


Purchase Change Request	 <p>Marshall University Office of Purchasing One John Marshall Drive Huntington, WV 25755-4100</p>	Order # MU20DINING
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FY 2020	Buyer TBD	Date 6/2/2020	Account	P.O. Date 3/1/2019	Contract MU20DINING
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Document <input type="checkbox"/> Requisition (Cancellation only) <input type="checkbox"/> Regular Purchase Order <input type="checkbox"/> Contract Purchase Order <input type="checkbox"/> Open End Contract Purchase <input checked="" type="checkbox"/> Agreement	Document Action <input type="checkbox"/> Cancellation <input type="checkbox"/> Increase/Decrease <input type="checkbox"/> Unused Balance <input type="checkbox"/> Freight <input type="checkbox"/> Renewal <input type="checkbox"/> Extension Error <input type="checkbox"/> Error in Total Amount <input type="checkbox"/> Change of Account <input type="checkbox"/> Change of Vendor Name/Address <input checked="" type="checkbox"/> Other
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Vendor Name, Address, Phone #, etc. Sodexo America LLC 9801 Washingtonian Blvd Gaithersburg, MD 20878	Vendor Code 522208632	BOG Unit Name & Address Marshall University Office of Purchasing One John Marshall Drive Huntington, WV 25755-4100
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Item#	Quantity	Description of Change	Unit Price	Extended Price
		Change Order # <u>5</u> To append the attached amendment to the MU20DINING contract, all in accordance with the same terms and conditions contained in the original contract and all authorized change orders. FOOD SERVICE Effective date of change as of August 16, 2019		

Reason for Change: To amend the contract in accordance with the attached document.	Previous Total	\$ OPEN END
	Increase	\$ _____
	Decrease	\$ _____
	New Total	\$ OPEN END

Approved: _____ *Angela White Negley* _____ *6/2/20* _____
 Authorized Signature Date

 Attorney General if required Date

AMENDMENT #2

MARSHALL UNIVERSITY

AND

SODEXO AMERICA, LLC

THIS AMENDMENT #2, dated May 27, 2020, is between MARSHALL UNIVERSITY ("University") and SODEXO AMERICA, LLC ("Vendor").

WITNESSETH:

WHEREAS, University and Vendor entered into that certain Contract # MU20DINING effective August 16, 2019, as amended ("Agreement"), whereby Vendor manages and operates the University's Food Services operation in Huntington, West Virginia;

WHEREAS, the parties now desire to further 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. Vendor invoiced the University for meal plans in accordance with Exhibit A, subsection C.1; however, fifty-one (51) people, who purchased a meal plan, did not attend school for the 2019 fall semester. Vendor shall credit the University, as a one-time credit against Operating Expenses, for such fifty-one (51) people in the amount equal to Sixty-Four Thousand Five Hundred Fifty-Four Dollars (\$64,554.00).

2. Section 13 is amended to reflect a change of first address for Notices to Vendor as follows:

"To Vendor: Sodexo America, LLC
Attention: Cal Thetford
COO, Universities North America, Northeast
9859 Flower Bonnet Avenue, NW
Concord, North Carolina 28027

The following paragraph is added to the end of Section 13, Notices:

Any request issued by Vendor to change the Vendor U.S. mailing address for check payments or to change the Vendor bank account for U.S. electronic wire or ACH payments will only be communicated in writing by a Vendor Authorized Officer (Treasurer or Assistant Treasurer). If during the Term of this Agreement, University receives such a request, prior to taking any action University shall verify the validity of such request by contacting the Vendor Accounts Receivable Department directly via one of the methods below.

