



DOWNTOWN MEMPHIS TAX INCREMENT FINANCING (TIF) PROGRAM



Program Administered by:
Memphis Center City Revenue Finance Corporation
114 North Main Street
Memphis, TN 38103
901.575.0540
DowntownMemphisCommission.com

Policies adopted _____, 2018

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DOWNTOWN MEMPHIS TAX INCREMENT FINANCING (TIF) PROGRAM

ADMINISTERED BY THE MEMPHIS CENTER CITY REVENUE FINANCE CORPORATION

DESCRIPTION

The Downtown Memphis Tax Increment Financing (TIF) Program (“Program” or “TIF Program”) is a financial incentive designed to encourage commercial real estate development in and around the Downtown Memphis area by “reinvesting site-specific property taxes above the predevelopment level for a predetermined period of time” into the project infrastructure. The eligible amount of time for a TIF to be in place is determined by use, cost, as well as other criteria (Appendix I).

A site specific TIF is not an entitlement. In order to qualify for a TIF, the project must pass a “but for” test that determines whether or not the project would be financially feasible in the absence of TIF designation. The Program is offered to developers and/or property owners with projects located in the Central Business Improvement District (CBID) and/or within the Parkways (Appendix II). Any project awarded a TIF must comply with the Downtown Memphis Commission’s Equal Business Opportunity (EBO) Program (refer to section on EBO Program along with Appendices III & IV).

ELIGIBILITY REQUIREMENTS

In order to be eligible for the Program, applicants must meet the following requirements:

- The project must be located within the Central Business Improvement District (CBID), and/or within the Parkways (Appendix II).
- The value of the proposed building renovations, site improvements or new construction must be equal to or greater than 60 percent of the total project cost.
- The project must pass a “but for” test that determines that the project would not be financially feasible without a TIF.
- Applicant must own the property or have an option or other right to purchase the property.
- Residential projects with 51 units or more are subject to the Memphis Center City Revenue Finance Corporation’s (“CCRFC”) affordable housing requirement. This requirement stipulates that at least 20 percent of the residential rental units shall be

occupied by, or held available solely for, individuals and families of low or moderate income, defined as no more than 80 percent of the median gross income for Shelby County, Tennessee.

- No project on Mud Island south of A. W. Willis Avenue shall be considered for a TIF without consideration of the Memphis River Parks Partnership’s recommendation.
- Only multi-family projects or mixed-use developments that include a multi-family component are eligible for a TIF outside of the CBID.
- Apartment and mixed-use projects shall not utilize electric resistance heat systems.
 - Projects should incorporate natural gas, heat pumps, or another high-efficiency system as deemed adequate by CCRFC staff and Memphis Light, Gas & Water (MLGW) staff.
 - This requirement applies to both new construction and building renovation projects.
 - The only exception to this requirement will be for instances where using natural gas, heat pumps, or another high-efficiency system is deemed technically infeasible by MLGW staff due to unavoidable characteristics of the project, use, building, or site.

The following projects are ineligible for the Program:

- Any development project that is under construction, excluding stabilization, site preparation or utility work.
- Industrial projects, with the exception of (1) medical or research related industrial projects within the Medical District, (2) projects in the industrial area north of Chelsea, or (3) projects within the South Downtown Business Park as identified in the South Central Business Improvement District Zoning Map (refer to Shelby County website for zoning maps <http://shelbycountyttn.gov/>).
- Single family residential

TIF Eligible Costs:

Incremental tax revenues may be used to finance only the following Project costs without the approval of CCRFC and the Commissioner of Economic and Community Development and Controller of the State of Tennessee (the “State”)in their discretion:

- Capital costs, including costs incurred for construction and reconstruction of Public Infrastructure, clearing, grading and excavating, site work, and other hard constructions expenses;
- Costs of obtaining permits for the public improvements from Governmental Authorities;
- Capitalized interest for the public improvements
- Premiums for payment and performance bonds issued in favor of Governmental Authorities or the Board in connection with the public improvements
- Professional fees for architectural and engineering services and legal expenses capitalized as Project costs under generally accepted accounting principles with respect to public improvements;
- Fees and expenses of CCRFC and other fees and expenses related to the TIF.

Public Infrastructure will include the following public facilities and public improvements:

- a. Streets, roads, highways, curbs, gutters, water lines, sanitary sewer lines, storm drainage facilities, ramps, bridges, traffic signals, paving, driveways, sidewalks, walking and running trails, mass transit and other public transportation facilities, culvers, manholes, retaining walls, tunnels, approaches, underpasses, artificial lighting, off-street parking improvements and structures, fencing, landscaping, public parks, site work and grading for such public infrastructure, walkways, signage, flood control improvements, and improvements for the supply, storage and distribution of water; and
- b. Electricity and telecommunications services, utility, and other similar site development infrastructure costs, qualified public improvements that may include on-site, off-site, utility relocation and under-grounding, according to the city's plans.

TERM & PAYMENTS

While a project may grade for a term exceeding 15 years (Appendix I), the maximum term that can be applied for is 15 years. The maximum term may be further reduced in the following case:

- Projects that have received or have applied for a Development Loan from Memphis Center City Development Corporation (CCDC) can only be awarded a TIF term of 10 years or less.
 - This 10 year limit is waived if the project is located in the Demonstration Block of Main Street (Appendix II).

CCRFC will normally require completion of the Public Infrastructure component of the TIF Project before disbursing any incremental tax revenues to the Applicant, the applicant's lender or any bond trustee. CCRFC will require certification of the completion of the Project before the disbursement of incremental tax revenues.

