

**Western New York Power
Proceeds Allocation Act**

***APPLICATION FOR WESTERN NEW YORK ECONOMIC
DEVELOPMENT FUND BENEFITS***

Released March 4, 2013

Funding Round Application Due Dates:

April 8, 2013

May 7, 2013

July 2, 2013

September 17, 2013

Western New York
Power Proceeds Allocation Board



***Refer Questions to:
RJ Ball
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wnyppab@esd.ny.gov***

***NYPA & ESD Internal
Date Application Received:
Application Tracking #:***

APPLICATION CHECKLIST

Project Name:			
Applicant:			
	Indicate if attached or N/A		
Signed certification and completed application	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 1: Additional NY State Facilities	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 2: Existing Obligations	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 3: Organizational Chart	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 4: Corporate Financial Information	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 5: Business Plan and 5 Year Financial Projections	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 6: Personal Guarantor Financial Disclosure	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 7: Commitment Letters/Term Sheets	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 8: Developer Background	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 9: Photos & Drawings	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 10: Cost Estimates	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>
Exhibit 11: Suitability Explanation	Y <input type="checkbox"/>	N <input type="checkbox"/>	N/A <input type="checkbox"/>

Acknowledgment and Certification:

This Application is subject to all applicable legal requirements, as well as the Procedures for the Review of Applications for Fund Benefits ("Procedures") and the [Guidelines] adopted by the Western New York Proceeds Allocations Board ("Allocation Board" or "Board") as may be amended by the Board from time to time. Please consult the Procedures and [Guidelines], including the glossary of defined terms contained therein, when preparing this Application. The Board reserves the right to: (1) reject any Application that is filed after a filing deadline prescribed by the Board, or that provides incomplete, inaccurate, or unresponsive information; and (2) require any Applicant to provide additional information in support of an Application.

Incomplete Applications will not be eligible for award review by the Board. If an application is deemed incomplete the applicant will be notified no later than 20 days following receipt of the application.

This Application does not constitute a contract and is not intended to describe the terms and conditions applicable to any award of Fund Benefits. The terms and conditions applicable to an award of Fund Benefits will be set forth in a written contract with the New York Power Authority ("NYPA").

The undersigned solemnly affirms that to the best of my knowledge, information and belief, the application is complete and that all statements, including all schedules, attachments and additional information submitted in connection herewith, are true and accurate. I hereby authorize the Allocation Board or its designee to order credit reports or other financial background information on any individual or entity, including those proposed as a guarantor, as may be necessary to assess the Applicant's request for Fund Benefits.

Signature			
Type Name			
Title		Date	(mm/dd/YY)

APPLICANT TRACK INSTRUCTIONS

All applicants must complete the sections titled "Application Checklist," "Summary Sheet," and "Basic Business Information," and the questions numbered 1-26, 31-50 and 86-92 of the Application for Western New York Economic Development Fund Benefits. Questions numbered 27-30 and 51-85 are only required for applicants seeking funds for projects which fall under specific tracks. Each track option and their required questions are listed below. Supplemental exhibit information, if applicable, is required on Exhibits 1-11 at the end of this application.

TRACK	TRACK DESCRIPTION	REQUIRED QUESTIONS
BUSINESS INVESTMENT	Business Investments are expenditures that facilitate an employer's ability to create new jobs in New York State or retain jobs that are otherwise in jeopardy. Within the Business Investment Track, five-year job commitments will be required of all beneficiaries; it is by underwriting these job commitments that the Allocation Board is best able to forecast the economic benefits of providing assistance to any particular project. Applicants will therefore be required to commit to the number of jobs created or retained.	27,28,29,30
INNOVATION/ ENTREPRENEUR DEVELOPMENT	Designing a plan that brings new technologies and/or products to the marketplace, increases new start ups in strategic industries and facilitates the commercialization of products that can lead to job growth in the Region.	51,52,53,54,55,56
INFRASTRUCTURE/ DOWNTOWN INVESTMENT	Fund Benefits will be used to finance infrastructure investments in order to attract new businesses and expand existing businesses, thereby fostering further investment. Infrastructure investments are capital expenditures for infrastructure including transportation, water and sewer, communication, and energy generation and distribution. In an effort to strengthen cores of commerce (downtown neighborhoods, village main streets), funding can support projects that are likely to increase density, sustainable development and tourism, including cultural institutions and streetscape improvements.	57,58,59,60,61,62,63,64,65,66,67,68,69,70,71,72
TOURISM MARKETING	Develop a strategy to capitalize on the Region's natural assets to increase tourist traffic and tourist revenues; develop a strategy that increases the amount of time each tourist spends in the Region; raise the profile of the Region as a national and international destination; connect multiple tourist destinations in the Region.	73,74,75,76,77,78
WORKFORCE DEVELOPMENT	Training and related programs that will provide the necessary skills to meet industry needs. Projects emphasizing identifying high concentrations of underemployed and underrepresented populations in a Region and providing programs for those populations.	79,80,81,82,83,84,85
If your project does not follow one of the specified Tracks, please complete questions 1-26 and 31-50 of the Application and any relevant supplemental exhibits (1-11) at the end of this application.		

