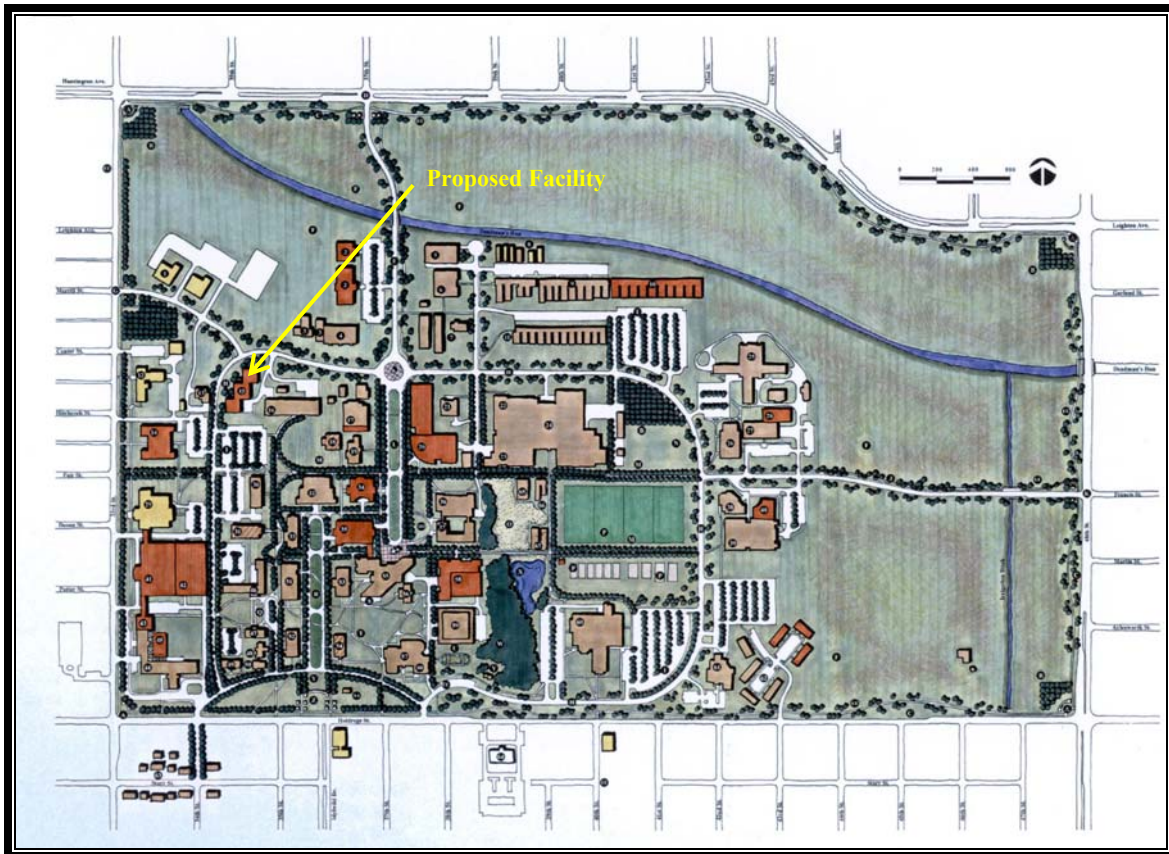
The project complies with the following objectives of UNL Strategic Agenda, included in the Campus Master Plan for UNL approved by the Board of Regents, December 1998:

- *“Continue to support the development of the campus environment as a place that combines beauty with function. Recognize the contribution a well planned and maintained campus will have on our ability to recruit and retain high quality students, faculty and staff.”*
- *“Ensure compliance with federal and state standards of accessibility, environmental quality and work place safety in all UNL operations.”*

c. Campus Master Plan for UNL

The project is specifically identified in the 1998 Campus Master Plan (refer to Figure 3). The project and proposed site remain consistent with the concepts and intent of the document.

Figure 3 1998 UNL East Campus Master Plan



d. Campus Design Guidelines for UNL

The design of the building should refer to the concepts and intent for the Northwest Sector and the South Central Sector of the East Campus Design Guidelines. The overall height of new construction should not exceed three stories or 45 feet from grade. Color of materials used in construction should be consistent with the context of the sectors.

5. Analysis of existing facilities

- a. Functions/purpose of existing programs as they relate to the proposed project: Not applicable
- b. Square footage of existing areas: Not applicable
- c. Physical deficiencies:
Key information concerning the lack of available shelf space in the University Libraries was presented earlier in this document. It is impossible to overstate the criticality of the lack of shelving capacity. Including the warehouse space leased off campus, the library shelves are now more than 97% full, substantially exceeding common standards and the 85% capacity mark the University Libraries consider critical.

The University Libraries can currently seat 1,622 students, faculty, staff, and other users

at any one time. With a student head count of approximately 23,000, a faculty of about 1,500, and a staff of approximately 3,400, it becomes very apparent that the University Libraries has seating space for less than 6% of its prime users. This does not consider other common users of University Libraries such as students and faculty from nearby academic institutions, citizens of Nebraska, or area high school students.

A common physical deficiency of many University Libraries is that floor load limits will not support more shelving units (or higher density shelving units) that might otherwise increase storage capacity. Another equally common deficiency, part of which was corrected when Love Library was renovated, is inadequate environmental conditions for the preservation of library collections. This problem still exists in varying degrees at the branch libraries.

The proposed storage facility will enable the University Libraries to reduce the number of items on a typical shelf in any of the library facilities. While it will generally not free large amounts of space to be used for other purposes, it may permit the removal or relocation of a section or two of shelving (approximately 17 square feet each) to improve circulation patterns, accessibility or add reader stations.

d. Programmatic deficiencies: Not applicable

6. Facility requirements and the impact of the proposed project

a. Functions/purpose of the proposed program

(1) Activity identification and analysis

Table 3: Space Analysis

Space Identification Code	Space Name	Space-Use Category Number	Number of Spaces	Net Assignable Square Feet Each	Total Assignable Net Square Feet
1.01	Shipping & Receiving	440	1	490	490
1.02	Main Work Area	440	1	1,242	1,242
1.03	Office Area	310	1	96	96
1.04	Meeting / Break Area	315	1	88	88
1.05	Air Lock / Charging Room	440	1	268	268
1.06	Document Storage Room	420	1	4,485	4,485
	Total Net Assignable Square Feet				6,669
	Non-Assignable Spaces				
1.07	Men's Restroom	XXX	1	45	45
1.08	Women's Restroom	XXX	1	45	45
1.09	Custodial Room	XXX	1	80	80

1.10	Telecommunications room	XXX	1	70	70
2.01	Mechanical Room Mezzanine	YYY	1	1,200	1,200
	Non-Assignable Net Square Feet				1,440
	Estimated Gross Square Feet				8,975
	Assignable Net / Gross Ratio				74%
	Total Net / Gross Ratio				90%

Table 4: Room Use Category Summary

Category	Room Use	NASF
100	Classroom Facilities	0
200	Laboratory Facilities	0
300	Office Facilities	184
400	Study Facilities (430-Library Stack)	6,485
600	General Use Facilities	0
700	Supporting Facilities	0
	Total Net Assignable Square Feet	6,669

(2) Projected occupancy/use levels

Table 5: Existing and Projected Personnel Data

	Existing Adjusted Head Count	Five -Year Projected Adjusted Head Count
Academic / Administrative	0	0
Managerial / Professional	0	0
Office / Service	2	2
Student	0	0
Total	2	2

Two FTE Office/Service staff will be moved from the branch operations and will operate the Library Depository/Retrieval Center. With two staff at the facility, the Libraries will be able to provide 24-hour turn around time on materials in storage as well as emergency pick-up service if needed. This staffing level is typical at similar storage facilities in Ohio and Texas. Three factors support this staffing level. First, the workload in such a facility is considerable. Incoming materials must be cleaned,

sorted by size, weighed, bar coded, entered into the computer data base and placed in storage trays. Once these processes have occurred, the materials must be shelved, then retrieved and returned to a library upon request. In some instances, the document may be photocopied and faxed or digitized rather than delivered. The second factor is one of staff safety. While the storage and retrieval operations in the facility are designed with safety in mind, having at least two staff members on the premises at all times is an additional safeguard in the event of a malfunction of the order picker equipment or other such event. The third factor is the delivery of materials by van. The library currently has a driver on staff for delivery and returns that will be used to support this facility.

Other staff in the Chemistry, Biology, and Physics libraries will be moved to positions elsewhere in UNL Libraries, if funding permits, to assist with document delivery, technical support, and patron services as needed.

An additional benefit will be the elimination of the constant shifting of library collections to have space to shelve new materials. Student hours now devoted to shifting collections can be redirected to improving shelving and providing better collection management in the libraries.

Other personnel impacts will include typical custodial and maintenance services. Security services will be needed in terms of routine checks on the facility.

b. Space requirements:

(1) Square footage by individual area and or function

Refer to Table 3 Space Analysis

(2) Basis for square footage/planning parameters:

- Information provided by the University of Texas at Austin regarding their Library Storage Facility
- "Library Off-Site Shelving: Guide for High-Density Facilities" Danuta A Nitecki and Curtis L Kendrick, editors, published by Libraries Unlimited Inc., 2002

(3) Square footage difference between existing and proposed areas: Not applicable.

c. Existing space:

The proposal is to close the Chemistry, Biology, and Physics branch libraries and move the current science materials to Love Library. Lesser-used materials in all disciplines could be moved to the storage facility. Materials in storage will be accessible to the University community, and will be listed in the Libraries online catalog. The University would no longer lease warehouse space for library storage. Materials in the two warehouses now leased for the Libraries would be moved to the new Storage facility. The Libraries would have one Storage facility and would no longer have to manage two warehouses and storage annexes in Chemistry and Biological Sciences. Consolidating storage in one secure, staffed location will result in increased efficiencies in the Libraries, and provide better control and security for the collections.

Recognizing that it is most convenient for patrons to have discipline materials together, the Library is proposing to create a major science collection in Love South, concentrating social science and humanities materials in Love North. Love South can

hold approximately 250,000 volumes in 6 stacks levels: B, BA, 1, 1A, 2, and 2A. The three science branches now hold approximately 190,000 volumes. The Government Documents collection will remain in stacks levels 3 and 3A. Older, lesser-used materials in the sciences, social sciences and humanities will be moved to the storage facility.

The Libraries propose to leave the current periodicals on the 1st floor of Love South. Social Science and Humanities titles will be on one side of the room, science materials on the other side. Because the Libraries are decreasing the number of subscriptions they have and changing some paper subscriptions to electronic-only access, the print periodicals for all 3 major areas can fit in the Current Periodicals room. The Libraries will also retain the Pepsi vending area so students will continue to have a place to eat and drink in the Libraries.

It is recognized that this proposal will inconvenience the faculty in the affected areas. Having a library in the same building as faculty offices makes it more convenient to access the print collection. To offset some of the inconvenience, the Libraries are able to offer longer hours of service including reference services at Love Library so students have more access to the collections. Further, faculty and students from East Campus in these disciplines who do not have ready access to Manter and Hamilton Hall would have access to the materials in Love Library. Love Library will provide daily delivery service to the science buildings for faculty who need print based materials. Increasingly periodical literature in the sciences is available in electronic form and the libraries will continue to pursue expanding electronic access so faculty and students can access these items 24 hours a day, 7 days a week.

Withdrawing older, lesser-used materials is not a viable alternative to the depository/retrieval facility. The Libraries collection is a relatively current collection where over 61% of the 2.5 million volumes have a copyright date between 1970 and the present. Approximately 23% of the titles have copyright dates between 1910 and 1969. The Libraries would have to withdraw over 80% of the collection of materials from the first half of the 20th century to gain enough shelf space to house the materials the Libraries will purchase over the next 5 years. Further, the major portion of the material from the first half of the 20th century support research in the humanities and social science rather than in the basic science. These materials are crucial for doing research in a wide range of disciplines.

7. Equipment Requirements

a. List of available equipment for reuse:

Some of the office furniture and equipment currently located in the branches will be reused when possible. A detailed list of existing furniture and equipment to be reused will be developed during the design phase and may include the following items:

- Photocopier
- Office computer with monitor and printer
- Office desk and chairs
- Fax machine
- Scanner
- File cabinets
- Work tables (6 tables 72" long x 48" wide x 29" high)
- Break room table and chairs

- Wall mounted shelving (10 sections, 36" wide x 12" d x 66" high)
- b. Additional equipment
- (1) Fixed equipment: A detailed list will be available during the design phase of the project. Major fixed equipment will include the high rack shelving system and the dock leveler. Fixed equipment costs are included in the Construction cost category.
 - (2) Movable equipment: A detailed list will be available during the design phase of the project. Major movable equipment will include custom order picker carts, book movers, document trays and boxes.
 - (3) Special or technical equipment: computer/scanner equipment, battery-powered high-lift order picker with worker platform charger and floor rails.

8. Special Design Considerations

a. Construction Type:

The proposed building is conceived as an efficient, cost-effective way of creating suitable storage space for books and other documents that must be accessed only infrequently. The document storage area (room) within the facility will be the model of storage efficiency, using very tall shelving (perhaps 30') accessed by staff from a motorized (battery-powered) "order picker" not unlike a fork lift with an attached platform (approximately 40" x 80") to accommodate worker, task lighting, and bar code scanner (to locate the desired document). The shelving will be a nominal 3' deep to accommodate "trays" of books. The trays are typically 18" long, so that they may be shelved two deep. The shelving may be in units of varying strength, depending upon the anticipated weight of materials to be stored (storage will be by size of document and not by call number). Vertical shelf spacing will therefore vary, and will be planned to accommodate collection requirements.

Shelving units will be one row deep along both sides of an access aisle. Aisles will be approximately 54" (4'-6") in width, so that a "unit" composed of aisle and facing shelving units will be 10'-6" in width. Aisles will have rails or "guides" on the floor and "nosings" at the entry ends to prevent the mechanized order picker from contacting the shelving.

The storage area must have a concrete "super flat" or "very flat" floor to minimize tilt or movement in the order picker at full extension. Floors of this type are a specialized construction requirement. Concrete floors also must be fully cured to prevent dust, and curing or sealing agents must not be used which would produce off gassing deleterious to the stored collection. The concrete floors must be designed to carry the very heavy loads imposed by the fully loaded shelving without cracking or settlement. At the University of Texas facility, the concrete floor slabs were post-tensioned for added strength.

Lighting in the storage room may be relatively low level, approximately 10-15 foot-candles at full illumination. Task lighting is typically provided on the order picker for the illumination of shelf faces and shelved materials. Lighting in the storage area should be off when the room is not staffed.

The building will have no doors or windows in the storage area, except those required for access by workers, equipment, and for emergency exiting. No roof penetrations will be permitted in the storage area, and wall penetrations must be minimal and well sealed (gasketed exit doors, etc.). Passage between the work area and the storage room will be via an "air lock" to minimize the intrusion of outside air.

The office/work area should be well lighted and cheerfully decorated to provide relief from working conditions in the storage room (rather dark, cool, and dry).

The office and work area may have some window area for worker benefit. In addition to providing work space for receiving, cleaning, sorting, coding, and repairing books, facilities will be provided for restrooms, a staff training and break room, a small private office, telecommunication room and a custodial room. A shipping and receiving room and dock is required for the loading and unloading of shipments between the storage facility and various campus libraries. Shipments will be generally by van, although large shipments may occasionally arrive or depart by a larger truck. A location for the recharging of batteries for the order picker is required outside of the storage room and may be provided in the air lock and charging room with proper ventilation.

A variety of building materials may be suitable for the main building structure and exterior skin. Similar buildings elsewhere have been constructed with steel frame and tilt-up concrete panels using a standing seam, pitched metal roof, as well as with concrete block and brick veneer walls, steel frame and bar joists, concrete roof deck and built-up roofing. The proposed building location and adjacent building materials provide a wide latitude of choice of exterior building materials, but materials selected should be in appropriate context with adjacent buildings, campus plans for the project environs and UNL Campus Design Guidelines. The UNL Aesthetic Review Committee has suggested that the Biological Systems Engineering Lab just east of the project site may provide a suitable design and color theme for the proposed project.

Construction will comply with UNL Design Guidelines for Facilities Construction and all applicable building codes and life safety codes.

b. Heating and cooling systems:

Mechanical requirements and considerations are of paramount importance to the proper functioning of the proposed facility. Although the facility is to be designed as a super efficient storage and processing facility, stringent interior environmental control is what makes the facility appropriate for the long term storage and preservation of valuable library collections. Other possible harm to the collection from fire, water damage, excessive light, gases or air pollutants must also be prevented. The potential for storm damage to the building and resulting harm to the collection also must be considered in building design.

Environmental conditions in the main storage room must be held to very closely controlled limits. Within the space, temperature can not vary more than 3° (plus or minus) or the humidity vary more than 3 % (plus or minus) at any given time. The range of interior temperature may vary from 50° in winter to 70° in summer, and humidity from 40% in winter to 60% in summer, although the allowable rates of change between these extremes must be very slow. The maximum changes are limited to 9° of temperature and 5% of humidity per month. These operational parameters are very

different from some depository facilities that try to maintain constant temperature and humidity conditions over the entire 12-month seasonal cycle and should be more economical and energy efficient. An environmental control system is required which gradually changes the daily set points by minute incremental amounts within the allowable ranges. Computer monitoring of the interior and exterior climate is required with tracking of 24-hour histories monitored on an hourly or more frequent basis. Such records will reveal when "fine tuning" of the HVAC system may be required. Temperature and humidity sensors are typically placed at numerous locations to provide monitoring of conditions throughout the facility. Computer monitoring will be done on-site as well as at the UNL Building Systems Maintenance department.

As previously noted, the storage space will need to be super insulated and thoroughly sealed from air and moisture infiltration. Similar structures constructed elsewhere have been designed to achieve two or more times the insulation value, six times the air tightness, and fifteen times the vapor barrier of a more conventional building. In such an airtight building, only small amounts of outside air need to be drawn in, heated or cooled, humidified or dehumidified and filtered to maintain positive internal air pressure to resist the outside environment.

The low volume of fresh air required in such a facility makes high-level air filtration feasible to remove particulates and damaging gases such as NOX, SO₂, ozone, and formaldehyde. The same air filtering system constantly improves internal air quality during periods of heating, cooling, or air circulation to prevent stratification. All coatings and materials in the building should be carefully selected to prevent "off-gassing" potential.

