Third Party Design, Construction and Operations on FIU Campuses

BUSINESS SERVICES
https://shop.fiu.edu/about-us/index.html
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A. List of Applicable Requirements:

Please see attached Exhibit A.

B. List of Applicable Regulations, Policies, Procedures:

Please see attached Exhibit B.

C. Standard Protocol/Process:

N/A

D. List Applicable Exclusive Contracts (if any):

Please see attached Exhibit B.

E. Other Information:

N/A

Contractual Requirements for Business Partnerships Exhibit A

- Any food service provided onsite to the FIU community will need to be contracted directly with FIU. FIU has an exclusive contract with Aramark Educational Services, Inc. to provide Food Service at FIU. This agreement precludes any group at FIU from providing or contracting with another vendor to provide food for sale on the FIU campuses.

- All beverage vending services located within or adjacent to FIU facilities will need to be provided by FIU via its contracted vendor. FIU has an exclusive beverage rights contract with The Pepsi Bottling Group. This agreement covers the sale of the following on any FIU campus:
    - Pepsi is the exclusive provider of Core Beverages sold, promoted and marketed on the FIU Campuses. (This includes all retail and food, as well as, all events held on the FIU Campuses).
    - Pepsi has exclusive marketing rights on the FIU Campuses. Therefore, only Pepsi's Core Beverages can be marketed, promoted, or given away on the FIU Campuses. Further, only Pepsi is allowed to represent that Pepsi, or any of Pepsi's Core Beverages, is "the beverage sponsor of FIU", "the exclusive drink of FIU", "A proud sponsor of FIU", "the Official drink of FIU", or will be permitted by FIU to use any other similar phrases or representations.
    - No other vendor is permitted to sell Core Beverages (*i.e.*, carbonated and non-carbonated soft drinks, 100% shelf-stable fruit juices (*e.g.*, Dole and Ocean Spray) and juice drinks (less than 100% fruit juice), sports drinks, pre-packaged value-added protein drinks (*e.g.*, Muscle Milk),energy drinks, coconut water-based drinks, milk-based drinks which contain less than 50% milk, prepackaged protein drinks, ready-to-drink tea, ready-to-drink coffee products, packaged water, enhanced water and flavored water) through beverage vending machines on the FIU Campuses.

- All snack vending services located within or adjacent to FIU facilities will need to be provided by FIU via its contracted vendor. FIU has an exclusive agreement for snack vending rights with Vending Americas, Inc. This agreement precludes any other vendor from selling Snack and Alternative Products (*i.e.*, pre-packaged ambient temperature products to include baked or fried salty snacks, cookies, pastry, cracker sandwiches, chocolate confection, candy, nuts, health bars, breakfast bars, nutritional bars, energy bars, popcorn, and cold and frozen food products to include meat products, cold sandwiches, hand-held edibles, salads, entrées, soup, cold plates, fruit, vegetables, ice cream and ice cream novelties) through Snack Vending Machines on any FIU Campus.

- All catering services purchased by FIU will need to be through one of our contracted catering companies. FIU has an 18 caters under contract capable of providing a wide range of services, food options and price points. Catering services are defined as the business of providing foodservice (including alcoholic beverages, as applicable) for groups larger than ten people on FIU Campuses. Catering Services does not include "to go" orders placed with local restaurants (although such orders may be classified as "catering" by the restaurant), or catering functions held at venues off of FIU Campuses (e.g., hotels, banquet halls, etc.).

- Any retail services operating on campus must be contracted directly with FIU and abide by all contract exclusivities and regulatory/policy restrictions and requirements.

- Partners may be authorized to use OfficeMax and related University pricing for all of its office supply purchases. OfficeMax North America, Inc. is the preferred vendor of office supplies at FIU. While other vendors may sell office supplies on FIU campuses, OfficeMax has provided FIU with competitive pricing and quality service. Subject to approval, this pricing can be extended to new business partners as a member of the campus community.