SUMMARY SHEET

APPLICANT:

PROJECT NAME:

CONTACT INFORMATION

Name:

Title:

Street Address:

Street Address:

City, State & Zip Code:

Phone:

Email:

PROJECT LOCATION

Name:

Street Address:

Street Address:

City, State, Zip:

County:

Senate District:

Assembly District:

ASSISTANCE REQUESTED: \$

Funding track (check one):

Innovation/Entrepreneur Development

Workforce Development

Business Investment

Infrastructure/Downtown Investment

Tourism/Marketing

Other (please specify)

BASIC BUSINESS INFORMATION

Federal Employer Identification :	
Product/Service/Activity provided by Applicant at Project Location:	
NAICS code at Project Location:	
Major customers:	
Share (%) of Applicant's products/services sold in NY State:	%
List Primary Suppliers and % of goods/services purchased in New York State ("NYS"):	
Primary markets served:	150 Character Limit
Major competitors and their locations:	
Are Applicant's competitors making a competing product or offering a competing service in NYS?	<input type="checkbox"/> Yes <input type="checkbox"/> No

PROJECT NARRATIVE

1. **Summary Project Description:** Concisely provide an overview of the Project to be undertaken, including what will be planned, designed and/or constructed or service(s) performed and the issues/opportunities to be addressed. (Summary should be 500 characters or less).

500 Character Limit

2. **Projected economic benefits to the region:** (Explain anticipated Project outcomes that will provide regional benefit)

500 Character Limit

3. **Job Creation:** Will this Project create jobs in the region as a direct result of the efforts of the Project? (Please explain any new employment that qualifies as a projected outcome of the applicant Project)

500 Character Limit

4. **Need:** Why is the Applicant seeking Fund Benefits to support this Project?

500 Character Limit

5. Has there been any announcement (press release, media reports, etc.) regarding this Project? YES NO

6. Please describe any activity that could be interpreted as initiating the Project, including, but not limited to:

- entering into or paying for any contracts, purchase offers, commitments, or other agreements for any Project-related activities;
- business formation or incorporation directly related to the Project;
- the Project is required in order to fulfill a contract for which the Applicant was successful bidder, or to comply with a regulatory requirement.

500 Character Limit

7. Estimated Project Start Date: (mm/dd/YY) Estimated Project Completion Date: (mm/dd/YY)

PROJECT ALIGNMENT WITH REGIONAL ECONOMIC DEVELOPMENT COUNCIL PLAN

If the applicant project is physically located in the portions of Erie or Niagara Counties within the 30 mile designated project radius provided on page 13 of the *GUIDELINES FOR APPLICATIONS FOR FUND BENEFITS FROM THE WESTERN NEW YORK ECONOMIC DEVELOPMENT FUND*, please complete this section detailing how the applicant project supports the Western New York Regional Economic Development Council's Strategies and Priorities listed below. For additional information on the WNYREDC please go to <http://regionalcouncils.ny.gov/content/western-new-york>.

8. Does the Project promote Smart Growth priorities?

Yes No If yes, please explain.

Help Section

(Smart Growth priorities include investing in areas that infrastructure already exists and achieves certain goals, such as: preserving historic buildings; reviving downtowns; reviving main streets; investing in existing neighborhoods; and investing in former industrial sites. A Project consistent with Smart Growth principles will also focus on: enhancing walkability; enhancing multiple modes of transportation; connecting disadvantaged communities to employment clusters; spurring mixed use private investment in existing communities, preserve natural lands and or resources.)

500 Character Limit

9. Does the Project promote workforce development by providing jobs/training for people in industry sectors with job opportunities?

YES NO If yes, please explain.

500 Character Limit

10. Does the Project assist underrepresented groups to help increase their participation in the workforce?

YES NO If yes, please explain.

500 Character Limit

11. Does the Project foster a culture of entrepreneurship by supporting growth of new companies?

YES NO If yes, please explain.

500 Character Limit

12. Does the Project positively impact one or more of the following strategic growth industries? Check all that apply and please explain how.

Agriculture

Health/Life Sciences

Higher Education

Logistics/Trade

Tourism

Advanced Manufacturing

Energy

500 Character Limit

13. Does the Project increase the industry profile of agriculture in WNY by: creating better access to markets; creating new products; creating new more efficient processes; creating strong regional brands; creating programs that promote careers in agriculture?

YES NO If Yes, explain.

500 Character Limit

14. Does the Project utilize Western New York's proximity to Canadian and U.S. population centers to advance economic development in Western New York ("WNY")? Bi-national projects will: utilize cross-border planning to create transportation and logistical infrastructure; improve operational relationships; promote the attractiveness of WNY as a hub for global trade.

