# **Inspector General**

## Chicago Board of Education

James M. Sullivan, Inspector General

## **CONFIDENTIAL MEMO**

**To:** David Vitale, President, Chicago Board of Education

Members, Chicago Board of Education

Barbara Byrd-Bennett, Chief Executive Officer

James Bebley, General Counsel

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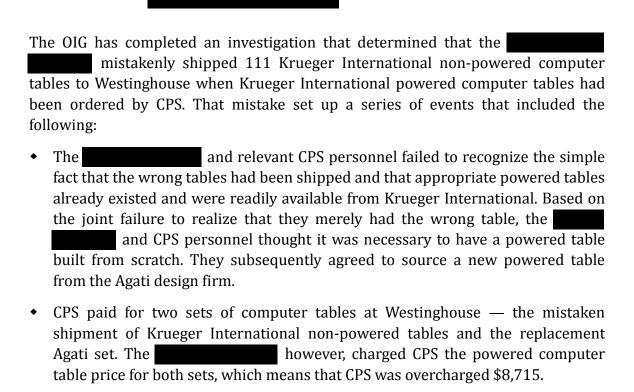
Sébastien De Longeaux, Chief Procurement Officer

**From:** James M. Sullivan

**Inspector General** 

**Date:** October 26, 2012

**Re:** Investigation of School Furniture Contract:



- In addition, the bulk of the \$90,000 that CPS spent on the first set of Krueger International non-powered tables was wasted, as Westinghouse does not need the non-powered computer tables, which are vastly underutilized.
- Without the knowledge or approval of anyone at CPS, the subsequently decided to source the powered computer tables it was selling to CPS from two other manufacturers. Enworks and Invincible.
- The computer tables from all three of the alternate manufactures (Agati, Enworks and Invincible) were significantly inferior to the Krueger International tables that the had contracted to provide.
- Despite the significant deficiencies with the alternate powered tables, the always charged CPS the full contract price of \$811.09 per table.

The OIG further identified related problems with the furniture ordering and order verification process.

The OIG recommends appropriate sanctions for the employees. The OIG also recommends a review of and appropriate controls for the furniture buying process.

The OIG's Investigative Summary, which discusses the OIG's full findings and recommendations, along with the evidence, accompanies this memo.

11-00243 / Central Office -

# **Inspector General**

## Chicago Board of Education

James M. Sullivan, Inspector General

## **INVESTIGATIVE SUMMARY**

OIG Case 11-00243 October 26, 2012

	SUBJECTS:	
1.		
	Vendor ID	
2.	2.	
	Employee ID	
3.	3.	
	Employee ID	

#### Introduction

The OIG initiated this investigation after it received a complaint that the was substituting inferior computer tables for the items that it had contracted to provide to CPS. This report proceeds as follows:

The OIG's full Findings and Recommendations are detailed beginning on page 2. The Findings and Recommendations section also serves as an Executive Summary.

The OIG's investigation is then summarized in three parts:

- Part One, which begins on page 8, contains background information regarding the bid, contract, and the computer tables that are at issue here, as well as a list of the people interviewed by the OIG in this investigation.
- Part Two, beginning on page 13, summarizes the problems and deficiencies with the computer tables.
- Beginning on page 36, Part Three discusses weaknesses in the purchasing process that were identified during the investigation.

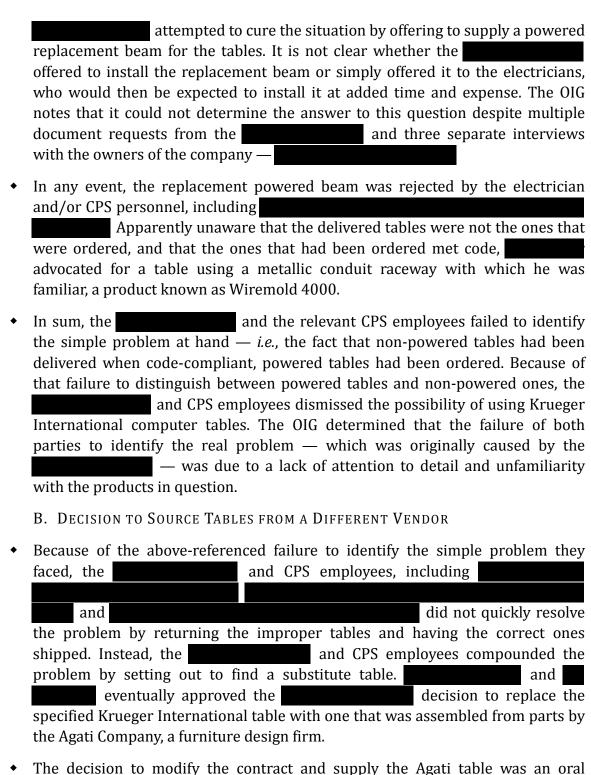
Full page photographs of the tables at issue here follow the Investigative Summary as Attachments 1 through 8. Additionally, relevant smaller photographs are located at appropriate places throughout the report.

### FINDINGS AND RECOMMENDATIONS

#### 1. OIG FINDINGS

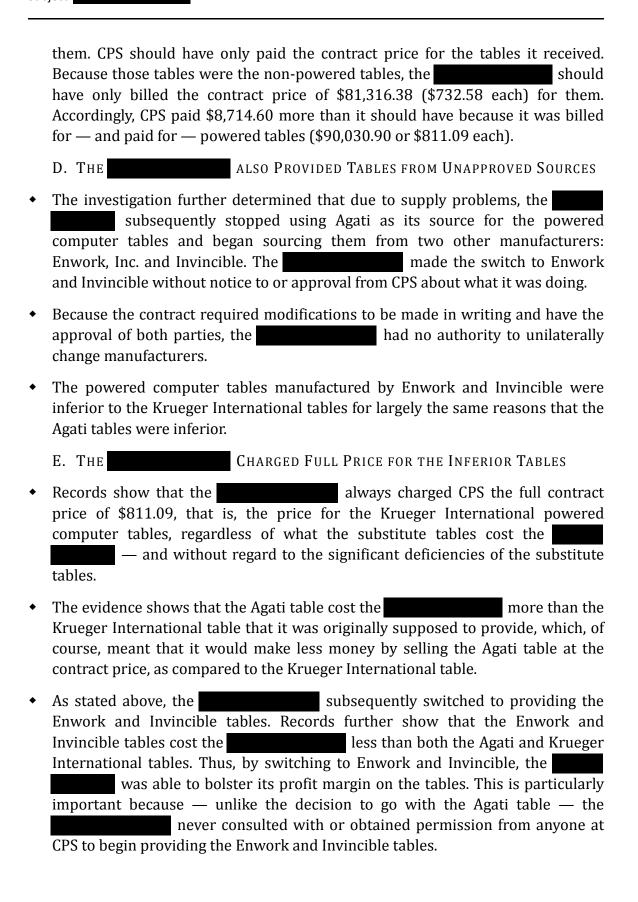
A. Delivery of Incorrect Tables and Failure to Identify the Problem • In 2009, the submitted a bid for, among other things, several computer tables manufactured by Krueger International. At the time of its bid, the did not have a supplier for Krueger International furniture in place because of a pre-existing bad relationship between the and Krueger International. Despite not having a dealer to supply Krueger International furniture, the subsequently won the contract to supply the Krueger International tables. In June 2009, CPS ordered 111 powered computer tables (which were identified in the bid specification as "52 P" tables) for the new Westinghouse High School. Pursuant to the bid, the was to provide powered tables manufactured by Krueger International. Instead of providing powered computer tables — which have power and data outlets that can be directly hard-wired to the schools circuitry — the shipped non-powered tables — which cannot be hard-wired — to the school. • The improper shipment was caused by a mistake on the part of the The evidence shows that although Krueger International had provided a quote to Interior Investments (the middleman between Krueger International ) for the correct tables, the ordered and delivered the wrong tables. The was not able to explain why the wrong tables were ordered after its middleman had already received a quote for the correct tables. Statements, however, from the to the OIG show the was not familiar with the Krueger International product line it had contracted to provide. In addition, the was confused about the differences between powered and nonpowered tables in general. Based on this and other evidence, the OIG has determined that the mistake was due to the with Krueger International products it was selling and the differences between powered and non-powered computer tables.

- There is no question that the powered Krueger International computer tables that were ordered met the bid specification and could have been wired to code as intended at Westinghouse.
- After the electrician who was responsible for installing the computer tables discovered that they could not be hard-wired to meet the electrical code, the



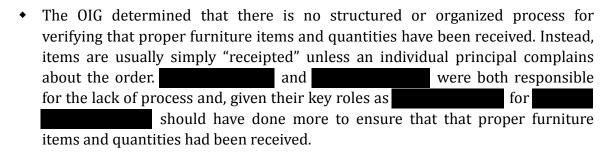
and signed by the Board and the Bidder. Accordingly, CPS personnel had no authority to modify the contract without written Board approval.

