

June 26, 2002

Financial Affairs
Richard H. Hinds, Chief Financial Officer

**SUBJECT: TERMINATE CONTRACT AWARD OF COOL CREAM TREATS, INC.,
ON BID NO. 006-BB03 – FOOD ITEMS: DRY GROCERY**

This bid was awarded by the Board on December 12, 2001, to establish a contract, to purchase, at firm unit prices, quantities, as may be required, of dry grocery food items, for use in the Food Service Program of the Department of Food and Nutrition.

Item 9 – Peaches, diced, Item 18 – Green beans, and Item 34 – Chow mein, were awarded to Cool Cream Treats, Inc., of Miami, Florida. Subsequent to the award, the awardee failed to perform in accordance with the terms and conditions of the contract.

Inasmuch as Cool Cream Treats, Inc. initially elected to pay liquidated damages in the amount of \$2,071.78, by letter, on file, however, correspondence sent to this vendor has been undeliverable by the United States Postal Service and facsimile.

Based on the failure of this vendor to perform, it is recommended that the contract award of Item 9 – Peaches, diced, Item 10 – Peaches, sliced, Item 11 – Pear, halves, Item 18 – Green beans, and Item 34 – Chow mein be terminated, and that Cool Cream Treats, Inc., lose eligibility to transact new business with the Board for a period of fourteen (14) months, pursuant to Board Rule 6Gx13- 3C-1.08 - - Performance and Payment Security, Declining A Bid Award, And Bonding Company Qualifications. These items will be purchased, as the need arises, pursuant to Board Rule 6Gx13- 3C-1.111 – Bidding Process - - Competitive Bidding Requirements, which describes the procedures and guidelines to be used for bidding based on the estimated dollar expenditure.

Fund Source
0410-Food Service

M/WBE Eligibility
African American Female – \$164,710

RECOMMENDED: That The School Board of Miami-Dade County, Florida:

1. **TERMINATE** the contract award of Items 9 through 11, 18, and 34 of Bid No. 006-BB03 – FOOD ITEMS: DRY GROCERY, effective July 10, 2002, as follows:

COOL CREAM TREATS, INC.

3501 N.W. 60 STREET

MIAMI, FL 33142

ACCESS FEE \$164,710

OWNER: ROJEAN WILLIAMS, PRESIDENT/C.E.O. (AF)

2. Require that Cool Cream Treats, Inc., of Miami, Florida, lose eligibility to transact new business with the Board for a period of fourteen (14) months, pursuant to Board Rule 6Gx13- 3C-1.08, Performance And Payment Security, Declining A Bid Award, And Bonding Company Qualifications, effective July 10, 2002.

RHH/oh