



*Reimagine*  
YOUR RESTAURANT

#foodservicestrong

Sysco | iCARE



We are here for you. Sysco Marketing Services is here to support you during this uncertain time. We can help with tools, tips, and products that Sysco has available for you to continue to maintain your business – including carry-out and delivery menus, social media messaging, and more. Call us at 1-800-380-6348 for assistance.

# Sysco Exclusive Info Session



**Sheri Pastor | Chair**  
*Insurance Recovery,  
Litigation & Counseling  
Practice  
McCarter & English*



**Cynthia Keliher | Partner**  
Real Estate Practice  
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**Bruce Barnes | Menu Expert**  
Sysco Corporation

# Agenda

- Insurance Update
- Dealing With Your Leases in Age of COVID-19
- Insights from Sysco on Preparing Your Menu For The SnapBack

# Insurance Update

Sheri Pastor

Chair

McCarter & English

# Insurance Update

## Pollution Liability Policies

Consider pollution policies, particularly in light of insurer positions on property coverage

Insurer agrees to pay loss resulting from “**claims**” and “**first-party claims**” arising out of: 1) a “**pollution condition**” on, at, under or migrating from a “covered location”; or 2) an “indoor environmental condition” at a “covered location” . . .

Pollution condition means the **discharge, dispersal, release, escape, migration, or seepage of any** solid, liquid, gaseous or thermal **irritant, contaminant, or pollutant**, . . . on, in, into, or upon land and structures thereupon, the atmosphere, surface water, or groundwater.

# Insurance Update

## Legislation

States have pass or are considering laws granting businesses immunity from civil liability for claims relating to COVID-19

- Not absolute  
E.g., NC (no bar for regulatory actions, criminal charges or workers' compensation claims, and offers no immunity for gross negligence, recklessness or intentional infliction of harm)
- Likely requires adherence to applicable laws and guidance  
E.g., CDC guidelines for sanitizing  
<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>

# Dealing With Your Leases in Age of COVID-19



**Cynthia B. Keliher**

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# Tenant Issues to Consider

- Has Landlord closed the building where the Tenant's workplace is located?
- Is the building closure mandated by the government?
- Is closure of Tenant's workplace mandated by the government?
- Has closure of Tenant's workplace affected business operations?
- Does Tenant carry business interruption insurance?

# Applicable Lease Provisions

## A. Independent Covenants

- Obligation to pay rent without setoff or deduction.

## B. Possible relief provisions for Tenant

- Abatement provisions
- Force Majeure
- Compliance with laws
- Casualty
- Condemnation
- Interruption of Services
- Right of Quiet Enjoyment
- 24/7 Access to Premises
- Maintenance of Common Areas

# Applicable Lease Provisions

## C. Landlord Position

- Leases typically require Tenant to pay rent without setoff or deduction
- Needs Lender consent to modify leases or grant any rent concessions
- Need to pay Real Estate Taxes
- Rules and Regulations
- Security
- Compliance with Laws

## D. Other Issues

- Delivery date
- Construction of Tenant Improvements
- Holdover

# Common Law Rights

- Impossibility – A party can be excused from performing under a contract when it becomes impossible to perform as a result of an unanticipated event which it did not cause. Inability to pay usually does not excuse performance.
- Frustration of Purpose – If a party's principal purpose is substantially frustrated by unanticipated changed circumstances, that party's duties are discharged and the contract is considered terminated. Unprofitability usually does not excuse performance.
- Impracticability – A fact or circumstance that excuses a party from performing an act, especially a contractual duty, because (though possible) it would cause extreme and unreasonable difficulty. For performance to be truly impracticable, the duty must become much more difficult or much more expensive to perform, and this difficulty or expense must have been unanticipated.

# Tenant's Options

- Pay rent as required under the lease.
- Pay rent but send reservation of rights letter.
- Withhold rent.
- Review insurance policies to determine if there is any coverage.
- File insurance coverage claim to preserve rights regardless of language of policy.
- Review SNDA – Does tenant need to notify lender prior to withholding rent?

