

**New York State Thruway Authority
RFP #18C15
Design, Construction, Financing, Operation
and Maintenance of 27 Service Areas
on the New York State Thruway**

**Authority Responses to Written Questions
January 31, 2019**

On October 15, 2018, the New York State Thruway Authority (“Authority”) issued a Request for Proposals (RFP) for Design, Construction, Financing, Operation and Maintenance of 27 Service Areas on the New York State Thruway, which was amended by Addendum No. 1 dated November 8, 2018, Addendum No. 2 dated December 21, 2018, Addendum No. 3 dated December 27, 2018, Addendum No. 4 dated January 25, 2019 and Addendum No. 5 dated January 29, 2019 (the “RFP”). Pursuant to the RFP, all prospective Proposers were given an opportunity to submit written questions concerning this RFP to the Authority by February 28, 2019. Potential Proposers were also given an opportunity to address additional questions at the Pre-Proposal Conference held on November 13, 2018.

The Authority received the following questions and submits the following responses in accordance with Section 1.2 of the RFP.

Q1: Who is responsible for the Sloatsburg walk over bridge?

A1: Currently, the Authority maintains the pedestrian bridge and the current operator for Sloatsburg is responsible for litter and debris removal and disposal on the bridge. The Authority plans to remove the pedestrian bridge sometime in 2020. Under the Lease Agreement, the Operator will be responsible for removal and disposal of litter and debris on the pedestrian bridge until the bridge is removed by the Authority.

Q2: Who is responsible for the maintenance of the Sloatsburg parking structure?

A2: Currently, the Authority maintains the Sloatsburg parking structure and the current operator for Sloatsburg is responsible for removal and disposal of litter and debris at the parking structure. Under the Lease Agreement, the Operator will be responsible for maintaining, repairing and replacing the Sloatsburg parking structure, and the Operator will also be responsible for removal and disposal of litter and debris at the parking structure, in accordance with RFP Exhibit B, Section 6, Operator Maintenance, Repair and Replacement Obligations.

Q3: Is there land to increase parking lots in flagship sites? Who is responsible for reconfigure or layout of parking lots entrances, exits etc?

A3: The Thruway is part of the Interstate System and as such must comply with federal requirements related to commercial sales. Commercial sales are allowed at the existing 27 Service Areas because they are “grandfathered” in before the prohibition on commercialization took effect. The grandfather allowance applies to the footprint of the existing service area which is the property owned by the Authority. Therefore, acquiring additional, private land would not be considered. However, it may be possible for the Operator to modify the area under the jurisdiction of the Authority to accommodate more parking, provided it also falls within the area for which the Operator has responsibility, as outlined in the Responsibility Maps attached as Exhibit 6 to the RFP. The Operator is responsible for reconfiguration and layout of parking lots/entrances and exits.

Q4: Can we propose to not tear down the plazas and reconfigure existing building space (add Windows, change entrances) and use them to reduce costs?

A4: A proposal that contemplates reconfiguration of the Service Areas, rather than tearing them down, will be acceptable, provided that it complies with the requirements of the RFP. Please refer to RFP Section 2.2.1 for the scope of the required services. In particular, paragraph E of Section 2.2.1 establishes the minimum requirements for capital improvements to the Service Areas. The Authority’s intent is to encourage innovation and to provide Proposers with the flexibility to determine the optimal approach to providing the required services.

Q5: Snow plowing – who maintains employee lots, back access roads, etc.?

A5: Currently, the Authority plows snow in the employee lots and in the back access roads that are within the Authority’s property. Under the Lease Agreement, the Operator will be responsible for snow and ice removal in employee parking lots and in the back access roads on Authority property as indicated in the Responsibility Maps included in Exhibit 6 to the RFP. Please refer to RFP Appendix B, Section 6, Operator Maintenance, Repair and Replacement Obligations and RFP Exhibit 6, Service Area Responsibility Maps.

Q6: Who will be responsible for emergency generators? Will they have the ability to power the entire building?

A6: Under the Lease Agreement, the Operator will be responsible for maintenance and operation of emergency generators. Please refer to RFP Appendix B, Section 6, Operator Maintenance, Repair and Replacement Obligations. Currently, only the following Service Areas have generators that power the entire building: Angola, Clarence, Ontario, Scottsville, Pembroke, Indian Castle, Seneca, Clifton Springs and Chittenango. There are no plans to increase the

number of generators that do this prior to commencement of the term of the Lease Agreement.

