

2009 AGREEMENT AND CONTRACT
Between
ADVOCAP, INC.
And
CITY OF MENASHA
MENASHA COMMITTEE ON AGING
With
MENASHA SENIOR CENTER

PURPOSE:

The Winnebago County Nutrition Program funded through the Older Americans Act is administered by ADVOCAP, Inc. through a contract with the Winnebago County Department of Human Services. In consideration of the mutual agreements, ADVOCAP, INC., hereinafter referred to as "Program," having offices at 181 E. North Water Street, Suite 210, Neenah, WI 54956, and the CITY OF MENASHA with the MENASHA SENIOR CENTER elderly facility, located at 116 Main Street, Menasha, WI 54952, hereinafter referred to as "Facility," agree as follows:

FACILITY SHALL PROVIDE:

1. Use of the Main Activity Room and kitchen area at the Menasha Senior Center facility for service of meals Monday through Friday from 9:00 a.m. to 1:00 p.m.
2. Use of necessary storage space in basement.
3. Use of existing refrigerator, utility carts, coffee servers, silverware, coffee makers (100 cup urn) and miscellaneous utensils.
3. For payment of utility charges and garbage removal.
4. General janitorial services and maintenance.
5. Public liability and property damage insurance, and shall furnish Program with certificate of insurance coverage.

PROGRAM SHALL PROVIDE:

1. Meal site management including recruiting, training and scheduling of volunteers who shall be responsible for hosting, serving, cleanup, record keeping, etc. and shall follow health and sanitation procedures. The Meal Site Manager is responsible for all meal site operations. All comments, concerns, and problems regarding the meal site should be directly referred to the Meal Site Manager or the Program Director.
2. Meals served shall contain at least one-third of the RDA (Recommended Daily Allowance) for an older adult and meet the Nutrient Standards Required for Nutrition Program Meals as stated in the Wisconsin Aging Network Manual of Policies, Procedures, & Technical Assistance, Fall, 2004.
3. The Meal Site Manager will, upon consultation with the Senior Center Supervisor, plan and coordinate the following events: birthday parties, seasonal parties (Valentines, Easter, Halloween, Thanksgiving, Christmas and the meal site anniversary party). The Meal Site Manager will arrange for the Program Advisory Council (PAC) meeting when it is scheduled to be held at the Menasha Senior Center.
4. Additional consumables such as disposables (plates, silverware, cups, napkins, etc.) salt, pepper, ketchup, sanitizer, detergent, dishwashing machine detergent, etc.

5. Equipment for meal service including steam table, serving and meal trays, cups, hot food containers for meal delivery, coffee urns (30-36 cup), four coffee servers (white swirl), and a portable dishwasher.
6. Replacement of damaged or broken facility equipment and furnishings which are regularly used by the Program. Maintenance of the portable dishwasher.
7. Arrangements for garbage pickup or additional services for the meal site program over and above normal service.
8. Laundering of towels.
9. Public Liability and Property Damage Insurance and Liability Insurance for the action of ADVOCAP, Inc. staff and volunteers at the meal site program.

FACILITY AND PROGRAM SHALL AGREE AS FOLLOWS:

1. Meal service shall be open to the following persons:
 - a. individuals, sixty (60) years of age and older, living in the community and their spouses;
 - a. persons with disabilities who reside at home with and accompany older individuals to the meal site,
 - b. individuals whose meals are paid for by the Community Options Program or other programs operated by the Winnebago County Department of Human Services; and
 - c. individuals granted a Non-Elderly Waiver by Greater Wisconsin Agency on Aging Resources.
2. No meals will be served on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day before Christmas, and Christmas Day. If any of these holidays fall on a weekend, a date during the work week will be designated by ADVOCAP for the holiday.
3. Supply each other with the job description of the Menasha Senior Center Coordinator and the Menasha Meal Site Manager.
4. Conduct a semi-annual inventory of mutual supplies used in connection with the meal site program.
5. Conduct regular meetings with Program and Facility staff to review meal site operation.
6. The Menasha Senior Center Coordinator is responsible for planning all programs and activities within the Facility with exception of the special events so designated under Item 3 above.
7. The modified storage space and shelving shall remain in the Facility, when and if, the Nutrition Program discontinues its service at the Facility.
8. The Program has permission to use the Facility telephone as needed.
9. Both parties will observe Federal laws and regulations pertaining to nondiscrimination in the provision of services and in employment practices. To that end, no person shall, on the grounds of race, creed, color, sex, national origin or physical condition or handicap be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under this Program or any of its activities carried out by the subcontractor.
10. Comprehensive general liability insurance will be maintained by both parties with certificate of insurance coverage being furnished mutually by each party. If changes should occur, a new certificate of insurance should be submitted immediately.

**CITY OF MENASHA
MENASHA SENIOR CENTER
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This Contract represents the Agreement in effect between the Facility and the Program. This Agreement is in effect from January 1, 2009, through December 31, 2009. However, either party may, at any time during the life of the Agreement, terminate this Agreement by giving thirty (30) days notice in writing to the other party of the intention to do so.

IN WITNESS OF THIS AGREEMENT, the duly authorized officers sign APPROVED this day:

(Date)

**CITY OF MENASHA
MENASHA SENIOR CENTER**

ADVOCAP, INCORPORATED

BY: _____

BY: _____

DON MERKES
Mayor, City of Menasha

MICHAEL BONERTZ
Executive Director

BY: _____

BY: _____

DEBORAH GALEAZZI
City Clerk, City of Menasha

THERESA M. STERN
Director
Winnebago County Nutrition Program

BY: _____

Sylvia Bull
SYLVIA BULL
Supervisor, Menasha Senior Center

Approved as to form
Jeffrey S. Brandt 2-16-09

Jeffrey S. Brandt, City Attorney