

**AMENDMENT NO. 1
TO
TDA CONTRACT # 5510000149-01-FND
BETWEEN
STATE OF TEXAS, ACTING BY AND THROUGH TEXAS DEPARTMENT OF AGRICULTURE
AND
Gold Star Foods
(Regions 1,2,3,5 and 8)**

Whereas, the Texas Department of Agriculture (TDA) and the undersigned Contractor, Gold Star Foods Inc., located at 3781 E Airport Drive, Ontario, California, 91761 (collectively, the Parties), entered into a contract designated as TDA Contract No. 5510000149-01-FND for delivery and warehousing of United States Department of Agriculture (USDA) foods; ~~OBJ~~

Whereas, the Contract has an initial contract term ending on May 31, 2025;

Now, therefore, in consideration of the foregoing, it is mutually understood and agreed by the Parties to amend the Contract, effective on the date of TDA's official signature, as follows:

- I. Pursuant to Article II of the Contract, this Contract is renewed for an additional one-year renewal term (Option Year 1), commencing June 1, 2025, through May 31, 2026. The Parties may renew the Contract for three additional one-year terms, subject to available funding and appropriations.
- II. **RATE SCHEDULE AND PAYMENT UNDER THE CONTRACT**
There will be no direct funding provided from TDA to Contractor under the Contract or this Amendment. Contractor shall be paid by the applicable regional Contracting Entity (CE) according to the approved specified rates for the region quoted in Contractor's Price Proposal for Bid Region which was attached to and incorporated into the Contract for all purposes. Contractor shall store and deliver USDA Foods, pursuant to the Contract, at the rates amended in Exhibit C1.1.
- III. Neither the terms of this Amendment No. 1 mentioned above nor any conduct by a TDA representative under the Contract shall be considered a waiver of any common law, constitutional or statutory defenses or limitations that would otherwise apply to the Contract or this Amendment, including sovereign immunity to suit.
- IV. Each person signing this Amendment No. 1 mentioned above represents and warrants that he or she is authorized to execute and bind such party to this Amendment. If the individual lacks such authority, Amendment No. 1 mentioned above shall be null and void and of no force whatsoever.
- V. All oral and written agreements between the Parties relating to the subject matter of this Amendment No. 1 mentioned above have been reduced to writing and are contained herein. Except as specifically amended herein, the Contract remains in full force and effect.

In witness whereof, the Parties hereby execute this amendment to be effective as of the date of the last signature.

Authorized Signatory

Gold Star Foods

Printed Name John Cho

DocuSigned by:

Authorized Signature

2/13/2025
Date

Job Title EVP-Revenue & Category Management

The State of Texas, acting by and through the Texas Department of Agriculture

Printed Name Terry Keel

DocuSigned by:

Authorized Signature

2/13/2025
Date

Job Title Deputy Executive Commissioner

Texas Department of Agriculture
Contract No. 5510000149-01-FND
Amendment No. 1, Exhibit C1.1

Schedule of Rates for Delivery Service

Co. Name: Gold Star Foods

Region # 1

Case (s)	Delivery Rates	BAFO	Increase
1	\$16.45	16.13	0.32
2	\$16.45	16.13	0.32
3	\$16.45	16.13	0.32
4	\$16.45	16.13	0.32
5	\$16.45	16.13	0.32
6	\$16.45	16.13	0.32
7	\$16.45	16.13	0.32
8	\$16.45	16.13	0.32
9	\$16.45	16.13	0.32
10	\$16.45	16.13	0.32
11	\$12.18	11.86	0.32
12	\$12.18	11.86	0.32
13	\$12.18	11.86	0.32
14	\$12.18	11.86	0.32
15	\$12.18	11.86	0.32
16	\$7.16	6.84	0.32
17	\$6.86	6.54	0.32
18	\$6.60	6.28	0.32
19	\$6.36	6.04	0.32
20	\$6.16	5.84	0.32
21	\$6.16	5.84	0.32
22	\$6.16	5.84	0.32
23	\$6.16	5.84	0.32
24	\$6.16	5.84	0.32
25	\$6.10	5.78	0.32
26	\$6.10	5.78	0.32
27	\$6.10	5.78	0.32
28	\$6.10	5.78	0.32
29	\$6.10	5.78	0.32
30	\$5.99	5.67	0.32
31	\$5.99	5.67	0.32
32	\$5.99	5.67	0.32
33	\$5.99	5.67	0.32
34	\$5.99	5.67	0.32
35	\$5.99	5.67	0.32
36	\$5.99	5.67	0.32
37	\$5.99	5.67	0.32
38	\$5.99	5.67	0.32
39	\$5.99	5.67	0.32
40	\$5.99	5.67	0.32
41	\$5.99	5.67	0.32
42	\$5.99	5.67	0.32

