

FINANCING REQUEST – Brownfields Redevelopment Fund - Site Assessment / Remediation

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| **APPLICANT INFORMATION** |
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| Amount Requested | $       |  |  |  |

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| Applicant’s Name |       |
|  |  |  |  |  |
| Contact Person |       | Title |       |
|  |  |  |  |  |
| Street Address |       | City |       | State |    | Zip Code |       |
|  |  |  |  |  |
| Project Address (if different from Applicant Address) |       |
|  |  |  |  |  |
| Telephone |       | Email |       | Website |       |
|  |  |  |  |  |
|  |  |  |  |  |
| Organization/Company Name/Project Title |       |
|  |  |  |  |  |
| President/CEO |       |
|  |  |  |  |  |
| NAICS Code |       | Tax ID Number |       |
|  |  |  |  |  |
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| **Applicant’s Primary Banking Relationship (if applicable):** |  |  |  |
|  |  |  |  |  |
| Name of Bank |       | Contact Name |       |
|  |  |  |  |  |
| Address |       | Telephone |       |

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| **DETAILS**  |
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| Brief description of the purposes for which you are seeking financing. If for a real estate project, include address, ownership, and formof site control if not owned. If for equipment, please describe the items to be purchased and the purposes for which they will be used. For all projects, include the dates of milestones such as site acquisition, start and completion of construction, equipment delivery, etc. and the reason for undertaking the project. |
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| Has the applicant discussed the proposed project with officials of the host municipality and/or other community groups? Yes [ ]  No [ ]  If Yes, explain. |
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| **TOTAL PROJECT COSTS**Indicate below the estimated project costs |
|  |  |  |  |  |
| Land Acquisition | Size in Acres |       |  | Cost | $       |
|  |  |  |  |  |
| Existing Building Acquisition | Square Feet |       |  | Cost | $       |
|  |  |  |  |  |
| Site Prep |  | Cost | $       |
|  |  |  |  |  |
| Construction of New Building | Square Feet |       |  | Cost | $       |
|  |  |  |  |  |
| Improvements to an Existing Building | Square Feet |       |  | Cost | $       |
|  |  |  |  |  |
| Construction of an Addition | Square Feet |       |  | Cost | $       |
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| Environmental Remediation |  |  |  | Cost | $       |
|  |  |  |  |  |  |
| Soft Costs (architectural, engineering, other development costs) |  | Cost | $       |
|  |  |  |  |
| Closing Costs including legal |  | Cost | $       |
|  |  |  |  |
| Refunding of debt |  | Cost | $       |
|  |  |  |  |
| Equipment |  | Cost | $       |
|  |  |  |  |
| Working Capital |  | Cost | $       |
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|  | **Total Project Costs** | **$**        |  |
|  |  |  |  |
|  | (Equal to Total Project Sources below) |  |

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| **TOTAL PROJECT SOURCES**Name all anticipated sources of financing (including loans, equity, grants, public, etc.) |
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| MassDevelopment Requested Amount |  |  | Amount | $       |  |
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| Other Funding Sources: |       |  | Amount | $       |  |
|  |  |  |  |  |
|  |       |  | Amount | $       |  |
|  |  |  |  |  |  |
|  |       |  | Amount | $       |  |
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|  |       |  | Amount | $       |  |
|  |  |  |  |  |  |
|  |       |  | Amount | $       |  |
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|  |  | **Total Project Sources** | **$**       |  |
|  |  |  |  |  |
|  |  | (Equal to Total Project Costs above) |  |

