

MEMORANDUM

To: Board of Regents
From: Board Office
Subject: Approval of a Vendor with a Potential Conflict of Interest
Date: January 6, 2003

Recommended Action:

Approve the addition of 1 Moment Designs (Matt Westgate) to Iowa State University's list of approved vendors with a potential conflict of interest.

Executive Summary:

Vendors at the Regent institutions with a potential conflict of interest are required by statute to be approved by the Board.

**1 Moment Designs
(Matt Westgate)**

Nature of Business: 1 Moment Designs provides web page design and development services. Matt Westgate is the owner of the company, which is located in Ames, Iowa. Mr. Westgate would like to provide services to Iowa State University.

Employee Relationship: Matt Westgate is employed as a Computer Programmer in the Entomology Department at Iowa State University.

Purchasing Authority: The University reports that:

- Mr. Westgate will not participate in any evaluation or award decisions relative to 1 Moment Designs providing services to Iowa State University;
- 1 Moment Designs (Matt Westgate) will not utilize University time, materials, equipment, or facilities in the provision of its services;
- The Entomology Department will not purchase services from 1 Moment Designs (Matt Westgate); and
- Whenever a conflict exists, the University will obtain competitive bids and provide public notice as prescribed in Iowa Code §68B.3.

Background:

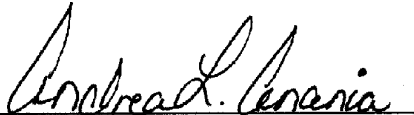
Requirements


The Iowa Code [68B]:

- Does not alleviate the requirement for institutions to obtain competitive bids and provide public notice.
- Prohibits an official or employee of a regulatory agency from selling, either directly or indirectly, goods or services to the agency of which the individual is an official or employee, except when certain conditions are met.
- Requires all regulatory agencies to adopt rules specifying the method by which employees may obtain agency consent for exception.

The Iowa Administrative Code [681—8.9]:

- Precludes individuals with potential conflicts from being directly involved in the purchasing decisions or authorizing of any such contracts making material changes to such contracts.
- Requires Board authorization when a single purchase from a conflict of interest vendor (Regent employee) exceeds \$1,000 or a fiscal year's cumulative purchases exceed \$2,000.
- Requires that a summary of institutional expenditures with approved conflict of interest vendors will be included in the annual purchasing report presented to the Board in November.


Andrea L. Anania

Approved: 
Gregory S. Nichols