

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

November 9, 2023

Chairperson and Members
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Land Board Members:

SUBJECT: Direct Issuance of a Parking Concession to Secure Parking Hawaii LLC, in the Designated Areas Located Within the Ala Wai Small Boat Harbor, Honolulu, Oahu, Hawaii, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2-3-037:012 (Portion), :024, :027, :033, :035 and :037

And

Continuation of Revocable Permit Issued to Secure Parking Hawaii LLC, for Management of Vehicular Parking in the Designated Areas Located Within the Ala Wai Small Boat Harbor, Honolulu, Oahu, Hawaii, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2-3-037:012 (Portion), :024, :027, :033, :035 and :037

And

Declare Project Exempt from Environmental Assessment Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

APPLICANT:

Secure Parking Hawaii LLC, a Hawaii limited liability company, whose mailing address is 529 Koula Street Bay 2, Honolulu, HI 96813.

LEGAL REFERENCE:

Sections Chapter 102-2(b)(1), Hawaii Revised Statutes, as amended.

Item J-7

LOCATION:

Portions of Government lands situated at Ala Wai Small Boat Harbor (“AWSBH”), Honolulu, Oahu, Hawaii, identified by Tax Map Keys: (1) 2-6-010-:003 (Portion), (1) 2-3-037:012 (Portion), :024, :027, :033, :035 and :037, as shown on the attached map labeled (see **Exhibit A-1 and A-2**).

AREA:

Vehicle parking at the Ala Wai small boat harbor.

ZONING:

State Land Use District: Urban
County of Honolulu CZO: Public Precinct (Waikiki Special District)

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES NO

CURRENT USE STATUS:

The Premises is presently encumbered by RP 120.

CHARACTER OF USE:

Vehicle Parking Concession

CONCESSION FEE:

All gross receipts generated by the parking operation shall be collected by the permittee. The permittee shall pay the Division of Boating and Ocean Recreation (“DOBOR”) an amount equal to eighty three percent (83%) of gross receipts monthly. Said payment shall be due ten (10) calendar days after the end of each month.

Term:

Three (3) years

DCCA VERIFICATION FOR PROPOSED REVOCABLE PERMITEE:

Place of business registration confirmed:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Registered business name confirmed:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Applicant in good standing confirmed:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to General Exemption Type 1, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing,” Part 1, Item No. 44, which states, “Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.”

BASIS OF AWARD:

Chapter 102, HRS, provides in relevant part:

§102-1 Definition. The word “concession” as used in this chapter means the grant to a person of the privilege to:

* * *

(2) Operate a parking lot on property owned or controlled by the State with the exception of buildings, facilities, and grounds operated by or otherwise under the jurisdiction of the department of education; . . .

§102-2 Contracts for concessions; bid required, exception.

(a) Except as otherwise specifically provided by law, no concession or concession space shall be leased, let, licensed, rented out, or otherwise disposed of either by contract, lease, license, permit, or any other arrangement, except under contract let after public notice for sealed bids in the manner provided by law; provided that the duration of the grant of the concession or concession space shall be related to the investment required but in no event to exceed twenty-five years for the initial term, and if amended, any then remaining term plus any agreed extension thereof awarded or granted by the government agency making a lease or contract or other arrangement relating to a concession; provided further that and subject to approval by county council resolution, the twenty-five-year limit shall not apply to nonprofit corporations organized pursuant to chapter 414D.

(b) The bidding requirements of subsection (a) shall not apply to concessions or space on public property set aside for the following purposes:

(1) For operation of ground transportation services and parking lot operations at airports and small boat harbors, except for motor vehicle rental operations under chapter 437D; . . .

BACKGROUND:

At its meeting on August 11, 2023, under agenda Item J-1, the Board of Land and Natural

Resources (Board) approved the issuance of a revocable permit (“RP”) to Secure Parking Hawaii LLC for management of vehicular parking at the Ala Wai small boat harbor for 90-days and instructed staff to complete the Request for Interest (“RFI”) process that would lead to the direct negotiation with a vendor for the parking concession. Because the RFI process took longer than anticipated, staff is asking the Board to continue Secure Parking Hawaii LLC’s revocable permit through the end of 2023 at its current rate of eighty percent (80%) of the monthly gross receipts to allow for the preparation and execution of the parking concession contract.