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| **PUBLIC PURPOSE** |
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| MassDevelopment contacts customers periodically after closing to ascertain the number of jobs that have been created. Please give your most realistic expectation. |
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| Current number of employees (specify between Full and Part Time): |  Full Time: |       |  Part Time: |       |  |
|  |  |  |  |  |
| Number of new employees to be hired in MA over the next three years: | Full Time: |       |  Part Time: |       |  |
|  |  |  |
| Number of housing units to be created or rehabbed as a result of this project:  | New: |       |  Rehabbed: |       |  |
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| Will any Massachusetts facility be closed or existing employees transferred as a result of the proposed project? Yes [ ]  No [ ]  If Yes, Explain. |
|       |
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| Please discuss any other ways that your project benefits the local community or the Commonwealth. |
|       |
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| By submitting this request, you represent and certify to the best of your knowledge and belief that the information you have provided and exhibits or attachments hereto is true and complete and accurately describes the proposed project. You agree to promptly inform MassDevelopment of any changes which may occur. |

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| **COMPLETING YOUR APPLICATION** |
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| Your application will be compete when your MassDevelopment financing officer has received the above information as well as the following attachments and certifications. If you are not already working with us we encourage you to call 800-445-8030 before submitting materials. |

**ATTACHMENTS FOR BROWNFIELDS REDEVELOPMENT FUND SITE ASSESSMENT / REMEDIATION**

Brownfields Redevelopment Fund finances the assessment and/or remediation of environmental contamination when necessary to redevelop vacant, abandoned, or underutilized industrial or commercial properties. A redevelopment project must be located in an Economically Distressed Area, provide substantial public benefits, and require financial assistance from the Fund to be viable. In addition, applicants must not have caused or contributed to the contamination, or have a familial relationship with the responsible party, or be subject to any outstanding administrative or judicial environmental enforcement action.

Up to $100,000 is available for environmental site assessments with an eligible scope submitted by a Massachusetts Licensed Site Professional in good standing. Up to $500,000 is available for remediation activity that conforms with the requirements of the Massachusetts Contingency Plan.

Please submit the following items with your application; your MassDevelopment Community Development officer will contact you with any additional needs or confirm that your application is complete:

[ ]  A project narrative with historical uses of the property, detailed plans for the property, and a detailed description of the environmental work to be performed

[ ]  A listing of any and all historical environmental reports associated with the site with dates, firms, scopes, etc.

[ ]  Copies of any and all available reports submitted on a flash drive or CD

[ ]  The name, address and firm affiliation of your current LSP, together with their license number

[ ]  A detailed scope of services for the assessment and/or remediation work from LSP, together with any scopes of work from any other contractors involved with the remediation plan

[ ]  Any open or closed Release Tracking Numbers (RTNs) assigned to the site by the Massachusetts Department of Environmental Protection

[ ]  The status of commitments of other funding sources

[ ]  Any commitment letters from prospective tenants or term sheets from funding sources

[ ]  The current assessed value of the site

[ ]  The number and type of buildings with square footage and vacancy rates and duration

[ ]  A detailed project development schedule

[ ]  Site photographs, a site map, and any preliminary design materials that exist

[ ]  Evidence of site control with a right of entry and consent to access, together with acknowledgment from the current site owner that a copy of any reports generated by the LSP will be submitted to the Massachusetts Department of Environmental Protection

[ ]  Pro forma financial statements and a business plan if the project is far enough along

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| **CERTIFICATIONS**By submitting this application, the applicant certifies and agrees to the following\*:1. Survival of Representations: The representations included in this application shall survive the closing of any resulting MassDevelopment financing.
2. This application constitutes an agreement pursuant to the provisions of M.G.L. Chapter 149, Section 182, whereby any facility financed in whole or part by MassDevelopment is subject to certain standards of corporate behavior in the event of a plant closing or partial closing as defined in M.G.L. Chapter 151A, Section 71A.
3. Northern Ireland: The borrower certifies that if it conducts business in Northern Ireland, it does or will do so in accordance with the McBride Principles as set forth in M.G.L. Chapter 7, Section 22C.
4. People’s Republic of China: Prior to closing, the borrower will be required to make certain certifications and agree to comply with a code of corporate standards relative to any business interest or involvement with or in the People’s Republic of China as set forth in M.G.L. Chapter 23A, Section 59.
5. The borrower agrees that if it accepts financial assistance from MassDevelopment, it shall include MassDevelopment in any public relations events or materials related to the project, and cooperate with and permit MassDevelopment to publicize its assistance, for marketing and public relations purposes, including but not limited to, signage, press releases, public events, and promotional materials.
6. The borrower agrees to provide information as to the number of employees in its hire when so requested by MassDevelopment.
7. MassDevelopment Contractor Policy: Applicant agrees that for costs of the Project which are to be financed by MassDevelopment, applicant or its affiliates have not and will not enter into a contract with any vendor listed as debarred or suspended on the debarment lists maintained by the Commonwealth of Massachusetts’ Division of Capital Asset Management and Maintenance, the Department of Transportation, the Department of Industrial Accidents, the Office of the Attorney General and the Federal Government (the “Debarment Lists”).

