

**APPROVE HEARING OFFICER'S FINDINGS TO DEBAR  
MONAHAN LANDSCAPE COMPANY, INC., AIDAN MONAHAN,  
R.O.H.A.R. TRUCKING, INC., AND ROLAND HARPER**

**THE GENERAL COUNSEL REPORTS THE FOLLOWING DECISION:**

That the Board of Education of the City of Chicago ("Board") adopt the default order and judgment of the Board-appointed hearing officer, Thomas R. Rakowski, rendered on January 9, 2007, in the debarment matter of Monahan's Landscape Company, Inc., Aidan Monahan, R.O.H.A.R. Trucking, Inc., and Roland Harper, (collectively, "Respondents"). The Board sought to debar Respondents for allegedly engaging in conduct that violated Board Rules and policies, including the Board's M/WBE policies, to wrongfully enable Monahan's Landscape Company, Inc., to participate in opportunities that were not otherwise available to it.

The Board filed a Motion for Default Order and Judgment against the Respondents, as none had responded to the Notice of Debarment served on each of them at their respective last known addresses. On January 9, 2007, the Hearing Officer found Respondents Monahan's Landscape Company, Inc., Aidan Monahan, R.O.H.A.R. Trucking, Inc. and Roland Harper in default, and noted that the attorney for R.O.H.A.R. Trucking, Inc. and Roland Harper acknowledged in writing that neither had any objection to the Board's Motion for Default Order and Judgment. The Hearing Officer entered a default judgment "individually and collectively debar[ring] them from transacting any business with the Board for a period of three (3) years" commencing January 9, 2007.

**DESCRIPTION:** Sections 1.1, 1.3, 2.2(b)(1), 2.2(b)(3), 2.2(d)(2) and 2.2(e) of the Board's Debarment Policy and Procedures ("the Policy") provide for debarment of businesses and their "affiliates," "participants," and "principals" (as defined in the Policy) from participation in the Board's procurement transactions and activities for violating or failing to perform in accordance with the terms of the Board's Rules, policies, agreements or transactions, violating contract provisions and requirements, and for committing any other act indicating a lack of business integrity or honesty. The Policy states that, when a "Respondent fails to file a written response in accordance with [the Policy], the allegations of the Chief Purchasing Officer shall be deemed admitted, the Hearing Officer shall enter an order of default and notify the parties of the said entry." Policy, §6.1(d). The Policy allows the Hearing Officer to determine the scope and period of debarment (Policy, §9.1(3)), which may not exceed three (3) years. Policy, §1.1(b). None of the debarred Respondents filed an appeal within the 21-day period allowed under the Policy.


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

**AFFIRMATIVE ACTION STATUS:** Affirmative Action review is not applicable to this report.


**FINANCIAL:** None.

**GENERAL CONDITIONS:** None.

APPROVED,

  
PATRICK J. ROCKS  
General Counsel *WAM*

WITHIN APPROPRIATION:

  
JOHN MAIORCA  
Chief Financial Officer