PROGRAM FEES

Application Fee

A non-refundable application fee of \$1,000, payable to the CCRFC, will be due upon submission of a complete application.

Extension Fee

If a TIF does not close within one year from approval of the TIF by CCRFC, the applicant may request an extension of up to one year, subject to a \$2,500 extension fee.

Transfer Eligibility and Fee

No rights to a TIF may be sold, assigned or leased unless otherwise specified in the Development and Financing Agreement, provided however, that CCRFC will consent to the collateral assignment of TIF Revenues to secure financing for the TIF Eligible Costs. The sale, transfer or assignment of the owner's interest in a property designated as a TIF requires the approval of

CCRFC. If so, a fee equal to one percent of the project value shall be due in connection with such approval.

- Project value shall be determined on the basis of the total value given (including, without limitation, cash and assumption of debt) in the event of sale, transfer or assumption of all of the owner's interest in a TIF site.
- If the sale, transfer or assumption is for less than all of the owner's or borrower's interest, project value shall be determined on the basis of an appraisal of the project.

Administrative Fee

An Administrative Fee equal to 5% of the TIF Revenues shall be payable. 2% of the County Tax Increment Revenues shall be payable to the County Trustee and shall be deducted by the County Trustee upon receipt. 1% of the City Tax Increment Revenues shall be payable to the Memphis Treasurer and shall be deducted by the City Treasurer upon receipt. 3% of the County Tax Increment Revenues and 4% of the City Tax Increment Revenues shall be payable to CCRFC and shall be delivered to CCRFC upon receipt.

APPLICATION PROCESS

1. Eligibility Screening

It is recommended that potential applicants contact the Downtown Memphis Commission ("DMC") to evaluate their eligibility for the Program. The DMC staff ("staff") will ensure that all eligibility criteria are met prior to submitting an application.

2. Pre-Submittal Conference

A meeting with an assigned staff member must be held prior to submission of the application. The purpose of the meeting is to acquaint all parties with the scope of the project and any related issues. This meeting also serves to familiarize the applicant with the submittal and review process along with Program requirements and policies. The estimated eligible TIF Term may be determined in this meeting.

3. Application Submittal

The application must be assembled according to the Application Outline covered in the following section. Incomplete applications will not be accepted. Once the application is deemed "Final" and the presentation to the Memphis City Council and Shelby County Commission referred to under "Review and Approval Process" below have occurred, the application will be assigned a CCRFC Board ("Board") meeting date. An electronic copy and one signed hard copy of the application must be submitted no later than two weeks prior to any presentation to the Memphis City Council or the Shelby County Commission. The applications should be delivered to:

Downtown Memphis Commission
114 North Main Street
Memphis, TN 38103
(901) 575-0540

4. DMC Staff Review and Recommendation

Based on the application, staff will prepare a report that will include a summary of its evaluation and its recommendation. This report, along with the application, will be sent to the Board prior to its monthly meeting at which the application will be submitted for approval, and will also be made available on the DMC website.

Once an application has been submitted to the Board, the information contained in the application is a matter of public record.

5. Review and Approval Process

The Economic Impact Plan (the “Plan”) is first presented to the Economic Development committees of both the Memphis City Council and Shelby County Commission prior to submission to the CCRFC Board. Memphis City Council meets the first and third Tuesday of each month and Shelby County Commission committees are on the Wednesday prior to each County Commission meeting. DMC staff will assist in getting the Plan on the agenda for each committee. The Plan must be completed and submitted to DMC staff two weeks before the first scheduled committee meeting.

CCRFC is required to hold a public hearing relating to the proposed plan after publishing a notice of such public hearing in a newspaper of general circulation in Memphis and Shelby County at least two (2) weeks prior to the date of such public hearing. Such notice shall include the time, place and purpose of the public hearing, and notice of how a map of the area subject to the plan can be viewed by the public. Applicant shall pay the cost of the notice. The hearing will be held prior to the Board’s consideration of the Plan.

The CCRFC Board generally meets on the second Tuesday of every month at 9:00 am. Meetings are typically held at the DMC offices at 114 North Main Street. At this meeting, the application and staff report will be made available for public viewing and comments.

Staff will present each application and its recommendation at the meeting. The applicant, or an authorized representative, must be present. The Board may ask the applicant to make brief remarks regarding the project, at which time the Board may further ask questions of staff and the applicants before making its decision.

The Board will approve, deny, or postpone a resolution of the application at this meeting. The Board reserves the right to deny or reject any application, or to reduce or increase any term request. The Board also has the right to approve any application based on certain conditions being met. Applicants will be notified in writing of the Board’s resolution.

The full TIF application must then be approved by the full City Council and County Commission.

After approval by the Board, the applicant will have up to one year to close a TIF, unless the approval provides for a longer period to close.

If the TIF has not been closed within one year of the Board's approval of the Plan, an applicant may request a one year extension, subject to the \$2,500 extension fee.

If a TIF does not close prior to the termination of the extension period, the project must be resubmitted, reviewed, and approved by the CCRFC Board, the City Council and the County Commission unless the original approvals of the Plan provided for a longer period for closing.

All TIFs will be closed in the name of the applicant or party designated in the application as the owner of the project. Prior approval of Board will be required for substitution of another party as owner for any property designated as a TIF upon closing thereof.

If the applicant abandons the project, the TIF approval may be terminated.

