


<b>Purchase Change Request</b>				Marshall University Office of Purchasing One John Marshall Drive Huntington, WV 25755-4100		<b>Order #</b> MU20DINING			
FY 23	Buyer AWN	Date 11/29/22	Account Various	P.O. Date 3/1/2019	Contract MU20DINING				
<b>Document</b> <input type="checkbox"/> Requisition (Cancellation only) <input type="checkbox"/> Regular Purchase Order <input checked="" type="checkbox"/> Contract Purchase Order <input type="checkbox"/> Open End Contract Purchase <input type="checkbox"/> Agreement			<b>Document Action</b> <input type="checkbox"/> Cancellation <input checked="" 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 type="checkbox"/> Other	
Vendor Name, Address, Phone #, etc.			Vendor Code 522208632		BOG Unit Name & Address				
Sodexo America LLC 9801 Washingtonian Blvd. Gaithers, MD 20878					Marshall University Office of Purchasing One John Marshall Drive Huntington, WV 25755-4100				
Ph# 304-981-4000		Fax		FEIN# 522208632					
Item#	Quantity	Description of Change				Unit Price	Extended Price		
		<b>Change Order # 14</b>  To amend the contract according to all terms, conditions, pricing, and specifications contained in the original contract and all authorized change orders.  FOOD SERVICE  This change order incorporates Amendment #8, effective September 1, 2022.							
Reason for Change: To add amendment #8.					Previous Total	\$	OPEN-END		
					Increase	\$	-0-		
					Decrease	\$	-0-		
					New Total	\$	OPEN-END		

Approved: Angela White Negley 11/29/22  
 Authorized Signature Date

N/A  
 Attorney General if required Date

AMENDMENT #8

MARSHALL UNIVERSITY

AND

SODEXO AMERICA, LLC

THIS AMENDMENT #8, dated November 15, 2022, 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. Section 13 is amended to reflect a change of first address for Notices to Vendor as follows:

"To Vendor: Sodexo America, LLC  
Attention: Mark Watkins  
COO, Universities North America, East  
4126 Lilac Vista Drive  
Louisville, Kentucky 40241"

2. Exhibit A, Section B, (Retail Program), Subsection 2 (Commissions), Subsection b, is deleted in its entirety and the following substituted therefor:

"b. Concessions Commissions. Vendor shall pay University a guaranteed annual commission equal to Three Hundred Fifteen Thousand Dollars (\$315,000.00) for each academic year. Such commission shall be paid in ten (10) equal installment payments of Thirty-One Thousand Five Hundred Dollars (\$31,500.00) per month, for the months of September through June of each academic year.

The Parties agree and understand that due to the ruling of the West Virginia Alcohol Commission, University can no longer receive commissions on alcohol sales as a percentage of Net Sales earned by Vendor for any applicable contract year. Therefore, the parties have, in good-faith, renegotiated commission percentages on the sale of Food and non-alcoholic beverages and, if applicable, the guaranteed commissions due and owing to the University. The Parties agree that the renegotiation intent was that neither party be harmed due to such commission redistribution. The parties agree that if total commissions due and owing to the University deviates materially in any contract year which is caused by: (i) unexpected growth or decline in Net Sales actually received by Vendor; (ii) the assumptions used in the renegotiations hereunder deviate materially in favor of either party; or (iii) any future operational activities cause a material deviation to occur in favor of either party, the parties will in good-faith negotiate to adjust any future commission payment.

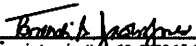
Commission rates and financial terms shall be negotiated separately should University host a large-scale concert in its stadium, as a written addendum to this Agreement.”

3. All capitalized terms used herein shall have the same meanings set forth in the Agreement unless otherwise expressly provided in this Amendment.

4. This Amendment #8 is effective September 1, 2022, 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 #8, as of the date indicated in the first paragraph of this Amendment #8.

MARSHALL UNIVERSITY

By:   
Brandi Jacobs (Nov 22, 2022 15:04 EST)  
Brandi Jacobs-Jones  
Senior Vice President for Operations

Date: Nov 22, 2022

SODEXO AMERICA, LLC

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

Date: Nov 22, 2022

Vendor/Customer

Vendor/Customer	Legal Name	Alias/DBA	Vendor Active Status	Customer Active Status	Previous Name
00000195863	SODEXHO AMERICA LLC		Discontinued	Inactive	
00000195864	SODEXO		Discontinued	Inactive	
✓ 00000195865	SODEXO AMERICA LLC		Active	Inactive	
00000195866	SODEXO INC & AFFILIATES		Active	Inactive	

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▼ General Info

Vendor/Customer : 00000195865	Restrict Use by Department :
Legal Name : SODEXO AMERICA LLC	Miscellaneous Account :
Alias/DBA :	Internal Account :
Vendor Active Status : Active	Third Party Only :
Vendor Approval Status : Complete	Third Party Vendor :
Customer Active Status : Inactive	Third Party Customer :
Customer Approval Status : Incomplete	Inventory Customer :
Location Name :	Healthcare Provider :
First Name :	Never Archive :
Middle Name :	Restrict VSS Access : No
Last Name :	Discontinue - No New Business :
Company Name : SODEXO AMERICA LLC	Prevent MA Reference :
Previous Name :	PunchOut Enabled :
Previous Street :	Re-PunchOut Enabled :
Previous City :	Electronic Order Enabled :
Previous State/Province :	W-9 Received :
Previous Country :	W-9 Received Date : 11/10/2022
	W-8 Received :
	W-8 Received Date :
	Accepts Credit Cards :
	Active From : 01/01/1999
	Active To :
	Last Usage Date : 11/28/2022
	Department :
	Unit :

