

**APPROVE ENTERING INTO AN AGREEMENT WITH METAL MAINTENANCE, INC.
FOR METAL MAINTENANCE SERVICES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Metal Maintenance, Inc. to provide metal maintenance services to Department of Operations at a cost not to exceed \$37,648.00 for a 2-year period. Vendor was selected on a competitive basis pursuant to a duly advertised bid solicitation (Specification # 04-250013). A written agreement for Vendor's services is available for signature. No payment shall be made to Vendor prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

Specification No.: 04-250013

VENDOR: Metal Maintenance, Inc.
723 North Ogden Avenue
Chicago, IL 60622
Michelle Mata
(312) 432-9700
Vendor #45592

USER: Department of Operations
125 South Clark-16th Floor
Rebecca Grespan
(773) 553-2909

TERM: The term of this agreement shall commence on September 1, 2004 and shall end August 31, 2006. This agreement shall have two options to renew for periods of 12 month each.

EARLY TERMINATION RIGHT: The Board shall have the right to terminate this agreement with 30 days written notice.

SCOPE OF SERVICES: Vendor will provide metal maintenance services which will include any and all metal finishing throughout the 125 South Clark, Central Office Building.

DELIVERABLES: Vendor shall provide metal maintenance services.

OUTCOMES: Vendor's services shall result in quality metal maintenance services.

COMPENSATION: Vendor shall be paid in accordance with the price set forth in the contract; not to exceed the sum of \$37,648.00 for a 2-year period.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreement. Authorize the President and Secretary to execute the agreement. Authorize Chief Operating Officer to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION: The M/WBE goals for this contract include: 35% total MBE, 22% total African American, 10% total Hispanic, 2% total Asian and 5% total WBE.

However, the Waiver Review Committee recommends that a partial waiver of the M/WBE participation goals for this contract as required by the Revised Remedial Plan be granted because the contract scope is not further divisible.

The vendor has identified and scheduled the following firms:

Total MBE % - 10%

Total Hispanic – 10%
Workplace Concepts, Inc.
226 South Wabash Avenue, Suite 800
Chicago, Illinois 60603
\$ 3,764

certified through 01/01/05

LSC REVIEW: Local School Council approval is not applicable to this report.

FINANCIAL: Charge to Operations: \$37,648.00
\$18,824.00 Fiscal Year: FY05
\$18,824.00 Fiscal Year: FY06
Budget Classification: 0643-210-000-4462-5400
Source of Funds: General Education

GENERAL CONDITIONS:

Inspector General – Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness – The Board’s Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.


Ethics – The Board’s Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:


Heather A. Obora *B.H.*
Chief Purchasing Officer

Approved:




Arne Duncan
Chief Executive Officer

Within Appropriation:



John Maiorca
Chief Financial Officer

Approved as to legal form: 



Ruth M. Moscovitch
General Counsel 