6. Design Review

All applicants pursuing a TIF must have their projects reviewed by the DMC Design Review Board (DRB) prior to the closing of the TIF. Typically the applicant will present to the CCRFC Board prior to the DRB, but there may be exceptions depending on the scope of the development; this will be covered during the Pre-Submittal Conference. For details regarding the DRB review, please refer to the separate DRB Application.

7. Development Agreement

The applicant will be required to enter into a development agreement with respect to the development and financing of the project in form acceptable to CCRFC.

APPLICATION OUTLINE

1. Applicant Background

Provide information on the project principals and developers. The information should include:

- Name, address, and telephone number of the applicant.
- Name(s) of applicant's representatives and any financial guarantors of the project, along with their addresses and telephone numbers.
- Development experience and all other relevant information needed to consider while reviewing the application.
- Corporate or partnership structure, if applicable.

2. Proposed Project

Provide the following regarding the proposed project:

- Location of the proposed project by address and legal description.
- Intended usage.
- Economic and environmental impact.
- The square footage of the building and land area to be renovated or built upon
- Attach architectural plans and renderings if available.
- Any available history on the property.
- A letter from a certified engineer, licensed in the State of Tennessee, as to the structural integrity of any buildings in the TIF district for their intended usage, if applicable.
- Marketing plans identifying targeted market.
- If the project is speculative, how long full occupancy is expected to take and who will manage the project.
- Changes needed to the public space around the project (e.g. sidewalks, lighting, planting).
- Public infrastructure proposed to be funded from TIF revenues.
- All other information needed to fully explain the project.

3. Site Control

Provide the following regarding the site of the proposed project:

- Name the property owner(s) at the time of application submittal.
- If the applicant does not presently own the property(s), state if the applicant has a valid option to purchase the property, and supply a copy of the option if available.
- Describe any and all existing financing, options, and liens on the property(s).

4. Financial Items

Financial Background:

- Current audited financial statements of the applicant and guarantors. If audited financial statements are unavailable, please submit non-audited statements.
- State the relationship any applicant or grantor has had with any accounting firm over the last five years and reason for change, if any.
- Three years tax returns if Applicant is an individual.
- Financial history of the project and previous attempts to develop, if applicable.

Please note that personal financial information will not be disclosed to the public.

5. Economic Impact Plan

- A map or drawing clearly identifying the boundaries of the Project Area, including the proposed public improvements, and the boundaries of the Plan Area
- A list of all tax parcels composing the Plan Area, including owners and parcel numbers, from which the incremental tax revenues will be generated
- Confirmation of current zoning of the Project Area and the Plan Area subject to the economic impact plan

- The proposed period of time for which taxes will be allocated from the Plan Area in accordance with the economic impact plan
- A description of any proposed borrowing related to the tax increment financing
- the estimated development and construction costs of the Project and
- the projected total cost of the TIF, including interest paid during the term of the TIF
- draft of the proposed Economic Impact Plan for the project

6. Financial Projections:

- Proposed financing for the project:
 - Name, address, and phone number of lender and contact person with lender.
 - For loans, list the amount, interest rate, term, and amortization period.
 - Commitment letter(s) or indications of interest from financing source.
 - Detailed description of as to why a TIF is needed, including all steps that were taken to mitigate the need for a TIF.
- Sources and uses statement including estimated project costs broken down by component (e.g. land, buildings, equipment, soft costs, etc.).
 - Sample sources and uses statement attached (Appendix V).
- Pro formas for the length of the requested TIF Term.
 - The number of years indicated on the pro forma must match the TIF term requested.
 - The pro forma must be the same as such pro forma that is/was the basis for seeking/acquiring financing.
 - The applicant must indicate the estimated financial impact of the requested TIF in the pro forma by showing one pro forma with a TIF and one without a TIF.
 - Sample pro forma attached (Appendix VI).

7. Project Timeline

State the proposed schedule for the project including the dates anticipated for the following:

- Closing of the loan or other financing availability.
- First expenditure of funds with regard to the project.
- Commencement of construction.
- Project completion.

8. Project Team

Name any of the following that will be involved with the project, along with address and phone numbers:

- Counsel for the applicant.
- Architects and engineers.
- Contractor for project.
- Other professionals.

Disclose if the applicant or any guarantor has any previous or ongoing relationship with any Board member or legal counsel of the Board. If such a relationship exists, please describe in detail.

9. Credit References

Provide from business professionals (not from relatives):

- Three personal credit references.
- Three business credit references.

10. Disclosures

The following disclosures, along with detailed information as applicable, must be made:

- If the applicant, guarantor, or any other principals involved with the project are currently engaged in any civil or criminal proceeding.
- If the applicant, guarantor, or any other principals involved with the project have ever been charged or convicted of any felony or currently is under indictment.
- If the applicant has ever filed for bankruptcy.

11. Applicant Affirmation

Application must be completed, signed, and dated stating:

- The name, address, and telephone numbers and e-mail address of the applying entity.
- The name(s) of the applying entity's representative(s) and any other financial guarantors of the business and their addresses and telephone numbers if different from above.

The following statements must be included along with the dated signature of the applicant or the applicant's representatives:

This application is made in order to induce the Memphis Center City Revenue Finance Corporation (CCRFC) to grant financial incentives to the applicant. The applicant hereby represents that all statements contained herein are true and correct. All information materially significant to the CCRFC in its consideration of the application is included. The applicant expressly consents to the CCRFC's investigation of its credit in connection with this application. The applicant acknowledges that it has reviewed the descriptions of the CCRFC financial program for which it is applying and agrees to comply with those policies. The applicant shall also be required to show a good faith effort with regard to the employment of M/WBE contractors. The applicant specifically agrees to pay all reasonable costs, fees and expenses incurred by the CCRFC whether or not the incentive is granted or project completed.