Q7: Who is responsible for sidewalk repairs and maintenance and back dock areas?

A7: Currently, the Authority is responsible for Service Area sidewalk repairs and maintenance, and the current operator maintains the back dock areas. Under the Lease Agreement, the Operator will be responsible for sidewalk and maintenance repairs and back dock areas. Please refer to RFP Appendix B, Section 6, Operator Maintenance, Repair and Replacement Obligations and RFP Exhibit 6, Service Area Responsibility Maps.

Q8: Who will be responsible for guest accidents in parking lots?

A8: Please refer to RFP Appendix B, Section 16, Indemnification and RFP Exhibit 6, Service Area Responsibility Maps.

Q9: Who is responsible for striping, paving, and maintenance of parking lots – including potholes and sinkholes?

A9: Currently, the Authority is responsible for these tasks. Under the Lease Agreement, the Operator will be responsible for striping, paving and maintenance of parking lots, including repairs of potholes and sinkholes, as indicated in the Responsibility Maps included in Exhibit 6 to the RFP. Please refer to RFP Appendix B, Section 6, Operator Maintenance, Repair and Replacement Obligations and RFP Exhibit 6, Service Area Responsibility Maps.

Q10: Will we be responsible for maintenance of employee parking lots and access roads?

A10: Under the Lease Agreement, the Operator will be responsible for maintenance of employee parking lots and access roads on Authority property as indicated in the Responsibility Maps included in Exhibit 6 to the RFP. Please refer to RFP Appendix B, Section 6, Operator Maintenance, Repair and Replacement Obligations and RFP Exhibit 6, Service Area Responsibility Maps.

Q11: Roof repairs, exterior doors, glass, handicap doors etc. currently thruway – are they all operator responsibilities now?

A11: Under the Lease Agreement, these will be responsibilities of the Operator. Please refer to RFP Appendix B, Section 6, Operator Maintenance, Repair and Replacement Obligations, specifically the “Ordinary Maintenance” Section.

Q12: Who is responsible for managing storm water run-off in parking lots?

A12: Under the Lease Agreement, the Operator will be responsible for all storm water management associated with construction, operation and maintenance in accordance with all applicable requirements. Please see RFP Section 2.2.1 E, RFP Appendix B, Section 4, Required Improvements, and RFP Appendix E, Environmental Information, for more information.

Q13: Are size and offering at each plaza a requirement? Can bidders propose alternative offerings or building size?

A13: Please refer to RFP Section 2.2.1 for the scope of the required services. In particular, paragraph E of Section 2.2.1 establishes the minimum requirements for capital improvements to the Service Areas. The Authority’s intent is to encourage innovation and to provide Proposers with the flexibility to determine the optimal approach to providing the required services.

Q14: Pricing – how many different pricing zones will there be that we have to survey?

A14: The number of pricing survey locations has not been established. It will be proposed by the Operator and be subject to the Authority’s approval. Please refer to RFP Appendix B, Section 5, Operation and Management of Service Areas, Food and Beverage Prices, for more information.

Q15: New future convenience stores operated by the fuel company will impact sales projections. Can you provide which sites will have this option in the future?

A15: It is not possible to state which locations will have this option, as the Authority will only determine how to address Convenience Stores at the premises leased to the fuel service vendors when the Authority issues an RFP for fuel services in the future. At this time Convenience Stores are located at the following fuel service facilities: Sloatsburg, Plattekill, Ulster, Oneida, Chittenango, Junius Ponds, Clifton Springs, Clarence and Pembroke.

Q16: What are plans for high speed exits? Currently Gov. M Cuomo Bridge is high speed, Yonkers toll is planned high speed as well as Harriman exit (Route 17/Woodbury area exchange).

A16: Cashless tolling is now fully operational at all seven of the Thruway's fixed-price toll barriers: Gov. Mario M. Cuomo Bridge (I-87/I-287), North and South Grand Island Bridges (I-190), Harriman Toll Barrier (I-87), Yonkers Toll Barrier (I-87), Spring Valley Toll Barrier (I-87 - Commercial Vehicles Only) and New Rochelle (I-95). The rest of the Thruway System is expected to convert to cashless tolling by the end of 2020.

