NOTICE TO PROPOSERS

FUELING FACILITY LEASE
KALAELOA AIRPORT

Tenders by Request for Proposals (RFP) for a Fueling Facility Lease (Lease) to operate and maintain a self-service fueling facility at Kalaeloa Airport, Kapolei, Oahu, for a period of five (5) years will be received by the State of Hawaii, by its Director of Transportation, c/o Department of Transportation, Airports Division, Property and Business Development Office, Honolulu International Airport, Inter-Island Terminal Building, 400 Rodgers Boulevard, Suite 700, Honolulu, Hawaii 96819-1880 (Airports Office), up to 2:00 p.m. on Friday, September 2, 2011. The State reserves the right to cancel the RFP for any reason whatsoever.

The documents describing the RFP, including, without limitation, the Fueling Lease, may be obtained from the State's Airports Division, located at the Honolulu International Airport, Inter-Island Terminal Building, 400 Rodgers Boulevard, Suite 700, Honolulu, Hawaii. The RFP documents may be purchased upon the tender of the nonrefundable sum of FORTY AND NO/100 DOLLARS ($40.00) in United States currency or certified check. The RFP documents may also be downloaded at www.hawaii.gov/dot/airports/doing-business/concession-notices without charge.

The RFP documents are subject to revision(s) at any time prior to the proposal opening. Any revisions, changes, or amendments to the RFP documents will be posted and available for download at www.hawaii.gov/dot/airports/doing-business/concession-notices.

The RFP documents for the Lease will include (1) Notice to Proposers; (2) Instructions to Proposers; (3) Proposal Intent Package, including the Notice of Intention to Propose (4) Proposal Package including the Proposal Form; (5) Fueling Facility Lease; (6) Performance Bond; and (7) attachments thereto.

A Pre-Proposal conference will be conducted by the State on Friday, July 1, 2011, commencing at 9:00 a.m., to familiarize prospective Proposers with the nature of the RFP documents, including the Lease. Prospective Proposers are advised to attend the Pre-Proposal Conference which will begin promptly at 9:00 a.m, at Building 104, located at Kalaeloa Airport, Kapolei, Hawaii.

State representatives will be available to preliminarily respond to questions at this conference. Any oral responses given by State representatives at the pre-proposal conference will be preliminary and subject to further revisions and clarification. Questions needing a final, formal response from the State should be submitted in writing. The deadline for submitting all written questions, including the resubmission of any submitted for the pre-proposal conference, which a prospective proposer desires to obtain the State's written response for will be 4:00 p.m., HST on Thursday, July 14, 2011. The State will provide final written responses to all written questions properly submitted by Thursday, July 14, 2011, deadline.

Persons needing special accommodation at the Pre-Proposal conference due to disabilities may notify the Airports Division by calling (808) 838-8674 or writing to the Airports Office, c/o Property Management Staff, or by facsimile at (808) 838-8753.

Each Proposer will be required to fill out and complete the Proposal Intent Package that requires the submission of financial statement(s), and other documents, and submit the same to the Airports Division at the Airports Office, not later than 4:00 p.m., on Tuesday, June. 7, 2011. The questionnaires included as part of the Proposal Intent Package will be considered confidential and will not be made available for inspection by the general public.

Any qualified individual, corporation, limited liability company, partnership, joint venture or other entity may submit a Proposal for the Lease after timely submission of an acceptable Proposal Package. All Proposers will submit Proposals using the forms furnished by the State as part of the RFP documents.

The State reserves the right to reject any and all Proposals and to waive any defects in the Proposals or cancel this invitation for Proposals when, in the opinion of the State's Director of Transportation, such rejection, waiver or cancellation will be in the best interest of the State and the general public.

GLENN M. OKIMOTO, Ph.D.
Director of Transportation

To be advertised: Honolulu Star-Advertiser
May 4, 5, and 6, 2011

STATE LEASE NO. DOT-A-11-____
GEQ 3201

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
AIRPORTS DIVISION

REQUEST FOR PROPOSALS (RFP) RELATING TO

THE FUELING FACILITY LEASE

AT

KALAELOA AIRPORT

KAPOLEI, ISLAND OF OAHU

FUELING FACILITY LEASE
AT
KALAELOA AIRPORT
KAPOLEI, ISLAND OF OAHU

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NOTICE TO PROPOSERS

FUELING FACILITY LEASE
KALAELOA AIRPORT

Tenders by Request for Proposals (RFP) for a Fueling Facility Lease (Lease) to operate and maintain a self-service fueling facility at Kalaeloa Airport, Kapolei, Oahu, for a period of five (5) years will be received by the State of Hawaii, by its Director of Transportation, c/o Department of Transportation, Airports Division, Property and Business Development Office, Honolulu International Airport, Inter-Island Terminal Building, 400 Rodgers Boulevard, Suite 700, Honolulu, Hawaii 96819-1880 (Airports Office), up to 2:00 p.m. on Friday, September 2, 2011. The State reserves the right to cancel the RFP for any reason whatsoever.

The documents describing the RFP, including, without limitation, the Fueling Lease, may be obtained from the State's Airports Division, located at the Honolulu International Airport, Inter-Island Terminal Building, 400 Rodgers Boulevard, Suite 700, Honolulu, Hawaii. The RFP documents may be purchased upon the tender of the nonrefundable sum of FORTY AND NO/100 DOLLARS ($40.00) in United States currency or certified check. The RFP documents may also be downloaded at www.hawaii.gov/dot/airports/doing-business/concession-notices without charge.

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State representatives will be available to preliminarily respond to questions at this conference. Any oral responses given by State representatives at the pre-proposal conference will be preliminary and subject to further revisions and clarification. Questions needing a final, formal response from the State should be submitted in writing. The deadline for submitting all written questions, including the resubmission of any submitted for the pre-proposal conference, which a prospective proposer desires to obtain the State's written response for will be 4:00 p.m., HST on Thursday, July 14, 2011. The State will provide final written responses to all written questions properly submitted by Thursday, July 14, 2011, deadline.

Persons needing special accommodation at the Pre-Proposal conference due to disabilities may notify the Airports Division by calling (808) 838-8674 or writing to the Airports Office, c/o Property Management Staff, or by facsimile at (808) 838-8753.

Each Proposer will be required to fill out and complete the Proposal Intent Package that requires the submission of financial statement(s), and other documents, and submit the same to the Airports Division at the Airports Office, not later than 4:00 p.m., on Tuesday, June. 7, 2011. The questionnaires included as part of the Proposal Intent Package will be considered confidential and will not be made available for inspection by the general public.

Any qualified individual, corporation, limited liability company, partnership, joint venture or other entity may submit a Proposal for the Lease after timely submission of an acceptable Proposal Package. All Proposers will submit Proposals using the forms furnished by the State as part of the RFP documents.

The State reserves the right to reject any and all Proposals and to waive any defects in the Proposals or cancel this invitation for Proposals when, in the opinion of the State's Director of Transportation, such rejection, waiver or cancellation will be in the best interest of the State and the general public.

GLENN M. OKIMOTO, Ph.D.
Director of Transportation

To be advertised: Honolulu Star-Advertiser
May 4, 5, and 6, 2011

INSTRUCTIONS TO PROPOSERS (IP) PERTAINING TO THE CONTRACT FOR THE FUELING FACILITY LEASE AT KALAELOA AIRPORT, KAPOLEI, HAWAII

1. PURPOSE

The State of Hawaii, Department of Transportation, Airports Division, hereby requests Proposals from all interested and qualified parties for the operation, management, and maintenance of the self-service Fuel Facility located at Kalaeloa Airfield (Airport), Kapolei, Hawaii for a period of five (5) years.