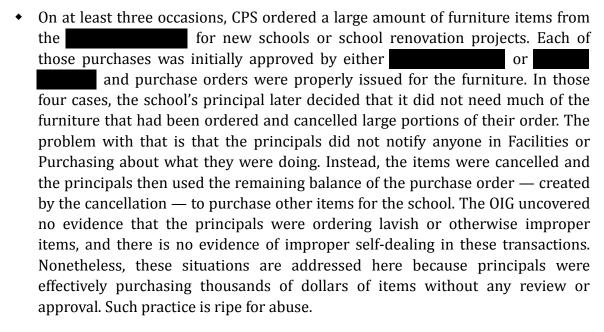
- The problem with the Agati table, which incorporated the Wiremold 4000 metallic raceway favored by is that it proved to be greatly inferior to the Krueger International powered table. Among other things, the Agati table lacked the following features of the Krueger International table:
  - An Underwriters Laboratory listing for the entire table (only the Wiremold 4000 conduit raceway for the Agati table was UL listed);
  - o A dual door system to enclose computer cords and wires;
  - o An interconnecting table and shared leg system that saves space and reduces the chance of electrocution;
  - o Ergonomically-friendly rounded edging; and
  - o Large, factory-cut grommets.
- Although other CPS personnel were involved with the decision to source the tables from Agati, is responsible for the above-referenced failures because represented the user department. Accordingly, was responsible for knowing what items were ordered and knowing when they had not been delivered.
  - C. OVERBILLING AND OVERPAYMENT FOR THE ORIGINAL SET OF TABLES
- CPS kept and paid for both sets of computer tables that were delivered to Westinghouse by the Purchasing records show that CPS paid \$90,030.99 (\$811.09 each) for the 111 non-powered computer tables that were initially delivered in June 2009. Westinghouse High School kept those tables even though they were not ordered.
- Purchasing records further show that the paid and CPS paid another \$90,030.90 for the replacement set of Agati tables.
- Interview statements show that CPS decided to keep the original shipment of non-powered computer tables on the grounds that extra tables could always be used. An inspection by the OIG, however, showed that many of those tables either are being used as ordinary (non-computer) tables or not being used at all, which strongly suggests that CPS wasted all of the over \$90,000 it spent on the first shipment of tables that it did not need.
- Even without regard to the question of whether CPS should have kept the original shipment of computer tables, it is clear that CPS actually overpaid for



#### F. OTHER PROBLEMS WITH FURNITURE ORDERING AND ORDER VERIFICATION

•	As stated above, the	contracted to provide specified furniture			
	items, which are known as "core ite	ms". In addition to the "core items", the			
	contract allows the	to provide additional items from other			
	manufacturers as long as the	provided a discount of 10% or			
	greater from the manufacturer's sugge	est list price. (See Bid Specification No. 07-			
	250037§ IV.8.) Such additional items are commonly known as "non-core" item				
	The OIG determined that there had	been very little oversight regarding the			
	practice of ordering non-core items, a	and that principals and architects on new			
	school projects frequently ordered non	-core items.			





## 2. OIG RECOMMENDATIONS

Based on the OIG investigation, which is detailed below, the OIG recommends the following:

• CPS appropriately sanction the with possibilities ranging from a finding of not responsible on future bids to a period of debarment;

- CPS list as ineligible for rehire (DNH);
- CPS list as ineligible for rehire (DNH);
- CPS review its furniture ordering procedures to ensure that CPS personnel have enough knowledge about contract items so that they can recognize when improper items have been delivered;
- CPS review its furniture receipt process to ensure that personnel do not "receipt" any furniture until the quantity and quality have been verified; and
- CPS review its furniture return procedures to ensure that funds for items that are subsequently cancelled or returned are not used for subsequent purchases without proper authorization.

# PART ONE: BACKGROUND

#### 1. THE CONTRACT AND TABLES AT ISSUE HERE

### A. BID AND CONTRACT

In March 2008, the CPS Department of Procurement and Contracts solicited a bid, Specification No. 07-250037, for a large number of office, classroom and library furniture items. A \$10,000,000 contract was subsequently awarded in April 2009 to two separate vendors: the which was the low bidder to supply classroom furniture items, and the Lowery McDonnell Company, the low bidder on library furniture items.

This investigation mainly centers on two tables that were bid under Specification No. 07-250037. They are: (1) a 72" non-powered computer table (listed in the specification as Table 52); and a 72" powered computer table (listed in the specification as Table 52 P). The was the low bidder for both the 52 P powered table and 52 non-powered table. The following table summarizes the winning bid response for the 52 P powered table and the 52 non-powered table:

Table	Description	Dimensions	Unit Price (w/ shipping and union assembly)	Mfr.	Product No.
52 P	Powered Computer Table	30" W x 72" L	\$811.09	KI	IWS3072 <b>PB</b> - ITSB72/ <b>HC</b> /DC- (2)ITCL3027
					PB=powered beam
					HC=hard-wired beam
52	Non-Powered Computer Table	30" W x 72" L	\$732.58	KI	IWS3072 <b>NB</b> - ITSB72/ <b>NN</b> /DC- (2)ITCL3027
					NB=non- powered beam
					NN=no-power in beam

Price Difference: \$78.51

Additionally, the contract expressly states that no modification or amendment to the contract shall be effective unless it is in writing and signed by the Board and the bidder.

### B. Powered vs. Non-Powered Computer Tables

As the terms "non-powered" and "powered" suggest, the main difference between the two tables is the manner in which the computers and accessories are plugged into electrical outlets and data ports. With powered tables, the electric (high voltage) and data (low voltage) lines are connected directly to the table, via segregated conduit lines. Those lines are contained in a "powered beam" that runs the length of the table. The powered beam contains electrical outlets and data ports, and computers and accessories are plugged directly into those outlets and ports via large grommets cut into the table surface.

In addition, two large doors on the front and back of the beam enclose the computer's wires and plugs and allows for easy access for maintenance or reconfiguration. The ability to store all of the loose cables and cords within the two closed doors is known as "wire management" capability, which eliminates tripping and electrocution hazards from dangling wires, and presents a clean and aesthetically pleasing presentation.

The following photograph shows the Krueger International table with its powered beam and front access door open.



## KI Powered Table (Table-52 P)

Powered beam with front access door open

In contrast, the non-powered Krueger International tables do not bring power or data to the computers through hard-wiring in the tables themselves. Instead, computers must be plugged into outlets or data ports that are located somewhere near the tables, usually on adjacent walls or floors. Non-powered tables do not have

any conduit but simply have grommets located in the table surface, which allow computer power and data cords to be fed from computers into an empty space between the access doors under the table and out to adjacent electrical outlets or data ports. Because they still have the doors that enclose a center channel, the non-powered tables have "wire management" capability, which eliminates hazards posed by dangling cords and offers a cleaner appearance. In short, with the exception of the powered beam, the Krueger International non-powered tables are basically the same as the powered tables, and both are built from the same table platform.

The following photographs illustrate the lack of the powered beam on the non-powered tables.

## **KI Non-Powered Tables (Table-52)**





No powered beam; only empty space to hide wires

Computers plug into wall or floor (not table)

## C. REQUIREMENTS AND SPECIFICATIONS FOR COMPUTER TABLES

Pursuant to the bid specifications, all of the computer tables provided (whether powered or non-powered) are required to have the following key design elements:

- A post formed (*i.e.*, ergonomically rounded) front edge;
- Two standard grommets;
- A wire management area enclosed by two access doors (front and back); and
- Shared leg capability (*i.e.*, one leg can support the ends of two adjoining tables).

In addition, all of the powered computer tables required the following additional design elements:

• All electrical components shall meet the Chicago electrical code; and

- The entire system shall be listed by Underwriter's Laboratory.
- D. SUBSEQUENT CONTRACT HISTORY AND CURRENT STATUS

The contract originally authorized \$10 million in expenditures and was subsequently increased six times. Over the life of the contract, purchase orders for over \$22 million have been opened for the

E. THE KRUEGER INTERNATIONAL POWERED TABLE IS CODE COMPLIANT

In August 2012, a City of Chicago electrician inspected an example of the Krueger International powered table (the table 52 P), and he stated that it was compliant with the City of Chicago's electrical code.

### 2. PEOPLE INTERVIEWED IN THIS INVESTIGATION

The following table lists the key people interviewed (or attempted to be interviewed) in this investigation, along with their relevant positions and employment status.