Q17: When are additional exits converting to high speed/toll (unstaffed) will further impact easy access to off road competition

A17: Please see answer A16.

Q18: NYSTA cafeteria is not listed in this opportunity. Will it be a requirement?

A18: The NYSTA Cafeteria, which is located at Authority Headquarters in Albany, NY, is not a requirement in this RFP, and should not be included in any Proposal.

Q19: How will wastewater issues, water supply issues be handled by the Thruway to plazas?

A19: For water/wastewater furnished by municipalities, the Operator will be responsible for maintenance/repair/replacement of the Authority owned lines from the point of connection to the municipality. For water provided by the Authority, the Operator will be responsible for maintenance/repair/replacement of the Authority's water and sprinkler lines from the final connection point where water leaves the Authority's water plant. For wastewater service provided by the Authority, the Operator will be responsible for maintenance/repair/replacement of Authority owned sewer lines from the first point of connection to the Authority's wastewater treatment plant.

Q20: What are requirements for those sites with Truckers lounges - showers; separate entries. What are the staffing levels required for those areas.

A20: Please refer to RFP Section 2.2.1 C.7, in particular the requirement that trucker's lounges have a secured indoor separate entrance. Please also refer to RFP Section 2.2.1 B. for Service Area staffing requirements. Additionally, RFP Appendix B requires a Safety and Security Plan and Operational Plan be submitted for the Authority's approval.

Q21: Please provide a set of as-built drawings for each of the 27 Service Areas.

A21: A set of as-built drawings for each of the 27 Service Areas can be found on the Authority's Service Area RFP webpage.
<https://www.thruway.ny.gov/external/service-area-rfp/index.html>

Q22: Please provide a MS Word version of the RFP and an unlocked PDF version (this will facilitate internal reporting, developing future questions to the NYSTA and development of the response to the RFP).

A22: Such versions of the RFP will not be made available.

Q23: Please provide a detailed breakdown of the historical financial performance for the 27 Service Areas to the greatest extent available including rent rolls, sales / revenue by specific food service provider and any cost data that the NYSTA may have

A23: Please see Answer A45 of Authority Responses to Pre-Proposal Conference Questions dated January 23, 2019.

Q24: Please provide guidance on whether NYSTA has contemplated tax exempt financing for the Project and if so, the status of NYSTA's efforts to enable/support the same.

A24: Pursuant to RFP Appendix B, Section 2, the Operator is solely responsible for obtaining and repaying all necessary financing. The Authority has no plans to support any Operator financing by providing tax exempt financing for the Project.

Q25: Would it be possible for you to put me in touch with the appropriate contacts for the other companies you anticipate responding to your RFP?

A25: It is not possible for the Authority to do this. However, the Authority issued the list of attendees at the Pre-Proposal Conference on November 20, 2018 and the list of parties who responded to the Request for Expressions of Interest on December 21, 2018. Both are available on the Authority's website.
<https://www.thruway.ny.gov/external/service-area-rfp/index.html>

Q26: We are part of a team working on the RFP for the NYS Thruway. Can we please get access to the existing condition drawings for each travel plaza building? PDF and or AutoCAD files?

A26: Please see Answer A21.

Q27: Is it the Authority's intention to release written responses to the questions asked orally at the pre-proposal meeting held on November 13, 2018?

A27: Yes. The Authority issued written responses to the questions asked orally at the pre-proposal conference held on November 13, 2018 on January 23, 2019. Pursuant to Section 1.4 of the RFP, only the written responses to such questions can be relied upon by the Proposers. Oral responses provided by the Authority's representatives at the pre-proposal conference are not binding on the Authority.

Q28: Please provide 2018 year to date (YTD) Sales by Plaza.

A28: Restaurant sales data for calendar year 2018, by Service Area, are attached.

Q29: Please provide 2018 YTD Traffic by Plaza.

A29: The 2018 Average Annual Daily Traffic (AADT) information is not available at this time. If data for some or all of the Service Areas becomes available before the date that Proposals are due, the Authority will post the data on its website.