To prevent the existence of microclimates and temperature stratification within the storage space, air rotation must be provided around each shelving stack (including stacks along exterior walls). In similar facilities, the outermost row of shelving is held approximately one foot from the wall, and the lowest shelves are several inches above the floor, and air rotations of 3 to 6 times per hour are common. In a library storage facility at Ohio State University, air delivery is at the top of stacks and return at the bottom. At the University of Texas at Austin, air delivery is above the stacks in the aisles, and return is at one interior wall location near the mechanical room.

- c. Life Safety/ADA:
The proposed facility shall be fully accessible under the terms of the Americans with Disabilities Act and shall be designed to meet all applicable life safety code requirements.
- d. Historic or architectural significance: The project will not impact any known site of structure of historic significance.
- e. Artwork: 1% of the construction budget will not be allocated for the acquisition of works of arts. The 1% for Artwork policy applies only to university buildings open to the public and excludes warehouses and buildings of similar nature.
- f. Phasing: No phasing of work is anticipated.
- g. Future expansion: The proposed site will allow space for future expansion (refer to Figure 2 Proposed Site). Future expansion may require relocation of the freestanding

Hydraulics Testing facility directly west of the Biological System Engineering Laboratory.

9. Project budget and fiscal impact

a. Cost estimates criteria

- (1) The estimated probable costs of the project were developed based on past comparative construction cost data for UNL projects and from cost data received from other institutions that have constructed similar facilities.
- (2) The estimate was prepared in November 2002 and was escalated at 5% per year to a mid-point of construction date of November 2004.
- (3) Gross square feet: 8,975 GSF
Net Assignable Square Feet: 6,669 NASF
- (4) Total project cost per gross square foot: \$334
- (5) Construction cost per gross square foot: \$256

b. Total Project Cost

1 PROBABLE CONSTRUCTION COSTS

a) General:	23%	\$404,000	
b) Mechanical:	29%	\$504,000	
1) Energy Management System Controls	4%	\$69,000	
c) Electrical:	18%	\$320,000	
1) Card Access System	1%	\$17,000	
d) Fixed Equipment:	25%	\$440,000	
Subtotal (1a..1d) ----->	100%	\$1,754,000	
e) Asbestos Abatement		\$0	
f) Environmental Issues (Lead, IAQ, Etc)		\$0	
g) Elevator		\$0	
h) Utilities (beyond 5'line):		\$251,000	
Subtotal (1a..1h) ----->		\$2,005,000	
i) Site Work			
1) Parking		\$5,000	
1a) Parking Replacement Cost		\$0	
2) Drives, Roads and Walks		\$33,000	
3) Landscaping		\$31,000	
3a) Landscaping Equipment		\$8,000	
4) Demolition, Site Prep.		\$11,000	
Subtotal (i) ----->		\$88,000	
j) Contingency:		\$209,000	
Total: (1a..1j) ----->>			\$2,302,000

2 PROBABLE PROFESSIONAL FEES

a) Architect/Engineer Basic Service Fee:	\$161,000	
b) UNL Services:	\$69,000	
Total: (2a.2b) ----->>		\$230,000

3	<u>MOVABLE EQUIPMENT</u>	\$153,000
4	<u>SPECIAL AND TECHNICAL EQUIPMENT</u>	\$128,000
5	<u>LAND ACQUISITION</u>	\$0
6	<u>ARTWORK</u>	\$0
CODE REVIEWS, TESTING & MISC.		
7	EXPENSES	
	a) Insurance: <i>Standard Insurance</i>	\$1,000
	b) State Fire Marshal Plan Review	\$0
	c) Handicap Accessibility Review	\$0
	d) Moving and Relocation Costs	\$102,000
	e) Keying of doors	\$1,000
	f) Interior Signage	\$2,000
	g) Telecommunications	\$2,000
	h) Additional Services (Surveying, Testing, Specialty Consulting, UBC Inspection. Fee, Estimating Consultant, Project Review Board, etc.)	\$54,000
	i) Printing, Advertising & Mailing	\$14,000
	j) Other Costs (Set-up, Clean-up & Etc.)	\$8,000
	Total: (7a.7j) ----->>	\$184,000

PROBABLE TOTAL PROJECT COSTS: \$2,997,000

Construction Cost	\$2,302,000
Non-Construction Cost	\$695,000
Total Project Cost	\$2,997,000

- c. Fiscal Impact based upon first full year of operation
- (1) Estimated additional operational and maintenance costs per year: \$42,389
 - (2) Estimated additional programmatic costs per year: None
 - (3) Applicable building renewal assessment charges: \$59,940

10. Funding

- a. Total funds required: \$2,997,000
- b. Project Funding Source:
The proposed source of funding is University of Nebraska Facilities Corporation Bonds.

c. Fiscal year expenditures for project duration:	
2002-2003	\$70,000
2003-2004	\$225,000
2004-2005	\$2,702,000
Total Expenditures	\$2,997,000

11. Time line

a. Program Statement Board of Regents Approval:	August 2003
b. Professional consultants selected: 4 year A/E firm,	August 2003
c. Design Development documents:	December 2003
d. Receive bids for construction:	June 2004
e. Award of contract and start of construction:	July 2004
f. Substantial completion of and occupancy of building:	July 2005

12. Higher Education Supplement

- a. CCPE review will not be required.
- b. Method of contracting
The project will be contracted as a competitively bid project awarded to the lowest responsible prime general contractor. It is anticipated that the bid climate will be favorable. Recently competitively bid projects at UNL and elsewhere have been coming in below the estimated cost for construction. This can be attributed to fewer projects being built and increased competition for construction work.

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Library Depository/Retrieval Center Project Financing at the University of Nebraska-Lincoln (UNL)

RECOMMENDED ACTION: Approve the attached Resolution for the Library Depository/Retrieval Center Project. The resolution includes: (1) approving and authorizing the execution and delivery of a Site Lease, a Lease-Purchase Agreement, a Continuing Disclosure Agreement, and a Tax Compliance Agreement in connection with the issuance of not to exceed \$3.6 million principal amount of The University of Nebraska Facilities Corporation Lease Rental Revenue Bonds, Series 2003 (University of Nebraska-Lincoln Library Project), (2) authorizing the sale of such Revenue Bonds, Series 2003, at a negotiated sale, a Bond Purchase Agreement, an Inducement Letter and the Preliminary Official Statement and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average interest rate of 5.50%), principal amounts, principal maturities and redemption provisions of such Revenue Bonds, Series 2003, and (3) approving the preparation and use of a final Official Statement.

PREVIOUS ACTION: None.

EXPLANATION: This project will construct a library storage facility on the UNL East Campus for the University of Nebraska-Lincoln libraries. The facility will provide storage and retrieval of materials currently stored at leased off-campus sites, enable three branch libraries to close, consolidate current collections, and allow the UNL Libraries to operate more efficiently. Discontinuing off-campus site rentals and closing three branch libraries will provide sufficient funds to 1) fully service the annual bond payments, 2) pay storage facility operational costs, and 3) provide a projected average annual budgetary savings of \$416,000 over the life of the bonds.

The University of Nebraska Facilities Corporation (UNFC) bonds funding the project will be issued with a 20-year maturity schedule that, at today's interest rates (approximately 4.75%), would result in a lease payment to UNFC of approximately \$250,000 per year. Indirect cost funds will be utilized by UNL to provide payments to the Facilities Corporation on the underlying lease.

Members of the public and the news media may obtain a copy of the proposed resolution in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

SPONSOR:

Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVALS:

Harvey Perlman, Chancellor
University of Nebraska-Lincoln

David E. Lechner
Vice President for Business & Finance

DATE:

July 17, 2003

RESOLUTION

I.

BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA (the "Board") that (a) the Site Lease (the "Site Lease") by and between the Board, as lessor, and The University of Nebraska Facilities Corporation ("UNFC"), as lessee, dated as of such date as shall be determined jointly by the Vice President for Business and Finance and the President of UNFC, in the form attached hereto as **Exhibit "A"** and made a part hereof by reference, and (b) the Lease-Purchase Agreement (the "Lease Agreement") by and between the Board, as lessee, and UNFC, as lessor, dated as of such date as shall be determined jointly by the Vice President for Business and Finance and the President of UNFC, in the form attached hereto as **Exhibit "B"** and made a part hereof by reference, each with respect to constructing, acquiring, equipping and furnishing a library storage facility on the East Campus of the University of Nebraska-Lincoln (the "2003 UNL Library Project") for the use of the Board, which Site Lease and Lease Agreement are hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

II.

BE IT FURTHER RESOLVED BY THE BOARD that, for the purpose of providing funds to pay the costs of the 2003 UNL Library Project, the issuance, sale and delivery by UNFC of its Lease Rental Revenue Bonds, Series 2003 (University of Nebraska-Lincoln Library Project) in the principal amount of not to exceed \$3,600,000 dated such date as shall be determined jointly by the Vice President for Business and Finance and the President of UNFC (the "Bonds"), pursuant to the Trust Indenture between UNFC and a financial institution having trust powers selected jointly by the Vice President for Business and Finance and the President of UNFC (the "Trustee") dated as of such date as shall be determined jointly by the Vice President for Business and Finance and the President of UNFC, a copy of which is attached hereto as **Exhibit "C,"** the terms of which are hereby approved, adopted, ratified and affirmed, together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall

approve as being in the best interests of the Board and the University of Nebraska, is hereby approved, adopted, ratified and affirmed.

III.

BE IT FURTHER RESOLVED BY THE BOARD that (a) the Continuing Disclosure Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board by and between the Board and the Trustee to satisfy the requirements of Rule 15c2-12 of the Securities and Exchange Commission with respect to the Bonds in the form attached hereto as **Exhibit “D”** and made a part hereof by reference, and (b) the Tax Compliance Agreement dated as of such date as shall be determined jointly by the Vice President for Business and Finance on behalf of the Board and the President of UNFC by and among the Board, UNFC and the Trustee to satisfy the requirements the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder with respect to the Bonds in the form attached hereto as **Exhibit “E”** and made a part hereof by reference, are each hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications and the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

IV.

BE IT FURTHER RESOLVED BY THE BOARD that the Vice President for Business and Finance is hereby authorized and directed to approve the sale of the Bonds on behalf of the Board at a negotiated sale at an average interest rate not to exceed five and one-half percent (5.50%) to Ameritas Investment Corp. pursuant to (1) a Bond Purchase Agreement between UNFC and Ameritas Investment Corp., as the underwriter thereof and (2) an Inducement Letter of the Board, each dated as of such date as shall be determined jointly by the Vice President for Business and Finance and the President of UNFC, in the respective forms presented to the Board as **Exhibit “F”** and **“Exhibit “G”**, respectively, and made a part hereof by this reference, which Bond Purchase Agreement and Inducement Letter are hereby adopted, ratified, affirmed and approved, together with such changes or modifications as the Chair of this Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of

Nebraska. The Vice President for Business and Finance, on behalf of the Board, is hereby authorized and directed to approve the principal amount of Bonds to be issued and the principal maturities, interest rates and redemption provisions thereof and to take all necessary actions and execute all necessary documents to effect the sale of the Bonds.

V.

BE IT FURTHER RESOLVED BY THE BOARD that the Preliminary Official Statement of UNFC with respect to the Bonds, dated as of such date as shall be determined jointly by the Vice President for Business and Finance and the President of UNFC, in the form presented to the Board as **Exhibit “H”**, together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska, and the final Official Statement to be dated as of the date of sale with respect to the UNL Student Fees and Facilities Revenue Bonds, which final Official Statement shall include the terms of the Bonds, are hereby approved and authorized for delivery to the purchasers of the Bonds.

VI.

BE IT FURTHER RESOLVED BY THE BOARD that the members and officers of this Board and the officials of the University of Nebraska, or any of them, be, and they hereby are, and each of them hereby is, authorized and directed to take any and all action including the execution of all papers, certificates, receipts and documents, they or any of them may deem necessary or desirable to effectuate, in accordance with the terms of the Resolutions pertaining thereto adopted at this meeting, the delivery and payment for the Bonds.

VII.

BE IT FURTHER RESOLVED BY THE BOARD that all actions heretofore taken for or on behalf of, or in the name of the Board, by any of the members or officers thereof or by any officers of the University of Nebraska with respect to the authorization or offering for sale of Bonds are hereby validated, ratified and confirmed.

TO: The Board of Regents
 Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Program Statement for the Renovation of the University of Nebraska-Lincoln (UNL) Harper/Schramm/Smith Residence Halls

RECOMMENDED ACTION: Approve the Program Statement for the Renovation of the UNL Harper/Schramm/Smith Residence Halls

PREVIOUS ACTION: March 1, 2003 - The Board approved the University of Nebraska-Lincoln Residence Hall Room and Board Rates for the Academic Year 2003-2004 through 2007-2008. Also the University Housing Master Plan was presented to the Board at this meeting.

EXPLANATION: This project involves the renovation of three residence halls in the Harper/Schramm/Smith Housing Complex. The project will replace the heating, ventilation and air conditioning (HVAC) system including the main pipes in each building, risers to the rooms, and the heating and cooling in each room.

Each residential floor will be modified to include newly refurbished bathrooms, enhanced lounges, study areas, and laundries. The first floor of each building will be remodeled to include new entry vestibules, new service desks, new conference rooms, gaming areas, bathrooms, waste recycling areas, and vending areas.

Proposed start of construction: January 2004
 Proposed completion of construction: August 2005

PROJECT COST: \$24,302,000

ON-GOING FISCAL IMPACT: Annual Operating Costs (included in the FY 04 Budget) 2% Assessment No Increase None

SOURCE OF FUNDS: Revenue Bonds

SPONSORS: James V. Griesen
 Vice Chancellor for Student Affairs

Christine A. Jackson
 Vice Chancellor for Business & Finance

APPROVAL: _____
 Harvey Perlman, Chancellor
 University of Nebraska-Lincoln

DATE: July 17, 2003

University of Nebraska-Lincoln (UNL)
Renovation of Harper/Schramm/Smith Residence Halls
Program Statement

Campus: UNL-City Campus
Date: July 1, 2003
Prepared by: Ryan Companies
UNL Division of Housing
UNL Facilities Planning & Construction Phone Number: 472-3131

1. Introduction

a. Background and History

Completed in 1967-1969, the Harper, Schramm, and Smith (HSS) Residence Halls have been occupied as student residences on the University of Nebraska-Lincoln (UNL) campus for over 35 years. While the buildings have been well maintained over those years, much of the mechanical/electrical infrastructure is at the end of normal life expectancy and needs to be replaced.

In addition to the aging infrastructure, HSS Residence Halls do not provide many of the amenities demanded by today's students, including more privacy, convenient laundry facilities, and more attractive common areas.

The UNL Division of University Housing commissioned a housing master plan to address issues of renovating and upgrading the existing housing stock as well as providing new facilities. This plan was presented to the Board of Regents in March 2003. This project is the first in a series of renovations to the existing residence halls on campus.

b. Project Description

The project involves the renovation of three residence halls in the HSS Housing Complex. The floor plans of the buildings, for all practical purposes, are identical. The project will replace the heating, ventilation and air conditioning (HVAC) system including the main pipes in each building, risers to the rooms, and the heating and cooling in each room.

The project will provide the necessary upgrades to each building's electrical system required to support the increase in laundries and enhanced lounges, lighting and mechanical systems. New primary electrical distribution will be installed as part of the electrical system upgrade.

In addition to the mechanical and electrical system modifications, each residential floor will be modified to include newly refurbished bathrooms, a lounge, laundry, and study areas. Two student rooms will be removed from service to be converted to floor lounge space allowing for natural light on each floor in public spaces. The center core of the floor will be renovated to accommodate the remaining areas. The project will provide new or refurbished furniture and window coverings in each student room.

The first floor of each of the buildings will be remodeled to include new entry vestibules, new service desks, new conference rooms and multi-purpose spaces, fireplaces, study lounges, computer rooms, gaming areas, bathrooms, waste recycling, and a vending area.

c. Purpose and Objectives

The purpose of the project is to provide safe, affordable, on-campus housing that is attractive to students and conducive to learning and community building. On-campus housing is correlated with higher graduation rates and higher grade point averages for both freshmen and upper division students. Attractive student housing of the appropriate type is a vital factor in the recruitment and retention of students.

The objectives of the project are as follows:

- Replace the worn-out mechanical and electrical systems
- Reduce operating and maintenance costs
- Meet building code and life safety code requirements
- Provide more privacy for residents
- Improve common spaces to make the living and social environments more contemporary and appealing
- Improve residential room furnishings

2. Justification of the Project

a. Data that supports the funding request

The mechanical and electrical infrastructure of the three buildings is failing. University Housing has needed to make several emergency repairs in the HVAC system to keep it in operation.

The rest of the building is in relatively good condition but lacks the amenities that attract contemporary students. Some of the problems with the existing building are as follows:

- Lack of privacy in bathroom areas
- Inconvenient location of the laundry facilities (in the basement)
- Lack of study and social areas on each floor
- Outmoded and unattractive social and academic support services on the first floor
- Poor lighting
- Outdated/inflexible residential room furnishings

b. Alternatives considered

Option 1 - Demolish the existing residence halls and replace them with new facilities.

The HSS buildings are structurally sound and can continue to be used with systems upgrades. There are few sites available for new housing on City Campus, and these are needed to provide the apartment style housing demanded by students today.

There are serious drawbacks to demolishing the existing structures and replacing them with new buildings on the same site. This option would require the demolition of the existing halls (either all at once or in phases) and construction of replacements.

Because of the existing demand for on-campus housing, University Housing cannot take the existing beds off-line during the two or more years that would be necessary to demolish the existing buildings and replace them with new construction. The replacement cost for the three buildings is estimated at over \$54 million, but this figure does not include either the cost of demolition of existing structures or the purchase price for a new site if one were available.

Option 2 - Continue to renovate HVAC and common areas on a piecemeal basis. It is not cost effective to continually patch a system that needs to be replaced, plus students are inconvenienced when pipes leak or HVAC systems must go off-line for repair. The lack of amenities such as privacy in bathroom areas, conveniently located laundry facilities, and attractive study and recreation areas make the HSS buildings unattractive to students. The buildings in the complex will continue to have low rates of satisfaction among students especially when compared to the facilities provided in the newer residence halls. This could eventually affect occupancy levels and the revenue flow.