Staff published the Notice of the Request for Interest (“RFI”) on August 31, 2023 in the *Honolulu Star-Advertiser* (see **Exhibit B**). In addition to the published legal notice, staff asked DLNR’s Communications Office to issue a press release announcing the RFI, as well as posting the RFI (see **Exhibit C**) on DOBOR’s website.

Two (2) vendors, Diamond Parking Services and Secure Parking Hawaii LLC, completed and submitted qualification questionnaires, which were evaluated by staff. Staff determined both to be qualified and invited each to submit a proposal for the parking concession.

Staff reviewed the two proposals, and unanimously selected Secure Parking Hawaii LLC’s. A summary of each proposal is shown below and the proposals themselves have been provided to the Board for review.

	Diamond Parking Services	Secure Parking Hawaii LLC
Concession Fee	85/15	83/17
Cancellation	If the contract is cancelled prior to 5/31/2024, Diamond shall be reimbursed for its out of pocket expenses.	None
Force Majeure	If during the term of the agreement or any renewal the U.S. experiences a natural disaster, epidemic, civil unrest or any other force majeure, the parties agree to an equitable adjustment of rent under the agreement. The dispute shall be resolved by binding arbitration, with each party paying one-half of the cost. No appeal of arbitration award. Pending arbitration award rent adjusted to 75/25 split.	None
Reports	Weekly: - Scofflaw List	Monthly Gross Receipt Reports

	<ul style="list-style-type: none"> - Operations Report - 72 Hour Trailer Log <p>Monthly:</p> <ul style="list-style-type: none"> - Financial Packet <ul style="list-style-type: none"> - Parking Ops. Statement - Monthly Parking List - Quarterly <ul style="list-style-type: none"> - Updates to Scofflaw List - Request to Tow 	
Signage	Ensure that parking signage is compliant with the ADA of 1990	Comprehensive redesign and installation of signage at no additional cost.
Standby Letter of Credit	None	\$50,000.00
Community Engagement	None	<p>If DOBOR seeks to raise the hourly parking rate from \$1.00 to \$2.00 per hour, recognizing the importance of community engagement with such a change, Secure is committed to managing community outreach, at no cost to the State.</p> <p>If DOBOR seeks to optimize parking by converting all permit stalls to paid parking, Secure is committed to specialized outreach programs to impacted stakeholders such as harbor tenants.</p>
Recreational Free Parking	None	Suggest implementing a vehicle registration system upon arrival for those utilizing free parking.

REMARKS:

In 2009, DOBOR implemented a parking plan at the Ala Wai small boat harbor by creating permitted, pay and free recreational parking stall areas – each consisting of approximately 1/3 of the total. Based on staff’s experience regarding the operation of the parking lot, we propose modifying the parking plan by either of the two options:

1. Eliminate the designated permit parking stalls and free recreational parking stalls. Under this option, all parking stalls at the Ala Wai small boat harbor will be pay stalls. This will address people using the facility to park for non-harbor related activities and increase additional parking options.
2. Eliminate the designated permit parking stalls and restrict free recreational parking to the area fronting and along the Hilton Lagoon. This would result in approximately 125 free parking stalls.

Permittees that have been issued a valid vehicle parking permit are permitted to park in any available parking stall in the facility unless the area is signed and closed at specific time periods.¹

In addition, amend the existing parking plan as follows:

1. Increase the hourly paid parking fee from \$1.00/hour to \$2.00/hour.
2. Should the Board decide to allow for free parking stalls, staff recommends reducing the free parking time limit from six hours to three hours.

RECOMMENDATION:


That the Board of Land and Natural Resources:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Approve the direct issuance of a parking concession to Secure Parking Hawaii LLC under the terms and conditions contained in Request for Interest with a concession fee payable monthly to the State of Hawaii in an amount equal to eighty three percent (83%) of gross receipts monthly.
3. Based on staff's testimony and facts presented, find that approving the revocable permit under conditions and rent set forth herein will serve the best interest of the State.

¹ §13-233-28 Harbor tenants – parking permits. Notwithstanding any other provisions of this subchapter to the contrary, a person may park a motor vehicle in a parking stall in a pay-for-parking zone, in excess of the time limit and without payment for the parking stall, if the person has been issued a parking permit and displays a valid parking sticker (decal) issued to that person by the department, on the left hand side of the rear bumper or as near thereto as the configuration of the motor vehicle permits, or has been issued a temporary parking permit and displays this temporary parking permit in or on the vehicle so as to be clearly visible from the outside. [Eff 2/24/94; am and comp 4/5/08] (Auth: HRS §§200-2, 200-4) (Imp: HRS §§200-2, 200-4)

4. Approve the continuation of Revocable Permit No. 120 on a month-to-month basis effective November 10, 2023, through December 31, 2023, except if the permit is in arrears of rental payment for more than 60 days and/or has been approved for forfeiture by a separate Board action. If the permit is in arrears of rental for 60 days or more and/or approved by the Board for forfeiture it shall not be renewed.
5. Approve staff's proposal to modify the parking plan for the Ala Wai small boat harbor.

