

**APPROVE ENTERING INTO AN AGREEMENT WITH MIDPACK CORPORATION FOR THE  
PURCHASE OF BLUE PLASTIC LINERS**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into an agreement with Midpack Corporation for the purchase of blue plastic liners for the Department of Operations- Bureau of Food Services and Warehousing at a cost not to exceed \$139,150.00. Vendor was selected on a competitive basis pursuant to a duly advertised bid solicitation (specification # 03-250221). A written agreement for this purchase is currently available for signature. No goods shall be received 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 No.:** 03-250221

**VENDOR:** Midpack Corporation  
5514 N. Kedzie Avenue  
Chicago, IL 60625  
Tom Joyce, Jr.  
(773) 539-1615  
Vendor #: 30380

**USER:** Department of Operations-Bureau of Food Services and Warehousing  
125 South Clark- 16<sup>th</sup> Floor  
Chicago, IL 60603  
Sue Susanke  
(773) 553-2830

**TERM:** The term of this agreement shall commence September 1, 2004 and end August 31, 2005, with the Board having the option to extend the agreement for two (2) additional one year periods.

**DESCRIPTION OF PURCHASE:**

Good: blue plastic liners (33 Gal.) 33" x 39"  
Quantity: 2000 cases, 200 per case  
Unit Price: \$19.34

Good: blue plastic liners (55 Gal.) 43" x 57"  
Quantity: 3000 cases, 49lbs. case, star seal  
Unit Price: \$33.49

Alternate: Goods: blue plastic liners (55 Gal.) 42" x 55"  
Quantity: 3000 cases, 46lbs. case, flat seal or star seal  
Unit Price: \$31.49

**COMPENSATION:** Vendor shall be paid for goods ordered by the Board at the unit prices stated in the contract ; total not to exceed \$139,150.00.

**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.

**AFFIRMATIVE ACTION:** This contract is in full compliance with the goals required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan). The M/WBE participation goals for the contract include 26% total MBE and 5% total WBE.

The vendor has identified and scheduled the following firms and percentages:

Total MBE% - 26%

Mystic Enterprises, Inc.  
752 Old Farm Road  
Matteson, Illinois 60443  
\$ 36,179 – 26%

certified through 12/01/04

Total WBE% - 74%  
Midpack Corporation  
5514 S. Kedzie Avenue  
Chicago, Illinois 60625  
\$ 102,971 – 74%

certified through 08/01/04

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

**FINANCIAL:** Charge to Food Services & Warehousing: \$139,150.00 Fiscal Year: FY05  
Budget Classification: 0941-270-000-7050-5320  
Source of Funds: Inventory Line

**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.

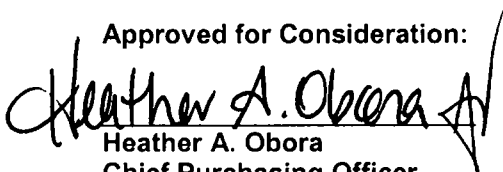
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

Indebtedness – The Board’s Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

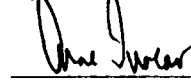
Ethics – The Board’s Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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. Obora  
Chief Purchasing Officer

Approved:

  
Arne Duncan  
Chief Executive Officer

Within Appropriation:

  
John Maiorca  
Chief Financial Officer

Approved as to legal form:

  
Ruth Moscovitch  
General Counsel