

OHIO TURNPIKE COMMISSION

**Resolution Ratifying Award of Contract for the Operation of
the Food Concessions at Units 1, 2 and 5
at the Commission's Great Lakes and Towpath
Service Plazas under Contract No. TR-8B**

WHEREAS, on March 17, 2003 by Resolution No. 7-2003, the Commission formally approved the former general counsel's action to rescind the award of contract with Advanced Restaurant Concepts, Inc. ("ARCI") of Toledo, Ohio for the operation of the food concessions of Units 1, 2 and 5 at the Commission's Great Lakes and Towpath Service Plazas under Contract TR-8B, which award was confirmed by Resolution No. 21-1999;

WHEREAS, shortly after the Commission rescinded the award of contract with ARCI, representatives from HMS Host, Inc. of Bethesda, Maryland met with Commission staff members and presented a proposal for the operation of the food concessions of Units 1, 2 and 5 at the Commission's Great Lakes and Towpath Service Plazas;

WHEREAS, the current executive director and other members of the Commission's staff are satisfied with the capacity and ability of HMS Host to perform its obligations pursuant to its proposal;

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;

WHEREAS, HMS Host proposes the following food concepts for Units 1, 2 and 5:

Unit	<u>Gross Receipts</u> Bid %	Operator	Concept
1	10%	HMS Host	Gourmet Bean/ TCBY
2	10%	HMS Host	Pizza Hut Express
5	10% of sales up to \$1 million per plaza 12% of sales greater than \$1 million per plaza	HMS Host	Travel Mart

WHEREAS, the terms were finalized and contract documents were forwarded to representatives of HMS Host on February 21, 2002, which contract reflects an initial seven (7) year term, and at the Commission's option, to extend for up to five (5) successive five (5) year terms;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby ratifies the actions taken by the former executive director relating to the award, negotiation and execution of the contracts with HMS Host for the operation of Units 1, 2 and 5, at the Commission's Great Lakes and Towpath Service Plazas.

(Resolution No. 8-2003 adopted March 17, 2003)

I, Gary C. Suhadolnik, Assistant Secretary-Treasurer of the Ohio Turnpike Commission, do hereby certify that the above is a true copy of the aforesaid resolution which was duly adopted at a meeting of the Commission, duly called for and convened and held on March 17, 2003, at which a quorum was at all times present and voting.

WITNESS my hand and the seal of the Ohio Turnpike Commission on this 18th day of March, 2003.

Gary C. Suhadolnik
Assistant Secretary-Treasurer