Respectfully Submitted,



EDWARD R. UNDERWOOD, Administrator
Division of Boating and Ocean Recreation

APPROVED FOR SUBMITTAL:



DAWN N.S. CHANG, Chairperson
Board of Land and Natural Resources

Attachments:

- A-1 AWSBH Location on Oahu
- A-2 AWSBH Parking Plan
- B Notice of Request for Interest
- C Request for Interest

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, HAR

Project Title:	Direct Issuance of a Parking Concession to Secure Parking Hawaii LLC, in the Designated Areas Located Within the Ala Wai Small Boat Harbor, Honolulu, Oahu, Hawaii, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2-3-037:012 (Portion), :024, :027, :033, :035 and :037; and Continuation of Revocable Permit Issued to Secure Parking Hawaii LLC, for Management of Vehicular Parking in the Designated Areas Located Within the Ala Wai Small Boat Harbor, Honolulu, Oahu, Hawaii, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2-3-037:012 (Portion), :024, :027, :033, :035 and :037
Project / Reference No.:	N/A
Project Location:	Ala Wai Small Boat Harbor, Honolulu, Oahu, Hawaii, Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2-3-037:012 (Portion), :024, :027, :033, :035 and :037
Project Description:	Direct Issuance of a Parking Concession to Secure Parking Hawaii LLC and Continuation of Revocable Permit Issued to Secure Parking Hawaii LLC, for Management of Vehicular Parking in the Designated Areas Located Within the Ala Wai Small Boat Harbor.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No(s):	In accordance with Section 11-200.1-15, Hawaii Administrative Rules and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to General Exemption Type 1, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing," Part 1, Item No. 44, which states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."
Cumulative Impact of Planned Successive Actions in Same Place Significant?	None. The actions will not be different from what is already existing.
Action May have Significant Impact on Particularly Sensitive Environment?	The requested area is a portion of the Ala Wai Small Boat Harbor that is visited by the community, tourists, and commercial operators and is impacted by human activity. Staff believes there

	would be no significant impact to sensitive environmental or ecological receptors.
Analysis:	The Board of Land and Natural Resources has previously issued a revocable permit for this use in the past. The proposed activity is of a similar type and scope to that previously approved. Such activities have resulted in no known significant impacts, whether immediate or cumulative to the natural, environmental and/or cultural resources in the area. Staff believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.
Consulted Parties:	None
Recommendation:	It is recommended that the Board find that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Exhibit A-1

Island of Oahu



Ala Wai Small Boat Harbor

Exhibit A-1

Exhibit A-2

Parking Plan



HAWAII'S Legals / Public Notices

521-9111

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Notices to Creditors

Notices to Creditors

Notices to Creditors

Notices to Creditors

Request for Proposals

Request for Proposals

Request for Proposals

Notice to Creditors

Estate of Alma Chung Yang, Deceased.
Revocable Trust of Alma C. Yang, dated September 28, 1994.

Pursuant to HRS §560:3-801, all persons having a claim against the above-named decedent, estate and/or trust are hereby notified to present their claims with proper vouchers or duly authenticated copies thereof, even if the claim is secured by mortgage upon real estate, to Martin P. Yang, Trustee of the above-named Trust, whose address is c/o Sterling & Tucker, 201 Merchant Street, Suite 950, Honolulu, Hawaii 96813, within four months from the date of the first publication of this notice, or they will be forever barred.

Kanani M. Makaimoku, c/o Sterling & Tucker,
201 Merchant Street, Suite 950, Honolulu, HI 96813
(SA1428195 8/24, 8/31, 9/7/23)

NOTICE TO CREDITORS OF SUSAN IRENE GEORGE, AKA SUSAN I. GEORGE AND SUSAN GEORGE, DECEASED, AND OF HER ESTATE AND OF THE GEORGE LIVING TRUST

All creditors of the above-named decedent, of the decedent's estate and of the trust known as the "George Living Trust," dated March 13, 2013, as amended, are hereby notified to present their claims with proper vouchers or duly authenticated copies thereof, even if the claim is secured by mortgage upon real estate, to S. Kela Holt, Trustee of the Trust, 3615 Harding Avenue, Suite 309, Honolulu, Hawaii 96816, (808) 777-4200, within four months from the date of the first publication of this notice or they will be forever barred.

