

COUNTY OF CHESTER TAX EXEMPT BOND & MORTGAGE FINANCING

Chester County Industrial Development Authority 737 Constitution Drive, Exton, Pa 19341 Gary W. Smith, President and CEO Phone: 610-458-5700 Fax: 610-458-7770

www.ccedcpa.com

The Chester County Industrial Development Authority (CCIDA) provides capital financing for non-profit organizations and manufacturing companies through its Industrial Revenue Bond and Mortgage Program. Two types of tax-free vehicles are available through this program:

Mortgages: A bank can provide a tax-exempt mortgage to the entity through the CCIDA. An installment sale agreement between the entity and CCIDA is assigned to the bank which establishes the repayment of the loan. Interest earned by the bank is exempt from Federal and State taxes. The bank, in turn, passes on a lower interest rate to its borrower.

Bonds: The CCIDA can issue bonds for the financing of a project. These bonds are tax-exempt to the bondholders. The bonds are backed by a letter of credit from a bank. Usually only projects over \$1 million are funded through a stand-alone bond issue due to the initial costs of issuing the bonds.

Who Qualifies for Tax-Exempt Bond & Mortgage Financing?

Non-Profit Entities: Charitable organizations described in Section 501 (c) (3) of the Internal Revenue Code. These include nursing homes, health care facilities and educational facilities.

Manufacturing Companies: Defined under federal law as "the manufacturing or production of tangible property (including processing resulting in a change in condition of such property)." A manufacturing facility can include office space, research and development space, and warehousing space, provided they are located on the premises of the manufacturing facility, are directly related to it, and compose less than 25% of the financing to be obtained. As part of the application process, companies will be required to obtain a legal opinion regarding their eligibility under the federal law.

Exempt Facilities: Certain facilities including solid waste disposal facilities, mass commuting facilities, docks, airports, hazardous waste disposal facilities, sewage facilities, water and electricity furnishings facilities, and other facilities designated by federal law as eligible for tax-exempt financing.

What are the Eligible Uses of the Funds?

Land: Includes acquisition, site preparation and improvements, infrastructure development (i.e. water, sewer, & rail) and environmental testing. The cost of land cannot exceed 25% of the total real estate acquisition cost.

Building: Includes acquisition, construction, rehabilitation, engineering, architectural, legal and other related cost. For a building acquisition, an amount equal to at least 15% of the tax-exempt portion used to acquire the building and any equipment contained within must be used for rehabilitation. This rehabilitation must be done within two (2) years of the funding date.

New Equipment: Includes acquisition, delivery and installation. Used equipment may only qualify if contained in a building being acquired through tax-exempt financing.

Soft Costs: Includes legal, architectural, engineering, surveying, test boring, title insurance, appraisals, accounting, and financing costs for the project.

Refinancing: Includes existing tax exempt debt associated with real estate and/or equipment. Refinancing of conventional debt is limited to nonprofits.

What is the Minimum and Maximum Size of the Mortgages or Bonds?

There is no minimum size for tax-exempt mortgages or bonds, although generally it is not economical to issue bonds for amounts under \$1,000,000. Amounts under \$1,000,000 are usually funded through a tax-exempt mortgage.

Under federal tax law, the borrower and occupant, along with their affiliates, together cannot incur more than \$20,000,000 of capital costs, in the city or township of the project, during the six-year period beginning three (3) years before the date when the proposed bonds will be issued and ending three (3) years after the issuance of the bonds. These capital costs include the current financing costs and any outstanding tax-exempt debt.

Up to \$1,000,000 of small issue financing, including prior outstanding small issues, is allowed without regard to other 6-year capital costs.

The project borrower and occupant, along with their affiliates, together cannot have outstanding tax-exempt financing anywhere in the United States or its territories or possessions in excess of \$40,000,000, including the current financing. Tax-exempt financing for exempt facilities counts against the \$40,000,000 limit, but not against the \$20,000,000 limit.

The non-profit entity and all related persons cannot have more than \$150,000,000 of outstanding non-hospital tax-exempt financing, including the proposed financing.

There is no maximum loan size for exempt facility bonds.