EQUAL BUSINESS OPPORTUNITY (EBO) PROGRAM

All projects that are awarded a TIF shall use a "best faith effort" to reach no less than 20 percent Minority/Women Business Enterprise (M/WBE) participation, and must be in compliance with the Downtown Memphis Commission's Equal Business Opportunity (EBO) Program

(Appendices III-IV). If the requirements of the EBO Program are not met, the CCRFC reserves the right to rescind the TIF prior to closing of any financing.

1. Utilization

In order to receive credit for the utilization of an M/WBE, developers are required to utilize M/WBEs that are either certified, or can provide an affidavit affirming M/WBE ownership.

- Developers must document all M/WBEs to be utilized, their percentage of utilization, and their intended scope of work.
- Such information should be submitted with the TIF application on *EBO Form A - Proposed Utilization Plan* (Appendix IV).

After a TIF is approved, the developer shall be required to attend a conference with the DMC prior to beginning the work.

- The primary purpose of this conference is to finalize the M/WBE participation as outlined in *EBO Form B – Business Utilization Plan* (Appendix IV).

2. Post-Approval Change

Any developer who determines that an M/WBE identified on *EBO Form B – Business Utilization Plan* cannot perform the work as planned shall request approval from the DMC to contract with an alternate by submitting *EBO Form C – Explanation of Changes to Original Utilization Plan* (Appendix IV).

- Such request will be reviewed and approved only after adequate documentation for the proposed change is presented.

3. Monthly Certification

Each month the developer shall submit *EBO Form D – Monthly Business Utilization Record of Payments Report* (Appendix IV), certifying all payments made to M/WBEs.

4. Unavailability

If a developer's efforts to obtain M/WBE participation are unsuccessful, the developer will submit a statement of unavailability on *EBO Form E - Solicitation Certification Form* (Appendix IV).

5. Credit for M/WBE Participation in Joint Venture

A joint venture consisting of an M/WBE and a non-M/WBE will be credited with the M/WBE participation on the basis of the percentage of the dollar amount of the work to be performed by the M/WBE.

6. DMC Database

The DMC will maintain a database of M/WBEs. The database will be made available to assist developers in identifying M/WBEs with capabilities relevant to contracting requirements, joint venture and partnering opportunities. If the developer utilizes an M/WBE that is not listed on the

DMC database, the developer is responsible for assuring the certification of the M/WBE, or providing an affidavit affirming M/WBE ownership.

POST TIF APPROVAL

The following steps only apply if the CCRFC Board and DRB have approved the respective applications for the project.

1. Closing

The following must be provided at closing:

- Liability insurance on the property with \$3,000,000 in coverage. If the project is valued at less than \$1,000,000, then only \$1,000,000 in coverage is required.
- Updated Equal Business Opportunity *Form A: Proposed Utilization Plan* (Appendix IV).

2. Project Completion

Upon completion of any project subject to a TIF, the project shall be reviewed to determine if the project was completed as set forth in the application with respect to such plans and specifications approved by the DRB. If the project as completed would have received a TIF of fewer years than granted to the proposed project, the term of the TIF may be reduced appropriately prior to any financing.

APPENDICES

a. Appendix I – TIF Grading

A project must meet at least one primary qualification category in order to be eligible for any applicable secondary qualifications and/or additional term accumulation. Exceptions for projects that further the priorities of the CCRFC may be granted at the discretion of the CCRFC board.