Dated: Honolulu, Hawaii, August 22, 2023.

AGUSTIN HAWAII LAW, LLC
(Travis M. Agustin, Esq.)
Attorney for Trustee

(SA1428144 8/24, 8/31, 9/6/23)

FIRST CIRCUIT COURT NOTICE AND NOTICE TO CREDITORS

P. NO. 1CLP-23-0000686

The Estate of JEFF KERR, also known as JEFFREY ROBERT KERR, JEFFREY R. KERR and JEFFREY KERR; and the Jeffrey Robert Kerr Revocable Trust dated May 31, 2012

FILED, a document purporting to be the Last Will and Testament of the above-named Decedent who died on July 13, 2023, together with an Application by MOKAI CHANG of 2969 Kalakaua Ave., Apt. 1003, Honolulu, HI 96815 praying for Informal probate and issuance of Letters to said MOKAI CHANG.

Any interested person who objects to the Informal probate may file a petition for formal testacy proceedings within ninety (90) days after the date of the first publication of this notice; any interested person who desires further notice, including notice of the closing and distribution of the estate, must file a Demand for Notice pursuant to HRS Section 560:3-204.

All creditors of the above-named Decedent, estate and/or Trust are hereby notified to present their claims with proper vouchers or duly authenticated copies thereof, even if the claim is secured by mortgage upon real estate, to said Applicant/Successor Trustee, at the address shown above, within four (4) months from the date of the first publication of this notice, or they will be forever barred.

DATED: Honolulu, Hawaii, August 14, 2023.

NOTICE TO CREDITORS OF JANET J JUDWIN, DECEASED, AND OF HER ESTATE AND OF THE JANET J JUDWIN TRUST

All creditors of the above-named decedent, of the decedent's estate and of the trust known as the "Janet J Judwin Trust," dated June 2, 2015, are hereby notified to present their claims with proper vouchers or duly authenticated copies thereof, even if the claim is secured by mortgage upon real estate, to First Hawaiian Bank, Trustee of the Trust, P.O. Box 3708, Honolulu, HI 96811, Attention: GYY within four (4) months from the date of the first publication of this notice or they will be forever barred.

Dated: Honolulu, Hawaii, _____
(SA1428271 8/24, 8/31, 9/07/23)

Notice to Creditors

Estate of Jayne Frances Vercnocke, Deceased.
Benny K. H. Tjho and Jayne F. Vercnocke Living Trust,
dated February 11, 2010.

Pursuant to HRS §560:3-801, all persons having a claim against the above-named decedent, estate and/or trust are hereby notified to present their claims with proper vouchers or duly authenticated copies thereof, even if the claim is secured by mortgage upon real estate, to Francisco V. Bonifacio and Elsa S. Bonifacio, Successor Trustees of the above-named Trust, whose address is c/o Sterling & Tucker, 201 Merchant Street, Suite 950, Honolulu, Hawaii 96813, within four months from the date of the first publication of this notice, or they will be forever barred.

Kanani M. Makaimoku, c/o Sterling & Tucker, 201
Merchant Street, Suite 950, Honolulu, HI 96813
(SA1426911 8/17, 8/24, 8/31/23)

NOTICE TO CREDITORS OF WILLIAM YOSHIO CHINEN, DECEASED, AND/OR THE REVOCABLE TRUST OF WILLIAM YOSHIO CHINEN DATED SEPTEMBER 16, 1992, AND

AILEEN TOSHIKO CHINEN, DECEASED, AND/OR THE REVOCABLE TRUST OF AILEEN TOSHIKO CHINEN DATED SEPTEMBER 16, 1992

Notice is hereby given that WILLIAM YOSHIO CHINEN died on October 13, 2019, in Honolulu, Hawaii, and AILEEN TOSHIKO CHINEN died on November 15, 2022, in Honolulu, Hawaii.

