

MINUTES OF THE NINETY-FOURTH MEETING  
DECEMBER 22, 1954

Pursuant to call of the Chairman, the Ohio Turnpike Commission met in special open session in its offices at 139 East Gay Street in Columbus, Ohio, at 11:00 o'clock A. M. on December 22, 1954, with the key members of its staff, representatives of the Consulting Engineers, of the Trustee, members of the press, and others in attendance.

The meeting was called to order by the Chairman, the roll was called, and the attendance was reported to be as follows:

Present: Teagarden, Allen, McKay, Linzell, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

The Chairman announced that the Commission was meeting in special session because it had not been able, due to the intervention of a restraining order by the common pleas court of Franklin County, to take action on certain bids for the dispensation of gasoline and related products on Ohio Turnpike Project No. 1. He said that the last day for the consideration of those bids was December 23, 1954.

The Chairman said that the Commission had before it minutes of the meetings of August 24, 1954, and September 17, 1954, which had been considered by the members and that, if there were no objections, the minutes would stand approved. No objections having been voiced, the Chairman announced that the minutes of the meetings of August 24, 1954, and of September 17, 1954, stood as transcribed and submitted to the members.

The Chairman announced that the Governor of Indiana had invited the Chairman and representatives of the Commission to a meeting of other Commissions in his state on the 4th of January, 1955. He said further that he had replied on behalf of the Commission and had said that he,

the Executive Director, the Executive Assistant, and the General Counsel, hoped to attend. He said also that if any other members of the Commission were interested in going, the invitation included all of them. Mr. McKay asked what was the purpose of the meeting. The Chairman replied that the purpose was not quite clear. The Chairman then read a letter addressed to him from Governor Craig of Indiana under date of December 15, 1954, as follows:

"Mr. James W. Shocknessy  
Chairman, Ohio Turnpike Commission  
139 East Gay Street  
Columbus, Ohio

"Dear Mr. Shocknessy:

"Members of the Indiana Toll Road Commission and myself would be honored to have you or a representative of your Turnpike Commission as our guest at a meeting to be held January 4, 1955, at 12:00 noon, at Canyon Inn, McCormick's Creek State Park, near Spencer, (Owen County) Indiana.

"The purpose of the meeting is to discuss future plans for construction of toll and limited access highways. We want to lay the ground work for future toll or limited access road plans, and it is quite possible we would like for you to return to Indiana at a later date, at which members of the Indiana General Assembly would be invited to attend and be advised of these plans.

"We feel that it is proper for Indiana to be the host at the January 4 meeting because of the location of our state, which, in all probability, would serve as the hub for future construction of this type of highway. Will you please advise us as soon as possible whether you can attend or whether you will send one or more representatives to the January 4 meeting?

"Kindest personal regards and every good wish for the Holiday Season, I am

"Sincerely yours,

/s/ George N. Craig

"George N. Craig  
"Governor"

The Chairman reported that he had replied for the Commission to Governor Craig under date of December 16, 1954, as follows:

"The Honorable George N. Craig  
The Governor of Indiana  
Capitol  
Indianapolis 4, Indiana

"Dear Governor Craig:

"Your letter of December 15, 1954, with its invitation to attend a conference with you and the Indiana Turnpike Commission on January 4, 1955, at McCromick's Creek State Park, Indiana has been received. I will be happy to attend and I have planned tentatively to be accompanied by Major General Robt. S. Beightler, USA (Ret.), Executive Director of the Commission; Colonel Charles P. Smith, Executive Assistant to the Commission; and Frank C. Dunbar, Jr., General Counsel of the Commission.

"Best personal wishes,

"Respectfully yours,

/s/  
"James W. Shocknessy  
"Chairman"

The Chairman then read a letter from the managing editor of the Pittsburgh Courier under date of December 15, 1954, as follows:

"Mr. James W. Shocknessy  
Chairman, Ohio Turnpike Commission  
Columbus, Ohio

"Dear Mr. Shocknessy:

"This newspaper has been in receipt of an International News statement in which you blasted a reporter of The Courier for printing an article without fact nor foundation.

