

September 27, 2017

**AUTHORIZE THE THIRD AND FINAL RENEWAL AGREEMENT WITH TRIMARK MARLINN, LLC FOR THE PURCHASE OF FOOD SERVICE EQUIPMENT AND RELATED INSTALLATION SERVICES****THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Authorize the third and final renewal agreement with Trimark Marlinn, LLC for the purchase of food service equipment and related installation services to the Departments of Nutrition Support Services and Early College and Career at an estimated annual cost set forth in the Compensation Section of this report. A written document exercising this option is currently being negotiated. No payment shall be made to Trimark Marlinn, LLC during the option period prior to execution of their written document. The authority granted herein shall automatically rescind in the event their written document is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

Specification Number : 13-250054

Contract Administrator : Sinnema, Mr. Ethan Cedric / 773-553-5180

**VENDOR:**

- 1) Vendor # 94592  
TRIMARK MARLINN, LLC  
6100 WEST 73RD STREET  
BEDFORD PARK, IL 60638

Debbie Moutry  
708 496-5772

Ownership: Trimark Usa, Llc - 100%

**USER INFORMATION :**

Project  
Manager: 11880 - Facility Opers & Maint - City Wide  
  
42 West Madison Street  
  
Chicago, IL 60602  
  
Peng, Mr. Yanbo  
  
773-553-2960

**ORIGINAL AGREEMENT:**

The original agreement (authorized by Board Report 13-0925-PR11) in the amount of \$7,300,000.00 was for a term commencing December 3, 2013 and ending December 2, 2015 with the Board having three (3) options to renew for one (1) year terms. The agreement was renewed (authorized by Board Report 15-1028-PR17 as amended by Board Report 16-0525-PR14) in the amount of \$3,000,000.00 for a term commencing December 3, 2015 and ending December 2, 2016. The second option was exercised (authorized by Board Report 16-1026-PR7) in the amount of \$3,000,000.00 for a term commencing December 3, 2016 and ending December 2, 2017. The original agreement was awarded on a competitive basis pursuant to Board Rule 7-2.

**OPTION PERIOD:**

The term of this agreement is being renewed for one (1) year commencing December 3, 2017 and ending December 2, 2018.

**OPTION PERIODS REMAINING:**

There are no options remaining.

**SCOPE OF SERVICES:**

Vendor will continue to provide food service and culinary lab equipment on an as-needed basis. 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.

**DELIVERABLES:**

Vendor will continue to provide food service equipment and related installation services.

**OUTCOMES:**

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

**COMPENSATION:**

Vendor shall be paid during this option period as specified in the agreement; total cost not to exceed \$4,000,000.00. Estimated annual costs for this option period are set forth below:

FY18: \$2,333,333.00

FY19: \$1,666,667.00

**AUTHORIZATION:**

Authorize the General Counsel to include other relevant terms and conditions in the written option document. Authorize the President and Secretary to execute the option document. Authorize the Chief Procurement Officer to execute all ancillary documents required to administer or effectuate this option 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 total MBE participation is 37%.

**LSC REVIEW:**

Local School Council approval is not applicable to this report.

**FINANCIAL:**

Fund 312 - Nutrition Support Services - City Wide, Unit 12050:

FY18, \$2,333,333.00

FY19, \$1,666,667.00

Not to exceed \$4,000,000.00 for term of the agreement. 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:



JONATHAN MAPLES  
Chief Procurement Officer

Approved:



FORREST CLAYPOOL  
Chief Executive Officer

Approved as to Legal Form. *JMM*



RONALD L. MARMER  
General Counsel