YES NO If yes, explain.

500 Character Limit

15. Does the Project take steps toward making WNY a national and international model for new sources of clean energy and/or energy efficiency?

YES NO If yes, explain.

500 Character Limit

16. Does the Project support growth of advanced manufacturing by making research more available to manufacturers to help them innovate?

YES NO If yes, explain.

500 Character Limit

17. Does the Project spur growth in the WNY Health and Life Sciences industry? Health and Life Sciences Projects will: take ideas from the laboratory to the marketplace; recruit high profile research talent; create a globally unique research asset?

YES NO If yes, explain.

500 Character Limit

18. Does the Project expand the scope of Higher Education in WNY? A Higher Education Project will: create greater accessibility to Higher Education for communities that currently have limited access to educational opportunities; create portals for the exchange of needs and interests between industry and higher education; create support structures for start-ups which will assist start-ups with commercialization, business planning, workforce preparation, facilities, etc.

YES NO If yes, explain.

500 Character Limit

19. Does the Project bring new visitors to the region or help extend visitor stay and spend? A Tourism Project will: develop a strategy to capitalize on WNY's natural assets to increase tourist traffic and tourist revenues; develop a strategy that increases the amount of time each tourist spends in WNY; raise the profile of WNY as a national and international destination; connect multiple tourist destinations in WNY; improve the profile of the Northern Gateway to the United States.

YES NO If yes, explain.

500 Character Limit

If the applicant project is physically located in the portions of Orleans or Genesee Counties within the 30 mile designated project radius provided on page 13 of the *GUIDELINES FOR APPLICATIONS FOR FUND BENEFITS FROM THE WESTERN NEW YORK ECONOMIC DEVELOPMENT FUND*, please complete this section detailing how the applicant project supports the Finger Lakes Regional Economic Development Council's Strategies and Priorities. To identify the Strategies and Priorities of the Finger Lakes Regional Economic Development Council please refer to: <http://regionalcouncils.ny.gov/content/finger-lakes>

20. Please describe how the Applicant's project supports the Fingers Lakes Regional Economic Development Council's strategies and priorities:

1000 Character Limit

PROJECT ALIGNMENT WITH PROCEEDS CRITERIA

21. Does the Project comport with local development plan? (A local development plan is a strategy set forth by a City or Municipal Government, which shapes the vision of economic development for the locality, thus providing a template for consistency in local economic development.) YES NO If yes, explain:

500 Character Limit

22. Will an award of Fund Benefits affect your overall production and competitiveness?
 YES NO If yes, explain:

500 Character Limit

23. Does this Project involve clean technology and/or renewable energy?
 YES NO If yes, explain:

500 Character Limit

24. Does the Project involve energy efficiency projects or services?
 YES NO If yes, explain:

500 Character Limit

25. Will the Project increase the region's economic and social viability? Will the Project have significant regional breadth or wide regional impact?
 YES NO If yes, explain:

500 Character Limit

26. If you have other NYS locations, will operations at those locations be affected (positively or adversely) as a result of receiving an award of fund benefits?
 YES NO If yes, explain:

500 Character Limit

BUSINESS INVESTMENT TRACK - JOB COMMITMENTS/PROJECTIONS

INSTRUCTIONS: This section must be completed by Business Investment Applicants who will be required to achieve/maintain employment levels for a period of five years following receipt of Fund Benefits, subject to compliance provisions. This section may be completed by other Applicants; such other Applicants doing so must indicate the entity/entities providing the projected jobs. Please note that Not for Profit organizations generally are not held to the same job creation and or retention requirements as a private business and are not **required** to fill out yearly projections on job creation or retention or the section titled At Risk Positions.

27. Please complete the following:

Full-Time Permanent Employees*					
	Applicant		Applicant & Affiliates		Average Annual Wage
Project location	Current	Projected	Current	Projected	\$
New York State**	Current	Projected	Current	Projected	\$

*A Full-time Permanent Employee is a full-time, permanent, private sector employee on the Applicant's payroll who works at the Project Location for a minimum of 35 hours per week for not less than 4 consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by the Applicant to other employees of comparable rank and duties; or 2 part-time, permanent, private sector employees on Applicant's payroll who work at the Project Location for a combined minimum of 35 hours per week for not less than 4 consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by the Applicant to other employees of comparable rank and duties.

** If more than one NY State facility, please attach a list as **Exhibit 1 Additional NY State Facilities**. The list should include each major location, facility address and number of Full-time Permanent Employees. The total in the list should equal the NY State figure, above.

28. Of the Full-time Permanent Employees located in NY State, what share (%) are NY State residents? %

29. **Employees Committed by Applicant at Project Location** (Enter employee quantities in the table below)

INSTRUCTIONS: See **Appendix A** for an example of a completed spreadsheet. Year 1 is the year in which construction commences.

