

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

Approved by the Regents

September 18, 2008

ACTION REQUEST

Subject: Regental Action Required Under the State of
Michigan Conflict of Interest Statute

Action Requested: Authorization for the University to Purchase from Michael Udow (University of
Michigan Employee Michael Udow, Individual)

Background:

The University of Michigan Music Library seeks approval to purchase music scores for course use from Michael Udow. This collection of percussion scores was specifically selected by Mr. Udow for their instructional value. A majority of the scores are rare and out of print. The few that are still available are competitively priced.

The proposed purchase falls under the State of Michigan Conflict of Interest Statute as Michael Udow is a University employee and would be a party to the purchase as the recipient of payment for goods. However, the Statute allows the University to make such payments 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:

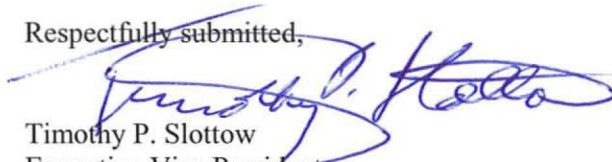
- i) The parties to the contract are the Regents of the University of Michigan and its Music Library and Michael Udow.

- ii) The purchase is for approximately 225 percussion music scores for a total cost of \$2,176.30.
- iii) The pecuniary interest arises from the fact that Michael Udow, University of Michigan employee as a Professor in the School of Music and Head of the Percussion Department, will receive payment as an individual.

Michael Udow 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 payment by the University of Michigan to Michael Udow 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

September 2008