"As Managing Editor, I feel that it is my duty to explain to you that this newspaper does not condone irresponsible reporting from whatever source. I have instructed our Columbus office to contact you immediately to get a complete story from you, together with whatever photographs are available.

"I have also asked them to secure from you a statement as to the policy your commission is pursuing relative to Negro employment.

"You may rest assured that we will give your answer the same prominence we gave the original story.

"Again thanking you for giving this letter your earnest consideration, we are,

"Sincerely yours,

/s/ William G. Nunn

"William G. Nunn, Managing Editor  
"THE PITTSBURGH COURIER"

The Chairman reported that the letter from the Courier had been in the mail at the same time that the Director of Information and Mr. Larry Robinson of the engineering department and Mr. Edward J. Colston of the department of information and research had been in Pittsburgh conferring with the managing editor of the Courier on December 20, 1954. He said further that the Commission's representatives had had a very satisfactory conference and had agreed to deliver to the editor some of the pictures that the Chairman had mentioned the Commission would provide at the last meeting. He said further that so far as the statement in the letter on negro employment was concerned, the Commission did not have any policy with respect to negro employment. He said further that the Commission had a policy with respect to employment and that it did not have separate policies for negroes, or for whites, or for yellow, or for brown, or for anybody else. He said also that the Commission's policies were employment policies applicable to all human beings who might be available for employment by the Commission, based upon their abilities and integrity.

The Executive Director presented to the meeting bids that had been received for Contract SS-1, Contract SS-7, Contract SS-8, Contract TR-1, Contract TR-2, and Contract TR-3, and forms of contract documents for Contract ADM-1 together with his, the Chief Engineer's, and the Consulting Engineers' written advice and recommendations with respect to said forms of contract documents.

The General Counsel presented to the meeting proofs of publication of notices of the taking of all such bids, together with his letters of advice to the Commission with respect to them.

Resolution No. 193-1954

"WHEREAS there are before this meeting the plans and other forms of contract documents, to wit: Forms of notice to bidders, proposal, instructions to bidders, special provisions, and contract for contract ADM-1, which, in general terms, is a contract for the construction of an administration building for the Ohio Turnpike Commission at Strongsville in Cuyahoga County;

WHEREAS the Commission's consulting engineer, chief engineer, and executive director have recommended that the aforesaid forms of contract documents before this meeting be approved; and

WHEREAS the Commission has duly and fully considered said documents and said recommendations;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the plans and other forms of contract documents before it at this meeting for the aforesaid contract; provided, that any changes which are in the nature of adding or changing headings, captions, and style of writing or printing, or correcting typographical, clerical, or arithmetical errors, may be made upon the authority of any one of the executive director, chief engineer, or general counsel; and

FURTHER RESOLVED that the Commission's executive director or chief engineer shall take and open bids for the aforesaid contract and report the results thereof to the Commission."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Linzell, McKay, Teagarden, Allen, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 194-1954 authorizing the Executive Director to enter into contracts on behalf of the Commission for the furnishing of ambulance service and the approval of documents for said contract was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, as follows:

Resolution No. 194-1954

"WHEREAS there is before this meeting a form of contract being for and in connection with the rendition of ambulance services to turnpike patrons and others who may need same on the Eastgate Section of Ohio Turnpike Project No. 1; and

WHEREAS the Commission has duly and fully considered the same;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the form of contract before it at this meeting, being for and in connection with the rendition of ambulance service to turnpike patrons and others who may be in need of same within the Eastgate Section of Ohio Turnpike Project No. 1; and

FURTHER RESOLVED that each of the chairman and the executive director be, and each of them hereby is, authorized, on behalf of the Commission, to enter into contracts for the rendition of the aforesaid services, and that such contracts may be modified from time to time as provided in §11 thereof; provided that such contracts and any modifications thereof agreed to from time to time shall be approved by the Commission's general counsel."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Teagarden, Allen, McKay, Linzell, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The General Counsel reported that the common pleas court of Franklin County had determined that the temporary restraining order granted the Sun Oil Company should be dissolved and that the court was not going to issue a preliminary injunction which had been the issue before it.