▼ Headquarters

Headquarters Account : Yes	Web Address http:// :
Headquarters Account Code : 00000195865	Catalog DUNS :
Headquarters Account Legal Name : SODEXO AMERICA LLC	Catalog Extended DUNS :
Franchise Account :	Catalog Unique Entity Identifier :
	Taxpayer ID Number : 522208632
	Taxpayer ID Number Type : EIN

▼ Organization

Organization Type : Company	1099 Indicator : No
1099 Classification : Corporation	1042-S Indicator :
1042-S Ch. 3 Recipient Code :	Taxpayer ID Number : 522208632
1042-S Ch. 4 Status Code :	Taxpayer ID Number Type : EIN
Number of Employees :	Detailed TIN Type :
Merchant ID :	Foreign Tax ID :
Sex :	GIIN :
Date of Birth :	1042-S Recipient Account Number :
Marital Status :	W-8 Form :
Annual Income :	Tax Profile : NOTAX
IRS Country of Residence :	Tax Profile Name : No Tax
IRS Country Sub Code :	EBIC Number :
Contract Withholding Exempt :	IAEC Number :
National Provider ID :	Web Address http:// :
Assigning Authority :	Employee ID :
CAGE Code :	Employee Status :
Permanent Staffed Office in State :	Supplier Shared Secret :

▼ Disbursement Options

Category :	Hold Payment :
Description :	Hold Payment Authorized By :
Default Type : Check	Hold Payment Authorized On :
Default Priority : 99	Hold Reason :
Default Format : REG	
Default Format Description :	Prevent New Spending :
Scheduled Payment Day :	Prevent New Orders : For All Departments
Single Payment Indicator :	Third Party Code :
Name on Check : Legal Name	Third Party Name :
Eligible for VCA Payments :	Third Party Approved By :
VCA Effective From Date :	Third Party Approved On :
VCA Effective To Date :	
VCA Primary Email :	

Third Party Reason :

VCA Secondary Email :  
VCA Comments :

Always Infer Third Party Vendor :  
Third Party Address ID :

▼ Prenote/EFT

Generate EFT Payment :  EFT Format :   
ABA Number :  EFT Format Description :   
Bank Name :  EFT Status :   
Account Type :  Last Status Change :   
Account Number :  EFT Status Description :   
Routing ID Number :   
Bank Phone Number :   
Prenote Requested Date :  Prenote Return Reason Explanation :   
Prenote Return Reason :   
Prenote Return Reason Message :   
Foreign Correspondent Bank Name :  W-9 Mailing Date :   
Foreign Correspondent Bank Branch Country Code :  W-9 Response Date : 08/07/2006  
Account Number Linkage to Provider Identifier :   
Reason for Submission :

▼ Remittance Advice

Remittance Advice Required :   
Remittance Advice Format :   
Remittance Advice Format Description :   
Remittance Advice Transmission Mode :

▼ Vendor Terms

Number of Days 1 :  Number of Days 3 :   
Discount Percent 1 :  Discount Percent 3 :   
Discount Always 1 :  Discount Always 3 :   
Number of Days 2 :  Number of Days 4 :   
Discount Percent 2 :  Discount Percent 4 :   
Discount Always 2 :  Discount Always 4 :

▼ Accounts Receivable

Default Receipt Type :  Bill Headquarters :   
Default Billing Profile :  Bankruptcy :   
Cost Accounting Funding Type :  Central Statement BPRO :   
Credit/Debit Card Type :  Central Statement Billing Location :   
Credit/Debit Card Number :  Central Statement Address ID :   
Name on Card :  Suppress Central Statement :   
Credit/Debit Card Expiration Month :  Suppress Central Past Due Statement :   
Credit/Debit Card Expiration Year :

▼ eMALL

DUNS : 011441537 Preferred Ordering Method :   
Extended DUNS :  Pcard Acceptance Level :   
Unique Entity Identifier :  Create Certification Document :   
Internet Catalog :  Vendor Preference Level : 99  
VSS Registered :

▼ Location Information

Verify My Locations by : Create My Own   
Vendor Verification Based On : Migrated vendor accounts ha  
Vendor Verification Password : .....  
Send Activation Code :   
Activation Email Address :   
Activation Code :   
Confirm Activation Code :   
Requestor Name :   
Requestor Phone Number :   
Confirm Verifications : .....

► Fee and Vendor Compliance Holds

Fee Exempt :  Tax Clearance :   
Registration Application Date : 03/18/2013 Unemployment Insurance :   
Registration Effective Date : 03/18/2013 Worker's Compensation :   
Registration Expiration Date : 04/01/2014 Secretary of State Registration :   
Pre-Registration Code :  Federal Dobarred :



► Executive Compensation

▼ Additional Information

Miscellaneous Field 1 :  Miscellaneous Flag 1 :   
Miscellaneous Field 2 :  Miscellaneous Flag 2 :   
Miscellaneous Field 3 :  Miscellaneous Flag 3 :   
Miscellaneous Field 4 :   
Miscellaneous Field 5 :   
Miscellaneous Field 6 :

Miscellaneous Field 7 :

▼ Travel

Traveler :   
Travel Policy :    
Allow Traveler Advances :   
PCard ID :  

▼ Change Management

Created By :  conversion      Last Modified By :  kirktr2  
Conversion User      Trent G Kirk  
Created On :  06/03/2014      Last Modified On :  11/10/2022  
Last Approved By :  kirktr2      Comments :   
Trent G Kirk  
Last Approved On :  11/10/2022  
Date Registered :  06/03/2014

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