



# APPLICATION FOR ASSISTANCE

## for Not-for-Profit Corporations

Each applicant seeking assistance must complete the accompanying application material which includes the Application for Assistance, Appendix A, Appendix B, Appendix C, Appendix D and Environmental Assessment form. A non-refundable application fee of \$1500.00 must be included with this application. Make check payable to MCIDC.

In the absence of a waiver permitting otherwise, every project seeking MCIDC assistance must use all local labor for the construction of new, expanded or renovated facilities. "Local" is defined as residing in Monroe, Genesee, Livingston, Ontario, Orleans, Seneca, Steuben, Wayne, Wyoming or Yates Counties. See Appendix B.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law.

### I. APPLICANT DATA

A. Applicant Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/State/Zip \_\_\_\_\_

B Applicant's Officer Responsible for Completing this Application  
 Name \_\_\_\_\_  
 Title \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 City/State/Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 Fax \_\_\_\_\_  
 E-Mail \_\_\_\_\_  
 Applicant's Tax ID No. \_\_\_\_\_

C. State of Incorporation \_\_\_\_\_

D. Applicant's Legal Counsel  
 Firm Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/State/Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 Attorney's Name \_\_\_\_\_  
 Fax \_\_\_\_\_  
 E-Mail \_\_\_\_\_

D. Current Legal Owner of property \_\_\_\_\_

E. Who are the principal user(s) of the facility (the "company")? If there are multiple users, please indicate on attached sheet. If same as applicant indicate "same" below.  
 Company Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/State/Zip \_\_\_\_\_  
 SIC/NAICS Code \_\_\_\_\_  
 Contact Person \_\_\_\_\_  
 Telephone \_\_\_\_\_  
 E-Mail \_\_\_\_\_  
 % of facility to be occupied by company \_\_\_\_\_

F. Are other facilities or related companies located within New York State?  
 Yes  No  
 Location \_\_\_\_\_

G. Description of project (check one or more)  
 New construction  
 Addition to existing facility  
 Renovation and modernization of existing facility  
 Acquisition and modernization of existing facility  
 New machinery and equipment  
 Other (specify) \_\_\_\_\_

### II. PROJECT & OCCUPANCY DATA

A. Location of proposed project facility (address if available)  
 \_\_\_\_\_  
 \_\_\_\_\_

B. Tax Map Parcel Number \_\_\_\_\_

C. Indicate municipal jurisdiction  
 Town \_\_\_\_\_  
 Village \_\_\_\_\_  
 City of Rochester \_\_\_\_\_  
 School District \_\_\_\_\_

H. Attach a general narrative description of the project and background on user(s) of the facility. Provide Confidential Information Form (Appendix A) for user(s) of the facility.

III. COMPANY EMPLOYMENT INFORMATION

A. Total current employment within Monroe County is
Full-Time Part-Time

B. Projected Employment:
Applicant or principal user(s) must complete Appendix A.

IV. ALL-LOCAL LABOR REQUIREMENT

In the absence of a waiver permitting otherwise, every project seeking MCIDC assistance must use all local labor for the construction of new, expanded or renovated facilities. (Read and Sign Appendix B.)

V. PROJECT COMPLIANCE

Projects will be subject to on-site compliance monitoring regarding the local labor/supplier commitment, employment requirements and incentive verification. The cost of this monitoring will be paid for by MCIDC.

VI. PROJECT COSTS AND FINANCING

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project.

Estimated Costs Eligible

- a. Building Construction or Renovation Cost a. \$
b. Sitework b. \$
c. Non-manufacturing equipment c. \$
d. Furniture, Fixtures d. \$
e. Other (specify) e. \$
f. Subtotal f. \$
g. Land and/or Building Purchase g. \$
h. Soft Costs (Legal, Architect, Engineering) h. \$
i. Other (specify) i. \$
j. Subtotal j. \$
Total Project Costs f. + j. \$

B. Indicated how the project will be financed

- a. Tax-Exempt Civic Facility Bond a. \$
b. Equity b. \$
TOTAL SOURCES \$
Estimated Amount of Mortgage \$

C. Has the applicant made any arrangements for the financing of the project?

Yes No

If so, please specify bank, underwriter, etc.

