

**APPENDIX A**  
**APPLICATION AND QUALIFICATION QUESTIONNAIRE**

Write answers in the spaces provided. Attach additional sheets as necessary, clearly indicating the applicable section/question number. Submit one (1) completed original (with all required attachments) and three (3) copies (with copies of all required attachments).

**IMPORTANT NOTE:** The Applicant shall be the entity that will execute the Memorandum of Lease and the lease (if Applicant is the successful bidder at the public auction).

If Applicant is the successful bidder at auction, but the entity that intends to execute the Memorandum of Lease and/or the lease is different from the Applicant described in this Application (including changes to the ownership of Applicant), the Department of Land and Natural Resources ("DLNR") shall, at its sole discretion, have the right to (1) deem these changes to Applicant as an assignment of the rights of Applicant to the new entity requiring the consent of the Board of Land and Natural Resources; or (2) nullify the results of the auction and cancel any rights of Applicant to obtain the lease as the successful bidder.

Alternatively, if Applicant intends to form a new entity to enter the Memorandum of Lease and/or lease, Applicant may submit this Application and Qualification Questionnaire under the proposed entity by indicating "Yes" in Question 1 below and providing the name of the proposed entity and submitting information regarding the proposed owners, partners, shareholders, directors, officers, LLC members, etc. DLNR will evaluate Applicant for eligibility to participate in the auction by applying the evaluation criteria to the proposed entity.

**PART I: GENERAL INFORMATION**

1. Applicant's legal name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
Is Applicant an entity that is to be formed in the future? (Please Circle)      Yes / No
2. Name of contact person: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_
3. Applicant intends to bid on the following parcel:  
Location: Moanalua, Honolulu, Oahu, Hawaii  
Tax map key: (1) 1-1-064:006  
Intended use: \_\_\_\_\_
4. Applicant intends to hold title to the lease as:  
Type of owner (Please Check One):      Tenancy (Please Check One, If Applicable):  
( ) Individual      ( ) Tenant in Severalty  
( ) Husband and Wife      ( ) Joint Tenants  
( ) Sole Proprietorship      ( ) Tenants in Common  
( ) Joint Venture      ( ) Tenants by Entirety  
( ) Partnership  
( ) Corporation  
( ) Limited Liability Company

5. Applicant's fiscal year-end: \_\_\_\_\_

6. If Applicant is a partnership or joint venture, answer the following:

(a) Name, address, & percentage share owned by each partner or joint venture member:

Name	Address	Share
_____	_____	_____
_____	_____	_____
_____	_____	_____

(b) Date of organization: \_\_\_\_\_

(c) General or limited partnership (if applicable): \_\_\_\_\_

(d) Recorded: \_\_\_\_\_

County	State	Date
_____	_____	_____

(e) Currently registered in Hawaii: (Please Circle) Yes / No  
If Yes, as of: \_\_\_\_\_

(f) Name of managing partner: \_\_\_\_\_

(g) Provide the following information for the managing partner and each partner or joint venture member:

- (i) Name and address;
- (ii) Percentage of ownership interest;
- (iii) Whether a general or limited partner; and
- (iv) If the partner/member is an entity, describe the type of entity, where/when it was formed, and the entity's ownership and management (i.e., principal owners and their respective ownership interests, directors, officers, etc.).

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. If Applicant is a corporation, answer the following:

(a) When incorporated: \_\_\_\_\_

(b) In what state or country: \_\_\_\_\_

(c) Authorized to do business in Hawaii: (Please Circle) Yes / No  
If Yes, as of: \_\_\_\_\_

(d) Provide the name, address, and shares of stock for each officer of the corporation:

President: Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Vice-Pres: Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Secretary: Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Treasurer: Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Other: Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

- (e) Provide the name, address, and shares of stock for each member of the corporation's Board of Directors:
- Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_
- Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_
- Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_
- (f) Provide the name, address, and shares of stock for each principal stockholder who is not named in 7(d) and 7(e) above. (Principal stockholder means one holding 10% or more of the outstanding stock of the corporation.)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Number of stock shares: \_\_\_\_\_ Percentage of shares: \_\_\_\_\_