Name	Position	Department/Company	Status

Name	Position	Department/Company	Status

# PART TWO: IDENTIFICATION OF PROBLEMS AND DEFICIENCIES WITH TABLES

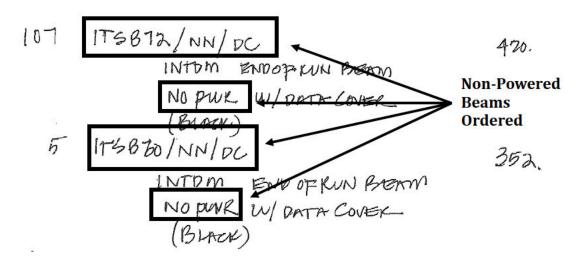
Based on the complaint in this case, the OIG identified numerous problems involving powered computer tables supplied by the \_\_\_\_\_\_\_ Those problems and the evidence relating to them are discussed in this section.

evidence relating to them are discussed in this section.
1. Westinghouse High School
Purchasing documents show that in June 2009, CPS ordered 111 table 52 Ps (powered) for Westinghouse High School from the however, delivered 111 table 52s (non-powered). Sometime after the delivery, the electrician assigned to wire the tables discovered that the tables were non-powered and refused to install them because they were not compliant with Chicago's electrical code.
After the electrician's refusal to install the new tables, apparently neither the nor the CPS personnel involved in the matter realized that the tables that had been delivered were the wrong ones and that the correct ones were code compliant and appropriate for the intended use. Thus, instead of simply sending the wrong tables back and shipping the correct ones, the — with the
knowledge and consent of the relevant CPS personnel — worked with furniture design firm Agati Company to assemble and produce a substitute table. The end results were that (1) the eventually shipped 111 of the specially-built Agati replacement tables to Westinghouse; (2) the original shipment of non-powered tables remained at Westinghouse; and (3) the

A. Documents and Timeline Relating to the Initial Order of Westinghouse Tables

and CPS paid for — two full sets of powered tables.

The OIG asked the for documents related to its purchase of the tables at Westinghouse, specifically asking for documents showing how the placed its order to its dealer, Interior Investments. Among the documents it produced, the submitted an undated, handwritten document that apparently shows that it originally ordered 112 (*i.e.*, 107 (72") tables and 5 (60") tables) non-powered computer tables. The portion of that document which clearly shows that the ordered tables with non-powered beams is included here:



Several other documents obtained by the OIG shed further light on the sequence of events. In short, the earliest known document shows that Krueger International (the manufacturer) provided a quote for the correct, powered tables to Interior Investments (a KI dealer — and the middleman between KI and the Despite the early quote for the correct tables, Interior Investments subsequently gave a proposal to the for non-powered tables — which is consistent with the undated notes discussed immediately above.

The sequence of events based on the known purchasing documents is summarized in the following table. The reader will note that there are some gaps in the ordering timeline. The OIG was not able to identify additional documents that would help fill in the gaps. In particular, the documents do not show why Krueger International originally provided a quote for the correct powered.

Date	Action	Product No. Listed	Problem
3/25/09	Quote from KI (manufacturer) to Interior Investments (dealer/middleman): \$70,282.80 for 112 (72") computer tables with powered beams	ITSB72/ <b>H</b> C/DC (powered table 52 Ps)	None: quote for correct table 52 Ps
	<b>Note:</b> No documents preceding this quote were identified.		

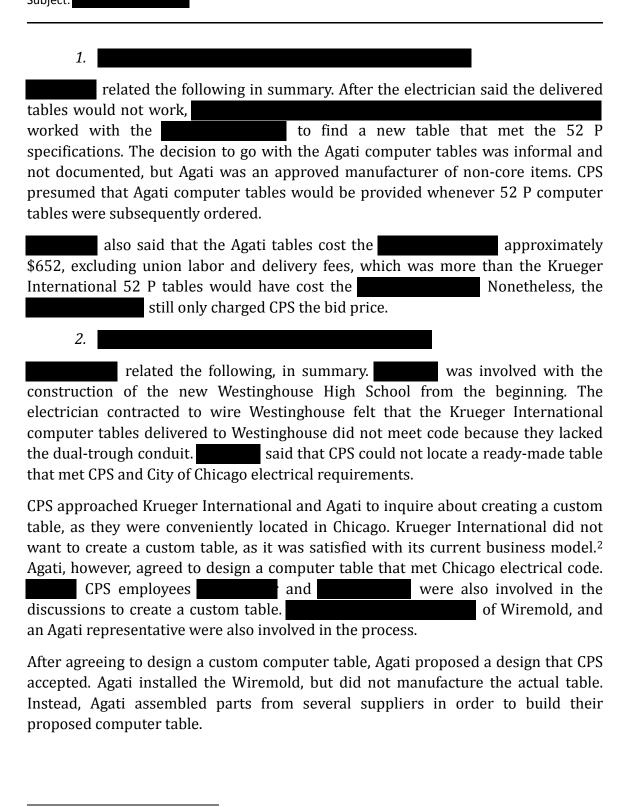
Date	Action	Product No. Listed	Problem
Unknown	Handwritten order note from the	ITSB72/ <b>NN</b> /DC	For unknown reasons,
	showing that 112 tables with non-powered beams were ordered	(107 non-powered 72" table 52s)	the orders tables with non- powered beams
	Note: Although the date of this	ITSB60/ <b>NN</b> /DC	
	<b>Note:</b> Although the date of this document is not known, it logically (and probably) fits into the sequence of events at this point.	(5 non-powered 60" table 51s¹)	
3/30/09	Proposal from Interior Investments to \$59,921 for 112 computer tables:	ITSB72/ <b>NN</b> /DC (72" non-powered table 52s)	Proposal for non- powered tables and some shorter tables
	(107) 72" tables and		included
	(5) 60" tables	ITSB60/ <b>NN</b> /DC (60" non-powered table 51s)	
3/31/09	Purchase Order from the to Interior Investments: \$59,921 for 112 tables:	ITSB72/ <b>NN</b> /DC (72" non-powered table 52s)	Purchase order is for non-powered tables
	(107) 72" tables and		
	(5) 60" tables	ITSB60/ <b>NN</b> /DC (60" non-powered table 51s)	
4/8/09	Acknowledgement from KI to Interior Investments: \$53,928 for 112 tables:	ITSB72/ <b>NN</b> /DC (72" non-powered table 52s)	Acknowledgement is for non-powered tables
	(107) 72" tables and	,	
	(5) 60" tables	ITSB60/ <b>NN</b> /DC (60" non-powered table 51s)	
4/28/09	Change Order from the to Interior Investments: \$2,147 for 4 more computer tables	ITSB72/ <b>NN</b> /DC (72" non-powered table 52s)	Purchase order is for non-powered tables
	<b>Note:</b> This change brings the total number of 72" tables to 111.		

<sup>&</sup>lt;sup>1</sup> Table 51s are a separate bid item.

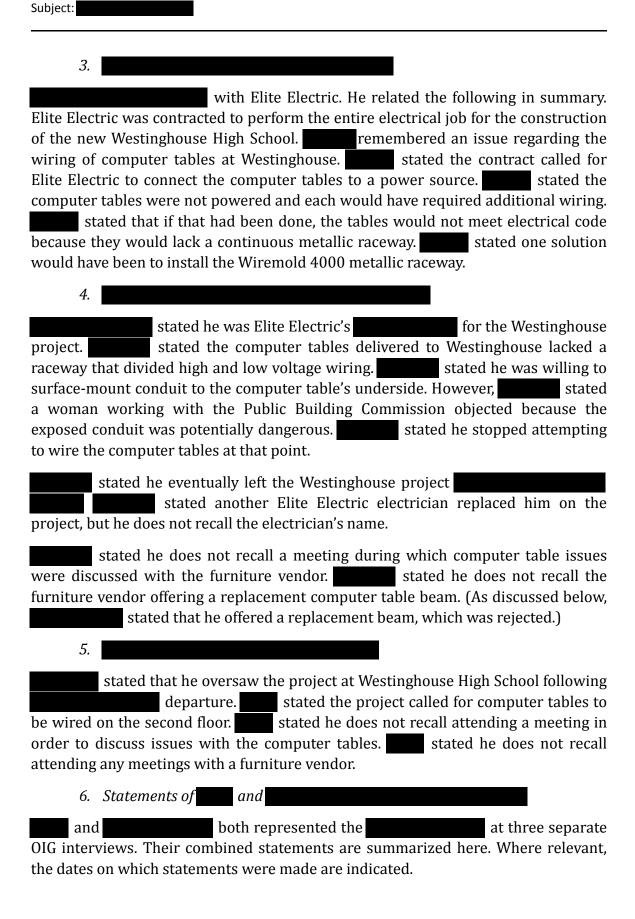
Date	Action	Product No. Listed	Problem
4/28/09	Invoice from KI to Interior Investments: \$53,928.90 for 112 tables	ITSB72/ <b>NN</b> /DC (72" non-powered table 52s)	Invoice is for non- powered tables
	(107) 72" tables and (5) 60" tables	ITSB60/ <b>NN</b> /DC (60" non-powered table 51s)	
4/30/09	Invoice from Interior Investments to the \$59,921 for 112 tables:  (107) 72" tables and	ITSB72/ <b>NN</b> /DC (72" non-powered table 52s) ITSB60/ <b>NN</b> /DC	Invoice is for non- powered tables
	(5) 60" tables	(60" non-powered table 51s)	
06/12/09	Purchase Order from the to CPS: \$90,030.99 for 111 computer tables (\$811.09 each)	No product number listed	Powered or non- powered tables is not specified
			Per table price corresponds to bid/contract price for KI powered 52 P tables
06/12/09	CPS Purchase Order: \$90,030.99 for 111 computer tables (\$811.09 each)	No product number listed	Powered or non- powered tables is not specified
	Note: Essentially mirrors the Purchase Order from the same date		Per table price corresponds to bid/contract price for KI powered 52 P tables
06/15/09	Invoice from to CPS: \$90,030.99 invoice for 111 powered tables	ITWS3072/NB-PL  Note: this is not a model number used	Non-powered tables are ordered
	<b>Note:</b> invoice marked as paid by on 7/28/09	in the bid spec., but a KI catalog indicates that this is the table with the non- powered beam	As discussed below, non-powered table 52s were delivered