The Chairman said that the Commission could proceed to take action on the bids for the dispensation of gasoline and related products on Ohio Turnpike Project No. 1.

Mr. Allen read a report entitled "Report of Committee on Service Facilities Re Award of Contracts SS-1, SS-7, and SS-8 Upon Bids Received December 3, 1954," dated December 22, 1954, as follows:

"Everything that was stated on the first five pages of the committee's report dated November 4, 1954, re the award of Contracts SS-1 and SS-8 upon bids received October 31, 1954, is pertinent to this report, and is incorporated herein by reference, to avoid repetition and undue length.

"Pursuant to the mandate of the commission contained in its resolution No. 163-1954, bids were received and opened on December 3, 1954, for contracts for the lease and operation of three pairs of service stations on Ohio Turnpike Project No. 1, these being the pairs at the dual service plazas which have been designated, respectively, as Nos. 1, 7, and 8. The contracts with respect to these service stations are denominated, respectively, Nos. SS-1, SS-7, and SS-8.

"The terms of the contracts for which bids were received were identical in all substantive respects with those for which bids were received on October 21, 1954, except that the operator under each of the contracts for which bids were most recently received are required to offer for sale at each service station both 'regular' and 'premium' grades of gasoline.

"Eight oil companies submitted bids, the total number of bids received for the contracts for the three pairs of stations being 19.

"During the period since the bids were received, they have been scrutinized and analyzed by members of the committee, staff officers, and other personnel of the commission, and the commission's consulting engineer. This they have done in order to enable the committee to formulate recommendations upon the basis of which the commission may be enabled to comply with its statutory mandate to award these contracts to those bidders whose bids, in consideration of the public interest, are determined by the commission to be the best bids received. As the committee pointed out in its report of November 4, 1954, all other things being equal, a higher bid is a better bid than a lower one. The committee has considered, of course, the qualifications of the respective bidders from the standpoint of their financial capacity, experience, personnel, and physical resources.

"The highest bid for Contract SS-1 is that of Sinclair Refining Company, which bid 6.12¢ per gallon. This bid is, incidentally, identical to the bid for this same contract which was submitted by Sinclair on the first round of bidding. Your committee considers Sinclair Refining Company to be qualified to perform this contract, and recommends award to it.

"the highest bid for Contract SS-7 is that of Cities Service Oil Company, in the amount of 7.15¢ per gallon. This bid is 0.35 higher than the highest bid of 6.8¢ per gallon, which was received for this contract on the first round of bidding. The committee considers Cities Service Oil Company to be qualified to perform the contract, and, accordingly, recommends award of it.

"The highest bid for Contract SS-8 is that of Cities Service Oil Company, in the amount of 7.01¢ per gallon. However, award may not be made of this contract to this bidder, if it be awarded Contract SS-7, as above recommended, for the commission provided in soliciting these bids that no contracts for the operation of adjacent pairs of stations would be awarded to a single bidder. This requires that the commission either reject all bids for Contract SS-8 (if it shall adopt the prior recommendations of the committee) or make award to some other bidder for Contract SS-8. The second high bidder for this contract is Sinclair Refining Company, at the bid price of 6.18¢ per gallon. The committee



considers this company to be qualified to perform this contract in addition to Contract SS-1. After full consideration, the committee is of the opinion that it will be in the best interests of the commission and of the public that Contract SS-8 be awarded to Sinclair Refining Company, and it so recommends.

"The members of the committee concur unanimously in this report.

"Respectfully submitted,

/s/ A. J. Allen

"A. J. Allen  
Chairman"

The Chairman thanked Mr. Allen for his report. He then asked the General Counsel to advise the Commission whether or not it might proceed to make the awards pursuant to the bids which it had received. The General Counsel replied that the Commission might do so.

