



STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

RICK SNYDER
GOVERNOR

DANIEL H. HEYNS
DIRECTOR

February 27, 2014

John Hanner, Executive Vice President Aramark Education
Aramark
1101 Market Street
Philadelphia, PA 19107

*** In-Person, Hand-Delivered**

RE: Notice of Demand for Assurance re: Contract No. 071B4300009 with the Michigan Department of Corrections for Comprehensive Food Services for Prisoners

Dear Mr. Hanner:

The Michigan Department of Corrections (MDOC) has reasonable grounds for insecurity with respect to the breaches of performance by Aramark under the above three year contract, effective October 1, 2013, in the amount of \$145,080,757.35. The MDOC demands adequate assurance of due performance from Aramark within **7 calendar days** of the date of this Notice. Failure by Aramark to provide such assurance of due performance under the contract is a repudiation of the contract. The MDOC's grounds for insecurity are based on safety and security concerns including, but not limited to:

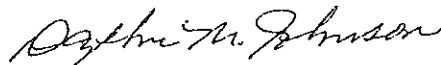
- Aramark has been running out of food for the prisoners and there have been excessive food substitutions as well as unauthorized food substitutions. Both of these situations are considered "food outages." As a result of the food outages on February 17, 2014, approximately 200 prisoners demonstrated at the Kinross Correctional Facility.
- Aramark employee turnover has been large and to date, the facilities have never been fully staffed with Aramark employees. Aramark inappropriately includes as "employees" those to whom offers of employment have been extended but who have not yet accepted or have been put to work.
- To date, 32 Aramark employees, approximately 10%, have been placed on "Stop Order" for a number of issues including overfamiliarity with prisoners (love letters between Aramark employees and prisoners, Aramark employees having sexual relations with prisoners, etc.) and trying to smuggle unauthorized items into the prison (cell phone, etc.). See the enclosed.
- Aramark employees are inadequately trained for working in MDOC facilities, they have on-going food-ordering shortages and lack proper portion control when serving food, which has resulted in running out of food for prisoners.

- Aramark employees have a lack of tool control, specifically knives and a whisk, which is very dangerous as these items have come up missing.
- Aramark employees are not documenting and checking the temperature of the dishwasher, hot-box, coolers and all items requiring documentation. Failure to maintain and document the proper temperature to ensure sanitation standards on these critical tools are health violations under the Hazard Analysis of Critical Control Point (HACCP) and can lead to food-borne illnesses.

These matters have been referred to the attention Michael Flesch, Vice-President of Operations at least weekly if not more frequently, since this contract began. Additionally, MDOC Director Daniel H. Heyns spoke with you on February 18, 2014 regarding the MDOC's concerns and you replied that, "We know we have to do better." Although well-meaning, this statement is insufficient.

As recently as February 22, 2014, 120 prisoners at the St. Louis Correctional Facility (SLF) did not receive their scheduled breakfast when Aramark ran out of waffles and sausage. Instead, these prisoners were served bread and peanut butter. However, after the food line was finished, the prisoner workers in the kitchen received waffles and sausage to eat. On this same day at the Ojibway Correctional Facility (OCF) approximately half way through the 6-Unit being served chicken salad, the salad changed from a mixture that was mostly chicken with small amounts of celery and salad dressing to a mixture that was more than 50% lettuce, with a sprinkling of chicken and salad dressing. This caused an environment of a hostile nature with the prisoners who were being served the new mixture. When this matter was discussed with Aramark employees at the end of the food service, they admitted that the first prisoners served were served portions that were too large and this created the food shortage. Moreover, one of my staff was at the Women's Huron Valley Correctional Facility yesterday and met with six Aramark employees who said that they were only given "8 hours" of computer based training before they started their assignment at the facility. They knew nothing about MDOC policy, procedure, and work rules, had no idea how to interact/not interact with prisoners, how to respond in case of an emergency, etc. and none of them had ever worked in a correctional facility or had prior correctional experience. This lack of training is unacceptable, dangerous and creates safety and security issues.

Sincerely,



Daphne M. Johnson, M.P.A., J.D.
Administrator
Office of Legal Affairs

Encl.

c: Daniel H. Heyns, Director
Randall W. Treacher, Chief Deputy Director
Thomas Finco, Deputy Director, CFA
Russ Marlan, Administrator, Executive Bureau
Kevin Weissenborn, Manager, Contracts
Jeff Brownlee, Chief Procurement Officer, DTMB
Michael Flesch, Vice President of Operations, Aramark
Mark Adams, CFO, Correction Division, Aramark