

STREET EATS LIMITED TEMPORARY FOOD SERVICE OPERATOR APPLICATION

INTRODUCTION

Thank you for your interest in the Street Eats Limited temporary food service operator program (the “Temporary Operator Program”). Please review this Application carefully. **If you would like to apply, there is a non-refundable \$50.00 application fee (check or money order) that must accompany your completed application. Applications will not be processed without the application fee.**

Under the Temporary Operator Program, we grant independent operators the right to operate mobile food service carts, kiosks and trailers (“Food Service Units”) at national retail locations. The rights are granted under “master” agreements that we enter into with the national retailers. The rights granted are temporary in nature in that each placement may be terminated by us or the operator, on short notice (usually 30 days or less).

We deal only with Food Service Unit operators. We do not deal with franchisors, management organizations, placement organizations or others who would transfer or “broker” placements that we award. To be clear, the rights that we award may be used only by the person(s) to whom we award them and may not be sublicensed, subcontracted, sublet or otherwise transferred or assigned to any other person(s).

Please review this Application carefully. If you are interested in applying for participation in the Temporary Operator Program, please complete the questionnaire found on pages 5 – 7 and then sign and return this Application to us.

The completed application should be returned to Street Eats Limited at 4000 Olson Memorial Highway, Suite 404, Minneapolis, MN 55422. Faxed applications will no be accepted. Requests regarding the status of your applications must be mailed to the above address or faxed to 763-287-7444 as they will not be accepted over the telephone.

APPLICATION AND CONTRACTING PROCESS

If you would like to apply for participation in the Temporary Operator Program, please complete the questionnaire found on pages 5 – 7 and then sign and return this Application to us. Please be sure to keep a copy for your records.

If we find your Application of interest, we may keep it on file for consideration if the opportunity to place a Food Service Unit at a location that you identify arises. If we determine to award a placement to you, we will so notify you in writing. At that time, we will provide you a written Food Service Operator Agreement and a copy of our Operations Manual for your review. If you find that Food Service Operator Agreement and that Operations Manual acceptable, you will sign and return the Food Service Operator Agreement to us. If we decide to complete the placement, we will then sign the Food Service Operator Agreement and return a copy to you. It is only at this point that a placement will have been awarded.

Please be sure that you understand this process. Your completion and return of this Application to us will not guarantee you any placement. Additionally, our submission of a Food Service Operator Agreement to you for a particular location will not constitute an award of that location to you. Again, a location will have been awarded to you only when we have signed a Food Service Operator Agreement with you for that location. Until that time, you may have no assurance that a location will be awarded to you and you should not take any action in preparation to operate at any location.

Our application and review process will typically take a minimum of 2-6 weeks and may take longer due to obtaining corporate approval. We anticipate that you may contact us from time to time to inquire as to the status of your Application or the availability of a location. We will always do our best to answer any questions that you may have. However, nothing that we tell you will constitute the award of a location to you. Again, a location will have been awarded to you only when we have signed a written Food Service Operator Agreement with you for that location.

Until and unless you are directed to do so by us, you should not contact the management of the retail stores that you identify in this Application. Such contact only makes our process more difficult and may cause us to disregard your Application.

MINIMUM REQUIREMENTS

In order to operate in the Temporary Operator Program, you must meet (or be able to meet) the requirements set forth below (in addition to any requirements which may be set forth in your Food Service Operator Agreement). These requirements are also found in our Temporary Food Service Operations Manual which can be reviewed on our website at www.streats.net. Please do not submit this Application to us if you do not or cannot meet these requirements.

1. You must have at least 2 years experience in the Food Service Industry.
2. You must own or be able to acquire the Food Service Unit that you intend to operate.
3. Your Food Service Unit must be professionally manufactured by an established and reputable manufacturer within the mobile food service industry and must be NSF certified/listed.
4. You must have the financial ability to bear the costs associated with the operation of your Food Service Unit, including the costs of:
 - A. Employing all necessary personnel;
 - B. Acquiring all necessary equipment;
 - C. Acquiring all necessary permits and licenses;
 - D. Acquiring and carrying sufficient inventory;
 - E. Installing your Food Service Unit at its location;
 - F. Keeping your Food Service Unit in a “first class” and new or like new condition;
 - G. Paying us the fees and charges which will be due under your Food Service Operator Agreement; and
 - H. Carrying the insurance coverage that will be required under your Food Service Operator Agreement (we will require a minimum of \$2,000,000 in comprehensive general liability coverage). Street Eats Limited and the National Account must be listed as “additional insureds.”
5. You must be certified under the ServSafe program or a similar and equivalent program.
6. No one associated with you may be employed with the national retailer at the location in which you operate.
7. You acknowledge that it is your policy to conduct background checks on all employees working for you at any facility placed at the national retailer’s location.