3. Location and site considerations

a. County

Lancaster

b. Town or campus

University of Nebraska-Lincoln

c. Proposed site

See Attachment 1

d. Statewide building inventory

Harper 448

Schramm 457

Smith 465

e. Influence of project on existing site conditions

(1) Relationship to neighbors and environment

The HSS Student Housing Complex is located at the north end of the campus between 14th & 16th Streets. The food service building for the complex is located to the west of Harper Hall. Recreation fields are located to the south of the complex. A new 518-bed student apartment building will be constructed to the southeast and is scheduled to open in August 2005. Most of the renovation work will be completed during summer breaks, so there should be minimal

impact on the students residing in the HSS Complex.

During construction, land will be dedicated to the contractor for use as a staging area. The site will be carefully fenced to address security and safety concerns. All construction will be managed to assure that there will be minimal disruption of local service to the recreation areas adjacent to the property. In addition, care will be taken to minimize environmental damage during construction.

(2) Utilities

The electrical distribution system to the HSS Complex will be upgraded during this project requiring trenching to each of the buildings. The existing water, sewer, steam, and communication systems will be adequate to serve the newly remodeled facilities. New individual domestic water services will be installed for each building.

(3) Parking and Circulation

Parking will be reduced during construction periods in order to accommodate the storage of materials on site. As this will occur during the summer months, it does not appear that this will inconvenience students or staff.

4. Comprehensive plan compliance

a. Year of the agency's comprehensive plan and updates or revisions

The 1998 Campus Master Plan for the University of Nebraska-Lincoln was revised in 1999. The project site is identified on the Campus Master Plan.

b. Consistency with the agency comprehensive capital facilities plan

The project was proposed as a part of the Housing Master Plan, which was developed in 2002-03. The project will be included in the updated Capital Facilities Plan that will be submitted to the NU Central Administration in fall 2003.

c. Consistency with the CCPE Project Review Criteria/Statewide Plan

The project is consistent with the following statement in Chapter Six of the Statewide Facilities Plan (revised 2000).

“The physical environment of the campuses must be functional, well utilized, safe, accessible, cost effective, well maintained and responsive to the changing needs of the institutions' programs and the people served.”

5. Analysis of existing facilities

a. Functions/purpose of existing programs as they relate to the proposed project
Not applicable for a renovation project.

b. Square footage of existing areas

The HSS Residence Halls are essentially identical buildings. Each building

contains approximately 86,068 net square feet and 103,330 gross square feet. The total complex is approximately 309,990 gross square feet.

c. Physical deficiencies

The buildings have been well maintained and are generally in good condition, considering their age. However, most of the building systems have reached the end of their useful life expectancy. The windows will be replaced as a separate project. Precast panels will be recaulked and mechanical, lighting, and ventilation systems will all be replaced. The fire sprinkling system will be enhanced to support the public areas of the buildings (the residential rooms were sprinkled previously.) Electrical service to the buildings will be replaced and increased. Generally, the voice/data and residential room electrical service is adequate to support future requirements.

d. Programmatic deficiencies

The buildings do not have programmatic deficiencies, but the improved physical facilities will permit University Housing staff to enhance the programmed activities.

e. Replacement costs (not including site work, utilities, or equipment)

Harper	\$18,206,970
Schramm	\$17,925,454
Smith	<u>\$17,882,220</u>
Total	\$54,014,644

6. Facility requirements and the impact of the proposed project

a. Functions/purpose of the proposed program

(1) Activity identification and analysis

The activities provided in the HSS Complex will not change as the result of the renovations. Student rooms will be used for living space. Common areas will be used for informal socializing, educational programming, and studying.

(2) Projected occupancy/use levels

The anticipated occupancy rate following the completion of the project is 96% of capacity.

b. Space requirements

(1) Square footage by individual area and or function

The gross square footage of the buildings will remain unchanged. A table comparing the existing to the proposed square footage by function is provided as Attachment 2.

(2) Basis for square footage/planning parameters

The dimensions of the student rooms will remain unchanged. Individual study rooms, lounges and laundries will be located on each residential floor

to support the needs of students for more services adjacent to their rooms. Two student rooms per floor will be removed from service to accommodate the location of student lounges on an exterior wall. These spaces have been designed to satisfy student needs and Division of Housing concerns. These are of a size generally consistent with national standards for student housing.

(3) Square footage difference between existing and proposed areas

There will be no change to the square footage of the three buildings; all work will be internal to the exterior envelope.

c. Impact of the proposed project on existing space

The project will remodel existing student housing and will not impact other spaces on campus.

7. Equipment Requirements

a. List of available equipment for reuse

Some of the office and resident room furniture will be reused. A detailed list of existing furniture and equipment to be reused will be developed during the design phase and will include built-in desks, dressers, closets, shelf units, and window coverings.

b. Additional equipment

(1) Fixed equipment

A detailed list will be available during the design phase of the project. Fixed equipment costs are included in the construction cost category.

(2) Movable equipment

A detailed list will be available during the design phase of the project. Major movable equipment will include beds, desktops, sofas, chairs, tables, washers, and dryers.

8. Special Design Considerations

a. Construction Type

The buildings are constructed of precast concrete and brick. The project will not change these systems.

b. Heating and cooling systems

The existing fan coil heating systems will be replaced by heat pumps in each residential room. The increased efficiency will lower the cost of operation. In addition, heat pumps will allow for cooling and heating to run simultaneously. The ventilation systems in the bathrooms will be upgraded to include the introduction of fresh air as required by current codes. The current exhaust air system will be remodeled to increase capacity. All public areas will have increased fresh air and exhaust systems.

c. Life Safety/ADA

The proposed facility shall be fully accessible under the terms of the Americans

with Disabilities Act and shall be designed to meet all applicable life safety code requirements.

- d. Historic or architectural significance
The project will not impact any known site or structure of architectural or historic significance.
- e. Artwork
Since this project will not use state funds, the 1% for Art provision is not applicable.
- f. Phasing
The project will be phased in two major work periods. During the summer of 2004, Harper will be renovated. During the following year, Schramm and Smith Halls will be renovated.
- g. Future expansion
There are no future expansion plans for the HSS facilities.

9. Project budget and fiscal impact

a. Cost estimates criteria

- (1) The estimated probable costs of the project were developed based on past comparative construction cost data for UNL projects and from cost data received from other institutions that have constructed similar facilities.
- (2) The estimate was prepared in June 2003 and was escalated at 5% per year to a mid-point of construction date November 2004.

(3) Gross square feet	GSF	309,990
Net Assignable Square Feet	NASF	249,543
(4) Total project cost per gross square foot		\$78.40
(5) Construction cost per gross square foot		\$69.16

b. Total Project Cost

See Attachment 3 for detailed project budget.

Construction Cost	\$21,439,715
Non-Construction Cost	\$ 2,862,285
Total Project Cost	\$24,302,000

c. Fiscal Impact based upon first full year of operation

- (1) Estimated additional operational and maintenance costs per year
None

(2) Estimated additional program costs per year
None

(3) Applicable building renewal assessment charges
Not applicable

10. Funding

a. Total funds required \$24,302,000

b. Project Funding Source Revenue Bonds

c. Fiscal year expenditures for project duration

FY 02/03 \$ 49,469

FY 03/04 \$11,230,960

FY 04/05 \$10,596,336

FY 05/06 \$ 2,425,235

Total Expenditures \$24,302,000

11. Time line

Send Request for Proposals to Design/Build Teams January 10, 2003

Select Design/Build Team March 28, 2003

Begin programming April 15, 2003

Program Statement approved by Board of Regents August 9, 2003

Deadline for Program Statement review by Coordinating
Commission for Postsecondary Education (CCPE) October 10, 2003

Design Development Documents reported to BOR December 12, 2003

Start construction January 2, 2004

Substantial completion August 11, 2005

12. Higher Education Supplement

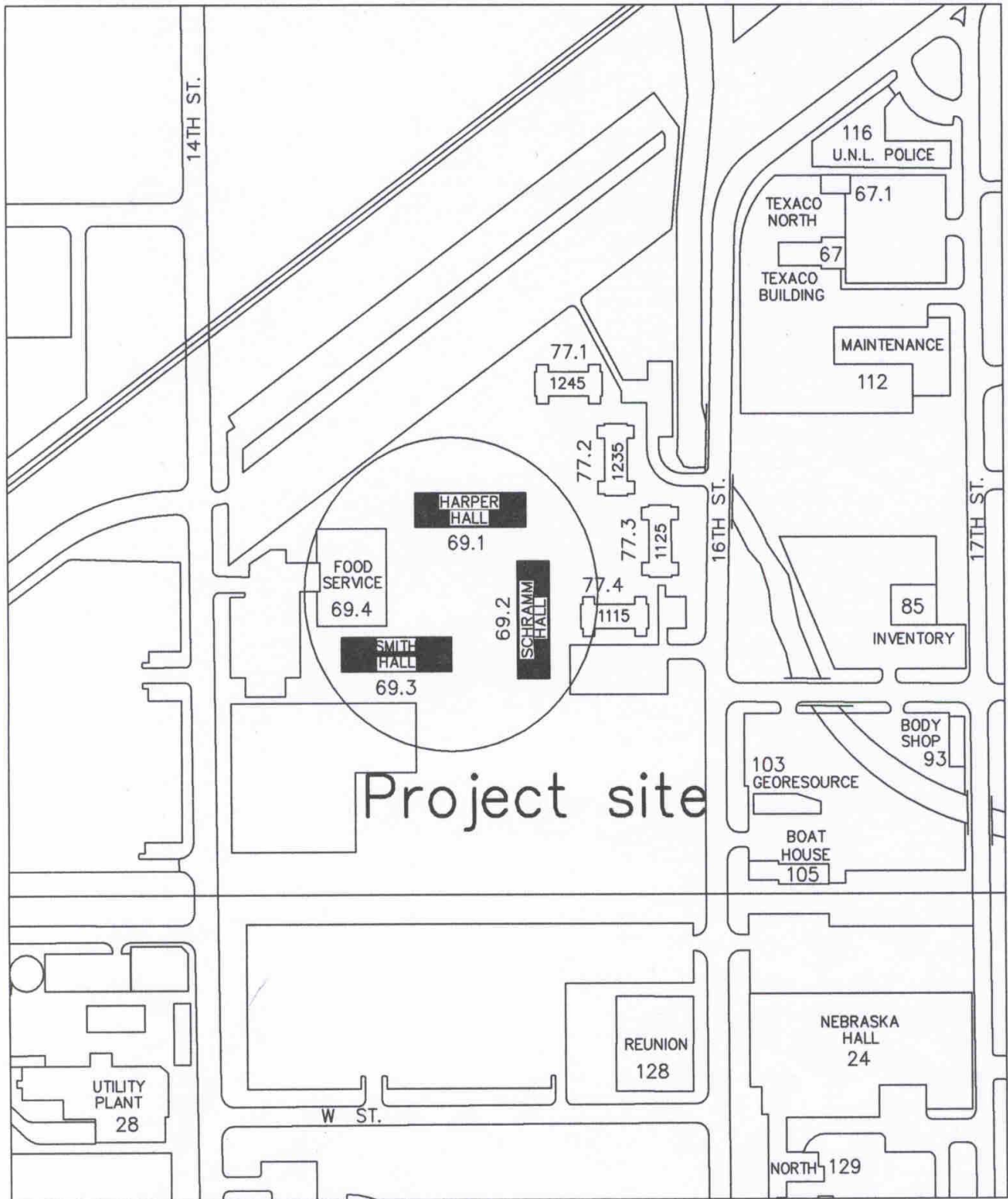
a. CCPE review will be required.

b. Method of contracting

This project will be constructed as a design/build project. This method is recommended because it provides the owner with a single source of project responsibility and communication, reduces administrative burdens, increases efficiencies, and often shortens the construction period. This method of contracting was successfully used on the 17th & R Street Parking Structure and

the 17th & Vine Housing Project. Since the three residence halls have the same floor plan and building systems, there are many repetitive elements that are typical of design/build projects.

ATTACHMENT 1: PROJECT SITE



ATTACHMENT 2: SPACE ASSIGNMENT TABLE FOR HARPER/SCHRAMM/SMITH

Space #		# of	Existing	# of	NSF/	Proposed	
Basement Level		spaces	NSF	spaces	space	NSF	Difference
635	Lobby		171			171	0
635	Recreation Area		4,951			4,951	0
635	Storage Room		104			104	0
635	Laundry		367			367	0
619	Men's Restroom		83			83	0
619	Women's Restroom		82			82	0
Total Basement Net Area			5,758			5,758	0
First Level							
635	Lobby		1,426			1,166	-260
635	Vestibules		108			215	107
635	Manager's Apartment		1,120			1,120	0
635	Office		147			147	0
635	Workroom		214			414	200
635	Front Desk		201			160	-41
635	Lounge Space		3,675			1,981	-1,694
635	Pool/Game Area		0			450	450
635	Computer Room		866			665	-201
635	Conference Room		0			341	341
635	Study Rooms		0			508	508
635	Vending		0			114	114
635	Storage Rooms		320			57	-263
635	Telephone Rooms		18			0	-18
619	Men's Restroom		66			66	0
619	Women's Restroom		50			62	12
Total 1st Floor Net Area			8,211			7,466	-745
Residential Floors (2nd -10th)							
635	Elevator Lobby		163			117	-46
635	Lounge		490			421	-69
635	Study Rooms		137			393	256
635	Drip/Dry Room		90			0	-90
635	Laundry		0			165	165
635	Telephone Rooms		34			0	-34
619	Toilet/Shower Rooms		719			719	0
610	Typical Double Rooms	22	4,620	20	210	4,200	-420
610	Triple Rooms	4	1,188				-1,188
610	Triple Rooms	2	570				-570
610	Super Double Rooms		0	4	297	1,188	1,188
610	Super Double Rooms		0	2	285	570	570

Renovation of HSS Complex

Total Net Area/Floor	8,011	7,773	-238
Total for 9 Floors	72,099	69,957	-2,142
Total Net Area	86,068	83,181	-2,887
Total GSF for Each Hall	103,330	103,330	
Efficiency	83%	81%	
TOTAL FOR HSS COMPLEX	309,990	309,990	

ATTACHMENT 3: HSS RENOVATION PROJECT BUDGET

1 PROBABLE CONSTRUCTION COSTS

a) General	\$8,593,864
b) Mechanical	\$7,594,577
c) Electrical	\$3,797,289
d) Fixed Equipment	\$ 0
e) Asbestos Abatement	\$ 0
f) Landscaping	\$ 51,387
j) Contingency	\$1,402,598

Total: **\$21,439,715**

2 PROBABLE PROFESSIONAL FEES

a) Architect/Engineer Basic Service Fee	\$427,178
b) Project Management Services	\$192,958
c) Construction Inspection	\$128,638

Total: **\$ 748,774**

3 MOVABLE EQUIPMENT **\$ 1,790,971****4 SPECIAL AND TECHNICAL EQUIPMENT** **\$ 0****5 LAND ACQUISITION** **\$ 0****6 ARTWORK** **\$ 0****7 CODE REVIEWS, TESTING & MISC. EXPENSES**

	<i>Standard Insurance</i>	
a) Insurance:		\$12,864
b) State Fire Marshal Plan Review		\$500
c) Handicap Accessibility Review		\$250
d) UBC Inspection Fee		\$52,495
e) A/E Reimbursables		\$25,000
f) Estimating Consulting Fee		\$34,258
g) Programming		\$49,469
h) Survey		\$4,200
i) Project Audit		\$3,302
j) Special Testing		\$118,897
k) Printing, Advertising & Mailing		\$17,431
l) Other Costs (Set-up, Clean-up & Etc.)		\$3,874

Total: **\$ 322,540**

PROBABLE TOTAL PROJECT COSTS: **\$24,302,000**

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: University of Nebraska-Lincoln (UNL) Student Fees and Facilities Revenue Bonds, Series 2003C for the Renovation of the UNL Harper/Schramm/Smith Residence Halls

RECOMMENDED ACTION: Approve the attached Resolution (1) adopting a Supplemental Resolution authorizing the issuance of not to exceed \$27,600,000 aggregate principal amount of UNL Student Fees and Facilities Revenue Bonds, Series 2003C, for the Renovation of the UNL Harper/Schramm/Smith Residence Halls, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003C at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.50%), principal amounts and principal maturities of such Revenue Bonds, Series 2003C, (4) approving the preparation and use of a final Official Statement, and (5) authorizing the use of Series 2003C bond funds not expended on these Projects for UNL Housing renovations, subject to approval of the Board.

PREVIOUS ACTION: June 7, 2003 – The Board approved issuance of UNL Student Fees and Facilities Revenue Bonds, Series 2003B in an amount not to exceed \$45,500,000 aggregate principal amount for the 16th & Y Student Housing Project and Selleck Hall Dining Addition and Expansion. (These bonds are not yet issued pending approval of Nebraska Post-Secondary Coordinating Commission and the Executive Board of the Legislative Council).

The Board has previously issued bonds under the Board’s Student Fees and Facilities Revenue Bond Resolution as follows:

- \$15,885,000 Series 2002 (Student Union/Student Housing Refunding) to refinance outstanding bonds originally issued in 1995 and 1996, and
- \$25,930,000 Series 2003A (Student Housing)

EXPLANATION: The Series 2003C Bonds will have a 20-year maturity. Current bond market conditions would provide a projected interest rate of about 5.00%. This would result in average annual debt service payments (principal and interest) of about \$2,300,000 on these bonds. The average debt service on the Series 2003C Bonds, when added to the expected annual debt service on the other currently outstanding bonds and Student Fees and Facilities Revenue Bonds Series 2003B, would bring the total average annual debt service in the first 5 years of the new bonds to \$7,100,000. Projected net revenues available for debt service payments

(the amount by which projected revenues and fees exceed projected operating expenses) in each of the first 5 years of the new bonds will average \$11,450,000, giving an average debt service “coverage ratio” of 1.61, which exceeds recommended debt service coverage for issues of this kind.

Proposed uses of the bond proceeds are as follows:

Costs of construction	\$ 24,302,000
Debt service funds	2,568,000
Costs of issuance	230,000
Contingency costs	<u>500,000</u>
Total	<u>\$ 27,600,000</u>

Members of the public and the news media may obtain a copy of the proposed Supplemental Resolution, Preliminary Official Statement and other bond documents in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

SPONSORS:

James V. Griesen
Vice Chancellor for Student Affairs

Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVAL:

Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE:

July 17, 2003

RESOLUTION

I.

BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA (the “Board”) that the Supplemental Resolution entitled “A Supplemental Resolution Providing for the Issuance and Sale of Not to Exceed Twenty-Seven Million Six Hundred Thousand Dollars (\$27,600,000) University of Nebraska-Lincoln Student Fees and Facilities Revenue Bonds, Series 2003C of The Board of Regents of the University of Nebraska” (the “Supplemental Resolution”) in the form attached hereto as **Exhibit “A”** and made a part hereof by reference, amending and supplementing the resolution of the Board dated as of December 1, 1964 (the “1964 Resolution”) is hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

II.

BE IT FURTHER RESOLVED BY THE BOARD that (a) the Supplemental Master Indenture, numbered and dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board (the “Supplemental Indenture”) between the Board and Wells Fargo Bank Nebraska, National Association, as successor to National Bank of Commerce Trust and Savings Association, as Master Trustee (the “Master Trustee”), in the form attached hereto as **Exhibit “B”** and made a part hereof by reference, supplementing the Master Trust Indenture dated as of June 1, 1995 (the “Master Trust Indenture”) between the Board and the Master Trustee, which Supplemental Indenture authorizes the execution and delivery of the Obligated Group Direct Obligation Master Note, Series 2003C (University of Nebraska-Lincoln Student Fees and Facilities Bonds) dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board (the “2003C UNL Student Facilities Master Note”) in the principal amount of not to exceed Twenty- Seven Million Six Hundred Thousand Dollars (\$27,600,000) and (b) the 2003C UNL Student Facilities Master Note in the form attached hereto as **Exhibit “C”** and made a part hereof by reference, are hereby approved, adopted,

ratified and affirmed together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

III.

BE IT FURTHER RESOLVED BY THE BOARD that the not to exceed \$27,600,000 aggregate principal amount of The Board of Regents of the University of Nebraska University of Nebraska-Lincoln Student Fees and Facilities Revenue Bonds, Series 2003C dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board (the “2003C UNL Student Fees and Facilities Bonds”) authorized by the Supplemental Resolution shall be sold by negotiated sale at an average interest rate not to exceed five and one-half percent (5.50%) to Ameritas Investment Corp. pursuant to a Bond Purchase Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board in the form presented to the Board as **Exhibit “D”** and made a part hereof by this reference, which Bond Purchase Agreement is hereby adopted, ratified, affirmed and approved, together with such changes or modifications as the Chair of this Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska. The Vice President for Business and Finance, on behalf of the Board, is hereby authorized and directed to approve the principal amount of 2003C UNL Student Fees and Facilities Bonds to be issued and the principal maturities, interest rates and redemption provisions thereof and to take all necessary actions and execute all necessary documents to effect the sale of the 2003C UNL Student Fees and Facilities Bonds.

IV.

BE IT FURTHER RESOLVED BY THE BOARD that the Preliminary Official Statement of the Board with respect to the 2003C UNL Student Fees and Facilities Bonds, dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board, in the form presented to the Board as **Exhibit “E”**, together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests

of the Board and the University of Nebraska, and the final Official Statement to be dated as of the date of sale with respect to the 2003C UNL Student Fees and Facilities Revenue Bonds, which final Official Statement shall include the terms of the 2003C UNL Student Fees and Facilities Revenue Bonds, are hereby approved and authorized for delivery to the purchaser of the 2003C UNL Student Fees and Facilities Revenue Bonds.

V.

BE IT FURTHER RESOLVED BY THE BOARD that (a) the Continuing Disclosure Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board by and between the Board and the Bond Fund Trustee named in the 1964 Resolution to satisfy the requirements of Rule 15c2-12 of the Securities and Exchange Commission with respect to the 2003C UNL Student Fees and Facilities Bonds in the form attached hereto as **Exhibit “F”** and made a part hereof by reference, and (b) the Tax Compliance Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board by and between the Board and the Bond Fund Trustee named in the 1964 Resolution to satisfy the requirements of Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder with respect to the 2003C UNL Student Fees and Facilities Bonds in the form attached hereto as **Exhibit “G”** and made a part hereof by reference, are each hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications and the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the University of Nebraska.

VI.

BE IT FURTHER RESOLVED BY THE BOARD that the members and officers of this Board and the officials of the University of Nebraska, or any of them, be, and they hereby are, and each of them hereby is, authorized and directed to take any and all action including the execution of all papers, certificates, receipts and documents, they or any of them may deem necessary or desirable to effectuate, in accordance with the terms of the Resolutions pertaining thereto adopted at this meeting, the delivery

and payment for the 2003C UNL Student Fees and Facilities Bonds, the execution and delivery of the Supplemental Indenture and the 2003C UNL Student Facilities Master Note.

VII.

BE IT FURTHER RESOLVED BY THE BOARD that all actions heretofore taken for or on behalf of, or in the name of the Board, by any of the members or officers thereof or by any officers of the University of Nebraska with respect to the authorization or offering for sale of 2003C UNL Student Fees and Facilities Bonds are hereby validated, ratified and confirmed.

VIII.

BE IT FURTHER RESOLVED BY THE BOARD that the Vice President for Business and Finance may, if he determined the same to be in the best interests of the Board and the University of Nebraska-Lincoln, consolidate the issuance of the 2003C UNL Student Fees and Facilities Bonds with the issuance of the 2003B UNL Student Fees and Facilities Bonds approved under Agenda Item X-B-8 at the June 7, 2003 meeting of the Board, and authorize the issuance of the 2003B UNL Student Fees and Facilities Bonds and the 2003C UNL Student Fees and Facilities Bonds as a single series of Student Fees and Facilities Bonds of the Board. Upon such determination by the Vice President for Business and Finance, he shall be and hereby is authorized and directed (1) to effect such changes or modification to the Supplemental Resolution, the Supplemental Indenture, the Master Note, the Bond Purchase Agreement, the Disclosure Agreement, the Tax Agreement, the Preliminary Official Statement, the Final Official Statement and all other papers, certificates, receipts and documents as may be required for such purposes and (2) to take and authorize such other actions as shall be necessary in his judgment and discretion to issue the 2003B UNL Student Fees and Facilities Bonds and the 2003C UNL Student Fees and Facilities Bonds as a single series of Student Fees and Facilities Bonds of the Board.

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Exclusive License Agreement of Certain Media Rights, Including Live Radio Broadcast Rights

RECOMMENDED ACTION: Approve the Exclusive License Agreement of Certain Media Rights, Including Live Radio Broadcast Rights (the “Agreement”) with Pinnacle Sports Productions granting the following rights associated with the University of Nebraska-Lincoln’s (UNL) Department of Intercollegiate Athletics: (1) live radio broadcast rights for UNL Varsity Intercollegiate Football, Men’s and Women’s Varsity Intercollegiate Basketball, Varsity Intercollegiate Volleyball, Varsity Intercollegiate Baseball and Varsity Intercollegiate Softball along with related pre-game/post-game and coaches’ shows; (2) rights to distribute coaches’ television shows produced by UNL’s HuskerVision studios; and (3) rights to sell advertising in the football program distributed at home UNL football games.

PREVIOUS ACTION: December 14, 2002—UNL presented to the Board of Regents a proposal to extend the grant of radio broadcast rights to Pinnacle Sports Productions through July 31, 2011. The Board of Regents directed that additional proposals from other potential broadcasters be gathered and evaluated, prior to any further extension of the radio rights.

May 12, 2000 – The Board of Regents approved an Amended and Restated Contract with Pinnacle Sports Productions which extended the original contract by five years (expiring July 31, 2006) and increased the license fee by \$1,275,000 during the extended term.

May 23, 1996 – Following a Request for Proposals and approval by the Board of Regents, UNL administration negotiated and executed a license agreement granting to Pinnacle Sports Productions, L.L.C., the exclusive right to broadcast UNL's intercollegiate football, men’s and women’s basketball, baseball and volleyball games on the radio for a five year period.

EXPLANATION: Following an evaluation of proposals submitted by three radio broadcasters, Pinnacle Sports Productions’ proposal was deemed to be in the best interests of the University, based chiefly upon the revenue offered, among other favorable factors. This proposed Agreement is effective upon approval by the Board, runs through July 31, 2011, and replaces in total the present contract between UNL and Pinnacle Sports Productions. Pinnacle Sports Productions will pay \$600,000 upon execution of this Agreement and will pay a total of \$27,786,400 over the term of the Agreement for radio rights, coaches’ television show rights and the football program rights.

In contrast to previous contracts with Pinnacle Sports Productions, UNL retains rights to Internet broadcasts. The rights to distribute coaches' television shows and market football program advertisements (effective as of July 1, 2004) are new rights granted to Pinnacle, not previously part of UNL's radio rights contracts.

Members of the public and news media may obtain a copy of the proposed contract in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

PROJECT COST: Not Applicable

SOURCE OF FUNDS: Not Applicable

SPONSORS: Steve Pederson
Director of Athletics

Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 17, 2003

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Program Statement for the Renovation of the University of Nebraska-Lincoln (UNL) 1700 Y Street Building for Printing Services

RECOMMENDED ACTION: Approve the Program Statement for the Renovation of the UNL 1700 Y Street Building for Printing Services.

PREVIOUS ACTION: None.

EXPLANATION: The project is to renovate the former Food Stores space at 1700 Y Street in order to consolidate Printing and Copy Services at this location. Printing Services is currently located in the basement of Nebraska Hall. Consolidating Printing and Copy Services with other business services will reuse an existing facility and improve operational efficiency.

Proposed start of construction: May 2004
Proposed completion of construction: December 2004

PROJECT COST: \$713,000

ON-GOING FISCAL IMPACT: Annual Operating Costs (included in the FY 04 Budget) No increase
2% Assessment None

SOURCE OF FUNDS: Auxiliary Funds

SPONSOR: Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 22, 2003

University of Nebraska-Lincoln (UNL)
Renovation of the 1700 Y Street Building for Print Shop
Program Statement

Campus: UNL - City Campus
Date: July 2, 2003
Prepared by: UNL Facilities Planning
Phone Number: 472-3131

1. Introduction

a. Background and History

Food Stores occupied about 37,000 net square feet of warehouse space in the 1700 Y Street facility (also known as the Business Service Building) until 1999. Printing and Copy Services was located in the basement of Nebraska Hall. When the former Food Stores space became available (following an interim period of occupancy by Library Technical Services during the renovation of Love Library), Printing, Copy, and Mail and Distribution Services completed some minor renovations to vacant space in the 1700 Y Street Building and moved in. The Print Shop and related storage has remained in Nebraska Hall until funding was available to complete a renovation to relocate and consolidate Printing and Copy Services in the 1700 Y Street facility.

b. Project Description

This project is to complete the renovation of the former Food Stores space in order to consolidate all of Printing and Copy Services. The project includes modifications necessary to convert the former Food Store warehouse space into a print shop. This work includes:

- Install heating, ventilation, and air conditioning systems with the exception of the former chiller area which will be used for unconditioned storage
- Construct a wall to separate finished space (print shop) from the unfinished space (conditioned storage)
- Modify the electrical system to provide sufficient power for lights and equipment
- Install a dropped ceiling
- Remove two coolers and modify floors for printing press
- Repair the roof
- Extend the fire alarm and sprinkler systems into the renovated space

c. Purpose and Objectives

The purpose of this project is to consolidate related Business Services operations in a single space and vacate space in Nebraska Hall for academic program use. Specific project objectives are as follows:

- Permit more efficient operation of Printing and Copy Services through consolidation
- Improve lighting, power, and HVAC systems to current office and manufacturing standards

2. Justification of the Project

a. Data that supports the funding request

- The current operation in Nebraska Hall has expanded to meet demand over time. Relocation allows the operation to be reorganized to improve production flow and efficiency.

- The 1700 Y Street location is centrally located at the east edge of City Campus and on a direct route to East Campus. This proposed relocation will provide better access for customers and better access for printing/copying services to UNL Mail and Distribution Services which has also been relocated to 1700 Y Street.
- The loading dock at Nebraska Hall is at the street level and shipments must be loaded onto a freight elevator to be taken to the basement. The loading dock at 1700 Y Street is at street level, the same as the space to be renovated for print shop operations.
- It would be relatively easy to expand the building at this site to accommodate future growth or to further consolidate related services.

b. Alternatives considered

Option 1 - Leave Print Shop in Nebraska Hall Basement

Leaving the Print Shop in Nebraska Hall is not a preferred option since the print shop would continue to occupy space in an academic building that could be used for academic or academic support purposes. The space used for Printing and Copy Services would remain poorly designed and inefficient. The Print Shop would remain at a site separate from product preparation, client consultation, and mail and distribution services. Upon completion of the Antelope Valley Project, transportation lines between the separate sites will be more cumbersome as the creek bed and four-lane roadway will run directly through the current path between 1700 Y Street and Nebraska Hall.

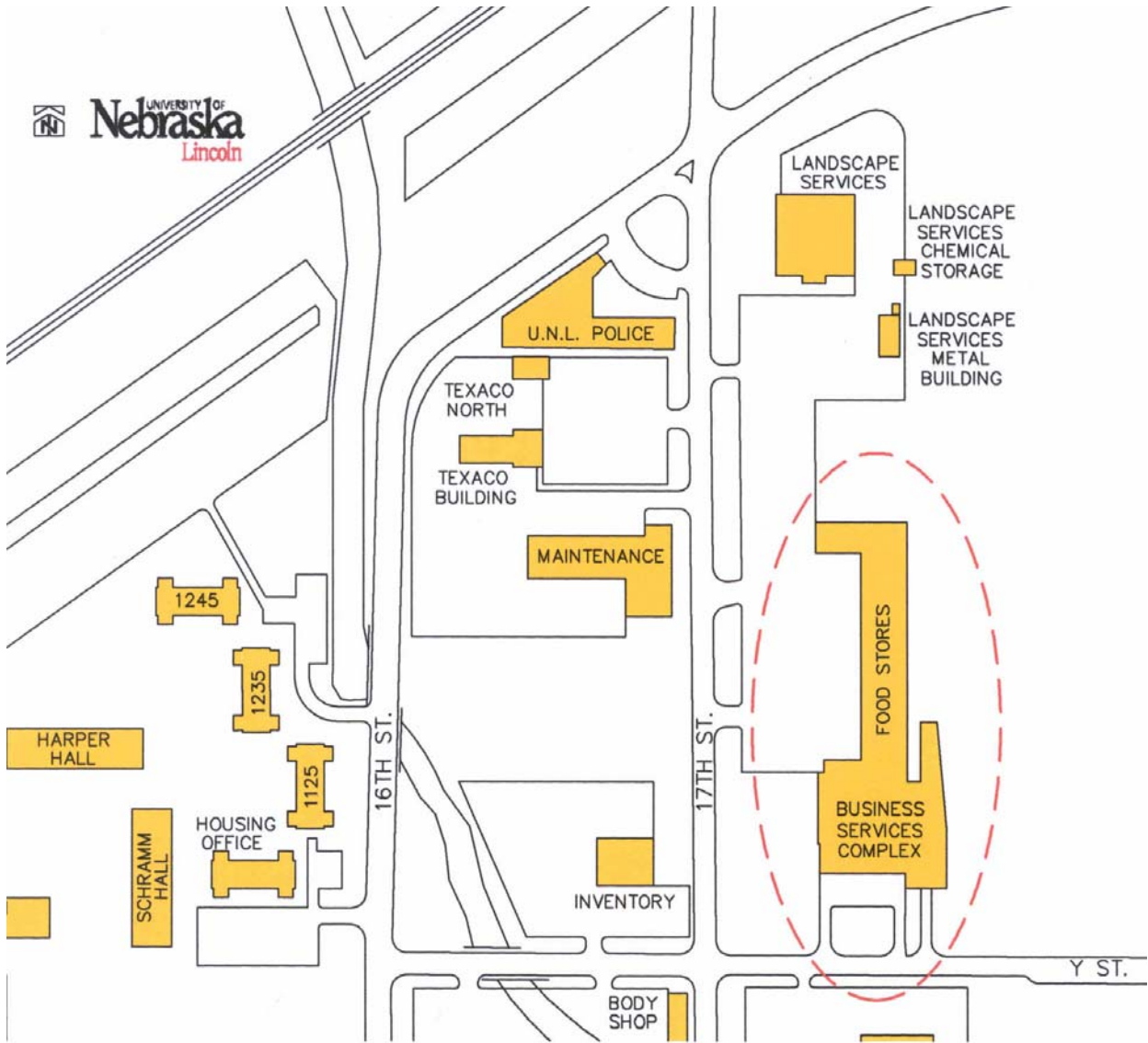
Option 2 - Construct a New Building

The cost of constructing a new facility for the Print Shop would be in the range of \$1.3 to \$1.6 million. Aside from the higher cost of constructing new space, there is no space available to construct a facility except by using existing parking lots. Since these spaces are needed to serve the campus, and replacement costs at \$12,500 per space (the spaces must be replaced in a parking structure) this is not a desirable alternative.

3. Location and site considerations

- a. County
Lancaster
- b. Town or campus
University of Nebraska-Lincoln

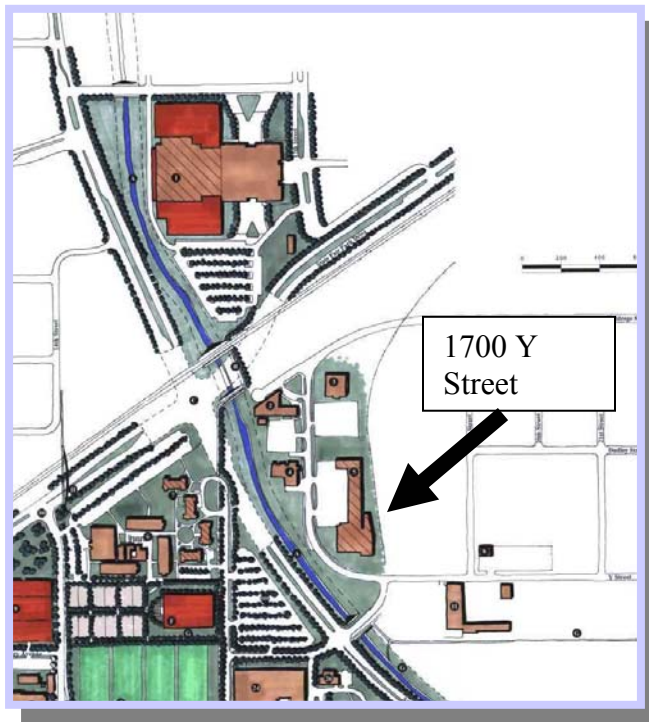
c. Proposed Site



d. Statewide building inventory number
521

e. Influence of project on existing site condition
(1) Relationship to neighbors and environment

The building is located in the existing campus service sector at the intersection of 17th Street and Y Street in the northeast edge of City Campus. The property to the east is a concrete products plant. The site is adjacent to other UNL service buildings such as the Landscape Services Building to the north and Facilities Management and Planning to the southeast. The Antelope Valley Roadway and Flood Control Project is being constructed to the west of the site as shown on the following segment of the Campus Master Plan.