Resolution No. 195-1954 awarding contract SS-1 was moved for adoption by Mr. McKay, seconded by Mr. Teagarden, as follows:

Resolution No. 195-1954

"WHEREAS the Commission has advertised, according to law, for bids for the performance of the said contract have been received and were duly opened and read on December 3, 1954, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and as well by the Commission's special committee on service facilities, and the committee on service facilities has tendered its recommendations in the form of a written report with respect to said analyses and said committee has therein made its recommendations predicated thereon;

WHEREAS all of the aforesaid bids for said contract were solicited on the basis of the same terms and conditions with respect to all bidders and prospective bidders;

WHEREAS the bid of the Sinclair Refining Company of 6.12¢ per gallon is the highest, and has been determined by the Commission to be, in consideration of the public interest, the best of all the bids received for said contract, and the Commission has been advised by its general counsel that said bid conforms to the requirements of all applicable statutes and to the terms and conditions in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the best bid for the performance of said contract; and

WHEREAS the Commission is satisfied with the capacity and ability of the aforesaid bidder to perform its obligations pursuant to its bid;

NOW, THEREFORE, BE IT

RESOLVED that the bid of Sinclair Refining Company, offering to pay the Commission the sum of 6.12¢ per gallon on all motor fuel sold on service plaza No. 1 be, and it hereby is, determined to be the best of all said bids and is accepted; and that each of the chairman and the executive director be, and each of them hereby is, authorized to execute a contract with the successful bidder heretofore prescribed by the Commission pursuant to the aforesaid bid, and to take any and all action necessary or proper to carry out the terms of the said bid and said contract."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: McKay, Teagarden, Allen, Linzell, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 196-1954 awarding contract SS-7 was moved for adoption by Mr. McKay, seconded by Mr. Linzell, as follows:

Resolution No. 196-1954

"WHEREAS the Commission has advertised, according to law, for bids for Contract SS-7, which is a contract for the operation of the service stations in the dual service plaza which has been designated No. 7 on Ohio Turnpike Project No. 1, and proof of said advertising is before the Commission;

WHEREAS bids for the performance of the said contract have been received and were duly opened and read on December 3, 1954, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, consulting engineer, and the Commission's special committee on service facilities, and the committee on service facilities has tendered its recommendations in the form of a written report with respect to said analyses and said committee has therein made its recommendations predicated thereon;

WHEREAS all of the aforesaid bids for said contract were solicited on the basis of the same terms and conditions with respect to all bidders and prospective bidders;

WHEREAS the bid of the Cities Service Oil Company at 7.15¢ per gallon is the highest, and has been determined by the Commission to be, in consideration of the public interest, the best of all the bids received for said contract, and the Commission has been advised by its general counsel that said bid conforms to the requirements of all applicable statutes and to the terms and conditions in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the best bid for the performance of said contract; and

WHEREAS the Commission is satisfied with the capacity and ability of the aforesaid bidder to perform its obligations pursuant to its bid;

NOW, THEREFORE, BE IT

RESOLVED that the bid of Cities Service Oil Company, offering to pay the Commission the sum of 7.15¢ per gallon on all motor fuel sold on service plaza No. 7 be, and it hereby is, determined to be the best of all said bids and is accepted; and that each of the

chairman and the executive director be, and each of them hereby is, authorized to execute a contract with the successful bidder heretofore prescribed by the Commission pursuant to the aforesaid bid, and to take any and all action necessary or proper to carry out the terms of the said bid and said contract."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: McKay, Linzell, Allen, Tegarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 197-1954 awarding contract SS-8 was moved for adoption by Mr. McKay, seconded by Mr. Allen, as follows:

Resolution No. 197-1954

"WHEREAS the Commission has duly advertised, according to law, for bids for Contract SS-8, which is a contract for the operation of the service stations in the dual service plaza which has been designated No. 8 on Ohio Turnpike Project No. 1, and proof of said advertising is before the Commission;

WHEREAS the terms and conditions of bidding for said contract provided that it would not be let to a bidder to whom a contract for the operation of service stations at the adjacent service plaza, to wit, service plaza No. 7, should have been awarded;

