

EXECUTIVE SUMMARY

Recommendation for Termination of Agreement - Fresh Start Vending, Inc. 19-044H – Healthy Vending Program

Introduction

Responsible: Procurement & Warehousing Services (PWS)

Invitation to Bid (ITB) 19-044H – Healthy Vending Program was approved by the School Board on October 2, 2018, as Item E-3 for a thirty-six (36) month contract from January 1, 2019 through December 31, 2022. This ITB provides a pool of pre-approved vendors that are able to supply vending machine services to various District locations.

On June 13, 2019, Fresh Start Vending, Inc. sent communication to Procurement & Warehousing Services (PWS) advising that the company would be closing their operations, impeding the vendor from continuing to perform on this contract.

Pursuant to Article 3 (General Conditions), Paragraph 3.05 (Termination) of the Legal Agreement: “This Agreement may be canceled with or without cause by The School Board of Broward County, Florida (SBBC), during the term hereof upon thirty (30) calendar days written notice to the other parties of its desire to terminate this Agreement.”

This recommendation is for the termination without cause of the Healthy Vending Services agreement between the School Board and Fresh Start Vending, Inc. Fresh Start Vending, Inc. will remove all their equipment from schools and locations where they maintained operations. Said schools and locations will be able to secure services with any of the other seven (7) remaining vending service providers in contract 19-044H. These remaining vendors have Legal Agreements signed with the School Board and as such, are approved to do business with the District. Actions have been taken so that locations serviced by Fresh Start Vending, Inc. may transition their services to any of the other vendors approved on the contract.

Goods/Services Description

Responsible: Food & Nutrition Services (FNS)

Vendors approved to service the District under this ITB furnish, install, stock and maintain campus drink and snack vending machines for Elementary, Middle, High, Technical Colleges, and administrative sites. Schools and District locations receiving vending machine services are paid commissions on gross product sales. These commissions benefit and enrich the location’s student-oriented programs.

Procurement Method

Responsible: PWS

This ITB was competitively solicited and ran from June 14, 2018 through July 18, 2018. Eight (8) vendors were awarded on this solicitation among which two (2) are Small/Minority/Women Business enterprise vendors registered with SBBC.

Financial Impact

Responsible: PWS and FNS

The termination of the Legal Agreement between SBBC and Fresh Start Vending, Inc. carries no financial impact to the District.