All interested persons having a claim against the above-named estates or the trustees of the REVOCABLE TRUST OF WILLIAM YOSHIO CHINEN dated September 16, 1992, as amended and restated, and the REVOCABLE TRUST OF AILEEN TOSHIKO CHINEN dated September 16, 1992, as amended and restated, are hereby notified that William Taru Chinen and Malcolm Tetsuo Chinen, whose address is c/o 1003 Bishop Street, Suite 1600, Honolulu, Hawaii 96813, and whose telephone no. is (808) 531-8031, are serving as Trustees of the above-named trusts.

Pursuant to Hawaii Revised Statutes § 560:3-801, all creditors of the above-named estates and/or trusts are hereby notified to present their claims with proper vouchers or duly authenticated copies thereof, even if the claim is secured by a mortgage upon real estate, to the Trustees of the Trusts, at the address shown above, within four (4) months from the date of the first publication of this notice, or they will be forever barred.

Any interested person who desires further notice must file a Demand for Notice pursuant to Hawaii Revised Statutes § 560:3-204.

DATED: Honolulu, Hawaii, August 25, 2023.
DAMON KEY LEONG KUPCHAK HASTERT
DOUGLAS C. SMITH, Attorney for Trustees
(SA1428578 8/31, 9/7/23)

FIRST CIRCUIT COURT NOTICE AND

REQUEST FOR INTEREST DIRECTLY NEGOTIATED PARKING CONCESSION CONTRACT PARKING LOT CONCESSION AT THE ALA WAI SMALL BOAT HARBOR

The State of Hawaii Department of Land and Natural Resources is publishing a Request for Interest ("RFI") for qualified parties interested in a Parking Lot Concession of State-owned lands within the Ala Wai Small Boat Harbor situated at Kalia, Honolulu, Oahu, Hawaii, pursuant to Chapter 102-2 (b)(1), Hawaii Revised Statutes ("HRS").

Before selecting an interested party with whom to directly negotiate, any interested party must meet the minimum qualifications set forth in the RFI and shall submit the Qualifications Questionnaire form by 4:00 P.M. September 15, 2023, to the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources, 4 Sand Island Access Road, Honolulu, Hawaii 96819.

Qualifications Questionnaire is available on DOBOR's web page:
dlnr.hawaii.gov/dobor

Tentative Schedule

Publication	August 31, 2023
Qualification Questionnaire Due	September 15, 2023
Notify Qualified Parties	September 18, 2023
Parking Proposal Due	October 2, 2023
Select Proposed Concessionaire	October 4, 2023
Board of Land and Natural Resources Approval	October 27, 2023
Commencement Date	November 10, 2023

/s/ Edward R. Underwood
Edward R. Underwood, Administrator
Division of Boating and Ocean Recreation
(SA1428625 8/31/23)

Public Notice Public Notice Public Notice

NOTICE

The following Ordinance passed Final Reading at the meeting held by the Council of the City and County of Honolulu on August 9, 2023 and was subsequently approved by the Mayor:

Ordinance 23-25 (Bill 4 (2023), CD2) - Relating to the adoption of the Hawaii! State Energy Code.
9 AYES: Contero, Dos Santos-Tam, Kia'alana, Okimoto, Say, Tuiba, Tupola, Waters, Weyer.

Copies of the foregoing ordinance are available for use and examination by the public during regular business hours at the City Clerk's office, Room 203, Honolulu Hale and are also available on-line at <https://hnlidoc.hawaii.gov/hnlidoc/>. Should you have any questions, please call (808) 768-5822.

GLENN TAKAHASHI, City Clerk

(SA1428707 8/31/23)

Public Notice Public Notice Public Notice

NOTICE OF THE OCTOBER 2ND DEADLINE FOR HOME EXEMPTION CLAIMS AND OTHER REAL PROPERTY TAX RELIEF PROGRAMS WITHIN THE CITY AND COUNTY OF HONOLULU

NOTICE TO OWNER-OCCUPIED HOMEOWNERS WITHIN THE CITY AND COUNTY OF HONOLULU - Revised Ordinances of Honolulu (ROH) Section 8-10.3. The City and County of Honolulu's Department of Budget and Fiscal Services, Real Property Assessment Division (RPAD) would like to inform all owner-occupied homeowners who have yet to file their one-time home exemption claim to do so by October 2, 2023. Because September 30, 2023 falls on a Saturday, the exemption filing deadline is extended to the next business day.