(2) Utilities

The existing utilities are sufficient to support this project.

(3) Parking and circulation

The Print Shop will be served by the existing parking lot on the west side of the building.

4. Comprehensive plan compliance

a. Year of the agency's comprehensive plan and updates or revisions

The 1998 Campus Master Plan for the UNL was revised in 1999. The project site is identified on the Campus Master Plan.

b. Consistency with the agency comprehensive capital facilities plan

The project will be included in the updated Six Year Capital Facilities Plan that will be submitted to the NU Central Administration in fall 2003.

c. Consistency with the CCPE Project Review Criteria/Statewide Plan

The project is consistent with the following statement in Chapter Six of the Statewide Facilities Plan (revised 2000).

“The physical environment of the campuses must be functional, well utilized, safe, accessible, cost effective, well maintained and responsive to the changing needs of the institutions’ programs and the people served.”

5. Analysis of existing facilities

a. Functions/purpose of existing programs as they relate to the proposed project

UNL Printing and Copy Services provides the UNL campus with a full line of communication, advertising, and marketing products and services. Specific services include:

- Digital Management Services
 - Offset Printing
 - Digital File Design/Manipulation
 - University Marketing Standards/Image Oversight
- b. Square footage of existing areas
The Print Shop and support services are currently located in approximately 19,000 assignable square feet in the basement of Nebraska Hall.
- c. Utilization of existing space by facility, room and/or function
See Table 1
- d. Physical deficiencies
The space vacated by Food Stores is unfinished warehouse space, which includes built-in cooler units. It does not have heating, ventilation, air conditioning, or fire sprinklers. The ceilings and floors are unfinished.
- e. Programmatic deficiencies
Not applicable
- f. Replacement cost of existing facility
The replacement cost of the Business Services Building at 1700 Y Street is approximately \$6,238,492.
- 6. Facility requirements and the impact of the proposed project**
- a. Functions/purpose of the proposed program
- (1) Activity identification and analysis
There will be no change in services provided as a result of this project.
 - (2) Projected occupancy/use levels
UNL Printing and Copy Services currently employs 32 full time employees, five temporary employees and 23 students. There are no plans to increase the number of employees in the next five years.
- b. Space requirements
- (1) Square footage by individual area and or function
The project involves the renovation of 15,284 net assignable square feet. Adjacent unconditioned space will be available for storage bringing the total space occupied by the Print Shop to 19,768 net assignable square feet.

Table 1: Comparison of Existing and Proposed Space

Space-Use Category	Space Name	Existing Net Assignable Square Feet	Proposed Net Assignable Square Feet	Change
720	Print Shop	9,152	8,340	-812
730	Conditioned Storage	9,414	6,944	-2,470
	Total Net Renovated Space		15,284	
730	Unconditioned Storage (no renovation)	0	4,484	4,484
	Total Net Assignable Square Feet	18,566	19,768	1,202

(2) Basis for square footage/planning parameters

There are no University space standards for print shop services. The space planning parameters used in developing this project are based on the existing space used by Printing and Copy Services, the space available in the 1700 Y Street Building and staff's long experience in operating printing services.

(3) Square footage difference between existing and proposed areas

The project increases the total net square footage used for the print shop and storage by approximately 1,202 feet.

c. Impact of the proposed project on existing space

As a result of this project, the existing space in Nebraska Hall will be available for academic or academic support space. The remainder of the building is occupied primarily by the College of Engineering & Technology and the University Computing Services Network. It may be necessary to remodel this space, depending on the precise needs of the function assigned to this area. The cost of remodeling this space is not included as a part of this project.

7. Equipment Requirements

a. List of available equipment for reuse

Certain units of the existing printing and copying equipment will be moved to the new location and reused.

b. Additional equipment

The project anticipates the acquisition of a new or good used 4- to 6-color press to replace some of the existing old equipment. The cost of purchasing this new equipment is not included as a part of this project.

8. Special Design Considerations

a. Construction Type

The building is constructed as perimeter masonry bearing wall construction with intermediate steel wide-flange column and structural bays.

- b. Heating and cooling systems
The project requires a new air-handling unit. The HVAC system is a forced air system with ducts and mixing boxes.
- c. Life Safety/ADA
The proposed facility shall be fully accessible under the terms of the Americans with Disabilities Act and shall be designed to meet all applicable life safety code requirements.
- d. Historic or architectural significance
The project will not impact any known site or structure of historic significance.
- e. Artwork
The 1% for Art Program is not applicable because this project does not involve state funds.
- f. Phasing
The project completes the move of Printing and Copy Services from Nebraska Hall to 1700 Y Street.
- g. Future expansion
There are no plans for future expansion at this time.

9. Project budget and fiscal impact

- a. Cost estimates criteria
 - (1) Identify recognized standards, comparisons and sources used to develop the estimated costs
The estimated probable costs of the project were developed based on past comparative construction cost data for UNL projects and from cost data received from other institutions that have constructed similar facilities.
 - (2) The estimate was prepared in April 2003 and was escalated at 5% per year to a mid-point of construction date of February 2004.
 - (3) Gross square feet Not applicable
Net assignable square feet 15,284 (renovated space)
 - (4) Total project cost per gross square foot \$46.65
 - (5) Construction cost per gross square foot \$40.22
- b. Total Project Cost
See attachment Table 2

Construction Cost	\$614,727
Non-Construction Cost	<u>\$98,273</u>
Total Project Cost	\$713,000

- c. Fiscal Impact based upon first full year of operation
 - (1) Estimated additional operational and maintenance costs per year
No change
 - (2) Estimated additional programmatic costs per year
No change
 - (3) Applicable building renewal assessment charges
Not applicable

10. Funding

- a. Total funds required
\$713,000
- b. Project funding source
Auxiliary Funds
- c. Fiscal year expenditures for project duration

2003-2004	\$128,092
2004-2005	<u>\$584,908</u>
Total Expenditures	\$713,000

11. Time line

Program Statement Board of Regents approval	August 9, 2003
Professional consultants selected	August 15, 2003
Completion of construction documents	February 15, 2004
Receive bids for construction	March 15, 2004
Award of contract and start of construction	May 1, 2004
Substantial completion	December 2004

12. Higher Education Supplement

- a. CCPE review will not be required because the project does not use state funds for construction or operation.
- b. Method of contracting
The project will be contracted as a competitively bid project awarded to the lowest responsible prime general contractor. It is anticipated that the bid climate will be favorable. Recently competitively bid projects at UNL and elsewhere have been coming in below the estimated cost for construction. This can be attributed to fewer projects being built and increased competition for construction work.

Table 2: Project Budget

1 PROBABLE CONSTRUCTION COSTS		
a) General	241,718	
b) Mechanical	191,846	
1) Energy Management System Controls	55,250	
c) Electrical	70,029	
d) Fixed Equipment	0	
e) Site Work	0	
f) Contingency	55,884	
Total:		\$ 614,727
2 PROBABLE PROFESSIONAL FEES		
a) Architect/Engineer Basic Service Fee	49,178	
b) Project Management	18,442	
c) Construction Inspection	12,294	
Total:		\$ 79,914
3 MOVABLE EQUIPMENT		\$ 0
4 SPECIAL AND TECHNICAL EQUIPMENT		\$ 0
5 LAND ACQUISITION		\$ 0
6 ARTWORK		\$ 0
7 CODE REVIEWS, TESTING & MISCELLANEOUS EXPENSES		
a) Insurance <i>Standard Insurance</i>	369	
b) State Fire Marshal Plan Review	91	
c) Handicap Accessibility Review	46	
d) Universal Building Code Inspection	2,834	
e) Keying of doors	150	
f) Interior Signage	2,592	
g) A/E Reimbursables	3,934	
h) Project Audit	95	
i) Special Testing	3,688	
j) Printing, Advertising & Mailing	3,810	
k) Other Costs (Set-up, Clean-up & Etc.)	750	
Total:		\$ 18,359
PROBABLE TOTAL PROJECT COSTS:		\$ 713,000

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Purchase of a 4- to 6-Color Offset Printing Press

RECOMMENDED ACTION: Approve the purchase of a 4- to 6-color offset printing press at an amount not to exceed \$950,000.

PREVIOUS ACTION: None.

EXPLANATION: University of Nebraska-Lincoln (UNL) Printing Services currently manages over 7,000 print jobs annually for the campus. About one-third of these jobs are competitively bid and printed by external vendors, while the other two-thirds are produced in the UNL Printing Services. This department's printing equipment consists of six presses, ranging in age from 8 to 37 years, with an average of approximately 24 years. The typical useful life of an offset printing press is between 15 and 20 years.

This purchase will allow UNL to replace three of these aging presses and provide more efficient print production due to a minimum 4-color capacity specification. As market conditions allow, UNL will pursue the purchase of a good used press having several years of remaining service. The "not to exceed" amount would allow UNL to acquire new equipment in the event that a good used press is not available.

Recent benchmarking studies indicate that the costs of UNL's in-house printed product are an average of 17% less than local print shops. This purchase will not result in higher prices for UNL's internally produced print media.

PROJECT COST: Not to exceed \$950,000

SOURCE OF FUNDS: Auxiliary Funds

SPONSOR: Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 22, 2003

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: University of Nebraska Medical Center (UNMC) Revenue Bonds, Series 2003 for the Construction of a Student Apartment Complex.

RECOMMENDED ACTION: Approve the attached Resolution (1) adopting the Second Supplemental Resolution for the Fourth Series Resolution authorizing the issuance of not to exceed \$5,750,000 aggregate principal amount of Revenue Bonds, Series 2003, for the Construction of a Student Apartment Complex, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003 at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.50%), principal amounts and principal maturities of such Revenue Bonds, Series 2003, (4) approving the preparation and use of a final Official Statement, and (5) authorizing the use of Series 2003 bond funds not expended on this Apartment Complex Construction, subject to approval of the Board.

PREVIOUS ACTION: The Board of Regents at their June 7, 2003 meeting approved the Program Statement and Budget for the construction of the Student Apartment Complex to be constructed on the University of Nebraska Medical Center campus in Omaha, Nebraska. The project consists of a 3-story, 61,000 gross-square-foot apartment building containing 60 rental units for occupancy by UNMC students.

EXPLANATION: The Series 2003 Bonds will have a 30-year maturity. Current bond market conditions would provide a projected interest rate of about 5.00%. This would result in average annual debt service payments (principal and interest) of about \$360,000 on the Series 2003 Bonds. Projected net revenues available for debt service payments (the amount by which projected revenues and fees exceed projected operating expenses) in each of the first 5 years of the new bonds will average \$392,060 giving an average debt service "coverage ratio" of 1.09.

Proposed uses of the bond proceeds are as follows:

Costs of construction	\$ 4,850,000
Debt service funds	480,000
Costs of issuance	106,600
Costs of contingency	<u>313,400</u>
Total	<u>\$ 5,750,000</u>

Members of the public and the news media may obtain a copy of the proposed Supplemental Resolution, Preliminary Official Statement and other bond documents in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

SPONSORS:

Donald S. Leuenberger
Vice Chancellor for Business and Finance

David E. Lechner
Vice President for Business & Finance

APPROVAL:

Harold M. Maurer, M.D., Chancellor
University of Nebraska Medical Center

DATE:

July 24, 2003

RESOLUTION

I.

BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA (the “Board”) that the Resolution entitled “Second Supplemental Resolution to Fourth Series Resolution Authorizing the Issuance and Sale of Not to Exceed Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000) Revenue Bonds, Series 2003 (University of Nebraska Medical Center Student Housing Project) of The Board of Regents of the University of Nebraska” (the “Supplemental Resolution”) in the form attached hereto as **Exhibit “A”** and made a part hereof by reference is hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

II.

BE IT FURTHER RESOLVED BY THE BOARD that (a) the Supplemental Master Indenture numbered and dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board (the “Supplemental Indenture”) between the Board and Wells Fargo Bank Nebraska, National Association, as successor to National Bank of Commerce Trust and Savings Association, as Master Trustee (the “Master Trustee”), in the form attached hereto as **Exhibit “B”** and made a part hereof by reference, supplementing the Master Trust Indenture dated as of June 1, 1995 (the “Master Trust Indenture”) between the Board and the Master Trustee, which Supplemental Indenture authorizes the execution and delivery of an Obligated Group Direct Obligation Master Note, Series 2003__ (University of Nebraska Medical Center Student Housing Bonds) bearing such series designation and dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board (the “Master Note”) in the principal amount of not to exceed Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000) and (b) the Master Note in the form attached hereto as **Exhibit “C”** and made a part hereof by reference, are hereby approved, adopted, ratified and affirmed together with

such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

III.

BE IT FURTHER RESOLVED BY THE BOARD that the not to exceed \$5,750,000 aggregate principal amount of The Board of Regents of the University of Nebraska Revenue Bonds, Series 2003 (University of Nebraska Medical Center Student Housing Project) dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board (the “2003 UNMC Student Housing Bonds”) authorized by the Supplemental Resolution shall be sold by negotiated sale at an average interest rate not to exceed five and one-half percent (5.50%) to Ameritas Investment Corp. pursuant to a Bond Purchase Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board in the form presented to the Board as **Exhibit “D”** and made a part hereof by this reference, which Bond Purchase Agreement is hereby adopted, ratified, affirmed and approved together with such changes or modifications as the Chair of this Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska. The Vice President for Business and Finance, on behalf of the Board, is hereby authorized and directed to approve the principal amount of 2003 UNMC Student Housing Bonds to be issued and the principal maturities, interest rates and redemption provisions thereof and to take all necessary actions and execute all necessary documents to effect the sale of the 2003 UNMC Student Housing Bonds.

IV.

BE IT FURTHER RESOLVED BY THE BOARD that the Preliminary Official Statement of the Board with respect to the 2003 UNMC Student Housing Bonds, dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board, in the form presented to the Board as **Exhibit “E”** together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska, and the final Official Statement to be dated as of the date of sale

with respect to the 2003 UNMC Student Housing Bonds, which final Official Statement shall include the terms of the 2003 UNMC Student Housing Bonds, are hereby approved and authorized for delivery to the purchaser of the 2003 UNMC Student Housing Bonds.

V.

BE IT FURTHER RESOLVED BY THE BOARD that (a) the Continuing Disclosure Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board by and among the Board and the Fourth Series Trustee (the “Fourth Series Trustee”) designated in the Fourth Series Resolution dated as of August 1, 1986 and adopted by the Board on July 26, 1986 to satisfy the requirements of Rule 15c2-12 of the Securities and Exchange Commission with respect to the 2003 UNMC Student Housing Bonds in the form attached hereto as **Exhibit “F”** and made a part hereof by reference, and (b) the Tax Compliance Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board by and between the Board and the Fourth Series Trustee to satisfy the requirements of Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder with respect to the 2003 UNMC Student Housing Bonds in the form attached hereto as **Exhibit “G”** and made a part hereof by reference, are each hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications and the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the University of Nebraska.

VI.

BE IT FURTHER RESOLVED BY THE BOARD that the members and officers of this Board and the officials of the University of Nebraska, or any of them, be, and they hereby are, and each of them hereby is, authorized and directed to take any and all action including the execution of all papers, certificates, receipts and documents, they or any of them may deem necessary or desirable to effectuate, in accordance with the terms of the Resolutions pertaining thereto adopted at this meeting, the delivery and payment for the 2003 UNMC Student Housing Bonds, the execution and delivery of the Supplemental Indenture and the Master Note.

VII.

BE IT FURTHER RESOLVED BY THE BOARD that all actions heretofore taken for or on behalf of, or in the name of the Board, by any of the members or officers thereof or by any officers of the University of Nebraska with respect to the authorization or offering for sale of 2003 UNMC Student Housing Bonds are hereby validated, ratified and confirmed.

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Purchase and transfer of ownership of Scott Village to the Board of Regents of the University of Nebraska

RECOMMENDED ACTION: Approve the purchase and transfer of ownership of Scott Village to the Board of Regents of the University of Nebraska and authorize the President to execute all legal instruments necessary to carry out the transfer and conditions of the proposed transaction.

PREVIOUS ACTION: January 12, 2002 – The Board 1) approved a ground lease agreement with the Suzanne and Walter Scott Foundation providing for the construction and operation of additional student residence halls and related facilities on the University of Nebraska at Omaha (UNO) South Campus over a term ending on August 31, 2043; 2) authorized the President to execute all legal instruments necessary to carry out the terms and conditions of the lease agreement; 3) approved First Amendment to the ground lease agreement for Scott Village; and 4) approved “Scott Village” as the name of the area within the ground lease for the additional residence halls.

EXPLANATION: Scott Village is a 480 bed, apartment-style complex on the South Campus of the University of Nebraska at Omaha. The apartments are leased on an annual basis. As of the date of this agenda item, construction has been completed and the complex is fully leased.

In its action of January 12, 2002, the Board of Regents retained a right of first refusal to purchase the interests of the Suzanne and Walter Scott Foundation (the Scott Foundation) in Scott Village. The Scott Foundation has approached the University proposing that the complex be sold to the University.

While the terms are not finalized, the Scott Foundation has proposed to convey the property to the University at their cost plus a development fee. Approval of this item would authorize the President to negotiate and execute terms and conditions and execute legal agreements necessary to carry out those terms and conditions.

Operationally, the complex is managed on a day-to-day basis by College Park, the same management company that is responsible for Scott Hall. Accordingly, there will be no additional staff added at UNO as a result of this transaction.

The University proposes to issue revenue bonds not exceeding \$16,000,000 to fund the conveyance, which is on the agenda of this meeting as Addendum X-B-11.

The terms of the final purchase and management contract with the Scott Foundation will be reported to the Board at its meeting on October 17, 2003.

