

**APPROVE ENTERING INTO AN AGREEMENT WITH CP PROFESSIONAL FOODSERVICES, INC.
TO PROVIDE CHICAGO PUBLIC SCHOOLS STUDENT PLANNERS
(REVENUE GENERATING)**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with CP Professional Foodservices, Inc. to provide Chicago Public Schools Student Planners. This contract is revenue generating and is expected to provide revenue in the amount of \$150,000.00 over a 2-year term. Vendor was selected on a competitive basis pursuant to Board Rule 5-4.1. A written agreement for this Vendor's services is currently being negotiated. No services may be provided by Vendor and no payment shall be made to Vendor prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

SPECIFICATION #: 07-2500048

VENDOR: CP Professional Foodservices, Inc.
1011 East 43rd Street
Chicago, IL, 60653
773 536-0128
Claudie L. Phillips
Vendor # 23635

USER: All Chicago Public Schools
c/o Department of Procurement and Contracts
125 South Clark, 10th Floor
Contact Person: Felicia D. Carwell, Commodity Manager
773 553-2289

TERM: The term of this agreement shall commence upon date of signing and shall end 24-months thereafter. The Board shall have the right to renew the agreement for two (2) additional periods of twelve (12) months each.

EARLY TERMINATION RIGHT: The Board shall have the right to terminate this agreement with 30 days written notice.

SCOPE OF SERVICES: Vendor shall provide Student Planners to the Board for elementary and high schools at no cost to the Board. Vendor will fund the Planners entirely through the sale of age appropriate advertising space in each planner to outside commercial and other sponsors. The Board has the absolute right to approve all advertising to be included in the Planners

Goods: Chicago Public Schools Student Planners
Quantity: Year 1 pilot program (est. 104,000 Student Planners)
Year 2 a gradual system-wide rollout

DELIVERABLES: Vendor shall provide monthly revenue reports to a designated representative of the Board. Monthly meetings will be held to review implementation, performance, services and revenues and finalize selection of layout and design of student planners.

OUTCOMES: The revenue sharing agreement will result in projected revenue of \$150,000 and will help students enhance their time management skills.

REVENUE: The revenue is a contingent amount, to be calculated on the net revenue received by the Vendor. The Chief Purchasing Officer is authorized to negotiate the details of the calculation and terms of payment.

REIMBURSABLE EXPENSE: N/A

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreement. Authorize the President and Secretary to execute the agreement. Authorize the Chief Purchasing Officer to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION: N/A

LSC REVIEW: Local School Council approval is not applicable to this report

FINANCIAL: Credit to Unit 12210: Office of Contracts and Procurement
Fund: 115 - General Education Fund

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 members 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 for Consideration:



Heather A. Obara
Chief Purchasing Officer

Approved:



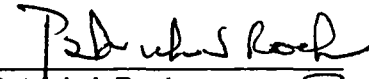
Arne Duncan
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to legal form: 



Patrick J. Rocks
General Counsel 