## B. Statements Regarding the Decision to Build a New Table

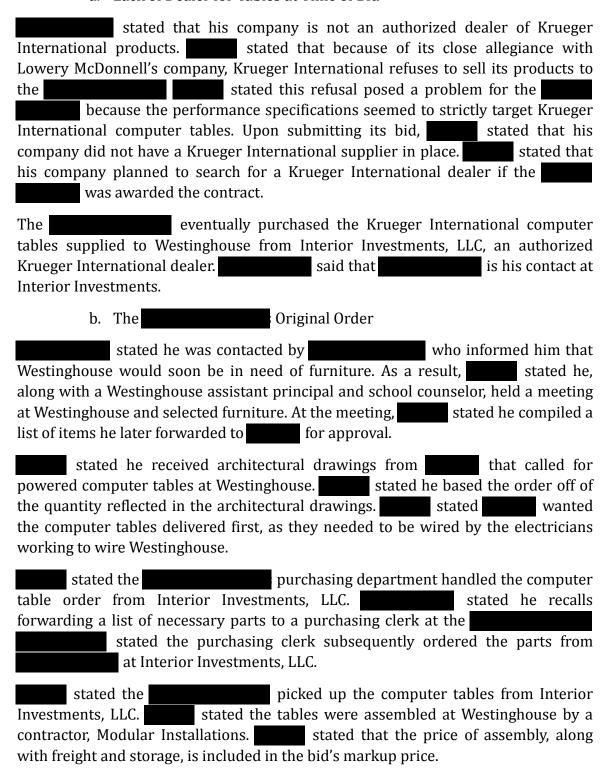
The relevant interview statements regarding the shipment of non-powered tables and their subsequent replacement follow.



<sup>&</sup>lt;sup>2</sup> Krueger International later told the OIG that KI was confident that its powered tables meet code because it was specifically designed in 2004 to meet the stringent bid specs for such a table under the previous contract. For further details see the summary of interview on page 21.



#### a. Lack of Dealer for Tables at Time of Bid



## c. Discovery of the Problems with the Tables

said that his company's bid to supply furniture included a proposal to

they were under no obligation to install a part that was already supposed to

Additionally, the OIG investigation did not determine exactly what beam

provided as a

be installed on the tables at delivery.

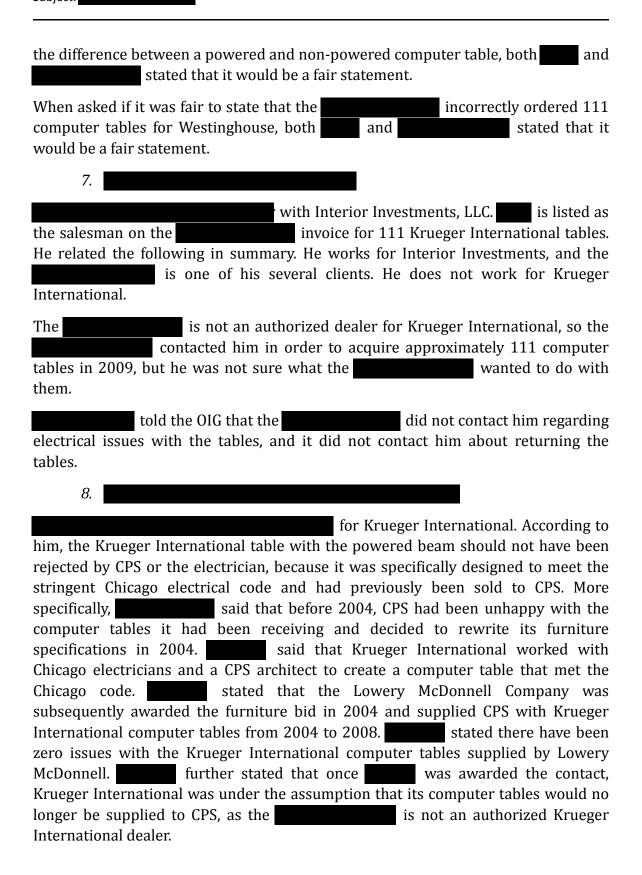
(among the several offered in KI's catalog)

possible cure. Via email, the OIG subsequently asked the which beam it offered to remedy the situation. In response, the asserts that it submitted the correct beam (ITSB72/HC/DC), but it also acknowledges that it has no records regarding the replacement beam that it offered, and further stated that its assertion that it offered the correct beam was made solely by referring to the KI price list in response to the OIG's inquiries. Because it is not known which beam was offered as a cure, the OIG cannot determine whether it would have met the Chicago electrical code. As discussed above, the electricians interviewed were not able to shed further light on this subject. d. The Agati Table said he subsequently consulted the Agati Company about designing a table that met CPS' needs. stated the Agati tables are equipped with a conduit product called Wiremold 4000, which successfully encloses and separates high and low voltage wiring. subsequently approved the Agati design. e. Direct Questions to In response to questions about whether he had ordered the wrong computer tables, said that he was never told his company had ordered the wrong computer tables. He said that, all along, he believed powered Krueger International computer tables were delivered to Westinghouse. When asked if the 52 P computer table included in his company's bid met Chicago electrical code. stated that he no longer knows if the table meets code. further stated that he is not familiar with Chicago's electrical codes and that he relied solely upon Krueger International's price lists when choosing Krueger International's computer tables for his bid submission. When asked to describe the difference between a powered and non-powered computer table, stated non-powered computer tables are ordered under the assumption that they will never be wired by an electrician. stated powered computer tables do not need to be wired by an electrician as they arrive already wired. stated that powered computer tables arrive with wires already running through the table's powered beam. After the OIG stated that powered computer tables must also be wired by an electrician, stated that he

does not know the difference between powered and non-powered computer tables.

nor

When asked by the OIG if it was fair to state that neither



Subject:

According to the knew that it could not provide any other table than a Krueger International table if it wanted to meet CPS specifications, which require that the electrical and data be separately entombed and that computer tables be accessible from both front and back via doors.

### C. REGARDING BILLING AND OVERPAYMENT FOR THE ORIGINAL SET OF TABLES

The OIG's investigation also determined that CPS kept and paid for both sets of computer tables that were delivered to Westinghouse by the Purchasing records show that CPS paid \$90,030.99 (\$811.09 each) for the 111 table 52s (non-powered) that were initially delivered in June 2009. Westinghouse High School kept those tables even though they were not ordered.

In addition, purchasing records show that CPS paid another \$90,030.90 for the replacement set of Agati tables.

As discussed further below, interview statements show that CPS decided to keep the original shipment. An inspection by the OIG, however, showed that those tables are being used as ordinary (not computer) tables, which raises the important question of whether CPS wasted over \$90,000 for specialty tables it did not need. In short, CPS paid for:



but received that, ⇒



which
is
used
for
this





Even without regard to question of whether CPS should have kept the original shipment of computer tables, it is clear that CPS actually overpaid for them. CPS

should have only paid the contract price for the tables it received. Because those tables were the non-powered Krueger International tables (table 52s), the should have only billed \$81,316.38 (\$732.58 each) for them. Accordingly, CPS paid \$8,714.60 more than it should have because it was billed for — and paid for — table 52 Ps (\$90,030.90 or \$811.09 each).

Relevant interview statements, further discussion of the OIG on-site inspection at Westinghouse, and details of the overbilling and overpayments follow.

# 1. Interview Statements related the following in summary. CPS initially intended to return the original Krueger International non-powered computer tables to the but asked to keep them. The Krueger International non-powered computer tables are in use at Westinghouse, but they are not being used as computer tables. CPS could have returned the computer tables and purchased cheaper ordinary tables, considering the capacity in which the tables are currently being used. and stated CPS never asked his company to return the non-powered computer tables initially delivered to Westinghouse. stated that from CPS Operations informed him that with close to six hundred could find a use for the tables. said that his company would have taken the tables back if it had been asked. Regarding the issue of CPS being charged for 52 P powered tables when it actually only received non-powered 52 tables. stated that his company charged CPS \$811.09 per table (the 52 P price) because the company was under the impression that it had ordered and shipped 52 P computer tables. When asked if it is fair to state that the charged CPS \$811.09 for 111 non-powered computer tables, when CPS should have been charged \$732.58 per table, both and and stated that it would be a fair statement. stated any overcharging on the part of the deliberate. further stated that his company routinely undercharges

CPS and cited to a cost savings report, which purports that the company has saved CPS approximately \$300,000.3

related the following, in summary. did not recall any issues regarding the computer tables initially delivered to Westinghouse. did not recall a second Westinghouse computer table order. assumes lack of recall is because usually just moved on to next project after ordering furniture for a new school.

