

APPROVE EXERCISING THE OPTION TO RENEW THE AGREEMENT WITH NATIONAL WASTE SERVICES FOR SOLID WASTE DISPOSAL AND RECYCLING SERVICES FOR ALL CHICAGO PUBLIC SCHOOLS

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the option to renew the agreement with National Waste Services to provide solid waste disposal and recycling services for all Chicago Public Schools at a cost for the option period not to exceed \$4,204,000 and the sale of 239 containers to National Waste Services. A written document exercising this option and the sale of the 239 containers is currently being negotiated. No payment shall be made to Vendor during the option period prior to the execution of the written document. The authority granted herein shall automatically rescind in the event a written document is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

VENDOR: Allied Waste Transportation, Inc. d/b/a National Waste Services
2608 S. Damen
Chicago, IL 60608
John McGee
(773) 579-3600
Vendor # 41004

USER: Department of Operations
125 South Clark-16th Floor
Chicago, IL 60603
Kristine Rull
(773) 553-2355

ORIGINAL AGREEMENT: The original Agreement (authorized by Board Report 04-1117-PR5) is for a term commencing January 1, 2005 and ending December 31, 2006, with the Board having one option to renew for a one year term. The original agreement was awarded on a competitive basis pursuant to a duly advertised Request for Proposal (Specification No. # 04-250150A). The original Agreement provided for the sale of 2323 containers to the Vendor at a price of \$250,000.00, which has previously been credited to the Board.

SALE OF ADDITIONAL CONTAINERS: The terms of the renewal agreement shall provide that the Vendor shall purchase an additional 239 containers from the Board at a price of \$25,812.00, which shall be paid by deducting one-half thereof from the Compensation due Vendor for January, 2007 and by deducting the remaining one-half thereof from the Compensation due Vendor for February, 2007.

OPTION PERIOD: The term of this agreement is being extended for one year commencing January 1, 2007 and ending December 31, 2007.

OPTION PERIODS REMAINING: There are no option periods remaining.

SCOPE OF SERVICES: Vendor shall continue to provide solid waste disposal and recycling services to the Board, including collection of solid waste from Chicago Public Schools buildings and properties; provide containers; and recycle material collected from Chicago Public Schools facility and property as needed, and implement and operate a successful recycling program, that results in recycling at least 50% of the aggregate solid waste collected. Vendor will also continue to coordination and education personnel services to schools and other building occupants to inform students, staff and building occupants about recycling and environmental issues.

DELIVERABLES: Vendor will continue to provide collection and disposal of solid waste at all Chicago Public Schools building as required and recycling of 50% of the aggregate solid waste collected. Also monthly reports on quantities of materials collected and recycled.

OUTCOMES: Vendor's services will continue to result in enable the Board to dispose of solid waste generated in CPS facilities and to recycle 50% of the aggregate solid waste collected.

COMPENSATION: Vendor shall be paid during this option period as follows: upon invoicing: total compensation not to exceed \$4,204,000, less the sums to be credited the Board in January and February, 2007 for the sale of the 239 containers

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written renewal agreement. Authorize the President and Secretary to execute the renewal agreement and a Bill of Sale for 2,562 containers when the purchase price for the additional 239 containers has been paid or credited to the Board. Authorize Chief Operating Officer to execute all ancillary documents required to administer or effectuate this option agreement.

AFFIRMATIVE ACTION: This contract is in full compliance with the goals required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan). The M/WBE participation goals for the contract include: 26% total MBE and 5% total WBE.

The vendor has identified and scheduled the following firms and percentages:

Total MBE – 26%

Able Fuel Oil (AA) – 10%
8900 South Genoa Avenue
Chicago, Illinois 60620 certified through 05/01/2007

Brunt Brothers Transfer (AA) – 6%
1220 East 75th Street
Chicago, Illinois 60619 certified through 04/01/2007

Russell Gardenia Trucking Co. (AA) – 10%
3415 W. 72nd Street
Chicago, Illinois 60629 certified through 09/15/2006

Total WBE – 5%

West Fuels, Inc.
7340 West Harrison Street
Forest Park, Illinois 60130 certified through 04/01/2007

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

FINANCIAL: Charge to Operations: \$4,204,000 Fiscal Year: FY07
Budget Classification: 0944-552-000-4450-5400
Source of Funds: Operations and Maintenance

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.

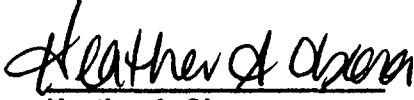
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their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

Indebtedness – The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

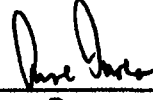
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:




Heather A. Obora
Chief Purchasing Officer

Approved:



Arne Duncan
Chief Executive Officer

Within Appropriation:



John Maiorca
Chief Financial Officer

Approved as to legal form:


Patrick J. Rocks
General Counsel