What is the Loan Term and Rate?

The rate and term of the loan is established by the bank for tax-exempt mortgages. The rate and term of a bond issue is determined by the pricing of the bonds, the letter of credit fee and other costs associated with the bond issue.

How Many New Jobs Must be Created as a Result of a Project?

Both new and existing full-time permanent jobs, at the project site, are counted for this program. Existing jobs include jobs which will be transferred to the project site. Tax-exempt manufacturing projects must retain or create, within three (3) years of the financing one (1) full-time permanent job for every \$50,000 of financing requested. Non-profit and exempt facility projects must retain or create, within three years of the financing, a total of at least ten full-time permanent jobs per financing.

What Are the Fees for CCIDA for This Type of Loan?

Application Fee: \$2,500

Closing Fee: 40 basis points, maximum of \$50,000

Legal Fee: Not to exceed \$5,000 - \$7,000

What is the Application Procedure?

Companies wishing to apply for tax-exempt financing should contact Gary Smith, Mike Grigalonis or Kathy Field at the Chester County Economic Development Council (610-321-8217) to determine eligibility and obtain an application.

Applications must be submitted by the first of the month. CCIDA Board review will occur on the third Wednesday of each month. Following CCIDA approval, the application will be forwarded to the Chester County Commissioners for their approval and then to the Pennsylvania Department of Community & Economic Development for approval.

When Can the Project Construction or Acquisition Begin?

Project construction and/or acquisition cannot begin until approval has been received from the Chester County Industrial Development Authority. Deposits on real estate made prior to the approval are financable through the program if the acquisition of the real estate occurs after the approval. Equipment, especially that which may have an extended delivery time, may be ordered prior to project approval and the costs (including advance payments) may be financed, provided that the equipment is "off the shelf" and is not custom built equipment, and provided that delivery and final payment of the equipment occur after approval.

Bond Counsel Opinion Requirement

A preliminary opinion from a qualified bond counsel must be provided at the time of application to the Industrial Development Authority. This opinion should specify the federal tax-exempt category for which the project qualifies. The bond counsel that provides this opinion should be listed in *The Bond Buyers Municipal Marketplace* (commonly referred to as the Red Book).

What is the role of the Chester County Economic Development Council?

The Chester County Economic Development Council's employees provide administrative support to the Chester County Industrial Development Authority.

Application Documents Required:

- 1. Notice of Public Hearing (form attached): To be emailed to Kathy Field (<u>kfield@ccedcpa.com</u>) or faxed to her attention as soon as possible, prior to submitting the full application (610-458-7770).
- 2. Sales Agreement if purchasing real estate.
- 3. Property Appraisal if purchasing real estate.
- 4. Bids or quotes for all new construction, renovations and/or equipment.
- 5. Bank commitment letter stating the terms and conditions of its participating in proposed project.
- 6. Legal opinion regarding eligibility of tax-exempt financing.
- 7. Application Form as attached.
- 8. Application Fee of \$2,500 made payable to Chester County Industrial Development Authority.

Note: Applications are due on the first of each month. If you have any questions, please call Kathy Field at 610-321-8217.

NOTICE OF PUBLIC HEARING

The following form must be completed and emailed to Kathy Field (kfield@ccedcpa.com) or faxed (610-458-7770) by the first of the month in order to publish the notice of public hearing in a timely manner.

A. APPLICANT:
B. OCCUPANT IDENTITY:
C. PROJECT COST: AMOUNT OF FINANCING:
D. LOCATION OF PROJECT:
E. NATURE OF PROJECT:
Check One: Acquisition Construction
Check One: Industrial Commercial Other (please explain)
Acres: Square Feet: (Approx)
F. INITIAL USES OF PROJECT:
G. TOTAL ANTICIPATED EMPLOYMENT AFTER 3 YEARS:
H. SPECIAL NOTES (if any)



