

**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 SustainabiliD LLC (University of Michigan Employee, Kerry Duggan, Owner).

**Background:**

The University of Michigan School of Environment and Sustainability, Office of the Vice President for Government Relations, and Frederick A. and Barbara M. Erb Institute for Global Sustainable Enterprise seeks approval to enter into an agreement with SustainabiliD LLC for consulting services.

The proposed agreement falls under the State of Michigan Conflict of Interest Statute as Kerry Duggan is a University employee as Lecturer with the School for Environment and Sustainability and would be party to the contract as owner of SustainabiliD LLC.

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.

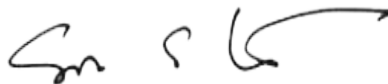
The following information is provided in compliance with the statutory requirements contained in Section (c) above:

- i) The parties to the contract are the Regents of the University of Michigan and its School for Environment and Sustainability, Office of the Vice President for Government Relations, and Frederick A. and Barbara M. Erb Institute for Global Sustainable Enterprise and SustainabiliD LLC.
- ii) The agreement is for a duration of eighteen months at a total cost not to exceed \$160,000. SustainabiliD LLC 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, Kerry Duggan, is owner of SustainabiliD LLC.

Kerry Duggan has met state law requirements with the disclosure of her pecuniary interest and formal appointment arrangements with the University of Michigan. Requirements, if any, that may be applicable by the supervisor of Kerry Duggan, 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 SustainabiliD LLC subject to requirements, if any, that the supervisor of Kerry Duggan or the Medical School's or OVPR's Conflict of Interest Committee may impose.

Respectfully submitted,



Geoffrey S. Chatas  
Executive Vice President and Chief Financial Officer

December 2023