

OHIO TURNPIKE COMMISSION

Resolution Awarding a Contract for the Operation of Unit #5 Food Concession (Sit-Down, Family-Style Restaurant) at the Commission's Erie Islands and Commodore Perry Travel Centers under Contract No. TR-8A (Unit #5)

WHEREAS, on February 22, 1999, the Commission issued Contract No. TR-8A which requested Proposals for one or more Contracts for the operation of the food concession and/or retail/gift shops on the Ohio Turnpike at its Erie Islands and Commodore Perry Travel Centers for an initial term of five (5) years, which may be extended, at the sole discretion of the Commission, for three (3) year periods, however, in no event shall said contract be extended for more than five (5) successive, three (3) year periods;

WHEREAS, for bidding and contract purposes, each Travel Center was divided into the following Units: Unit 1, Unit 2, Unit 3, Unit 4, Unit 5 and Unit 6;

WHEREAS, pursuant to Resolution No. 11-1999, adopted March 29, 1999, the Commission accepted the following **Alternate #2** bid of **Host Marriott Services, d/b/a Host Marriott Tollroads, Inc.** of Bethesda, Maryland which utilizes the following concepts and rejected all other bids and alternates submitted for Units 1, 2, 3, 4, 5, and 6 and further directed the Commission to re-advertise forthwith for bids for Unit #5 (food concession, sit-down restaurant);

<u>Unit</u>	<u>Gross Receipts Bid %</u>	<u>Concept</u>
1	14.0% as package	Starbucks
2	14.0% as package	Sbarro
3	14.0% as package	Jody Maroni's & Cinnabon
4	14.0% as package	Burger King
5	No Bid	No Bid
6	14.0% as package	Travel Mart

WHEREAS, advertisements of notice for the taking of bids for Unit #5 (food concession, sit-down restaurant) for the aforesaid Contract TR-8A (Unit #5) were duly published according to law;

WHEREAS, only one company presented a proposal for the operation of the Unit #5 (food concession, sit-down, family-style restaurant) on the Ohio Turnpike at its Erie Islands and Commodore Perry Travel Centers which were duly opened and read on April 21, 1999, as provided in said published notice, and said bid is before this Commission Meeting;

WHEREAS, Bidders were given the opportunity to submit bids for their first, second and third choice, as well as alternate bids, and each bid incorporated the Bidder's choice of travel center, the percentage of gross receipts to be paid to the Commission with a description of the concept;

WHEREAS, the proposal was studied and analyzed by the Commission's Executive Director, Deputy Executive Director-Operations, Maintenance Engineer, Director of Safety Services and General Counsel;

WHEREAS, the Commission has given due and full consideration to the bid received and to the concept offered, the Bidder's qualifications and abilities to perform the contract for which they submitted its bid;

WHEREAS, the aforesaid bid was solicited on the basis of the same terms and conditions with respect to all bidders and potential bidders;

WHEREAS, the Commission has determined that the bid of Host Marriott Services, d/b/a/ Host Marriott Tollroads, Inc. of Bethesda, Maryland, which utilizes the following concept

<u>Unit</u>	<u>Gross Receipts Bid %</u>	<u>Concept</u>
5	5%	Max & Erma's Restaurant

is the **best** of all bids received in response to the advertisement for said contract;

WHEREAS, 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 set forth in the legal notice and other documents applicable thereto, and that the Commission may legally accept said bid; and

WHEREAS, the executive director and the general counsel and the other members of the Commission's staff are satisfied with the capacity and ability of said bidder to perform its obligations pursuant to its bid;

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Host Marriott Services, d/b/a/ Host Marriott Tollroads, Inc.** of Bethesda, Maryland, which utilizes the following concept:

<u>Unit</u>	<u>Gross Receipts Bid %</u>	<u>Concept</u>
5	5%	Max & Erma's Restaurant

is, and is by the Commission determined to be, the **best** of all bids received for the performance of Contract TR-8A (Unit #5) and is accepted;

FURTHER RESOLVED that the executive director and general counsel hereby are authorized to execute Contract TR-8A (Unit #5) [Erie Islands and Commodore Perry] Travel Centers, which provides for an initial term of **Seven (7) years** and at the Commission's option to extend for three (3) year periods, with Host Marriott Services, d/b/a/ Host Marriott Tollroads, Inc. 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 said contract.

(Resolution No. 16-1999 adopted April 26, 1999