Case (s)	Delivery Rates	BAFO	Increase
43	\$5.99	5.67	0.32
44	\$5.99	5.67	0.32
45	\$5.99	5.67	0.32
46	\$5.99	5.67	0.32
47	\$5.99	5.67	0.32
48	\$5.99	5.67	0.32
49	\$5.99	5.67	0.32
50	\$5.93	5.61	0.32
51	\$5.93	5.61	0.32
52	\$5.93	5.61	0.32
53	\$5.93	5.61	0.32
54	\$5.93	5.61	0.32
55	\$5.93	5.61	0.32
56	\$5.93	5.61	0.32
57	\$5.93	5.61	0.32
58	\$5.93	5.61	0.32
59	\$5.93	5.61	0.32
60	\$5.93	5.61	0.32
61	\$5.93	5.61	0.32
62	\$5.93	5.61	0.32
63	\$5.93	5.61	0.32
64	\$5.93	5.61	0.32
65	\$5.93	5.61	0.32
66	\$5.93	5.61	0.32
67	\$5.93	5.61	0.32
68	\$5.93	5.61	0.32
69	\$5.93	5.61	0.32
70	\$5.88	5.56	0.32
71	\$5.88	5.56	0.32
72	\$5.88	5.56	0.32
73	\$5.88	5.56	0.32
74	\$5.88	5.56	0.32
75	\$5.88	5.56	0.32
76	\$5.88	5.56	0.32
77	\$5.88	5.56	0.32
78	\$5.88	5.56	0.32
79	\$5.88	5.56	0.32
80	\$5.88	5.56	0.32
81	\$5.88	5.56	0.32
82	\$5.88	5.56	0.32
83	\$5.88	5.56	0.32
84	\$5.88	5.56	0.32

Co. Name: Gold Star Foods

Region # 2

Case (s)	Delivery Rates
1	\$16.45
2	\$16.45
3	\$16.45
4	\$16.45
5	\$16.45
6	\$16.45
7	\$16.45
8	\$16.45
9	\$16.45
10	\$16.45
11	\$12.18
12	\$12.18
13	\$12.18
14	\$12.18
15	\$12.18
16	\$7.65
17	\$7.32
18	\$7.04
19	\$6.78
20	\$6.56
21	\$6.56
22	\$6.56
23	\$6.56
24	\$6.56
25	\$6.50
26	\$6.50
27	\$6.50
28	\$6.50
29	\$6.50
30	\$6.37
31	\$6.37
32	\$6.37
33	\$6.37
34	\$6.37
35	\$6.37
36	\$6.37
37	\$6.37
38	\$6.37
39	\$6.37
40	\$6.37
41	\$6.37
42	\$6.37

Case (s)	Delivery Rates
43	\$6.37
44	\$6.37
45	\$6.37
46	\$6.37
47	\$6.37
48	\$6.37
49	\$6.37
50	\$6.30
51	\$6.30
52	\$6.30
53	\$6.30
54	\$6.30
55	\$6.30
56	\$6.30
57	\$6.30
58	\$6.30
59	\$6.30
60	\$6.30
61	\$6.30
62	\$6.30
63	\$6.30
64	\$6.30
65	\$6.30
66	\$6.30
67	\$6.30
68	\$6.30
69	\$6.30
70	\$6.25
71	\$6.25
72	\$6.25
73	\$6.25
74	\$6.25
75	\$6.25
76	\$6.25
77	\$6.25
78	\$6.25
79	\$6.25
80	\$6.25
81	\$6.25
82	\$6.25
83	\$6.25
84	\$6.25

