

**RENEW AND DOLLAR INCREASE AMENDMENT #2 TO AGREEMENT
A-13350**

**RENEW AND DOLLAR INCREASE AMENDMENT #2 TO PROFESSIONAL SERVICES
AGREEMENT
COUNTY OF MONTEREY & ARAMARK SERVICES INC DOING BUSINESS AS
ARAMARAK CORRECTIONAL SERVICES**

THIS AMENDMENT is made to AGREEMENT A-13350 for provision of inmate food operation services and commissary system goods at the Monterey County Adult Correctional Facility by and between ARAMARK SERVICES INC., DOING BUSINESS AS ARAMARK CORRECTIONAL SERVICES, hereinafter "CONTRACTOR", and the County of Monterey, a political subdivision of the State of California, hereinafter referred to as "County".

WHEREAS, the County and CONTRACTOR entered into AGREEMENT A-13350 on November 14, 2016, retroactive to October 1, 2016 via a Request for Proposals #10538, with a not to exceed amount of \$3,248,909 and a term ending date of May 31, 2019; and

WHEREAS, the County and CONTRACTOR amended AGREEMENT A-13350 with Amendment #1 on November 29, 2017, replacing Exhibits 1A and 1B with Exhibits 3A and 3B and adding \$20,088.00; and

WHEREAS, the CONTRACTOR has requested an increase based on the percentage change in the Consumer Price Index, All Urban Consumers, U.S. City Average ("CPI-U") as permitted under Section 4.2 of the Agreement, and County has agreed to a CPI-U of 1.6% (\$1.102 per meal, based on 950 inmates) effective October 1, 2019; and

WHEREAS, the County and CONTRACTOR wish to increase the AGREEMENT A-13350 by \$1,149,321.00 and extend the AGREEMENT for one (1) additional year and one (1) month for an ending June 30, 2020; and

NOW THEREFORE, the County and CONTRACTOR hereby agree to amend the AGREEMENT in the following manner:

1. **Section 3.0 "Term of Agreement,"** Section 3.1 shall be amended by removing "May 31, 2019" and replacing it with "June 30, 2020."

2. **Section 4.0 "Under COMPENSATION AND PAYMENTS,"** shall be amended as follows:
Section 4.1.1.1 shall be amended by
Removing Exhibit 3A PRICING SCHEDULE FOR MEALS, COMMISSARY AND SERVICES
Replacing with Exhibit 4A PRICING SCHEDULE FOR MEALS, COMMISSARY AND SERVICES
Add Exhibit 4A(i) PRICE PER MEAL CHARGED BY ARAMARK TO MONTEREY COUNTY
AND

Aramark Services Inc dba Aramark Correctional Services
Term: 10/01/2016(retroactive) to 06/30/2020
Amount: \$4,418,318.00

**RENEW AND DOLLAR INCREASE AMENDMENT #2 TO AGREEMENT
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Section 4.1.1.2 shall be amended by

Removing Exhibit 3B COMMISSION RATE SHEET – COMMISSARY OPERATION

Replacing with Exhibit 4B COMMISSION RATE SHEET – COMMISSARY OPERATION

Section 4.2 shall be amended by removing “or maximum amount of dollars to be spent under this AGREEMENT” and replacing it with “new not to exceed amount is \$4,418,318.00 for term ending June 30, 2020.”

- 3. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by this AMENDMENT and shall continue in full force and effect as set forth in the AGREEMENT.**
- 4. A copy of the AMENDMENT shall be attached to the original AGREEMENT executed by the County on November 14, 2016, retroactive to October 1, 2016.**

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IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY



Contracts/Purchasing Officer

Dated: 10/2/19

Approved as to Fiscal Provisions:


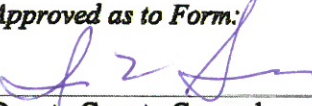
Deputy Auditor/Controller

Dated: 2/16/19

Approved as to Liability Provisions:

Risk Management


Dated: _____

Approved as to Form:


Deputy County Counsel

Dated: 9/13/2019


**Aramark Services Inc dba Aramark
Correctional Services**

By: 

Signature of Chair, President, or
Vice-President

Mark R. Adams
Printed Name and Title

Dated: September 9, 2019

By: 

(Signature of Secretary, Asst. Secretary, CFO,
Treasurer or Asst. Treasurer) *

CASEY OTT
Printed Name and Title

Dated: September 9, 2019

*INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.

Aramark Services Inc dba Aramark Correctional Services
Term: 10/01/2016(retroactive) to 06/30/2020
Amount: \$4,418,318.00

EXHIBIT 4A: PRICING SCHEDULE FOR MEALS, COMMISSARY AND SERVICES

As full and complete compensation to CONTRACTOR for all food, labor, and material furnished and all services performed pursuant to the AGREEMENT Scope of Services, County shall pay CONTRACTOR in an amount based solely on the cost per meal served.

BASE PRICING PER MEAL

The table below displays CONTRACTOR's base pricing per meal. County may negotiate additional pricing scales depending on Inmate count. Prices quoted are ALL INCLUSIVE of all goods and services, plus any and all applicable taxes, fees, surcharges, etc.