The successful Proposer will operate from spaces described in Article II (Premises) of Appendix C (Fueling Facility Lease) and be responsible for providing quality fueling service at the Airport. A high degree of experience and competence will be needed along with the management capability to administer such activities. Only qualified Proposers capable of demonstrating such ability will be considered.

2. OBTAINING RFP DOCUMENTS

Copies of the Request for Proposals (RFP) documents pertaining to and resulting in the award of the Lease may be examined and/or obtained from the Administration Office, Airports Division, Honolulu International Airport, Inter-Island Terminal, 400 Rodgers Boulevard, Suite 700, Honolulu, Hawaii 96819 ("Airports Office"). The RFP documents may be purchased upon tender to the State of the nonrefundable sum of FORTY AND NO/100 DOLLARS ($40.00) in United States currency or certified check. The RFP documents may also be downloaded at www.hawaii.gov/dot/airports/doing-business/concession-notices without charge.

The RFP documents are subject to revision(s) at any time prior to the proposal opening. Any revisions, changes, or amendments to the RFP documents will be posted and available for download at www.hawaii.gov/dot/airports/doing-business/concessio-notices.

The RFP documents shall include the following: (1) Notice to Proposers; (2) Instructions to Proposers; (3) Proposal Intent Package, including the Notice of Intention to Propose (4) Proposal Package, including the Proposal Form; (5) Fueling Facility Lease; (6) Performance Bond; and (7) attachments thereto.

3. PRE-PROPOSAL CONFERENCE

A Pre-Proposal conference to explain the objectives and requirements for the RFP documents, including the Fuel Facility Lease and to preliminarily respond to questions will be

held on Friday, July 1, 2011, at Kalaeloa Airport. The conference will start promptly at 9:00 a.m., Hawaiian Standard Time ("HST") at the:

Kalaeloa Airport
Building 104 (Tower Building)
Midway Road, Kapolei, Hawaii

All prospective Proposers should attend the conference. Reservations are not necessary, but may be made by contacting:

Property and Business Development Office
Department of Transportation, Airports Division
Honolulu International Airport
400 Rodgers Boulevard, Suite 700
Honolulu, Hawaii 96819-1880
Telephone (808) 838-8674
Facsimile (808) 838-8753

State representatives will be available to preliminarily respond to questions at this conference. To minimize the possibility of misunderstandings, all questions for the pre-proposal conferences are to be submitted in writing by mail, parcel delivery, courier service, or personal delivery and received at the Airports Office, no later than 4:00 p.m. HST on Thursday, June 16, 2011. The State does not warrant or guarantee that all written questions will be addressed at the pre-proposal conferences. However, at the pre-proposal conference, if time permits, the State representatives will respond to a limited number of verbal questions. Any oral responses given by State representatives at the pre-proposal conferences will be preliminary and subject to further revisions and clarification as part of the State's written response.

The deadline for submitting all written questions, including the resubmission of any submitted for the pre-proposal conferences, which a prospective Proposer desires to obtain the State's written response for will be 4:00 p.m., HST on Thursday, July 14, 2011. The State will provide final written responses to all written questions properly submitted by Monday, August 15, 2011, deadline.

All questions should be submitted on the forms provided on Attachments 1 and 2 to this Instruction to Proposers.

A summary containing all written questions properly submitted for or on the specified deadline of Thursday, July 14, 2011, together with the State's final written responses, will be made available to all Registered Proposers, regardless of whether they attend the pre-proposal conference. All prospective Proposers, including Registered Proposers, should not rely on oral representations made at any time and should instead, rely on the written State responses to the

questions submitted before or on Thursday, July 14, 2011, deadline which shall be entitled "The State's Response to Written Questions." This shall comprise the State's final response to the questions unless the State decides to amend or supplement the State's responses. As a result of the pre-proposal conference or otherwise, changes to the RFP documents which are deemed appropriate by State may be made, and notice will be given to all Registered Proposers before the date scheduled for receipt of Proposals.

4. PROPOSAL INTENT PACKAGE

Proposers will be required to submit a fully completed Notice of Intention to Propose (Appendix A and all attachments). A prospective Proposer's failure to submit its fully completed Notice of Intention to Propose, together with the remainder of the Proposal Intent Package, by the deadline date and time specified in the Notice to Proposer shall disqualify the prospective Proposer from submitting a Proposal, unless the specified deadline for the submission of Proposals is postponed through written notice from the State.

The Proposal Intent Package includes the following: (1) Notice of Intention to Propose (Appendix A); and (2) the Prospective On-Airport Operator Qualification (Appendix A, Attachment 1). The Proposal Intent Package must be submitted by the specified deadline, Tuesday, June 7, 4:00 p.m. HST, and property completed in accordance with the instructions contained therein. The State will use the Proposal Intent Package submitted for purposes of evaluating the qualifications of the Registered Proposers.

5. SUBMISSION OF PROPOSAL PACKAGE

Each Proposal is required to be (1) made using the Proposal Package provided by the State, particularly the Proposal Form contained therein (Appendix B and all attachments); (2) properly completed and executed by the Proposer, whose signature must be witnessed, acknowledged and notarized in the presence of a notary public, and (3) addressed/submitted to the Director of Transportation, c/o Airports Division, Property and Business Development Office, Department of Transportation, Inter-Island Terminal, Suite 700, Honolulu International Airport, 400 Rodgers Boulevard, Honolulu, Hawaii 96819-1880, at or before the deadline date and time set for the submission of Proposals.

Each Proposal (Appendix B) submitted to the State shall be comprised of the following items (hereafter collectively the "Proposal Package"):

a. The completed Proposal Form (Appendix B);

b. Written Proposal which describes in detail, how and what the Proposer intends to offer; and a description of how the Proposer intends to conduct and perform all of the fueling facility services.

c. Tax Clearance Forms (Appendix B, Attachment 1);

d. Affidavit of Non-Collusion (Appendix B, Attachment 2);

e. Proposal Deposit or Proposal Bond (Appendix B, Attachment 3);

f. Proposer's Annual and Total Guaranteed Fees Offered to State (Appendix B, Attachment 4);

The State may reject a Proposal for any of the following reasons:

a. If it shows any alterations, erasures, or irregularities of any kind or additions not called for;

b. If it is conditional or incomplete;

c. If it fails to comply with any of the requisite conditions;

d. If more than one (1) Proposal is received from an individual, corporation, limited liability company, partnership, joint venture, or any other legal entity under the same or different names and more than one (1) Proposal remains in the State's possession.

e. If the Proposer whether an individual, corporation, limited liability company, partnership, joint venture, or other entity (including (1) any entity in which the Proposer is an owner and (2) any stockholders, members, partners, or owners of the Proposer) is in arrears in any payment, or in default of any obligation, including taxes and special assessments, owing to the U.S. Internal Revenue Service and/or the State of Hawaii or any of its political subdivisions (including default as a surety or failure to perform faithfully and diligently any previous lease, license, permit, or any other type of contract with the State or any of its political subdivisions). A stockholder of a closely-held corporation, a member of a limited liability company, a partner in a partnership or joint venture and an owner of an entity is defined as the holder of at least a ten percent (10%) or more ownership interest in the corporation, limited liability company, partnership, joint venture or entity; or

f. If the Proposer fails to submit to the State the required Tax Clearance Certificates from the State of Hawaii Department of Taxation, and the City and County of Honolulu, as required by Appendix B, Attachment 1 of the RFP documents.

