

**APPROVE ENTERING INTO AN AGREEMENT WITH BIORIDGE PHARMA, LLC FOR THE
PURCHASE OF EPINEPHRINE AUTO INJECTORS**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Bioridge Pharma, LLC for the purchase of Epinephrine Auto Injectors for the Chief Health Officer (Office of Student Health and Wellness as of July 1, 2012) at a cost not to exceed \$650,180. Vendor was selected on a competitive basis via a Bid Solicitation pursuant to Board Rule 7-2. A written agreement for this purchase is 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.

Specification Number : 12-250023

Contract Administrator : Waites, Ms. Nicole L / 773-553-2280

VENDOR:

- 1) Vendor # 89620
BIORIDGE PHARMA, LLC
100 CAMPUS DRIVE., STE 102
FLORHAM PARK, NJ 07932
Bob Anderson, Chief Financial Officer
973 564-8

USER INFORMATION :

Contact: 10815 - Chief Instruction Office
125 South Clark Street
Chicago, IL 60603
Whyte, Mrs. Stephanie A.
773-535-5100

TERM:

The term of this agreement shall commence on July 1, 2012 and shall end June 30, 2015. This agreement shall have two options to renew for periods of one year each with the cost for each renewal period not to exceed \$216,726.67, subject to available funding and Board approval.

EARLY TERMINATION RIGHT:

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

DESCRIPTION OF PURCHASE:

Goods: Adult Epinephrine Auto Injectors
Quantity: As ordered by Board; estimated quantity 6600
Unit Price: \$56.05
Unit Bid Price: \$369,930.00

Goods: Junior Epinephrine Auto Injectors
Quantity: As ordered by Board; estimated quantity 5000
Unit Price: \$56.05
Unit Bid Price: \$280,250.00

Total Cost Not to Exceed: \$650,180.00

OUTCOMES:

In a continuing effort to ensure the health and welfare of students, Chicago Public Schools (CPS) will supply all schools in the district with stock epinephrine auto injectors ("Epi-pens"). Epi-pens are used to stop cases of anaphylaxis shock in students with allergies and can help save lives. The stock Epi-pens will help students who have an anaphylactic reaction at schools and have no diagnosis of a life threatening allergy and/or access to an Epi-pen at school through an existing prescription. Each school will receive two (2) Adult Epi-pens. In addition, school with grades PK-2 will receive two (2) Junior Epi-pens. A reserve stock will also be purchased to replenish schools after usage. Epi-pens will be tracked and monitored by the Office of Student Health and Wellness. Schools will report usage in the incident reporting system and Epi-pens will be replenished as needed.

A food allergy awareness campaign will also be implemented in conjunction with dissemination of the Epi-pens. Providing schools with stock Epi-pens will bring the District into compliance with a state law (PA097-036) passed last year that allows Districts and their schools to stock Epi-pens and will support implementation of the Board's Medication Management (12-0125-PO2) and Food Allergy Management Policy (11-0126-PO2).

COMPENSATION:

Vendor shall be paid in accordance with the unit prices contained in the agreement; total not to exceed the sum of \$650,180.00.

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. Authorize the Chief Health Officer to execute all ancillary documents required to administer or effectuate this agreement

AFFIRMATIVE ACTION:

The MBE/WBE goals for this agreement include: 15% total MBE and 5% total WBE participation. However, the Office of Business Diversity recommends granting a waiver of the MBE/WBE goals, as required by the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts, due to the scope of services being not further divisible.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to the Office of Student Health and Wellness: \$650,180

*Contingent upon funding available.

Program numbers may change in future fiscal years.

14050-115-53405-213012-000000-2013	\$216,726.67
14050-115-53405-213012-000000-2014	\$216,726.67
14050-115-53405-213012-000000-2015	\$216,726.66

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:



SÉBASTIEN de LONGEAUX
Chief Procurement Officer

Approved:



JÉAN-CLAUDE BRIZARD
Chief Executive Officer

Within Appropriation:



DAVID G. WATKINS
Chief Financial Officer

Approved as to Legal Form:



PATRICK J. ROCKS
General Counsel