

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

JADE T. BUTAY
DIRECTOR

Deputy Directors
DEREK J. CHOW
ROSS M. HIGASHI
EDWARD H. SNIFFEN

IN REPLY REFER TO:

Board of Land and
Natural Resources
State of Hawai'i
Honolulu, Hawai'i

AMENDMENT TO CONCESSION AGREEMENT NO. DOT-A-16-0012
FOR THE ADDITION OF SPACE ALLOCATED FOR STORAGE
WI-FI SERVICES CONCESSION
BOINGO WIRELESS, INC.
DANIEL K. INOUE INTERNATIONAL AIRPORT
TAX MAP KEY: (1) 1-1-003: 001 (PORTION)

O'AHU

PURPOSE:

To amend the existing Concession Agreement No. DOT-A-16-0012 at the Daniel K. Inouye International Airport to add space allocated for storage. Under Article III (Premises) of the Agreement, the specific area assigned or provided for the concession activity may be changed at the discretion of the Director of Transportation

LEGAL REFERENCE:

Section 102-2, Hawaii Revised Statutes.

APPLICANT:

Boingo Wireless, Inc., whose business address is 10960 Wilshire Boulevard 23rd Floor, Los Angeles, California 90024.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO _____
Registered business name confirmed:	YES <u>X</u>	NO _____
Good standing confirmed:	YES <u>X</u>	NO _____

LOCATION AND TAX MAP KEY:

Daniel K. Inouye International Airport (HNL), 1st Division, 1-1-003: 001 (Portion).

ITEM M-1

AMENDMENT NO. 3 TO CONCESSION AGREEMENT NO. DOT-A-16-0012 FOR THE ADDITION OF SPACE ALLOCATED FOR STORAGE, BOINGO WIRELESS, INC.
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ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: Industrial (I-2)

LAND TITLE STATUS:

Section 5(a) and 5(b) lands of the Hawai'i Admission Act: Non-Ceded
DHHL 30% entitlement lands pursuant to Hawai'i State Constitution: No

TERM:

February 1, 2017 and expires on January 31, 2028.

ADDITIONAL PREMISES:

Building/Room No. 368-126, containing an area of approximately 1,342 square feet, as delineated on the attached map labeled Exhibit C dated July 2021.

IMPROVEMENTS:

Applicant at its own cost and expense shall be responsible for any renovation, upgrade, remodeling and improvements to the storage space.

RENTAL:

Currently Applicant is paying the greater of the Minimum Annual Guarantee (MAG) of \$300,000 or 30% of the gross receipts. However, as specified in Article III (Premises), the State shall not charge space rent for the initial allocation.

DCCA VERIFICATION:

Place of business registration confirmed: YES X NO _____
Registered business name confirmed: YES X NO _____
Good standing confirmed: YES X NO _____

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

The environmental impacts of the proposed action to the subject land area is covered by the Honolulu International Airport Master Plan Update and Noise Compatibility Program Environmental Assessment (EA), State Project No. AO1011-033. The EA is a joint State and Federal document, dated September 1989 and published in the October 23, 1989

AMENDMENT NO. 3 TO CONCESSION AGREEMENT NO. DOT-A-16-0012 FOR THE
ADDITION OF SPACE ALLOCATED FOR STORAGE, BOINGO WIRELESS, INC.

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issue of the OEQC Bulletin. Accordingly, relevant mitigation from the EA and the DOTA environmental best management practice will address minimal impacts from this action.

REMARKS:

The Department of Transportation and Boingo Wireless, Inc. entered into that certain Concession Agreement No. DOT-A-16-0012, dated January 26, 2017, for the wi-fi services concession at Daniel K. Inouye International Airport. Due to ongoing and upcoming upgrades and expansion projects the storage space is integral to Boingo's concession operation at the Airport.

RECOMMENDATION:

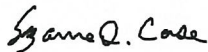
That the Board authorize the DOT to issue a concession agreement to subject to:
(1) terms and conditions herein outlined, which are by reference incorporated herein,
(2) such additional terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and (3) review and approval of the Department of the Attorney General as to the lease form and content.

