

Approved _____ Mayor

Agenda Item No. 8(K)(1)(B)

Veto _____

10-02-07

Override _____

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

RESOLUTION NO. R-1086-07

RESOLUTION APPROVING CONFIDENTIAL PROJECT NO. 07-00235 AS A TARGETED JOBS INCENTIVE FUND PROGRAM BUSINESS PURSUANT TO THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CHAPTER 2, ARTICLE LXXXVI, AS MODIFIED BY ORDINANCE NO. 02-251; CONFIRMING THAT THE COMMITMENT OF INCENTIVE AWARDS FOR CONFIDENTIAL PROJECT NO. 07-00235 EXISTS; AND PROVIDING AN APPROPRIATION OF UP TO \$101,953 FROM GENERAL REVENUE FUNDS FOR FISCAL YEARS 2008 THROUGH 2013 WITH THE PROVISIO THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT NO. 07-00235, UNDER FLORIDA STATUTE 196.1995, REDUCES ANY TARGETED JOBS INCENTIVE FUNDS AWARD TO CONFIDENTIAL PROJECT NO. 07-00235 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, Economic Impact Overview, and Application and Agreement, copies of which are incorporated herein by reference ,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby finds that attracting, retaining and providing favorable conditions for the growth of target industries provide quality employment opportunities for residents of the County and enhance the County's economic foundations and authorize the County Manager to execute the Application and Agreement between Miami-Dade County and Confidential Project No. 07-00235, as a targeted jobs incentive fund program business pursuant to the Code of Miami-Dade County, Florida, Chapter 2, Article LXXXXVI, as modified by Ordinance No. 02-251.

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The applicant's business activity is located within Miami-Dade County's Enterprise Zone.

The commitment of incentive awards for Confidential Project 07-00235 exists in an amount not to exceed \$101,953 from General Revenue Funds, and is conditioned on and subject to specific annual appropriations by the Board in the following increments:

Fiscal Year 2008	\$16,992
Fiscal Year 2009	\$16,992
Fiscal Year 2010	\$16,992
Fiscal Year 2011	\$16,992
Fiscal Year 2012	\$16,992
Fiscal Year 2013	\$16,993
TOTAL	\$101,953

With the provision that any tax abatement granted to Confidential Project No. 07-00235, under Florida Statute 196.1995, reduces any TJIF incentive award granted, by the amount of any such tax abatement granted, and will be paid to Confidential Project No. 07-00235 with the stipulation that Confidential Project No. 07-00235 is in compliance with the TJIF program including the requirement that at least ten (10) jobs be created.

The commitment of incentive awards shall be contingent on Confidential Project No. 07-00235, maintaining the jobs during the life of the incentive and ensuring that its hiring practices are consistent with and reflect the diversity of the Miami-Dade County community. Confidential Project 07-00235 also agrees to a "good faith" effort to hire, to the maximum extent, residents from Miami-Dade County.

The foregoing resolution was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	aye		
Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrian D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of October, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "S.D.S.", is written over a horizontal line.

Shannon D. Summerset

**Qualified Targeted
Industry Tax Refund
(QTI)
&
Targeted Job Incentive
Fund (TJIF)**

Confidential Project #: 07-00235

**Prepared by the Beacon Council
July 2007**

Memorandum

MIAMI-DADE
COUNTY

Date: October 2, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

Agenda Item No. 8(K)(1)(B)

From: George M. Burgess
County Manager

Subject: Targeted Jobs Incentive Fund Program Participation for Confidential Project #07-00235

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached documents relating to Targeted Jobs Incentive Fund (TJIF) program participation by Confidential Project No. 07-00235. Miami-Dade County's commitment of TJIF incentive awards, and application and agreement (pursuant to Miami-Dade County Code, Chapter 2, Article LXXXVI as modified by Ordinance No. 02-251) have been prepared by the Office of Community and Economic Development in conjunction with the Beacon Council.