VII. PROJECT CONSTRUCTION INFORMATION

A. What is the proposed commencement date of construction or acquisition of the project?

B. Outline the timetable for the project, indicating when project will be in full use.

C. Contractor(s)

VIII. ENVIRONMENTAL ASSESSMENT

New York State law requires that an Environmental Assessment Form (EAF) must be completed and submitted along with this application. Attach the EAF which was submitted to the municipality.

Name of Applicant's Officer Responsible for Completing Application:

(Please print)

Signature

Date of Application

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name of chief executive of the company submitting application

deposes and says that he/she is the \_\_\_\_\_

of \_\_\_\_\_, the corporation

named in the attached application; that he/she has read the foregoing application and knows the contents thereof; that the same is true to his/her knowledge.

Deponent further says the reason this verification is made by the deponent and not by

\_\_\_\_\_, (company name)

is because the said company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his/her own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his/her duties as an officer of and from the books and papers of said corporation.

As officer of said corporation (hereinafter referred to as the "applicant") deponent acknowledges and agrees that applicant shall be and is responsible for all costs incurred by the nonprofit Monroe County Industrial Development Corporation (hereinafter referred to as the "Agency") acting on behalf of the attached application whether or not the application, the project it describes, the attendant negotiations and ultimately the necessary issue of bonds and/or completion of the lease/leaseback transaction are ever carried to successful conclusion. If, for any reason whatsoever, the applicant fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action or withdraws, abandons, cancels, or neglects the application or if the Agency or applicant are unable to identify buyers willing to purchase the total bond issue required or facilitate the lease/leaseback transaction, then upon presentation of invoice, applicant shall pay to the Agency, its agents, or assigns all actual costs involved in conduct of the application, up to that date and time, including but not necessarily limited to fees of bond counsel for the Agency and fees of general counsel for the Agency. Upon successful conclusion and sale of the required bond issue or completion of the lease/leaseback transaction, the applicant shall pay to the Agency an administrative fee set by the Agency. The cost incurred by the Agency and paid by the applicant, including bond counsel and the Agency's general counsel's fees and the administrative fee, may be considered as a cost of the project and included as part of the resultant bond issue or lease/leaseback transaction.

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Print Name of Chief Executive

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Signature



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**REQUIREMENTS FOR CONSTRUCTION PROJECTS**

Requirement for use of All-Local Labor for all projects involving the construction of new, expanded or renovated facilities:

All project employees of the general contractor, subcontractor, or sub to a subcontractor (contractors) working on the project must reside within the following counties in the State of New York: Monroe, Genesee, Livingston, Ontario, Orleans, Seneca, Steuben, Wayne, Wyoming or Yates. The All-Local Labor criterion will be verified based on employment, payroll and related records.

MCIDC understands that at certain times local labor may not be available within the local area. Under this condition, applicants are required to make a written request for a waiver, 45 days in advance, to the MCIDC third-party, independent auditor, Brian Lafountain at The Bonadio Group. Brian can be reached at 585-249-2717 or blafountain@bonadio.com. Contractors do not have to be local companies as defined herein, but must employ local people to qualify under the All-Local Labor criterion.

The foregoing terms have been read, reviewed and understood by the Applicant, to wit:

\_\_\_\_\_ (Applicant)

and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by MCIDC, in a prominent, easily accessible location, identifying the project as a recipient of MCIDC assistance and the local labor requirements associated with this assistance. Furthermore, the undersigned realizes that failure to abide by the terms herein could result in MCIDC revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

\_\_\_\_\_  
(APPLICANT)

\_\_\_\_\_  
, title:

**CONFIDENTIAL INFORMATION**

**OCCUPATIONAL CATEGORIES/PAY RANGES ASSOCIATED WITH PROJECT**

Current and Planned Categorized  
 of Occupations

Salary/Pay Range


**1. Application Fee - Send with Completed Application**

A non-refundable application fee of One Thousand Five Hundred dollars (\$1,500.00) shall be charged each applicant.

**2. Administrative Fee - Paid at Closing**

- a. For projects \$20 million and under: 1% of project cost.
- b. For projects over \$20 million: 1% of project up to \$20 million plus 1/2% fee on amount over \$20 million.

**3. Counsel Fee-Paid at Closing**

- a. Counsel fee is one-third of administrative fee on projects up to \$50 million.
- b. For projects over \$50 million, the counsel fee is included in the administrative fee.

**4. Bond Counsel**

Designated Bond Counsel fee is based on the complexity and amount of transaction.

\_\_\_\_\_  
 Print Name of Chief Executive

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date