Full-time Permanent Employees

Current baseline employment, not at risk

Current employment at risk

New jobs to be added over Current Year

Total Permanent Employment at Year End

Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7

AT-RISK POSITIONS: If any positions counted above At Risk of being lost or moved out of state, please explain:

250 Character Limit

30. Is Applicant currently subject to any job creation, employment level, capital expenditure or other obligations resulting from previous public (federal, state or local) funding? YES NO

If Yes, submit detailed information as **Exhibit 2, Existing Obligations**.

ENTITY FORM / CORPORATE OWNERSHIP, page 1

INSTRUCTIONS: In addition to the information requested below, all Applicants must complete **Exhibit 3, Organizational Chart**. All Applicants except publicly held companies must also complete **Exhibit 4, Corporate Financial Information**.

31. Please note the Applicant's form:

Privately held for-profit business
"C" corp. "S" corp. LLC LP Sole proprietorship Other:
Please fill in Table 1 on the next page

Publicly held for-profit business

Not-for-profit corporation
501(c)(3) 501(c)(4) Other:
Please fill in Table 2 on the next page

33. Does any entity and its affiliates together own 50% or more of Applicant?

YES NO

If Yes, complete **Exhibit 4, Corporate Financial Information** for each entity in the ownership group.

33. Is this a startup company with no operating history?

YES NO

If Yes, complete **Exhibit 5, Business Plan and 5 Year Financial Projections**

34. Does any individual and her/his immediate family members together own 20% or more of Applicant?

YES NO

35. Does any individual and her/his immediate family members together own 50% or more of Applicant?

YES NO

If Yes, complete **Exhibit 6, Personal Guarantor Financial Disclosure** for each member of the ownership group.

36. Is Applicant (or any owner of a 50% or greater interest) a NYS-certified Minority- or Women-owned Business Enterprise? YES NO

If Yes, provide name of M/WBE Certified entity:

37. Is there a relationship by virtue of common ownership or control between the Applicant and the vendor of any asset the Applicant intends to acquire as part of the Project? YES NO If Yes, explain:

250 Character Limit

SOURCES AND USES

INSTRUCTIONS: See *Appendix B* for an example of a completed spreadsheet.

39. Please complete the following

Uses	Explanation (if applicable)	Cost	
Salaries & Wages		\$	
Rent/Lease		\$	
Supplies/Materials		\$	
Training		\$	
Planning/feasibility study costs (specify)		\$	
Land acquisition		\$	
Acquisition of existing assets (specify)		\$	
Demolition		\$	
Environmental remediation		\$	
Hard costs, inc. contingency		\$	
Infrastructure costs (specify)		\$	
Machinery + Equipment (specify)		\$	
Furniture, Fixtures + Equipment (specify)		\$	
Soft costs, inc. contingency		\$	
Developer fee		\$	
Other (specify)		\$	
	Total:	\$	

Sources	Provider	Amount	Terms
Subject request for Fund Benefits		\$	
Senior debt		\$	
Subordinate debt		\$	
Total Other Sources: Committed (see below)		\$	
Total Other Sources: Potential (see below)		\$	
Corporate cash/line of credit/Related Entity loan		\$	
Additional cash equity contribution		\$	
Deferred developer fee		\$	
Other (specify)		\$	
Unidentified		\$	
	Total:	\$	

Other Sources: Committed	Provider	Use of Funds	Amount	Terms
			\$	
			\$	
			\$	
		Total:	\$	

Other Sources: Potential	Provider	Use of Funds + Status of Request	Amount	Terms
			\$	
			\$	
			\$	
		Subtotal:	\$	
		Allowance for rejection of funding requests from potential sources (in order to show balanced budget):	\$	
		Total:	\$	

As *Exhibit 7, Commitment Letters/Term Sheets*, provide copies of commitment letters or term sheets for the funding sources listed above, if available.

SMART GROWTH QUESTIONS

The NYS Smart Growth Public Infrastructure Policy Act requires that certain NYS entities, including NYPA, consider whether a “public infrastructure project” meets the relevant smart growth criteria. In addition, the WNY Regional Economic Development Council has prioritized implementation of Smart Growth principles in its regional plan. Please respond to the questions below regarding smart growth criteria.

43. Does the proposed Project use, maintain, or improve existing infrastructure?

YES NO N/A *Please explain all responses.*

HELP SECTION

If you are maintaining or improving existing infrastructure, please answer “YES”. If you are building new infrastructure, or expanding infrastructure answer “NO” and provide justification that explains the need to build new infrastructure instead of using or improving existing infrastructure.

500 Character Limit

44. Is the proposed Project located in a municipal center?

YES NO N/A *Please explain all responses.*

HELP SECTION

Municipal Centers are areas of concentrated and mixed land use that serve as centers of various activities (civic, commercial, recreational, and residential, among others). Specific examples include Central Business Districts; Brownfield Opportunity Areas (BOAs); Downtowns in Local Waterfront Revitalization Program (LWRP) Areas; Transit-Oriented Development, Environmental Justice Areas and Hardship Areas; in many instances, an entire city, village or hamlet can be considered a municipal center.

