

**NOTICE OF PUBLIC AUCTION FOR COMMERCIAL
OPERATING USE PERMITS FOR THRILL CRAFT
AND PARASAILING, NOTICE OF CALL FOR TENDERS.**

Notice is given that the State of Hawaii, Department of Land and Natural Resources, Division of Boating and Ocean Recreation shall hold a public auction of Commercial Operating Area Use Permits for thrill craft and parasailing on October 30, 2013 at the Keehi Boat Club at the Keehi Small Boat Harbor at 10:00 a.m. The Keehi Boat Club is located on the premises of the Keehi Small Boat Harbor, 4 Sand Island Access Road, Honolulu, Hawaii 96819. The auction shall be in accordance and compliance with Section 13-256-5, Hawaii Administrative Rules.

Copies of the Hawaii Administrative Rules, Part 3, Section 13-256-5, Commercial use permits, public auction, and Questionnaires are available at the Division of Boating and Ocean Recreation, Oahu District Office, 4 Sand Island Access Road, Honolulu, Hawaii 96819. Copies of Hawaii Administrative Rules, are available on the internet at www.hawaii.gov/dlnr/dbor. You may also access Section 200-37 Hawaii Revised Statutes on the internet at www.capitol.hawaii.gov/hrscurrent.htm.

Before any prospective bidder is entitled to submit a bid, the prospective bidder shall, not less than six calendar days prior to October 30, 2013, give written notice of his/her intention to bid to the Oahu District Manager, Dept. of Land and Natural Resources, Division of Boating and Ocean Recreation, 4 Sand Island Access Road #19, Honolulu, Hawaii 96819. Each prospective bidder shall submit answers, under oath, to questions contained in a questionnaire, provided by the department, setting forth a complete statement of experience, competence and financial standing of the prospective bidder. Acceptance of the questionnaire shall be done by appointment only. The answers to the questions shall be kept confidential.

The one commercial thrill craft permit for public auction along with their upset price (minimum bid) is for: Commercial Operating Area Use Permit for thrill craft Zone B (\$7,200) in Keehi Lagoon. This is a one year permit subject to annual reviews per Section 200-37, Hawaii Revised Statutes. The one commercial parasail permit for public auction is a Commercial Operating Area Use Permit for parasailing in the Oahu South Shore Parasail Area with an upset price (minimum bid) of \$7,200. This is a one-year permit subject to annual reviews per Section 200-37, Hawaii Revised Statutes. The monthly permit fee due the State is equal to 3% of the gross receipts or the amount of the minimum bid, whichever is greater.

Bids may exceed the minimum upset price due the State. Each Commercial Operating Area Use Permit shall be auctioned separately. The qualified bidder with the highest minimum bid shall be awarded the permit. Should two or more qualified bidders have the same minimum bid, each bidder shall be given the opportunity to submit a new sealed bid at the time of the auction and the qualified bidder with the highest minimum bid shall be awarded the permit.

All bids shall be sealed and delivered to the Oahu District Manager. Bids mailed to the Oahu District Manager at the Division of Boating and Ocean Recreation, 4 Sand Island Access Road #19, Honolulu, Hawaii 96819, must be received by close of business (4:00 p.m.) on October 29, 2013. Hand delivered bids may also be delivered to the Oahu District Manager from 7:45 a.m. thru 9:45 a.m. at the Oahu District Office on October 30, 2013. No bids will be accepted after 9:45 a.m. Bid tenders shall be opened at 10:00 a.m., October 30, 2013, at the Keehi Boat Club.

All bids shall be accompanied by a deposit of legal tender, or a certificate of deposit, cashier's check or certified check on a bank that is insured by the Federal Deposit Insurance Corporation, or on a savings institution insured by the Federal Savings and Loan Insurance Corporation or by a share certificate issued by a credit union insured by the National Credit Union Administration, in a sum of not less than five percent (5%) of the amount bid, payable at the site to the State of Hawaii, DLNR Boating Division.

All bids, which do not comply with the requirements of the call for tenders, shall be rejected. The department may reject any or all bids and waive any defects when in the department's opinion such rejection or waiver will be in the best interest of the public. All bids submitted shall reflect the yearly payment to the State, not the monthly payment.

No commercial operator shall be awarded more than one commercial use permit per designated area. Notwithstanding any law to the contrary, the department reserves the right not to issue or renew any of the permits slated for public auction. Failure to comply with the rules may result in loss of bid deposit and/or permit.

These permits do not include access to offshore commercial operating use areas. Vessel mooring and berthing, shore side passenger loading and unloading and access to the offshore operating area are the bidders responsibility and not provided for in the permits that are subject of this public auction. Any questions regarding the auction shall be directed to the Oahu District office at (808) 832-3520.

Summary of Important Dates

1st legal notice, September 20, 2013, 2nd legal notice, September 21, 2013, 3rd legal notice, September 22, 2013. Written notice of intention to bid will not be accepted after October 22, 2013. Not less than six calendar days prior to the day designated for opening bids, each prospective bidder shall submit answers, under oath, in person to a questionnaire provide by the Department. The deadline for receipt of bids is 9:45 a.m., October 30, 2013 at the Oahu District Office. No bids will be accepted after 9:45 a.m. on October 30, 2013. Opening of bids shall be on October 30, 2013, at 10:00 a.m. at the Ke'ehi Harbor Boat Club.



William J. Aila, Jr.

Chairperson

Department of Land and Natural Resources