**REQUEST FOR INTEREST
DIRECTLY NEGOTIATED PARKING CONCESSION CONTRACT FOR
PARKING LOT CONCESSION
AT THE ALA WAI SMALL BOAT HARBOR**

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Division of Boating and Ocean Recreation



Edward R. Underwood
Administrator

QUALIFICATIONS

1. QUALIFICATION OF INTERESTED PARTIES:

- 1.1. An Interested Party must be capable of carrying out the terms and conditions of the Contract.
- 1.2. Each Interested Party must file a completed Qualification Questionnaire at the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources, 4 Sand Island Access Road, Honolulu, Hawaii, 96819, no later than 4:00 P.M. (Hawaii Standard Time) on September 15, 2023.
- 1.3. The Qualification Questionnaire, properly executed and notarized, shall be reviewed by Division of Boating and Ocean Recreation to determine whether the Interested Party's experience, competence and financial standing meet the minimum qualifications set forth herein.
- 1.4. Interested Party must demonstrate that its assigned project manager has five (5) years' experience in providing parking systems and management to a similar type of parking operations.
- 1.5. Upon execution of contract, Interested Party must have signs prepared and installed within 90 days. Interested Party should be fully operational within 90 days from contract signature.
- 1.6. Failure to complete the Qualification Questionnaire, or submit the Qualification Questionnaire, within the prescribed time, is sufficient cause to disqualify an Interested Party from consideration for the parking lot operation concession.
- 1.7. All information contained in the Qualification Questionnaire shall remain confidential, and Qualification Questionnaires of all Interested Parties shall be returned after having served this purpose.

QUALIFICATION QUESTIONNAIRE

2. QUALIFICATIONS:

Only qualified Interested Parties, as determined by the Division of Boating and Ocean Recreation, of the Department of Land and Natural Resources, may be considered for the concession. In order to be considered, the entire Qualification Questionnaire must be completed.

Having been first duly sworn and deposed, the undersigned states that it has the minimum qualifications required and that it is furnishing the attached information as proof of its qualifications. All Interested Parties shall submit this Qualification Questionnaire and all the required evidence. Interested Parties that do not submit a Qualification Questionnaire and the required documentation shall not be considered for the parking lot operation concession.

2.1. Name of Interested Party: _____

2.2. Business Organization: [] Individual [] Partnership [] Corporation

2.3. Principal Office Address: _____

2.4. State General Excise Tax Number: _____

2.4.1. If exempt from GET, cite applicable statute: _____

2.5. Federal Employer I.D. Number: _____

2.5.1. If exempt from federal taxes, attach documentation and exemption.

2.6. If a corporation, please answer the following: [] Profit [] Non-Profit

When incorporated and where: _____

When authorized to do business in the State of Hawaii: _____

Name of Officers:

President: _____

Vice President: _____

Secretary: _____

Treasurer: _____

Others: _____

Principal Stockholders:

Name and Address % of Stock Held

(1) _____

(2) _____

(3) _____

(4) _____

2.7. If a partnership, please answer the following:

When and where organized: _____

General or Limited Partnership: _____

When registered in the State of Hawaii: _____

Partners:

Name and Address Share

(1) _____

(2) _____

(3) _____

2.8. If "other" type of business entity, please describe:

What type of business: _____

Where and when organized: _____

When registered in State of Hawaii _____

List Names of Members/Owners/Managers/etc. (including titles and addresses):

2.9. Provide a description and evidence of a minimum of five (5) years' experience in the ownership and/or operation of parking lot operations, or any municipal parking, including the number of years of experience, business name, business address, and dates of operation.

2.10. Has the Interested Party ever defaulted or been terminated on a State of Hawaii contract/agreement or defaulted on real property taxes? If yes, give details on a separate sheet.

Yes No

2.11. Have any Parking concession agreements, contracts, or agreements for the operation of any parking lot or similar businesses owned and operated by the Interested Party ever been cancelled? If yes, give details on a separate sheet.

Yes No

2.12. Has the Interested Party ever been fined for any violation of City, County, Federal and/or State of Hawaii law during the previous 2-year period? If yes, give details on a separate sheet.

Yes No

2.13. Provide satisfactory evidence to support the financial ability of the Interested Party to operate and maintain a parking lot operation. Minimum requirements must include income and expense statements, Federal tax returns and balance sheets, from the past two (2) years.

2.14. Provide at least two (2) references that the Division of Boating and Ocean Recreation may contact to confirm the Interested Party's qualifications to operate a parking lot. Provide names, contact information, and the relationship or experience with each reference.

