

THE UNIVERSITY OF MICHIGAN  
REGENTS COMMUNICATION

Approved by the Regents

October 23, 2008

ACTION REQUEST

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

Action Requested: Authorization for the University to enter into a contract with Michigan Interiorscaping LLC (University of Michigan Employee Bruce Morrison, Owner)

Background:

The University of Michigan seeks approval to enter into a contract with Michigan Interiorscaping LLC (Interiorscaping) for the services of indoor plant maintenance and periodic replacement of plants. Interiorscaping has been chosen to provide this service by several departments in order to continue the relationship with the current service provider, Bruce Morrison. Mr. Morrison has provided this service since 2003 when Plant Building and Grounds Services Department (PBGs) discontinued indoor plant maintenance for all University units.

The proposed contract falls under the State of Michigan Conflict of Interest Statute as Bruce Morrison is a University employee and would be a party to the contract as the owner of Interiorscaping. However, the Statute allows the University to enter into such contracts 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.

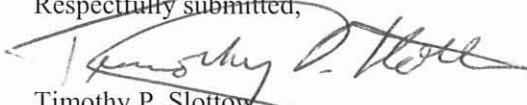
The following information is provided in compliance with the statutory requirements contained in Section (c) above:

- i) The parties to the contract are the Regents of the University of Michigan and Michigan Interiorscaping LLC.
- ii) The contract is for indoor plant maintenance and periodic replacement of plants for various departments from July 1, 2008 through June 30, 2011 for a total not to exceed \$40,000.
- iii) The pecuniary interest arises from the fact that Bruce Morrison, University of Michigan employee as Gardener II in the Plant Building and Grounds Services Department is owner of Michigan Interiorscaping LLC.

Bruce Morrison 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 Interiorscaping LLC subject to requirements, if any, that either the Medical School's or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Timothy P. Slottoy  
Executive Vice President  
and Chief Financial Officer

October 2008