All pricing below is subject to an annual Cost of Living/Consumer Price Index increase as detailed in Section 4.2.1 of this AGREEMENT. Any changes other than the CPI adjustment changes shall require a written amendment to the AGREEMENT. The chart below reflects a 1.6% CPU increase for 2019. This new fee schedule shall take effect after all parties have approved and executed Amendment #2.

Updated Meals costs upon signing of Amendment #2, 2019

Inmate Count	16-17 Original Base	Cola Of 2.35% 2017-18	Cola of 2.35% Nov-18	COLA of 1.60% 8/20/2019	16-17 Equip. Add On	New Price Amend. 8-2019
900-950	0.9990	0.0244	0.0240	0.0168	0.0377	1.102
951-1000	0.9960	0.0243	0.0240	0.0167	0.0377	1.099
1001-1050	0.9880	0.0241	0.0238	0.0166	0.0377	1.090
1051-1100	0.9810	0.0239	0.0236	0.0165	0.0377	1.083
1101-1150	0.9750	0.0238	0.0235	0.0164	0.0377	1.076
1151-1200	0.9700	0.0237	0.0234	0.0163	0.0377	1.071
1201-1250	0.9640	0.0235	0.0232	0.0162	0.0377	1.065
1251-1300	0.9600	0.0234	0.0231	0.0161	0.0377	1.060

ARAMARK FOOD SERVICE AMEND.
 #2

Exhibit 4A

EQUIPMENT PURCHASE ADD ON PRICING (amended to Include Sections B14.1 and Sections B15.1 and B15.2 as well as 16.1)

B.14 New Facility Dishwasher:

ITEM #	ITEM	DESCRIPTION
B.14.1		Upon execution of this Agreement, CONTRACTOR shall provide the County with a Dishwasher as agreed upon by the County. Such Dishwasher shall become the property of the County once purchased from CONTRACTOR as provided by Section 4.9 of the Agreement.

B.15 Transport Carts and Trays:

ITEM #	ITEM	DESCRIPTION
B.15.1		Upon execution of this Agreement or by other mutual arrangement, CONTRACTOR shall ensure that 15 carts holding 96 trays each are available for the operation of the Agreement. The carts shall become the property of the County once purchased from CONTRACTOR as provided by Section 4.9 of the Agreement.
B.15.2		Upon execute of this Agreement or by other mutual arrangement, CONTRACTOR shall ensure that 1200 Gorilla Trays are available for the operation of the Agreement. The Gorilla Trays shall become the property of the County once purchased from CONTRACTOR as provided by Section 4.9 of the Agreement.

B.16 Tray Assembly Line and Tray Drying Racks:

B.16.1		Upon <u>implementation</u> by CONTRACTOR of the tray assembly line and 6 tray-drying racks, CONTRACTOR shall increase the pricing per meal under the Agreement in accordance with the amounts specified in Exhibit 1A. The one (1) tray assembly line and six (6) tray-drying racks shall become the property of the County once purchased from CONTRACTOR as provided by Section 4.9 of the Agreement.
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****Total Add-On Pricing for the above \$0.0377 cents additional cost per meal* (see chart above)**

ARAMARK FOOD SERVICE AMEND.
 #2

Exhibit 4A

OFFICER DINING ROOM ADD ON PRICING

B.3.2	STAFF MEALS	At some point the County may elect to implement an Officer's Dining Room. At such time, CONTRACTOR and County shall negotiate the terms of the program.
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CONTRACTOR has proposed pricing for Item B.3.2 in their RFP proposal as Option 3 under the Add on pricing Area of its RFP response. This option is not in use as of 5/23/2019.

\$0.0192 cents add-on per meal - Officer Dining Room operation

SPECIAL FUNCTION MEALS/VISITOR MEALS

Special Function meals to be paid for by County can only be authorized by Sheriff's Executive Management Team: Sheriff, Undersheriff, Chief of Operations, Chief of Custodial Operations, Chief of Administration or Jail Captain and any requests for payment under this clause must be signed for by one of the individuals listed above.

Visitor meals must be paid for by visitor prior to meal service.

Cost for Special Function Meals OR visitor meals is: 15% markup on costs to supply these meals.

EXHIBIT 4A(I): PRICE PER MEAL CHARGED BY ARAMARK TO MONTEREY COUNTY

Price Per Meal Charged by Aramark to Monterey County
October 1, 2018 – September 30, 2019

Inmate Count	Price Per Meal
900 - 950	1.084
951-1000	1.081
1001-1050	1.073
1051-1100	1.065
1101-1150	1.058
1151-1200	1.053
1201-1250	1.047
1251-1300	1.043

EXHIBIT 4B- COMMISSION RATE SHEET – COMMISSARY OPERATION

Proposed Commission rate on all Net sales of Commissary items shall be submitted herein as a percentage, as proposed by CONTRACTOR.

COMMISSION RATE FISCAL YEAR 07/01/2016-06/30/2017: 51% Commission, No Kiosk Option Chosen

COMMISSION RATE FISCAL YEAR 07/01/2017-06/30/2018: 51% Commission, No Kiosk Option Chosen

COMMISSION RATE FISCAL YEAR 07/01/2018-06/30/2019: 51% Commission, No Kiosk Option Chosen

COMMISSION RATE FISCAL YEAR 07/01/2019-06/30/2020: 51% Commission, No Kiosk Option Chosen