2.15. Attach a copy of State and Federal tax clearance.

2.16. The Interested Party hereby consents to and authorizes the Division of Boating and Ocean Recreation to confirm all or any of the foregoing information with any financial institution or any other source necessary.

2.17. Interested Party must obtain all insurance policies required in the specifications section as a prerequisite of the final issuance of the contract.

Insurance Coverage:

Interested Party's Business Address: _____

Phone Number: _____

Contact Person: _____

Insurance coverage is carried by:

	Carrier	Policy No.	Agent	Limits
Commercial General Liability				
Automobile Liability				
Workers Compensation				
Temporary Disability				
Prepaid Health Care				
Unemployment Insurance				

Interested Party may attach any other information they wish to further describe their qualifications.

3. Financial Capacity

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.

3.1. Are there any outstanding judgments against you?

Yes No

If yes, explain. _____

3.2. Have you filed bankruptcy within the last seven (7) years?

Yes No

3.3. Have you had property foreclosed upon or given title or deed in lieu thereof in the last seven (7) years?

Yes No

3.4. Are you a party in any legal action?

Yes No

If yes, explain. _____

3.5. Have you directly or indirectly been obligated on any loan, which resulted in foreclosure, transfer of title in lieu of foreclosure, or judgment?

Yes No

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

3.6. Are you presently delinquent or in default on any Federal, State or County rent, debt or another loan, mortgage, financial obligation, bond, or loan guarantee?

Yes No

If yes, explain. _____

4. Conviction for Violation of Law

Have you ever been convicted of a violation of law?

Yes No

If yes, explain. _____

The undersigns swears that the foregoing information and attached supporting documentation are true and correct to the best of his/her knowledge and belief.

Dated this _____ day of _____, 20____, at _____.

Name of Interested Party

Authorized Signature

Print Name

Title

SIGNATURE MUST BE ACKNOWLEDGED BY A NOTARY PUBLIC

SPECIFICATIONS

1. DEFINITIONS AND INTERPRETATION: As used herein, the term:
 - 1.1. "AWSBH" means Ala Wai Small Boat Harbor
 - 1.2. "BLNR" means the Board of Land and Natural Resources.
 - 1.3. "Chairperson" means the Chairperson of the Board of Land and Natural Resources of the Department of Land and Natural Resources.
 - 1.4. "Concessionaire" means the successful Interested Party entering into the parking concession contract as defined below, with the Department of Land and Natural Resources. The term shall also include the successful party's agents, successors or assigns, managers, employees, and legal representatives where the context so admits or requires.
 - 1.5. "DLNR" means the Department of Land and Natural Resources.
 - 1.6. "DOBOR" means the Division of Boating and Ocean Recreation.
 - 1.7. "HAR" means Hawaii Administrative Rules.
 - 1.8. "HRS" means Hawaii Revised Statutes.
 - 1.9. "Meter, Pay Station" means the Pay Station Equipment and compatible software.
 - 1.10. "Parking Concession Area" means the areas within the Ala Wai Small Boat Harbor that are included within the Parking Concession Contract.
 - 1.11. "Parking Concession Contract" means the contract, instrument, contract which grants a person or entity the privilege of managing a parking lot operation at the Ala Wai Small Boat Harbor
 - 1.12. "State" means the State of Hawaii.

2. SCOPE OF PARKING CONCESSION CONTRACT:

- The Parking Concession Contract shall be for a period of three (3) years commencing November 10, 2023, through November 9, 2026. In addition to any provisions for early termination, DLNR may terminate the Parking Concession Contract without cause by providing sixty (60) days prior written notice to the Concessionaire with approval of the Chairperson.
- Money collected from the Pay Stations, together with the money collected from the issuance of parking permits will be deposited into Concessionaire's bank account.
- The minimum revenue split DOBOR is willing to consider for the Parking Concession Contract is 80-20 in DOBOR's favor. DOBOR will favorably consider proposals in which a greater share of revenue goes to DOBOR.
- DLNR reserves the right in its sole and absolute discretion to interrupt or cancel the Parking Concession Contract. The Concessionaire shall bear all expenses or losses in full.
- Concessionaire shall keep on file a schedule of business hours and days open, and a complete Parking Rate sheet of prices charged subject to approval by the Chairperson.
- Monthly gross receipt reports and a check for DOBOR's share of all parking revenue shall be submitted to DOBOR within ten (10) days of the preceding month, in a format as approved by DOBOR.
- The parking area to be managed under the Parking Concession is shown within the Ala Wai Small Boat Harbor, labeled as Exhibit "A" which is to be managed 24 hours a day, 7 days a week. DLNR reserves the right to relocate or reconfigure the Parking Lot or portions thereof during the term of the Parking Concession Contract at its discretion, provided that such relocation shall not be unreasonable.
- Concessionaire must provide parking lot operations. Any proposed additional improvements shall require the written approval of DOBOR.
- DOBOR may reserve portions of the parking lot for special events with advance notice to the Concessionaire or may utilize portions of the Parking Lot for emergency purposes.
- Only properly registered vehicles shall be allowed on the parking premises. No parking of derelict vehicles or camping shall be permitted.
- The breakdown of permitted, paid and free parking stalls is subject to change by the Board of Land and Natural Resources.