WHEREAS bids for the performance of the said Contract SS-8 have been received and were duly opened and read as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, consulting engineer, and the Commission's special committee on service facilities;

WHEREAS all of the aforesaid bids for said contract were solicited on the basis of the same terms and conditions with respect to all bidders and prospective bidders;

WHEREAS the highest price bid for said contract SS-8 was offered by the bidder to whom the Commission has awarded the contract for the operation of service stations at service plaza No. 7 (Cities Service Oil Company) and therefore the Commission may not, pursuant to the terms and conditions of bidding, award the contract to the highest bidder;

WHEREAS the bid of the Sinclair Refining Company at the price of 6.18¢ per gallon has been determined by the Commission to be, in consideration of the public interest, the best of all the bids received for said contract, and the Commission has been advised by its general counsel that said bid conforms to the requirements of all applicable statutes and to the terms and conditions in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the best bid for the performance of said contract; and

WHEREAS the Commission is satisfied with the capacity and ability of the aforesaid bidder to perform its obligations pursuant to its bid;

NOW, THEREFORE, BE IT

RESOLVED that the bid of Sinclair Refining Company, offering to pay the Commission the sum of 6.18¢ per gallon on all motor fuel sold at service plaza No. 8 be, and it hereby is, determined to be the best of all said bids and is accepted; and that each of the chairman and the executive director be, and each of them hereby is, authorized to execute a contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, and to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: McKay, Allen, Linzell, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Mr. McKay said that the Commission had made awards of contracts for the dispensation of gasoline and related products to five oil companies representing about 60 per cent of the gallonage sold in the state of Ohio in the last fiscal year. Mr. Teagarden said that he estimated that the awards would give the Commission revenue averaging .06586 cents per gallon.

Resolution No. 198-1954 authorizing each of the Chairman and the Executive Director to enter into contracts on behalf of the Commission for obtaining fire-protection services within the limits of the Eastgate Section of Ohio Turnpike Project No. 1 was moved for adoption by Mr. Allen, seconded by Mr. Teagarden, as follows:

"WHEREAS the Commission has considered the desirability of obtaining fire-protection services within the limits of the Eastgate Section of Ohio Turnpike Project No. 1;

WHEREAS the Commission deems it desirable for it to enter into contracts with various cities, villages, and townships for the rendition of such services;

WHEREAS the Commission also desires to grant authority to agree, on its behalf, to modifications of such contracts to be executed for the Eastgate Section of Ohio Turnpike Project No. 1, from time to time, after the execution of same so that they may be used as experimental and pilot contracts in the development of a final form contract for all fire-protection services for said Ohio Turnpike Project No. 1; and

RESOLVED that the Commission hereby authorizes each of the chairman and the executive director, or either of them, to enter into contracts on behalf of the Commission for obtaining fire-protection services for a period not to extend beyond October 1, 1955 within the limits of the Eastgate Section of Ohio Turnpike Project No. 1, which contracts shall contain a provision or provisions whereby each may be modified on behalf of the Commission by the chairman or executive director, or either of them, from time to time with the agreement of the contractor; provided, however, that said contracts shall not be modified so as to extend their operations beyond the Eastgate Section or to extend their terms beyond October 1, 1955;

FURTHER RESOLVED that each such contract and each such modification shall, before the same is executed on behalf of the

Commission, be approved by the Commission's general counsel."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Allen, Teagarden, Linzell, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 199-1954 authorizing and directing the Executive Director to enter into a contract or contracts for hospitalization insurance covering Commission employees was moved for adoption by Mr. Linzell, seconded by Mr. McKay, as follows:

Resolution No. 199-1954

"WHEREAS the executive director has, at the informal direction of the Commission, heretofore given, caused an investigation to be made with respect to hospitalization insurance or service for Commission employees; and

WHEREAS the executive director has reported to the Commission with respect to said investigation and has recommended that the Commission obtain hospitalization insurance or service for such employees;

