

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

JADE T. BUTAY

Deputy Directors ROSS M. HIGASHI EDUARDO P. MANGLALLAN DAVID J. RODRIGUEZ EDWIN H. SNIFFEN

IN REPLY REFER TO:

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

ISSUANCE OF A RESTAURANT AND LOUNGE CONCESSION AGREEMENT BY REQUEST FOR PROPOSALS TO VOLUME SERVICES, INC. DBA SODEXO LIVE! AT HILO INTERNATIONAL AIRPORT AND ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEĀHOLE

TAX MAP KEY: HILO - (3) 2-1-12: PORTION OF 9 AND KONA - (3) 7-3-43: PORTION OF 3

HAWAI'I

REQUEST:

The Department of Transportation (DOT) proposes to issue a Concession Agreement to Volume Services, Inc. dba Sodexo Live! for the management and operation of a Restaurant and Lounge Concession at Hilo International Airport and Ellison Onizuka Kona International Airport at Keāhole.

LEGAL REFERENCE:

Chapter 102, Hawai'i Revised Statutes, as amended.

APPLICANT:

Volume Services, Inc., a Delaware corporation, authorized to do business in the State of Hawai'i, whose business address is 700 Canal Street Fl 1, Stamford, Connecticut 06902.

DCCA VERIFICATION:

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

LOCATION AND TAX MAP KEY:

Hilo International Airport, Island of Hawai'i Tax Map Key: 3rd Division, 2-1-12: Portion of 9

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Ellison Onizuka Kona International Airport at Keāhole, Island of Hawai'i Tax Map Key: 3rd Division, 7-3-03: Portion of 3

PREMISES:

1. <u>Hilo International Airport (HILO)</u>

Bldg/Room No. 307-121, containing an area of approximately 4,995 square feet; Bldg/Room No. 307-121A, containing an area of approximately 1,079 square feet; Bldg/Room No. 307-190, containing an area of approximately 1,122 square feet; Bldg/Room No. 307-191, containing an area of approximately 1,091 square feet; and as shown and delineated on the attached map labeled Exhibit A-1.

Bldg/Room No. 307-145B, containing an area of approximately 600 square feet, as shown and delineated on the attached map labeled Exhibit A-2.

2. Ellison Onizuka Kona International Airport at Keāhole (KONA):

Bldg/Room No. 309-101, containing an area of approximately 2,168 square feet; Bldg/Room No. 309-102, containing an area of approximately 38 square feet; Bldg/Room No. 355-101, containing an area of approximately 1,332 square feet; and Area/Space No. 640-148, containing an area of approximately 396 square feet; as shown and delineated on the attached map labeled Exhibit B-1.

Bldg/Room No. 325-101, containing an area of approximately 2,162 square feet; Bldg/Room No. 356-101, containing an area of approximately 1,324 square feet; and Area/Space No. 640-149, containing an area of approximately 396 square feet, as shown and delineated on the attached map labeled Exhibit B-2.

Bldg/Room No. 331-105, containing an area of approximately 463 square feet, as shown and delineated on the attached map labeled Exhibit B-3.

Bldg/Room No. 354-104, containing an area of approximately 388 square feet; and Bldg/Room No. 345-105, containing an area of approximately 610 square feet, as shown and delineated on the attached map labeled Exhibit B-4.

ZONING:

HILO: State Land Use: Urban County: Industrial (ML20) KONA: State Land Use: Urban County: Industrial (MG1a)

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LAND TITLE STATUS:

HILO: Section 5(b), Hawai'i Admission Act - Ceded

DHHL 30% entitlement lands: Yes___ No_X

KONA: Section 5(b), Hawai'i Admission Act – Ceded

DHHL 30% entitlement lands: Yes____ No_X

CURRENT USE STATUS:

HILO: Land presently encumbered by Governor's Executive Order No. 2653, dated March 5, 1973, setting aside 284.466 acres designated as General Lyman Field under the control and management of the State of Hawai'i, Department of Transportation, Airports Division for public purposes.

KONA: Land presently encumbered by Governor's Executive Order No. 3074, dated August 20, 1981, setting aside 4,204.10 acres designated as KONA under the control and management of the State of Hawai'i, Department of Transportation, Airports Division for Airport Purposes.

CHARACTER OF USE:

Restaurant and Lounge Concession.

TERM OF LEASE:

Fifteen (15) years.

COMMENCEMENT DATE:

Upon execution of the Concession Agreement.

CONCESSION FEE:

The annual Concession Fee shall be the greater of the Minimum Annual Guaranteed (MAG) Fee of \$960,000 or Percentage Fee.

For each succeeding years, the MAG shall be 85% of the actual annual fee paid and payable to the State of Hawai'i (either MAG or percentage) in the prior concession agreement year.

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DISADVANTAGE BUSINESS ENTERPRISE (DBE) GOAL:

A DBE minimum participation goal of nineteen percent (19%) will be used to meet DBE regulations of the Federal Aviation Administration, U.S. Department of Transportation.

MINIMUM IMPROVEMENTS REQUIREMENT:

Volume Services, Inc. will invest a minimum of \$8 million in capital improvements.

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

HILO:

The State of Hawai'i, Department of Transportation, Airports Division, has determined that the subject land use is covered by the Final Environmental Impact Statement (EIS), New Passenger Terminal, General Lyman Field, Hilo, Hawai'i, published by the Office of Environmental Quality Control (OEQC) in the October 17, 1973, issue of The EIS Newsletter. Accordingly, all relevant mitigation from the EIS and best management practices will be implemented to address the minimum impacts of this action. On July 1, 1989, General Lyman Field was renamed Hilo International Airport.

KONA:

The State of Hawai'i, Department of Transportation, Airports Division, has determined that the subject land areas are covered by the Keahole Airport Master Plan Final Environmental Impact Statement (EIS), published by the Office of Environmental Quality Control (OEQC) in the November 8, 1988, issue of The Environmental Notice and accepted by the Governor on December 19, 1988. Accordingly, all relevant mitigation from the EIS and best management practices will be implemented to address the minimum impacts of this action.

REMARKS:

In accordance with Chapter 102, Hawai'i Revised Statutes, as amended, relating generally to Concessions on Public Property, The DOT issued a request for proposals to operate and manage a Restaurant and Lounge Concession at HILO and KONA. Based on the proposals submitted, Volume Services, Inc. dba Sodexo Live! was determined to be the best qualified candidate to operate the concession.

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RECOMMENDATION:

That the Board authorize the Department of Transportation to enter into a Concession Agreement with Volume Services dba Sodexo Live! subject to: (1) the terms and conditions hereinabove outlined; (2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interest of the State; and (3) review approval by the Department of the Attorney General.

Respectfully submitted,

JADE T. BUTAY

Director of Transportation

APPROVED FOR SUBMITTAL:

Same Q. Case

SUZANNE D. CASE Chairperson Board of Land and Natural Resources