PRIMARY QUALIFICATION		SECONDARY QUALIFICATION	
RESIDENTIAL			
2 to 5 Units:	<i>1 Year</i>	2 to 5 Units:	<i>.5 Year</i>
6 to 10 Units:	<i>2 Years</i>	6 to 10 Units:	<i>1 Year</i>
11 to 15 Units:	<i>3 Years</i>	11 to 15 Units:	<i>1.5 Years</i>
16 to 25 Units:	<i>4 Years</i>	16 to 25 Units:	<i>2 Years</i>
26 to 50 Units:	<i>5 Years</i>	26 to 50 Units:	<i>2.5 Years</i>
51 Units +:	<i>6 Years</i>	51 + Units:	<i>3 Years</i>
OFFICE			
Below 15,000 sf:	<i>1 Year</i>	Below 15,000 sf:	<i>.5 Year</i>
15,000 to 50,000:	<i>2 Years</i>	15,000 to 50,000:	<i>1 Year</i>
50,001 to 100,000:	<i>3 Years</i>	50,001 to 100,000:	<i>1.5 Years</i>
100,001 to 200,000:	<i>4 Years</i>	100,001 to 200,000:	<i>2 Years</i>
200,001 to 300,000:	<i>5 Years</i>	200,001 to 300,000:	<i>2.5 Years</i>
300,001 sf +:	<i>6 Years</i>	300,001 sf +:	<i>3 Years</i>
EDUCATION			
Below 15,000 sf:	<i>1 Year</i>	Below 15,000 sf:	<i>.5 Year</i>
15,000 to 50,000:	<i>2 Years</i>	15,000 to 50,000:	<i>1 Year</i>
50,001 to 100,000:	<i>3 Years</i>	50,001 to 100,000:	<i>1.5 Years</i>
100,001 to 200,000:	<i>4 Years</i>	100,001 to 200,000:	<i>2 Years</i>
200,001 to 300,000:	<i>5 Years</i>	200,001 to 300,000:	<i>2.5 Years</i>
300,001 sf +:	<i>6 Years</i>	300,001 sf +:	<i>3 Years</i>
HOTEL			
2 to 10 Rooms:	<i>1 Year</i>	2 to 10 Rooms:	<i>.5 Year</i>
11 to 25 Rooms:	<i>2 Years</i>	11 to 25 Rooms:	<i>1 Year</i>
26 to 50 Rooms:	<i>3 Years</i>	26 to 50 Rooms:	<i>1.5 Years</i>
51 to 100 Rooms:	<i>4 Years</i>	51 to 100 Rooms:	<i>2 Years</i>
101 to 200 Rooms:	<i>5 Years</i>	101 to 200 Rooms:	<i>2.5 Years</i>
201 Rooms +:	<i>6 Years</i>	201 Rooms +:	<i>3 Years</i>
INDUSTRIAL			
Below 50,000 sf:	<i>1 Year</i>	Below 50,000 sf:	<i>.5 Year</i>
50,000 to 150,000:	<i>2 Years</i>	50,000 to 150,000:	<i>1 Year</i>
150,001 to 250,000:	<i>3 Years</i>	150,001 to 250,000:	<i>1.5 Years</i>
250,001 to 350,000:	<i>4 Years</i>	250,001 to 350,000:	<i>2 Years</i>
350,001 to 500,000:	<i>5 Years</i>	350,001 to 500,000:	<i>2.5 Years</i>
500,001 sf +:	<i>6 Years</i>	500,001 sf +:	<i>3 Years</i>
PARKING STRUCTURES			
200 to 300 cars:	<i>1 Year</i>	200 to 300 cars:	<i>.5 Year</i>
301 to 400 cars:	<i>2 Years</i>	301 to 400 cars:	<i>1 Year</i>
401 to 500 cars:	<i>3 Years</i>	401 to 500 cars:	<i>1.5 Years</i>
501 to 600 cars:	<i>4 Years</i>	501 to 600 cars:	<i>2 Years</i>

601 to 700 cars: 5 Years
 701 cars + : 6 Years

601 to 700 cars: 2.5 Years
 701 cars + : 3 Years

RETAIL

15,000 to 20,000 sf: 4 Years
 20,001 to 30,000 sf: 5 Years
 30,001 sf + : 6 Years

Below 5,000 sf: .5 Year
 5,000 to 9,999 sf: 1 Year
 10,000 to 14,999 sf: 1.5 Years
 15,000 to 20,000 sf: 2 Years
 20,001 to 30,000 sf: 2.5 Years
 30,001 sf + : 3 Years

TOTAL PROJECT DEVELOPMENT COST

\$1 – 5 Million: 1 Year
 \$5+ – 10 Million: 2 Years
 \$10+ – 15 Million: 3 Years
 \$15+ – 20 Million: 4 Years
 \$20+ Million: 5 Years

CCRFC Priorities

General Location

Located in CBID (Appendix II):	3 Years
Located outside CBID, but inside CCRFC boundaries (Appendix II):	1 Year

Core & Historic

Project may only qualify for one of the following five:

Construction of a new structure in the Downtown Core:	1 Year
Renovation of an existing structure in the Downtown Core:	2 Years
Renovation of a structure listed as non-contributing property in a National Register or Landmarks Commission Historic District:	3 Years
Renovation of a structure listed as significant or contributing in a National Register or Memphis Landmarks Commission Historic District:	4 Years
Renovation of a structure listed individually on the National Register of Historic Places:	5 Years

Community-based Initiatives & Economically Distressed Areas

Project may qualify for up to two of the following:

Fronting the Main to Main Multi-Modal Connector Route (Appendix II):	3 Years
Located within the boundaries of the Edge Neighborhood (Appendix II):	3 Years
Located within the boundaries of the South City Impact Area (Appendix II):::	3 Years
Located within the boundaries of the Pinch Neighborhood (Appendix II):	4 Years
Located in a Census Tract with a Poverty Rate over 20 percent*	2 Years
Located in a Census Tract earning 80 or less of Area Median Income (AMI)*	2 Years

Design & Energy

Project may qualify for one or more of the following:

