

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 enter into an agreement with Bichini Bia Congo Dance Theater Company (University of Michigan Employee, Jean Claude Biza, Director).

Background:

The University of Michigan College of Literature, Science, and the Arts, Undergraduate Education Department, and Electrical and Computer Engineering Department seek approval to enter into an agreement with Bichini Bia Congo Dance Theater Company for dance performances.

The proposed contract falls under the State of Michigan Conflict of Interest Statute as Jean Claude Biza is employed by the University as a Lecturer of Dance with the School of Music, Theatre & Dance and would be a party to the contract as director of Bichini Bia Congo Dance Theater Company.

However, the Statute allows the university to enter into such contracts 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 College of Literature, Science, and the Arts, Undergraduate Education Department, Electrical and Computer Engineering Department, and Bichini Bia Congo Dance Theater Company.
- ii) The contract is for dance performances for its College of Literature, Science, and the Arts, Undergraduate Education Department and Electrical and Computer Engineering Department for one day each at a total cost not to exceed \$1,825. Bichini Bia Congo Dance Theater Company will supply 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 employee Jean Claude Biza is the owner of Bichini Bia Congo Dance Theater Company.

Jean Claude Biza has met state law requirements with the disclosure of his pecuniary interest and formal appointment arrangements with the University of Michigan. Requirements, if any, that may be applicable by the supervisor of Jean Claude Biza 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 contract between the University of Michigan and Bichini Bia Congo Dance Theater Company subject to requirements, if any, that the supervisor of Jean Claude Biza or the Medical School's or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Geoffrey S. Chatas  
Executive Vice President and Chief Financial Officer

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