

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 Michigan Precision Instruments, LLC (University of Michigan Employee Toby Donajkowski, Owner)

Background:

The University of Michigan Environmental Health Sciences Department seeks approval to purchase four custom designed multi-piece filter pack collector fittings from Michigan Precision Instruments, LLC ("Michigan Precision"). These filter packs will be used in a project to identify the effects of animal inhalation of ambient urban air.

The proposed agreement falls under the State of Michigan Conflict of Interest Statute as Toby Donajkowski is a University employee as Engineering Technician in the Mechanical Engineering Department -College of Engineering and would be party to the agreement as Owner of Michigan Precision.

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 Environmental Health Sciences Department and Michigan Precision.
- ii) The agreement is for the purchase of four custom designed multi-piece filter pack collector fittings at a cost of \$2,040.
- iii) The pecuniary interest arises from the fact that University of Michigan employee, Toby Donajkowski, is the Owner of Michigan Precision.

Toby Donajkowski 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 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 Michigan Precision subject to requirements, if any, that either the Medical School's or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Timothy P. Slottow  
Executive Vice President  
and Chief Financial Officer

June 2013