Including permanent public art (qualification determined by the DMC Design Review Board):	1 Year
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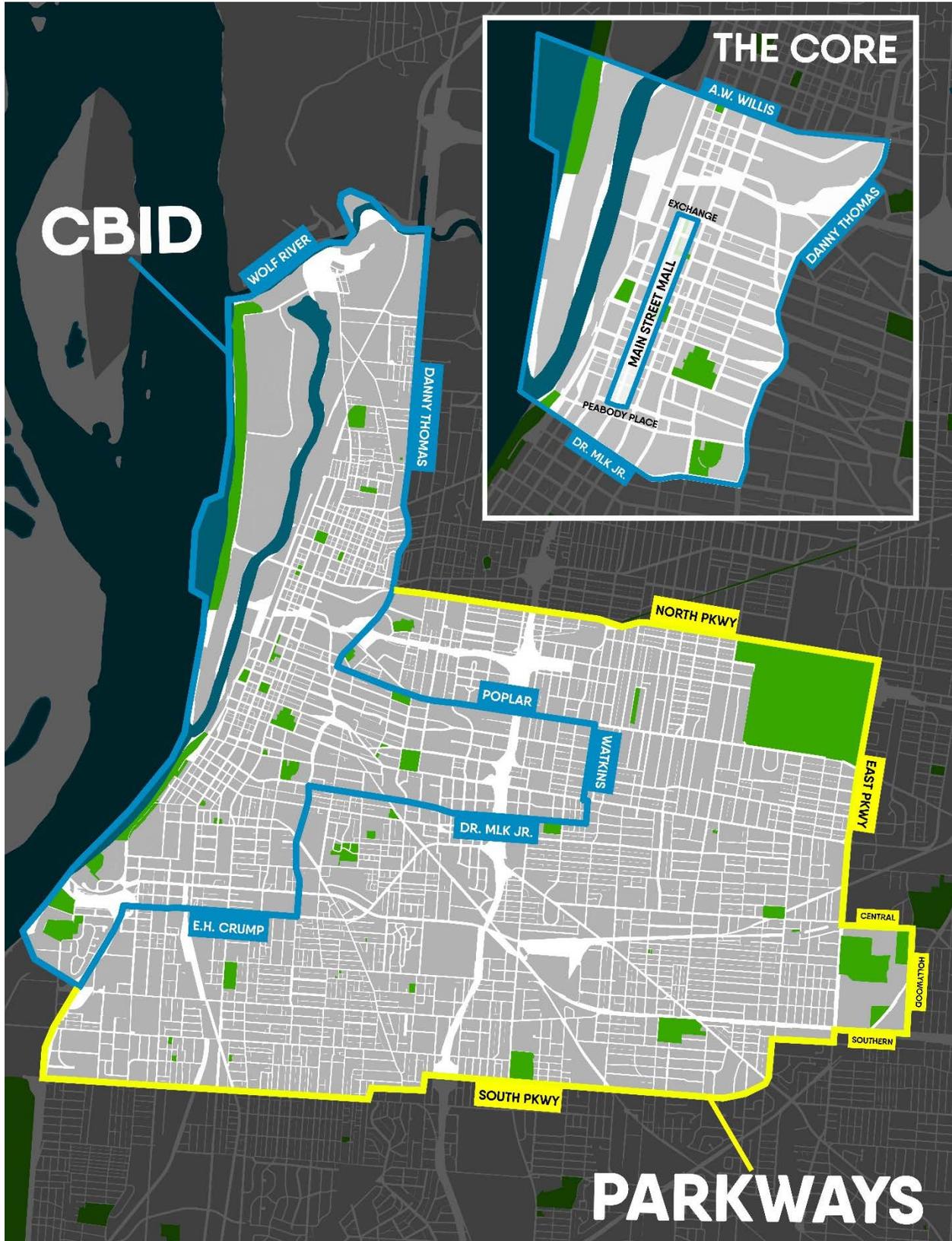
Including enhanced architectural lighting (qualification determined by the DMC Design Review Board):	1 Year
Leadership in Energy and Environmental Design (LEED) Certification:	4 Years
Net Zero Energy Building (NZEB) Certification:	4 Years
Memphis Light, Gas and Water (MLGW) Energy Advantage Certification:	1 Years

* Applicants may refer to the HUD map to confirm qualification; <https://www.huduser.gov/qct/qctmap.html>.

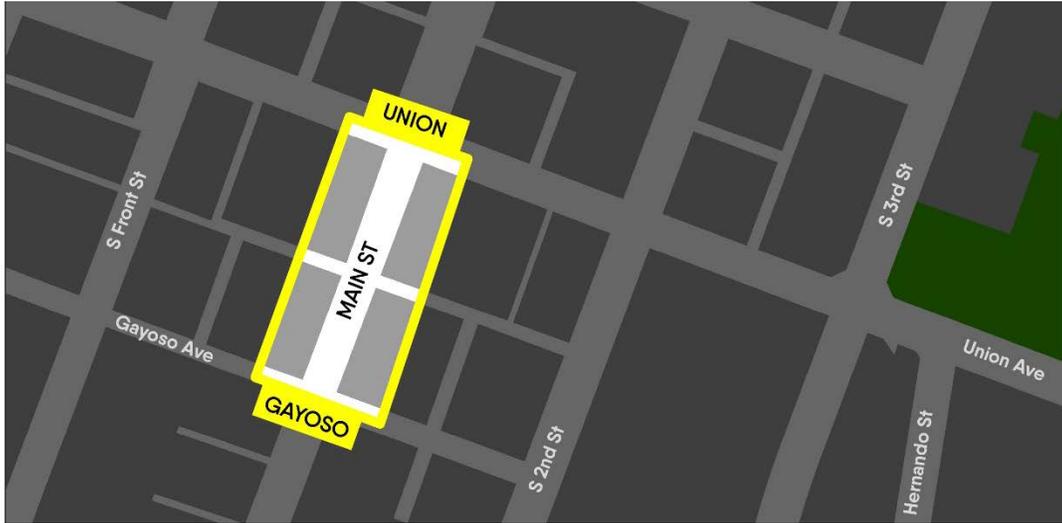
TIF TERM CALCULATION

Primary Qualification:	
Secondary Qualification A:	
Secondary Qualification B:	
Secondary Qualification C:	
Total Project Development Cost:	
CCRFC Priorities:	
TIF TERM:	