Application Number

COMMUNITY AND ECONOMIC DEVELOPMENT

Single Application for Assistance

I. PROFILES

Applicant/Sponsor

Name:	Chester County Industrial Development Authority		CEO:	Gary W. Smith		
CEO Title:	President and CEO		Address:	737 Constitution Drive		
City:	Exton		State:	PA		
Zip:	19341		FEIN:	23- 2667137		
SIC Code:	9611			Profit Corporation X Non-Profit Corporation Government		
Contact Name:	Kathy Field		. Partnersnip S	ole Proprietorship		
Title:	Special Projects Direct	ctor	Phone:	610-321-8217		
Fax:	610-458-7770		PA Revenue	Tax Box #:		
E-mail:	kfield@cceconomicde	evelopment.com	Internet Acces	ss: ¥ Yes No		
				1		
Business Specific						
Current # of Full-tim	ne Employees:	Pennsylvania	\	Worldwide		
Minority Owned:	Yes No		Woman Owne	ed: Yes No		
Sole Proprietorship	S Corporation Partners	ship C Corporation				
Total Sales \$			R&D Investme	ent (% of budget)		
Total Export Sales \$			Employee Trn	g. Investment (% of budget)		
Company/Occup	oant					
Name:			CEO:			
CEO Title:			Address:			
City:			State:			
Zip:			FEIN:			
SIC Code:			UC#			
Contact Name:			Title:			
Phone:			Fax:			
E-mail:	-mail:		Internet Acc	ess: Yes No		
Beneficial Owne	r/Developer		1	1		
Name:			Address:			
City:						
Zip:			FEIN:			

II. PROJECT SITE LOCATION(S)

Site One:			
Address:		City:	
State:		Zip:	
County:		Municipality:	
PA House #:		PA Senate #:	
US Congressional	#:		
Current # of Full-Tir	me Employees at this Site:		
# of Full-Time Jobs	to be Created at this Site:		
Enterprise Zone Prime Agricultural A	Brownfield Area Uses PA Port	Act 47 Distressed Community Keystone Opportunity	Zone

III. PROJECT INFORMATION

Have you contacted anyone at DCED about your project?

Are you interested in a specific funding source? If so, indicate: tax-exempt financing

Project Name/De	escript	tion (max	. 60 characters) Is this project related to another previously
submitted project?	yes	no	If yes, indicate previous project
name:			

IV. TYPE OF ENTERPRISE (Check appropriate box or boxes)

Advanced Technology	Exempt Facility	Other (specify)
Agri-Business	Export Manufacturing	Professional Services
Authority	Export Service	Recycling
Call Center	Food Processing	Reg. & Nat. Headquarters
Commercial	Government	Research & Development
Community Dev. Provider	Historical Society	Retail
Computer & Clerical Operators	Hospitality	Social Services Provider
Defense Related	Industrial	Tourism Promotion
Economic Dev. Provider	Manufacturing	Warehouse & Terminal
Educational Facility	Mining	
Emergency Responder	Museum	
Please fill in when "Other" is specifie	ed.	

V. INDICATE BUDGET CATEGORY OF FINANCIAL ASSISTANCE REQUESTED (Check all appropriate boxes)

Acquisition	Infrastructure / Site Prep	Operating Costs/Working Capital
General Construction	Machinery and Equipment	Related Costs
		Other Costs Training

VI. HOW WILL THE ASSISTANCE BE USED? (Check all appropriate boxes)

Community Development/Revitalization	Environmental	Recreation
Community Services	Domestic Trade	Tax Credits
Crime Prevention	Export - International Trade	Technology Development
Economic Development/Revitalization	Housing	Tourism Promotion
Education	Planning	

VII. PROJECT BUDGET

Include all sources of funds and project costs. (Include monies not financed with DCED funds.)

Sources	(1) DCED	(2)	(3)	(4)	Total
Type of Financial Assistance					
ACQUISITION					
Land					
Buildings					
Subtotal					
GENERAL CONSTRUCTION					
New Construction					
Renovations					
Subtotal					
INFRASTRUCTURE/ SITE PREPARATION					
Roads & Streets					
Parking					
Water/Sewer					

PROJECT BUDGET (continued)

