

Food Service Management Services

Contract No. _____

Amendment No. _____

Section 1.

_____, School Food Authority (SFA), and _____, Food Service Management Company (FSMC), entered Contract No. _____ (Contract) for food service management services, effective _____.

Section 2.

The parties hereto agree to amend the Contract by deleting the following paragraph in Renewal Amendment No. _____ in its entirety:

5. Section III, A. "Definitions," is amended by deleting the reference, if any, and definition for "Retroactive Incentive Fee" and replacing it with the following definition for "Incentive fee":

- "Incentive Fee" means an additional fee paid as an incentive to the FSMC to improve SFA's food service participation, the amount of which depends on FSMC's performance during the current school year and related to a benchmark number established by the SFA. Incentive Fees may only apply to meals served in the SFA's food service operation during the current school year; and
- The option for and reference to a "Retroactive Incentive Fee" in Section III, B is hereby deleted.

Section 3.

The parties hereto agree that all of the terms of the Contract shall remain in effect and shall continue to govern except to the extent that they conflict with the terms of this amendment.

Section 4.

By signing this amendment, the parties hereto expressly understand and agree that this amendment shall become a part of the Contract.

Section 5.

This amendment is executed by the parties in their capacities, as stated below. All parties represent and warrant that the persons signing this Amendment are authorized to bind the respective parties.

SIGNED AND AGREED TO BY:

School Food Authority

Food Service Management Company

Signature of Authorized Representative

Signature of Authorized Representative

Name

Name

Title

Title

Date

Date