07-0627-PR10 **June 27, 2007**

APPROVE ENTERING INTO AN AGREEMENT WITH INDUSTRIAL FENCE, INC. FOR WOOD AND STEEL FENCING INSTALLATION AND REMOVAL SERVICES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Industrial Fence, Inc. to provide wood and steel fencing installation and removal services to Chicago Public Schools at a cost not to exceed $800,000. Vendor was selected on a competitive basis pursuant to duly advertised Bid Solicitation (Specification No. 07-250011). A written agreement for Vendor's services is available for signature. No services shall be provided by Vendor and 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.

CONSULTANT: Industrial Fence, Inc.
1300 S. Kilbourn Avenue
Chicago, IL 60623
Miguel SaHijeral
(773) 521-9900
Vendor #31847

USER: Department of Operations
125 South Clark-17th Floor
M. Hill Hammock
(773) 553-2900

TERM: The term of this agreement shall commence on July 1, 2007and shall end June 30, 2008. This agreement shall have two options to renew for periods of one-year each.

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

SCOPE OF SERVICES: Vendor shall provide wood and steel fencing installation and removal for Chicago Public Schools.

DELIVERABLES: Vendor will provide wood and steel fencing installation and removal services.

OUTCOMES: Vendors' services will result in the enhancement and beautification of various school sites.

COMPENSATION: Vendor shall be paid in accordance with the unit price contained in the contract: total compensation not to exceed the sum of $800,000.

REIMBURSABLE EXPENSES: None.

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: This contract is in full compliance with the goals required by the Construction Remedial Program for Minority and Women Owned Business Enterprise Participation in Construction Projects (M/WBE Plan). The M/WBE participation goals for the contract include: 30% total MBE and 7% total WBE. The vendor has identified the following firm:

Total MBE: 30%
Industrial Fence (H)
1300 S. Kilbourn Ave.
Chicago, IL 60623

Total WBE: 7%
Brennan Steel, Inc.
777 Industrial Dr.
University Park, IL 60466

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

FINANCIAL: Charge to Operations: $800,000 Fiscal Year: FY2007/08
Budget Classification: 12150-474-54105-009567-000000-2007
Source of Funds: Capital Funds

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 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

Heather A. Obora
Chief Purchasing Officer

Approved:

Arne Duncan

Arne Duncan
Chief Executive Officer

Within Appropriation:

John Maiorca

John Maiorca
Chief Financial Officer

Approved as to legal form:

Patrick J. Rocks
General Counsel