

**DOWNTOWN
MEMPHIS
COMMISSION**



Downtown Memphis Development Loan Program Packet

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Program Administered by:
Center City Development Corporation
114 North Main Street
Memphis, TN 38103
901.575.0540
downtownmemphis.com

Revised on Wednesday, April 24, 2013



SECTION I

Downtown Development Loan Program APPLICATION PROCESS

Administered By:
Center City Development Corporation

Introduction

The Development Loan Program is a financial incentive that is designed to encourage commercial real estate development in the Memphis Central Business Improvement District. This low-interest loan program offers up to \$150,000 for building renovations based on established project evaluation criteria. The loan is amortized over a 20-year period at a three percent (3%) interest rate with a balloon payment due at the end of the tenth (10th) year.

Program Boundaries

The Development Loan Program is offered for redevelopment projects within the Memphis Central Business Improvement District (CBID), which is bound by Crump Boulevard on the south, Danny Thomas Boulevard on the east, the Wolf River on the north and the Mississippi River on the west. The CBID extends through the Medical Center which is bound by Linden Avenue on the south, Watkins Street on the east, Poplar Avenue on the north and Danny Thomas on the west.

Basic Eligibility Requirements

To be eligible for the Development Loan, the project's building renovations, site improvements or new construction must fall within the following list:

- Exterior facade repairs like brick tuckpointing, painting, window and door replacement/repair, cornice line construction, storefront repair and canopy reconstruction.
- Other exterior improvements like roof repair and replacement.
- Interior structural improvements like floor joist installation and ceiling repairs.
- Building system improvements like installation of plumbing and electrical service as well as heating, cooling, and ventilation systems.
- First floor, non-residential, tenant improvements that are permanent in nature. Removable fixtures like lamps, switches and interior doors are not eligible. Equipment like sinks, refrigerators and shelves are not eligible.
- To qualify for the Light it Up incentive, the lighting improvements must be a part of a larger building renovation investment.

Application Process

1. *Pre-Submittal Conference* – A meeting with an assigned staff member of the Downtown Memphis Commission's Development Department must be held prior to submission of a Development Loan application. 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 and Development Loan policies.

2. *Submittal of Application* – An outline of the Development Loan application follows in this package. The official application must be assembled based on this outline. Applications must be submitted and approved prior to the start of construction. Thirty (30) copies of the application must be submitted no later than two weeks prior to the regularly scheduled CCDC Board of Directors meeting. The applications should be delivered to:

The Downtown Memphis Commission
114 North Main Street
Memphis, TN 38103

3. *Board Review and Approval* – The CCDC Board of Directors usually meets on the third Wednesday of every month at 9:00 am. Meetings are held at the Downtown Memphis Commission office at 114 North Main Street. The applicant's project will be publicly reviewed by the board based on Downtown Memphis Commission staff evaluations. The loan for the project will be approved or denied at this meeting. In order for the application to be considered by the CCDC board, the applicant, or his/her appointed representative must be present at the meeting. An appropriate representative could be any of the project principals, professionals contracted on the project, or someone who the applicant has identified and given authorization to the DMC Development staff.
4. *Design Review Process* – All applicants pursuing incentives from this or any other Downtown Memphis Commission affiliated board must have their projects reviewed by the DMC Design Review Board (DRB). This board reviews the project for architectural, historical, and contextual compatibility to ensure that the agency's funds are being invested in a quality project that produces lasting benefits for the community. The DRB will also review any lighting plan associated with the Light It Up incentive, as well as any public realm or streetscape improvements for which an incentive has been granted.
5. *Closing* – If the project is approved by the CCDC and DRB, the board's legal counsel will arrange a closing meeting.

Applicant Fees

An application fee of \$500.00, payable to the Center City Development Corporation will be due upon submission of a complete application. A fee of three percent (3%) of the loan is assessed if the Development Loan is approved. The fee and prepaid interest are due at closing.