Co. Name: Gold Star Foods**Region # 3**

Case (s)	Delivery Rates
1	\$16.45
2	\$16.45
3	\$16.45
4	\$16.45
5	\$16.45
6	\$16.45
7	\$16.45
8	\$16.45
9	\$16.45
10	\$16.45
11	\$12.18
12	\$12.18
13	\$12.18
14	\$12.18
15	\$12.18
16	\$6.60
17	\$6.60
18	\$6.60
19	\$6.60
20	\$6.60
21	\$5.43
22	\$5.43
23	\$5.43
24	\$5.43
25	\$5.43
26	\$5.43
27	\$5.43
28	\$5.43
29	\$5.43
30	\$5.43
31	\$4.93
32	\$4.93
33	\$4.93
34	\$4.93
35	\$4.93
36	\$4.93
37	\$4.93
38	\$4.93
39	\$4.93
40	\$4.93
41	\$4.66
42	\$4.66

Case (s)	Delivery Rates
43	\$4.66
44	\$4.66
45	\$4.66
46	\$4.66
47	\$4.66
48	\$4.66
49	\$4.66
50	\$4.66
51	\$4.49
52	\$4.49
53	\$4.49
54	\$4.49
55	\$4.49
56	\$4.49
57	\$4.49
58	\$4.49
59	\$4.49
60	\$4.49
61	\$4.36
62	\$4.36
63	\$4.36
64	\$4.36
65	\$4.36
66	\$4.36
67	\$4.36
68	\$4.36
69	\$4.36
70	\$4.36
71	\$4.28
72	\$4.28
73	\$4.28
74	\$4.28
75	\$4.28
76	\$4.28
77	\$4.28
78	\$4.28
79	\$4.28
80	\$4.28
81	\$4.21
82	\$4.21
83	\$4.21
84	\$4.21

Co. Name: Gold Star Foods**Region # 5**

Case (s)	Delivery Rates
1	\$16.45
2	\$16.45
3	\$16.45
4	\$16.45
5	\$16.45
6	\$16.45
7	\$16.45
8	\$16.45
9	\$16.45
10	\$16.45
11	\$12.18
12	\$12.18
13	\$12.18
14	\$12.18
15	\$12.18
16	\$12.12
17	\$11.43
18	\$10.81
19	\$10.26
20	\$9.75
21	\$9.30
22	\$8.90
23	\$8.52
24	\$8.18
25	\$7.87
26	\$7.76
27	\$7.76
28	\$7.76
29	\$7.76
30	\$7.76
31	\$7.63
32	\$7.63
33	\$7.63
34	\$7.63
35	\$7.63
36	\$7.50
37	\$7.50
38	\$7.50
39	\$7.50
40	\$7.50
41	\$7.50
42	\$7.50

Case (s)	Delivery Rates
43	\$7.50
44	\$7.50
45	\$7.50
46	\$7.50
47	\$7.50
48	\$7.50
49	\$7.50
50	\$7.50
51	\$7.32
52	\$7.32
53	\$7.32
54	\$7.32
55	\$7.32
56	\$7.32
57	\$7.32
58	\$7.32
59	\$7.32
60	\$7.32
61	\$7.32
62	\$7.32
63	\$7.32
64	\$7.32
65	\$7.32
66	\$7.14
67	\$7.14
68	\$7.14
69	\$7.14
70	\$7.14
71	\$7.14
72	\$7.14
73	\$7.14
74	\$7.14
75	\$7.14
76	\$7.14
77	\$7.14
78	\$7.14
79	\$7.14
80	\$7.14
81	\$6.92
82	\$6.92
83	\$6.92
84	\$6.92

Co. Name: Gold Star Foods**Region # 8**

Case (s)	Delivery Rates
1	\$16.45
2	\$16.45
3	\$16.45
4	\$16.45
5	\$16.45
6	\$16.45
7	\$16.45
8	\$16.45
9	\$16.45
10	\$16.45
11	\$12.18
12	\$12.18
13	\$12.18
14	\$12.18
15	\$12.18
16	\$5.74
17	\$5.63
18	\$5.63
19	\$5.58
20	\$5.58
21	\$5.56
22	\$5.56
23	\$5.54
24	\$5.54
25	\$5.51
26	\$5.51
27	\$5.48
28	\$5.48
29	\$5.46
30	\$5.46
31	\$5.44
32	\$5.44
33	\$5.40
34	\$5.40
35	\$5.39
36	\$5.39
37	\$5.37
38	\$5.37
39	\$5.32
40	\$5.32
41	\$5.30
42	\$5.30