500 Character Limit

45. Is the proposed Project located in a developed area or an area designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or Brownfield opportunity area plan?

YES NO N/A *Please explain all responses.*

HELP SECTION

Please explain how your Project advances infill development or redevelopment in existing developed areas consistent with an approved plan. Infill development includes redevelopment, rehabilitation and new development between existing buildings on vacant or under-utilized sites.

500 Character Limit

46. Will the proposed Project protect, preserve and enhance the State's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources?

YES NO N/A *Please explain all responses.*

HELP SECTION

Beyond simply avoiding or minimizing negative environmental impacts, please indicate the resources that may be impacted by your Project and how your Project will preserve and enhance these resources.

500 Character Limit

47. Will the proposed Project foster mixed land uses and compact development, downtown revitalization, Brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income and age groups?

YES NO N/A *Please explain all responses.*

HELP SECTION

Please explain how your Project advances these objectives and improves the quality of life in your community.

500 Character Limit

48. Will the proposed Project provide mobility through transportation choices including improved public transportation and reduced automobile dependency?

YES NO N/A *Please explain all responses.*

HELP SECTION

There are many alternatives to automobile transportation. Please explain how your Project provides or complements alternatives to automobile travel such as bikes, pedestrians, public transit, air travel or rail travel.

500 Character Limit

49. Will the proposed Project involve participation in community based planning and collaboration?

YES NO N/A *Please explain all responses.*

HELP SECTION

Please explain how the Project results from an inclusive, multi-stakeholder (including traditionally underserved populations) process of community-based planning and collaboration. To assist with your explanation, identify any affected community groups or organizations with an interest in the proposed Project and if the planning process involved outreach to citizens and stakeholders at all stages of development of the Project.

500 Character Limit

50. Will the proposed Project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation?

YES NO N/A *Please explain all responses.*

HELP SECTION

Please explain how your Project promotes sustainability. For example does your Project include buildings and plans that seek to minimize consumption of fossil fuels (coal, petroleum), reduce water usage / consumption, and encourage the use of renewable energy (wind, solar, and geo-thermal).

500 Character Limit

INNOVATION/ENTREPRENEUR TRACK ONLY

51. Summary of total New York State small business entrepreneur assistance/investment track record, including volume, typical profile of portfolio companies, typical structure of investment, typical participation and oversight of each portfolio company, typical compensation structure for Applicant, co-investments secured, follow-on investments made, and overall performance.

500 Character Limit

52. Summary of expected or typical outcomes, including investment returns, job creation, creation of tax revenue and business launch or expansion outcomes.

500 Character Limit

53. Describe the current target markets (industries or geographic areas) in which the Applicant has particular focus, and the Applicant's view of the current state of those geographic areas, sectors or industries. (narrative)

500 Character Limit

54. Describe the Applicant's deal sourcing strategy and process. Describe how many equity investments are typically evaluated each year by the Applicant and, of these, how many commitments are made. Discuss how regional resource partners are used for sourcing and making investments (universities, incubators, angel networks, etc.).

500 Character Limit

55. Describe the Applicant's capacity to source, evaluate, and finalize investments in seed stage companies in the region. Describe the specific outreach and deal sourcing plan the Applicant would employ to identify potential investments.

500 Character Limit

56. Describe how the Applicant will serve specific communities, such as underserved areas of the Region or M/WBEs.

500 Character Limit

INFRASTRUCTURE/DOWNTOWN DEVELOPMENT TRACK ONLY - REAL ESTATE INFORMATION

Attach Exhibit 8, Developer Background, including individual and corporate resumes, with descriptions of Projects developed, Projects under management and other Projects under development, specifying square footage and development costs.

57. What is the estimated value of the property currently? \$

58. What is the estimated value of the property as-built? \$

59. Have tenants been identified?

YES NO

For what percentage of overall square footage are there tenants with signed leases? %

For what percentage of overall square footage are there tenants identified with letters of intent? %

60. Does the Project involve reuse of an existing structure and/or remediation of an environmentally contaminated property?

YES NO If yes, please explain how.

500 Character Limit

FOR DOWNTOWN REDEVELOPMENT PROJECTS ONLY

Attach photographs and drawings in Exhibit 9, Photos & Drawings.

61. Does the Project bear the potential to revitalize a downtown neighborhood?

YES NO If yes, please explain how.

500 Character Limit

62. Is the Project consistent with surrounding architecture and does it involve architectural preservation?

YES NO If yes, please explain how.

500 Character Limit

63. Does Applicant currently own the site in question?

YES NO If no, describe how and when the Applicant plans to acquire the site:

500 Character Limit

64. If Applicant currently leases or intends to lease the site, what are the terms of the lease?

500 Character Limit

65. Does the Project require a zoning change or variance, site plan, special permit, subdivision, or other planning or zoning approval?