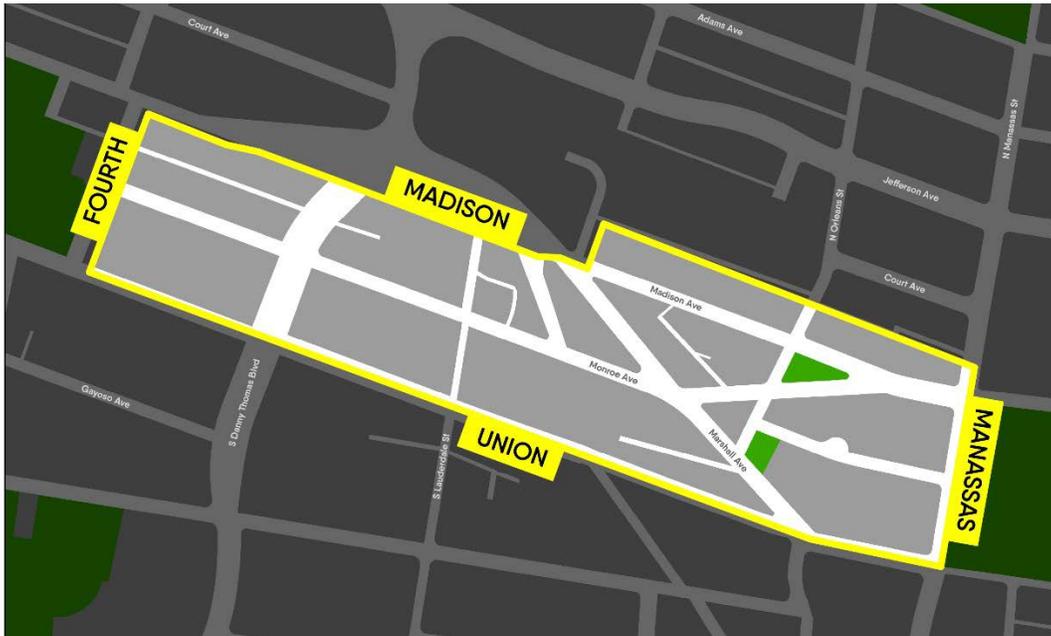
APPENDIX II – PROGRAM BOUNDARIES



Demonstration Block



Edge



South City Impact Area



The Pinch District



APPENDIX III – EQUAL BUSINESS OPPORTUNITY PROGRAM

Best-Faith Effort to Attain Minority/Women Business Enterprise (M/WBE) Participation

As further detailed in the Center City Affiliated Boards Equal Business Opportunity (EBO) Program, Section 10, the applicant must give Minority/Women Business Enterprises (M/WBEs) an equal and fair opportunity to receive notice, to bid on, and be considered for selection for all reasonable contracting opportunities associated with the professional and construction services in the design and renovation/construction of the project. Applicants are required to take affirmative steps to ensure an open and fair contracting process. While there are no mandated quotas, results achieved may evidence whether a fair process was employed. Applicants shall make a best-faith effort to allot, as a goal, no less than 20 percent of the professional and construction services to W/MBEs in the design and renovation/construction of the project. Commensurate with the size and scope of the project, specific steps that may be indicative of a best-faith effort to identify and contract with W/MBEs include but are not limited to the following:

- Notice to W/MBEs
- Soliciting bids/quotes directly from W/MBEs
- Providing constructive notice
- Utilizing plan rooms
- Utilizing the DMC for assistance (W/MBE lists and Project Alerts)
- Working with applicable M/WBE support organizations (e.g., Mid-South Minority Business Council, Memphis Hispanic Chamber of Commerce, National Association of Women Business Owners, etc.)

To ensure that the EBO requirements are clearly understood, and antecedent to meeting the goals set forth in the EBO Program, all utilization plans must be coordinated with the DMC staff and submitted with the application.

In accordance with the EBO Program, once the incentive application is approved and design/construction commences, the applicant shall provide written documentation of the status of the utilization plan (which shall include any and all changes or modifications) and the applicable amounts spent (or value of the work completed), on a monthly basis.

If the requirements of the EBO Program are not met, the DMC (the applicable affiliate board) reserves the right to revoke and cancel the incentive.

APPENDIX IV – EBO PROGRAM FORMS

Form A: Proposed Utilization Plan

Form B: Business Utilization Plan

Form C: Explanation of Changes to Original Utilization Plan

Form D: Monthly Business Utilization Plan

Form E: Solicitation Certification Form



**Equal Business Opportunity Program
Form A: Proposed Utilization Plan**

Bidder/Proposer/Developer:	Date Submitted:
Project Address/Description:	Contact Person:

The above named company proposes to use the services of the following listed firms.

Name/Address/Telephone	Ownership Status	Certifying Agency	Type of Work	Subcontract Dollars	Subcontract Percentage
				\$	%
				\$	%
				\$	%
				\$	%
				Total MBE:	\$ %
				Total WBE:	\$ %
				Total White:	\$ %
				Total Other:	\$ %

Business Ownership Status Minority Owned – MBE Women Owned – WBE White Owned – WOB Other – Non-certified MBE/WBE

I certify that the above information is true to the best of my knowledge:

Signature	Title	Date
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Equal Business Opportunity Program
Form B: Business Utilization Plan

Statement of Intent

Bidder/Proposer/ Developer:	Project Address/Description:
Address:	Date Submitted:

Subcontractor/Supplier:	Ownership Status:
Address:	

Description of Work	Subcontract/P.O. Price	% of Total Project Cost	Projected Start Date	Projected Completion Date

Signature of Bidder/Proposer/Developer Representative (Name/Title) _____
Date

Signature of Subcontractor/Supplier Company Representative (Name/Title) _____
Date



Equal Business Opportunity Program
Form C: Explanation of Changes to Original Utilization Plan

THIS DOCUMENT IS SUBMITTED IN RESPONSE TO A CHANGE TO THE ORIGINAL UTILIZATION PLAN.
Any additions or deletions to the Utilization Plan contract must be documented below.