Case (s)	Delivery Rates
43	\$5.28
44	\$5.28
45	\$5.26
46	\$5.26
47	\$5.24
48	\$5.24
49	\$5.22
50	\$5.22
51	\$5.17
52	\$5.17
53	\$5.15
54	\$5.11
55	\$5.11
56	\$5.08
57	\$5.08
58	\$5.05
59	\$5.05
60	\$5.02
61	\$5.02
62	\$4.98
63	\$4.98
64	\$4.93
65	\$4.93
66	\$4.90
67	\$4.90
68	\$4.86
69	\$4.86
70	\$4.80
71	\$4.80
72	\$4.78
73	\$4.78
74	\$4.75
75	\$4.75
76	\$4.70
77	\$4.70
78	\$4.66
79	\$4.66
80	\$4.64
81	\$4.64
82	\$4.61
83	\$4.61
84	\$4.58

Case (s)	Delivery Rates	BAFC
85	\$5.88	5.56
86	\$5.88	5.56
87	\$5.88	5.56
88	\$5.88	5.56
89	\$5.88	5.56
90	\$5.88	5.56
91	\$5.88	5.56
92	\$5.88	5.56
93	\$5.88	5.56
94	\$5.88	5.56
95	\$5.88	5.56
96	\$5.88	5.56
97	\$5.88	5.56
98	\$5.88	5.56
99	\$5.88	5.56
100	\$5.81	5.49
150	\$5.76	5.44
200	\$5.75	5.43
250	\$5.74	5.42
300	\$5.73	5.41
350	\$5.72	5.40
400	\$5.71	5.39
450	\$5.69	5.37
500	\$5.68	5.36
600	\$5.67	5.35
700	\$5.65	5.33
800	\$5.64	5.32
900	\$5.63	5.31
1000	\$5.62	5.30
1200	\$5.61	5.29
1400	\$5.54	5.22
1600	\$5.47	5.15
1800	\$5.42	5.10
2000	\$5.37	5.05
2000+	\$5.30	4.98

Case (s)	Delivery Rates
85	\$6.25
86	\$6.25
87	\$6.25
88	\$6.25
89	\$6.25
90	\$6.25
91	\$6.25
92	\$6.25
93	\$6.25
94	\$6.25
95	\$6.25
96	\$6.25
97	\$6.25
98	\$6.25
99	\$6.25
100	\$6.18
150	\$6.12
200	\$6.10
250	\$6.09
300	\$6.08
350	\$6.07
400	\$6.06
450	\$6.05
500	\$6.03
600	\$6.02
700	\$6.01
800	\$6.00
900	\$5.96
1000	\$5.96
1200	\$5.93
1400	\$5.88
1600	\$5.80
1800	\$5.75
2000	\$5.68
2000+	\$5.62

Case (s)	Delivery Rates
85	\$4.21
86	\$4.21
87	\$4.21
88	\$4.21
89	\$4.21
90	\$4.21
91	\$4.15
92	\$4.15
93	\$4.15
94	\$4.15
95	\$4.15
96	\$4.15
97	\$4.15
98	\$4.15
99	\$4.15
100	\$4.01
150	\$4.01
200	\$3.88
250	\$3.88
300	\$3.82
350	\$3.82
400	\$3.80
450	\$3.80
500	\$3.76
600	\$3.76
700	\$3.76
800	\$3.75
900	\$3.75
1000	\$3.74
1200	\$3.74
1400	\$3.73
1600	\$3.73
1800	\$3.72
2000	\$3.72
2000+	\$3.72

Case (s)	Delivery Rates
85	\$6.92
86	\$6.92
87	\$6.92
88	\$6.92
89	\$6.92
90	\$6.92
91	\$6.92
92	\$6.92
93	\$6.92
94	\$6.92
95	\$6.92
96	\$6.92
97	\$6.92
98	\$6.92
99	\$6.92
100	\$6.92
150	\$6.67
200	\$6.54
250	\$6.41
300	\$6.41
350	\$6.41
400	\$6.41
450	\$6.41
500	\$6.35
600	\$6.35
700	\$6.35
800	\$6.35
900	\$6.30
1000	\$6.30
1200	\$6.30
1400	\$6.30
1600	\$6.25
1800	\$6.25
2000	\$6.25
2000+	\$6.15