OPERATIONAL INFORMATION

Information regarding the manner in which Food Service Units must be operated under the Temporary Operator Program is set forth below. Please do not submit this Application to us if any of this information is objectionable to you.

Food Service Units

1. The type and appearance (size, color, configuration, etc.) of the Food Service Unit must be approved by us in writing. Once a Food Service Unit has been placed into operation, no change may be made to its appearance without our prior written consent.
2. The Food Service Unit must be new or in like-new condition. The exterior of the Food Service Unit must be cleaned, repaired and repainted or resurfaced, as determined by us, to keep the Food Service Unit in like-new condition.
3. No signage of any type may be displayed on or at the Food Service Unit unless that signage has been approved by us in writing. In no event may any signage displayed on or at the Food Service Unit contain our name or the name of the national retailer or any trademark, service mark, logo or other commercial symbol owned by or associated with us or the national retailer.
4. The Food Service Unit must be located outside the retail store at which it is operated unless otherwise agreed by us in writing.
5. The specific area at which the Food Service Unit is operated is subject to change without advance notice.

Fees

1. We charge either a monthly fee based upon location, volume, geographical market and competition or a percentage of net sales. We may also charge fees for utilities.
2. Fees are due us on or before the first day of each month and must be accompanied by our standard form operating statement.
3. Fees are not abated by reason of inclement weather or other conditions which may result in the Food Service Unit being inoperable.
4. Fees may be reviewed annually and can be subject to change at our discretion.
5. Fees may also be adjusted from time to time to reflect changes in customer traffic.
6. We require an advance deposit as security for fees to be paid.
7. We require a fifty dollar (\$50.00) non-refundable application fee (check or money order).

Days/Hours of Operation

1. Food Service Units must be operated 7 days a week, unless we agree otherwise in writing.
2. Operating hours must be tied to the business hours of the retail store at which the Food Service Agreement is operated for maximum sales potential.

3. Time off for vacations or maintenance must be reported to us at least 30 days in advance. In the case of vacations, arrangements must be made for an employee to work at the Food Service Unit and we must be notified as to how to contact that employee.
4. If a Food Service Unit will not be operated on any day because of sick leave, family emergency or like circumstances, we must be advised as early in that day as is possible.

Menu

1. The Food Service Unit must provide easy to carry food such as hot dogs, chips, pretzels, cookies, soda, etc.
2. Each operator is allowed to establish a menu that meets the demand for the market, but that menu may not be exclusively ethnic.
3. All menu items must be approved by us in writing in advance.
4. Like-size soda, sold as a single unit, must be priced five cents (\$.05) higher than the vend price of any public soda machines located at the retail store at which the Food Service Unit is operated.
5. Value meals, kids meals, senior discounts and other daily and/or weekly specials are encouraged. Plans for these types of programs should be included in your responses to the questions found on pages 5 - 7.

Dress Code

All persons working at the Food Service Unit must:

1. Wear a collared shirt with sleeves (short sleeves are acceptable, tank tops and bikinis are not);
2. Wear only knee length, hemmed, walking shorts, if shorts are worn (cut offs are not permitted);
3. Wear casual pants (pants with holes or that are fraying are not allowed);
4. Wear gloves at all times when handling food, and change any gloves which come into contact with anything other than food;
5. Tie back or otherwise contain hair that extends one inch or more below the ear;
6. Wear full sized aprons at all times;
7. Wear hats that advertise the name of the food service operation or products sold at the Food Service Unit; and
8. Otherwise wear clothing that is neat and clean and which projects a professional image.

QUESTIONNAIRE

If you wish to submit this Application to us, please provide us the information requested below. Please note that we are not in a position to treat any information that you provide us in a confidential manner.