Sources	(1) DCED	(2)	(3)	(4)	Total
Utilities					
Demolition					
Excavation/Grading					
Environmental Cleanup					
Subtotal					
MACHINERY & EQUIPMENT					
New Equipment Purchase					
Used Equipment Purchase					
Upgrade Existing					
Installation/Building Modification					
Vehicles					
Subtotal					
OPERATING COSTS/ WORKING CAPITAL					
Working Capital					
Salaries & Fringe Benefits					
Training & Technical Assistance					
Consumable Supplies					
Travel					
Promotion/Public Relations/Advertising					
Office Equipment					
Space Costs					
Audit					
Indirect Costs					
Subtotal					

\ PROJECT BUDGET (continued)

Sources	(1) DCED	(2)	(3)	(4)	Total
RELATED COSTS					
Professional Services/Consultants					
Engineering					
Inspections					
Fees					
Insurance					
Environmental Assessment					
Legal Costs					
Closing Costs					
Contingencies					
Subtotal					
OTHER					
Other					
Subtotal					
TOTAL					

VIII. BASIS OF COSTS (Check appropriate item)

□ Appraisals	Engineer Estimates
□ Bids/Quotations	Sales Agreements
☐ Contractor Estimates	Budget Justification

IX. PROJECT NARRATIVE

Attach a comprehensive description of this project. The narrative must specifically address each cost item identified in the project budget. In general, the narrative must include:

- A. Specific Problems to be Addressed or Improvement to be Financed
- B. Project Description
- C. Project Schedule, Key Milestones and Dates
- D. Documentation to Support Budget Costs If applicable, include:
- E. Certifications or Assurances
- F. Planning/Zoning Letter

X. CERTIFICATION

I hereby certify that all information contained in this document and attachments are true and correct to the best of my knowledge. If I knowingly make a false statement or overvalue a security to obtain a grant and/or loan from DCED, I (company, entity and signer) may be subject to criminal prosecution.

[Date:
Signature:	
Print Name: Gary W. Smith	Title: President and CEO
Representing: Chester County Industrial Developm	nent Authority
Address: 737 Constitution Drive, Exton, PA 19341	
If this application is being submitted on behalf of an entity.	nother entity, a certification is also required for that
Signature:	
Print Name: Title:	
Corporate Submissions Only:	
Attested by:	(Signature of Corporate Secretary)
"I understand that in order to facilitate the submission of additional application (limited to the profile, project summary and site employn Service Providers on the DCED Single Application web site, unless	nent/ projected jobs data) will be available to DCED Authorized

The Department of Community and Economic Development reserves the right to accept or reject any or all applications submitted on the Single Application for Assistance contingent upon available funding sources and respective applicant eligibility.

IDA APPLICATION APPENDIX			
Type of Bond Financing			
IssuerBond TypePEDFA (Stand Alone)Tax-ExemptIDATaxable	Tax Exempt Category Manufacturing Housing Exempt Facility Refunding Non-Profit Other		
SIC Codes	Non From Galer		
Company/Developer SIC Code	Beneficiary SIC Code		
Site Description			
If the project involves more than one site, or more the details for each site and for each facility.	nan one facility on the site, please provide the following		
If the project involves a new site: If the project involves an existing site:			
Land (acquisition) acres Facility (acquisition) sq. ft. Facility (expansion) sq. ft. Facility (renovation) sq. ft. Facility (construction) sq. ft.	Facility (existing) sq. ft. Facility (expansion) sq. ft. Facility (renovation) sq.ft.		
Relocation			
Is the Company or Beneficiary moving from another site	e? Yes No <u>x</u>		
If yes, please complete the following. (Refer to program	n guidelines)		
Former site			
Reason for move			
Miles from project site (if move is within PA)			
Other Tenants			
Please complete the following summary for each tenar there are no other tenants, please indicate this below.	nt (other than the Beneficiary) located on the project premises. I		
Tenant Name Business Activity	SIC Code Sq. Ft. Leased		

Company/Developer and Beneficiary Organization Description

Ownership Structure

List the type of organization (sole proprietorship, corporation, general or limited partnership, non-profit) for both the Company/ Developer and the Beneficiary, as well as the year that each was formed. If applicable, list the Corporation Tax Box Number and the Sales & Use Tax License Number for each

