

**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 Biodiscovery, LLC d/b/a MYcroarray (University of Michigan Employees, Erdogan Gulari and Jean Marie Rouillard, Co-founders)

Background:

The University of Michigan Department of Ecology and Evolutionary Biology in the College of Literature, Science & the Arts, seeks approval to transact with Biodiscovery, LLC, d/b/a MYcroarray.com ("MYcroarray"). MYcroarray, through its platform, will capture targeted loci throughout the genome and then sequence these loci to find genetic variation. They will provide the labor to do this work including preparation of genetic samples for the process and the reagents needed for capture.

The proposed agreement falls under the State of Michigan Conflict of Interest Statute as Erdogan Gulari and Jean Marie Rouillard are University employees as Professor of Chemical Engineering and Assistant Research Scientist, respectively, in the College of Engineering and would be parties to the contract as Co-founders of MYcroarray.

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 Department of Ecology and Evolutionary Biology and MYcroarray.
- ii) The agreement is for the capture of targeted loci throughout the genome as well as the sequencing of the loci to find genetic variation. The project will take place between May, 2016 and March, 2017 at a total cost of \$98,405.
- iii) The pecuniary interest arises from the fact that University of Michigan employees, Erdogan Gulari and Jean Marie Rouillard are Co-founders of MYcroarray.

Erdogan Gulari and Jean Marie Rouillard 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 MYcroarray 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

May 2016