YES NO If yes, what is the status of the approval?

500 Character Limit

66. Is the Project on land that may be environmentally contaminated or has a Phase 1 Environmental Site Assessment been performed?

YES NO If yes, is there any contamination and what are the plans for remediation, if any?

500 Character Limit

67. Does the Project require review pursuant to the State Environmental Quality Review Act (SEQRA)? (For information about SEQRA, visit <http://www.dec.ny.gov>.) YES NO If yes, what is the status?

500 Character Limit

If yes, you may be asked to provide a copy of the SEQRA review documents, e.g. Environmental Assessment Form and Negative Declaration, or Draft and Final Environmental Impact Statements and Statement of Findings.

68. Does the Project involve:

- Demolition or rehabilitation of a building(s) more than 50 years old? YES NO
- Demolition or rehabilitation of a building(s) or new construction on or contiguous to a site listed on or eligible for listing on the State or National Registers of Historic Places? YES NO

If yes to either of the above, the Project requires consultation with the State Historic Preservation Office (SHPO). (For more information, visit <http://nysparks.state.ny.us/shpo>.) If the Project requires SHPO consultation, what is the status?

500 Character Limit

PROJECT READINESS - FOR ALL PROJECTS INVOLVING SITE, BUILDING, INFRASTRUCTURE, CONSTRUCTION – PAGE 2

69. Has an architect been engaged?

YES NO If yes, provide name and firm:

Which drawings have been prepared? None Schematics Design Construction

70. Has a Construction Manager and/or General Contractor been selected?

YES NO If yes, specify which and name firms:

71. Attach copies of third party estimates for Project costs as **Exhibit 10, Cost Estimates**.

Attached Not Available

72. List all other federal, state and local permits or approvals required for the Project:

	Agency Name	Permit Name	Status
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

TOURISM TRACK ONLY

73. Can you provide evidence or research of consumer demand for your Project?

YES NO If yes, please provide.

500 Character Limit

74. What types of travelers are you hoping to reach through your Project?

500 Character Limit

75. Describe how your Project is tourism-driven.

500 Character Limit

76. Summarize your marketing message/concept for this Project.

500 Character Limit

77. How does your Project distinguish itself from others in the marketplace?

500 Character Limit

78. Describe the estimated impact of your Project on the number of visitors to the region and/or the amount visitors spend?

500 Character Limit

TRAINING/WORKFORCE DEVELOPMENT TRACK ONLY

79. Fully describe the training which will be provided to participants under this Project.

500 Character Limit

80. Identify the sector or industry cluster to which the Applicant business belongs. If the applicant is a Training Provider, please see the Help section below.

HELP SECTION

For example, health care, advanced manufacturing, clean energy, transportation, construction, etc. For Training Providers please indicate the sector of the business for whom the training is being provided.

500 Character Limit

81. Describe, identify, and document a compelling need for the proposed training, including the nature of the skills assessment performed, the results of the assessment, and the current state of the business, industry and economy that dictate the need for training; and provide full descriptions of every course.

500 Character Limit

82. Fully describe the training which will be provided to participants under this Project.

500 Character Limit

83. Describe the occupational skills to be acquired and how they are transferable.

HELP SECTION

Occupational training is defined as instruction conducted in an institutional or worksite setting designed to provide individuals with or upgrade them in the technical skills and information required to perform a specific job or group of jobs. Transferable skills are recognized industry-wide or across multiple industries.

500 Character Limit

84. Identify the anticipated outcomes of the program including: how proposed training will positively impact the business, the percentage of trainees who will receive an industry recognized credential or certification upon completion, a description of the credential/certification, the percentage of participants to be retained after training.

500 Character Limit

85. Please provide any historical data that shows the placement rates in jobs as a direct result of the training they received and please provide future projections for job placement as a direct result of the training they will receive.

500 Character Limit

SUITABILITY

INSTRUCTIONS: *If the answer to any question below is Yes, please explain as Exhibit 11, Suitability Explanation.*

86. Has any senior manager or principal of the Applicant or any affiliate ever been convicted of any felony or misdemeanor, other than a minor traffic violation, or are any such charges pending?
 YES NO
87. Has the Applicant or any affiliate been cited for a violation of federal, State or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution or other operating practices?
 YES NO
88. Is the Applicant or any affiliate delinquent on any NYS, federal or local tax obligations or has it been delinquent on any such tax obligations within the last 5 years?
 YES NO
89. Has the Applicant or any affiliate ever been involved in bankruptcy, a creditor's rights or receivership proceeding, or sought protection from creditors?
 YES NO
90. Has the Applicant or any affiliate ever settled a debt with a lending institution for less than the full amount outstanding?
 YES NO
91. Are there any outstanding judgments or liens pending against the Applicant or any Affiliate other than liens in the normal course of business?
 YES NO
92. Is the Applicant or any affiliate presently the subject of any litigation, or is any litigation threatened, which may have a material adverse effect on their financial condition?
 YES NO

AFFIRMATIVE ACTION & NON-DISCRIMINATION

PARTICIPATION OPPORTUNITIES FOR NEW YORK STATE CERTIFIED MWBEs

WNYPPAB is required to comply with and implement the provisions of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 ("MWBE Regulations") for all State contracts as defined therein, with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

Approval of funding by NYPA, is conditioned upon and subject to the following requirements:

- a) Recipient agrees to fully comply and cooperate with NYPA in the implementation of New York State Executive Law Article 15-A. These requirements include contracting opportunities for MWBEs.

