

DEBARMENT OF THADDEUS BANIA**THE CHIEF ADMINISTRATIVE OFFICER REPORTS THE FOLLOWING RECOMMENDATION:**

That the Board of Education of the City of Chicago ("Board") fully and permanently debar Thaddeus Bania from doing any business with the Board.

On February 9, 2009, the Board's Chief Purchasing Officer filed and served a Notice of Proposed Debarment ("Notice"), initiating a debarment proceeding against Thaddeus Bania ("Bania"), which asserted, among other things, that Bania used his name and vendor number to submit quotes, obtain purchase orders, and submit invoices for the sale of biddable items to the Board outside the bidding process. The Notice also alleged that Bania allowed John Papiese ("Papiese") and/or Advanced Learning Systems ("ALS") to use Bania's name and vendor number to submit quotes and invoices for transactions in which Papiese and/or ALS was the actual seller of goods and/or services to the Board. The Notice also alleged that Bania obtained a vendor number to allow Papiese and ALS to submit quotes, obtain purchase orders, and submit invoices for the sale of biddable items to the Board outside the bidding process. Bania received his copy of the Notice on February 12, 2009. The conduct of Bania was so egregious that the Notice sought to fully and permanently debar Bania.

Section 4.5(d) of the Debarment Policy requires a vendor to submit a written, verified Answer to a Notice of Debarment within 28 days after receipt of the Notice, and provides that if a vendor fails to timely file an Answer, all the allegations set forth in the Notice "shall be deemed to be admitted." Section 5.2 of the Debarment Policy states that "[w]hen a vendor fails to timely submit an Answer . . . the [Chief Administrative Officer] may recommend the Board debar the vendor on the basis of such admissions." As of April 28, 2009—75 days after the Notice of Debarment was served on Bania—Bania has failed to file an Answer to the Notice, and has failed to seek an extension of time to do so.

Based on his admissions of the matters alleged in the Notice of Proposed Debarment, the Chief Administrative Officer recommends that the Board fully and permanently debar Bania from doing any business with the Board.

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:

 HILL HAMMOCK
 Chief Administrative Officer

APPROVED AS TO LEGAL FORM:


 PATRICK J. ROCKS
 General Counsel

WITHIN APPROPRIATION:


 PEDRO MARTINEZ
 Chief Financial Officer