

QUALIFICATION QUESTIONNAIRE

I. GENERAL INFORMATION

Each applicant who is interested in leasing State of Hawaii-owned, public lands under the control and jurisdiction of the State of Hawaii, Department of Transportation, Harbors Division shall furnish evidence of financial ability, detailed drawings, comply with environmental regulations, experience and competence to carry out all of the covenants, terms and conditions of a Harbor Lease.

Failure to complete and submit this application and qualification questionnaire, duly acknowledged, with all questions completely and properly answered shall be sufficient cause to disqualify the applicant. Furthermore, the application process is not open-ended. Should additional information be requested, failure to submit the requested information within the time allotted in the request shall be sufficient grounds for Harbors Division to terminate all processing and close the application. All information provided by applicant in this application and qualification questionnaire will be deemed confidential.

If the spaces provided in this application and qualification questionnaire are inadequate to fully give the information requested, attach separate sheet or sheets hereto and make reference thereto at the appropriate place on this application and questionnaire form. The applicant must execute his or her signature on separate sheets that are attached to this application and questionnaire form.

Please note the following important points:

- Individuals and legally-registered business entities who have had, during the five (5) years preceding, a previous sale, lease, license, permit or easement cancelled or terminated for failure to satisfy the covenants, terms and conditions thereof are not eligible to lease State of Hawaii-owned, public lands.
The use of State-owned, public lands triggers the Environmental Assessment (EA) / Environmental Impact Statement (EIS) requirements of Chapter 343, Hawaii Revised Statutes. Please contact the Office of Environmental Quality Control (OEQC) for their advice or opinion on whether or not an EA (Environmental Assessment), at a minimum, is required and the process to be followed. OEQC telephone number: (808) 586-4185. Website: health.hawaii.gov/oeqc/. The HEPA Citizen's Guide Additional is a summary of the environmental review process and how it works. For further assistance you may schedule an appointment with Harbors Property Management to meet with a Harbors Planner for further clarification.
- The applicant is responsible for contacting the appropriate government agencies to verify that your proposed use of State-owned, public lands has complied with or satisfied all applicable zoning and permitting laws, rules, regulations and ordinances (e.g., State Land Use classification, Special Management Area, County General Plan, County Zoning, etc.).
- The applicant will be responsible for: (1) paying all applicable application processing fees; (2) paying all costs and expenses for independent appraisal services to determine the initial, fair market annual ground lease rental; (3) paying

all costs and expenses to provide survey maps and description of the lease area and (4) obtaining tax clearance certificates from: (a) the State of Hawaii, Department of Taxation; (b) applicable County in which the harbor land lies; and, if applicable, (c) U.S. Internal Revenue Service. If you are granted a harbor lease disposition, you will be required to obtain applicable minimum insurance coverage and a performance bond, among other lease requirements.

II. INFORMATION TO BE FURNISHED BY APPLICANT

Should a land disposition result from your application, the following information will be used in the preparation of the legal documents. Therefore, please include all applicable, full legal names and addresses, one for each person/entity (attach additional sheets as necessary). If title is held by a trust, please include the trustee(s) name(s) and full description of the trust (e.g., George D. Smith, Trustee of the George D. Smith Revocable Living Trust dated June 1, 2001).

A. Sole Proprietorship, Partnership, Corporate, or Limited Liability Company Information

Applicant Name(s): _____
Last name First Name

Mailing Address: _____
No. and Street Name

City State Zip Code

Phone numbers: () () () _____
Work Home Cellular

E-mail address

Signature: _____ Date: _____

1. Specify if applicant is one of the following entities:
 - () Sole Proprietorship
 - () Partnership (also complete Section II.A.2)
 - () Corporation (also complete Section II.A.3)
 - () Limited Liability Company (also complete Section II.A.4)

2. If entity is a partnership, complete the following:

Name of Partners

Addresses

3. If entity is a corporation, complete the following:

Corporate Officers

Name

President:

Executive Vice President:

Vice President:

Secretary:

Treasurer:

Chief Financial Officer / Comptroller: _____

Director of Operations: _____

4. For Partnerships, Corporations or Limited Liability Companies, please complete the following:

State of Incorporation: _____

Date of Incorporation: _____

5. Organization:

Is Applicant registered to do business in the State of Hawaii?

Yes ()

No ()

If yes, when (date of registrations)

6. Hawaii Gross Income Tax License No. _____

7. Name and Address(es) of Branch(s) of Bank(s) or other Financial Institutions in Hawaii that handles applicant's business accounts:

8. Scope of Activity:

For each of the following categories, describe the scope of your intended operations and the means and methods that you will employ to accomplish your contemplated operating standards and business activity.

- a. Proposed date of commencing business operations on the leased premises and desired term (length) of lease.

- b. Submit copies of any operating, vessel registration and licensing certificates issued by the U. S. Department of Transportation, Federal Maritime Administration, U.S. Coast Guard, and any other Federal agency, as applicable.

