

September 22, 2021

AUTHORIZE THE RENEWAL OF THE INTERGOVERNMENTAL AGREEMENT WITH CITY OF CHICAGO, DEPARTMENT OF PUBLIC HEALTH, FOR INSPECTION, RE-INSPECTION, TRAINING AND CONSULTING SERVICES

THE INTERIM CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Authorize the renewal agreement with the City of Chicago Department of Public Health ("Department of Health" or "Vendor"), to provide inspection, re-inspection, training, and consulting services to Chicago Public Schools Department of Nutrition Support Services, and Department of Facility Operations and Maintenance, at a total amount not to exceed \$500,000 for the two year option period. Vendor was selected on a non-competitive basis due to applicable federal and municipal requirements that schools obtain a minimum number of food safety inspections from a state or local government agency each school year. Applicable federal laws, regulations and rules require that schools participating in certain school nutrition programs obtain, at least twice each school year, food safety inspections conducted by a state or local agency responsible for food safety inspections. Additionally, applicable local laws, regulations, and rules, including, without limitation, the Municipal Code of Chicago ("Chicago Municipal Code") and the City of Chicago Food Code ("Food Code"), grant authority to the Department of Health to inspect food establishments at such intervals as set forth in the Department of Health rules and the requirements of the Chicago Municipal Code. A written document exercising this option is currently being negotiated. No payment shall be made during the option period prior to 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.

Contract Administrator : Nash, Wayne C. / 773-553-2280

VENDOR:

- 1) Vendor # 47564
CHICAGO DEPT. OF HEALTH
CITY OF CHICAGO
CHICAGO, IL 60602-1288
Virginia Castaneda
312 747-9545

USER INFORMATION :

Project
Manager: 12010 - Nutrition Support Services
42 West Madison Street
Chicago, IL 60602
Brown, Chemica
773-553-2830

ORIGINAL AGREEMENT:

The original Agreement (authorized by Board Report 99-1215-PR10) was for a term commencing October 1, 1999, and ending September 30, 2000, with the Board having unlimited options to renew. The original agreement was awarded on a non-competitive basis: the sole-source request was presented to the Non-Competitive Procurement Review Committee and approved by the Chief Procurement Officer. The original agreement was further renewed for the following terms:

- *October 1, 2000 ending September 30, 2001 (pursuant to Board Report 01-0425-PR4);
- *October 1, 2001 ending September 30, 2003 (pursuant to Board Report 02-0424-PR5);
- *October 1, 2003 ending September 30, 2005 (pursuant to Board Report 03-1119-PR8);
- *October 1, 2005 ending September 30, 2007 (pursuant to Board Report 07-1024-PR3);
- *October 1, 2007 ending September 30, 2009 (pursuant to Board Report 07-1024-PR3);
- *October 1, 2009 ending September 30, 2011 (pursuant to Board Report 09-0923-PR1);
- *October 1, 2011 ending September 30, 2013 (pursuant to Board Report 11-0272-PR7);
- *October 1, 2013 ending September 30, 2019 (pursuant to Board Report 13-0925-PR10); and
- *October 1, 2019 ending September 30, 2021 (pursuant to Board Report 19-0925-PR12)

OPTION PERIOD:

The term of this agreement is being renewed for two (2) years commencing October 1, 2021 and ending September 30, 2023.

OPTION PERIODS REMAINING:

There are unlimited options to renew this agreement for a period of two (2) years each, as long as applicable laws, regulations, and rules require food safety inspections.

SCOPE OF SERVICES:

In compliance with applicable laws, regulations, and rules, the Department of Health shall continue to inspect and re-inspect all Board facilities in which food is stored, prepared, and/or served. This includes, but is not limited to, inspecting cafeterias, classrooms, and warehouses at approximately 650 Board facilities. The Board shall have the ability to add or remove sites for no additional charge. The Department of Health shall also continue providing training and consulting services to the Board, as outlined in the Deliverable section below.

DELIVERABLES:

Inspection and Re-Inspection Services:

The Department of Health will conduct routine food safety inspections according to the frequency outlined in applicable laws, regulations, and rules. When a site fails its inspection, or passes "with conditions", the Department of Health shall re-inspect the site to ensure that all priority code violations are resolved. The Department of Health Sanitarian ("Health Inspector") shall provide a copy of all inspection and re-inspection reports to the school dining managers at each respective facility within 24 hours of the completed inspection.

Training and Consulting Services:

The Department of Health shall provide training sessions to Board staff at least two (2) times per year, at times to be determined annually based on the needs of the Nutrition Support Services Department, and the availability of the Department of Health. Training topics shall include, but not be limited to (collectively, "Food Safety Laws"):

- *City of Chicago Food Code Rules
- *Federal, State, and Local Food Safety Regulations
- *U.S. Food and Drug Administration Food Code
- *Food Safety Best Practices
- *Food Safety Violations
- *Food Safety Inspection Processes, Procedures, Tips, and Best Practices

The Department of Health shall also continue providing consulting services to the Board, at no additional cost, in order to help the Board understand and interpret existing Food Safety Laws, stay up-to-date on changes to Food Safety Laws, and answer questions or provide information to help inform the Board's development of internal sanitation processes, programs, and procedures.

OUTCOMES:

Vendor's services will result in ensuring the Board meets the requirements of federal and local food safety laws, regulations, and rules.

COMPENSATION:

Vendor shall be paid during this option period as follows: Lump sum amount of \$150,000 per year, plus re-inspection fees set forth in the agreement; Estimated annual costs for this option period are set forth below:

FY22: \$290,000

FY23: \$210,000

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

AFFIRMATIVE ACTION:

Pursuant to the Remedial Program for Minority and Women-Owned Business Enterprise Participation in Goods and Services Contracts (M/WBE Program), this contract is exempt as this agreement is an intergovernmental agreement.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Fund 312 Nutrition Support Services - City Wide, Unit 12050

and

Fund 230 Facility Operations and Maintenance - City Wide, Unit 11880

FY22: \$290,000

FY23: \$210,000

Not to exceed \$500,000 for the two-year term. 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.

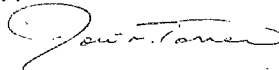
Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:




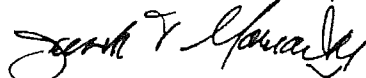
JONATHAN MAPLES
Chief Procurement Officer

Approved:



JOSÉ M. TORRES, PhD
Interim Chief Executive Officer

Approved as to Legal Form: 



JOSEPH T. MORIARTY
General Counsel