The State reserves the right to cancel the RFP for any reason whatsoever. The State also reserves the right to reject any or all Proposals and waive any defects when, in the opinion of the State's Director of Transportation, such rejection or waiver will be in the best interest of the public. The State reserves the right to re-advertise for RFPs, or to accept any Proposal, if the acceptance of such Proposal is deemed by the State to be in the best interests of Kalaeloa Airport and the public.

6. LATE SUBMISSIONS

It is the responsibility of each Proposer to ensure that the following are completed and submitted to the State, by the stated applicable deadlines: (1) Final Written Questions; (2) Proposal Intent Package; and (3) Proposal Package, including the Proposal Deposit/Proposal Bond. The State assumes no responsibility or liability for any Proposer's lateness in the submission of the (1) Final Written Questions; (2) Proposal Intent Package; and (3) Proposal Package, including the Proposal Deposit/Proposal Bond to the State due to mail or other delivery service delays. All Proposals, and its attachments thereto, received after the stated applicable deadline(s), will not be considered and will be returned (without opening) to the Proposer.

7. WITHDRAWAL OR MODIFICATION OF PROPOSAL INTENT PACKAGE, AND PROPOSAL PACKAGE, INCLUDING THE PROPOSAL BOND

A Proposal Intent Package, or any part thereof, or the Proposal Package, in its entirety, may be withdrawn by written notice, telegram, or mailgram which must be received by the State prior to the applicable dates and times stated herein for submission of the Proposal Intent Package and the Proposal Package, respectively. A substitute submittal of all or a part of the Proposal Intent Package will be accepted by the State so long as a written request to withdraw the previous Proposal Intent Package, or part thereof, is received simultaneously with or prior to the substitute Proposal Intent Package or part thereof and the substitute Proposal Intent Package or part thereof is received prior to the applicable date and time deadline for submission of the Proposal Intent Package.

A substitute submittal of the entire Proposal Package, in its entirety, will be accepted by the State so long as a written request to withdraw the previous Proposal Package is received simultaneously with or prior to the substitute Proposal Package and the substitute Proposal Package is received prior to the applicable date and time deadline for submission of the Proposal Packages.

Errata sheets for the Proposal Intent Package may be submitted prior to the applicable date and time deadlines for submission of the Proposal Intent Package so long as the total of all corrections to a submittal does not exceed two typed 8.5" x 11" pages. Changes requiring more than two such pages require withdrawal of the Proposal Intent Package and the subsequent submission of a substitute Proposal Intent Package. This subsequent submission of a substitute

Proposal Intent Package must be: (1) received by the State prior to the applicable date and time deadline for submitting the Proposal Intent Package and (2) submitted in a sealed envelope and properly marked as required for the Proposal Intent Package and each page must clearly be labeled "Substitute Submittal #1" or "Substitute Submittal #2" as applicable.

8. DESCRIPTION OF THE FUELING FACILITY SERVICES DESIRED

This Request for Proposals is being issued in order to secure the services of a management entity which will oversee the operation, management, and maintenance services for the self-service fueling facility situated at Kalaeloa Airport, Kapolei, Hawaii. It is the interest of the State that the fueling facility services provided is of the highest quality to meet the needs and requirements of the General Aviation community. In conjunction with such activities, the management entity will be required to perform, provide or manage the following types of services:

a. The operation, management and maintenance of a self service fueling facility consisting of: (1) a 10,000 gallon above-ground storage tank intended to sell Fuel (avgas); (2) dispensing equipment, credit card readers and other appurtenances.

   The State may, but is not required to add additional fuel tanks to the fueling facility for the sale of Avgas or Jet-A Fuel, during the term of the Lease.

b. Development, implementation, and application of on-site procedures for the self-service fueling facility and equipment maintenance.

c. Facility and equipment operations to include:
   (1) Fuel custody; transfer; receiving, and dispensing
   (2) Meter proving
   (3) Training

d. Document of operations and maintenance activities to be maintained according to industry and statutory standards.

9. PROCEDURES AND CRITERIA FOR EVALUATING ALL PROPOSALS

After the closing date and time set by the State for the submission of Proposals, each Proposal submitted to the State for consideration will be individually evaluated and scored by members of an Evaluation Committee in accordance with the eight (8) evaluation criteria listed under the section heading of "Evaluation Criteria" on Pages IP-7 through IP-9 of this Instructions to Proposers. The Evaluation Committee will be composed of five (5) members whose

members are selected by the Deputy Director of the Airports Division, Department of Transportation.

Each Proposal submitted to the State for consideration will be evaluated and scored by each Evaluation Committee member on the basis of the content and quality of the Proposer's written submittal (Items A., B., C., and D. of the Evaluation Criteria) and the Proposer's total guaranteed fee offered to the State over the five (5)-year term of the Fueling Facility Lease. Seventy-five percent (75%) of the total combined points awarded by the five (5) members of the Evaluation Committee (or a combined maximum of 450 points) will be based on the Proposer's written submittal covering Items A., B., and C. of the Evaluation Criteria. Twenty-five percent (25%) of the total combined points awarded by the Evaluation Committee members (or a maximum of 150 points) will be based on the Proposer's total guaranteed fee offered to the State under Item D. of the Evaluation Criteria.

EVALUATION CRITERIA

Each Proposal submitted to the State for consideration will be evaluated and scored by each member of the Evaluation Committee based on the following criteria: (A) Background and successful Experience(s) (B) Management and Administrative Ability; (C) Financial Capabilities and References; (D) Total guaranteed fee (in U.S. Dollars) offered to the State over the five (5)-year term of the Lease to be awarded.

A. Background and Successful Experience(s): 25%

(Maximum of 25 points to be awarded by each Evaluation Committee member; Combined maximum of 150 points to be awarded by the five (5) member Evaluation Committee)

Resumes of key management and supervisory staff member will be required. Demonstration of prior successful experience(s) in the operation, management and maintenance of a Fueling Facility. Proposers must provide a detailed narrative of prior qualifying experience(s), duties and responsibilities, and scope of work performed, together with bona fide references to substantiate such qualifying experience(s). Proposer should also demonstrate the company's knowledge of the industry, including fuel system maintenance and operation, safety, environmental compliance, and training, etc.

B. Management and Administrative Ability: 25%

(Maximum of 25 points to be awarded by each Evaluation Committee member; Combined maximum of 150 points to be awarded by the five (5) member Evaluation Committee)

The Proposer will be required to submit a business plan indicating how the Proposer expects to run the business. The business plan must include the following:

(1) A description of how the Proposer intends to undertake budgeting, financial management and associated or required record keeping.

(2) A description of how the Proposer intends to ensure that all work performed meets safety, environmental, and operational standards.

C. Financial Capabilities and References: 25%

(Maximum of 25 points to be awarded by each Evaluation Committee member; Combined maximum of 150 points to be awarded by the five (5) member Evaluation Committee)

(1) The Proposer is required to complete Item 9. Financial Statement, of the "Prospective On-Airport Operator Qualification" Form (Appendix A, Attachment 1).