Case (s)	Delivery Rates
85	\$4.58
86	\$4.56
87	\$4.56
88	\$4.51
89	\$4.51
90	\$4.48
91	\$4.48
92	\$4.48
93	\$4.44
94	\$4.44
95	\$4.44
96	\$4.41
97	\$4.41
98	\$4.41
99	\$4.38
100	\$4.38
150	\$4.38
200	\$4.34
250	\$4.34
300	\$4.34
350	\$4.31
400	\$4.31
450	\$4.31
500	\$4.27
600	\$4.27
700	\$4.27
800	\$4.27
900	\$4.22
1000	\$4.22
1200	\$4.22
1400	\$4.22
1600	\$4.20
1800	\$4.20
2000	\$4.20
2000+	\$4.20

bid

response

Gold Star Foods	
Case (s)	Delivery Rates
1	16.13
2	16.13
3	16.13
4	16.13
5	16.13
6	16.13
7	16.13
8	16.13
9	16.13
10	16.13
11	11.86
12	11.86
13	11.86
14	11.86
15	11.86
16	6.84
17	6.54
18	6.28
19	6.04
20	5.84
21	5.84
22	5.84
23	5.84
24	5.84
25	5.78
26	5.78
27	5.78
28	5.78
29	5.78
30	5.67
31	5.67
32	5.67
33	5.67
34	5.67
35	5.67
36	5.67
37	5.67
38	5.67
39	5.67
40	5.67
41	5.67
42	5.67
43	5.67

44	5.67
45	5.67
46	5.67
47	5.67
48	5.67
49	5.67
50	5.61
51	5.61
52	5.61
53	5.61
54	5.61
55	5.61
56	5.61
57	5.61
58	5.61
59	5.61
60	5.61
61	5.61
62	5.61
63	5.61
64	5.61
65	5.61
66	5.61
67	5.61
68	5.61
69	5.61
70	5.56
71	5.56
72	5.56
73	5.56
74	5.56
75	5.56
76	5.56
77	5.56
78	5.56
79	5.56
80	5.56
81	5.56
82	5.56
83	5.56
84	5.56
85	5.56
86	5.56
87	5.56
88	5.56
89	5.56
90	5.56
91	5.56

92	5.56
93	5.56
94	5.56
95	5.56
96	5.56
97	5.56
98	5.56
99	5.56
100	5.49
150	5.44
200	5.43
250	5.42
300	5.41
350	5.40
400	5.39
450	5.37
500	5.36
600	5.35
700	5.33
800	5.32
900	5.31
1000	5.30
1200	5.29
1400	5.22
1600	5.15
1800	5.10
2000	5.05
2000+	4.98

Schedule of Rates for Delivery Service

Exhibit C1
RATE SCHEDULE CHART

Schedule	0
Case (s)	Deliver y Rates
1	16.13
2	16.13
3	16.13
4	16.13
5	16.13
6	16.13
7	16.13
8	16.13
9	16.13
10	16.13
11	11.86
12	11.86
13	11.86
14	11.86
15	11.86
16	6.84
17	6.54
18	6.28
19	6.04
20	5.84
21	5.84
22	5.84
23	5.84
24	5.84
25	5.78
26	5.78
27	5.78
28	5.78
29	5.78
30	5.67
31	5.67
32	5.67
33	5.67
34	5.67
35	5.67
36	5.67
37	5.67
38	5.67
39	5.67

Co. Name: Gold Star Foods Region #1

Minimum C:
Requirment (

43	5.67
44	5.67
45	5.67
46	5.67
47	5.67
48	5.67
49	5.67
50	5.61
51	5.61
52	5.61
53	5.61
54	5.61
55	5.61
56	5.61
57	5.61
58	5.61
59	5.61
60	5.61
61	5.61
62	5.61
63	5.61
64	5.61
65	5.61
66	5.61
67	5.61
68	5.61
69	5.61
70	5.56
71	5.56
72	5.56
73	5.56
74	5.56
75	5.56
76	5.56
77	5.56
78	5.56
79	5.56
80	5.56
81	5.56

85	5.56
86	5.56
87	5.56
88	5.56
89	5.56
90	5.56
91	5.56
92	5.56
93	5.56
94	5.56
95	5.56
96	5.56
97	5.56
98	5.56
99	5.56
100	5.49
150	5.44
200	5.43
250	5.42
300	5.41
350	5.40
400	5.39
450	5.37
500	5.36
600	5.35
700	5.33
800	5.32
900	5.31
1000	5.30
1200	5.29
1400	5.22
1600	5.15
1800	5.10
2000	5.05
2000+	4.98

40	5.67
41	5.67
42	5.67

82	5.56
83	5.56
84	5.56

ase Delivery If Applicable)	15
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