Respectfully submitted,

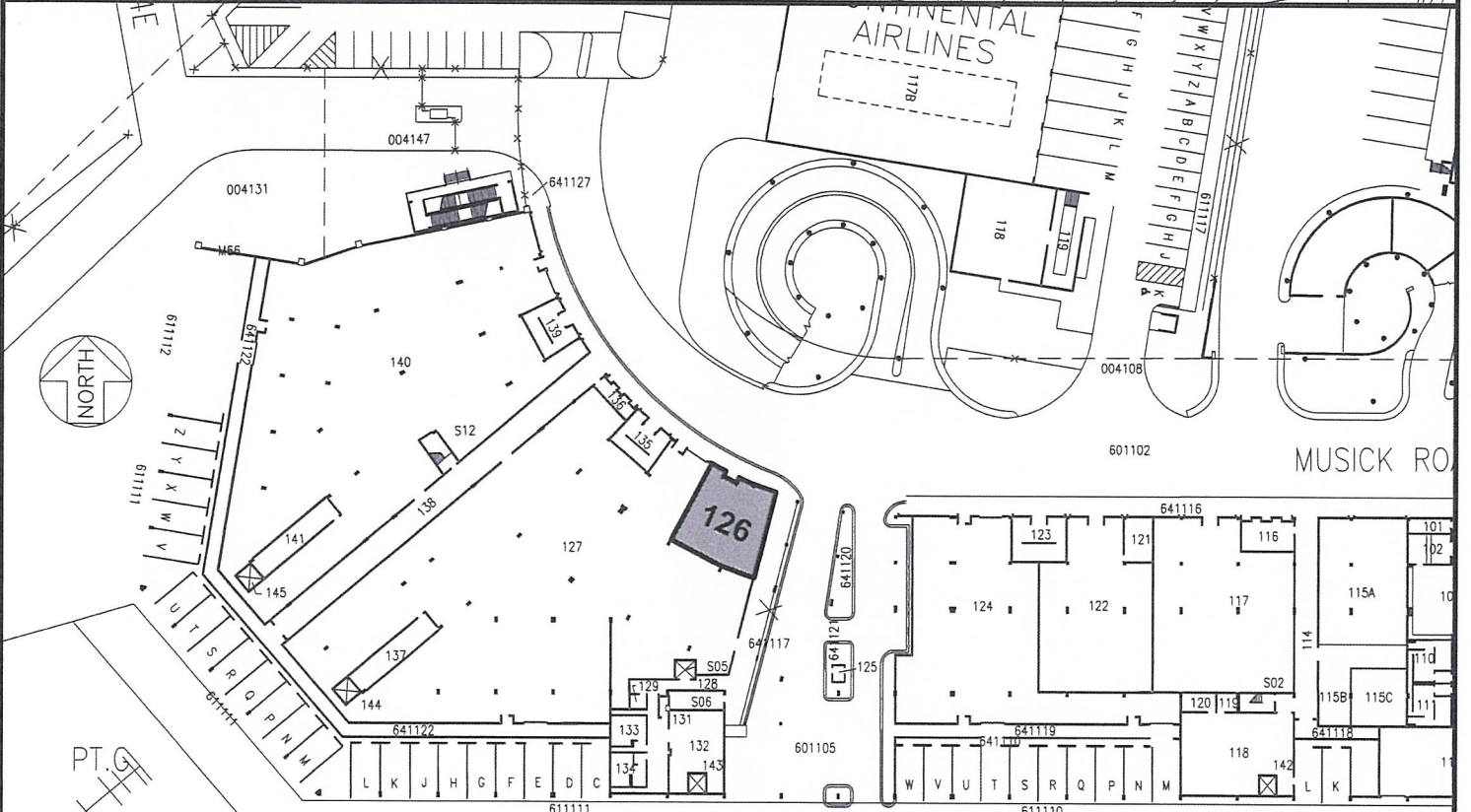
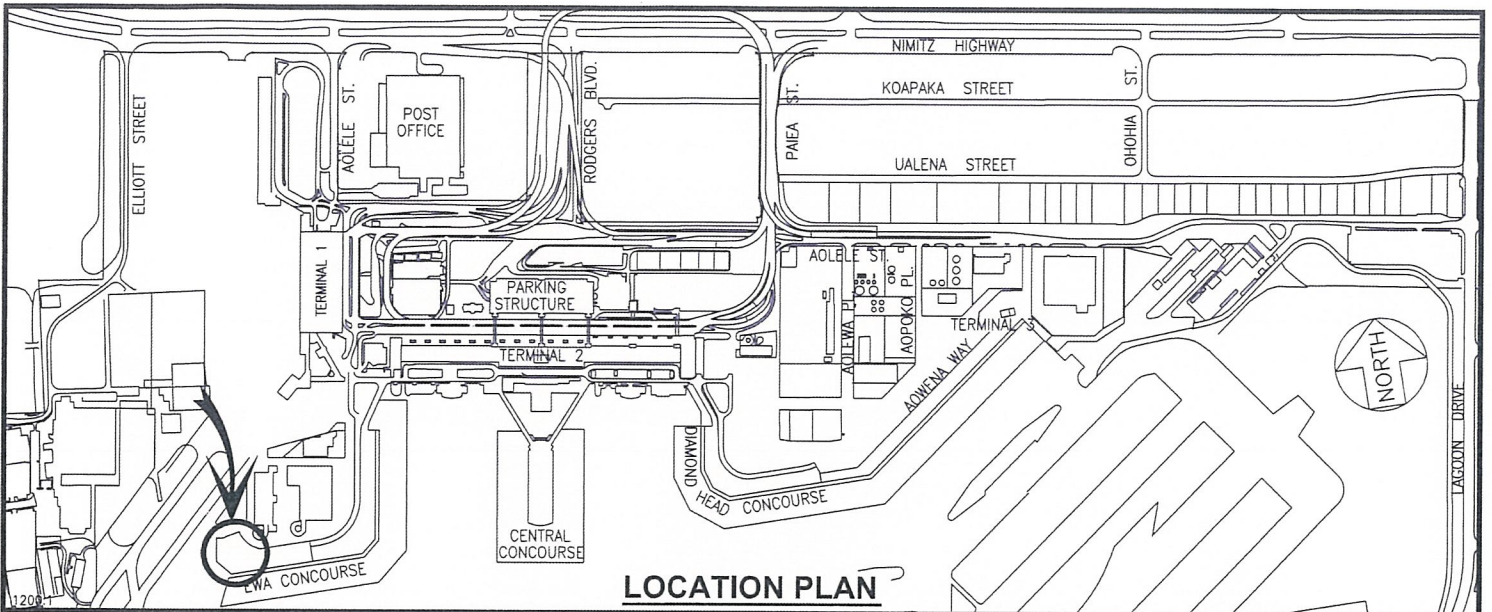


JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member



BLDG 368

SCALE: 1" = 80'

BLDG/ROOM	SQ. FT.
368 126	1,342

DOTA-16-0012 Adobe Sign Transaction Number: CBJCHBCAABAA_WKSQU27m4sw8nWCOSL9igs9s0lw79 DATE : JULY 2021 EXHIBIT: **C**



BOINGO WIRELESS, INC.

**BUILDING 368
EWA CONCOUSE EXTENSION
GROUND LEVEL**

**368126
PLAT A1**

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