PROJECT COST: \$16,000,000

SOURCE OF FUNDS: Revenue Bonds

SPONSORS: Gary L. Carrico
Vice Chancellor for Business & Finance

David E. Lechner
Vice President for Business & Finance

APPROVAL: _____
Nancy Belck, Chancellor
University of Nebraska at Omaha

DATE: July 22, 2003

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: University of Nebraska at Omaha (UNO) Student Fees and Facilities Revenue Bonds, Series 2003 for the Scott Village

RECOMMENDED ACTION: Approve the attached Resolution (1) adopting the Second Supplemental Resolution to the Sixth Series Resolution authorizing the issuance of not to exceed \$16,000,000 aggregate principal amount of UNO Student Fees and Facilities Revenue Bonds, Series 2003, for the Scott Village Student Housing, (2) authorizing the execution and delivery of a Supplemental Master Trust Indenture, appropriately numbered, and the related Master Note, (3) authorizing the sale of such Revenue Bonds, Series 2003 at a negotiated sale, approving a Bond Purchase Agreement, a Continuing Disclosure Agreement, a Tax Compliance Agreement, and the Preliminary Official Statement, and authorizing the Vice President for Business and Finance to determine interest rates (not to exceed an average rate of 5.50%), principal amounts and principal maturities of such Revenue Bonds, Series 2003, and (4) approving the preparation and use of a final Official Statement.

PREVIOUS ACTION: None.

EXPLANATION: The Series 2003 Bonds will have a 30-year maturity. Current bond market conditions would provide a projected interest rate of about 5.00%. This would result in average annual debt service payments (principal and interest) of \$990,000 on the Series 2003 Bonds. Projected net revenues available for debt service payments (excess of projected revenues over projected operating expenses) gives an average debt service “coverage ratio” in excess of 1.20, which is recommended for issues of this kind.

Members of the public and the news media may obtain a copy of the proposed Supplemental Resolution, Preliminary Official Statement and other bond documents in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

SPONSORS: Gary L. Carrico
Vice Chancellor for Business & Finance

David E. Lechner
Vice President for Business & Finance

APPROVAL: _____
Nancy Belck, Chancellor
University of Nebraska at Omaha

DATE: July 17, 2003

RESOLUTION

I.

BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA (the “Board”) that the Resolution entitled “Second Supplemental Resolution to Sixth Series Resolution Authorizing the Issuance and Sale of Not to Exceed Sixteen Million Dollars (\$16,000,000) Revenue Bonds, Series 2003 (University of Nebraska at Omaha Student Housing Project) of The Board of Regents of the University of Nebraska” (the “Supplemental Resolution”) in the form attached hereto as **Exhibit “A”** and made a part hereof by reference is hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

II.

BE IT FURTHER RESOLVED BY THE BOARD that (a) the Supplemental Master Indenture numbered and dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board (the “Supplemental Indenture”) between the Board and Wells Fargo Bank Nebraska, National Association, as successor to National Bank of Commerce Trust and Savings Association, as Master Trustee (the “Master Trustee”), in the form attached hereto as **Exhibit “B”** and made a part hereof by reference, supplementing the Master Trust Indenture dated as of June 1, 1995 (the “Master Trust Indenture”) between the Board and the Master Trustee, which Supplemental Indenture authorizes the execution and delivery of an Obligated Group Direct Obligation Master Note, Series 2003__ (University of Nebraska at Omaha Student Housing Bonds) bearing such series designation and dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board (the “Master Note”) in the principal amount of not to exceed Sixteen Million Dollars (\$16,000,000) and (b) the Master Note in the form attached hereto as **Exhibit “C”** and made a part hereof by reference, are hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska.

III.

BE IT FURTHER RESOLVED BY THE BOARD that the not to exceed \$16,000,000 aggregate principal amount of The Board of Regents of the University of Nebraska Revenue Bonds, Series 2003 (University of Nebraska at Omaha Student Housing Project) dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board (the “2003 UNO Student Housing Bonds”) authorized by the Supplemental Resolution shall be sold by negotiated sale at an average interest rate not to exceed five and one-half percent (5.50%) to Ameritas Investment Corp. pursuant to a Bond Purchase Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board in the form presented to the Board as **Exhibit “D”** and made a part hereof by this reference, which Bond Purchase Agreement is hereby adopted, ratified, affirmed and approved, together with such changes or modifications as the Chair of this Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska. The Vice President for Business and Finance, on behalf of the Board, is hereby authorized and directed to approve the principal amount of 2003 UNO Student Housing Bonds to be issued and the principal maturities, interest rates and redemption provisions thereof and to take all necessary actions and execute all necessary documents to effect the sale of the 2003 UNO Student Housing Bonds.

IV.

BE IT FURTHER RESOLVED BY THE BOARD that the Preliminary Official Statement of the Board with respect to the 2003 UNO Student Housing Bonds, dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board, in the form presented to the Board as **Exhibit “E”** together with such changes, additions, deletions or modifications as the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the Board and the University of Nebraska, and the final Official Statement to be dated as of the date of sale with respect to the 2003 UNO Student Housing Bonds, which final Official Statement shall include the terms of the 2003 UNO Student Housing Bonds, are hereby approved and authorized for delivery to the purchaser of the 2003 UNO Student Housing Bonds.

V.

BE IT FURTHER RESOLVED BY THE BOARD that (a) the Continuing Disclosure Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board by and among the Board and the Sixth Series Trustee (the “Sixth Series Trustee”) designated in the Sixth Series Resolution dated as of November 1, 1993 and adopted by the Board on October 15, 1993 to satisfy the requirements of Rule 15c2-12 of the Securities and Exchange Commission with respect to the 2003 UNO Student Housing Bonds in the form attached hereto as **Exhibit “F”** and made a part hereof by reference, and (b) the Tax Compliance Agreement dated as of such date as shall be determined by the Vice President for Business and Finance on behalf of the Board by and between the Board and the Sixth Series Trustee to satisfy the requirements of Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder with respect to the 2003 UNO Student Housing Bonds in the form attached hereto as **Exhibit “G”** and made a part hereof by reference, are each hereby approved, adopted, ratified and affirmed together with such changes, additions, deletions or modifications and the Chair of the Board, University counsel and bond counsel shall approve as being in the best interests of the University of Nebraska.

VI.

BE IT FURTHER RESOLVED BY THE BOARD that the members and officers of this Board and the officials of the University of Nebraska, or any of them, be, and they hereby are, and each of them hereby is, authorized and directed to take any and all action including the execution of all papers, certificates, receipts and documents, they or any of them may deem necessary or desirable to effectuate, in accordance with the terms of the Resolutions pertaining thereto adopted at this meeting, the delivery and payment for the 2003 UNO Student Housing Bonds, the execution and delivery of the Supplemental Indenture and the Master Note.

VII.

BE IT FURTHER RESOLVED BY THE BOARD that all actions heretofore taken for or on behalf of, or in the name of the Board, by any of the members of officers thereof or by any officers of the University of Nebraska with respect to the authorization or offering for sale of 2003 UNO Student Housing Bonds are hereby validated, ratified and confirmed.

C. FOR INFORMATION ONLY

1. This proposed amendment of Sections 1.3.1 and 1.3.3 of the *Standing Rules of the Board of Regents of the University of Nebraska* and creation of Regents' Policy 1.6.9 of the *Board of Regents' Policies of the University of Nebraska* creates an Audit Committee. This item is presented at this meeting for information only as required by Section 7.2 of the *Standing Rules of the Board of Regents of the University of Nebraska*. It will be placed on the October 17, 2003, Board of Regents agenda for discussion and formal action. Addendum X-C-1

2. This proposed amendment of Section 3.10 of the *Bylaws of the Board of Regents of the University of Nebraska* relating to ownership, patent and commercialization of inventions and discoveries is presented for information purposes only in accordance with the requirements of Section 1.11 of the *Bylaws of the Board of Regents*. Approval of this amendment will be requested at the Regents' meeting on October 17, 2003. Addendum X-C-2

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Amendment of Sections 1.3.1 and 1.3.3 of the *Standing Rules of the Board of Regents of the University of Nebraska* and creation of Regents' Policy 1.6.9 of the *Board of Regents' Policies of the University of Nebraska* creating an Audit Committee.

RECOMMENDED ACTION: None. This item is presented at this meeting for information only as required by Section 7.2 of the *Standing Rules of the Board of Regents of the University of Nebraska*. It will be placed on the agenda of the October 17, 2003, Regents meeting for discussion and formal action.

PREVIOUS ACTION: April 26, 2003 – The Board approved amendment of Sections 1.3.1 and 1.3.3 of the *Standing Rules of the Board of Regents of the University of Nebraska* and amendment of Regents' Policy 1.6.8 of the *Board of Regents' Policies of the University of Nebraska* striking the Athletic Committee and adding the Outreach and Service Committee.

November 8, 2002 – The Board adopted the current *Standing Rules of the Board of Regents of the University of Nebraska*.

EXPLANATION: It is proposed that a new committee be added to Sections 1.3.1 and 1.3.3 entitled "Audit Committee," of the *Standing Rules of the Board of Regents of the University of Nebraska* and be amended as follows:

- 1.3.1 The Board shall have ~~seven~~ eight standing committees: Executive, Academic Affairs, Audit, Business Affairs, General Affairs, Information Technology, Planning, and Outreach and Service. The Board may from time to time create such other committees as it determines to be necessary.
- 1.3.3 The Chairperson of the Board shall, after consulting with the other members of the Board, appoint the members of the Academic Affairs, Audit, Business Affairs, General Affairs, Information Technology, Planning, and Outreach and Service committees and select one member of each committee to serve as its chairperson. Such appointments shall be made each year, after the Board's annual meeting in January and before its next scheduled meeting. All proposed committee agenda topics will be

submitted by the committee chairs to the
Executive Committee for approval.

It is also proposed that RP-1.6.9 of the *Board of Regents'
Policies of the University of Nebraska* be created as follows:

RP-1.6.9 Audit Committee

The Audit Committee shall address policies affecting operations
review, accountability and audit.

SPONSOR:

David E. Lechner
Vice President for Business & Finance

APPROVAL:

L. Dennis Smith
President

DATE:

July 17, 2003

TO: The Board of Regents
Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Amendment of Section 3.10 of the *Bylaws of the Board of Regents of the University of Nebraska* relating to ownership, patent and commercialization of inventions and discoveries.

RECOMMENDED ACTION: None. This proposed amendment of Section 3.10 of the *Bylaws of the Board of Regents of the University of Nebraska* relating to ownership, patent and commercialization of inventions and discoveries is presented for information purposes only in accordance with the requirements of Section 1.11 of the *Bylaws of the Board of Regents of the University of Nebraska*. Approval of this amendment will be requested at the Regents' meeting on October 17, 2003.

PREVIOUS ACTION: Section 3.10 was adopted with the *Bylaws of the Board of Regents of the University of Nebraska* on August 20, 1973. It was subsequently amended on June 16, 1984, and on December 10, 1994.

EXPLANATION: It is requested that the Board of Regents approve the following amendment of Section 3.10 of the *Bylaws of the Board of Regents of the University of Nebraska* to clarify and reinforce the University's policy in regard to (i) the matter of ownership of inventions and discoveries resulting from the performance of duties within the scope of University employment, or resulting from the use of University personnel, property, facilities or other University Resources, and (ii) the division of net royalties and proceeds from transfer of University inventions and discoveries. The text of the amendment is as follows:

3.10 Patent Policy Ownership and Commercialization of Inventions and Discoveries.

The Board encourages ~~members of the staff to seek patents on discoveries and inventions~~ the commercialization of inventions and discoveries arising from research activities of the University, and when appropriate, the pursuit of patents or other intellectual property protection, as a method of bringing recognition and remuneration to the individual the University's inventors and to the University itself. Patentable discoveries by staff members Every invention or discovery by members of the faculty and staff that results from the performance of duties owed to the within the scope of their University employment, or from the use of University properties personnel, property, or facilities, or other resources, except where such use is minimal, shall be offered to solely owned by the University in writing prior to making a patent application; provided, that the inventor or inventors shall have a share of no less than one-third (1/3) of the net proceeds received by the University

resulting from licensing or sale of University owned intellectual property rights associated with such invention or discovery. If the University accepts the offer within six months, it shall pursue the patent application with the help of the inventor at no cost to the latter. Royalties and other proceeds accruing from any successful patent shall be divided according to a mutually agreed upon formula, but in no case shall the inventor's share be less than 15% of the net revenues. If the Board rejects the offer, the inventor is free to pursue the patent application at his or her own expense. In the event that a third party assists the Board and the inventor in pursuing the patentability of a discovery or invention, the conditions and financial arrangements shall be specified by contract signed by all parties to the agreement. Further, and unless otherwise explicitly and specifically agreed to in writing, should by operation of law or otherwise it is determined that the inventor or inventors own any rights in the University's inventions and discoveries beyond that described in this section of these Bylaws, then it shall be a condition of employment at the University of Nebraska that any such rights shall be assigned to the University. The Board shall adopt a formal Patent and Technology Transfer Policy which shall govern the disclosure of inventions and discoveries resulting from performance of duties by faculty or staff within the scope of their employment, or from the use of University personnel, property, facilities, or resources. The President, or any administrative officers designated by the President, shall have authority to accept or reject patentable act for the University with respect to inventions or discoveries offered to owned by the University as required by this section and the Board's patent procedures policy Patent and Technology Transfer Policy.

The Board will also be asked to approve a new Patent and Technology Policy at the next Board meeting on October 17, 2003. Such a policy is provided for in the forgoing proposed amendment of Section 3.10 of the *Bylaws of the Board of Regents of the University of Nebraska*. A copy of the proposed Patent and Technology Transfer Policy is attached to this addendum.

SPONSORS:

Jay Noren
Executive Vice President and Provost

Richard R. Wood
Vice President and General Counsel

APPROVAL:

L. Dennis Smith
President

DATE:

July 22, 2003

ag070103

RP-4.4.2 Regents' Patent and Technology Transfer Policy

Section 3.10 of the *Bylaws of the Board of Regents* provides that it is the policy of the Regents to encourage the commercialization of inventions and discoveries arising from research activities of the University, and when appropriate, the pursuit of patents or other intellectual property protection, as a method of bringing recognition and remuneration to the University's inventors and to the University itself. This Patent and Technology Transfer Policy is adopted for the purpose of providing general policy regulations to implement Section 3.10 of the *Bylaws of the Board of Regents*:

Section 1. Ownership of Inventions Resulting From Performance of Duties of Employment; Prompt Disclosure to University

Each invention¹ by a member or members of the faculty or staff of the University resulting from performance of duties within the scope of University employment, or resulting from the use of University personnel, property, facilities, or other University resources, except where such use is minimal,² shall be solely owned by the University. Questions concerning whether a use of University resources is minimal shall be resolved in accordance with the process set forth in Section 9 of this Policy. Each such invention and any improvement(s) made thereto while under the employment of the University shall be promptly disclosed in writing to the designated campus patent and technology transfer administrator (the "Administrator").³

A disclosure of an invention shall be properly made when it is submitted to the campus Administrator in such manner and form as may be determined by the Administrator. Any disclosure of an invention shall contain information in such detail as is deemed necessary by the Administrator to allow for a review of its patentability and commercial potential, and shall detail the specific utility or application of the invention.

Section 2. The Campus Administrator

¹For purposes of this policy, the term "invention" shall mean patentable inventions or discoveries, computer software, trade secrets and all other intellectual property not addressed under Regents Policy 4.4.1.

²The determination as to whether any use of University personnel, property or facilities is or was "minimal" under this policy shall be made based on the following considerations:

- a) Whether the invention was conceived of or reduced to practice pursuant to an employee or faculty member's job duties;
- b) Whether any funding for the work leading to the conception or reduction to practice of the invention was provided by or facilitated through the University;
- c) Whether any University facilities were utilized in the conception or reduction to practice of the invention, and if so, the extent of such use; and
- d) Whether any University students or staff were utilized in or contributed to the conception or reduction to practice of the invention.

³The Bayh-Dole Act of 1980, 35 U.S.C. §§ 200-212, allows Universities and other non-profit organizations to retain title to federally-funded inventions and requires that strict reporting requirements be met. It is therefore critical that inventors provide a prompt and thorough disclosure to the University so that the University can properly evaluate the disclosure and elect to either retain or decline title to such inventions in a timely manner.

The Chancellor of each campus and/or the Chancellor's designee shall designate a campus patent and technology transfer administrator who shall be responsible for the administration of all campus patent and technology transfer activities, and who will provide a central source of information and help in handling the different aspects of patents and technology transfer.

Section 3. Patent and Technology Transfer Advisory Committee

The Administrator in consultation with the Chancellor and/or the Chancellor's designee shall establish an advisory committee on technology transfer (the "Committee"). The Committee will be available to assist the Administrator in the review of disclosures of inventions, and provide advice and peer group scientific review on issues relating to (i) intellectual property development and licensing or other technology transfer issues, and (ii) other related assistance as requested.

Section 4. Review of Invention Disclosures; Acceptance for Technology Transfer by University or Transfer to Inventor

The Administrator, the Committee, and/or the Administrator's designees (one or more of which are referred to herein as the "Reviewers") shall aim to evaluate all disclosures of inventions on behalf of the University within six (6) months from the date the disclosure is formally submitted to the Administrator. The disclosure shall be evaluated by the Reviewers for the ability to obtain effective intellectual property protection on the invention, and the potential of the invention to stimulate business interest and contribute to economic development. Upon the conclusion of the Reviewers' evaluation of an invention, the Administrator shall communicate to the inventor(s) any intent on behalf of the University to pursue protection of the invention. The University shall proceed, in its sole discretion, to seek appropriate intellectual property protection on the invention, and/or market the invention to interested parties. The terms of any license or agreements related to an invention, and the manner in which they may be enforced, litigated or settled shall be at the sole discretion of the University.

The inventor or inventors of a disclosed invention shall assist the University and any counsel retained by the University in the preparation, filing and prosecution of any patent applications based on inventions disclosed to the University, and shall sign any and all necessary documents, including assignments, declarations, oaths and affidavits related thereto.

At any time during the technology transfer process, the University may, for any reason which in its sole discretion it determines is in the best interests of the University, assign title to the invention to the inventor(s). In such cases, however, the University may retain a non-exclusive, paid-up, royalty-free license to the invention, if it so desires.

