

**APPROVE SETTLEMENT OF DISPUTED INVOICES WITH WE CLEAN MAINTENANCE & SUPPLIES, INC.**

**THE GENERAL COUNSEL RECOMMENDS THE FOLLOWING:**

Approve a settlement of disputed invoices with vendor, We Clean Maintenance & Supplies, Inc. ("Vendor") arising from cleaning services at Board facilities under certain Bid Solicitations/Contract Awards.

**ENTITY:** We Clean Maintenance & Supplies, Inc.  
7545 W. 99<sup>th</sup> Street  
Bridgeview, Illinois 60445

**HISTORY:** The Board awarded Vendor successive contracts on bids for cleaning services at Board facilities, as extended from time to time ("Contracts"). Vendor has claimed over time that certain invoices were not paid for cleaning services performed from October, 2004 through September 17, 2010. This settlement provide for a resolution of the outstanding monetary issues claimed by Vendor.

**DESCRIPTION OF SETTLEMENT:** Vendor issued invoices to the Board totaling at least \$268,974.02 for cleaning services at certain facilities in various assigned regions under the Contracts. Due to disputes as to hours and rate billed, the Finance and Facilities departments have negotiated a payment of \$155,000.00 to satisfy all outstanding invoices for any services provided through September 17, 2011, in full and final settlement of the disputed claims in order to avoid litigation. Vendor will give a general release to the Board related to the disputed claims and any invoices for services on or before September 17, 2011. The current contract that expires on June 30, 2012 will remain in full force and effect.

**AUTHORIZATION:** Authorize the settlement and authorize the Chief Facilities Officer and General Counsel to execute necessary documents to complete the above-described settlement.

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

**AFFIRMATIVE ACTION STATUS:** Not applicable.

**FINANCIAL:** Charge to Citywide - Account #11880-230-54105-254002-000000.....\$155,000.00

**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.

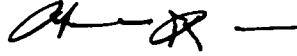
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their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

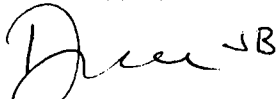
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved,



PATRICK J. ROCKS  
General Counsel

Within Appropriation:



DIANA FERGUSON  
Chief Financial Officer