NOW, THEREFORE, BE IT

RESOLVED that the executive director be, and he hereby is, authorized and directed to enter into a contract or contracts, for and on behalf of the Commission, presently and from time to time, in such terms as he shall deem advisable, and with such company or companies, authorized to write such insurance in Ohio, or such hospital service association or associations, authorized to contract to provide such service under the provisions of Title 1739RC, as shall be acceptable to him; provided, however, that such contract or contracts shall be subject to the approval of the Commission's general counsel."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Linzell, McKay, Allen, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Mr. Allen reported that regarding bids that had been received for contracts for restaurant service on Ohio Turnpike Project No. 1 the committee on service facilities had struggled long and hard and had had meetings over the past year with restaurant people and with representatives of the Ohio Hotel Association. He said that since the bids had been received the committee had had a long meeting and that it had been a very hard problem to line up what was the best setup for the restaurants on the turnpike. He said further that the Commission and the committee had all been in agreement that they were extremely anxious that the public travelling over the turnpike should get good service of all kinds. He said also that probably the service that would affect the travelling public more than any other was the restaurant service. Mr. Allen said that he thought that the committee and the Commission both were of the opinion that if it had been possible to negotiate for a restaurant setup perhaps better results might have been obtained than could be obtained under the rules of law that required competitive bidding. He said further that, however, that freedom had not been available and that, as a result, the committee had studied very earnestly and the Commission itself had given the matter a good deal of attention and that as a consequence the committee was in a position to make recommendations. Mr. Allen said also that the committee was less sure than it had been on the gasoline contracts. He said further that there were many restaurant people who were not interested in turnpike restaurants and who said that while the turnpike restaurant business was a very important one, it was probably 75 per cent a lunch-counter business. Mr. Allen said that the Commission was going to follow up the handling of the restaurant business on the turnpike with whatever supervision was needed to see that the companies receiving the restaurant contracts were doing a good job. He said further that the Commission had a restaurant contract which was just as tight a contract as it could work up and one which gave the Commission the privilege of close supervision. He said also that the Commission had put down such requirements as it could as to proportions and things of that kind.



He said he thought that an excellent job would be done and that the Commission was going to supervise it to see that it would be done.

Resolution No. 200-1954 awarding contract TR-1 was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

Resolution No. 200-1954

"WHEREAS the Commission has duly advertised, according to law, for bids for contracts to operate restaurants along the route of Ohio Turnpike Project No. 1, among which contracts is one designated Contract TR-1, and proof of said advertising is before the Commission;

WHEREAS the Commission has heretofore, by and in its resolution No. 152-1954 approved, adopted, and ratified the contract documents for the aforesaid contracts;

WHEREAS bids for the performance of each of said contracts have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS the contract documents for said contracts contain the limitation that not more than one of them shall be awarded to any one bidder;

WHEREAS the Commission has given due and full consideration to the bids received, and to the qualifications and abilities of the several bidders to perform the contracts for which they have submitted their respective bids;

WHEREAS all of the aforesaid bids for said contracts were solicited on the basis of the same terms and conditions and the same specifications with respect to all bidders and potential bidders, and the bid of Olympic Commissary Company for the performance of Contract TR-1 is, and is by the Commission determined to be, the best bid, in consideration of the public interest, of all the bids received for the performance of said contract; and the Commission has been advised by its general counsel that said bid

conforms to the requirements of §5537.13 of the Revised Code of Ohio, and to the terms, conditions, and specifications of the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal for said contract;

NOW, THEREFORE, BE IT

RESOLVED that the bid of Olympic Commissary Company of 18.79% of gross receipts be, and hereby it is, determined to be the best bid, in consideration of the public interest, of all the bids received for the performance of Contract TR-1, and said bid is accepted; and

FURTHER RESOLVED that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and (2) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

Mr. McKay reported that he had checked authorities in the railroad field in and west of Chicago with respect to the quality of service which the Olympic Commissary Company had rendered and that the reaction of the executive officers of the Chicago, Milwaukee and St. Paul Railroad concerning the services which the company had rendered to that railroad for a long period of years had been that those services had been satisfactory enough.