(2) The Proposer is required to submit three (3) or more letters of reference, one of which shall show credit worthiness and capabilities to manage finances; the other letters should attest to business and professional record.

D. Total Guaranteed Fee (in U.S. Dollars) offered to the State over the five (5) year term of the Fueling Facility Lease: 25%

(Maximum of 25 points to be awarded by each Evaluation Committee member; Combined maximum of 150 points to be awarded by the five (5) member Evaluation Committee)

Each Proposer shall be required to offer to the State on Appendix B, Attachment 4 (Proposer's Annual and Total Guaranteed Fees Offered to State), an annual guaranteed fee for each year of the Lease. The Proposer's annual guaranteed fee offered to the State for each contract year

shall then added together to arrive at the Proposer's total guaranteed fee offered to the State over the five (5)-year term of the Lease. Each annual guaranteed fee amount and the total guaranteed fee amount offered to the State over the entire term of the Contract shall be to the nearest dollar amount in legal tender of the United States of America (in U.S. Dollars). The sum total of the annual guaranteed fee amounts offered to the State during the first, second, third, fourth, and fifth years of the Contract term shall constitute the total guaranteed fee offered to the State over the five (5)-year term of the Lease.

Upset Fees: The upset minimum annual guaranteed fee offered to the State by each and every Proposer for the first (1st) contract year shall not be less than FIVE THOUSAND NINE HUNDRED AND NO/DOLLARS ($5,900.00). The annual guaranteed fee offered to the State for each subsequent contract year shall not be less than the annual guaranteed fee offered to the State for the previous contract year nor shall the annual guaranteed fee amount offered to the State for any such contract year be more than a fifteen percent (15%) increase over the annual guaranteed fee amount offered to the State for the previous contract year.

gals.
59,000 @ .10
5,900 @ 1.00
current
est. gals.
20,000 gals
per year

Fueling Flowage Fee. In addition to any other fees, LESSEE shall pay a fuel flowage fee for all types of aviation fuel received from a commercial distributor. The fee shall be $.04 per gallon for the first 100,000 gallons of fuel received from a commercial distributor and $.06 per gallon for any fuel over 100,000 gallons received annually. This fuel flowage fee shall be effective throughout the term of the lease.

10. SCORING FORMAT

The combined total of all points awarded, under Items A, B, C, and D of the Evaluation Criteria, by the five (5) members of the Evaluation Committee will be used to derive one hundred percent (100%) of the combined total points awarded for each Proposal. The maximum points which may be awarded by the Evaluation Committee for any Proposal submitted to the State for consideration will be 600 points.

The Proposer who garners the highest combined total points on its proposal based on all four (4) Evaluation Criteria (Items A. through D.) and conforms to Hawaii Administrative Rules, Chapter 19.37 Fuel Handling Procedures at Public Airports, will be recommended to the Board of Land and Natural Resources, State of Hawaii and the Director of Transportation for the award of the Lease.

In case two (2) or more Proposals submitted to the State for consideration are tied with the same final combined total score, the Proposer who submits the highest total guaranteed fee offer to the State over the five (5)-year term of the Contract (Item D. of the Evaluation Criteria) will be recommended to the Director of Transportation for the award of the Lease.

11. PROPOSAL DEPOSIT

Each Proposer shall submit a Proposal Deposit, which shall be in a sum of not less than five percent (5%) of the total amount Proposed. The Proposal Deposit shall be based on the total amount Proposed for the first contract year of the Fueling Facility Lease. The Proposal Deposit must be submitted along with the Proposal Form (Appendix B).

The Proposal Deposit shall be in the form of legal tender, a surety bond conforming to the requirements herein, or a certificate of deposit, share certificate, cashier's check, treasurer's check, teller's check, or official check drawn by, or a certified check accepted by, a bank, savings institution, or credit union insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration, in a sum equal to that required, payable at sight or unconditionally assigned to the State's Director of Transportation.

If a surety bond is submitted, it shall: (1) name the State of Hawaii, by its Director of Transportation, as obligee; (2) be on the Proposal Bond form provided (Appendix B, Attachment 3); (3) be executed by the Proposer as Principal, and by a bonding company listed in the United States Treasury List, as surety; provided that the bond furnished by any surety listed shall not exceed the bonding capacity rating of that surety on the United States Treasury List; (4) be in a sum equal to that required; and (5) be conditioned upon the Proposer entering the Lease and furnishing satisfactory security in the form of the Performance Bond (and other applicable requirements) within ten (10) business days after the Proposer has received the Lease for execution or within such further time as the State's Director of Transportation may allow, in writing, if the Proposer is awarded the Lease.

12. AWARD OF LEASE, EXECUTION OF LEASE, AND PERFORMANCE BOND

The award of the Lease should be made within thirty (30) calendar days after the deadline for submission of Proposals, provided however, the award may be delayed for a reasonable additional time period to permit investigation by the State into the completeness, accuracy, and truthfulness of the representations made by the Proposer in its Proposal. The State reserves the right to reject any and all Proposals and to re-advertise a call for tenders if the State determines that a rejection of all Proposals is warranted and is in the best interest of the State.

The Lease (Appendix C) shall be executed by the successful Proposer, whose signature shall be witnessed, acknowledged and notarized by a notary public, and returned to the State, together with a Performance Bond satisfactory to the State, within ten (10) business days after the

Proposer has received the Lease for execution, or within such further time as the State's Director of Transportation may allow in writing.

Failure on the part of the successful Proposer to execute, notarize and return the Lease to the State, and to submit to the State an acceptable Performance Bond as required, within ten (10) business days after the Proposer has received the Lease for execution, or within such further time as the State's Director of Transportation may allow in writing, shall be just cause for the annulment of the award and forfeiture of the Proposer's deposit or Proposer's bond to the State. If the successful Proposer refuses or fails to execute the Lease within the required time, the State may award the Lease to the next highest responsible qualified Proposer or cancel the solicitation and publish another call for tenders.

The Performance Bond, or equivalent security as described in the Lease, shall be in the amount equal to the annual guaranteed fee for the appropriate agreement year period and shall be maintained in full force and effect by the successful Proposer at all times from the commencement date of the Lease until no less than ninety (90) calendar days after the later of: (a) expiration or sooner termination of the Lease, or (b) the end of any holdover period. The sureties on the Performance Bond must be properly licensed and authorized to do business under the laws of the State of Hawaii. The Performance Bond shall be maintained by the successful Proposer, at its sole cost and expense, and shall cover the successful Proposer's compliance with, and full and complete performance of, the terms and conditions of the Lease; provided that suits thereon by the State or anyone else entitled to do so may be commenced in accordance with applicable law.

If the Performance Bond is for a period less than that required under the Lease, the successful Proposer, as LESSEE under the Lease, at least sixty (60) calendar days prior to the expiration date of the Performance Bond, shall submit another Performance Bond providing the coverage required under the Lease at least ninety (90) days beyond the expiration date of the Lease or any holdover period.

If the State should receive a notice that the Performance Bond has been or will be canceled, the LESSEE under the Lease shall provide the State with a replacement Performance Bond providing the coverage required under the Lease, from the effective date and time of the bond cancellation so that there is no period of time wherein a Performance Bond does not cover the Lease, as provided for herein. Such a replacement Performance Bond must be forwarded to and received by the State at least twenty (20) calendar days prior to the effective date and time of the prior bond cancellation or expiration.

