

**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 EMAG
Technologies, Inc. (University of Michigan Employee, Dr. Kamal Sarabandi,
Director, Owner, and Stockholder).

Background:

The University of Michigan Business Engagement Center seeks approval to transact with EMAG
Technologies, Inc. for summer internship funding.

The proposed agreement falls under the State of Michigan Conflict of Interest Statute as Dr. Kamal
Sarabandi is a University employee as Professor with the Department of Electrical Engineering and
Computer Science and would be party to the contract as director, owner, and stockholder of EMAG
Technologies, Inc.

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 Business Engagement Center and EMAG Technologies, Inc.
- ii) The agreement is for a duration of three months at a total cost not to exceed \$3,500. EMAG Technologies, Inc., will be supplying all 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, Dr. Kamal Sarabandi, is director, owner, and stockholder of EMAG Technologies, Inc.

Dr. Kamal Sarabandi 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 Dr. Kamal Sarabandi, 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 EMAG Technologies, Inc., subject to requirements, if any, that the supervisor of Dr. Kamal Sarabandi or 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

September, 2020