8. If Applicant is a limited liability company (LLC), answer the following:

- (a) State or Country of formation: \_\_\_\_\_
- (b) Date of formation: \_\_\_\_\_
- (c) Registered to do business in Hawaii: (Please Circle) Yes / No  
 If Yes, as of: \_\_\_\_\_
- (d) Member-managed or manager-managed? \_\_\_\_\_
- (e) Provide the following information for each member of the LLC:
- (i) Name and address: \_\_\_\_\_
- (ii) Percentage of ownership interest: \_\_\_\_\_

- (iii) If the member is an entity, describe the type of entity, where/when it was formed, and the entity's ownership and management (i.e., principal owners and their respective ownership interests, directors, officers, etc.):

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- (f) If the LLC is a manager-managed LLC, provide the following information for the Manager:

(i) Name and address: \_\_\_\_\_

(ii) Percentage of ownership interest: \_\_\_\_\_

- (iii) If the member is an entity, describe the type of entity, where/when it was formed, and the entity's ownership and management (i.e., principal owners and their respective ownership interests, directors, officers, etc.):

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9. Applicant must submit evidence acceptable to the Chairperson of the Board of Land and Natural Resources (e.g., certified corporate resolutions) that Applicant is duly authorized to apply for and bid on the lease at public auction, and if the successful bidder, to enter into the lease. Applicant shall also identify the person(s) that will be authorized to bid on the lease on behalf of Applicant at the public auction.

10. List all State of Hawaii leases, permits, licenses, easements, sales, etc. of public lands (e.g., from the State or County) which the Applicant has been a party to, including as a director, officer, shareholder, partner, limited liability company member:

Doc. No.	Type of Agreement	Term of Agreement

11. Attach tax clearances from both the State of Hawaii and the County in which the auctioned premises are located (**Appendix D**).

12. Is the Applicant registered with the U.S. Securities and Exchange Commission and been a publicly traded corporation for at least the last three years?  
(Please Circle) Yes / No

13. Has the Applicant received a business loan within the last two years from an institution that is a member of the Federal Deposit Insurance Corporation or from any federal, mortgage-lending agency qualified to do business in Hawaii?  
(Please Circle) Yes / No

If Yes, attach a copy of the loan agreement.

## PART II: QUALIFICATIONS AND EXPERIENCE

14. Describe the Applicant's qualifications and experience in owning, constructing, and/or operating the type of business operations and use(s) proposed for the premises. Include any pertinent information, including but not limited to the names and locations of other similar businesses owned, developed, operated, or managed by Applicant, and the following information for each such business:

- (a) Describe each business operation (i.e., type of operations, annual gross and net revenues, number of employees, etc.).

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- (b) Describe Applicant's role with respect to the business (i.e., is/was Applicant the owner, developer, operator, manager, etc.).

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- (c) Describe the type and size of the improvements/facilities for the business and whether Applicant constructed the improvements or occupied existing improvements. If Applicant constructed or renovated the improvements, describe Applicant's role and provide the construction costs.

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- (d) Provide the dates of Applicant's involvement/relationship with the business.

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- (e) If Applicant's involvement or relationship with the business is/was through an affiliated or related company or through a common director or officer, describe the relationship between Applicant and the affiliated/related companies or directors/officers.

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- (f) Describe any affiliations with national or international chains or franchises.

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- (g) Provide contact information (names, addresses, companies, title/positions, phone numbers) for individuals that DLNR may contact to confirm any of the information provided in response to the above questions.

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15. Provide any information or describe any other business experiences (including experiences in management, financial, and marketing/promotional matters), which Applicant feels is pertinent to establishing Applicant's qualifications and experiences in developing and operating a business on the premises.

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16. Has Applicant ever been cited and/or fined for violations of any land use laws, ordinances, rules, or regulations? (Please Circle) Yes / No

If Yes, explain.

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### PART III: BUSINESS PLAN

Copy and attach additional plans as needed.

17. What will the premises be used for? List the goals and objectives to utilize and develop the premises.

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18. What products or services will be sold?

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19. What is the projected yearly level of production or sales?

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20. What is the demand for your products in the near- and long-term?

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21. Who are your primary customers and how will the products be distributed?

