

**AUTHORIZE NEW AGREEMENT WITH TRIMARK MARLINN, LLC FOR THE PURCHASE
OF FOODSERVICE EQUIPMENT AND RELATED INSTALLATION SERVICES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Authorize a new agreement with TriMark Marlinn, LLC ("Vendor") for the purchase of foodservice equipment and the related installation services for the Department of Nutrition Support Services and Early College and Careers at a cost of approximately \$3,650,000.00 annually, total cost not to exceed \$7,300,000.00 for the two year term. Vendor was selected on a competitive basis 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 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 : 13-250054

Contract Administrator : Knowles, Miss Demetra / 773-553-3256

VENDOR:

- 1) Vendor # 94592
TRIMARK MARLINN, LLC
6100 WEST 73RD STREET
BEDFORD PARK, IL 60638
Debbie Moutry
708 496-1700
708-496-3548

USER INFORMATION:

Project
Manager: 13725 - Early College and Career
125 S Clark Street
Chicago, IL 60603
Mcgee, Mrs. Letitia J.
773-553-2477

Project
Manager: 12010 - Nutrition Support Services
125 South Clark Street 16th Floor
Chicago, IL 60603
Cooper, Ms. Crystal T
773-553-1283

TERM:

The term of the agreement shall commence on the date the agreement is signed and shall end twenty four (24) months thereafter. This agreement shall have three (3) options to renew for periods of twelve (12) months each.

EARLY TERMINATION RIGHT:

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

DESCRIPTION OF PURCHASE:

Vendor will provide Foodservice and culinary lab equipment on an as needed basis, at the unit prices specified in the agreement. Goods are as follows: Category 1 - Refrigeration Equipment, Category 2 - Heating and Serving Equipment, Category 3 - Cooking Preparation Equipment, Category 4 - Oven and Holding Equipment, Category 5- Steamers and Pans, Category 6 - Shelving, and Category 7 - Culinary Lab Equipment.

OUTCOMES:

These purchases will result in standardization across the district and have the potential to realize volume discounts.

COMPENSATION:

Vendor shall be paid in accordance with the unit prices contained in the agreement; approximately \$3,650,000.00 annually, total cost not to exceed \$7,300,000.00 for the two year term.

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

AFFIRMATIVE ACTION:

This agreement is in full compliance with the goals required by the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts. The MBE/WBE goals for this agreement include 25% total MBE and 5% total WBE participation.

LSC REVIEW:

Local School Council is not applicable to this report.

FINANCIAL:

Various Funds for the following Units:

Unit 13725 - Early College and Career Education and Unit 13727 - Early College and Career Education-City Wide, not to exceed \$2,500,00.00 for FY14, FY15 and FY16

Unit 12010 - Nutrition Support Services and Unit 12050 - Nutrition Support Services-City Wide not to exceed \$4,800,000 for FY14, FY15 and FY16

Future year funding is contingent upon budget appropriation and approval.

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:



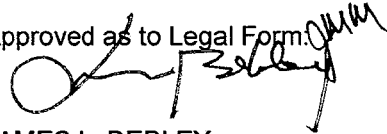
SÉBASTIEN de LONGEAUX
Chief Procurement Officer

Approved:



BARBARA BYRD-BENNETT
Chief Executive Officer

Approved as to Legal Form:



JAMES L. BEBLEY
General Counsel