Although the University may assign title to an invention to the inventor(s), any improvement or modification to or separate invention derived from or based on such invention that results from the use of University personnel, property or facilities, except where such use is minimal, shall be owned by the University subject to this Policy. The inventor(s) shall promptly disclose such improvement, modification or separate invention to the Administrator in the same manner as is described in Section 1 of this Policy.

Should an inventor leave the University and wish to continue research on an invention which the inventor has disclosed to the University, the University shall provide an appropriate royalty-free, non-commercial, research only license to allow the inventor to continue his or her research.

Section 5. Division of Net Royalties and Proceeds

With respect to any invention subject to this Policy, the University shall first be reimbursed for any and all expenses incurred by it that are associated with evaluation of the technology, obtaining of patent or other intellectual property protection, and licensing or other technology transfer activity, including legal expenses related thereto.⁴ In the event of any infringement action or other legal action involving technology disclosed under this Policy, the University shall also be reimbursed for any and all expenses borne by the University associated with such action. After such expenses are reimbursed, royalties and other proceeds from licenses or other technology transfer activities related to an invention, or patent or other intellectual property protection based thereon, shall be distributed as follows:

- (a) One-third to the inventor or inventors; and
- (b) Two-thirds in accordance with a separate distribution policy to be established and implemented by each University campus, such policy to take effect following approval by the Board of Regents upon recommendation of the relevant campus' Chancellor.

Section 6. Distribution of Equity to Inventors

In the event that the University receives equity or an option to acquire equity in exchange for any license or other intellectual property, the share of such equity due to the inventor(s) shall be based upon the distribution of royalties and proceeds provided in Section 5 of this Policy. Such equity will be distributed directly to the inventor(s) once such equity is transferable. The University shall make every effort to distribute such equity in a timely manner, but the University shall not be responsible for changes in value which might occur before receipt of equity by an inventor.

In the event the University or an affiliated entity of the University receives equity or an option to acquire equity in exchange for something other than a license or other intellectual property right (e.g. performance of a service or clinical trial), the equity interest shall not be subject to distribution under Sections 5 or 6 of this Policy.

⁴ The University shall make every effort to recover all or part of these expenses from any licensee of University-owned intellectual property upon the execution of the license agreement.

Section 7. Division of Inventor's Share Among Co- Inventors

Should there be more than one inventor, the inventors' shares of net royalties and other proceeds under Sections 5(a) and 6 of this Policy shall be divided and distributed among themselves in accordance with an agreement to be signed by the inventors and filed with the Administrator at the time of the invention's disclosure to the Administrator. Should the inventors fail to sign such an agreement governing distribution among themselves, then the proceeds shall be distributed equally among co-inventors of jointly developed inventions or discoveries.

Section 8. Conflicts of Interest

Conflicts of interest are more likely to present themselves to inventors, University personnel and the University as an entity in the context of intellectual property licenses or other contracts related to technology transfer activities. As such it is of utmost importance that in addition to any compliance required under this Policy, that all involved in technology transfer also comply with any conflict of interest policies as required by law, Section 3.8 of the *Bylaws of the Board of Regents* or Regents Policy 3.2.8, as those requirements may exist or as they may be amended in the future.

Section 9. Resolution of Issues Concerning Administration or Interpretation of this Policy

Should any issue arise regarding administration or interpretation of this Policy or Section 3.10 of the *Bylaws of the Board of Regents*, the issue shall be referred to the campus vice chancellor responsible for research, sponsored programs and/or technology transfer activities (e.g. Vice Chancellor for Research or Vice Chancellor for Academic Affairs). The campus patent and technology transfer advisory committee may review the facts and circumstances surrounding any such issue and make recommendations to the Vice Chancellor. The Vice Chancellor shall then make a report and recommendation for resolution of the issue to the Chancellor, who will make the final decision on all issues concerning administration or interpretation of this Policy or Section 3.10 of the *Bylaws of the Board of Regents*. The Chancellor's decision will be final with respect to the University.

Section 10. Survival of Policy

The provisions of this Policy and Section 3.10 of the *Bylaws of the Board of Regents* shall survive the death or termination of employment of any inventor of intellectual property owned by the University. The provisions of this Policy shall inure to the benefit of and be binding upon the heirs and assigns of (1) any inventor of intellectual property owned by the University, and (2) all others who agree to be bound by it.

Section 11. Campus Patent and Technology Transfer Policies and Procedures

The Chancellor of each campus, or the Chancellor's designee, is authorized to adopt and implement more detailed campus patent and technology transfer policies and procedures that are consistent with and supplemental to Section 3.10 of the *Bylaws of the Board of Regents* and this Policy.

D. REPORTS

1. Report on the approval of the Parking Use Agreement with Simon Property Group for use of the Crossroads Parking Garage for UNO parking. Addendum X-D-1
2. Report of Expedited Approval of the University of Nebraska at Omaha Graduate Technical Communication Certificate. Addendum X-D-2
3. Design Development for the University of Nebraska-Lincoln (UNL) Natural Resources & Research Complex. Addendum X-D-3
4. Bids and Contracts for the period ended July 17, 2003. Addendum X-D-4
5. Status of Construction Projects exceeding \$2 million as of June 30, 2003. Addendum X-D-5
6. Semi-annual report of licenses for the period ended June 30, 2003. Addendum X-D-6

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Report on the approval of the Parking Use Agreement with Simon Property Group for use of the Crossroads Parking Garage for University of Nebraska at Omaha (UNO) parking.

RECOMMENDED ACTION: Report

PREVIOUS ACTION: November 5, 1985 – The Board of Regents approved a contract execution policy which indicates that in the event of an emergency execution of a non-exempt contract may be authorized by the Chair of the Board of Regents after consultation with the Executive Committee of the Board and the Vice President for Business & Finance with a written report made to the Board of Regents at its next scheduled meeting.

EXPLANATION: UNO has utilized the Aksarben property for student shuttle parking for many years. Due to the uncertainty of continued use of this property, this agreement has been developed for use of the Crossroads Parking Garage on a non-exclusive basis for UNO shuttle parking. Use is planned for the regular academic year on weekdays when classes are in session. UNO will pay Simon Property Group \$20,000 annually for use of the garage. UNO will also provide one security person and shuttle bus service to campus during hours of operation.

Safe operation of the shuttle bus service from this remote parking location required construction modifications to the sidewalks, curbs and streets around the parking garage. UNO will pay for the construction modifications at a cost of \$33,000. The contractor established a construction timeline of five weeks for this project. In order to complete the safety modifications in time for the start of the fall semester on August 25, 2003, construction had to begin no later than July 21, 2003. The construction could not begin until the agreement had been executed. Thus, execution of the agreement could not be delayed until the next Board of Regents meeting on August 9, 2003. The agreement was forwarded to and approved by the Chair of the Board on July 9, 2003.

Members of the public and news media may obtain a copy of the agreement in the Office of the University Corporation Secretary, 3835 Holdrege Street, Lincoln, Nebraska 68583, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except University holidays.

PROJECT COST: Estimated \$145,000 annually plus \$33,000 one-time costs.

SOURCE OF FUNDS: Parking Fees

SPONSOR:

Gary L. Carrico
Vice Chancellor for Business & Finance

APPROVAL:

Nancy Belck, Chancellor
University of Nebraska at Omaha

DATE:

July 22, 2003

TO: The Board of Regents

Academic Affairs

MEETING DATE: August 9, 2003

SUBJECT: Report of Expedited Approval of the University of Nebraska at Omaha Graduate Technical Communication Certificate

RECOMMENDED ACTION: Report.

EXPLANATION: At its July 15, 2001 meeting, the Board of Regents delegated to the President authority to give expedited approval to certain graduate certificates that were based on existing graduate degrees. Such an arrangement allows the University to respond in a timely fashion to the needs and demands of our students and Nebraska business.

The Nebraska Coordinating Commission for Postsecondary Education (NCCPE) has agreed to treat such programs as reasonable extensions of existing programs, requiring no additional approval by NCCPE, although notification of its creation must be provided to the Commission.

This is a report on the approval of a Graduate Certificate in Technical Communication. Requirements for this certificate are: 15 hours of graduate coursework in Technical Communication; 12 credits must be the core courses for Technical Communication; 3 credits must be taken from approved electives. There is no set time for completion of work for the Certificate, and all of the Certificate coursework may be applied toward the English or Communication MA programs. Successful completion of the Technical Communication Graduate Certificate requires completion of all 15 hours of coursework with a minimum of a 3.0 GPA for the program.

President Smith has approved this graduate certificate. The proposed certificate had earlier received the approval of the UNO Graduate Council and the Council of Academic Officers.

PROJECT COST: None.

SOURCE OF FUNDS: None.

APPROVAL:

Jay Noren
Executive Vice President and Provost

DATE: July 17, 2003

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Design Development for the University of Nebraska-Lincoln (UNL)
Natural Resources & Research Complex

RECOMMENDED ACTION: Report.

PREVIOUS ACTION: June 7, 2003 - The Board approved an \$833,000 increase in the project budget for the UNL Natural Resources & Research Complex Project from \$16,255,000 to \$17,088,000.

January 18, 2003 - The Board approved the revised Program Statement and Budget for the UNL Natural Resources & Research Complex Project.

April 7, 2001- The Board approved the firm of Alley Poyner Architecture to provide design services.

November 3, 2000 - The Board approved 1) Program statement for the Natural Resources & Research Complex Phase I. 2) Request For Proposal (RFP) and procedure for award of a contract for Construction Manager at Risk for the construction of the facility and authorize the Administration to award a contract in accord with such procedure.

April 5, 1997 - The Board approved the project statement for the replacement of the UNL Biochemistry Hall as part of seven capital projects included in the University's major renovation/deferred maintenance initiative.

EXPLANATION: The project involves locating the Natural Resources & Research Complex in the former Clifford Hardin Nebraska Center for Continuing Education Building. The project will renovate approximately two-thirds of the Hardin Center Building and construct a 12,539 gross square feet three-story laboratory addition. The laboratory addition will include research laboratories, circulation space, and a new egress stairway. The renovated Hardin Center Building will house research laboratories, laboratory support spaces, teaching laboratories, computer teaching spaces, and other related spaces. Renovation work, including asbestos abatement, new mechanical and electrical systems, and reconfiguration of interior walls, will bring the building into compliance with accessibility and Life Safety Code requirements. The Hardin Center auditorium and related components will remain unimproved, except for the installation of a new sprinkler system and abatement of asbestos. The renovation of the existing facility and the addition of new laboratory space will provide the opportunity to consolidate the School of Natural Resources into a single complex.

Proposed start of construction: February 2004
Proposed completion of construction: June 2005

PROJECT COST: \$17,088,000

ON-GOING FISCAL IMPACT: Annual Operating Cost \$782,000
2% Assessment \$342,000

SOURCE OF FUNDS: U.S. Department of Agriculture Grant \$9,600,000
University of Nebraska Facilities Corporation
Series 1998 Bonds
(Deferred Maintenance Project) LB1100 7,088,000
Operating Funds 400,000
Total Budget \$17,088,000

SPONSORS: John C. Owens
NU Vice President for Agriculture and Natural Resources
IANR Vice Chancellor

Christine A. Jackson
Vice Chancellor for Business & Finance

APPROVAL: _____
Harvey Perlman, Chancellor
University of Nebraska-Lincoln

DATE: July 17, 2003

Natural Resources & Research Complex

University of Nebraska–Lincoln

Project Description

This project involves the adaptive reuse of and a new laboratory addition to the Clifford Hardin Nebraska Center for Continuing education (NCCE), located at the corner of 33rd and Holdrege Streets on UNL's East Campus. The proposed project will create a consolidated complex for the School of Natural Resources, the recently merged organization combining the School of Natural Resource Sciences, the Conservation and Survey Division, and The Water Center.

The three-story laboratory addition will add 12,539 GSF to the complex, including research laboratories, circulation space, and a new egress stair. The original NCCE complex, constructed in 1962, is comprised of four major architectural components: a conferencing wing (south wing), a nine-story hotel tower, an auditorium, and the former youth area (north wing), which is currently office space. The project will introduce a new automatic fire suppression system (sprinklers) throughout all spaces not currently sprinkled, address other existing life-safety deficiencies throughout the complex, and address asbestos abatement as required. The scope of renovation varies by area, involving complete interior demolition, new interior construction and installation of new mechanical and electrical systems in virtually all areas in the tower and the south wing. The scope of renovation in the north wing is less comprehensive. The auditorium will remain unimproved, except for the installation of a new sprinkler system and related components.

This project will house research laboratories and laboratory support spaces, teaching laboratories, computer teaching spaces, and other spaces to support some 300 employees and researchers in over 400 programmed spaces. Research disciplines supported include: Fisheries/Wildlife, Water, Soils, Geology, Forestry, Advanced Land Management Information Technologies/Remote Sensing, Climatology. Several academic centers are also supported.

Cost

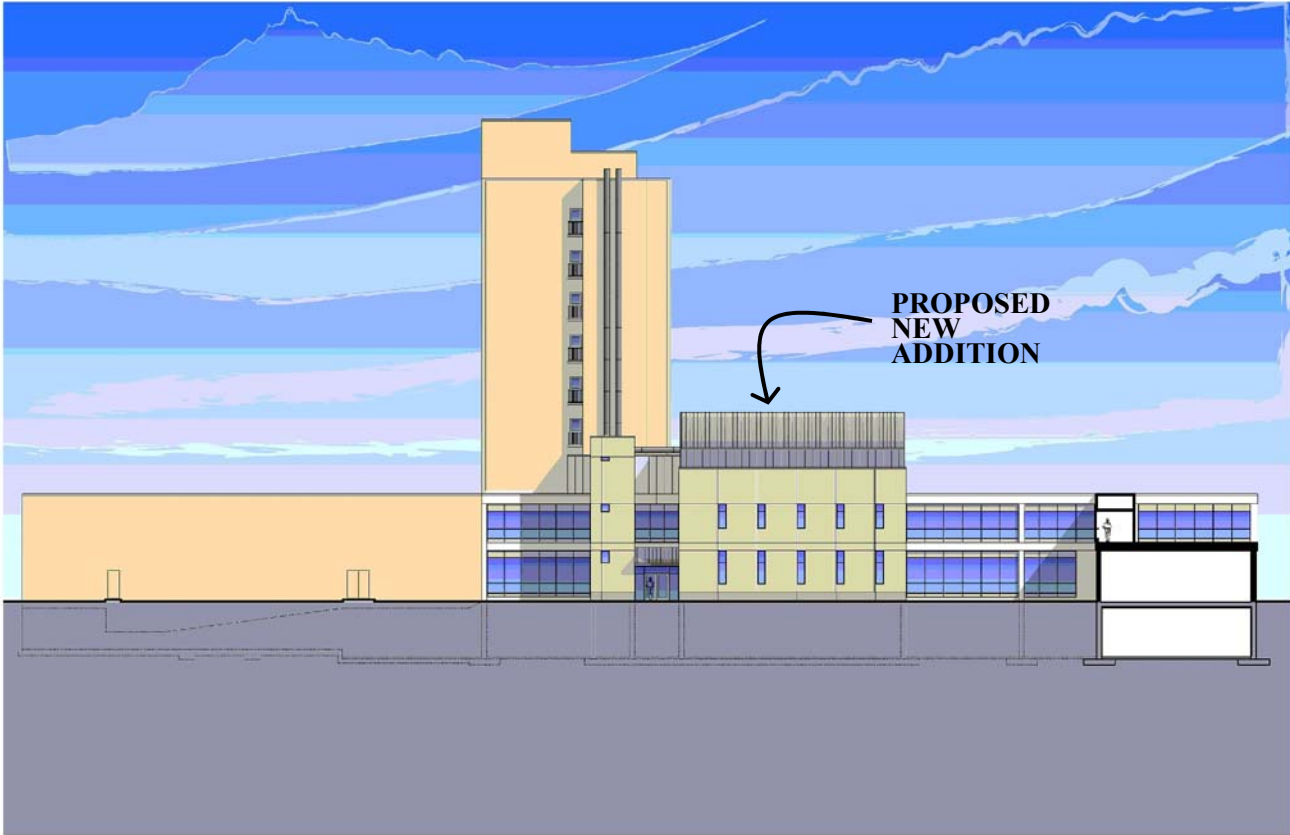
Total Project Cost	\$17,088,000
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Project Schedule

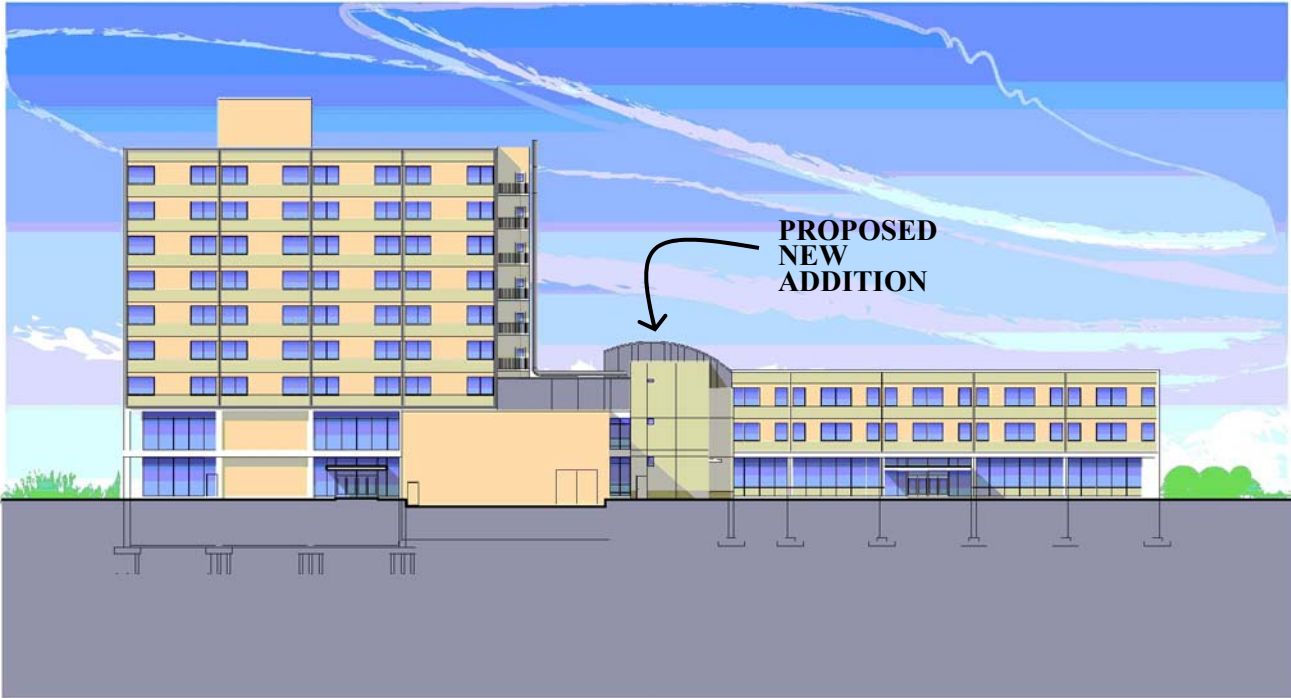
Schematic Design Complete	May 9, 2003
Design Development Complete	August 1, 2003
Construction Documents Complete	November 14, 2003
Bidding Period	November 21, 2003 - January 16, 2004
Start of Construction	February 2004
Substantial Completion	June 2005
Complete Occupancy & Project Close-out	August 2005

