

CONTRACT EXTENSION

CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED 9 Pages

Renewal (Extension Number) 2	Agreement Number (Base year) EY2024
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1. This Extension Agreement is entered into between the School Food Authority and CONTRACTOR named below:

SCHOOL FOOD AUTHORITY'S NAME
 San Jose Unified School District

FOOD SERVICE MANAGEMENT COMPANY'S NAME AND FEDERAL TAX IDENTIFICATION NUMBER
 Sodexo America, LLC; TIN #52-2208632

2. Base year contract term: Effective date: **08-01-2023** Expiration date: **07-31-2024**
 Extension year: Effective date: **08-01-2025** Expiration date: **07-31-2026**

3. The maximum dollar amount of this contract is equal to the fixed cost per meal multiplied by the number of meals:
 \$7,667,359

4. The parties mutually agree to this extension as follows. All actions noted below are by this reference made a part of the Agreement and incorporated herein:

Contractor Fee PER MEAL 2025-26				
LINE ITEM	UNITS*		RATE	TOTAL
Breakfast (1 to 1)	1,561,162	\$	1.641	\$ 2,561,867
Lunch (1 to 1)	1,911,507	\$	2.032	\$ 3,884,182
Supper (1 to 1)	238,612	\$	2.032	\$ 484,860
Snack (1 to 1)	78,734	\$	0.790	\$ 62,200
Non-Reimbursable (\$1.00 meal equivalent)	750,000	\$	0.899	\$ 674,250
Blended Contractor Fee Per Meal	4,540,015	\$	1.689	\$ 7,667,359

Section IV. of the 2023-24 Contract is hereby deleted in its entirety with the following substituted therefore:

IV. Buy American and California Agricultural Preference Requirements

A. CONTRACTOR Responsibilities

1. The CONTRACTOR will provide meals and snacks purchased with domestic commodities and products to the greatest extent practicable, document exceptions when nondomestic products are purchased, adhere to nondomestic cap for exceptions, and adhere to all other Buy American regulations for the provision of meals and snacks. (7 CFR 220.16(d) and 7 CFR 210.21(d))
2. The CONTRACTOR must submit statements for all processed agricultural products to the SFA at the time of delivery for each processed agricultural product certifying that the food product was processed domestically and that the percentage of domestic content in the food component of the processed food product is over 51 percent, by weight or volume (USDA Policy Memo [SP 38-2017](#)). (7 CFR 220.16(d)(1)(ii) and 7 CFR 210.21(d)(1)(ii))
3. The CONTRACTOR must notify the SFA in writing at least 10 days **prior** to delivering a nondomestic agricultural commodity or product and request prior approval for delivery of a nondomestic agricultural commodity or product. This written notification must list alternative domestic substitutes for the SFA to consider and provide an explanation for the following:

- a) Why the domestic product is not produced or manufactured in sufficient and reasonably available quantities of a satisfactory quality; and/or
 - b) Per Final Rule (FR) 31962, the product is listed on the Federal Acquisitions Regulations Nonavailable articles list found at 48 CFR, Section 25.104 Nonavailable articles list and/or is not produced or manufactured in the U.S. in sufficient and reasonably available quantities of a satisfactory quality; and/or
 - c) Why competitive bids reveal the cost of the domestic product is 25% higher than the nondomestic product
4. Note that per California Food and Agriculture Code (FAC) 58596.3, if the SFA receives \$1 million or more annually in federal SNP reimbursement, significantly higher must be defined as 25 percent, otherwise the SFA can choose their definition.
 5. FAC 58596.3 imposes additional requirements for the preference of California agricultural products:
 - a. The bid or price of the California-grown agricultural food product does not exceed the lowest bid or price for a domestic agricultural food product produced outside the state.
 - b. The quality of the California-grown agricultural food product is comparable to that domestic agricultural food product produced outside the state
 6. The CONTRACTOR will provide certification of domestic origin for products which do not have country of origin labels.
 7. Per 7 CFR 220.16(d)(5)(ii) the CONTRACTOR must adhere to the cap on non-domestic food purchases:
 - a. Beginning in SY 2025-26, the non-domestic food purchase cap will be 10 percent
 - b. Beginning in SY 2028-29, the non-domestic food purchases cap will be 8 percent
 - c. Beginning in SY 2031-32, the non-domestic food purchases cap will be 5 percent

B. School Food Authority Responsibilities

1. The SFA shall maintain documentation provided by the CONTRACTOR of the meal and snack components that were comprised of domestic and non-domestic products, including assurance that components were processed domestically. This documentation will be kept on file for the term of the contract plus any extensions and three additional school years thereafter. This will be made available during an on-site administrative review and an off-site procurement review.
2. The SFA shall monitor the contract to ensure the CONTRACTOR's adherence to the Buy American and California FAC requirements, including documentation of nondomestic exceptions and associated caps. 2 CFR, Section 200.318(b)

The SFA must ensure the Buy American Provision and California FAC requirements are included in their procurement procedures. These procedures, at a minimum, must include the requirement to include Buy American Provision language in solicitations and contracts as well as California FAC preferences.

