



KEITH B.W. KING  
CHIEF LEGAL AND TALENT OFFICER

April 6, 2015

**VIA FEDERAL EXPRESS**

Ronald H. Villa  
Deputy Chief Operations Officer  
City of San Diego  
Internal Operations Branch  
202 C Street  
San Diego, CA 92101

Dear Mr. Villa:

We are in receipt of your March 30, 2015 transition plan letter. We agree that a smooth and seamless transition is best for all involved, and as such, have been diligently working with the apparent new concessionaire Delaware North ("DNC") to achieve exactly that prior to receipt of your correspondence.

In fact, your consultant (I assume at your request), contacted Centerplate's CEO several weeks ago requesting an itemized inventory list for DNC which was immediately prepared and forwarded. Further, on March 24, 2015, I spoke with Cybele Thompson from your office and advised the same.

So I am clear, are your inquiries being made on behalf of the City of San Diego or DNC, or both? Either way, below, please find substantive responses to your inquiries:

First, a detailed inventory list was previously provided to the City during the RFP process, and notwithstanding this, Centerplate has been and continues to work with its DNC counterpart throughout this process. As always, Centerplate will also adhere to all terms and conditions of the existing contract with the City.

Second, Centerplate will continue to work with DNC (and the City, as applicable) to determine what, if any, of its equipment it is able to sell to DNC (assuming DNC finalizes its agreement with the City).

Third, DNC is free to interview any and all Centerplate employees after Centerplate vacates the stadium on April 15 and we would encourage them to do so.

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Fourth, Centerplate has cleaned all of its areas pursuant to the contract and will continue to do so, and as stated above, remains in constant communications with DNC (and the City's stadium general manager).

Fifth, while the City and its consultant retained to conduct the RFP have reached out to Centerplate to obtain an itemized inventory list for DNC, this company previously provided the list and has been working with DNC representatives. To date, however, Centerplate (despite all of these requests and previously supplying the list), has not received a bona fide offer to purchase the inventory.

Last, several recent news articles appear to raise even more questions regarding the manner and means by which DNC was selected to be the new foodservice provider for Qualcomm stadium.

As previously mentioned, Centerplate has been the foodservice provider at the stadium since 1967. For Centerplate to receive notice from the committee at 10:00 p.m. on Monday, March 9th that the City had selected DNC as the new foodservice provider was both disappointing but also highly unusual under the circumstances. Frankly, it only served to call into question the entire selection process itself.

As you know, during the 90 minutes allotted to Centerplate for its presentation, not one member of the selection committee asked a single question regarding any one of the five different financial proposals put forth by Centerplate in its RFP response. Nor was Centerplate ever asked whether it would match or beat any other offer that appeared to be "very aggressive" or otherwise.

Further troubling are the recent allegations raised about DNC's lobbyist and his apparent connection to the Mayor's office. The fact that the committee failed to ask Centerplate a single question regarding any one of its five financial proposals and that during Centerplate's presentation, at least one of the committee members in attendance unexpectedly and without explanation left the presentation only to return a short while later, only serves to call the entire selection process into question.

Also, at no time was Centerplate advised that it could bring food exhibits into the presentation (as DNC apparently was able to do) as we were advised there was to be no food sampling. In fact, and more specifically, the City's general manager advised Centerplate representatives not to bring food samples as it could be viewed as "an unfair advantage" to the company (at least one other City official along with the consultant advised Centerplate that food sampling would not be permitted at the presentation). So the question remains, why would the committee permit DNC the opportunity to create, as the City's general manager put it, "an unfair advantage" while instructing the competition otherwise?

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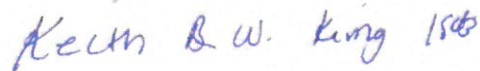
As the valued foodservice provider at Qualcomm stadium since 1967, we remain committed and will take all the necessary steps to ensure a smooth and seamless transition. We do, however, believe that given the recent developments and the facts and circumstances surrounding the RFP process, serious questions remain relating to the selection process itself.

Given that Centerplate is currently scheduled to vacate the stadium on April 15th and that 800+ employees could be negatively impacted, time is of the essence. As such, Centerplate respectfully requests a status as to where the talks currently stand with DNC regarding the new contract and whether anyone from the City, including the City Attorney's office, is reviewing the process and manner of the RFP and/or any potential legal or ethical issues raised by any apparent political ties?

Again, we agree that a smooth and seamless transition is best for all parties here and Centerplate has taken, and will continue to take, all of the necessary steps to realize the same should that be the final determination.

Nothing contained herein shall be deemed a waiver and/or relinquishment of any rights or remedies currently possessed by Centerplate.

Very truly yours,



Keith B.W. King

cc: Scott Chadwick, Chief Operating Officer  
Cybele Thompson, Director, Real Estate Assets Department  
Mike McSweeney, Stadium Manager, Real Estate Assets Department  
Honorable Mayor Kevin Faulconer  
San Diego City Council

