

OHIO TURNPIKE COMMISSION

**Resolution Awarding Contract for the Operation of the
Food Concession at the Commission's Portage/Brady's Leap Service
Plaza under Contract No. TR -8C (Unit #4)**

WHEREAS, on June 10, 2002 by Resolution No. 18-2002, the Commission rescinded the award of contract with Restaurant Developers Corp. for the operation of a "**Mr. Hero**" concept at the Commission's Unit #4 at the Commission's Portage and Brady's Leap Service Plazas located at Milepost 197.0 of the Ohio Turnpike in Portage County, Ohio which award was ratified by Resolution No. 31-2001;

WHEREAS, the Commission wished to explore interest with our current concessionaires and/or other vendors who have expressed an interest in operating Unit #4;

WHEREAS, in May 2002, representatives from Compass Group USA, Inc. of Charlotte, North Carolina presented a proposal for the operation of a food concession at the Commission's Portage and Brady's Leap Service Plaza, Unit #4;

WHEREAS, members of the Commission's staff reviewed the proposal and subsequent meetings were held to clarify their proposal and to negotiate the terms of said contract;

WHEREAS, Compass Group proposes the following food concepts for Unit #4:

Unit	Net Sales	Percentage Return	Concept
4	\$0 - \$3,000,000	8%	Au Bon Pain
	3,000,001 – 4,500,000	10%	and Noble
	4,500,001 and above	12%	Roman's Pizza

WHEREAS, the Commission has given due and full consideration to the subject proposal received and to the concepts offered, the Bidder's qualifications and abilities to perform the contract for which it submitted its respective bid;

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 above-mentioned proposal submitted by **Compass Group USA, Inc.** for the performance of **Contract TR-8C (Unit #4)** is hereby accepted; and

FURTHER RESOLVED that the executive director and general counsel hereby are authorized to execute **Contract TR-8C (Unit #4) (Portage and Brady's Leap)** Service Plazas, which provides for an initial term of ten (10) years and at the parties' mutual agreement and written notice to extend for additional seven (7) year periods, with Compass Group 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. 19-2002 adopted June 10, 2002)