Other Closing Requirements

The Development Loan is a form of permanent financing, not a construction loan. The loan closing will not take place until the project, including the approved work, is complete. The following must be provided at the time of closing:

- Certificate of Occupancy from a Memphis/Shelby County building official. If a Certificate of Occupancy is not available because commercial space is being shelled for rental, a Certificate of Occupancy for the portion of the building other than the shelled space is required, as well as evidence of a final inspection of the shelled space.
- Statement from an architect or engineer verifying compliance with historic guidelines.
- Cost certification list for the improvements.
- Photographs of the completed improvements.
- Lien releases, waivers or affidavits from contractors.
- Insurance binder for the building naming CCDC as mortgagee.
- Evidence of title insurance in the amount of the loan.
- Documentation of Compliance with the Equal Business Opportunity Program.
- Copy of recorded Warranty Deed.
- Personal Guarantee (only required with any approved exception to project scoring/grading).

Downtown Memphis Commission Contact

Department of Development: (901) 575-0540



SECTION II

Downtown Development Loan Program POLICIES AND PROCEDURES

Administered By:
Center City Development Corporation

Purpose Statement

The Development Loan program is a financial incentive available to property owners within the Central Business Improvement District (CBID) who wish to improve or stabilize their property. The program is administered by the Center City Development Corporation (CCDC) through a development loan application and review process.

General Policies and Procedures

- Completed applications for a development loan must be received at the Downtown Memphis Commission office at least two weeks prior to the monthly meeting of the CCDC Board of Directors (usually the 3rd Wednesday of every month). Incomplete applications will not be presented to the board for review. Incomplete applications will be subject to any new policies or procedures that are adopted by the Center City Development Corporation Board of Directors. Applications must be submitted and approved prior to the start of construction.
- Once an application has been submitted to the CCDC, the information contained in the application is a matter of public record.
- Commission staff will evaluate each application according to the Development Loan Evaluation Criteria to determine the project's loan eligibility and recommended loan amount. The applicant will be notified prior to the CCDC meeting as to the project's eligibility and recommended loan amount.
- A staff summary of each application and the recommendation for each project will be mailed to the board a week prior to their meeting. Copies of each application will also be included.
- Staff will present each application and its recommendation for approval or denial at the monthly meeting. Applicants will be invited to make brief remarks regarding their project at which time the board may ask questions of staff and the applicants before making a decision.
- The board will deliberate on the merits of each application, and if in their opinion the project qualifies, the board may award the loan in full or in a partial amount, depending on loan fund availability.
- At the beginning of each fiscal year, the CCDC will review the amount allocated to the development loan pool and distribute that amount among the four quarters of the year.
- Projects eligible for a development loan but not receiving one in a particular quarter may be placed on a waiting list for reevaluation at the end of the fiscal year if funds still remain in the loan pool.

- Once a project is awarded a development loan, the applicant has six months to begin construction or renovation work on the project. If construction/renovation work does not begin within the six-month period, the applicant will be notified that the loan will lapse, and the funds will be returned to the loan pool.
- Once construction/renovation work has started on a project, the applicant has 18 months to complete the project and begin the closing process. If construction is not completed at the end of the 18-month period, the applicant will be notified that the loan will lapse, and the funds will be returned to the loan pool.
- If an approved project is nearing the 6-month or 18-month lapse point, an opportunity will be provided for the applicant to request an extension at a regularly scheduled CCDC meeting prior to the end of the period. One extension of 6 months may be granted at the discretion of the Board of Directors depending on the project's circumstances and the future needs for funds in the loan pool.
- If an approved loan does lapse and is returned to the loan pool, the applicant may re-apply for a development loan. The standard loan application process in use at that time must be followed for a resubmitted application.
- All projects that are awarded a Development Loan shall use a "best faith effort" to reach a minimum of 20% W/MBE participation, and must be in compliance with the Equal Business Opportunity (EBO) Program. A summary of the EBO Program will be attached (or will be provided). If the requirements of the EBO Program are not met, the Center City Development Corporation reserves the right to not close on the Development Loan.
 - Utilization: Developers are required to utilize minority-owned businesses that are certified in order to receive credit for the utilization of a minority-owned business. Developers must document all minority-owned businesses to be utilized, their percentage of utilization, and their intended scope of work. Such information should be submitted with the Development Loan application on EBO Form A - Proposed Utilization Plan.
 - After a PILOT 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 minority-owned business participation as outlined in EBO Form B – Business Utilization Plan.
 - Post-Award Change: Any developer who determines that a minority-owned business identified on EBO Form B – Business Utilization Plan cannot perform shall request approval from the DMC to contract with an alternate by submitting EBO Form C – Explanation of Changes to Original Utilization Plan. Such request will be reviewed and approved only after adequate documentation for the proposed change is presented.
 - Monthly Certification: Each month the developer shall submit EBO Form D – Monthly Business Utilization Record of Payments Report, certifying all payments made to minority-owned businesses.
 - Unavailability: If a developer's efforts to obtain minority-owned business participation are unsuccessful due to the unavailability of the minority-owned business, the developer will submit a statement of unavailability on EBO Form E - Solicitation Certification Form.
 - Credit for Minority Participation in Joint Venture: A joint venture consisting of a minority owned entity and non-minority-owned entity will be credited with the minority-owned entity's participation on the basis of the percentage of the dollar amount of the work to be performed by the minority-owned entity.
 - The DMC will maintain a database of minority-owned businesses. The database will be made available to assist developers in identifying minority-owned businesses with capabilities relevant to contracting requirements, joint venture and partnering opportunities. If the developer utilizes a minority-owned business that is not listed on the DMC database, the developer is responsible for assuring the certification of the minority owned business.

