

2020-21SFA – FSMC Contract Renewal Amendment(Fixed Fees)

This renewal amendment is between **BROOKFIELD PUBLIC SCHOOLS(SFA)** and the **WHITSONS SCHOOL NUTRITION CORP. (FSMC)** and constitutes Amendment No.4.

WITNESSETH:

WHEREAS, the parties entered into a certain Food Service Management Agreement, dated July 1, 2016 as amended by Amendment No. 1 dated May 3, 2017 and Amendment No. 2 dated April 26, 2018, and Amendment No. 3 dated June 25, 2019 (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, 2020 and ending June 30, 2021, unless terminated by either party as hereinafter provided. (Section 16.1)
2. This Agreement may not be further amended as this Amendment No. 4 is the last renewal allowed. (Section 16.1 B)
3. Any and all references to the “2019-20” school year shall be amended to read “2020-21”.
4. Section 12.11 (C) shall be amended to read “The FSMC’s Management Fee (FSMC’s profit) for August/September – June is: \$1,707.89 per month for ten (10) months. Fee Total: \$17,078.92 (Per calculation below based on the agreed upon percentage not to exceed the March 2020 Consumer Price Index (CPI) – Food Away From Home, Northeast Urban 3.2%)”.

Management Fee				
2019-20 Fee	CPI%	Fee Increase	2020-21 Fee	Fee Per Month for 10 Months
\$16,549.34	3.2%	\$529.58	\$17,078.92	\$1,707.89

5. Section 12.11 (D) shall be amended to read “The FSMC’s Administrative Fee (FSMC’s profit) for August/September – June is: \$4,063.73 per month for ten (10) months. Fee Total: \$40,637.32 (Per calculation below based on the agreed upon percentage not to exceed the March 2020 Consumer Price Index (CPI) – Food Away From Home, Northeast Urban 3.2%)”.

Administrative Fee				
2019-20 Fee	CPI%	Fee Increase	2020-21 Fee	Fee Per Month for 10 Months
\$39,377.25	3.2%	\$1,260.07	\$40,637.32	\$4,063.73

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. Additional changes (must be reviewed for material changes to the contract)

Section 12.11, Subsection K (Guarantee), of Article XII of the Contract shall remain the same at the amount of \$15,338.00 for the school year 2020-2021.

This renewal amendment is effective July 1, 2020, provided both parties execute this renewal by June 30, 2020. If this renewal amendment is executed after June 30, 2020, the effective date will be the date this document is fully executed.

_____ Signature of Food Service Management Company's Authorized Representative	_____ Title	_____ Date
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Printed Name of Food Service Management Company's Authorized Representative

_____ Signature of School Food Authority's Authorized Representative	_____ Title	_____ Date
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Printed Name of School Food Authority's Authorized Representative