FOOD SERVICE MANAGEMENT COMPANY	
CONTRACTOR'S NAME (If other than an individual, state whether a corporation, partnership, etc.) Sodexo America, LLC	
BY (Authorized Signature)  Signed by: Wendy Swak BD9D05421EC94A2...	DATE SIGNED (Do not type) 7/21/2025

PRINTED NAME AND TITLE OF PERSON SIGNING

Wendy Surak, Senior Vice President

ADDRESS

915 Meeting St., 15th floor, North Bethesda, MD 20852 Attn: Law Department

SCHOOL FOOD AUTHORITY

SCHOOL FOOD AUTHORITY NAME

San Jose Unified School District

BY (Authorized Signature)

DocuSigned by:



24398E33D9794D1

DATE SIGNED (Do not type)

7/22/2025

PRINTED NAME AND TITLE OF PERSON SIGNING

Tracy Morrison, Director, Procurement

ADDRESS

855 Lenzen Avenue, San Jose, CA 95126

Initial
js

Initial
jm

INSTRUCTIONS FOR USE:

1. Enter renewal number (also known as extension number). The contract can only be extended four times. Indicate the extension by entering 1 for year 1 of the extension from the base year or 2, 3 or 4.
2. Enter agreement number (also known as contract number). Every agreement (contract) should have a number assigned to identify that contract. This number will be found on the top right of the contract summary page in the base contract (this is a number you initially created to identify the contract). If there is not an agreement number use the base year of the contract for the renewal number.
3. Item 1: Enter the CONTRACTOR's and the school food authority's name.
4. Item 2: Enter the base year terms and the current extension terms. The term is the effective and expiration dates
5. Item 3: Enter the maximum dollar amount.
6. Item 4: Indicate **the current cost per meal**. Include the cost per meal table.
7. The CONTRACTOR's and school food authority's authorized signer should be identified, and signatures provided.

California Department of Education
Nutrition Services Division
Form ID PRU-11

Procurement Resources Unit
January 2025

Debarment, Suspension, and Other Responsibility Matters

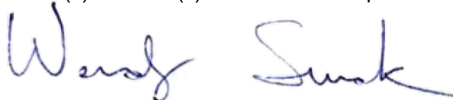
As required by Executive Order 12549, Debarment and Suspension, for participants or respondents in primary covered transactions:

- A. The participant or respondent certifies that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.
- B. Where the participant or respondent is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

Sodexo America, LLC
Participant or Respondent Company Name

San Jose Unified School District
Award Number, Contract Number, or Project Name

Wendy Surak Senior Vice President
Name(s) and Title(s) of Authorized Representatives


Signature(s)

1/22/2025
Date

California Department of Education
Nutrition Services Division
Form ID PRU-12

Procurement Resources Unit
January 2025

Certification Regarding Lobbying

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents of all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub- recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Organization: Sodexo America, LLC

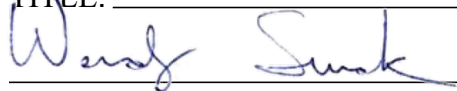
Street address: 915 Meeting St. Suite 1500 Law Department

City, State, Zip: North Bethesda, MD 20852

Wendy Surak

CERTIFIED BY: (type or print)

TITLE: Senior Vice President



(Signature)

1/29/2025

(Date)

Approved by OMB 0348-0046

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 (See reverse for public burden disclosure)

<p>1. Type of Federal Action: a. contract b. grant N/A c. cooperative agreement d. loan e. loan guarantee f. loan insurance</p>	<p>2. Status of Federal Action: a. bid/offer/application b. initial award N/A c. post-award</p>	<p>3. Report Type: a. initial filing N/A b. material change For material change only: Year ___ quarter ___ Date of last report _____</p>
<p>4. Name and Address of Reporting Entity: _____ Prime _____ Subawardee Tier _____, if Known: Sodexo Operations, LLC, on behalf of itself and all its subsidiaries 915 Meeting St. Suite 1500 - Law Department North Bethesda, MD 20852 Congressional District, if known:</p>	<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Address of Prime Congressional District, if known:</p>	
<p>6. Federal Department/Agency: N/A</p>	<p>7. Federal Program Name/Description: N/A CFDA Number, if applicable: _____</p>	
<p>8. Federal Action Number, if known: N/A</p>	<p>9. Award Amount, if known: \$ N/A</p>	
<p>10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i> N/A</p>	<p>b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i> N/A</p>	
<p>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature: <u>Wendy Surak</u> Print Name: <u>Wendy Surak</u> Title: <u>Senior Vice President</u> Telephone No.: <u>(509) 385-5902</u> Date: <u>2/10/2025</u></p>	

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INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to Title 31, U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

 (b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

California Department of Education
Nutrition Services Division
Form ID PRU-12

Procurement Resources Unit
January 2025

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503