<https://www.thruway.ny.gov/external/service-area-rfp/index.html>

Q30: May Proposers bid a tiered rent structure?

A30: Proposers may not propose a tiered rent structure. Please refer to RFP Section 2.3, Financial Requirements and RFP Appendix B, Section 10, Rent, Utilities and Other Expenses, for more information.

Q31: Are number of concepts per each level shown in Exhibit 5 a required minimum? For example, Level 2A shows a total of eight concepts (excluding Taste of NY). Would a Proposer be disqualified for proposing fewer concepts?

A31: There is no required minimum for the number of concepts at the Service Areas. Subject to the requirements specified in Section 2.2.1 G. of the RFP, the prototype designs in RFP Exhibit 5, the Conceptual Plan, are not mandatory or binding on Proposers in any respect, including, but not limited to, the concepts that are listed. Please refer to RFP Section 2.2.1.G for more information about RFP Exhibit 5 and what Proposers must submit.

Q32: Are food service and retail categories per each level shown in Exhibit 5 mandatory? For example, Level 3 includes a casual dine restaurant. Would Proposers be disqualified for not including a casual dine restaurant (as an example) as part of their bid?

A32: Please see Answer A31.

2018 RESTAURANT DATA

Service Area	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	Total
HMSHost													
Ardsley	\$ 205,479	\$ 186,711	\$ 225,195	\$ 249,283	\$ 290,555	\$ 301,043	\$ 302,031	\$ 306,966	\$ 254,493	\$ 271,020	\$ 247,979	\$ 226,054	\$ 3,066,809
Sloatsburg	507,667	508,029	621,952	667,825	778,095	823,336	909,054	956,337	686,891	710,040	696,978	707,420	\$ 8,573,624
Plattekill	411,610	445,847	504,355	491,399	593,481	651,323	809,549	888,565	571,962	598,644	546,252	563,156	\$ 7,076,143
Ulster	335,113	329,635	359,725	344,512	404,176	429,992	573,071	570,174	402,448	393,415	371,532	383,026	\$ 4,896,819
New Baltimore	593,669	640,359	708,191	683,454	814,664	844,791	1,073,600	1,123,679	760,853	747,628	672,829	692,794	\$ 9,356,511
Pattersonville	251,074	255,949	333,978	417,131	485,280	541,959	681,339	724,176	470,143	515,871	430,573	371,708	\$ 5,479,181
Indian Castle	160,827	158,237	198,398	225,489	293,379	315,247	403,122	397,157	296,439	289,072	257,913	241,336	\$ 3,236,616
Iroquois	198,430	193,202	241,003	266,694	312,564	351,995	428,085	463,464	315,108	333,504	302,547	273,147	\$ 3,679,743
Oneida	205,131	207,614	266,202	309,568	376,239	421,282	530,038	527,909	370,114	373,465	331,290	292,313	\$ 4,211,165
Chittenango	162,935	159,368	198,738	219,195	274,291	308,841	409,744	414,669	285,529	283,840	237,549	217,776	\$ 3,172,475
Junius Ponds	156,291	152,618	197,941	224,751	287,193	317,988	398,330	407,303	272,111	260,642	226,074	220,310	\$ 3,121,552
Clifton Springs	246,462	257,702	327,957	363,629	479,443	521,561	631,991	639,424	455,163	445,557	392,117	373,190	\$ 5,134,196
Total Sales	\$ 3,434,688	\$ 3,495,271	\$ 4,183,635	\$ 4,462,930	\$ 5,389,360	\$ 5,829,358	\$ 7,149,954	\$ 7,419,823	\$ 5,141,254	\$ 5,222,698	\$ 4,713,633	\$ 4,562,230	\$ 61,004,834