# Real Estate

## ■ Consequences of Withholding Rent

- Landlord may declare a default under the lease.
  - Default may trigger clawback of free rent.
  - Default may terminate renewal, expansion, purchase, right of first refusal or other rights under the lease.
  - Landlord may terminate the lease.
  - Landlord may pursue an eviction (but many Landlord/Tenant courts closed for now).
  - Some states allow self-help without judicial action.
- Landlord may realize on security.
- Landlord may pursue any lease guarantor (corporate or individual).
- Does a default under the lease trigger a default under credit facilities for the tenant or any lease guarantor?

# Real Estate

## ■ Practical Resolutions

### • Government Relief

- Pending legislation providing that closures due to COVID-19 closures are covered under business interruption policies. Insurance companies are sure to challenge any such statute.
- Some jurisdictions may prohibit evictions due to COVID-19 issues.
- Is Tenant eligible for Small Business Administration loans or any local government grants relating to COVID-19 losses?

### • Negotiate with Landlord and Lender

### • Amend Lease

### • Litigation

# Going Forward: How Will Leases Look?

A. Knowing your Landlord and Tenant

B. Operational Excellence

- HVAC Specifications
- Cleaning Specifications
- Elevator
- Density Requirements
- COVID-19 Control Plan

# Going Forward: How Will Leases Look?

## C. Term

- Length
- Contraction Rights
- Expansion Rights
- Exit Strategies

## D. Subleases

## E. Operating Expenses

## F. Interruption of Services

## G. Force Majeure

# Insights from Sysco on Preparing Your Menu For The SnapBack

Bruce Barnes  
Menu Expert  
Sysco Corporation

# Reimagining Your Menu

As you reopen your business and dine-in services, you will need to most likely reimagine and re-engineer your menu to meet the new expectations of your customers. Single-use, easily sanitized, digital display or contactless menus are recommended (or in some cases required) and serve as a clear indication of your commitment to safety and sanitation.

- ❑ Consider streamlining your menu and reducing offerings to those items that are profitable, popular, easy to prepare and portable
  - Determine those items you can utilize across multiple dishes
  - This will also help with your inventory and lower your overall food cost
- ❑ Review current item costs and make pricing adjustments based on current market conditions
- ❑ Consider changing format to single sheet, disposable paper menu or viewing online for best safety and sanitation practices
- ❑ Continue to offer carry-out, delivery, and other enhanced services, such as meal kits, family packs, value meals, take & bake options and specialty items
- ❑ Introduce or enhance online ordering capabilities for the dine-in guest at the table
- ❑ Single use menus, synthetic, or QR Code to pull up menu on guest's phone or tablet for contactless ordering
- ❑ Create or continue with your on-site pop up shops or virtual "marketplace" to sell your signature items and other essentials

## Reengineer Your Menu for *Snap-Back!*

### Manage Your Menu Content – 4P's of Menu Engineering:

#### PROFITABILITY

- Review current item costs and make pricing adjustments based on current market conditions.
- Identify areas where you can switch out ingredients to enhance profitability without compromising quality.

#### POPULARITY

- Feature your signature items – what are you famous for?
- Review past history or competitive analysis for key offerings.

#### PREPARATION

- Select items that require limited preparation and assembly.
- Cross-train your kitchen staff for maximum efficiency.
- Review and reduce your inventory to minimize stand-alone items and excess stock.

#### PORTABILITY

- Ensure your items package and travel well – maintaining their quality and freshness.
- Invest in the proper carryout containers to maintain temperature and presentation to most closely mirror dine-in experience.

# Contactless & Disposable Menus on the rise



## QR codes link customers to your:

- Contactless dine-in menu
- Online ordering for carryout and delivery
- Website, social media, and image gallery
- LTO's, special features, and promotions
- Virtual "marketplace" to sell signature items, family-style bundles, and take & bake meals

Don't have a website, online ordering, or delivery services in place? Contact us – we are here to help!





# New Expectations

[Foodie.Sysco.com/snapback](https://Foodie.Sysco.com/snapback)

#foodservice**strong**

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# Marketing to the New Norm

Staying connected with your guests has never been more critical than it is now. Traditional ways of communicating with your guest that dine in have changed overnight and are no longer effective. Inform your customers of the safety standards and sanitation protocol you have implemented to reassure them that their safety is your number one priority

## **Create EXCITEMENT!**

- Communicate frequently and authentically with your customers via your website and social media.
- Utilize banners and posters for interior and exterior signage to clearly convey your message

## **Social Media**

- Post often (We Missed You, Welcome Back, Thank You for Supporting Us, Safety Practices, Live Videos)
- Be responsive

## **Website**

- Online orders
- Menu, takeout, delivery, and curbside offerings

[Foodie.Sysco.com/snapback](https://www.foodie.sysco.com/snapback)

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# Marketing to the New Norm

Pop-Up Shop – speak to it, advertise, include in online ordering, etc.

