

**THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION**

ACTION REQUEST

Subject: Regental Action Required Under the State of Michigan Conflict of Interest Statute

Action Requested: Authorization for the University to transact with FreezerNanny LP (University of Michigan Employees, Manhong Dai, Tom Dixon, Fan Meng, Ph.D., and Ruth Freedman, Co-Owners)

Background:

The University of Michigan Epidemiology and Psychology Departments seek approval to transact with FreezerNanny LP (“FreezerNanny”) for the purchase of Wireless Monitoring Systems for Ultra Low Freezers (-80 °C).

The proposed agreement falls under the State of Michigan Conflict of Interest Statute as Manhong Dai, Tom Dixon, Fan Meng, Ph.D., and Ruth Freedman are University employees as Data Architect Lead, Facilities Coordinator, Research Professor, and Department Administrator respectively with Molecular & Behavioral Neuroscience Institute and Psychiatry Department and would be a party to the contract as Co-Owners of FreezerNanny.

However, the Statute allows the University to enter into such agreements if the following conditions are met:

- a) The public servant promptly discloses any pecuniary interest in the contract to the official body which has power to approve the purchase, which disclosure shall be a matter of record in its official proceedings.
- b) The purchase is approved by a vote of not less than 2/3 of the full membership of the approving body in open session without the vote of the public servant making the disclosure.
- c) The official body discloses the following summary information in its official minutes:
 - i) The name of each party involved in the contract.
 - ii) The terms of the purchase, including duration, financial consideration between the parties, facilities or services of the public entity included in the purchase, and the nature and degree of assignment of employees of the public entity for fulfillment of the purchase.
 - iii) The nature of any pecuniary interest.

The following information is provided in compliance with the statutory requirements contained in Section (c) above:

- i) The parties to the contract are the Regents of the University of Michigan and its Epidemiology and Psychology Departments and FreezerNanny.
- ii) The agreement is a transaction for a one time purchase of Wireless Monitoring Systems for Ultra Low Freezers (-80 °C) for the Epidemiology Department: \$5,900 and Psychology Department: \$260.
- iii) The pecuniary interest arises from the fact that University of Michigan employees, Manhong Dai, Tom Dixon, Fan Meng, Ph.D. and Ruth Freedman are the Co-Owners of FreezerNanny.

Manhong Dai, Tom Dixon, Fan Meng, Ph.D. and Ruth Freedman have met state law requirements with the disclosure of their pecuniary interest and formal appointment arrangements with the University of Michigan. Requirements, if any, that may be applicable under the Medical School's or OVPR's Conflict of Interest Committee's procedures are separately analyzed and managed.

We recommend that the Board of Regents approve the agreement between the University of Michigan and FreezerNanny subject to requirements, if any, that either the Medical School's or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Kevin P. Hegarty
Executive Vice President
and Chief Financial Officer

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