

**OHIO TURNPIKE COMMISSION**

**Resolution Awarding Contract(s) and Rejecting Proposals  
for the Operation of the Food Concessions and/or  
Retail/Gift Shops at the Commission's Great Lakes  
and Towpath Travel Centers under Contract No. TR-8B**

WHEREAS, on May 19, 1999, the Commission issued Contract No. TR-8B 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 Great Lakes and Towpath Travel Centers;

WHEREAS, said bidding documents for Units 1, 2, 3 and 5 provided 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 however, the bidding documents for **Unit 4** (the sit-down restaurant) provide for an initial term of **seven (7) years** and the same above-mentioned three-year extension periods;

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

**Category**

<b>Unit 1:</b>	<b>Food Concession or Retail Shop</b>	<b>(Any specialty item, food concession or retail)</b>
<b>Unit 2:</b>	<b>Food Concession</b>	<b>(Any food category /non-alcoholic beverage)</b>
<b>Unit 3:</b>	<b>Food Concession</b>	<b>(Any food category /non-alcoholic beverage)</b>
<b>Unit 4:</b>	<b>Food Concession</b>	<b>(Sit-down restaurant)</b>
<b>Unit 5:</b>	<b>Retail/Gift Shop</b>	<b>(Merchandise/retail/specialty shop)</b>

WHEREAS, advertisements of notice for the taking of bids for the aforesaid contract were duly published according to law, and a pre-bid meeting was held on May 25, 1999, for interested, prospective bidders;

WHEREAS, six companies presented their various proposals for the operation of the food concession and/or retail/gift shops on the Ohio Turnpike at its Great Lakes and Towpath Travel Centers which were duly opened and read on June 9, 1999, as provided in said published notice, and said bids are 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, category and/or retail products and services;

WHEREAS, the various proposals were studied and analyzed by the Commission's Executive Director, Deputy Executive Director-Operations, Maintenance Engineer, Director of Safety Services, Assistant General Counsel and General Counsel;

WHEREAS, the Commission has given due and full consideration to the bids received and to the concepts offered, the Bidder's qualifications and abilities to perform the contract for which they submitted their respective bids;

WHEREAS, all of the aforesaid bids were 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 **Alternate #3** bid package of **Advanced Restaurant Concepts, Inc.**, of Toledo, Ohio which utilizes the following concepts:

<b>Unit</b>	<b>Gross Receipts Bid %</b>	<b>Concept</b>
1	15.75% as package	Travel Express/Coffee Beanery
2	15.75% as package	Pizza Hut Express
3	15.75% as package	Wendy's
4	<b>NO BID</b>	
5	15.75% as package	Hallmark

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

WHEREAS, Advanced Restaurant Concepts, Inc., Alternate #3 Proposal is a single bid package utilizing Units 1, 2, 3 and 5;

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;

WHEREAS, under the terms and conditions of the bidding documents for Contract TR-8B, the Commission has reserved the right to reject any and all bids; and

WHEREAS, said bids and combinations of bids have been reviewed and analyzed by the Commission's executive director and general counsel and they recommend that all other bids and alternates submitted for Units 1, 2, 3, 4 and 5 be rejected and further directs the Commission re-advertise forthwith for bids for Unit #4 (food concession/sit-down restaurant) under Contract TR-8B (Great Lakes and Towpath) Travel Centers;

NOW, THEREFORE, BE IT

RESOVLED that **the Alternate #3** bid of Advanced Restaurant Concepts, Inc., of Toledo, Ohio, which utilizes the following concepts:

<b>Unit</b>	<b>Gross Receipts Bid %</b>	<b>Concept</b>
1	15.75% as package	Travel Express/Coffee Beanery
2	15.75% as package	Pizza Hut Express
3	15.75% as package	Wendy's
4	<b>NO BID</b>	
5	15.75% as package	Hallmark

is, and is by the Commission determined to be, the **best** of all bids and combinations of bids received for the performance of Contract TR-8B and is accepted;

FURTHER RESOLVED that the executive director and general counsel hereby are authorized to execute Contract TR-8B (Units 1, 2, 3, 5) (Great Lakes and Towpath) Travel Centers, which provides for an initial term of five (5) years and at the Commission's option to extend for three (3) year periods, with Advanced Restaurant Concepts, 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; and

FURTHER RESOLVED that the Commission concurs in the above-mentioned rejection recommendation that all other bids and alternates submitted for Units 1, 2, 3, 4 and 5 be rejected and further directs that the Commission re-advertise forthwith for bids for Unit #4 (food concession/sit-down restaurant) under Contract TR-8B (Great Lakes and Towpath) Travel Centers;

FURTHER RESOLVED that the executive director is instructed to return the bid security of all other bidders as soon as said contract is executed.

**(Resolution No. 21-1999 adopted June 14, 1999)**