

APPROVE ENTERING INTO AN AGREEMENT WITH LIPPERT, INC. FOR THE PURCHASE OF FOOD SERVICES EQUIPMENT

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Lippert, Inc. for the purchase of food services equipment for various schools in accordance with National School Lunch Program Equipment Assistance Grant American Recovery and Reinvestment Act of 2009 (ARRA) and for replacement equipment at a cost not to exceed \$4,425,425. Vendor was selected on a competitive basis pursuant to duly advertised Bid Solicitation (Specification No.: 09-250031). A written agreement for this purchase is currently available for signature. No goods may be ordered or 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.

VENDOR:

1)
Lippert, Inc.
600 W. 172nd Street
South Holland, IL 60473
David Wax
708-333-6900
708-333-3888
Vendor # 44636

USER:

Citywide Food Services
125 South Clark Street 16th Floor
Chicago, IL 60603
Louise Esaian
773-553-2830

TERM:

The term of this agreement shall commence on the date the agreement is signed and shall end 12 months thereafter. This agreement shall have one option to renew for a period of one year.

EARLY TERMINATION RIGHT:

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

DESCRIPTION OF PURCHASE:

Goods: Food Services equipment in the categories of refrigeration, heating and serving equipment, cooking preparation, oven and holding, and steamers

Quantity: as required by need

Unit Price: as indicated in contract

Total Cost Not to Exceed: \$4,425,425

OUTCOMES:

This purchase will result in new and replacement equipment in accordance with ARRA and replacement needs of the schools.

COMPENSATION:

Vendor shall be paid in accordance with the unit prices contained in the agreement; not to exceed the sum of \$4,425,425.

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 Chief Purchasing Officer to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION:

The M/WBE participation goals for this contract include 26% total MBE and 5% total WBE. This contract is in full compliance with the goals required by the Remedial Program for Minority and Women Owned Business Enterprise participation.

The vendor has identified the following firms:

Total MBE - 26%

Arrow Lumber
5820 S. Ashland
Chicago, IL 60636

Total WBE - 5%

Frandee Singer (Accounting)
1140 Hillside Ave.
Antioch, IL 60002

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to Nutrition Support Services: \$4,425,425 Fiscal Year: FY10

Budget Classification: 12050-499-55005-256009-000000- \$2,900,000

12050-325-55005-XXXXXX-XXXXXX- \$1,525,425

Source of Funds: National School Lunch Program Equipment Assistance Grant- American Recovery Reinvestment Act of 2009 (ARRA) and Nutrition Support Services

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.

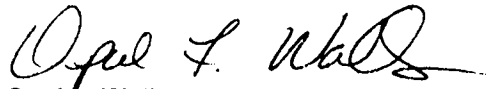
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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



Opal L. Walls
Chief Purchasing Officer

Within Appropriation:



PEDRO MARTINEZ
Chief Financial Officer

Approved:



Ron Huberman
Chief Executive Officer

Approved as to Legal Form:



PATRICK J. ROCKS
General Counsel