

Not on Agenda
Signed 11/13/15

**Amendment No. 4
To Food Service Agreement
Between Woodbury County and CBM Managed Services**

This Amendment No. 4 (the "Amendment"), is entered into this 9th day of November, 2015 by and between Woodbury County ("County") located at 620 Douglas Street, Room 101, Woodbury County Courthouse, Sioux City, Iowa 51101 and Catering By Marlin's, Inc. d/b/a CBM Managed Services ("CBM") located at 500 East 52nd Street, North, Sioux Falls, South Dakota.

WITNESSETH:

WHEREAS, County and CBM entered into a Food Service Contract (the "Agreement") dated June 1, 2012 for the management of the food service operation at Woodbury County;

WHEREAS, County and CBM amended the Agreement previously via Amendment No. 1 dated July 18, 2013, via Amendment No. 2 dated November 22, 2013, and via Amendment No. 3 dated November 4, 2014;

WHEREAS, County and CBM desire to exercise a one (1) renewal term option of the Agreement to cover the period from July 1, 2016 through June 30, 2017 ("Renewal Term") subject to the necessary appropriation of funds and renewable terms by the parties;

WHEREAS, Article 3.8, "Contract Payment", of the Agreement provides, "The Contractor and the County agree to negotiate the price per meal prior to the annual anniversary date of the contract for each remaining year of the agreement. The Contractor and the County agree that the Consumer Price Index will be the primary, but not the only, basis for price per meal negotiations.";

NOW THEREFORE, the County and CBM hereby agree to amend the Agreement as follows:

The Foregoing recitals are deemed substantive and are incorporated herein as if fully set forth.

1. **Renewal Term**: County and CBM agree to renew the term of the Agreement for one (1) additional year, effective July 1, 2016 through June 30, 2017.
2. **Funding**: COUNTY agrees that the necessary funds as required for this Agreement have been appropriated.
3. **Cost per Meal**: County and CBM agree to the following cost per meal structure to be effective during the Renewal Term:

All Inmate Meals	Per Meal
Current Price	\$1.52
All Inmate Meals	Per Meal
CPI Adjustment 3.0%	\$1.57

4. Effect of Amendment: Amendment No. 4 along with all previous amendments shall be attached to the original Agreement and all terms, conditions and provisions of the original Agreement and all subsequent amendments shall remain in full force and effect unless otherwise modified by this Amendment No. 4.

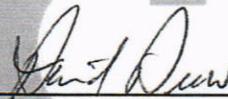
IN WITNESS WHEREOF, County and CBM have executed this Amendment No. 4 as of the day and year written below.

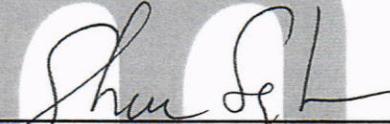
Dated this 13th day of November, 2015

Dated this 9th day of November, 2015

Woodbury County

CBM Managed Services


 By: David Drew
 Woodbury County Sheriff


 By: Shane V. Sejnova
 Vice-President of Operations

Witness


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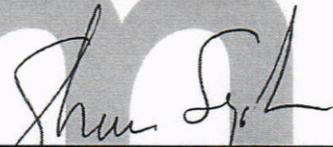
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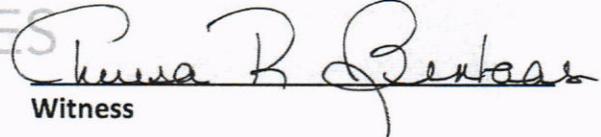
Woodbury County

CBM Managed Services


 By: **David Drew**
 Woodbury County Sheriff


 By: **Shane V. Sejnoha**
 Vice-President of Operations


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