The University of Michigan Regents Communication

Request for Action

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 A3 Technologies, Inc. (University of Michigan Employees, Tate Gill, Owner, Director, and Employee and Benjamin Jorns, Owner)

Background:

The University of Michigan Aerospace Engineering Department seeks approval to enter into a contract with A3 Technologies, Inc. for consulting services and modeling assessments.

The proposed contract falls under the State of Michigan Conflict of Interest Statute as Tate Gill is employed by the University as an Assistant Research Scientist with the Aerospace Engineering Department and would be a party to the contract as owner, director, and employee of A3 Technologies, Inc., and Benjamin Jorns is employed by the University as a Professor with the Aerospace Engineering Department and would be a party to the contract as owner of A3 Technologies, Inc.

However, the Statute allows the university to enter into such contracts if the following conditions are met:

1) 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.
2) 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.
3) The official body discloses the following summary information in its official minutes:
    a) The name of each party involved in the contract.
    b) 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.
    c) The nature of any pecuniary interest.

The following information is provided in compliance with the statutory requirements contained in Section (3) above:

a) The parties to the contract are the Regents of the University of Michigan and its Aerospace Engineering Department and A3 Technologies, Inc.
b) The contract is for consulting services and modeling assessments for a duration of 42 weeks at a total cost not to exceed $19,000. A3 Technologies, Inc. will supply 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.
c) The pecuniary interest arises from the fact that University of Michigan employee, Tate Gill, is owner, director, and employee of A3 Technologies, Inc. and Benjamin Jorns is owner of A3 Technologies, Inc.

Tate Gill and Benjamin Jorns have met state law requirements with the disclosure of their pecuniary interests and formal appointment arrangements with the University of Michigan. Requirements, if any, that may be applicable by the supervisor of Tate Gill and Benjamin Jorns under the Aerospace Engineering Department or OVPR's Conflict of Interest Committee's procedures are separately analyzed and managed.

We recommend that the Board of Regents approve the contract between the University of Michigan and A3 Technologies, Inc., subject to requirements, if any, that the supervisor of Tate Gill and Benjamin Jorns or the Aerospace Engineering Department or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Robert A. Hewlett III
Executive Vice President
and Chief Financial Officer

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