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Linzell, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 201-1954 awarding contract TR-3 was moved for adoption by Mr. Allen, seconded by Mr. Teagarden, as follows:

Resolution No. 201-1954

"WHEREAS the Commission has duly advertised, according to law, for bids for contracts to operate restaurants along the route of Ohio Turnpike Project No. 1, among which contracts is one designated Contract TR-3, and proof of said advertising is before the Commission;

WHEREAS the Commission has heretofore, by and in its resolution No. 152-1954 approved, adopted, and ratified the contract documents for the aforesaid contracts;

WHEREAS bids for the performance of each of said contracts have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS the contract documents for said contracts contain the limitation that not more than one of them shall be awarded to any one bidder;

WHEREAS the Commission has given due and full consideration to the bids received, and to the qualifications and abilities of the several bidders to perform the contracts for which they have submitted their respective bids;

WHEREAS all of the aforesaid bids for said contracts were solicited on the basis of the same terms and conditions and the same specifications with respect to all bidders and potential bidders, and the bid of Buddies Lunch System, Inc. for the performance of Contract TR-3 is, and is by the Commission determined to be, the best bid, in consideration of the public interest, of all the bids received for the performance of said contract; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.13 of the Revised Code of Ohio, and to the terms, conditions, and specifications of the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal for said contract;

NOW, THEREFORE, BE IT

RESOLVED that the bid of Buddies Lunch System, Inc., of 16.51% of gross receipts be, and hereby it is, determined to be the best bid, in consideration of the public interest, of all the bids received for the performance of Contract TR-3, and said bid is accepted; and

FURTHER RESOLVED that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and (2) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

Mr. Teagarden said that Buddies Lunch System, Inc., had been in the business of serving food to the public for years and years and that it was a highly reputable concern in north-western Ohio, and that it had restaurants and served the public also in Florida and several other parts of the country. He said that he was very glad to attest that the company was a good reliable concern.

Mr. Allen said that he understood that the company would use some name other than Buddies on the turnpike restaurants.

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Allen, Teagarden, Linzell, McKay, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Resolution No. 202-1954 awarding contract TR-2 was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

Resolution No. 202-1954

"WHEREAS the Commission has duly advertised, according to law, for bids for contracts to operate restaurants along the route of Ohio Turnpike Project No. 1, among which contracts is one designated Contract TR-2, and proof of said advertising is before the Commission;

WHEREAS the Commission has heretofore, by and in its resolution No. 152-1954 approved, adopted, and ratified the contract documents for the aforesaid contracts;

WHEREAS bids for the performance of each of said contracts have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS the contract documents for said contracts contain the limitation that not more than one of them shall be awarded to any one bidder;

WHEREAS the Commission has given due and full consideration to the bids received, and to the qualifications and abilities of the several bidders to perform the contracts for which they have submitted their respective bids;

WHEREAS all of the aforesaid bids for said contracts were solicited on the basis of the same terms and conditions and the same specifications with respect to all bidders and potential bidders, and the bid of A. B. C. Vending Corporation for the performance of Contract TR-2 is, and is by the Commission determined to be, the best bid, in consideration of the public interest, of all the bids received for the performance of said contract; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.13 of the Revised Code of Ohio, and to the terms, conditions, and specifications of the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal for said contract;

NOW, THEREFORE, BE IT

RESOLVED that the bid of A. B. C. Vending Corporation of 18.90% of gross receipts be, and hereby it is, determined to be the best bid, in consideration of the public interest, of all the bids received for the performance of Contract TR-2, and said bid is accepted; and

FURTHER RESOLVED that each of the chairman and the executive director be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and (2) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

Mr. McKay said that he seconded the resolution with the statement that, based upon the award of the contract to A. B. C. Vending Corporation, the Commission was again, under the terms of the bidding, accepting the highest bids with respect to the three groups of restaurants. He said further that supplementary information out of New York with respect to the A. B. C. Vending Corporation was that it was also an excellent company with respect to restaurant service. Mr. Linzell said that he understood that the company had a very good reputation in the eastern part of the United States. He said further that the Commission was making a good award. Mr. Teagarden said that the company did around forty-seven million dollars worth of business in serving lunches and food to the public and that the volume of business indicated that it must be a good concern.