In the event that a replacement Performance Bond or another Performance Bond is not received by the State at least twenty (20) days prior to the effective date and time of the bond cancellation or expiration, as stated, the LESSEE shall be deemed in default, regardless of whether notice of breach or default or time to correct the breach or default has been provided to

the LESSEE by the State, and the full face amount of the Performance Bond shall be immediately payable to the State as liquidated damages. The LESSEE shall also be deemed in default and the full face amount of the Performance Bond shall be immediately payable to the State as liquidated damages if the LESSEE shall fail to properly furnish the final licensed independent certified public accountant's annual verification report as prescribed under the Lease.

The successful Proposer shall pay the State an administrative fee in the sum of ONE THOUSAND AND NO/100s DOLLARS ($1,000.00) in United States currency or certified check, which fee payment shall be delivered to the State, together with the executed and notarized Lease and satisfactory Performance Bond.

If the State receives a properly executed Lease, a satisfactory Performance Bond, and the required administrative fee payment in the sum of ONE THOUSAND AND NO/100s DOLLARS ($1,000.00) within the required time, the Proposal Deposit shall be returned to the successful Proposer that is awarded the Lease. The Proposal deposits made by unsuccessful Proposers shall be returned to them after the Lease has been entered into or if the Lease is not awarded or entered into, after the determination by the State's Director of Transportation to publish another call for tenders.

13. TAXES

The successful Proposer shall pay: (1) all applicable taxes levied by the United States Government and the State of Hawaii based on the revenues derived from the Fueling Facility; and (2) real property taxes, if any, levied by the City and County of Honolulu for the Premises granted under this Lease.

14. OTHER REQUIREMENTS

Each Proposer shall carefully examine all documents relating to this RFP and judge for itself all the circumstances and conditions affecting its Proposal. The Proposer's failure to make such examination and to investigate thoroughly shall not be grounds for any claim that the Proposer did not understand the terms, conditions, or procedures set forth in the RFP documents, including the Lease, or that there were any circumstances that prevented, inhibited or adversely affected the Proposer's ability to understand or understanding of the terms, conditions, or procedures set forth in the RFP documents. A Proposer shall have the burden to notify the State's Director of Transportation, in writing, of any ambiguity, inconsistency, or conflict in the RFP documents, including the Lease, prior to the applicable deadlines for submission of the Proposal Packages. Failure to so notify the State's Director of Transportation, in writing, shall be deemed to be a waiver of that Proposer's right to claim an ambiguity, inconsistency, or conflict in the RFP documents, including the Lease.

15. ATTACHMENT TO IP

Attachment 1 to IP, Question Submittal Form, Pre-Proposal Conference
Attachment 2 to IP, Question Submittal Form, Final Written Questions

16. APPENDICES

A. Proposal Intent Package

Appendix A, Attachment 1 (Prospective On-Airport Operator Qualification)

B. Proposal Package

Appendix B, Attachment 1 (Tax Clearance Certificates)
Appendix B, Attachment 2 (Affidavit of Non-Collusion)
Appendix B, Attachment 3 (Proposal Bond)
Appendix B, Attachment 4 (Proposer's Annual and Total Guaranteed Fees Offered to State)

C. Fueling Facility Lease

Appendix C, Attachment 1 (Exhibits A and B)
Appendix C, Attachment 2 (Development Standards for Leased Airport Property)
Appendix C, Attachment 3 (Tenant Improvement Guidelines)
Appendix C, Attachment 4 (Chapter 19-37, HAR, Fuel Handling Procedures at Public Airports)
Appendix C, Attachment 5 (Minimum Standards for Commercial Aeronautical Activities at Public Airports)
Appendix C, Attachment 6 (Department of Transportation Assignment of Lease and Premium Evaluation Policy)

D. Performance Bond

ATTACHMENT 1 TO IP

QUESTION SUBMITTAL FORM, PRE-PROPOSAL CONFERENCE

LEASE: FUELING FACILITY LEASE
KALAELOA AIRPORT

PROPOSER'S NAME: _____

ADDRESS: _____

SUBMITTED BY: _____ TITLE: _____

TELEPHONE: _____ DATE: _____

QUESTION(S): _____

_____

_____

_____

_____

_____

_____

_____

_____

_____

(Must be submitted by 4:00 p.m., Thursday, June 16, 2011)

ATTACHMENT 2 TO IP

QUESTIONS SUBMITTAL FORM, FINAL WRITTEN QUESTIONS

LEASE: FUELING FACILITY LEASE
KALAELOA AIRPORT

PROPOSER'S NAME: _____

ADDRESS: _____

SUBMITTED BY: _____ TITLE: _____

TELEPHONE: _____ DATE: _____

QUESTION(S): _____

_____

_____

_____

_____

_____

_____

_____

_____

_____

(Must be submitted by 4:00 p.m., Thursday, July 14, 2011)

APPENDIX A

PROPOSAL INTENT PACKAGE

FUELING FACILITY LEASE

AT

KALAELOA AIRPORT

KAPOLEI, ISLAND OF OAHU

STATE OF HAWAII

Name of Proposer (Print)_____

Mailing and Business Address (Print)_____

_____

APPENDIX A

NOTICE OF INTENTION TO PROPOSE

Date: _____

Director of Transportation
Department of Transportation
c/o Airports Division
ATTN: Head - Property Management
Honolulu International Airport
Inter-Island Terminal Building
400 Rodgers Boulevard, Suite 700
Honolulu, Hawaii 96819-1880

Dear Sir:

You are hereby notified that it is the intent of the undersigned to submit a Proposal for the Fueling Facility Lease at Kalaeloa Airport, Kapolei, Island of Oahu, State of Hawaii.

Attached hereto is the fully completed Prospective On-Airport Operator Qualification (Appendix A, Attachment 1).

Very truly yours,

_____
(Name of Firm or Individual)

By_____
(Signature)

Title:_____

_____
(Address)

_____
(City, State, Zip Code)

_____
(Telephone No.)

APPENDIX A, ATTACHMENT 1

PROSPECTIVE ON-AIRPORT OPERATOR QUALIFICATION

1. Name of Applicant: _____

2. Mailing Address: _____

   _____

3. Phone: (Bus) _____ (Res/Emerg) _____ (Cell)_____

4. Key Management Personnel:

   a. President: _____

   b. Executive Vice President: _____

   c. Director of Operations: _____

   d. Finance Officer/ Comptroller: _____

   e. Maintenance Supervisor: _____

   f. Officer Manager: _____

5. Organization

   Specify the term which applies to your firm:

   ( ) Sole Proprietorship
   ( ) Partnership (also complete 5a)

( ) Corporation (also complete 5b)

a. If partnership, complete the following:

Name of Partners	Addresses
_____	_____
_____	_____
_____	_____

b. If a corporation, date of incorporation _____
State of _____.

Corporate Officers	Name
President	_____
Vice President	_____
Secretary	_____
Treasurer	_____

c. Are you registered to do business in the State of Hawaii?
Yes ____ No ____; if yes, when (date) _____

6. Hawaii Gross Income Tax License No. _____

7. Name and Branch of banks in Hawaii which handle your business accounts:

_____

_____

_____

8. Scope of Activity

For each of the following categories, describe the scope of your intended operations and the means and methods that you will employ to accomplish your contemplated operating standards and business activity.

a. Proposed date of starting the business and desired term (length) of conducting same.

b. The services and products to be offered.

c. Describe how you expect to use the premises at the airport. Also, address the following three (3) sub-categories in your explanation:

1) The size (land or floor area) needed to conduct your work. Include figures for office, shop, work benches, reception, parts warehouse, customer parking, employee parking, etc.

