

**APPROVE ENTERING INTO AN AGREEMENT WITH T AND T FOODSERVICE, INC FOR THE
PURCHASE OF FRESH PRODUCE**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with T & T Foodservice, Inc. for the purchase of fresh produce for eight Chicago Public Schools and three Charter Schools that have been awarded the USDA's Fresh Fruit and Vegetable Grant for a total cost not to exceed \$248,860.00, inclusive of purchase orders opened in the amount of \$18,965.97 for the eight Chicago Public Schools and \$4,658.00 for the three Charter Schools. Vendor was selected on a competitive basis pursuant to Board Rule 7-2, awarded under 11-0902-CPOR-1474. A written agreement for this purchase is currently being negotiated. No payment shall be made to Vendor above the amounts specified in the aforementioned purchase orders prior to 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.

Contract Administrator : Walls, Miss Opal Lynette / 773-553-2280
CPOR Number : 11-0902-CPOR-1474

VENDOR:

- 1) Vendor # 80110
T & T FOODSERVICE, INC
2046 WEST LAKE ST.
CHICAGO, IL 60612
Eric L. Thomas Sr.
312 455-5000

USER INFORMATION :

Contact:
12010 - Nutrition Support Services

125 South Clark Street 16th Floor

Chicago, IL 60603

Esaian, Ms. Louise

773-553-2830

TERM:

The term of this agreement shall commence on October 1, 2011 and shall end June 30, 2012.

EARLY TERMINATION RIGHT:

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

DESCRIPTION OF PURCHASE:

Goods: Fresh fruits and vegetables for Chicago Public Schools as part of the USDA's Fresh Fruit and Vegetable grant program at the following schools eight CPS schools : Edward Everett Elementary, Harold Washington, Paul Revere Accelerated, John A Walsh Elementary, Carrie Jacobs Bond, Brighton Park Elementary, John Hay Community Academy, and Thomas J Higgins Community Academy, and the following three Charter Schools: Academy for Global Citizenship, University of Chicago Charter School-Donoghue Campus and Rowe Elementary Charter School.

Quantity: as ordered by the schools listed above.

Unit Price: as indicated in the agreement.

Total Cost Not to Exceed: \$248,860.00 (inclusive of the purchase orders in the total amount of \$18,965.97)

OUTCOMES:

T & T Foodservice shall provide fresh fruit and vegetables to fulfill the requirements of the grant.

COMPENSATION:

Vendor shall be paid in accordance with the unit prices contained in the agreement; total cost not to exceed the sum of \$248,860.00 (inclusive of the purchase orders in the total amount of \$18,965.97).

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 goals for this agreement include: 25% total MBE and 5% total WBE participation. However, the Office of Business Diversity recommends a partial waiver of the 5% WBE goal required by the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts, be granted. The self performance of the vendor on this agreement will achieve 100% MBE compliance.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to Various Schools: \$248,860.00

Source of Funds: Grant funds provided by USDA

25941-324-53205-113073-424013

26451-324-53205-113073-424013

23141-324-53205-113073-424013

66321-324-53205-113073-424013

24921-324-53205-113073-424013

25731-324-53205-113073-424013

25121-324-53205-113073-424013

31251-324-53205-113073-424013

63011-324-53205-113073-424013

66571-324-53205-113073-424013

31111-324-53205-113073-424013

CFDA#:

Not Applicable

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.

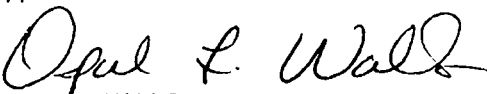
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their 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 May 25, 2011 (11-0525-PO2), 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

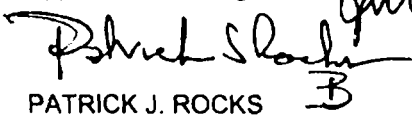
Approved:


JEAN-CLAUDE BRIZARD
Chief Executive Officer

Within Appropriation:


MELANIE A. SHAKER
Interim Chief Financial Officer

Approved as to Legal Form:


PATRICK J. ROCKS
General Counsel