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Teagarden, Linzell, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

Mr. Teagarden said that the awards of the restaurant contracts meant that the Commission would receive an approximate average of 18.07 per cent of the gross receipts of the

restaurants and should give the Commission approximately a million four hundred and fifty thousand dollars a year in rentals.

The Executive Director reported that as of December 15, 1954 about 64.5 per cent of the construction of Ohio Turnpike Project No. 1 had been completed as compared to a scheduled completion as of that date of 63.2 per cent.

The Executive Director reported that traffic on the Eastgate Section during the third week of operation had been 19.5 per cent greater than during the first full week and that revenues during the third week of operation had been 14.8 per cent greater than during the first full week. He said further that passenger car traffic was roughly 60 per cent in volume and accounted for 40 per cent of the revenue.

The Chairman thanked the Executive Director for this report.

Mr. McKay inquired as to the status of the truck-service station planning. The Executive Director replied that the revised plans for the truck stations had been received that day and that the committee on service facilities had not yet had opportunity to consider them.

Resolution No. 203-1954 extending greetings to the Commission employees was moved for adoption by Mr. McKay, seconded by all other members, as follows:

Resolution No. 203-1954

"RESOLVED that the Commission hereby extends to its employees its sincere appreciation for their loyalty and untiring efforts in carrying forward its program during the year 1954, and hereby conveys to them its desire that the season's blessings be theirs in abundance."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: McKay, Allen, Teagarden, Linzell, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The Chairman said to the Executive Director that Mr. McKay had just mentioned to him that there was some misapprehension abroad that the Executive Director might be resigning so that he thought that the Executive Director ought to say something to allay the fears.

The Executive Director replied that, of course, there was a possibility as he had indicated to certain members of the Commission on several occasions that his health was such that he was not certain that he would be able to continue permanently. He said further that he was continuing for the present but that he had had a re-examination and a checkup and observation not long previously at Walter Reed Hospital and that he had been advised to get into some activity that would be less strenuous and less of a strain for him. He said also that he had no immediate plans. He said that he was weathering it, so to speak. He said also that he felt all right at the moment and that he hoped that he would be able to continue on for a period but that he did not know for how long. The Chairman said that the Commission had every hope that the Executive Director could stay on.

Resolution No. 204-1954 ratifying actions of administrative officers was moved for adoption by Mr. Teagarden, seconded by Mr. Allen, as follows:

Resolution No. 204-1954

"WHEREAS the executive director, deputy executive director, executive assistant, chief engineer, general counsel, assistant secretary-treasurer, comptroller, chief of the right-of-way section, and director of information and research of the Commission have, by various written and oral communications, fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting, and the Commission has duly reviewed and considered the same;

NOW, THEREFORE, BE IT



RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on December 14, 1954 are hereby ratified, approved, and confirmed."

A vote by ayes and nays was taken and all members responded to roll call.

The vote was as follows:

Ayes: Teagarden, Allen, McKay, Linzell, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted.

The Chairman said that he wanted to wish the members of the Commission a Merry Christmas and a Happy New Year and to thank them for all that they had endured on behalf of everybody during the past year. He said further that he thought that it could be said that the Commission had had a successful year. He said also that it was well worth contemplating that the opening of the Eastgate Section on time, in spite of predictions to the contrary, and the award of contracts such as the Commission had awarded that day, bespoke a good record for the past year and envisioned a successful year in 1955 and warranted the Commission's oft-stated belief that the whole turnpike would be opened to traffic on October 1, 1955, as previously stated.

There being no further business to come before the Commission, a motion was made by Mr. Linzell, seconded by Mr. Allen, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes: Linzell, Allen, Teagarden, McKay, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned.  
Time of adjournment was 12:38 o'clock P. M.

Approved as a correct transcript of the  
proceedings of the Ohio Turnpike Commission

  
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A. J. Allen, Secretary-Treasurer