Total Revenue	\$ 409,888	\$ 416,976	\$ 499,072	\$ 532,333	\$ 642,979	\$ 695,639	\$ 857,995	\$ 893,431	\$ 667,342	\$ 623,516	\$ 562,884	\$ 544,469	\$ 7,346,524
Delaware North													
Seneca	\$ 121,486	\$ 120,595	\$ 163,993	\$ 171,468	\$ 227,403	\$ 266,563	\$ 357,447	\$ 361,279	\$ 244,857	\$ 231,795	\$ 182,726	\$ 173,260	\$ 2,622,872
Scottsville	137,233	133,311	182,296	204,705	273,873	316,971	408,731	417,760	284,905	261,471	210,176	202,485	\$ 3,033,917
Pembroke	222,955	219,532	295,832	331,590	419,438	481,455	623,534	640,930	428,931	403,551	327,705	329,901	\$ 4,725,354
Clarence	142,294	139,453	179,454	197,749	250,868	278,008	354,254	346,724	257,402	252,416	202,518	196,127	\$ 2,797,267
Total Sales	\$ 623,968	\$ 612,891	\$ 821,575	\$ 905,512	\$ 1,171,582	\$ 1,342,997	\$ 1,743,966	\$ 1,766,693	\$ 1,216,095	\$ 1,149,233	\$ 923,125	\$ 901,773	\$ 13,179,410
Total Revenue	\$ 81,116	\$ 79,676	\$ 106,805	\$ 117,717	\$ 152,306	\$ 174,590	\$ 228,346	\$ 265,004	\$ 182,414	\$ 149,400	\$ 120,006	\$ 117,231	\$ 1,774,611
McDonald's													
Ramapo	\$ 285,764	\$ 294,032	\$ 338,246	\$ 338,609	\$ 431,085	\$ 441,319	\$ 599,436	\$ 598,669	\$ 431,956	\$ 432,778	\$ 376,582	\$ 304,877	\$ 4,873,353
Modena	382,421	380,643	408,514	389,065	468,506	495,959	691,819	693,028	482,421	472,644	419,380	267,355	\$ 5,551,755
Malden	315,053	343,518	373,000	364,273	448,219	490,524	619,006	692,619	421,423	412,132	383,490	228,588	\$ 5,091,845
Guilderland	130,308	131,863	159,519	181,614	217,360	233,473	290,754	287,730	210,323	200,259	184,284	127,330	\$ 2,354,817
Mohawk	131,237	131,711	166,528	190,567	244,678	259,606	333,395	343,805	233,167	225,861	202,926	144,495	\$ 2,607,976
Schuyler	94,448	92,461	118,871	135,809	163,118	188,193	240,826	246,063	156,735	158,937	136,788	100,369	\$ 1,832,618
DeWitt	106,143	108,748	136,804	152,574	188,546	225,383	275,289	283,536	194,887	181,917	157,131	110,272	\$ 2,121,230
Warners	230,404	223,344	297,994	334,715	406,805	455,824	584,336	606,560	400,683	366,470	317,677	201,260	\$ 4,426,072
Port Byron	154,117	166,566	210,970	248,666	338,671	372,174	477,462	493,747	321,415	297,878	257,675	178,958	\$ 3,518,299
Ontario	140,627	137,261	186,272	206,176	283,410	317,690	398,337	398,158	275,728	257,857	209,663	119,934	\$ 2,931,113
Angola	376,697	383,426	591,273	610,586	782,436	998,735	1,241,895	1,134,710	783,861	743,010	614,737	217,687	\$ 8,479,053
Total Sales	\$ 2,347,219	\$ 2,393,573	\$ 2,987,991	\$ 3,152,654	\$ 3,972,834	\$ 4,478,880	\$ 5,752,555	\$ 5,778,625	\$ 3,912,599	\$ 3,749,743	\$ 3,260,333	\$ 2,001,125	\$ 43,788,131
Total Revenue	\$ 140,833	\$ 143,614	\$ 179,279	\$ 189,159	\$ 238,370	\$ 268,733	\$ 345,153	\$ 347,513	\$ 233,961	\$ 224,189	\$ 197,210	\$ 176,559	\$ 2,684,573
Total Sales	\$ 6,405,875	\$ 6,501,735	\$ 7,993,201	\$ 8,521,096	\$ 10,533,776	\$ 11,651,235	\$ 14,646,475	\$ 14,965,141	\$ 10,269,948	\$ 10,121,674	\$ 8,897,091	\$ 7,465,128	\$ 117,972,375
Total Revenue	\$ 631,837	\$ 640,266	\$ 785,156	\$ 839,209	\$ 1,033,655	\$ 1,138,962	\$ 1,431,494	\$ 1,505,948	\$ 1,083,717	\$ 997,105	\$ 880,100	\$ 838,259	\$ 11,805,708