- A minimum of 300 paid parking stalls will be included in the parking management contract.
- The selected Concessionaire shall be responsible for issuing all parking permits to harbor tenants for use in the designated permit parking areas or paid parking areas; DOBOR reserves the right to move, reconfigure and reallocate permit parking as well as paid parking stalls.
- Issuance method of Parking permits and any rate changes specific to the Ala Wai Small Boat Harbor shall be in accordance with Hawaii Administrative Rules.
- The Concessionaire must follow parking rates as approved under HAR 13-233; in addition, all parking fees and rules specific to the Ala Wai Small Boat Harbor are to be approved and set by the Chairperson, Board of Land and Natural Resources.
- The Rate for paid parking shall be ONE DOLLAR (\$1.00) per hour, with any rate increases subject to approval by the Board of Land and Natural Resources.
- Vehicles parked in the paid parking areas will be required to pay the appropriate fees and there shall be no time limit as long as fees are paid within the open pay parking stalls.
- Designated free public stalls shall have a six-hour maximum time limit. The Concessionaire shall be responsible for enforcing this requirement.
- No overnight parking will be allowed in the free public parking areas. Closure times will be from 10:30 p.m. to 4:30 a.m. The Concessionaire shall enforce this closure; although the State may from time to time allow the extension of the open area or portions of, to be utilized for special events.
- Designated Boat Trailer Parking Stalls located South and behind of the harbor master's office will remain open to the public at no charge for up to 72 hours as is the case at other State launch ramp facilities. The concessionaire shall only provide security in this area.
- The Concessionaire shall oversee and enforce all parking rules within the Harbor. The Concessionaire shall be authorized, on behalf of DLNR, DOBOR, to enforce vehicle parking regulations, as well as work closely with all State and County enforcement Agencies. All vehicles parked contrary to posted signs may be cited and/or towed.
- The Concessionaire shall provide additional security patrols throughout the entire AWSBH for the purpose of enforcing vehicle parking regulations. Concessionaire shall notify the appropriate agency should any illegal activity be taking place within the harbor.

- The Concessionaire may be required to add additional personnel to address expected increase in demand for parking and may be required to administer parking control during these special events. An Example would be: Fourth of July, Thunder Birds, Molokai Canoe Race, Transpac and other similar events.
- DOBOR has installed twelve (12) pay stations located throughout the harbor.
- Pay Station will not accept currency or coins.
- Work with DOBOR's parking equipment supplier to maintain and repair the pay stations.
- Ensure that parking signage, compliant with the Americans with Disabilities Act of 1990, is displayed sufficiently throughout the AWSBH.
- Participate in any and all post-tow hearings.

Interested parties will be rated using the following scoring sheet to be qualified for further consideration by DOBOR.

APPLICATION SCORING SHEET
(Parking Concession Contract)

Reviewer Name: _____ Date: _____

Applicant Name: _____ Item No.: _____

For each criterion give a rating on the following scale:

1= very poor 2 = poor 3 = average 4 = good 5 = very good

CRITERIA	RATING	WEIGHT	SCORE
1. Qualifications and Experience (80%)			
* Type and duration of business experiences		x .80 =	/4 pts.
* Expertise in management of parking facilities		x .80 =	/4 pts.
		Subtotal:	/8 pts.
3. Financial Capacity (20%)			

* Financial Capacity		x .40 =	/2 pts.
		Subtotal:	/2 pts.
4. Convictions for Violation of Law (negative points)			() pts.
TOTAL SCORE:			/10 pts.

MINIMUM QUALIFICATIONS IS 7 POINTS OR 70% OF 10 POINTS

Comments:

(Rev. 8/13/23)

EXHIBIT A

Ala Wai Small Boat Harbor

