

2019-20 SFA – FSMC Contract Renewal Amendment (CPI-Food Away From Home, Northeast Urban)

This renewal amendment is between **BROOKFIELD PUBLIC SCHOOLS (SFA)** and **WHITSONS SCHOOL NUTRITION CORP. (FSMC)** and constitutes Amendment No. 3.

WITNESSETH:

WHEREAS, the parties entered into a certain Food Service Management Agreement, dated July 1, 2016 as amended by Addendum No. 1 dated May 3, 2017 and Addendum No. 2 dated April 26, 2018 (collectively, the "Agreement") whereby, the FSMC manages and operates the SFA's USDA Child Nutrition food service program in Brookfield, CT; and

WHEREAS, the parties now desire to amend the aforesaid agreement;

NOW, THEREFORE, in consideration of the promises herein contained and for other good and valuable consideration, the parties hereto agree as follows:

1. Both parties mutually agree to extend the Agreement beginning July 1, 2019 and ending June 30, 2020, unless terminated by either party as hereinafter provided. (Section 16.1)
2. This agreement may be further amended for up to one (1) one-year renewal(s) with mutual agreement. (Section 16.1 B)
3. Any and all references to the "2018-19" school year shall be amended to read "2019-20"
4. Section 12.11 (C) shall be amended to read "The FSMC's Management Fee (FSMC's profit) for August/September – June is: \$1,654.93 per month for ten (10) months. Fee Total: \$16,549.34 (Per calculation below based on the agreed upon percentage not to exceed the March 2019 Consumer Price Index (CPI) – Food Away From Home, Northeast Urban 3.0%)".

Management Fee				
2018-19 Fee	CPI%	Fee Increase	2019-20 Fee	Fee Per Month for 10 Months
\$16,067.32	3.0%	\$482.02	\$16,549.34	\$1,654.93

5. Section 12.11 (D) shall be amended to read "The FSMC's Administrative Fee (FSMC's profit) for August/September – June is: \$3,937.73 per month for ten (10) months. Fee Total: \$39,377.25 (Per calculation below based on the agreed upon percentage not to exceed the March 2019 Consumer Price Index (CPI) – Food Away From Home, Northeast Urban 3.0%)".

Administrative Fee				
2018-19 Fee	CPI%	Fee Increase	2019-20 Fee	Fee Per Month for 10 Months
\$38,230.34	3.0%	\$1,146.91	\$39,377.25	\$3,937.93

The following functions are the FSMC's responsibility and will be included in such fees:

- Corporate supervision;
- Financial reporting and analysis;
- Field auditing;
- Marketing assistance; and
- Purchasing administration.

6. Section 12.11, Subsection K (Guarantee), of Article XII of the Contract shall remain the same for the school year 2019-2020.

This renewal amendment is effective July 1, 2019, provided both parties execute this renewal by June 30, 2019. If this renewal amendment is executed after June 30, 2019, the effective date will be the date this document is fully executed.

Signature of Food Service Management Company's Authorized Representative

Title

Date

Printed Name of Food Service Management Company's Authorized Representative

Signature of School Food Authority's Authorized Representative

Title

Date

Printed Name of School Food Authority's Authorized Representative