

(ATTACHMENT 77) ACTION ON THE AWARD OF PROFESSIONAL SERVICES CONTRACTS
RELATED TO SCHOOL NUTRITION

2016 DEC 19 AM 11:11

Purchase Requisition Number: CR002181
Contract Number: C018952
Vendor Number: V024756

**MILWAUKEE BOARD OF SCHOOL DIRECTORS
PROFESSIONAL SERVICES CONTRACT FOURTH MODIFICATION**

On June 15, 2013, the Milwaukee Board of School Directors and US Foods, Inc. entered into Professional Services Contract ("Contract") number C018952 with a term of June 15, 2013 through June 30, 2014. The Contract, ¶ 2, provided for up to four additional one-year extensions by mutual consent and with Board approval. The parties mutually agreed to extend the Contract for the first one-year extension period and executed a Contract Extension and Modification ("the First Extension") to that effect in July 2014. The amount encumbered during the First Extension was insufficient following the implementation of the Community Eligibility Provision, such that the parties further amended the Contract and First Extension in May 2015 to provide additional funds. The parties then mutually agreed to extend the Contract for the second one-year extension period and executed a Contract Extension and Modification ("the Second Extension") to that effect in July 2015. The parties mutually agreed to extend the Contract for the third one-year extension period and executed a Contract Extension and Modification ("the Third Extension") to that effect in June 2016.

A determination having been made that the funds authorized against the Contract in the current extension period should be increased, the parties now mutually agree to increase the Contract. All terms and conditions, except for those specifically modified below, as set forth in the original Contract, the First Extension, as amended, the Second Extension, and the Third Extension remain in effect.

In accordance with ¶ 20 of the Contract, the parties modify those terms and conditions identified below.

MODIFIED TERMS:

- 1. Paragraph 3 of the Contract, the First Extension, as amended, the Second Extension, and the Third Extension are modified to include the following as replacement to any reference to total compensation or encumbrance amount: "Total compensation under this Contract for Year 4 shall not exceed \$26,000,000."

CONTRACTOR

By: [Signature]

Date: 11-28-2016

US Foods, Inc.
W137 N9245 Highway 145
Menomonee Falls, WI 53051
(262) 253-7882

Tax ID: [REDACTED]


MILWAUKEE BOARD OF SCHOOL DIRECTORS

By: [Signature]
*Kristen DeCato, Director
Procurement & Risk Management*

Date: 11/30/16

By: [Signature]
*Darienne B. Driver, Ed.D.
Superintendent of Schools*

Date: 12-8-16

By: 
Mark A. Sain, President
Milwaukee Board of School Directors

Date: 12-12-16

Budget code(s):
LNC-0-0-LNH-XX-EFOD \$700,000
DNR-0-0-DNR-XX-EFOD \$100,000

Reviewed By: 
Risk Management

Date: 2/1/17