Scope

It is expected that this project will primarily impact Commission District 5, but also have a positive countywide impact due to direct and indirect employment and project investment. This project is estimated to create up to 150 new jobs over a three-year period.

Fiscal Impact / Funding Source

The County uses general revenues to fund this incentive. Confidential Project No. 07-00235 has applied for \$101,953 in TJIF assistance.

In addition, the business is also applying for consideration of State of Florida Qualified Target Industry Refund (QTI) incentive in the amount of \$180,000 from the County, which is being brought to the Board for consideration under a separate item. If both the TJIF and QTI incentives are approved, the County will provide a total of \$281,953 in economic development incentives to the business. The County's payout of both TJIF and QTI funds is being extended over a six-year period.

Track Record/Monitor

This is an already established business in Miami Dade County which is seeking to expand their headquarters.

TJIF funds are disbursed to a company after the capital investment requirements are met, jobs have been created, and Office of Community and Economic Development conducts a site visit and verify the job creation.

Background

Confidential Project No. 07-00235 is a business involved in the manufacturing of marine products, and other location options to include North Carolina. Below is more detailed background information on the project:

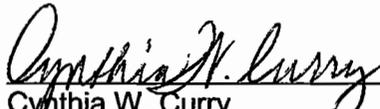
APPLICANT:	Confidential Project No. 07-00235
HEADQUARTERS LOCATION:	N/A
PROPOSED LOCATION IN MIAMI-DADE COUNTY:	N/A
OTHER LOCATIONS UNDER CONSIDERATION:	North Carolina
DATE OF TJIF APPLICATION:	July 12, 2007
OVERALL BUSINESS ACTIVITY/MISSION:	Expansion of existing business in the manufacturing of marine products.
PROPOSED LOCAL BUSINESS ACTIVITY:	Manufacturer of Marine Products
PROPOSED CAPITAL INVESTMENT:	\$8,900,000
TARGETED INDUSTRY:	Marine Manufacturing
PROPOSED LOCATION IN THE ENTERPRISE ZONE:	Yes
NEW BUSINESS OR EXPANDING BUSINESS:	Expanding
NUMBER OF DIRECT JOBS TO BE CREATED/RETAINED:	150
EFFORT IN HIRING RESIDENTS IN LOCAL AREA:	Miami-Dade County
INDIVIDUAL ANNUALIZED WAGES FOR NEW JOBS:	\$36,101
ANNUAL EMPLOYEE BENEFIT PACKAGE:	\$9,025
NUMBER OF INDIRECT JOBS TO BE CREATED:	113
NUMBER OF YEARS TO CREATE NEW JOBS:	3
MAXIMUM YEARS FOR INCENTIVE AWARD:	6
MAXIMUM INCENTIVE AWARD PER JOB:	\$680
MAXIMUM INCENTIVE AWARD APPLIED FOR:	\$101,953

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Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners
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EST. INCREMENTAL COUNTY TAX REVENUE:	\$1,085,389
COUNTY'S MAXIMUM AWARD ON PROJECT:	\$101,953
TYPE OF FUNDS REQUESTED IN APPLICATION:	General Revenue Funds
COMMENTS:	Information for this item was provided by The Beacon Council.

Attachment



Cynthia W. Curry
Senior Advisor to the County Manager

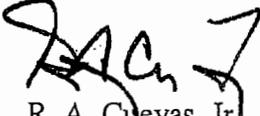


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: October 2, 2007

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(K)(1)(B)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Executive Summary

Background

Confidential Project #07-00235, a manufacturer in the Marine Industry, is expanding.

The company is currently located in an Enterprise Zone in Miami-Dade and is evaluating an expansion of current operation on their existing property. Other location options include North Carolina.

Confidential Project #07-00235 will retain 419 jobs and create 150 new jobs with an average annualized salary of \$36,101 in Miami-Dade County over a 3 year period. The expansion will consist of 60,000 new square feet and a capital investment of \$8.9 million.