## 2. Inspection Confirms that the Computer Tables are Underutilized

The OIG inspected Westinghouse High School to determine how the non-powered computer tables were being used. The OIG found numerous examples of the computer tables being used as ordinary tables. The following photographs are representative of what the OIG found at Westinghouse.



Mailboxes on KI 52 tables



A KI 52 table unused in empty room



Microwave and refrigerator on KI 52 table



Two unassembled KI 52 tables in storage closet

<sup>&</sup>lt;sup>3</sup> The "report" that was referring to consists of an email and accompanying spreadsheet that he sent to a series on December 7, 2011. In that email, asserts that a review by his company of a dozen random orders of non-core catalog items shows that his company charged CPS \$293,644.19 less than it actually could have under the contract.

## 3. Summary Tables of Overcharges and Overpayments

a. Overcharge by the

The following chart details the amount of money that the overcharged CPS for the 111 non-powered table 52s that it delivered to CPS.

111 Powered Table 52-Ps	111 Non-Powered Table 52s	<b>Amount Overbilled</b>	
(Amount Charged by	(Contract Value of Tables Actually Received)	(Difference)	
\$90,030.90	\$81,316.38	\$8,714.60	
(\$811.09 each)	(\$732.58 each)	(\$78.51 each)	

## b. Money Wasted by CPS on the First Set of Tables

The following table shows the spectrum of possibilities regarding the money that CPS wasted on the 111 computer tables. The table compares what CPS actually paid for the tables to (1) the cost of the least expensive 72" non-computer table available under the bid/contract; and (2) the money that would have been saved if all the tables were returned. As discussed above, the OIG's inspection at Westinghouse showed that the tables were either being used in very non-specialized and ordinary situations (i.e., supporting mailboxes) or, in some cases, not being used at all. The fact that some of the tables are not being used in a dedicated classroom setting and others are not being used at all strongly suggests that none of them were actually needed. That in turn suggests that CPS wasted the entire \$90,030.90 that it spent on the first set of non-powered table 52s. Nonetheless, some of the computer tables are being used in some capacity and the rest conceivably could be put to use somewhere. Thus, allowing for the possibility that ordinary tables were needed (or will be needed), the OIG also looked at what ordinary tables should have cost CPS. Ordinary tables were, in fact, available under the contract. The 30" x 72" classroom activity table (bid/contract table 30) manufactured by Artco Bell has a contract price of \$206.63. The Artco Bell table is used in the below comparison.

Assumption	Amount Actually Paid for Tables	Cost that should have been Incurred under Assumption	Wasted Money (Difference)
Westinghouse needed ordinary tables (bid/contract table no. 30)	\$90,030.90	\$22,934.82	\$67,096.08
	(\$811.09 each)	(206.63 each)	(\$604.46 each)
Westinghouse did not need tables at all	\$90,030.90	\$0	\$90,030.90
	(\$811.09 each)	(\$0 each)	(\$811.09 each)

# D. THE AGATI TABLES ARE SUBSTANTIALLY INFERIOR TO THE KRUEGER INTERNATIONAL TABLES

Aside from the issues related to initial shipment of the wrong tables and the unnecessary substitution of the Krueger International tables with the Agati tables, the OIG's investigation revealed that the Agati tables are significantly inferior to the Krueger International powered tables that the had contracted to provide.

1. Side-by-Side Comparison of Krueger International and Agati Tables

The following chart details the major reasons why the Agati tables are inferior to the Krueger International tables. In most cases, photographs have been included to further illustrate the deficiencies.

## KI Powered Table (52 P)

## **Lacking Attribute of Agati Table**

1. Front and Rear access doors for both wire maintenance and management



Lacks required lack dual door system and corresponding wire management trough



**Significance of Deficiency:** 

No wire management system leaves wires and plugs exposed to students, posing an electrocution risk; exposed wires are less aesthetically pleasing

2. Direct table-to-table connection, linked tables are routed without gaps that expose the wires



No direct table-to-table connection



**Significance of Deficiency:** Unprotected hot wires running across gap

# KI Powered Table (52 P)

## **Lacking Attribute of Agati Table**

3. Utilizes a shared leg system, which allows one leg to support the ends of two tables



No shared leg system



**Significance of Deficiency:** 

Less space for student and gaps between tables

4. Post formed edge, which has a rounded profile on the user side



No post form edging and edges are wrapped with PVC banding



**Significance of Deficiency:** 

Minimizes the table's ergonomic benefit and creates a sharp angled edge for typing

5. Factory cut grommets



Grommets appear to be hand cut



Significance of Deficiency:

Smaller and less aesthetically appealing

### KI Powered Table (52 P)

### **Lacking Attribute of Agati Table**

#### 6. **UL Listed as a Powered Table**

This category covers tables intended to be electrically interconnected with each other (two or more) and frequently reconfigured. These tables are provided with receptacles for communication, power and/or video connection. They are used in conference rooms, in an office, library, or school setting.

### Only Metal Raceway is UL Listed

Only the Wiremold 4000 is UL listed, and only as a "Surface Metal Raceway". This category covers surface metal raceway intended for installation in accordance with the National Electrical Code.

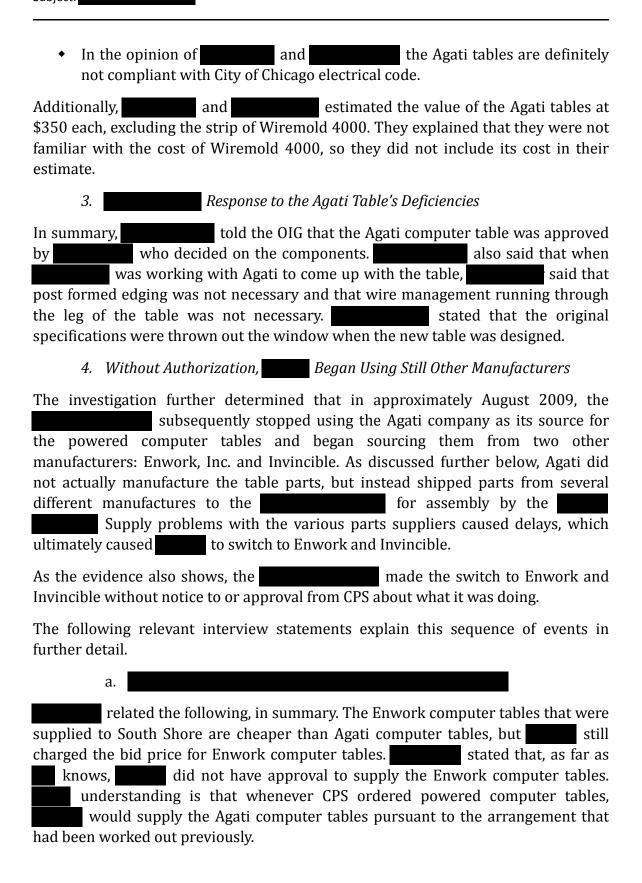
#### **Significance of Deficiency:**

Whole table not tested as safe for use as electrically interconnected with each other

2. Krueger International's Opinion of the Agati Tables

On April 25, 2012, the OIG visited Skinner West Elementary in order to inspect the Agati computer tables supplied by the The OIG was accompanied by Krueger International representatives and who made several observations regarding the differences between the Krueger International and Agati powered tables. Specifically, they related that the Agati tables were inferior for the following reasons:

- Agati tables lack Krueger International's shared leg system.
- Agati tables lack factory-cut grommets and appear to have hand-cut grommets.
- Agati tables lack post formed edging and instead have edges that are wrapped with PVC banding, which minimizes the table's ergonomic benefits.
- Agati tables use Wiremold 4000 to house the electrical and data wiring. said that he has never seen Wiremold 4000 used on a computer tables, as it designed to run wiring along walls.
- Agati tables lack an enclosed wiring system as required by City of Chicago electrical code. Specifically, hot wiring is both visible and accessible as a result of space between computer tables.
- The Agati wire management trough, which was intended to hide the many cords and cables coming from the computer, is unusable as a result of the placement of the Wiremold 4000. In short, there is effectively no wire management feature on the Agati tables.
- The Agati tables are missing several electrical outlet faceplates.



b.

related the following, in summary.

stated that to manufacture the Agati table, Agati ordered parts from several different companies and shipped them to the facilities. The tables were then assembled in the warehouse, which eventually caused problems as the parts began arriving sporadically.