2) List and explain the number and types of improvements or changes you would make. Give an estimate of the cost of such improvements and a time schedule of when you anticipate to make them. The improvements must include landscaping. Submission of preliminary drawings of your plans or facility layout is preferred.

Describe the type of building (shape, function, material, number of stories, etc.) if any, you would construct. Give the size and general dimensions of the building(s) you expect to erect. If your building(s) are of a pre-engineered design, list the name of the designer/manufacturer who will supply the building(s).

3) Preferred Location. Indicate the specific site, lot number or general area which you would like to use. Make at least three (3) choices in the order of your preference, if you seek alternate sites.

d. Submit copies of your operating and licensing certificates issued by the U. S. Department of Transportation, Federal Aviation Administration and any other Federal agency.

e. Indicate the number and type of aircraft in your fleet (leased or owned), the aircraft under a service-hangar keeper contract to you, and customers' aircraft which you expect to have on the premises.

f. Indicate the number of persons to be employed or under contract for your operations which you will have on the premises—include titles and job function.

g. How many customers, visitors, guests and deliveries (pick-up/drop-off) do you expect to have each day.

h. Indicate what your regular business hours will be. If you expect to conduct off-hour operations, describe your projected schedules.

i. List the type and amount of insurance coverage you now have for your business. (Note: The State of Hawaii requires, as a minimum, a general comprehensive public liability policy with a combined single limit coverage of note less than $1,000,000 for bodily injury and property damage per occurrence.

j. If any, indicate the number and describe any sub-tenants you expect to allow on the premises.

9. Financial Statement, in a form satisfactory to the Airports Division.

a. Provide a state(s) as evidence of your financial background duly verified and prepared by a certified public accountant or authorized personnel/management. The statement(s) must be submitted in one of the following ways:

1) A complete audited financial statement prepared by a certified public accountant for the previous three (3) years of operation. If you were in existence and/or in business for less than three (3) years, but greater than one (1) year, the years of operation will suffice.

2) A complete unaudited financial statement (balance sheet and income statement) with supporting documentation for all balance sheet items, along with a complete copy of your federal income tax returns submitted to the Internal Revenue Service (must include all forms/schedules, be signed and dated by an owner/officer and preparer) for the previous three (3) years of operation subscribed to by authorized personnel/management of our organization. If you were inexistence and/or in business for less than three (3) years, but greater than one (1) year, the years of operation will suffice.

3) A complete audited or unaudited financial statement with supporting documentation for all balance sheet items for the most recent month or quarter of operation, whichever greater, if the company was in business for less than one (1) year.

Note: If your organization is a parent company, subsidiary, holding company, or affiliate, the information requested above is also required for such companies.

b. Present your business plan. Indicate how you expect to run your business, who will be your patrons, customers and clientele, and your revenue-expense projections. Describe how you plan to finance the construction of your facility.

You must include your business projections and financial plans that you expense to employ to initiate your operations, develop your business, and maintain the level of sales or service commensurate with a viable enterprise.

c. Submit three (3) or more letters of reference, one which shall be to show your credit worthiness and capability to manage your finances; the other letters should attest to your business and professional record.

10. Experience

a. Provide a resume or similar statement of experience in the aviation industry, business, or related field, for each principal in your organization.

b. List any certificates, degrees, designations or special awards (e.g. fuel handling) received by your firm or members of your staff.

c. Describe any special techniques or skills gained by members of your staff that offer unique or valuable services to the aviation market.

APPENDIX B

PROPOSAL PACKAGE

FUELING FACILITY LEASE

AT

KALAELOA AIRPORT

KAPOLEI, ISLAND OF OAHU

STATE OF HAWAII

Name of Proposer (Print)_____

Mailing and Business Address (Print)_____

_____

PROPOSAL FORM

FUELING FACILITY LEASE
KALAELOA AIRPORT

1. Proposer (provide name, address, and telephone number)

2. Contact person (provide name, title, address, and telephone number)

Proposer's Representation

Proposer understands, agrees, and warrants:

1. That Proposer has carefully examined all of the Request of Proposals (RFP) documents related to the Fueling Facility Lease at Kalaeloa Airport;

2. That Proposer has the capability to successfully undertake and complete the responsibilities and obligations of the Proposal being submitted;

3. That all information contained in the Proposal is true and correct;

4. That Proposer did not, in any way, collude, conspire or agree, directly or indirectly, with any person, firm, corporation or other Proposer in regard to the amount, terms, or conditions of this Proposal;

5. That Proposer did not receive unauthorized information from the State during the Proposal period;

6. That by submission of this Proposal, the Proposer acknowledges that the State has the right to investigate or make any inquiry it deems appropriate to substantiate or supplement information supplied by Proposer, and Proposer hereby grants the State permission to make said investigation and inquiries, and Proposer agrees to provide any and all requested documentation in a timely manner; and

7. That the Proposer understands the costs for preparing the Proposal shall be borne by the Proposer and not factored into the cost of the Proposal.

(Attach notary, affidavit and corporate resolution indicating the authority of its officers or members of Board of Directors to execute this Proposal.)

DATED at: _____, this _____ day of_____, 2011.

_____
Name of Proposer

By _____
Its

By _____
Its

The undersigned (a corporate officer, members of the joint venture, or an individual) declares that the answers and representations made in this RFP are true and correct, including all supplementary statements attached.

(I or We), hereby certify that the statements and information submitted herewith are true and correct to the best of ____ (my or our) knowledge.

_____
Name of Proposer

By_____
Its

By_____
Its

Subscribed and sworn to before me this
_____ day of _____, 2011

Notary Public, ____ Judicial Circuit
County of _____
State of _____

My Commission Expires:

PLEASE

ATTACH

PROPOSAL

FORM A-6
(REV. 2010)

STATE OF HAWAII — DEPARTMENT OF TAXATION

TAX CLEARANCE APPLICATION

PLEASE TYPE OR PRINT CLEARLY

Form A-6 can be filed electronically. See Instructions.

FOR OFFICE USE ONLY
BUSINESS START DATE IN HAWAII IF APPLICABLE / /
HAWAII RETURNS FILED IF APPLICABLE 20____ 20____ 20____
STATE APPROVAL STAMP **(Not valid unless stamped)**
*IRS APPROVAL STAMP
CERTIFIED COPY STAMP

1. APPLICANT INFORMATION: (PLEASE PRINT CLEARLY)

Applicant's Name _____

Address _____

City/State/Postal/Zip Code _____

DBA/Trade Name _____

2. TAX IDENTIFICATION NUMBER:

HAWAII TAX ID # W __ __ __ __ __ __ __ __ - __ __

FEDERAL EMPLOYER ID # (FEIN) __ __ - __ __ __ __ __ __ __

SOCIAL SECURITY # (SSN) __ __ __ - __ __ - __ __ __ __

3. APPLICANT IS A/AN: **(MUST CHECK ONE BOX)**

☐ CORPORATION ☐ S CORPORATION ☐ TAX EXEMPT ORGANIZATION
☐ INDIVIDUAL ☐ PARTNERSHIP ☐ ESTATE ☐ TRUST
☐ LIMITED LIABILITY COMPANY ☐ LIMITED LIABILITY PARTNERSHIP
☐ Single Member LLC disregarded as separate from owner; enter owner's FEIN/SSN_____
☐ Subsidiary Corporation; enter parent corporation's name and FEIN_____