- b) Recipient's demonstration of "good faith efforts" pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, other applicable federal, state or local laws.

- c) For purposes of providing meaningful participation by MWBEs on the project and achieving the project goals established herein, Recipient should reference the directory of New York State Certified MWBEs found at the following internet address:
<https://ny.newnycontracts.com/>

Additionally, Recipient is encouraged to contact ESD's Office of Contractor and Supplier Diversity at OCSD@ESD.NY.GOV to discuss additional methods of maximizing participation by MWBEs on the project.

APPENDIX A

Sample Job Commitment Spreadsheet

Full-time Permanent Employees	Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7
Current baseline employment, not at risk	75	75	75	75	75	75	75	75
Current employment at risk	25	25	25	25	25	25	25	25
New jobs to be added over Current Year		25	50	75	50	25	25	25
Total Permanent Employment at Year End	100	125	150	175	150	125	125	125

APPENDIX B

Sample Sources & Uses

SOURCES & USES			
Uses	Explanation	Cost	
Planning/feasibility study costs (specify)			
Land acquisition		\$ 100,000	
Acquisition of existing assets (specify)			
Demolition			
Environmental remediation		\$ 500,000	
Hard costs, inc. contingency		2,000,000	
Infrastructure costs (specify)		-	
Machinery + Equipment (specify)		500,000	
Furniture, Fixtures + Equipment (specify)		-	
Soft costs, inc. contingency		-	
Developer fee		50,000	
Other (specify)		-	
	Total:	\$ 3,150,000	
Sources	Provider	Amount	Terms
Subject request for Fund Benefits		300,000	
Senior debt	Bank A	1,500,000	10 yrs, 20 yr amort @ 7%
Subordinate debt	Loan Fund B	500,000	10 yrs, 20 yr amort @ 12%
Total Other Sources: Committed (see below)		300,000	
Total Other Sources: Potential (see below)		235,000	
Corporate cash/line of credit/Related Entity loan		-	
Additional cash equity contribution		315,000	
Deferred developer fee		-	
Other (specify)		-	
Unidentified			
	Total:	\$ 3,150,000	
Other Sources: Committed			Terms
Provider	Use of Funds		
Local Loan Fund	hard costs	\$ 100,000	5 yrs, amortizing, 5%
Foundation Grant	land acquisition	100,000	grant
Municipal Grant	environmental remediation	100,000	grant
	Total:	\$ 300,000	
Other Sources: Potential			Terms
Provider	Use of Funds + Status of Request		
Foundation A	historical preservation; answer expected 12/09	\$ 100,000	
Foundation B	environmental remediation; answer expected 9/09	100,000	
Foundation C	streetscape improvements; status unknown	100,000	
	Subtotal:	\$ 300,000	
	Allowance for rejection of funding requests from pote	\$ -	
	Total:	\$ 300,000	
	Allowance for rejection of funding requests from pote	\$ (65,000)	
	Total:	\$ 235,000	

EXHIBIT 1

Additional NY State Facilities

If more than one NY State facility, please attach a list as **Exhibit 1 Additional NY State Facilities**. The list should include each major location, facility address and number of Full-time Permanent Employees. The total in the list should equal the NY State figure, above.

EXHIBIT 2

Existing Obligations

If Applicant is currently subject to any job creation, employment level, capital expenditure or other obligations resulting from previous public (federal, state or local) funding *submit detailed information.*

EXHIBIT 3

Organizational Chart

Please provide an organizational chart depicting the Applicant, its corporate owners or members, its subsidiaries and affiliates and the relationships among them.

EXHIBIT 4

Corporate Financial Information

For **Applicant** itself, any **50% or more owner of Applicant**, and any **prospective tenant providing a third-party job commitment**, please provide the following information (note that any publicly-held company need not provide this information):

- Three (3) years of most recent financial statements
 - Must include balance sheet, income statement and statement of cash flows
 - If financial statements are not audited, signed tax returns for the same three (3) year period must be provided

- Internally-prepared year-to-date financial statements dated no older than 90 days prior to application submission

EXHIBIT 5

Business Plan and 5 Year Financial Projections

If a startup company, please provide personal financial statements from a personal guarantor and a business plan that includes an explanation of: (1) the product being sold, (2) current and future size of market, (3) the Applicant's current market share or potential future market share illustrating how increased market share can be achieved (4) 5 year financial Projections and (5) Management Team members bios.