Provide special incentives:

- Loyalty cards for every guest
- Discounts to those in-dining guests for a food purchase of \$x amount
- Offer daily meal deals – guests will be looking for value
- Provide incentive for curbside pickup saving your guest the fees plus saving you the 3<sup>rd</sup> party fee
- Offer gift cards if you are not currently
- Email your customers often

[Foodie.Sysco.com/snapback](https://www.foodiesysco.com/snapback)



**We take the safety  
of our customers and  
employees seriously.**



We're following strict public health guidelines by frequently wiping down and sanitizing surfaces, as well as providing guests with sanitation products when in our establishment.

The staff of Main Street Café values our customers and appreciates your support!



**This area is cleaned  
every 2 hours.**

The staff of Main Street Café values our customers and appreciates your support!



**Condiments are  
provided by request  
and sanitized after  
every use.**



The staff of Main Street Café values our customers and appreciates your support!



## CARRYOUT & DELIVERY MENU

Call 515-989-0138

### APPETIZERS

#### Cheese Sticks

Served with a side of red sauce 8.99

#### Fried Ravioli

Meat, cheese, or combo 9.95

#### Cheese Bread

Garlic cheese bread with a side of red sauce 7.99

#### Pickle Fries

Served with a side of ranch 8.99

#### Wings

8 wings with your choice of buffalo, BBQ, garlic parmesan, sriracha bourbon, Asian gochujang or honey sriracha sauce 9.99

### SALADS

House, Italian, Ranch, Creamy Parmesan or French

#### House Salad

Spring mix, romaine and vegetables 8.99

#### Italian Chef

Capicola, salami and pepperoni tossed with fresh spring mix and romaine with vegetables 10.99

#### Chicken Salad

Grilled or crispy chicken over spring mix, romaine and vegetables 10.99

### SANDWICHES

choice of fries or pasta salad of the day. Fried peppers or banana peppers can be added to any sandwich

#### Meatball

homemade meatballs topped with red sauce and melted cheese on an Italian hoagie 10.99

#### Italian Grinder

Ground Braiziano's sausage topped w/ banana peppers and melted cheese. S/ Italian hoagie 10.99

#### Sausage Patty

Braiziano's Sausage Patty topped with n. banana peppers and melted cheese. S/ Italian hoagie 10.99

#### Italian Club

Grilled chicken breast, lettuce, tomato on aioli. Served on Ciabatta bread 10.99

#### Hamburger

Tomato, lettuce onion and pickle 9.99

#### Cheeseburger

American, Pepper Jack or Mozzarella with tomato, lettuce, onion and pickle 10.99  
Add bacon for \$1.99 \*

#### Italian Burger

Hamburger topped with Capicola, red sauce, Mozzarella cheese and banana peppers 10.99



ASK US ABOUT OUR TAKEOUT AND DELIVERY OPTIONS!

Please check out our take-out and delivery menu, and ask about our family style offerings.

Our professionally trained staff is working tirelessly to ensure your safety and well-being is top priority, as well as ensuring you're enjoying your favorite food at home!

Sysco In support of our values



1802 E 20TH PL  
SCOTTSBUFF, NE 69361-2707  
Monday-Saturday: 11am to 9pm  
Sunday: 11am to 8pm

(308) 575-0302

### APPETIZERS

Served with one dipping sauce. Extra sauce .50 each

Mozzarella Cheese Sticks - 8

Breaded Mushrooms - 8

Fried Green Beans - 8

Jalapeno Poppers - 8

Gizzards - 9

Hot Pepper Cubes - 8

Breaded "O" Ring Basket - 8

French Fry Basket - 8

Chips & Homemade Salsa - 8

Fried okra - 8

Spicy Pickle Spears - 8

Breaded Cheesy Cauliflower - 8

Nachos - 9. Add ground beef or chicken + 3.00

Steak add\* - 7.00

Munchie Basket - 11

### GOONIES FAMOUS WINGS

Bone-in or Boneless (6) 8.00 | (12) 12.00

Pick Your Flavor



WE ARE OPEN FOR CARRY OUT  
(308) 575-0302

OPEN Monday-Saturday

SI



1802 E 20TH PL  
SCOTTSBUFF, NE 69361-2707  
Monday-Saturday: 11am to 9pm  
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THANK YOU!