1. What is the name of your business you intend to operate from a legal perspective.

2. Please indicate whether you are a: ___ sole proprietorship, ___ corporation, ___ limited liability company, ___ partnership, ___ other (please explain): _____

3. What is your Federal employer identification number? _____
4. If you are not a sole proprietorship, in what state is your business incorporated/organized?
_____ When was it incorporated or organized? _____
5. What is your address? _____
6. What is your phone #? _____ mobile #? _____ fax #? _____
7. What is your email address? _____
8. If you are not a sole proprietorship, please identify all of your officers, directors, managers, governors, shareholders, members or partners. For each person listed, please identify the status of that person within your organization, i.e., is that person an officer (if so, please specify his or her title), director, manager (please specify title), governor, shareholder, member or partner.

<u>Name</u>	<u>Address</u>	<u>Status</u>
_____	_____	_____
_____	_____	_____

9. Please list the locations in which you are interested. Please note that you will only be considered for these locations. **Remember to do your due diligence prior to completing this application and check with your local municipalities for restrictions, if any, on outside food service; and for general requirements.**

<u>Retailer</u>	<u>Store Number</u>	<u>Address</u>
_____	_____	_____
_____	_____	_____

10. What type of Food Service Unit do you propose to operate? _____

Is it NSF certified / UL listed? _____ Yes _____ No. (If you are unsure, please visit www.nsf.org for information on NSF equipment standards and www.ul.com/regulators and under the related links section click on "The UL Mark" for UL equipment standards).

Please attach: A diagram of the Food Service Unit; A short description of the Food Service Unit's specifications (i.e., electrical, propane, burners and refrigeration); and Photographs of the top, front, side and rear views of the Food Service Unit.

11. If you do not currently own the Food Service Unit that you propose to operate, where will you acquire that Food Service Unit?

12. Where will you store your Food Service Unit when it is not in operation (typically, you will not be able to store it at the retail store at which it is operated)?

13. Please describe how and where you will restock items during peak business hours.

14. Do you operate out of a commissary? Yes No

Note: A commissary is a food service establishment or any other establishment where food and/or supplies are stored, prepared or packaged, where utensils are sanitized, and waste water from the vehicle is discarded.

15. Please attach the menu that you propose to use. Please include all products to be offered and indicate all portion sizes, quantities, brands and selling prices.

16. Please identify all other locations at which you operate (or have operated) Food Service Units:

<u>Location</u>	<u>Dates</u>	<u>Type of Unit</u>	<u>Reference (name & phone number)</u>
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17. Have you or any of your officers, directors, managers, employees, shareholders, members or partners ever been convicted of, or entered a plea of guilty or nolo contendere to, a felony criminal charge? Yes No.

If yes, please explain: _____

18. Please attach a brief statement, in letter or resume format, of your qualifications and your experience in the mobile food service industry. Please include three business references.

SIGNATURE

If you wish to submit this Application to us, please read and sign the certification and agreement set forth below. In that certification and agreement, the terms “I” and “we” mean both the person signing below and the applicant named in this Application.

I hereby certify and agree that:

1. I have read this Application carefully and I understand its contents;
2. To the best of my knowledge and belief, the information provided to Street Eats Limited herein and herewith is true, accurate and complete in all material respects;
3. I will treat any information that Street Eats Limited provides me with respect to the Temporary Operator Program confidentially and will use such information solely for the purpose of participating in the Temporary Operator Program;

Without limiting the generality of the foregoing, if Street Eats Limited sends me a copy of its Operations Manual, I will treat the contents of that Operations Manual confidentially. I understand that Street Eats Limited is under no obligation to treat any information that I provide to it in a confidential manner

4. I understand that my signature grants permission to contact consumer credit reporting agencies, commercial credit reporting agencies, to conduct a criminal background check, and to contact bank and trade references as necessary.

Dated: _____

Signature

Social Security # _____

(Type or Print Name)

Date of birth _____

The following items must accompany your completed application. Your application will not be processed without these items. Please check each box as it is completed.

- A non-refundable \$50.00 application fee (check or money order)
- Color photographs of the food service unit you intend to operate.
- Please enclose a menu that you propose to use.