Bidder/Proposer/Developer:	Date Submitted:
Project Address/Description:	Contact Person:

Company Name	Original Contract Amount	Description of Original Scope of Work	Amended Contract Amount	Description of Amended Scope of Work (Add/Deduct)	Explanation

Signature:	Title:	Date:
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Equal Business Opportunity Program
Form D: Monthly Business Utilization Record of Payments Report

Bidder/Proposer/Developer:	Date Form Submitted:
Project Address/Description:	Work Period Ending:
	Contact Person:

Subcontractor/Vendor (Address/Telephone)	Ownership Status	Description of Work	Total Subcontract Amount	Amount Paid for the Period	Total Amount Paid To Date	Percentage of Work Completed	Scheduled Start Date	Scheduled End Date
Total MBE Subcontracts Awarded		\$	%	Total WBE Subcontracts Awarded		\$	%	
Total MBE Dollars Paid To Date		\$	%	Total WBE Dollars Paid To Date		\$	%	
Total Non-Minority Dollars Awarded		\$	%	Total Other Dollars Awarded		\$	%	
Total Non-Minority Dollars Paid To Date		\$	%	Total Other Dollars Paid To Date		\$	%	

The undersigned certifies that the information recorded above is correct and that each of the representations set forth above is true. The undersigned further acknowledges that any misrepresentation hereon may result in termination of contract and/or prosecution under applicable federal and state laws concerning false statements and false claims.

Company Representative: _____ Title: _____ Date: _____



Equal Business Opportunity Program
Form E: Solicitation Certification Form

Bidder/Proposer/Developer:	Address/Telephone:
Project Address/Description:	Contact Person:

Please list the name(s) of all firms contacted and their responses to the above bid package. If additional space is required, this form may be duplicated.

Name/Address	Type of Business and Ownership	Type of Work/Service(s) Solicited	Method of Contact	Response to Solicitation	Company Representative	Contact Numbers
			<input type="checkbox"/> Letter <input type="checkbox"/> Phone <input type="checkbox"/> Fax	<input type="checkbox"/> Will Submit Bid <input type="checkbox"/> Not Interested <input type="checkbox"/> No Response		Phone: Fax:
			<input type="checkbox"/> Letter <input type="checkbox"/> Phone <input type="checkbox"/> Fax	<input type="checkbox"/> Will Submit Bid <input type="checkbox"/> Not Interested <input type="checkbox"/> No Response		Phone: Fax:
			<input type="checkbox"/> Letter <input type="checkbox"/> Phone <input type="checkbox"/> Fax	<input type="checkbox"/> Will Submit Bid <input type="checkbox"/> Not Interested <input type="checkbox"/> No Response		Phone: Fax:
			<input type="checkbox"/> Letter <input type="checkbox"/> Phone <input type="checkbox"/> Fax	<input type="checkbox"/> Will Submit Bid <input type="checkbox"/> Not Interested <input type="checkbox"/> No Response		Phone: Fax:

It is hereby certified that the above firms were contacted and offered an opportunity to propose on the above procurement. We further certify that the above statements are a true account of all firms contacted as well as each firm's response to our solicitation.

Company Representative (Name/Title)
Date

b. Appendix V – Sources and Uses Statement

SOURCES OF FUNDS:

Project Debt (specify rate and amortization)	\$XXX,XXX
Owner's equity in project	\$XXX,XXX
Other Sources (specify each source)	<u>\$XXX,XXX</u>
Total Sources of Funds	<u>\$X,XXX,XXX</u>

USES OF FUNDS:

Detail of Project Costs including:	
Land Building Purchase	\$XXX,XXX
Construction Costs	\$XXX,XXX
Soft Costs	\$XXX,XXX
Financing Fees	\$XXX,XXX
Professional Fees	<u>\$XXX,XXX</u>
Total Project Costs	\$XXX,XXX
Other Uses	<u>\$XXX,XXX</u>
Total Uses of Funds	<u>\$X,XXX,XXX</u>

c. Appendix VI – Sample Pro Forma Cash Flow

Years must match length of requested TIF Term in actual application

	<u>Yr 1</u>	<u>Yr 2</u>	<u>Yr 3</u>	<u>Yr 4</u>	<u>Yr 5</u>
REVENUE:					
Commercial Space Revenue					
Total Commercial Square Footage					
Vacancy Assumptions					
Revenue per Square Foot					
Residential Space Revenue					
Total Residential Square Footage					
Total Number of Units					
Vacancy Assumptions					
Revenue per Square Foot					
Other Revenue (if any)					
Total Projected Revenue					
EXPENSES:					
Operating Expenses					
Management/Leasing Fees					
Insurance					
Maintenance					
Utilities					
Legal/Accounting					
Taxes					
Total Projected Expenses					
NET OPERATING INCOME:					
DEBT SERVICE:					
Principal					
Interest					
Total Debt Service					
DEBT SERVICE RATIO:					
NET CASH FLOW:					
RETURN ON OWNER'S EQUITY:					