	Type of Organization	Year Formed	Corporation Tax Box #	Sales/Use Tax License #	
Co/Developer:					
Beneficiary:					
Ownership: _					_
Beneficiary. I individual) or more compar	nclude the percent FEIN (if company) nies, list the own reloper and/or Be	age of owner . If the Comers of each	ship of each, as well pany/Developer and company and their	th the Company/Devel as their Social Secur /or Beneficiary is own percentage of own o controlling stockho	rity Number (if ned by one or ership. If the
Company Name	Principal Owne	<u>ers</u>	Social Security #	<u>of Ownership</u>	
		·			
					
					
Affiliated Orç	ganizations				
			eveloper and/or the E affiliate's location.	Beneficiary are affiliate	d. For each
Company Name		<u>Affiliat</u>	i <u>ion</u>	<u>Location</u>	

(For Tax-Exempt Projects Only)

Please complete this section if you wish to be considered for tax-exempt financing.

1. Restricted uses of Tax-Exempt Loan

1) No portion of the loan may be used to finance the following:

Airplane, beer or liquor store, country club, gambling facility, golf course, health club facility, hot tub facility, massage parlor, racetrack, racquet sports facility, skating facility, sky box or other private luxury box, suntan facility or tennis club.

2) For manufacturing projects, no more than **25**% of the loan can be used to construct or acquire facilities whose primary purpose is:

Retail service of food and beverage, automobile sales or service. recreation or entertainment.

3) For manufacturing projects, use of the loan for the following facilities is partially restricted:

Residential facilities, farm land, buildings, or equipment, condominium facilities such as a single building, enclosed shopping mall, strip offices, stores, or warehouses, using substantial common facilities.

Is the loan intende	d to be applied to any of the above uses?	
If yes, please explai	n on a separate attachment.	
2. <u>Refunding</u>		
Is this financing a	refunding of outstanding tax-exempt debt?	

If yes, please attach a copy of IRS form 8038 filed in respect of debt to be refunded.

(For Tax-Exempt Projects Only)

3. Capital expenditure restrictions (Applicable to manufacturing projects only)

If an individual, corporation, or partnership (or any related entity) receives over \$1,000,000 in tax-exempt financing (including the current financing and any outstanding tax-exempt financing for a facility within the same jurisdiction as the proposed financing), federal tax law places the following restrictions on the Company/ Developer and Beneficiary:

The total of the following with respect to the Company/Developer and Beneficiary (and any related entity) cannot exceed \$20,000,000:

- a) Tax-exempt financing for projects (including this project) or other facilities located in the same city, township, or incorporated municipality; and
- b) Capital expenditures on projects (including this project) or other facilities located in the same city, township, or incorporated municipality, during the six-year period beginning three years prior to funding of this project.

Capital expenditures or bond financing of related persons count toward the \$20,000,000 limit. "Related persons" include any entity related by more than 50% overlapping ownership, including ownership through family relatives.

Please list below all capital expenditures paid, incurred, or expected to be paid by the Company/Developer and Beneficiary, in the six year period beginning three years before the anticipated commencement of this project, for projects or facilities located in the same city, township, or incorporated municipality.

Capital expenditures may include:

Land/Building Construction Equipment Capitalized interest Legal fees	Architects, Engineers Intangibles Tenant improvements Covenants not to compete Capitalized overhead	Purchase of corporate stock Capitalized credit support costs Capitalized property taxes Research and development Equipment to be moved to facility
Calendar Year	Expenditures incurred or to be incurred for this project facility	Expenditures to be incurred at other facilities in the same jurisdiction
-3		
-2		
-1		
Current Project		
+1		
+2		
+3		
Totals:		

(For Tax-Exempt Projects Only)

4. Outstanding tax-exempt financing

Manufacturing: The Company/Developer and Beneficiary (and any entity related to the either) cannot

have outstanding tax-exempt financing anywhere in the United States or its territories

or possessions in excess of \$40 million, including the current financing.

Non-Profit: The non-profit entity and all related persons cannot have outstanding non-hospital

tax-exempt financing in excess of \$150 million, including the current financing.