The application of Confidential Project #07-00235 for a QTI/TJIF combination recognizes the retention of existing jobs, the creation of new jobs, as well as the capital being committed by the project. The QTI and TJIF combination provides a positive ROI to the County of 1.1.

The QTI total of \$900,000 is to be funded 80% by the State (\$720,000) and 20% by Miami-Dade County (\$180,000) providing a QTI positive ROI of 1.68. The TJIF total is \$101,953, and when combined with QTI, produces a positive ROI of 1.1.

These are performance-based incentives. No funds will be provided to the Company until they meet all program requirements.

General Funds derived from the incremental tax revenue will be used to fund the county contribution. CDBG Funds will not be used.

The Basic Assumptions

- The latest Miami-Dade County millage tax rates (2006) were used.
- This latest millage rate was used for the entire 6-year period analysis.
- To adjust for the likely reduction in millage rates over the next 6 years, the real property value was assumed to increase by 1.5 percent rather than the more typical 3%.

Conclusions

Based on the projected investment of \$8.9million in new real property, the project's 6-year property tax revenue from this expenditure will be: \$1,085,389

- Miami-Dade County's general fund will receive \$293,754 over the next 6 years.
- Miami-Dade County public schools will receive \$424,021 for the 6-year period.
- The next largest tax revenue will go to special districts, including fire rescue, library and MSA.
- In addition, the project will generate \$17,574 in new local sales taxes during an 6-year period.

INCENTIVE PROPOSAL SUMMARY:
CONFIDENTIAL PROJECT 07-00235

Project Summary	
Project Name	#07-00235
New Jobs	150
Average Salary	\$36,101
New Capital Investment	\$8,979,740
Square Footage	60,000
QTI and TJIF Breakdown	
Total New Property Taxes (General Fund Only)	\$264,379
QTI Miami-Dade County Match (20%)	\$180,000
QTI Portion from Local Sales Taxes	\$17,574
QTI Portion from Local Property Taxes	\$162,426
TJIF Local Incentive Amount	\$101,953
Miami-Dade County QTI + TJIF Amount for Miami-Dade County	\$281,953
Net Revenue Benefit to Miami-Dade	\$29,375
Total ROI	1.1

REAL PROPERTY TAX BENEFITS

Six Year Projection Study

Incentive Summary

CP 07-00235

7/11/2008

Prepared by:



Jaap Donath, Ph.D.

Vice President

Department of Research & Strategic Planning

Six Year Projection Study Summary

PROJECT DETAILS

Project Name:	CP 07-00235	No. of Jobs:	150
Investment Amount:	\$8,979,740	Annual Avg. Salary:	\$36,101
Type of Investment:	Real Property and Equipment	Enterprise Zone:	Yes

To maximize the possibility of retaining this firm, the Beacon Council will forward a Qualified Target Industry (QTI) incentive to the State of Florida and a local Target Job Incentive Fund (TJIF) proposal to Miami-Dade County.

The State of Florida has indicated that the company qualifies for a QTI. This program is funded by the State of Florida (80%) and Miami-Dade County (20%). Based on the project's capital investment, the QTI incentive breakdown is proposed as follows:

Total QTI Tax Refund Proposal:	\$900,000	QTI Local Sales Taxes:	\$17,574
State of Florida Match (80%):	\$720,000	Local Property Taxes:	\$162,426
Miami-Dade County Match (20%):	\$180,000		

The property tax revenue generated from this project's investment will benefit the Miami-Dade County Government, Miami-Dade County Schools, as well as the State of Florida and area special districts.

THE BASIC ASSUMPTIONS

The latest Miami-Dade County mileage tax rates (2006) were used. This latest mileage rate was used for the entire six-year period analysis.

To adjust for the likely reduction in mileage rates over the next six-years, the real property value was assumed to increase by 1.5% rather than the more typical 3%.