Because of the supply problems, the approached other companies about manufacturing the table. Eventually, the decided to have the Enwork Company and the Invincible Company each manufacture substitute tables and provide them to the

was a custom design, he did not inform CPS Operations of his decision to shift

E. THE ENWORK AND INVINCIBLE TABLES ARE ALSO INFERIOR TO THE BID-LISTED AND CONTRACTED KRUEGER INTERNATIONAL TABLES

The OIG conducted inspections at schools where the Enwork and Invincible powered-computer tables. Those inspections found that both of those tables were inferior to the contracted Krueger International tables in much the same way that the Agati tables were deficient.

1. Chart Illustrating Deficiencies

production of the custom design to Enwork and Invincible.

The following chart details specific examples of how the tables are deficient.

#### ENWORK AND INVINCIBLE DEFICIENCIES

**Enwork Tables** 

1.

**Invincible Tables** 

Tables lack dual door system and accompanying wire management trough; fails to protect power and data cables





## ENWORK AND INVINCIBLE DEFICIENCIES

## **Enwork Tables**

## **Invincible Tables**

2.

No direct table-to-table connection



Top View



Top View



**Bottom View** 



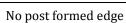
**Bottom View** 

3.

4.

No shared leg system









2. Statement Regarding the Deficiency of the Enwork Table

told the OIG that the table portion of the Enwork table is not UL listed, but the Wiremold conduit is.

# F. OIG ALSO FOUND EXAMPLES OF ENWORK AND INVINCIBLE TABLES BEING UNDERUTILIZED

The following are examples of underutilized tables at South Shore and Brooks. Such examples raise questions about whether CPS should be ordering fewer computer tables.

#### **Enwork Table**



Tables without computers at South Shore

#### **Invincible Table**



Used to store paper and mail at Brooks

G. THE STATEMENTS ABOUT THE DEFICIENCIES IN GENERAL stated that he does not know the process for gaining Underwriters Laboratory approval for a product, and stated: "That is over my head." stated that the Wiremold 4000 that is on the computer table is probably UL listed and there might be a sticker on Wiremold 4000, but he has never looked. The OIG showed and photographs of Enwork computer tables at South Shore High School. and were asked why these tables do and not have a wire management trough. stated that the beam running under the table is a wire management trough. Additionally, stated that based on the pictures, they agreed that some of the beams were apparently installed upside down or are totally missing. issue of the beams being installed improperly, or not installed at all, is their problem and responsibility.

### OIG Note:

• Via email, the OIG subsequently contacted Enwork

and asked him about the part that the had claimed was a wire management trough. Relevant photos were attached to the email.

said that the part in question was a brace and not a wire management trough, although he speculated that the "brace could be used to run a few cables through it".

further stated that Enwork had many cable management options, including an appropriate cable trough. In addition, explained that the open part of the brace should face

up when installed. Accordingly, that means that the braces on the tables in the photos shown to the were installed upside down.

H. Although the Substitute Tables Became Less and Less Expensive to the over Time, It Continued to Charge Full Price

always charged CPS the full contract price Records show that the of \$811.09 regardless of what the substitute tables cost the without regard to the significant deficiencies of the substitute tables. The evidence more than the Krueger shows that the Agati table cost the International table that it was originally supposed to provide, which, of course, meant that it would make less money by selling the Agati table at the contract price, as compared to the Krueger International table. As previously discussed, however, subsequently switched to proving the Enwork and Invincible tables. Records further show that the Enwork and Invincible tables cost the less than both the Agati and Krueger International tables. Thus, by switching to Enwork and Invincible, the was able to bolster its profit margin on the tables. This is particularly important because — unlike the decision to go with the Agati table — the never consulted with or obtained permission from anyone at CPS to begin providing the Enwork and Invincible tables.

The following subsections provide further information about how much the respective tables cost the and it compares the sales margins on the tables.

## 1. Documentary Evidence

Through purchasing records, the investigation was able to determine the amount that the paid each of its vendors for the various tables at issue here. The following chart summarizes the key purchase price details.

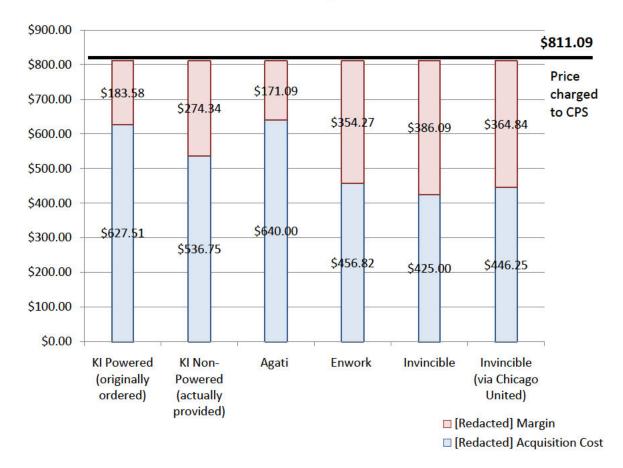
	Mfr.	Vendor	per Table Price	Source	Price Charged to CPS	Source
1.	KI	Interior Investments	\$536.75	Purchase Order	\$811.09	Oracle Records (Westinghouse)
2.	Agati	None (direct sale)	\$640.00	Agati Invoice	\$811.09	Oracle Records (Westinghouse)
3.	Enwork	None (direct sale)	\$456.82	Enwork Quote	\$811.09	Oracle Records (South Shore)
4.	Invincible	None (direct sale)	\$425.00	Invincible Invoice	\$811.09	Oracle Records (Brooks)

	Mfr.	Vendor	per Table Price	Source	Price Charged to CPS	Source
5.	Invincible	Chicago United (MBE)	\$446.25	Purchase Order	\$811.09	Oracle Records (Brooks)

2. Sales Margins: Side-by-Side Comparison

Based on the information regarding the per table costs, the OIG was able to determine the relative sales margin for the tables.

Those results are summarized in the following table.

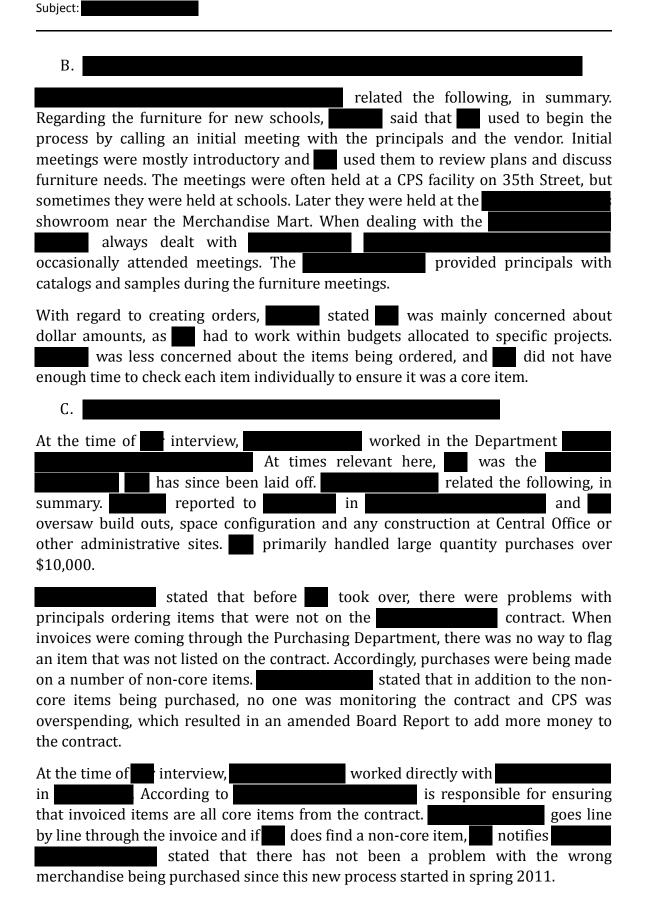


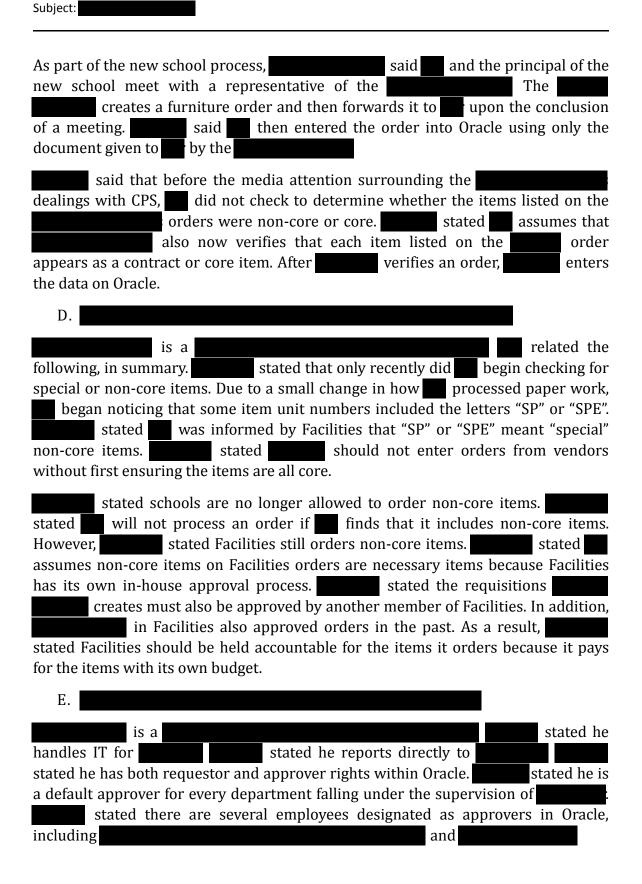
items will be stressed.

