

**APPROVE EXERCISING THE OPTION TO RENEW THE AGREEMENT WITH THE CITY OF CHICAGO
DEPARTMENT OF PUBLIC HEALTH FOR INSPECTION SERVICES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the option to renew the agreement with City of Chicago, Chicago Department of Health ("Department of Health" or "Vendor") to provide inspection services to the Chicago Public Schools' Department of Operations at a cost for the option period not to exceed \$300,000.00. A written document exercising this option is currently being negotiated. No payment shall be made to Vendor during the option period prior to the execution of the written document. The authority granted herein shall automatically rescind in the event a written document is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

CONSULTANT: Chicago Department of Health
2133 W. Lexington, 2nd Floor
Chicago, Illinois 60612
Contact: Francis Guichard
(312) 746-8030
Vendor # 47564

USER: Department of Operations
Nutrition Support Services
125 S. Clark, 16th Floor
Chicago, Illinois 60603
Contact: Louise Esaian
(773) 553-2830

ORIGINAL AGREEMENT: The original Agreement (authorized by Board Report 99-1215-PR10) is for a term commencing October 1, 1999 and ending September 30, 2000. The agreement was renewed (pursuant to Board Report 01-0425-PR4) for a term commencing October 1, 2000 and ending September 30, 2001. The agreement was renewed (authorized by Board Report 02-0424-PR5, as amended by Board Report 02-0828-PR13) for a term commencing October 1, 2001 and ending September 30, 2003, with the Board having unlimited options to renew for a two-year term, as long as Sec.7-42-010 of Municipal Code requires such inspections. The agreement was further renewed (authorized by Board Report 03-1119-PR8) for a term commencing October 1, 2003 and ending September 30, 2005 and again (authorized by Board Report 05-0928-PR5) for a term commencing October 1, 2005 and ending September 30, 2007. Board Report 07-1024-PR3 authorized further renewal of the agreement for a term commencing October 1, 2007 and ending September 30, 2009.

OPTION PERIOD: The term of this agreement is being extended for two years commencing October 1, 2009 and ending September 30, 2011.

OPTION PERIODS REMAINING: There are unlimited option periods for two years remaining as long as the Municipal Code and the National School Lunch Regulations require such inspections.

SCOPE OF SERVICES: Per the National School Lunch Regulations (Section 210.13), Chicago Public Schools are required to obtain a minimum number of food safety inspections from a state or local agency each school year. Section 7-42-010 of the Municipal Code also contains a similar provision. The Department of Health shall continue to provide the Board with this assistance in inspecting Chicago Public Schools. The Department of Health shall continue to provide Chicago Public Schools with two and a half dedicated resources – two full-time Sanitarian I positions and one part-time Sanitarian III supervisor position. The Department of Health will also continue to provide seven hours of instruction per year and

equipment and supplies. Annual refresher training shall include inspection techniques, microbiology, and food borne illnesses.

DELIVERABLES: The Department of Health will continue to provide the following:

- Two and a half dedicated resources to complete school inspections
 - This includes two full-time Sanitarian I positions and one part-time Sanitarian III Supervisor
- Seven hours of refresher training for those two and a half resources;
- Equipment and forms for those resources; and
- School inspections.

OUTCOMES: The Department of Health's services shall result in helping CPS to meet the requirements of both the Municipal Code and the National School Lunch Regulations.

COMPENSATION: Consultant shall be paid one lump sum per year in the amount \$150,000.00; total compensation for the two-year term shall not exceed \$300,000.00.

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

AFFIRMATIVE ACTION: Pursuant to section 3.7 of the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan) this contract is exempt from review because the vendor performing the services is a City of Chicago agency.

LSC REVIEW: Local School Council approval is not applicable to this report.

FINANCIAL:

| | |
|---------------------------------------|---|
| Charge to Nutrition Support Services: | \$300,000.00 |
| Budget Classification: | 12050-312-54125-256009-000000 \$150,000.00 FY10 |
| | 12050-312-54125-256009-000000 \$150,000.00 FY11 |
| Source of Funds: | Lunchroom Education |

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.

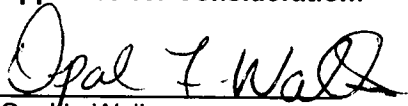
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their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



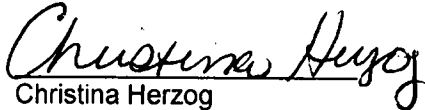
Opal L. Walls
Chief Purchasing Officer

Approved:



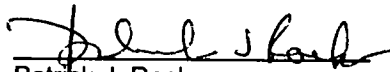
Ron Huberman
Chief Executive Officer

Within Appropriation:



Christina Herzog
Acting Chief Financial Officer

Approved as to legal form:



Patrick J. Rocks
General Counsel