- The development loan funds are not awarded until the approved work has been completed and a Certificate of Occupancy has been issued for the project by the Memphis/Shelby County Office of Code Enforcement. A Certificate of Occupancy from a Memphis/Shelby County building official is required. If a Certificate of Occupancy is not available because commercial space is being shelled for rental, a Certificate of Occupancy for the portion of the building other than the shelled space is required, as well as evidence of a final inspection of the shelled space. The applicant is provided with a list of documents required for a loan closing on the project.
- Applicants are notified in writing of the approval or denial of their development loan request. Applicants whose projects are approved are notified of the loan award date and the beginning of the six-month construction compliance period for the project.
- A development project that receives a PILOT tax freeze from the Center City Revenue Finance Corporation of greater than ten years is not eligible for a development loan *unless the project is located within the Main Street Demonstration Block (Union to Gayoso)*.
- A development project that involves multiple, contiguous buildings is eligible for only one development loan unless the project is located within the Main Street Demonstration Block (Union to Gayoso). If the project is located within this redevelopment area then each building associated with the project is eligible for a development loan.
- All projects that are awarded a development loan must be reviewed and approved by the Downtown Memphis Commission's Design Review Board (DRB) for compatibility with the existing neighborhood context and urban design, architectural detail and historic preservation goals.
- If the project is seeking the Light it Up incentive, the lighting plan must be reviewed by the Design Review Board. DRB review and approval should occur prior to review of the development loan application by the CCDC Board of Directors. The Light it Up incentive cannot exceed the total lighting investment within the project.
- The incentive for project streetscape and public realm improvements cannot exceed the total project streetscape and public realm improvement investment in the project.
- Once a project is awarded a development loan and the financing has closed, an applicant must provide a formal written request for the subordination of the CCDC development loan. The CCDC Board of Directors will evaluate each application to determine the project's importance to the community and any change in financial risk for the project.
- A staff summary of each subordination request and the recommendation for each project will be sent to the board a week prior to their meeting. Copies of each application will also be included.
- Refinancing of existing loans will be administratively reviewed and approved by DMC staff as long as the original loan amount is not increased by more than 10%.
- A personal guarantee shall be required with any development loan approved in an amount greater than the project's scoring/grade, as per Section IV: Project Evaluation and Scoring Sheet.



SECTION III

Downtown Development Loan Program APPLICATION

**Administered By:
Center City Development Corporation**

1. State the name, address, and telephone number of the applying entity. Provide the name(s) of the applying entity's representatives and any other financial guarantors of the Project and their addresses and telephone numbers if different from above.
2. Provide background information about the applicant and guarantors, including development experience, if any, and all other relevant information this organization may need to consider while reviewing the application. Describe the corporate or partnership structure as applicable.
3. Briefly describe the proposed Project. Include in this section:
 - a) Intended usage.
 - b) Economic and environmental impact.
 - c) The square footage of the building / land area to be renovated.
 - d) All other information needed to fully explain the project.
 - e) Attach architectural plans and renderings and any available history on the subject.
 - f) A letter from a certified engineer, licensed in the State of Tennessee, as to the structural integrity of the building for its intended usage.
4. State the marketing plans for the project identifying the intended market. What types of lessees are anticipated? If the project is speculative, how long is full occupancy expected to take and who will manage the project?
5.
 - a) State the location of the proposed project by street address and legal description.
 - b) Name the property owner at the time of application submittal.
 - c) If the Applicant does not presently own the property, does the Applicant have a valid option to purchase the property?
 - d) Describe any and all existing financing, options and liens on the property.
6. State the estimated Project costs broken down by component (i.e., land, buildings, equipment, soft costs, etc.) Attach bid estimates and show amounts to be paid from loans and equity amounts.
7. Are changes needed to the public space around the Project (For example; sidewalks, lighting and planting)?
8. State the proposed time schedule for the Project including the dates anticipated for the following:
 - a) Closing of the loan or contributing financing availability.
 - b) First expenditure of funds with regard to the project.
 - c) Anticipated date construction will begin.
 - d) Anticipated completion date.