4. THE TAX CLEARANCE IS REQUIRED FOR: **(MUST CHECK AT LEAST ONE BOX)**

☐ CITY, COUNTY, OR STATE GOVERNMENT CONTRACT IN HAWAII * ☐ LIQUOR LICENSE *
☐ REAL ESTATE LICENSE ☐ CONTRACTOR LICENSE ☐ BULK SALES**
☐ FINANCIAL CLOSING ☐ PROGRESS PAYMENT ☐ PERSONAL
☐ HAWAII STATE RESIDENCY ☐ FEDERAL CONTRACT ☐ LOAN
☐ SUBCONTRACT ☐ OTHER _____

**** IRS APPROVAL STAMP IS ONLY REQUIRED FOR PURPOSES INDICATED BY AN ASTERISK.***
***** ATTACH FORM G-8A, REPORT OF BULK SALE OR TRANSFER***

5. NO. OF CERTIFIED COPIES REQUESTED: ☐

6. SIGNATURE:

SIGNATURE	DATE	TELEPHONE ( ) -	FAX ( ) -

PRINT NAME _____ PRINT TITLE: Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, Executor

POWER OF ATTORNEY. If submitted by someone other than a Corporate Officer, General Partner or Member, Individual (Sole Proprietor), Trustee, or Executor, a power of attorney (State of Hawaii, Department of Taxation, Form N-848) must be submitted with this application. **If a Tax Clearance is required from the Internal Revenue Service, IRS Form 8821, or IRS Form 2848 is also required.** Applications submitted without proper authorization will be sent to the address of record with the taxing authority. UNSIGNED APPLICATIONS WILL NOT BE PROCESSED.
PLEASE TYPE OR PRINT CLEARLY — THE FRONT PAGE OF THIS APPLICATION BECOMES THE CERTIFICATE UPON APPROVAL.
SEE PAGE 2 ON REVERSE & SEPARATE INSTRUCTIONS. Failure to provide required information on page 2 of this application or as required in the separate instructions to this application will result in a denial of the Tax Clearance request.

FORM A-6
(REV. 2010)

APPLICANT'S NAME FROM PAGE 1 _____

7. **CITY, COUNTY, OR STATE GOVERNMENT CONTRACT:** ☐ Bid/Entering Into or Ongoing Contract ☐ Completion/Final Payment
For completion/final payment of contract, provide the name, agency, and telephone number of the contact person at the State or County Agency.
Name:_____ Agency:_____ Telephone Number:_____

8. **LIQUOR LICENSING:** ☐ Initial ☐ Renewal ☐ Transfer-Seller ☐ Transfer-Buyer ☐ Special Event
9. **CONTRACTOR LICENSING:** ☐ Initial ☐ Renewal
10. **STATE RESIDENCY:** DATE APPLICANT ARRIVED OR RETURNED TO HAWAII _____
11. **ACCOUNTING PERIOD:** ☐ Calendar year ☐ Fiscal year ending _____ (MM/DD)
12. **TAX EXEMPT ORGANIZATION:**
    A) Provide the Internal Revenue Code Section that applies to your exemption (e.g., 501(c)(3)). _____
    B) Does your organization file:
    ☐ Federal Form 990, Return of Organization Exempt from Income Tax,
    ☐ Federal Form 990-T, Exempt Organization Business Income Tax Return, or
    ☐ None of the above.
13. **INDIVIDUAL:** Spouse's Name _____ SSN _____
14. **IF YOU DO NOT HAVE A GENERAL EXCISE TAX LICENSE AND REQUIRE A TAX CLEARANCE FOR A GOVERNMENT CONTRACT:**
    A) Description of your firm's business_____
    B) Has your firm had any business income in Hawaii? ☐ YES ☐ NO
    C) Has your firm had an office, inventory, property, employees, or other representatives in the State of Hawaii? ☐ YES ☐ NO
    D) Has your firm provided any services within the State of Hawaii (e.g., servicing computers, training sessions, etc.)? ☐ YES ☐ NO
    Note: If you answer "Yes" to any of the above questions, you are required to apply for a general excise tax license.
15. **FILING THE APPLICATION FOR TAX CLEARANCE:**

The completed application may be mailed, faxed, or submitted in person to the Department of Taxation, Taxpayer Services Branch. Applications which require an Internal Revenue Service Tax Clearance will be forwarded to the Internal Revenue Service after processing is completed by the Department of Taxation. Allow up to **10 to 15 business days** for processing between the Department of Taxation and the Internal Revenue Service.

State Dept. of Taxation
TAXPAYER SERVICES BRANCH
P.O. BOX 259
HONOLULU, HI 96809-0259
TELEPHONE NO.: 808-587-4242
TOLL FREE: 1-800-222-3229
FAX NO.: 808-587-1488
or
830 PUNCHBOWL STREET, RM 124
HONOLULU, HI 96813-5094

Internal Revenue Service
WAGE & INVESTMENT DIVISION
-TC M/S H214
FIELD ASSISTANCE GROUP 562
300 ALA MOANA BLVD., #50089
HONOLULU, HI 96850
TELEPHONE NO.: 808-566-2748
FAX NO.: 808-524-5950
or
TAXPAYER ASSISTANCE CENTER
HONOLULU:
300 ALA MOANA BLVD., RM 1-128

Applications are available at Department of Taxation and IRS offices in Hawaii, and may also be requested by calling the Department of Taxation on Oahu at 808-587-4242 or toll-free at 1-800-222-3229. The Tax Clearance Application, Form A-6, can be downloaded from the Department of Taxation's website **(www.hawaii.gov/tax).**

----------FOR OFFICE USE ONLY----------

TYPE OF TAX	TAX RETURNS FILED STATUS	Clerk's Initials
INCOME		
GENERAL EXCISE/USE/ COUNTY SURCHARGE TAX		
HAWAII WITHHOLDING		
TRANSIENT ACCOMMODATIONS		
RENTAL MOTOR/TOUR VEHICLE		
UNEMPLOYMENT INSURANCE		
OTHER TAXES		

ITEMS RECEIVED

STATE OF HAWAII — DEPARTMENT OF TAXATION

INSTRUCTIONS FOR FORM A-6 TAX CLEARANCE APPLICATION

GENERAL INSTRUCTIONS

- This form is used to obtain a **State Tax Clearance.** (If you are reporting a bulk sale of business assets, you must also complete and attach Form G-8A, Report of Bulk Sale or Transfer.)
- This form may only be used to obtain a **Federal Tax Clearance** for the purpose of liquor licensing or entering into contracts/ submitting bids with and/or seeking final payment of contracts from state or county agencies in Hawaii. Contractors winning the bids are not required to have their subcontractors obtain a tax clearance.
- The current version of Form A-6 must be used. Type or print clearly with a pen. After approval, the front page of the application will be your tax clearance certificate.
- Applications (Form A-6) are available at Department of Taxation and Internal Revenue Service (IRS) offices in Hawaii, and may also be requested by calling the Department of Taxation on Oahu at 808-587-4242 or toll free at 1-800-222-3229. This form can be downloaded from the Department of Taxation's website **(www.hawaii.gov/tax).**
- Vendors selling goods and services to state or county agencies may register with the Hawaii Compliance Express and have their tax clearance status available on-line for state or county contracts. For more information, go to **https://vendors.ehawaii.gov.**

LINE-BY-LINE INSTRUCTIONS

Line 1 — Applicant Information

Applicant's Name. — Enter your legal name. The name appearing on your application must match the name on file with the State Department of Taxation, IRS, and, if applicable, the State Department of Commerce and Consumer Affairs.