Email: AccountsReceivable.NorAm@Sodexo.com
Phone: 1-866-372-3160
Fax: 716-568-8408
Website: <https://us.sodexo.com/contact.html>

3. Exhibit B, Subsection B, is deleted in its entirety and the following substituted therefor:

“B. Dining Program Rates. The following dining rates shall be in effect for the 2019-2020 academic year as follows:

SLIDING SCALE			Daily Rates			Daily Rates				
			Meal Plan A	Meal Plan B	Meal Plan C	Meal Plan D	Meal Plan E	Meal Plan F	Meal Plan G	Meal Plan H
2,185	-	Above	\$10.88	\$11.94	\$13.23	\$12.73	\$12.19	\$12.26	\$12.26	\$10.54
2,160	-	2,184	\$10.95	\$12.01	\$13.30	\$12.77	\$12.23	\$12.30	\$12.30	\$10.58
2,135	-	2,159	\$11.02	\$12.08	\$13.37	\$12.81	\$12.27	\$12.34	\$12.34	\$10.62
2,110	-	2,134	\$11.09	\$12.15	\$13.44	\$12.85	\$12.31	\$12.38	\$12.38	\$10.66
2,085	-	2,109	\$11.16	\$12.22	\$13.51	\$12.88	\$12.34	\$12.41	\$12.41	\$10.69
2,060	-	2,084	\$11.23	\$12.29	\$13.58	\$12.92	\$12.38	\$12.45	\$12.45	\$10.73
2,035	-	2059	\$11.27	\$12.33	\$13.62	\$12.96	\$12.42	\$12.49	\$12.49	\$10.77
2,010	-	2034	\$11.31	\$12.37	\$13.66	\$13.00	\$12.46	\$12.52	\$12.52	\$10.81
1,985	-	2009	\$11.35	\$12.41	\$13.70	\$13.04	\$12.50	\$12.56	\$12.56	\$10.85
1,960	-	1984	\$11.39	\$12.45	\$13.74	\$13.08	\$12.53	\$12.60	\$12.60	\$10.89
1,935	-	1959	\$11.43	\$12.49	\$13.78	\$13.13	\$12.58	\$12.65	\$12.65	\$10.94
1,910	-	1934	\$11.47	\$12.53	\$13.82	\$13.17	\$12.62	\$12.69	\$12.69	\$10.98
1,885	-	1909	\$11.51	\$12.57	\$13.86	\$13.21	\$12.66	\$12.73	\$12.73	\$11.02
1,860	-	1884	\$11.55	\$12.61	\$13.90	\$13.25	\$12.70	\$12.77	\$12.77	\$11.06
1,835	-	1859	\$11.59	\$12.65	\$13.94	\$13.29	\$12.74	\$12.81	\$12.81	\$11.10
1,810	-	1834	\$11.63	\$12.69	\$13.98	\$13.33	\$12.78	\$12.85	\$12.85	\$11.14
1,785	-	below	\$11.67	\$12.73	\$14.02	\$13.37	\$12.82	\$12.89	\$12.89	\$11.18

Meal Plan I \$164.04 per person, per semester
 Meal Plan J \$192.12 per person, per semester
 Meal Plan K \$203.21 per person, per semester
 Meal Plan L \$306.63 per person, per semester
 Meal Plan M \$310.48 per person, per semester

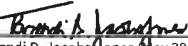
Rates for the above meal plans are based on a required minimum of two hundred fourteen (214) meal plan days for each academic year and an average minimum number of meal plan participants for each academic semester equal to two thousand sixty nine (2,069) participants. Freshman are required to purchase either Meal Plan A, B, C, D, E, F, G or H.

Rates for the above Meal Plans include the Flex associated with each Plan.”

4. This Amendment #2 is effective August 16, 2019, and thereafter, unless amended. All other terms and conditions contained in the Agreement shall remain unchanged and in full force and effect, except by necessary implication.


IN WITNESS WHEREOF, the duly authorized officers of the parties have executed this Amendment #2, as of the date indicated in the first paragraph of this Amendment #2.

MARSHALL UNIVERSITY

By: 
Brandi D. Jacobs-Jones (May 29, 2020 11:38 EDT)
Brandi Jacobs-Jones
Senior Vice President for Operations and Chief of Staff

Date: May 29, 2020

SODEXO AMERICA, LLC

By: 
Carty McMullen
Senior Vice President
Universities North America, Northeast

Date: May 29, 2020