Applicant is required to provide the name of its general contractor or manager (if one is engaged) to MassDevelopment at least 10 business days prior to the closing.At the closing, applicant must certify: that it has checked the Debarment Lists and that for costs of the project financed by MassDevelopment it has not and will not contract with any general contractor, construction manager or other vendor listed on the Debarment Lists. Applicant must also require that its general contractor or construction manager (if one is engaged) certify in the contract with applicant for MassDevelopment financed work that the general contractor or construction manager: (i) will check the Debarment Lists before directly engaging a subcontractor or other vendor and (ii) has not and will not contract directly with a subcontractor or other vendor listed on a Debarment List. The certification in the general contractor or construction manager contract shall further provide that the general contractor or construction manager understands and acknowledges that noncompliance may result in debarment from future MassDevelopment funded projects for a period of one year from the date of written notification of noncompliance.If applicant cannot make the above certifications at closing, MassDevelopment reserves the right not to proceed with the applicant’s closing.The Commonwealth’s Executive Office of Administration and Finance has a webpage with a link to the lists, <http://www.mass.gov/anf/property-mgmt-and-construction/design-and-construction-of-public-bldgs/vendor-debarment.html>.1. Within the past five years, the applicant has filed or caused to be filed all required federal, state, and local tax returns, and has paid or caused to be paid all taxes due and payable.
2. Within the past five years, the applicant has not been subject to a labor-related enforcement action, violation, or fine from state or federal government, including citations for any violations of OSHA or of the Americans with Disabilities Act.
3. Within the past seven years, the applicant has not filed for or been the subject of a petition for bankruptcy or protection against creditors.
4. Within the past five years, neither the applicant nor any person who controls Applicant has been convicted of a felony under state or federal law.
5. Applicant would be liable for contamination solely pursuant to clause (1) of paragraph (a) of Section 5 of Chapter 21E MGL.
6. Applicant did not cause or contribute to the release of oil or hazardous materials at the site and did not own or operate the site at the time of the release.
7. Applicant does not have a familial or direct, or indirect business relationship with a party potentially responsible for the contamination.
8. Applicant is not subject to any outstanding administrative or judicial environmental enforcement actions.
9. The cost of the remediation work is not eligible for funding under the Commonwealth’s Underground Storage Tank Fund (MGL Chapter 21J).
10. Assistance from the Brownfields Fund is necessary to make the proposed reuse of the site financially feasible.

*\* If applicant cannot provide any of these Certifications, please contact MassDevelopment to discuss.***IMPORTANT NOTICE**MassDevelopment shall be represented by an attorney of its choice in the review of the terms of the transaction documents and in any related legal matters arising prior to the closing of the financing. **By submitting this Application**, the Applicant agrees that all incurred legal fees for said representation shall be the responsibility of the applicant even if the financing fails to close. **By submitting this Application**, the Applicant hereby certifies to the best of his/her knowledge and belief that the information contained in the Application including any exhibits or attachments hereto is true and complete and accurately describes the Applicant and the proposed project, and agrees to promptly inform MassDevelopment of any changes.

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| Applicant Name |       |  | Title |       |
|  |  |  |  |  |
| Signature of Authorized Representative |       |  | Date |       |

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