Natural Resources & Research Complex

University of Nebraska–Lincoln



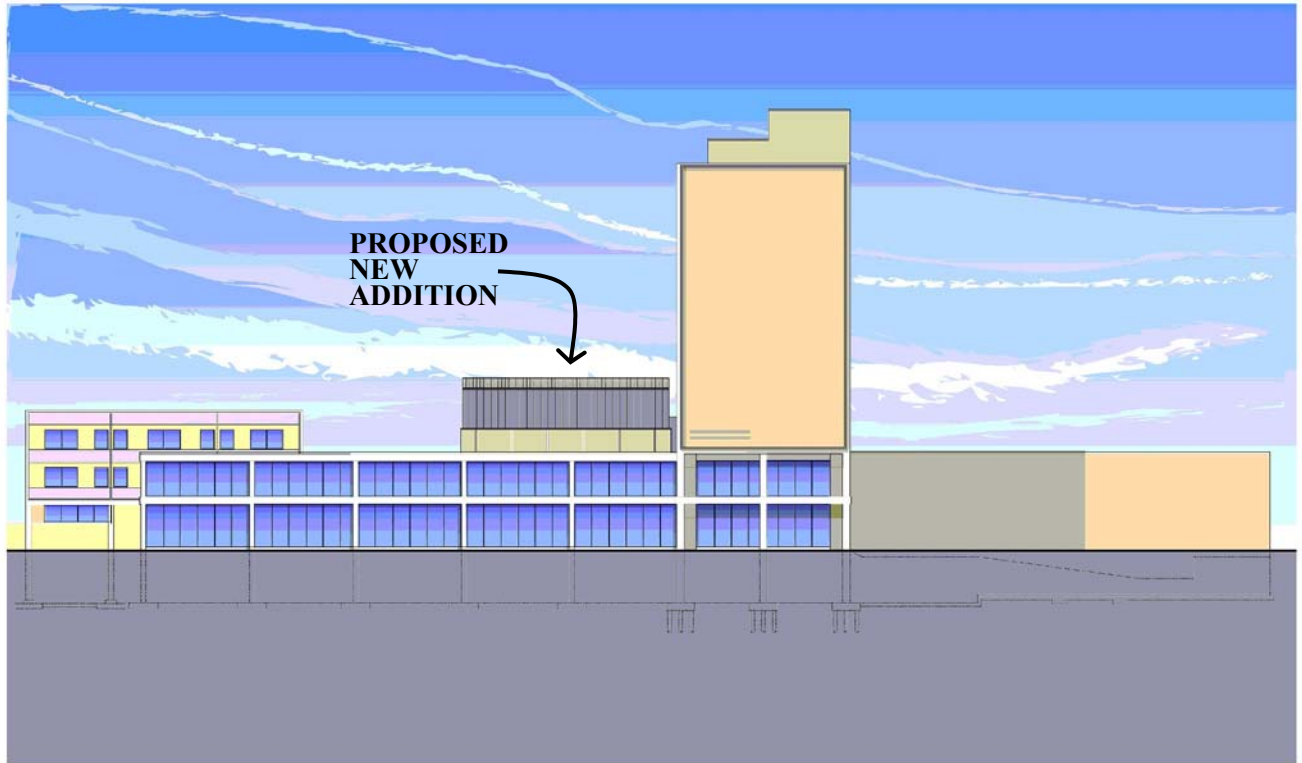
NORTH ELEVATION/SECTION



EAST ELEVATION

Natural Resources & Research Complex

University of Nebraska–Lincoln



SOUTH ELEVATION



WEST ELEVATION

TO: The Board of Regents

Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Monthly Report of Bids and Contracts

RECOMMENDED ACTION: Report

PREVIOUS ACTION: None

EXPLANATION: The attached report is a summary of bids and contracts as provided by the campuses pursuant to Section 6.4 of the *Bylaws of the Board of Regents of the University of Nebraska* for the period ended July 17, 2003.

The report outlines the following: type of action; campus; description and use of the product, service, or project; funding source; approved budget amount; contract amount; contractor or vendor; and a bid review or bid explanation if the low responsible bid was not accepted.

PROJECT COST: None

SOURCE OF FUNDS: None

APPROVAL:

David E. Lechner
Vice President for Business & Finance

DATE: July 17, 2003

Type of Action	Campus	Description	Funding Source	Approved Budget Amount	Contract Amount	Contractor/ Vendor	Bid Review or Explanation
Personal Property Procurement	UNMC	Confocal Microscope Module for Opthomology research to perform imaging & analysis of eye cells and structure.	College of Medicine Operating Funds	\$ 130,000	\$ 130,000	Perkin Elmer Life Sciences	Sole source. Only system that provides quality image with fluorescent dye and has unique software utilized for data acquisition and analysis. Software upgrades provided at no charge.
	UNL	Chemistry Department. Acquisition of upgrade for two Bruker NMRs.	State Aided Non-Revolving	N/A	\$ 258,400	Bruker BioSpin Corporation	Sole source. This vendor was chosen because they are the only vendor who can accomplish the upgrade.
	UNL	Physics Department. Acquisition of a Femtosecond Ultrafast Laser.	NRI & Grant Funds & Indirect Costs	N/A	\$ 160,000	Coherent Laser Group	Sole source. This vendor was chosen because they are the only vendor able to meet the unique specifications needed.
	UNL	University Dining Services. Acquisition of a warewashing system and accumulator for the East Campus Student Union.	Auxiliary Funds	N/A	\$ 106,612	Pegler-Sysco	Lowest responsible bidder.
	UNL	Biotechnology Center. Acquisition of a Microscope Laser System.	Operating Funds	N/A	\$ 210,000	Olympus	Sole Source. This vendor was chosen because it is an add on to existing Olympus equipment and must be compatible.
Other Services Contract	UNL	Utility Services Department. Installation of City Campus switchgear.	309 Task Force & Operating Funds	\$ 680,000	\$ 336,744	General Excavating	Lowest responsible bidder.

Type of Action	Campus	Description	Funding Source	Approved Budget Amount	Contract Amount	Contractor/ Vendor	Bid Review or Explanation
Architectural and Engineering Services	UNL	Housing Department. Renovation of the Selleck Dining Hall.	Revenue Bonds	\$ 6,538,400	\$ 320,000	Clark Enersen Partners	Architect selected in accordance with Board of Regents selection policy.
	UNL	Housing Department. Construction of Student Housing at 17th & Y Street.	Revenue Bonds	\$ 30,470,000	\$ 399,999	Sinclair Hille & Associates, Inc.	Architect selected in accordance with Board of Regents selection policy.

TO: The Board of Regents
Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Status of Construction Projects exceeding \$2 million as of June 30, 2003.

RECOMMENDED ACTION: Report

PREVIOUS ACTION: The attached status report is a summary of projects exceeding \$2 million in total project costs and outlines the campus and project, contract status, stage of construction, budget categories and budgets for the period January 1, 2003, through June 30, 2003.

SPONSOR: Rebecca H. Koller
Assistant Vice President for Business & Finance
Director of Facilities Planning & Management

APPROVAL: _____
David E. Lechner
Vice President for Business & Finance

DATE: July 17, 2003

**Status Report of Construction Projects Exceeding \$2.0 Million
for period January 1, 2003, through June 30, 2003**

Campus / Project	Contract Status and Date	State of Construction	Approved Budget Categories	Amount
University of Nebraska Deferred Maintenance - LB309	Architect: Various	Ongoing Projects	Total Projects Cost	\$ 11,885,505
	Contract Date: Various			
	Method of Construction: N/A			
	General Contractor: Various			
University of Nebraska at Kearney Bruner Hall Renovation	Contract Date: Various	Percent of Funds Expended: 80% Substantial Completion Date: 12/01/03	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 5,931,057
	Method of Construction: Construction Manager/GMP			\$ 565,795
	General Contractor: Sampson Construction			\$ 6,496,852
	Contract Date: 01/08/01			
University of Nebraska-Lincoln Schmid Law Library Renovation & Addition	Architect: Sinclair Hille Architects	Percent of Funds Expended: 95% Substantial Completion Date: 02/15/03	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 6,998,938
	Contract Date: 02/21/00			\$ 1,201,062
	Method of Construction: Conventional Bidding			\$ 8,200,000
	General Contractor: Hawkins Construction			
University of Nebraska-Lincoln Natural Resources & Research Complex	Contract Date: 08/17/01	Percent of Funds Expended: 3% Substantial Completion Date: 06/01/05	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 14,351,000
	Architect: Alley-Poyner Architecture			\$ 2,737,000
	Contract Date: 10/10/01			\$ 17,088,000
	Method of Construction: Conventional Bidding			
University of Nebraska-Lincoln Avery Hall Renovation	General Contractor: NA	Percent of Funds Expended: 34% Substantial Completion Date: 05/31/04	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 7,205,603
	Contract Date: NA			\$ 3,571,428
	Architect: Alley-Poyner Architecture P.C.			\$ 10,777,031
	Contract Date: 01/08/01			
University of Nebraska-Lincoln Selleck Hall Dining Addition & Renovation	Method of Construction: Construction Manager/GMP	Percent of Funds Expended: 0% Substantial Completion Date: 08/10/04	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 4,003,881
	General Contractor: Builders, Inc.			\$ 2,534,519
	Contract Date: 01/08/01			\$ 6,538,400
	Architect: The Clark Enersen Partners			
University of Nebraska-Lincoln Hamilton Hall Infrastructure Replacement	Contract Date: NA	Percent of Funds Expended: 57% Substantial Completion Date: 05/10/05	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 15,676,496
	Method of Construction: Conventional Bidding			\$ 1,896,564
	General Contractor: Shanahan Mechanical & Electrical			\$ 17,573,060
	Contract Date: 02/28/01			
University of Nebraska-Lincoln Othmer Hall Finishing Shell Space	Architect: Davis Design	Percent of Funds Expended: 27% Substantial Completion Date: 11/21/03	1. Construction Budget 2. Non Construction Budget Total Project Cost	\$ 3,445,841
	Contract Date: 04/08/02			\$ 1,869,671
	Method of Construction: Conventional Bidding			\$ 5,315,512
	General Contractor: Builders Inc.			
	Contract Date: 03/20/03			

Status Report of Construction Projects Exceeding \$2.0 Million - Page 2
for period January 1, 2003, through June 30, 2003

Campus / Project	Contract Status and Date	State of Construction	Approved Budget Categories	Amount
University of Nebraska-Lincoln Mary Riepma Ross Media Arts Center & Van Brunt Visitors Center	Architect: Bahr Vermeer & Haecker Architects	Percent of Funds Expended: 95%	1. Construction Budget	\$ 6,605,076
	Contract Date: 06/05/99	Substantial Completion Date: 1/13/103	2. Non Construction Budget	\$ 2,294,924
	Method of Construction: Construction Manager/GMP		Total Project Cost	\$ 8,900,000
	General Contractor: The Weitz Co., Inc.			
University of Nebraska-Lincoln 17th & Vine Student Housing Project	Contract Date: 07/31/00			
	Architect: Sinclair Hille Architects	Percent of Funds Expended: 10%	1. Construction Budget	\$ 19,202,000
	Contract Date: 08/30/02	Substantial Completion Date: 06/01/04	2. Non Construction Budget	\$ 2,934,000
	Method of Construction: Design/Build		Total Project Cost	\$ 22,136,000
University of Nebraska-Lincoln 14th & Avery Street Parking Structure	General Contractor: Sampson Construction Company			
	Contract Date: 12/19/02			
	Architect: The Clark Enersen Partners	Percent of Funds Expended: 18%	1. Construction Budget	\$ 7,278,750
	Contract Date: 08/30/02	Substantial Completion Date: 06/30/04	2. Non Construction Budget	\$ 516,250
University of Nebraska-Lincoln Transportation Services Facility Renovation	Method of Construction: Design/Build		Total Project Cost	\$ 7,795,000
	General Contractor: Sampson Construction Company			
	Contract Date: 12/05/02			
	Architect: Davis Design	Percent of Funds Expended: 33%	1. Construction Budget	\$ 2,344,000
University of Nebraska-Lincoln 16th & Y Student Housing	Contract Date: 08/30/02	Substantial Completion Date: 10/01/03	2. Non Construction Budget	\$ 470,000
	Method of Construction: Conventional Bidding		Total Project Cost	\$ 2,814,000
	General Contractor: Piedmont Construction			
	Contract Date: 10/22/02			
University of Nebraska-Lincoln Baseball Complex	Architect: Sinclair Hille Architects	Percent of Funds Expended: 0%	1. Construction Budget	\$ 26,527,020
	Contract Date: 06/07/03	Substantial Completion Date: 06/01/05	2. Non Construction Budget	\$ 3,942,980
	Method of Construction: Conventional Bidding		Total Project Cost	\$ 30,470,000
	General Contractor: NA			
University of Nebraska-Lincoln Durham Research Center previously known as Research Center of Excellence	Contract Date: NA			
	Contract Date: NA			
	Architect: DLR Group	Percent of Funds Expended: 96%	1. Construction Budget	\$ 9,477,346
	Contract Date: 10/01/99	Substantial Completion Date: 10/01/03	2. Non Construction Budget	\$ 1,122,654
University of Nebraska Medical Center	Method of Construction: Construction Manager/GMP		Total Project Cost	\$ 10,600,000
	General Contractor: Sampson Construction Company			
	Contract Date: 04/10/00			
	Architect: HDR	Percent of Funds Expended: 70%	1. Construction Budget	\$ 66,238,379
University of Nebraska Medical Center previously known as Research Center of Excellence	Contract Date: 09/29/00	Substantial Completion Date: 09/17/03	2. Non Construction Budget	\$ 10,761,621
	Method of Construction: Construction Manager/GMP		Total Project Cost	\$ 77,000,000
	General Contractor: Hawkins Construction			
	Contract Date: 08/08/01			

**Status Report of Construction Projects Exceeding \$2.0 Million - Page 3
for period January 1, 2003, through June 30, 2003**

Campus / Project	Contract Status and Date	State of Construction	Approved Budget Categories	Amount
University of Nebraska Medical Center Emile Street Parking Structure	Architect: HDR Architecture, Inc.	Percent of Funds Expended: 89% Substantial Completion Date: 03/26/03	1. Construction Budget	\$ 16,733,945
	Contract Date: May, 2001		2. Non Construction Budget	\$ 2,523,055
	Method of Construction: Construction Manager/GMP		Total Project Cost	\$ 19,257,000
	General Contractor: Hawkins Construction			
Contract Date: 08/08/01				
University of Nebraska Medical Center Comparative Medicine Containment Facility - 4230 Building	Architect: Davis Design & Olsson Assoc.	Percent of Funds Expended: 90% Substantial Completion Date: 06/13/03	1. Construction Budget	\$ 1,760,000
	Contract Date: 2/11/02 & 7/1/02		2. Non Construction Budget	\$ 505,000
	Method of Construction: Conventional Bidding		Total Project Cost	\$ 2,265,000
	General Contractor: W Boyd Jones Construction			
Contract Date: 06/05/02				
University of Nebraska Medical Center Center for Neurovirology and Neurodegenerative Disorders (CNND) Renovation	Architect: Davis Design	Percent of Funds Expended: 12% Substantial Completion Date: 12/31/03	1. Construction Budget	\$ 2,396,518
	Contract Date: 07/23/02		2. Non Construction Budget	\$ 449,070
	Method of Construction: Conventional Bidding		Total Project Cost	\$ 2,845,588
	General Contractor: NA			
Contract Date: NA				
University of Nebraska Medical Center Student Apartments - 38th & Jackson	Architect: NA	Percent of Funds Expended: 4% Substantial Completion Date: 07/01/04	1. Construction Budget	\$ 4,272,000
	Contract Date: NA		2. Non Construction Budget	\$ 578,000
	Method of Construction: Conventional Bidding		Total Project Cost	\$ 4,850,000
	General Contractor: NA			
Contract Date: NA				

TO: The Board of Regents

Business Affairs

MEETING DATE: August 9, 2003

SUBJECT: Semi-Annual Report of Licenses

RECOMMENDED ACTION: Report

EXPLANATION: The attached report is a summary of licenses as provided by the campuses pursuant to Regents' Policy 6.3.1.4.v. of the *Board of Regents' Policies of the University of Nebraska* for the period ended June 30, 2003.

The report outlines the following: type of action; campus; description and use of the product, service, or project; term of the license, and financial terms of the license.

APPROVAL:

David E. Lechner
Vice President for Business & Finance

DATE: July 17, 2003

SEMI-ANNUAL REPORT OF LICENSES
01/01/2003 – 06/30/2003

Type of Action	Campus	Licensee	Description of Product/Service	Term of License	Contractual Requirements
Intellectual Property	UNMC	Rita Medical Systems	Apparatus for Volumetric Tissue Ablation	Patent Life	Royalty Bearing
Intellectual Property License	UNL	Ball Horticulture Company	Ornamental Millet Varieties	Life of intellectual property licensed	Royalties
Intellectual Property License	UNL	Kaup Seed	Soybean Varieties	Life of intellectual property licensed	Royalties
Intellectual Property License	UNL	Accu-Bean Chek	Soybean Varieties	Life of intellectual property licensed	Royalties
Intellectual Property License	UNL	NuPride Genetics Network	Soybean Varieties	Life of intellectual property licensed	Royalties
Sale of Intellectual Property	UNL	J.A. Woollam Company, Inc.	Improvements to Infrared Ellipsometry Technology	Life of patents sold	One time cash payment