Does the Company/Developer and Beneficiary have any outstanding tax-exempt financed facilities in the United States which fall into the following categories:

(Circle Answer)

Current project.	YES	NO
Other facilities owned by the Company/ Developer and Beneficiary which were financed with tax-exempt bonds.	YES	NO
Facilities owned by an entity in which the Company/Developer, Beneficiary, or a related entity of either owns more than 50% of the entity.	YES	NO
Facilities leased or occupied by the Company/ Developer or Beneficiary which were financed with tax-exempt bonds.	YES	NO

If you answered yes to any of the above questions please list below the outstanding amount of tax-exempt debt and the location of the facility.

Outstanding amount, municipality, county and state percent of facility of tax-exempt financing where financed facility is located owned/occupied.

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(For Tax-Exempt Projects Only)

5. Facility Use Breakdown (Applicable to manufacturing projects only)

For manufacturing projects, up to, but no more than 25% of the tax-exempt proceeds may be used to finance space or equipment for office, research and development, and warehousing, provided they are directly related to the manufacturing facility and are located on the same premises. *Please complete the following table which breaks down the usage of the facility to be financed.*

Floor space to be

2 Acquisition of existing facility (For manufacturing and exempt facility projects)

Activity	financed by bonds	Percentage	
Office space			
Research & Development			
Storage of raw materials			
Storage of finished products			
Manufacturing			
Retail			
Other industrial			
Other commercial			
Vacant			
TOTAL			

Will any part of the proposed loan be used to acquire an existing building? ____

If yes, the Company/Developer or Beneficiary must make qualifying rehabilitation expenditures (on the building and any existing equipment contained within it) at least equal to 15% of the amount of the loan spent on the acquisition. Enlargements to the building do not count toward this 15% of rehabilitation expenditures. The 15% of rehabilitation expenditures can be financed through the loan or through other sources, but must be made within two years of the date of the acquisition or the date of issuance of the tax-exempt bonds, whichever is later.

Describe the proposed rehabilitation expenditures.

Expenditure source Amount Financing

IDA EXHIBITS

1. Applicant Resolution

All applications must include a resolution duly adopted by the Applicant's (IDA) governing board. This resolution should identify the Beneficial Owner/Developer (borrower) and the loan amount, and briefly describe the scope of the project.

2. Financial Letter of Intent

All applications must include a "Letter of Intent" from a financial institution. This letter may be provided by: the letter of credit bank; the underwriter; the bond purchaser; or other guarantor.

3. Contact List

Please attach a list with the mailing address, contact name, telephone and fax number for the following entities: Beneficial Owner/Developer's counsel; letter of credit bank; underwriter; and bond counsel

4. Preliminary Bond Counsel Opinion

Tax-exempt applications, for amounts of \$400,000 or greater, must include a preliminary opinion from a qualified bond counsel that the project appears to qualify for tax-exempt financing under federal law. The opinion should specify the federal tax-exempt category for which the project qualifies. The bond counsel firm that provides this letter should be listed in The Bond Buyer's Municipal Marketplace (known as the "Red Book").

5. TEFRA Information

Tax-exempt applications must include a proof of publication of the TEFRA public hearing notice and the necessary elected official approval for each project site. The minutes from the TEFRA hearing must be attached in any of the following circumstances: 1) if the TEFRA hearing was attended by any member of the general public, other than persons representing the Beneficial Owner/Developer, Company/Occupant, or IDA; 2) if the project is located primarily outside of the IDA's county; 3) if the project falls under the exempt facility category; or 4) if the project involves a multi-family housing facility.

6. Applicant Fees

To be completed by the IDA: please list all Applicant (IDA) fees to be charged to the Beneficial Owner/Developer's for the IDA project:

Application Fee \$2,500
One-Time Fee \$40 basis points

CONTACT LIST

Company's Counsel		
Contact Name		
Telephone Number:	Fax Number:	
E-Mail:		
Mailing Address		
Bank	· · · · · · · · · · · · · · · · · · ·	
Contact Name		
Telephone Number:	Fax Number:	
E-Mail:		
Mailing Address		
Bond Counsel (if applicable)		
Contact Name		
Telephone Number:	Fax Number:	
E-Mail:		
Mailing Address		

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