EXHIBIT 6

Personal Guarantor Financial Disclosure

Please provide information for any individual owning 20% or more of Applicant, or any group of immediate family members together owning 20% of Applicant.

The information requested for each individual is as follows:

- Personal Financial Statement (see next page)
- Tax return for the most recent period
- Biographical information or resume
- Bank reference information
 - Bank name
 - Contact name
 - Contact telephone and fax numbers

PERSONAL FINANCIAL STATEMENT

As of Date: _____

Name:	Business Phone:
Residence Address:	Residence Phone:
City, State, & Zip Code:	
Business Name of Applicant/Borrower:	

ASSETS	(Omit Cents)	LIABILITIES	(Omit Cents)
Cash on hand & in Banks	\$	Accounts Payable	\$
Savings Accounts	\$	Notes Payable to Banks and others (Describe in Section 2)	\$
IRA or Other Retirement Account	\$	Installment Account (Auto) Mo Payment	\$
Accounts & Notes Receivable	\$	Mo Payment	\$
Life Insurance-Cash Surrender Value Only (Complete Section 8)	\$	Installment Account (Other) Mo. Payments	\$
Stocks and Bonds	\$	Loan on Life Insurance	\$
(Describe in Section 3)	\$	Mortgages on Real Estate	\$
Real Estate	\$	Other Personal Property (Describe in Section 4)	\$
(Describe in Section 4)	\$	Unpaid Taxes	\$
Automobile-Present Value	\$	(Describe in Section 6)	\$
Other Personal Property	\$	Other Liabilities (Describe in Section 7)	\$
(Describe in Section 5)	\$	Total Liabilities	\$
Other Assets	\$	Net Worth	\$
(Describe in Section 5)	\$		
Total	\$	Total	\$

Section 1. Source of Income	Contingent Liabilities
Salary	\$
Net Investment Income	\$
Real Estate Income	\$
Other Income (Describe below)*	\$
	\$

Description of Other Income in Section 1.

*Alimony or child support payments need not be disclosed in "Other Income" unless it is desired to have such payments counted toward total income.
 Section 2. Notes Payable to Banks and Others. (Use attachments if necessary. Each attachment must be identified as a part of this statement and signed.)

Name and Address of Noteholder(s)	Original Balance	Current Balance	Payment Amount	Frequency (monthly, etc.)	How Secured or Endorsed Type of Collateral
	\$	\$	\$		
	\$	\$	\$		
	\$	\$	\$		
	\$	\$	\$		

Section 3. Stocks and Bonds. (Use attachments if necessary. Each attachment must be identified as a part of this statement and signed).

Number of Shares	Name of Securities	Cost	Market Value Quotation/Exchange	Date of Quotation/Exchange	Total Value
		\$	\$		\$
		\$	\$		\$
		\$	\$		\$
		\$	\$		\$

Section 4. Real Estate Owned. (List each parcel separately. Use attachment if necessary. Each attachment must be identified as a part of this statement and signed.)

	Property A	Property B	Property C
Type of Property			
Address			
Date Purchased			
Original Cost	\$	\$	\$
Present Market Value	\$	\$	\$
Name & Address of Mortgage Holder			
Mortgage Account Number			
Mortgage Balance	\$	\$	\$
Amount of Payment per Month/Year	\$	\$	\$
Status of Mortgage			

Section 5. Other Personal Property and Other Assets. (Describe, and if any is pledged as security, state name and address of lien holder, amount of lien, terms of payment and if delinquent, describe delinquency)

Section 6. Unpaid Taxes. (Describe in detail, as to type, to whom payable, when due, amount, and to what property, if any, a tax lien attaches.)

Section 7. Other Liabilities. (Describe in detail.)

Section 8. Life Insurance Held. (Give face amount and cash surrender value of policies - name of insurance company and beneficiaries)

I authorize WNYPPAB to make inquiries as necessary to verify the accuracy of the statements made and to determine my creditworthiness. I certify the above and the statements contained in the attachments are true and accurate as of the stated date(s). These statements are made for the purpose of either obtaining a loan or guaranteeing a loan. I understand FALSE statements may result in forfeiture of benefits and possible prosecution.

Signature: _____ Date: _____ Social Security Number: _____

Signature: _____ Date: _____ Social Security Number: _____

EXHIBIT 7

Commitment Letters/Term Sheets

Provide copies of commitment letters or term sheets for the funding sources listed on page 15, if available.

EXHIBIT 8

Developer Background

Provide individual and corporate resumes of developer and development entities
(units developed, units under management, etc.)

EXHIBIT 9

Photos & Drawings

EXHIBIT 10

Cost Estimates

Attach copies of third party estimates for Project costs.

EXHIBIT 11

Suitability Explanation

If the answer to any question on page 25 *Suitability* is yes please explain here.