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22. What is your pricing strategy?

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23. How will you market your products?

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24. Who are your major competitors and what is your competitive strategy?

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25. Describe the proposed site development plan for the premises, indicating the location and size of buildings, parking areas, landscaped areas, fencing and related uses. Attach sketch of plan.

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26. What improvements to the premises do you intend to make and at what cost?

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27. Describe the proposed development schedule for the various improvements.

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28. How will you finance the improvements?

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29. Will you be subleasing any portion of the premises? (Please Circle) Yes / No

If yes, describe the sublease uses.

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30. What problems are anticipated in carrying out this plan and how will you resolve them?

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31. Attach a completed Cash Flow Projection (**Appendix E** sample format; you may use your own). You must show all income and expenses applicable to your business for a five (5) year period.

#### PART IV: FINANCIAL CAPACITY

32. Attach Applicant's financial statement (balance sheet, income/expense statement, and reconciliation of net worth) for the past three (3) fiscal years, and the most current interim financial statement. If Applicant has not been in existence for three (3) years; also attach the financial statements for the principals, i.e., those holding at least a 10% ownership interest.

33. Does Applicant have funding and financing commitments for Applicant's proposed improvements and business operations? If so, provide verification/confirmation(s) from all sources, as follows:

- (a) If Applicant intends to obtain a loan, attach a preliminary loan commitment letter from a recognized lending institution. To be considered, the letter must specify approved loan amount and what loan proceeds will be used for.
- (b) If Applicant is unable to or does not intend to secure a loan and Applicant is an individual, husband and wife, sole proprietorship or partnership, attach a Personal Financial Statement (**Appendix F**) for each individual and federal income tax return for the most recent three (3) years.
- (c) If Applicant is unable to or does not intend to secure a loan and Applicant is a corporation, joint venture, or limited liability company, attach corporate financial statements (current balance sheet and income/expense statements) or federal income tax returns for the most recent three (3) fiscal years, and most current interim financial statement.



For Questions 34-40: (1) if applying as an individual, husband and wife, sole proprietorship or partnership, "you" refers to all individuals involved, including all partners, and (2) if applying as a corporation, joint venture or limited liability company, "you" refers to the entity itself and any director, officer, principal stockholder (stockholders holding  $\geq 10\%$  of the outstanding shares) or limited liability company member or manager.

34. Are there any outstanding judgments against you? (Please Circle) Yes / No

If Yes, explain.

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35. Have you filed bankruptcy within the last seven (7) years? (Please Circle) Yes / No

36. Have you had property foreclosed upon or given title or deed in lieu thereof in the last seven (7) years? (Please Circle) Yes / No

37. Are you a party in any legal action? (Please Circle) Yes / No

If Yes, explain.

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38. Have you directly or indirectly been obligated on any loan, which resulted in foreclosure, transfer of title in lieu of foreclosure, or judgment? (Please Circle) Yes / No

If Yes, provide details, including date, name and address of lender and reasons for the action.

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39. Are you presently delinquent or in default on any Federal, State or County rent, debt or an other loan, mortgage, financial obligation, bond, or loan guarantee? (Please Circle) Yes / No

If Yes, explain.

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PART V: CRIMINAL CONVICTIONS

40. Have you ever been convicted of a violation of law? (Please Circle) Yes / No

If Yes, explain.

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PART VI: NOTARIZED CERTIFICATION

The undersigned Applicant hereby certifies that the statements and information contained in this Application and Qualification Questionnaire, including all attachments, are true and accurate to the best of Applicant's knowledge and understand that if any statements are shown to be false or misrepresented, Applicant may be disqualified from bidding or Applicant's lease may be canceled. The undersigned Applicant also authorizes the State of Hawaii Department of Land and Natural Resources and any of its employees or representatives to conduct investigations regarding any of the information provided in this Application and contact any of the references named herein.

\_\_\_\_\_  
Applicant Name

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Applicant Name

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_  
day of \_\_\_\_\_, 201

\_\_\_\_\_  
Notary Public

County of: \_\_\_\_\_

State of: \_\_\_\_\_

My commission expires: \_\_\_\_\_