

December 5, 2018

**DEBARMENT OF P.J.'S ACE HARDWARE, INC. AND CLYDE WILLIAMS****THE CHIEF ADMINISTRATIVE OFFICER REPORTS THE FOLLOWING RECOMMENDATION:**

That the Board of Education of the City of Chicago ("Board") permanently debar P.J.'s Ace Hardware, Inc. and Clyde Williams (collectively "Respondents") from doing any business with the Board.

Following the Office of the Inspector General's recommendations in Report 17-00594, the Board's Chief Procurement Officer served Respondents with a Notice of Proposed Debarment ("Notice") on June 18, 2018. The Notice initiated debarment proceedings against Respondents based on the circuit court of Cook County's December 26, 2017 order permanently barring Respondents from doing business with the City of Chicago pursuant to § 1-23-020 of the Chicago Municipal Code, as a result of a plea agreement entered into by Clyde Williams *People v. Williams*, No. 17 CR 17440 (Cir. Ct. Cook Cty. Dec. 26, 2017). The Notice also indicated that the City of Chicago decertified P.J.'s Ace Hardware, Inc. as a minority-owned business enterprise because it was no longer eligible to do business with the City of Chicago. Pursuant to section 2(i)(16) of the Board's debarment policy, adopted by Board Report 08-1217-PO1, the bases for debarment include "Debarment, Suspension, Voluntary Exclusion agreement or Interim Constraints imposed by any governmental entity or agency[.]" Debarment Policy, § 2(i)(16). Respondents failed to respond to the Notice as required by section 4.5(d) of the Board's debarment policy. Further, "The omission of a response to any allegation in the Notice shall be deemed an admission of that allegation." Debarment Policy § 4.5(d). The Chief Administrative Officer has reviewed the record (as defined in section 4.5(i)(10) of the debarment policy) and recommends permanent debarment.

Based on the facts set forth in the record as defined in section 4.5(i)(10) of the Board policy and Respondent's failure to respond to the Notice, the Chief Administrative Officer recommends that the Board adopt the findings of the Office of the Inspector General and permanently debar Respondents from doing any business with the Board effective immediately. All existing contracts between the Board and Respondents are terminated. Respondents are ineligible to act as a subcontractor or supplier to any existing or future Board contracts.

**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:



JORGE MACIAS  
Chief Administrative Officer

APPROVED AS TO LEGAL FORM:



JOSEPH T. MORIARTY  
General Counsel