Address. — Enter the address to which correspondence regarding this application for tax clearance should be mailed. In most cases, the address should be that which is on file with the Department of Taxation and/or IRS.

DBA (Doing Business As)/Trade Name. — If you have a trade or business name which is different from your legal/registered name, enter that name here.

Line 2 — Tax Identification Numbers

Hawaii Tax ID #. — Enter your Hawaii tax identification number. Enter "NONE" if you do not have one.

Federal Employer ID #. — Enter your 9-digit federal employer identification number (FEIN). Enter "NONE" if you do not have one.

Social Security #. — If you are an individual/ sole proprietor, enter your social security number (SSN).

Line 3 — Applicant is a/an

Check the box which best describes your entity type.

If you are a Single Member LLC disregarded as separate from the owner, enter the owner's FEIN/SSN in the space provided.

If you are a Subsidiary Corporation, enter the parent corporation's name and FEIN in the space provided.

Line 4 — The Tax Clearance is Required For

Check the box(es) which correspond to your reason(s) for obtaining the tax clearance. The asterisks ("*") indicate reasons for which a state and federal clearance is required.

Check the "Other" box if you are required to obtain a tax clearance for the credit for school repair and maintenance or for the purchase of cigarette tax stamps at the reduced rate.

Line 5 — No. of Certified Copies Requested

Enter the number of certified copies you are requesting. Please retain the copy of the tax clearance that is stamped with the green certification stamp. When you require additional copies prior to the expiration date of the tax clearance certificate, submit the copy of the tax clearance that is stamped with the green certification stamp with a request for the number of copies required. Each copy will bear an original green certified copy stamp. Photocopies of the original green certified copy stamped Form A-6 will be invalid.

Line 6 — Signature

Signature. — The application must be signed by an individual/sole proprietor/owner, trustee, executor, corporate officer (president, vice-president, secretary, treasurer, etc.) or general partner or member. An employee of your company or authorized agent may sign the application if he/she possesses a valid power of attorney. Power of attorney forms are available at the Department of Taxation (Form N-848) and IRS (Form 8821 or Form 2848) as indicated on page 1 of the application. Unsigned or unauthorized signatures on applications will be returned.

Print Name. — Enter the name of the person signing the application.

Print Date/Telephone/Fax/Title. — Enter the date the application is signed, and the telephone/ fax number which the Department of Taxation or IRS can call during business hours should any questions arise while processing the application for tax clearance. Also enter the title of the person signing the application.

Line 7 — City, County, or State Government Contract

Indicate whether you are submitting a bid for a contract, entering into a contract, have an ongoing contract, completing a contract, and/or waiting for final payment on a contract.

If you are requesting a tax clearance for a completion/final payment of contract, please provide the name, agency, and telephone number of the contact person at the State or County Agency in the spaces provided.

Line 8 — Liquor Licensing

For liquor licensing purposes, indicate whether you are applying for an initial liquor license, renewing your current liquor license, transferring a liquor license, or applying for a one time special event license.

Please Note: If you are renewing your liquor license or transferring the business to another entity (or person), the federal tax clearance requires compliance with the Bureau of Alcohol, Tobacco, and Firearms (ATF).

Line 9 — Contractor Licensing

Indicate whether you are applying for your initial contractor's license or renewing your current license.

Line 10 — State Residency

Enter the date you arrived in the State of Hawaii or returned to the State of Hawaii if your reason for applying is residency status.

Line 11 — Accounting Period

If you file your tax returns on a calendar year basis (1/1 — 12/31), check the first box. If you file your tax returns on a fiscal year basis other than a calendar year, check the second box, and enter the month and day your fiscal year ends. For example, a corporation whose tax year is July 1st through June 30th would write "06/30" on the line provided.

Line 12 — Tax Exempt Organization

Tax exempt organizations must enter the Internal Revenue Code section that applies to your exempt status. For example: IRC §501(c)(3). Also, check the box to indicate whether your organization files federal Form 990, Return of Organization Exempt from Income Tax; federal Form 990-T, Exempt Organization Business Income Tax Return; or none of the above.

Line 13 — Individual

If you are an individual /sole proprietor who is married, enter your spouse's name and social security number on the lines provided.

Line 14 — If You Do Not Have a General Excise Tax License and Require a Tax Clearance for a Government Contract

If you do not have a general excise tax license and require a tax clearance for a government contract, you must complete this section. Contact the State Department of Taxation if you have additional questions. Refer to page 2 of Form A-6 for the telephone number or mailing address.

Line 15 — Filing the Application for Tax Clearance

Applications may be submitted either in person, fax or by mail. Mailing addresses for the State Department of Taxation and the IRS are provided on page 2 of the application.

A "mailed-in" tax clearance application generally takes **10 - 15 business days** to process.

If all required returns have been filed and all required taxes, penalties, and interest have been paid, a "walked-in" tax clearance to any district tax office will generally be processed the same business day.

Form A-6 also can be filed electronically through the State's Internet portal. An electronically filed tax clearance application generally takes **10 - 15 business days** to process. For more information, go to **www.ehawaii.gov/efile.**

INSTRUCTIONS TO COMPLETE ANNUAL AND TOTAL GUARANTEED FEE FORM:

1. Each Proposer shall be required to offer to the State on Appendix B, Attachment 4 (Proposer's Annual and Total Guaranteed Fees Offered to State), an annual guaranteed fee for each year of the Fueling Facility Lease (Lease). The Proposer's annual guaranteed fee offered to the State for each contract year shall then be added together to arrive at the Proposer's total guaranteed fee offered to the State over the five (5)-year term of the Lease. Each annual guaranteed fee amount and the total guaranteed fee amount offered to the State over the entire term of the Lease shall be to the nearest dollar amount in legal tender of the United States of America (U.S. Dollars). The sum total of the annual guaranteed fee amounts offered to the State during the first, second, third, fourth, and fifth years of the Lease term shall constitute the total guaranteed fee offered to the State over the five (5)-year term of the Contract;

2. Upset Minimum Annual Guaranteed Fee for First Lease Year and Maximum Allowable Guaranteed Fee for Second, Third, Fourth, and Fifth Lease Year: The upset minimum annual guaranteed fee offered to the State by each and every Proposer for the first (1st) contract year shall not be less than FIVE THOUSAND NINE HUNDRED AND NO/DOLLARS ($5,900.00). The annual guaranteed fee offered to the State for each subsequent contract year shall not be less than the annual guaranteed fee offered to the State for the previous contract year nor shall the annual guaranteed fee amount offered to the State for any such contract year be more than a fifteen percent (15%) increase over the annual guaranteed fee amount offered to the State for the previous contract year.

3. Each Proposer's total guaranteed fee offered to the State over the five (5)-year term of the Contract shall comprise twenty-five percent (25%) (or a maximum of 150 points) of the combined total of all points awarded by the Evaluation Committee in accordance with the point system established under Item D. of the Evaluation Criteria prescribed and set forth under Section 9. (Procedures and Criteria for Evaluating All Proposals) of the Instructions to Proposers.

Name of Proposer

By_____ Date_____