- c. Indicate the number of people to be employed or under contract for applicant's operations on the leased premises (please include job titles and job function.

d. How many customers, visitors, guests and deliveries (pick-up/drop-off) do you expect to have each day at and on the leased premises.

e. Indicate what applicant's regular business hours will be. If applicant expects to conduct off-hour operations, describe your projected schedules below:

f. List the type(s) and amount(s) of insurance coverage applicant presently has for applicant's business. (Note: The State of Hawaii requires, at a minimum, a general comprehensive public liability policy with a combined single limit coverage of not less than \$1,000,000.00 for bodily injury, death and property damage per occurrence. The actual insurance requirement for any applicant will determined by the Harbors Division prior to issuance of the harbor lease.

g. If applicable, indicate the number and describe the sub-tenants you expect or propose to allow on the leased premises.

III. USE

Identify the specific land uses intended:

- Maritime / Maritime-Related
 Easement – Access Easement - Utility

A. Fully describe your proposed use(s) on State-owned, public lands:

B. Attach drawings of the proposed lease area. The drawings must have adequate detail for Harbors to assess the proposed use with regards to the surrounding uses, and environmental impact. Details must show a location map, configuration or plot plan of your proposed lease land area in the Harbor, storm drains, property lines, proximity to the Harbor, proposed utilities, parking, ingress and egress, trash, storage of hazardous materials etc.

C. Describe all leasehold improvements you intend to develop, construct, install, erect or place on the land and their approximate monetary value(s):

How will the development and construction of all leasehold improvements be financed?

Describe utility requirements e.g. Power, telephone, internet etc. Separate utilities from independent providers is required. If tenant requires utilities from the Harbors, tenant must show verify that utilities are not available. In any event, detailed drawings and county permits will be required. Prior to final approval.

D. Attach a Plan of Development depicting and showing leasehold improvements to be constructed and their location on Harbor Division lands, including a timeframe for construction.

E. In applicant’s opinion, is an Environmental Assessment pursuant to Chapter 343, Hawaii Revised Statutes, relating to Environmental Impact Statements, to develop, lease and use the proposed State-owned land area required?

Yes () No ()

If applicant checked “No,” identify exemption:

If applicant checked “Yes,” describe the completion of the Environmental Assessment:

F. Describe what other permits or approvals are required for this use or these uses and whether or not you have obtained such permits or approvals:

G. Does the proposed use of premises involve storage and/or use of potentially Hazardous Substances? (For example: solvents, batteries, solvent-based paint, heavy-duty cleaning products, vehicle fluids, fuels, etc.). YES or NO

If you answered “YES”, attach a separate page describing the potentially Hazardous Substances with the following details: 1. Substance, 2. Storage Type [Quart, Gallon, 5-Gallon etc.], 3. Quantity, 4. Storage Location and 5. Purpose.

(Attached is a sample letter notifying Harbors regarding a list of potentially Hazardous Substances.)

VI. FINANCIAL STATEMENTS (Profit and Loss Statement and Balance Sheet)

A. The applicant shall provide, in a form acceptable to the Harbors Division, financial statements as evidence of applicant’s financial background duly verified and prepared by a certified public accountant or authorized management personnel. The financial statements must be submitted in one of the following ways:

1. A complete audited financial statement prepared by a certified public accountant for the previous three (3) years of operation. If the applicant

was in existence and/or in business for less than three (3) years, but greater than one (1) year, the years of operation will suffice.

2. A complete unaudited financial statement (balance sheet and income statement) with supporting documentation for all balance sheet items, together with a complete copy of applicant's federal income tax returns submitted to the U.S. Internal Revenue Service (must include all forms/schedules, be signed and dated by an owner/officer and preparer) for the previous three (3) years of operation subscribed to by authorized management personnel of applicant. If applicant was in existence and/or in business for less than three (3) years, but greater than one (1) year, the years of operation will suffice.
3. A complete audited or unaudited financial statement with supporting documentation for all balance sheet items for the most recent month or quarter of operation, whichever greater, if the company was in business for less than one (1) year.

Note: If your organization is a parent company, subsidiary, holding company, or affiliate, the information requested above is also required for such companies.

- B. Submit applicant's business plan and operations plan. Indicate how applicant expects to operate applicant's business, list applicant's potential patrons, customers and clientele, and applicant's annual revenue and expense projections. Describe how applicant plans to finance the construction of leasehold improvements.

Applicant must include business projections and financial plans that applicant expects to employ to initiate your operations, develop your business, and maintain the level of sales or service commensurate with a viable enterprise.

- C. Submit three (3) or more letters of reference, one which shall be to show your credit worthiness and capability to manage your finances; the other letters should attest to your past business and professional record.

V. CERTIFICATION

I/We hereby certify that the statements and information contained in this application, including all attachments, are true and accurate to the best of my/our knowledge and understand that if any statements are shown to be false or misrepresented, this application may be rejected or my/our lease/permit/agreement may be cancelled.

Printed Name

X _____
Signature

Printed Name

X _____
Signature