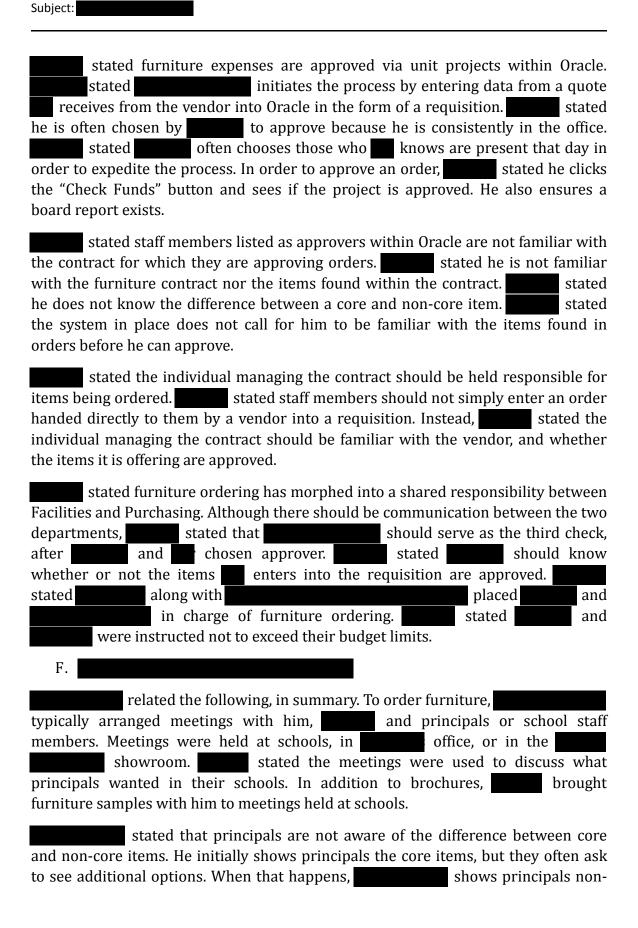
# PART THREE: WEAKNESSES IN THE PURCHASING PROCESS

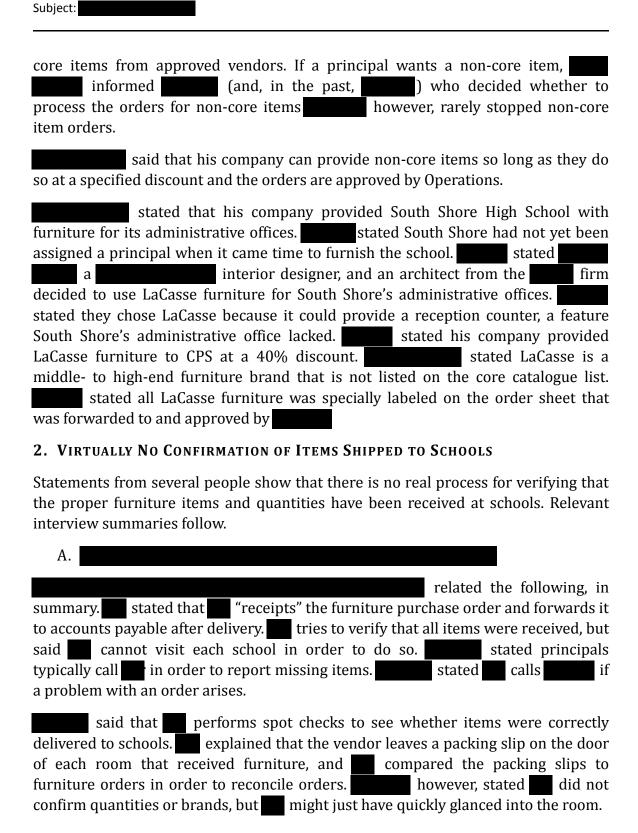
### 1. Ordering of Non-Core Items

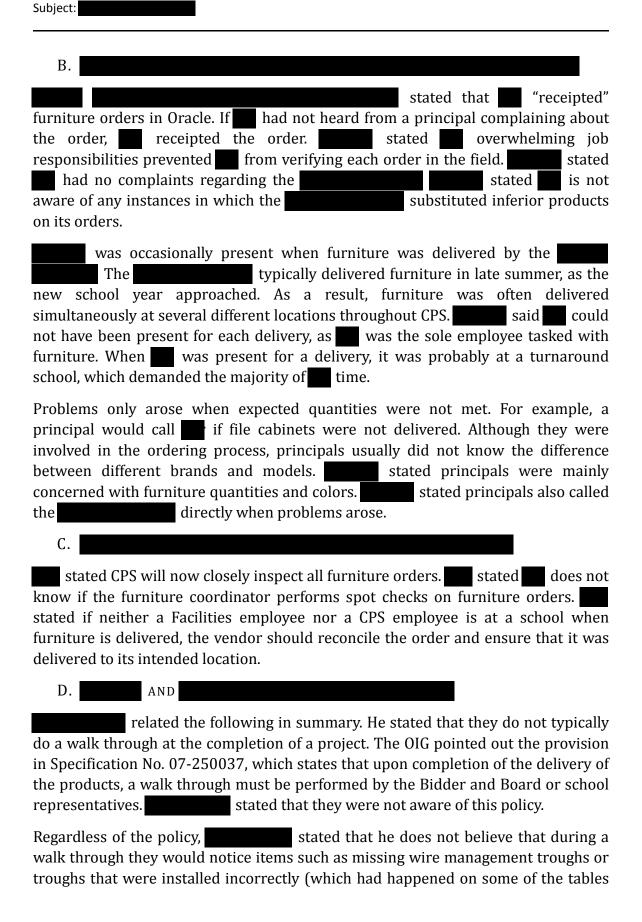
The contracted to provide specified furniture items, which are known as "core items". In addition to the "core items", the contract allows the to provide additional items from other manufacturers as long as the provides a discount of 10% or greater from the manufacturer's suggested list price. (See Bid Specification No. 07-250037§ IV.8.) Such additional items are commonly known as "non-core" items.
During the course of its investigation, the OIG discovered that there had been very little oversight regarding the practice of ordering non-core items and that principals and new school architects frequently ordered non-core items.
The relevant portions of related interview statements are included below.
A.
stated the following, in summary. stated items listed on a bid tabulation page are referred to as core items. stated that vendors can also provide non-core items from approved manufacturers listed in the bid specification.
said that works with a furniture coordinator to get furniture into schools, but is not involved in the furniture selection process. Furniture is ordered by principals in conjunction with the furniture coordinator and the vendor. stated that although schools are allowed to order non-core items, they should primarily be ordering core items stated that non-core items may be supplied if the vendor obtains a specified minimum discount from the manufacturer.
stated that conducted an audit of South Shore High School's furniture, and found that the furniture in the administrative offices was made by LaCasse, a manufacturer which is not found on the approved list. stated a principal had yet to be assigned to South Shore when it opened in the fall of 2010. stated that an architect contracted by the Public Building Commission, ordered South Shore's furniture. stated forwarded the order to CPS furniture coordinator, for processing. stated the order should have been blocked because LaCasse is not an approved manufacturer.
stated CPS implemented new procedures in order to prevent similar problems in the future. Stated that non-core catalogue ordering will be limited and core











at South Shore High School). On such a tour, they would simply be looking at the layout of the rooms. Stated that if he saw something significant, like a table that did not have legs, he may question it.

#### 3. RETURNED ITEMS CREDITED AND OTHER ITEMS PURCHASED WITH THE CREDIT

A. Introduction: Returns for Credit at Ogden and Phillips and Whittier Schools

The OIG's investigation also determined that on at least three occasions, CPS ordered a large amount of furniture items from the schools or school renovation projects. Each of those purchases was initially approved by either or and purchase orders were properly issued for the furniture. In those four cases, the school's principal later decided that it did not need much of the furniture that had been ordered and cancelled large portions of the order. The problem with that is that the principals did not notify anyone in Facilities or Purchasing about what they were doing. Instead, the items were cancelled and the principals then used the remaining balance of the purchase order—that was created by the cancellation—to purchase other items for the school.

