

**APPROVE ENTERING INTO AN AGREEMENT WITH ACM ELEVATOR COMPANY  
TO PROVIDE ELEVATOR MAINTENANCE**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into an agreement with ACM Elevator Company to provide elevator maintenance at 125 S. Clark Street for the Department of Operations at a cost not to exceed \$118,042 annually. Vendor was selected pursuant to a duly advertised Bid Solicitation (Specification 02-250050). 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:** 02-250050

**VENDOR:** ACM Elevator Company  
2293 S Mt. Prospect Road  
Des Plaines, IL 60018  
Contact: Nanette Bucaro  
Phone: (847) 390-3720

**USER:** Department of Operations  
125 South Clark 16<sup>th</sup> Floor  
Chicago, IL 60603  
Urie Clark  
(773) 553-2950

**TERM:** The term of this Agreement shall commence July 1, 2002 and shall end June 30, 2005.

**SCOPE OF SERVICES:** Vendor shall provide Elevator Maintenance for the Board of Education Central Office.

**COMPENSATION:** Vendor shall be paid on an invoice basis in accordance with the unit prices indicated in its written contract. Total contract amount shall not exceed \$118,042 annually.

**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.

**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 vendor has demonstrated reasonable good faith efforts.

The vendor has, however, identified and scheduled the following firms and percentages

Total MBE 22%

Total 22% African American:

Professional Elevator  
\$77,907.00

1705 S. State St., Chgo., IL 60616  
Re-certified through 1/1/03

Total WBE 1.5 %

Quality Elevator	7845 N. Merrimac, Morton Grove, IL 60053
\$5,900.00	Re-certified through 3/1/03

The City of Chicago Department of Procurement Services certifies each identified firm. The identified firms are subject to change upon approval from the Procurement and Contract's Division of Compliance and Vendor Services without further Board approval.

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

**FINANCIAL:** Charge to Operation: \$118,042 Annually  
Budget Classification: 0645-552-000-4462-5400  
Fiscal Year: FY03-FY05  
Source of Funds: PBC O&M Series A 1989

**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:**

  
 Anita Rocha  
 Acting Chief Purchasing Officer

**Approved:**

  
 Arne Duncan  
 Chief Executive Officer

**Within Appropriation:**

  
 Kenneth C. Gotsch  
 Chief Fiscal Officer

**Approved as to legal form:**

  
 Marilyn F. Johnson  
 General Counsel