Contract Exclusivities and Policy Restrictions — Exhibit B

PARTY	RESTRICTED ACTIVITIES
Aramark Educational Services, Inc.	Exclusive provider of food-related services on FIU Campuses. Aramark is the caterer at athletic events, but is not the provider of concessions at athletic venues. Aramark does not provide food service on the Engineering Center Campus. FIU cannot allow the sale of food-related services on FIU Campuses by a vendor other than Aramark. FIU does not allow the promotion of other off-campus food retailers within a five (5) mile radius that may compete with on-campus food vendors. This restriction also includes the promotion and/or offering of a discount program by FIU for food vendors operating within a ten (10) mile radius from campus.
Bank of America	Exclusive credit card/financial services affinity provider for the Alumni Association. FIU cannot permit use of FIU marks to market, sponsor, advertise or promote other financial service products.
Barnes & Noble College Booksellers, LLC	Exclusive operator of full service university bookstore and exclusive "on-campus" seller of items typically sold in college bookstores, such as books, educational supplies, notebooks, stationery, desk accessories, class rings and jewelry. Also has right to sell university licensed products, but this particular right is not exclusive, and has the right to operate website for purchase of items online. FIU cannot allow another bookstore to operate on campus. FIU does not allow the promotion, university endorsement, direct marketing or solicitation of other booksellers or retailers offering similar services. This restriction also includes the promotion and/or offering of a discount program by FIU for bookstores or school supply retailers operating brick and mortar locations or offering services online.
Preferred Travel Partners -Business Travel Advisors, Inc. -Forest Travel Agency, Inc. -Panorama Services and Travel Corp.	Preferred vendor for university travel for those departments who desire travel agent services. FIU does not allow the promotion, university endorsement, direct marketing or solicitation of other travel retailers that may compete with the list of preferred vendors. This restriction also includes the promotion and/or offering of a discount program by FIU for travel agencies operating brick and mortar locations or offering services online.
Preferred Caterers t/b/d	In final stages of creating a preferred list of caterers under contract to provide catering services to the university. Catering services are defined as the business of providing foodservice (including alcoholic beverages, as applicable) for groups larger than ten people on FIU Campuses. Catering Services does not include “to go” orders placed with local restaurants (although such orders may be classified as “catering” by the restaurant), or catering functions held at venues off of FIU Campuses (e.g., hotels, banquet halls, etc.). Catering Services are paid for with University funds. Moving forward, individual university departments must use a caterer under contract with the university, this includes caterers on the preferred list, Aramark or LaFoccacia. As a result of this new initiative, FIU will not allow the promotion, university endorsement, direct marketing or solicitation of other catering retailers that may compete with the list of preferred vendors. This restriction also includes the promotion and/or offering of a discount program by FIU for caterers.
Herff Jones	Exclusive supplier of FIU class rings. FIU can not allow the promotion, university endorsement, direct marketing or solicitation from alternative vendors. This restriction also includes the promotion and/or offering of a discount program by FIU for alternative vendors operating brick and mortar locations or offering services online.
Jostens	Official championship ring provider for FIU athletics.
La Focaccia	Exclusive provider of food-related services on FIU Engineering Center Campus. FIU cannot allow the sale of food-related services on FIU Engineering Center Campus by a vendor other than La Focaccia. FIU does not allow the promotion of other food retailers within a five (5) mile radius that may compete with this on-campus food vendor, with the exception of Aramark. This restriction also includes the promotion and/or offering of a discount program by FIU for food vendors operating within a ten (10) mile radius from campus.
OfficeMax North America, Inc.	Preferred vendor of office supplies at FIU offering negotiated price structure and commissions back to university for items purchased using contract. FIU does not allow the promotion, university endorsements, direct marketing or solicitation of other office supply retailers that may compete with OfficeMax. This restriction also includes the promotion and/or offering of a discount program by FIU for alternative vendors operating brick and mortar locations or offering services online.

Contract Exclusivities and Policy Restrictions

Exhibit B

PARTY	RESTRICTED ACTIVITIES
Pronto Car Wash of South Florida, Inc.	Car wash and auto detailing service. FIU does not allow the promotion, university endorsement, direct marketing or solicitation of other off-campus car wash and auto detailing services that may compete with the on-campus retailer. This restriction also includes the promotion and/or offering of a discount program by FIU for alternative vendors operating brick and mortar locations.
Ricoh USA, Inc.	Exclusive retail shipping, postal and business service center on FIU Campuses. FIU cannot permit another retail shipping, postal and business service center on FIU Campuses. FIU does not allow the promotion, university endorsement, direct marketing or solicitation of other retail shipping, postal and business service center that may compete with the on-campus retailer. This restriction also includes the promotion and/or offering of a discount program by FIU for alternative vendors operating brick and mortar locations or offering services online.
Santi's Hair International	Hair and nail salon. FIU does not allow the promotion, university endorsement, direct marketing or solicitation of other off-campus hair/nail salons that may compete with the on-campus retailer. This restriction also includes the promotion and/or offering of a discount program by FIU for hair and nail salons.
The Pepsi Bottling Group	Exclusive beverage rights contract. Relates to sale, promotion or marketing of beverages on FIU Campuses. FIU cannot permit the sale, promotion/marketing, university endorsement, direct marketing or solicitation of any other beverage retailer. This restriction also includes the promotion and/or offering of a discount program by FIU for alternative vendors or products.
Toshiba Business Solutions (Copiers)	Responsible for facilities management of campus multifunction copiers. FIU does not allow individual university departments to purchase copiers, or enter into agreements with other vendors for multifunction copiers.
University Credit Union	Credit union FIU does not allow the promotion, university endorsement, direct marketing or solicitation of other Credit Unions. This restriction also includes the promotion and/or offering of a discount program by FIU for alternative vendors operating brick and mortar locations or offering services online.
Vending Americas, Inc.	Exclusive snack vending rights contract for of snack and alternative products through Snack Vending Machines on FIU Campuses. FIU cannot permit any other snack and alternative vending machines to be placed on FIU Campuses.
Waves Spa	Healing center and day spa. FIU does not allow the promotion, university endorsement, direct marketing or solicitation of other off-campus spas that may compete with the on-campus retailer. This restriction also includes the promotion and/or offering of a discount program by FIU for alternative vendors operating brick and mortar locations or offering services online.
Wells Fargo Bank, N.A.	Exclusive right to integrate banking services with the FIU One Card. FIU does not allow the promotion, university endorsement, direct marketing or solicitation of banks providing student banking services that may compete with the on-campus retailer. This restriction also includes the promotion and/or offering of a discount program by FIU for alternative vendors operating brick and mortar locations or offering services online.