

**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 purchase from The Manchester Mirror, Inc. (University of Michigan Employee, Fritz Swanson, President of the Board and Publisher).

Background:

The University of Michigan Turner Resource Center (Silver Club) seeks approval to purchase from The Manchester Mirror, Inc. for local advertising services for an upcoming dementia event.

The proposed purchase falls under the State of Michigan Conflict of Interest Statute as Fritz Swanson is employed by the University as Lecturer II with the Department of English Language and Literature and would be a party to the purchase as president of the board and publisher of The Manchester Mirror, Inc.

However, the Statute allows the university to make such purchases if the following conditions are met:

- a) The public servant promptly discloses any pecuniary interest in the purchase 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 purchase.
  - 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 purchase are the Regents of the University of Michigan and its Turner Resource Center (Silver Club) and The Manchester Mirror, Inc.
- ii) The purchase is a one-time transaction at a total cost not to exceed \$428. The Manchester Mirror, Inc. 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, Fritz Swanson, is president of the board and publisher of The Manchester Mirror, Inc.

Fritz Swanson 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 Fritz Swanson under the Turner Resource Center (Silver Club) or OVPR's Conflict of Interest Committee's procedures are separately analyzed and managed.

We recommend that the Board of Regents approve the purchase between the University of Michigan and The Manchester Mirror, Inc. subject to requirements, if any, that the supervisor of Fritz Swanson or the Turner Resource Center (Silver Club) or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Robert Hewlett III  
Interim Executive Vice President  
and Chief Financial Officer

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