To thank you for your business, we're offering 20% OFF your future orders though the end of April!

CURB SIDE PICK UP AVAILABLE

### BURGERS

Fresh Hand Patted 1/4 Pounds. Served with fries or sweet potato fries. Substitute Onion Rings + 1.25 | Fried Mushrooms + 1.25 or Side Salad + 1.00.  
May substitute a Got Chicken Breast\* at no upcharge.

\*Award Winning Goonies Burger\* - 11

Classic\* - 9

Lettuce, Tomato, Pickle & Onion - 9

Add American, Swiss or Pepper-Jack Cheese + 1.00

Pineapple Cream cheese\* - 11

Meat Burger\* - 11

Green Chile\* - 11

Bleu cheese\* - 11

Swiss Mushroom\* - 11

Western Burger\* - 11

Down Home Burger\* - 11

The Wildcat Burger\* - 14 (2 patties)

Texas Burger\* - 11

Hawaiian\* - 11

Patti Melt\* - 10

Eggplant Burger\* - 11

### SANDWICHES

Triple Decker BLT\* - 10

Grilled Ham & Cheese - 10

The Cuban - 10

California Club - 10

Reuben - 10

Served with fries

### BASKETS

Chicken Strip Basket - 9

Shrimp Basket\* - 10

Fish & Chips Basket\* - 11

Bubbles (Rocky Mountain Oysters) & Fries - 11

### PHILLIES

Served with fries or Sweet Potato Fries. Substitute "O" rings + 1.25. Fried mushrooms + 1.25 or Side Salad + 1.00

### GOONIE'S FEATURED PHILLY CHEESESTEAK - 11

Hawaiian\* - 11

Bacon Cream Cheese\* - 11

Swiss cheese with sautéed peppers and onions - 11

Green Chile - 11

### STEAKS

Choice of two sides: Potato Wedges, "O" Rings, Fries, Sweet Potato Fries or Side Salad. Bake Potato (Friday & Saturday only)

Ribeye\* - 14.95

New York\* - 13.95

Top Sirloin\* - 12.95

Lat Iron\* - 12.95

\*Price may increase year-end of holiday season.

# Concierge is here to help.



## Sysco Marketing Services is here to help you reimagine your business with the steps for a successful **Snap-Back!**

As you move forward with reopening or expanding your services, it's important that you strategize your snap-back plan. This includes current safety and social standards, the power of an online and social media presence, and the creativity and resilience of your team!

### Our team of associates is available to assist you.

- Understand your local, state, and federal guidelines
- Communicate with your customers
- Streamline your business – smarter, faster, better!
- Rethink your business and expand your services
- Reconfigure your space and implement social distancing measures
- Connect with our service partners to setup a website, online ordering, and delivery services
- Gain access to helpful tools, such as Sysco | Studio

### Let's partner to create your menus and marketing.

- Limited menus for dine-in, carryout, and delivery
- Pop Up Shop menus and marketing
- Banners and signage to promote your safety and sanitation protocol
- Customer promotions and social media messaging



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For our *concierge* service, call 1-800-380-6348 or email [info@syscomenuservices.com](mailto:info@syscomenuservices.com)

# Concierge Service

## Our Concierge Service available to any customer

- Crisis Menus, Pop Up Shop/Marketplace, Social Media, Thank you cards and other restaurant marketing materials to ensure continuity
- Provide guidance on what you could be doing to promote your business
- Provide guidance and facilitate our iCare Partnerships available to our customers
  - Websites to facilitate Online ordering
  - Delivery
  - Gift cards, etc.

## For Marketing Services Help:

- **Call:** -1-800-380-6348 or
- **Email:** [info@syscomenuservices.com](mailto:info@syscomenuservices.com)