9. Financial Background
 - a) Attach current audited financial statements of the applicant and guarantors. If audited financial statements are unavailable, please submit non-audited statements.
 - b) State the relationship any applicant or grantor has had with any accounting firm over the last five years and reason for change, if any.
 - c) Attach three years tax returns if Applicant is an individual.

Please note that personal financial information will not be disclosed unless there is a specific request to review the information.
10. Name any of the following that will be involved with the Project (with address and phone numbers):
 - a) Counsel for the Applicant
 - b) Architects and engineers
 - c) Contractor for project
 - d) Other professionals
 - e) Does the Applicant or any guarantor have any previous or ongoing relationship with any Board member or legal counsel of the Board? If so please describe in detail.
11. Give three credit references for you personally, and three for your business.
12. Please disclose whether any applicant, guarantor or any other person involved with the project is currently engaged in any civil or criminal proceeding. Also disclose whether any individual involved with the project has ever been charged or convicted of any felony or currently is under indictment. Please supply detailed information.
13. Attach the following:
 - a) Photos of current conditions.
 - b) Photos of all exposed elevations.
 - c) Existing floor plan.
 - d) Three bids containing prices for all phases of proposed renovation.
 - e) Weatherization plans (if applicable).
 - f) Plans of construction other than façade renovation (if applicable).
14. Is the Project a historic property with a façade over 40 years old? If so, give information about conformity with guidelines for historic preservation and the Memphis Landmark Commission's involvement and approvals if required.
15. Are portions of the building other than the façade being renovated?
16. Are any permanent jobs anticipated as a result of the Project?
17. Attach five years cash flow pro forma information showing the Project's ability to service its debt (this may be prepared by the applicant).
18. Attach EBO Form A - Proposed Utilization Plan. Form is located as an attachment in this section.
19. State the amount of Development Loan requested. Are any additional loans being sought for renovation of the Project? If so, give the name of the lender and the amount of the loan.
20. Has any portion of the Project been leased or currently under lease? If so, what is the income from the lease and to whom is the property leased?

The following statement must be included along with a dated signature of the applicant or applicant's representatives.

This application is made in order to induce the Memphis Center City Development Corporation (CCDC) 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 CCDC in its consideration of the application is included. The applicant expressly consents to the CCDC's investigation of its credit in connection with this application. The applicant acknowledges that it has reviewed the descriptions of the CCDC 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 minority contractors. The applicant specifically agrees to pay all reasonable costs, fees and expenses incurred by the CCDC whether or not the incentive is granted or project completed.

Applicant Signature

Date



**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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Five-year cash flow statement - Sample

	<u>Yr 1</u>	<u>Yr 2</u>	<u>Yr 3</u>	<u>Yr 4</u>	<u>Yr 5</u>
REVENUES:					
Commercial Space Revenues					
Total Commercial Square Footage					
Vacancy Assumptions					
Revenue per Square Foot					
Residential Space Revenues					
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					
DEBT SERVICE:					
Principal					
Interest					
Debt Service Coverage Ratio					
(Net Operating Income/Total Debt Service)					
NET CASH FLOW					

Sources and Uses Statement - Sample

SOURCES OF FUNDS:

Project Debt - including amount, rate and period	\$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>

SECTION IV

Downtown Development Loan Program

PROJECT EVALUATION AND SCORING SHEET

BASIC QUALIFICATIONS

Project may only qualify for one of the following five:

Renovation of a vacant, underutilized or deteriorating structure	\$7,000
Construction of a new structure that is compatible with surrounding architecture and that encompasses consistent and appropriate design elements:	\$7,000
Renovation of a structure listed as non-contributing property in a National Register or Landmarks Commission Historic District:	\$9,000
Renovation of a structure listed as significant or contributing in a National Register or Memphis Landmarks Commission Historic District:	\$11,000
Renovation of a structure listed individually on the National Register of Historic Places:	\$15,000

PRIMARY USE Choose one from this column		SECONDARY USE Choose up to two from this column	
RESIDENTIAL		RESIDENTIAL	
2 to 5 Units:	\$10,000	2 to 5 Units:	\$5,000
6 to 10 Units:	\$15,000	6 to 10 Units:	\$10,000
11 Units or more:	\$20,000	11 Units or more:	\$15,000
OFFICE		OFFICE	
Below 15,000 sf:	\$10,000	Below 15,000 sf:	\$5,000
15,001 to 50,000 sf:	\$15,000	15,001 to 50,000 sf:	\$10,000
50,001 or more sf:	\$20,000	50,001 or more sf:	\$15,000
HOTEL		HOTEL	
2 to 10 Rooms:	\$10,000	2 to 10 Rooms:	\$5,000
11 to 25 Rooms:	\$15,000	11 to 25 Rooms:	\$10,000
26 Rooms or more:	\$20,000	26 Rooms or more:	\$15,000
RETAIL		RETAIL	
Below 5,000 sf:	\$10,000	Below 5,000 sf:	\$5,000
5,001 to 10,000 sf:	\$15,000	5,001 to 10,000 sf:	\$10,000
10,001 or more sf:	\$20,000	10,001 or more sf:	\$15,000
EDUCATION		EDUCATION	
Below 15,000 sf:	\$10,000	Below 15,000 sf:	\$5,000
15,001 to 50,000 sf:	\$15,000	15,001 to 50,000 sf:	\$10,000
50,001 or more sf:	\$20,000	50,001 or more sf:	\$15,000

If scoring for the project is below \$90,000, applicable accumulation based on CCDC priority initiatives can be earned to bring the project up to a maximum of \$90,000.

CCDC Priorities

LOCATION – Project can qualify for two of the following:

Located within the Downtown Core boundary or within any of the other designated local or national historic districts within the CBID boundaries:	\$15,000
Located in the Demonstration Block of Main Street (Union to Gayoso):	\$20,000
Located within the boundaries of the 150-acre South Forum Redevelopment Plan Area	\$20,000

FINANCIAL PROGRAM – Project may accumulate two of the following:

Tenants have been secured for any ground level space provided the applicant (developer) have secured an acceptable tenant with a signed lease of at least 3 years.	\$10,000
The project involves significant personal risk and investment from the developer:	\$5,000
The financial history of the owner, business or development entity is stable:	\$5,000

SUPPORTING PROGRAMS AND INITIATIVES – Project may qualify for each:

Implementation of lighting that meets the Design Review Board's Light It Up: The Downtown Illumination Project criteria	Up to \$5,000
Project streetscape and public realm improvements	Up to \$20,000
Eligible Improvements:	
\$500,000 to \$999,999:	\$20,000
\$1,000,000 to \$1,999,999:	\$40,000
\$2,000,000 or more:	\$60,000

Score Sheet Summary

CRITERIA	AMOUNT	NOTES
Basic Qualification:		
Primary Use:		
Secondary Use A:		
Secondary Use B:		
Location:		
Financial Program A:		
Financial Program B:		
Financial Program C:		
Supporting Programs:		
Total Loan Qualification:		



**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:	\$ %

<p>Business Ownership Status Minority Owned – MBE Women Owned – WBE White Owned – WOB Other – Non-certified MBE/WBE</p>
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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:
	Work Period Ending:
Project Address/Description:	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



**Equal Business Opportunity Program and
Best-Faith Effort to Attain Minority-Owned Business Participation**

As further detailed in the Center City Affiliated Boards Equal Business Opportunity (EBO) Program, Section 10, the applicant must give minority-owned businesses (W/MBEs) an equal and fair opportunity to receive notice, to bid on, and be considered for selection for all 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% 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 CCC for assistance (W/MBE lists and Project Alerts), and working with applicable minority-owned business 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 CCC 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 CCC (the applicable affiliate board) reserves the right to revoke and cancel the incentive.