

June 23, 2004

**APPROVE HEARING OFFICER'S FINDINGS TO DEBAR  
JDR INTERNATIONAL AND JOSEPH RUIZ**

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

That the Board of Education of the City of Chicago ("Board") adopt the findings of fact, determination and order of the Board-appointed Hearing Officer, rendered on April 30, 2004, in the debarment matter of JDR International and Joseph Ruiz.

The Board filed a Motion for Default Judgment against JDR International and Joseph Ruiz. On April 30, 2004, the Hearing Officer found that JDR International's and Joseph Ruiz's business conduct was of a deceptive nature and demonstrated a lack of business integrity and honesty. The Hearing Officer specifically found that JDR International and Joseph Ruiz participated in a scheme to defraud the Board by allowing Tru-Link Commercial, Inc. to obtain thousands of dollars from the Board for fencing work performed for the Board through the use of JDR International's name as a minority business. Joseph Ruiz further made false representations to the Board by signing CPS Final Waiver of Lien forms when he knew that JDR International and Ruiz did not perform any work represented in the lien forms. The Hearing Officer further found that these actions were of a serious nature from a public policy viewpoint in that such conduct undermines the credibility and effectiveness of programs and policies promoting the use of Minority Business Enterprises. Accordingly, the Hearing Officer ordered that JDR International and Joseph Ruiz be debarred from conducting business with the Board for a period of three (3) years commencing April 30, 2004 and ending April 30, 2007.

**DESCRIPTION:** Section 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") provides 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 failure to perform in accordance with the terms of Board rules, policies, agreements or transactions, violation of contract provisions and requirements, violations of Board Rules and Policies, for the commission of any other act indicating a lack of business integrity or honesty. "Upon finding that a person's and/or organization's acts or omissions fall within any of the categories enumerated as grounds for debarment, as set forth at Section 2.2 of the Policy, the Hearing Officer is required to determine the period and scope of the debarment period, not to exceed three (3) years, pursuant to Section 9.1 of the Policy. Section 9.2 of the Policy provides that the debarred party or entity may appeal the Hearing Officer's final determination within 21 days from it's receipt.

**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,

  
RUTH M. MOSCOVITCH  
General Counsel

WITHIN APPROPRIATION:

  
JOHN MAIORCA  
Chief Financial Officer