

**APPROVE ENTERING INTO AN AGREEMENT WITH ACM ELEVATOR COMPANY  
FOR ELEVATOR MAINTENANCE SERVICES AT 125 S. CLARK STREET**

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

Approve entering into an agreement with ACM Elevator Company to provide elevator maintenance services at 125 S. Clark Street for the Department of Operations at a cost not to exceed \$118,041.36. Vendor was selected on a competitive basis pursuant to Board Rule 5-4.1. Vendor is currently providing these services to the Board. A written agreement for Vendor's services is currently being negotiated. 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.

**VENDOR:** ACM Elevator Company  
2293 S. Prospect Road  
Des Plaines, IL 60018  
Contact: Nanette Bucaro  
Phone: 847-390-3720  
Vendor #35693

**USER:** Department of Operations  
Bureau of Real Estate  
125 S. Clark Street, Suite 1600  
Chicago, IL 60603  
Contact: Lori J. Woodman  
Phone: 773-553-2922

**TERM:** The term of this agreement shall commence July 1, 2005, and shall end June 30, 2006.

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

**SCOPE OF SERVICES:** Vendor shall provide full maintenance of the elevators at 125 S. Clark Street, including all materials and labor required to keep the equipment in good and safe operating condition. Vendor is an authorized service agent for the types of elevators located at 125 S. Clark Street.

**DELIVERABLES:** Vendor shall provide scheduled visits per piece of equipment, maintain all equipment according to manufacturer specifications, provide one-hour per week minimum preventative maintenance for each gearless elevator, and provide the Board with written reports as more fully defined in the written agreement.

**OUTCOMES:** Vendor's services will result in the continued maintenance and upkeep of the elevators at 125 S. Clark Street.

**COMPENSATION:** Compensation to the Vendor for these services shall not exceed \$118,041.36 for the term of the agreement.

**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 the 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: 26% total MBE, 16% total African American, 7.5% 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 is not further divisible.

The Vendor has, however, scheduled the following firms and percentages:

Total MBE% - 26%

African American – 16%  
Professional Elevator Company  
1705 S. State Street  
Chicago, Illinois 60616 re-validated 02/01/2005

Hispanic – 9.5%  
Municipal Elevator Services  
5420 W. Sunnyside Avenue  
Chicago, Illinois 60630 certified through 10/01/2005

Total WBE% - 5%  
Quality Elevator Products, Inc.  
7760 N. Merrimac Avenue  
Niles, Illinois 60714 re-validated 03/01/2005

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

**FINANCIAL:** Charge to Department of Operations: \$118,041.36 Fiscal Year: FY06  
Budget Classification: 0643-210-000-4462-5400

**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.

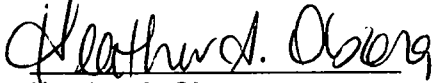
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one-year period following expiration or other termination of their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

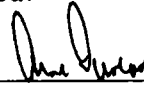
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



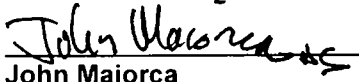
Heather A. Obora  
Chief Purchasing Officer

Approved:



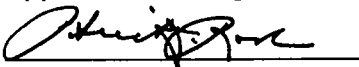
Arne Duncan  
Chief Executive Officer

Within Appropriation:



John Maiorca  
Chief Financial Officer

Approved as to legal form: *RH*



Patrick J. Rocks  
General Counsel