In each case, the amount of the new purchase exceeded the balance created by the returns, ranging from a few cents to thousands of dollars. As discussed further below, the claims that it "wrote off" the difference, and referenced the situations as examples of how the company adds value in its business dealings.

The OIG uncovered no evidence that the principals were ordering lavish or otherwise improper items, and there is no evidence of improper self-dealing in these transactions. Nonetheless, these situations are addressed here because principals were effectively purchasing thousands of dollars of items without any review or approval. Of course, the better practice would have been to notify Facilities and Purchasing of the cancellations and return the encumbered funds to their budget lines. When and if it was decided that new furniture was needed, proper Central Office approval and new purchase orders would then follow. Such procedures would ensure that CPS knew what it was paying for and why. Under the practice discovered here, only school principals and the knew what was ultimately ordered and delivered. That practice is ripe for abuse.

The following table summarizes the relevant cancellations and returns.

School	Date	Amount of Cancelled Furniture	Date	Amount of Furniture Subsequently Purchased	Difference (Claimed Write Off)
Ogden	8/15/11	\$83,872	1/31/12	\$83,8879.16	\$6.39
Phillips	8/1/10	\$93,207.02	9/1/11	\$96,614.08	\$3,407.16
Whittier	8/31/10	\$13,788.53	9/1/10	\$13,788.64	\$0.11

AND stated that he was involved with the ordering of furniture for Ogden Elementary. The school was initially intended to have two computer labs and only ended up with one. When he was working with and they decided to order computer tables for two labs. told him to "plan for the worst", as would rather have too many tables than not enough. stated that when it was determined that only 18 tables were needed, and not 36, the order was changed. stated that he does not recall whether the tables were delivered to the school and then returned. In any event, an internal credit was issued for the Ogden project and the credit was used to order additional items. stated that the principal decided on the additional items. stated that a credit was given for the sizing of the tables also, because originally the computer tables ordered were 30" x72" and the tables that were supplied were 30" x 60". stated that he did not get permission from CPS Operations or Purchasing to create an internal credit that would be used for additional items. stated that his feeling was that as long as the original purchase order dollar amount was not exceeded, there was no need to create a new invoice or go through the process of reimbursing CPS and creating a new Purchase Order. stated that they would even write off any difference there would be after ordering additional items. stated that he was involved in the Phillips High School order. gave him a list of items needed, which included the number and type of computer tables. stated that 52 P tables were ordered at the price of \$811.09. stated that the principal decided that these tables were not needed for the room and they needed a much simpler table. stated that all that was necessary was a regular table with a trough.

The OIG then showed and copies of the Purchase Order and the "recap"<sup>4</sup> from Phillips High School. Both of these documents describe a non-powered computer table, and the recap specifically refers to the table 52 (non-powered). The OIG asked why the September 1, 2011 invoice shows that CPS was charged \$811.09 (the powered table price) for non-powered table 52s. stated that if the price is listed as \$811.09, then they definitely provided a powered 52 P table — regardless of what the documents otherwise suggested. acknowledged that it could be possible that a non-powered 52 should have been delivered to Phillips. further stated that regardless of what tables were delivered, it did not matter in the end because the tables were ultimately returned by the principal and the \$811.09 purchase price was credited to the account, thus there was no harm. He further explained that \$270 tables were ordered in place of the \$811.09 ones, so CPS ultimately saved money because it bought less expensive tables. stated that the same situation happened at Phillips that occurred at Ogden where there was an in-house credit given to the school and additional items stated that no one at CPS ever questioned how they were ordered. stated that no one at CPS gave them the authority to do handled this. this, but no one stopped them. stated that they did not talk to anyone in Purchasing regarding the in-house credit. stated that since the school was already given the money, it really does not matter how it is spent. stated that the principal decided on the additional items, which were mostly music related.

<sup>&</sup>lt;sup>4</sup> The creates a document known as a "recap" after its initial meeting with school officials and/or architects about specific projects. The document lists the items agreed upon at the meeting.

Office of the

## **Inspector General**

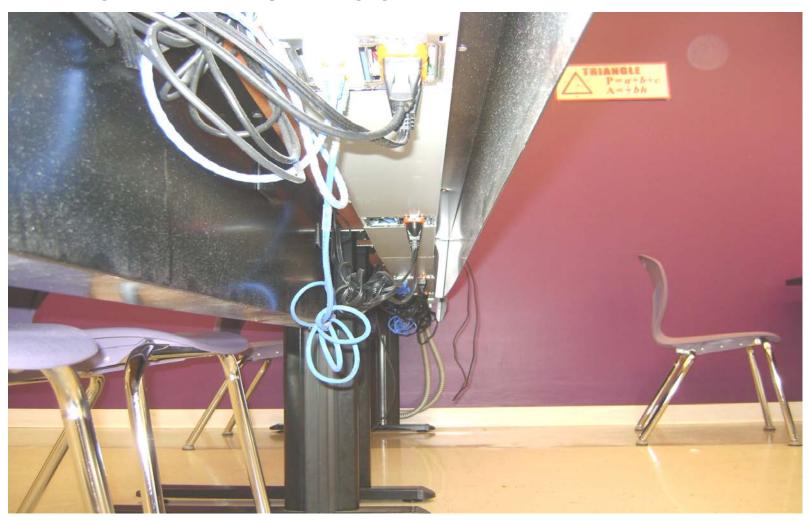
Chicago Board of Education

James M. Sullivan, Inspector General

ATTACHMENT 1: Underside of KI Tables — note wires are secured behind closed access doors



ATTACHMENT 2: Agati Table — note exposed hanging cords and wires



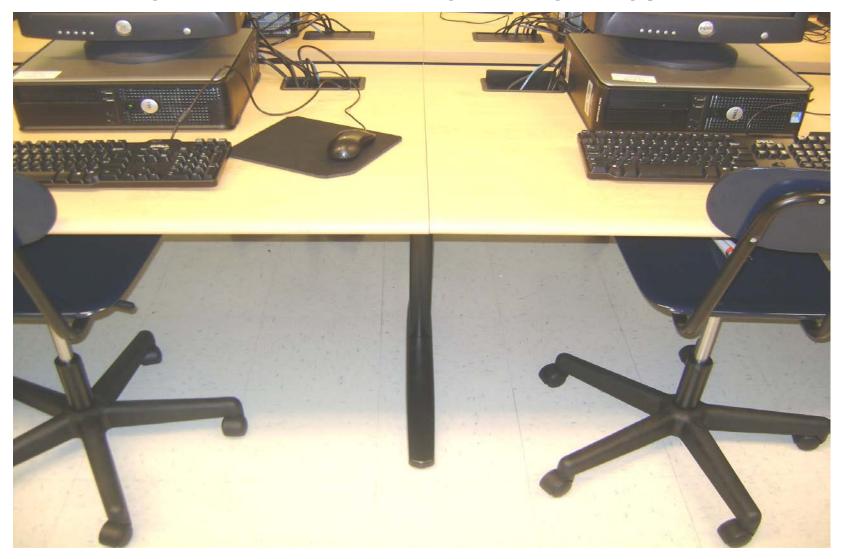
ATTACHMENT 3: Invincible Table — note hanging cords and wires



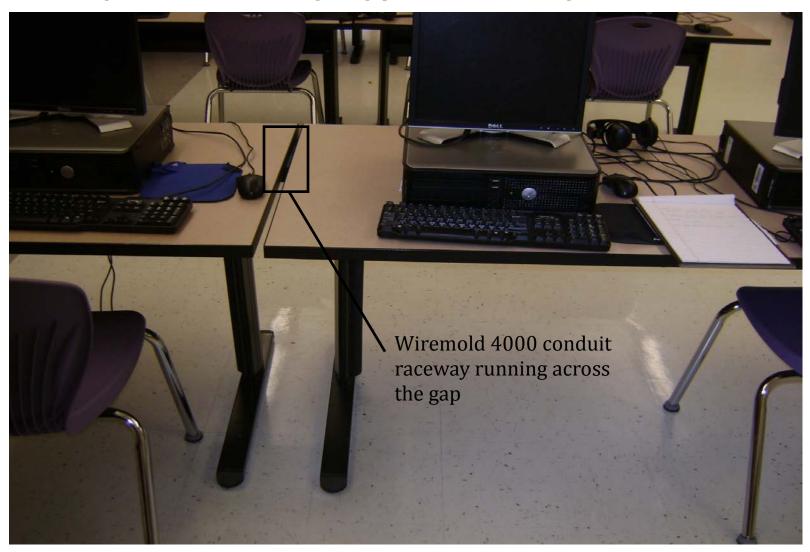
Attachment 4: Enwork Table — note hanging wires



Attachment 5: Krueger International Tables — note single shared leg and no gap between tables



ATTACHMENT 6: Agati Table — no shared leg and gap with conduit running across



ATTACHMENT 7: Kruger International tables with cords running into large, factory-made grommets



## ATTACHMENT 8: Invincible Tables with smaller grommets

