

OHIO TURNPIKE COMMISSION

Resolution Awarding a Contract for the Operation of the Food Concession at the Commission's Great Lakes and Towpath Service Plazas under Contract No. TR -8B (Unit #3)

WHEREAS, on June 17, 2002 by Resolution No. 20-2002, the Commission rescinded the award of contract with Advanced Restaurant Concepts, Inc. ("ARCI") of Toledo, Ohio for the operation of the food concession of Unit #3 at the Commission's Great Lakes and Towpath Service Plazas under Contract TR-8B which award was confirmed by Resolution No. 21-1999;

WHEREAS, on April 24, 2002, the Commission issued a Request for Proposals (RFP) relating to the operation of the food concession (Unit #3) at its Great Lakes and Towpath Service Plazas located at Milepost 170.1 of the Ohio Turnpike in Cuyahoga County, Ohio;

WHEREAS, advertisements of notice for the taking of bids for the vacant Unit #3 (food concession) for the aforesaid Contract TR-8B (Unit #3) were duly published according to law;

WHEREAS, five companies presented various proposals for the operation of the Unit #3 (food concession) on the Ohio Turnpike at its Great Lakes and Towpath Travel Centers which were duly opened and read on May 22, 2002, 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, choice, as well as alternate bids, and each bid incorporated the Bidder's choice of travel center with a description of the concept;

WHEREAS, the Commission's executive director, deputy executive director-chief engineer and general counsel, together with members of the Commission's staff, have reviewed the various proposals submitted and conducted individual negotiation meetings and telephonic conferences from May 30 to June 11, 2002, with each bidder's representatives;

WHEREAS, 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 proposal submitted by **Compass Group USA, Inc.** of Charlotte, North Carolina, which utilizes the following concept for both the Great Lakes and Towpath Service Plazas:

<u>Unit</u>	<u>Guaranteed Yearly Paymt.</u>	<u>Percentage Return</u>	<u>Concept</u>
3	\$75,000.00/plaza	9%	Wendy's

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

NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned proposal submitted by **Compass Group USA, Inc.** for the performance of **Contract TR-8B (Unit #3)** is hereby accepted; and

FURTHER RESOLVED that the executive director and general counsel hereby are authorized to execute **Contract TR-8B (Unit #3) (Great Lakes and Towpath)** Service Plazas, which provides for an initial term of seven (7) years and at the parties' mutual agreement and written notice to extend for additional five (5) year periods, with Compass Group USA, 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. 21-2002 adopted June 17, 2002)