

**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 Hi-Jack, LLC (University of
Michigan Employees, Clinton Bourbonais, Employee; and Corey Stearns
Bourbonais, Owner and Employee).

Background:

The University of Michigan Zell Lurie Institute seeks approval to transact with Hi-Jack, LLC for the Eugene Applebaum Dare to Dream grant.

The proposed agreement falls under the State of Michigan Conflict of Interest Statute as Clinton Bourbonais is a University employee as Tutor III with the Stephen M. Ross School of Business and would be party to the contract as employee of Hi-Jack, LLC, and Corey Stearns Bourbonais is a University employee as Fact Group Leader with the Stephen M. Ross School of Business and would be party to the contract as owner and employee of Hi-Jack, LLC.

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 Zell Lurie Institute and Hi-Jack, LLC.
- ii) The agreement is for a duration of one year at a total cost not to exceed \$6,500. Hi-Jack, LLC will be supplying all the necessary resources and personnel to fulfill this contract. The remaining base contract terms and conditions are typical to those used in Procurement Services standard templates for other similar contracts entered into by the Regents.
- iii) The pecuniary interest arises from the fact that University of Michigan employees, Clinton Bourbonais, employee; and Corey Stearns Bourbonais, owner and employee of Hi-Jack, LLC.

Clinton Bourbonais and Corey Stearns Bourbonais 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 by the supervisors of Clinton Bourbonais and Corey Stearns Bourbonais, 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 Hi-Jack, LLC subject to requirements, if any, that the supervisors of Clinton Bourbonais and Corey Stearns Bourbonais or 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

February 2021