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Office of the Sheriff

Jesse Jahner, Sheriff

December 8, 2022

Mr. Chad Peterson, Chair
Cass County Commission
via email

Chairman Peterson,

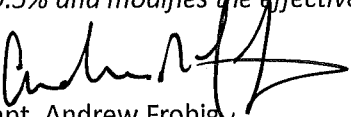
I am writing to request a second appearance in front of the Cass County Commission regarding the contract amendment with Summit (Jail Food Services) that was approved on December 5, 2022.

Almost immediately after we had departed the meeting on December 8, our Summit Account Representative recognized an error in the amendment proposal that had been submitted to the Commission, and they are requesting consideration of a revision. In mutual discussions between the jail and Summit, prior to submitting the amendment, Summit had indicated their intent to seek an immediate cost increase in the existing agreement, as well as a 1-year renewal to take effect March 1, 2023. After the commission had voted to approve the amendment, the Summit Account Representative informed me that the legal department at Summit had actually drafted an amendment that only included a renewal and cost increase to take effect on March 1, 2023.

I advised Summit that the Commission had already voted, and while they could certainly propose to reconsider since both parties had not yet signed, perhaps this would be a good opportunity to adjust the contractual timeframes so it lines up with our actual budget year.

Summit has considered options and now requests reconsideration of the contract amendment. They have submitted a revision that includes the same cost increase that the Commission approved, but changes the effective period to 1 year starting on January 1, 2023, rather than 1 year starting on March 1, 2023.

Suggested Motion: "Move to rescind approval of the Summit Food Services Agreement amendment that was addressed on December 5th, and approve the revised amendment which establishes a cost increase of 29.5% and modifies the effective term to begin on January 1, 2023, and end on December 31, 2023."


Capt. Andrew Frobisher
Jail Administrator

Cass County Sheriff
Law Enforcement Center
1612 23rd Avenue North
P.O. Box 488
Fargo, North Dakota 58107-0488
Phone: 701-241-5800
Fax: 701-241-5806

Cass County Sheriff
Courthouse
211 9th Street South
P.O. Box 488
Fargo, North Dakota 58107-0488
Phone: 701-241-5800
Fax: 701-241-5805

Cass County Jail
450 34th Street South
Fargo, North Dakota 58103
Phone: 701-271-2900
Fax: 701-271-2967



CONTRACT APPROVAL

REQUIRED BY DEPARTMENT:

DEPARTMENT: Sheriff's Office DATE OF REQUEST: 12-14-2022

COMPANY REQUESTING CONTRACT: Summit Food Service, LLC

BRIEF PROJECT DESCRIPTION: Amendment to Food Service Agreement

 NEW CONTRACT OR x CONTRACT RENEWAL

REQUIRED BY STATE'S ATTORNEY OFFICE:

STATE'S ATTORNEY SIGNATURE: *Martha Pearson*

STATE'S ATTORNEY COMMENTS:

Approved as to form.

AMENDMENT #13 TO THE FOOD SERVICE PARTNERSHIP AGREEMENT

This Amendment is made and entered into by and between Cass County (“Client”), and Summit Food Service, LLC (“Company”) (collectively “the Parties”).

WHEREAS, The Parties have entered into a certain Food Service Partnership Agreement (the “Agreement”), effective February 20, 2007

WHEREAS, The Parties have agreed to extend with pricing adjustment the partnership; and

WHEREAS, The Parties now desire to amend said Agreement upon the terms and conditions stated herein.

NOW, THEREFORE, the parties, intending to be legally bound hereby, mutually agree as follows:

1. **Term.** This Agreement shall be extended for an additional year beginning January 1, 2023.
2. **Price.** Company shall charge and Client shall pay:

Population	Current Price	Increase	New Price
160-169	\$1.765	29.5%	\$2.286
170-179	\$1.717	29.5%	\$2.224
180-189	\$1.675	29.5%	\$2.169
190-199	\$1.647	29.5%	\$2.133
200-209	\$1.509	29.5%	\$1.954
210-219	\$1.495	29.5%	\$1.936
220-229	\$1.464	29.5%	\$1.895
230-239	\$1.445	29.5%	\$1.871
240-249	\$1.427	29.5%	\$1.848
250-259	\$1.410	29.5%	\$1.826
260-269	\$1.394	29.5%	\$1.805
270-279	\$1.381	29.5%	\$1.788
280-289	\$1.366	29.5%	\$1.769
290-299	\$1.354	29.5%	\$1.753
300-309	\$1.341	29.5%	\$1.737
310+	\$1.332	29.5%	\$1.725
Snack	\$0.998	29.5%	\$1.292
Kosher & Halal	\$6.500	29.5%	\$8.418
Milk	\$0.420	29.5%	\$0.544
Name Brand Nutritional Supplements	\$1.500	29.5%	\$1.943

This Amendment is effective as of January 1, 2023. All other terms and conditions of the original Agreement (as modified from time to time) shall remain in full force and effect unless otherwise amended as provided in the Agreement.

CLIENT: Cass County Jail

COMPANY: Summit Food Service, LLC

Signature: _____
Name: _____
Title: _____
Date: _____

Signature: _____
Name: _____
Title: _____
Date: _____