CONCLUSIONS

Based on the investment of **\$8,979,740** by the project in new real property and equipment, their six-year investment tax revenue is projected as follows:

Total Project Tax Revenue:	\$1,085,389
Miami-Dade County's General Fund:	\$293,754
Miami-Dade County Public Schools:	\$424,021

The next biggest tax revenue would go to special districts, including fire rescue, library and MSA.

RECOMMENDATION

Based on the project creating **\$281,953** in new property and local sales taxes for Miami-Dade County, The Beacon Council recommends that the following incentives be awarded to the project:

Total QTI Incentive (Local and State):	\$900,000
Total TJIF Incentive:	\$101,953
Total Combined Incentive:	<u>\$1,001,953</u>

QTI-TJIF Combined Incentive Breakdown

CP 07-00235

6-Year Study

Miami-Dade County General Fund:	\$293,754
Total New Property Taxes (County General Fund x 0.9):	\$264,379
QTI Miami-Dade County Match (20%):	\$180,000
QTI Portion from Total Local Sales Taxes:	\$17,574
QTI Portion from Local Property Taxes: Miami-Dade County QTI 20% Match minus QTI Local Sales Taxes	\$162,426
Total New Property and Local Sales Taxes: (Total New Prop. Taxes + QTI Portion from Local Sales Taxes)	\$281,953
TJIF Local Incentive Amount: (Total New Property & Local Sales Taxes minus QTI 20% County Match)	\$101,953
Total Local QTI + TJIF Incentive Amount:	\$281,953
Net Revenue Benefit to Miami-Dade County (General Fund):	\$29,375
Total Return on Investment (ROI):	11%

Total Incentive:	\$1,001,953
(QTI 20% Local Match)	\$180,000
(QTI 80% State Match)	\$720,000
(TJIF 100% Local Match)	\$101,953

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SIX YEAR PROJECTION
2006 - 2011
CP 07-00235

Year	Realty + Equipment	Total	County General	County Debt	School	State	Other Districts	City
	\$8,979,740	0.0207468	0.0056615	0.000285	0.008105	0.0007355	0.0060063	0.0000
2006	\$8,979,740.00	\$186,300.87	\$50,421.24	\$2,559.23	\$72,780.79	\$6,604.60	\$53,935.01	\$0.00
2007	\$8,844,521.90	\$183,495.53	\$49,661.99	\$2,520.69	\$71,684.85	\$6,505.15	\$53,122.85	\$0.00
2008	\$8,734,266.95	\$181,208.09	\$49,042.91	\$2,489.27	\$70,791.23	\$6,424.05	\$52,460.63	\$0.00
2009	\$8,646,650.45	\$179,390.33	\$48,550.94	\$2,464.30	\$70,081.10	\$6,359.61	\$51,934.38	\$0.00
2010	\$8,579,582.76	\$177,998.89	\$48,174.36	\$2,445.18	\$69,537.52	\$6,310.28	\$51,531.55	\$0.00
2011	\$8,531,185.79	\$176,994.81	\$47,902.61	\$2,431.39	\$69,145.26	\$6,274.69	\$51,240.86	\$0.00
Total 6 Year Tax Revenue		\$1,085,388.51	\$293,754.05	\$14,910.05	\$424,020.76	\$38,478.38	\$314,225.28	\$0.00

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Tax Revenue by Government Entity

2006 - 2011

CP 07-00235

Year	Investment/Depreciation	Total	County General	County Debt	School	State	Other Districts	City
	\$2,347,080 0.9	0.0207468	0.005615	0.000285	0.008105	0.0007355	0.0060063	0.0000
2006	\$2,347,080.00	\$48,694.40	\$13,178.85	\$668.92	\$19,023.08	\$1,726.28	\$14,097.27	\$0.00
2007	\$2,112,372.00	\$43,824.96	\$11,860.97	\$602.03	\$17,120.78	\$1,553.65	\$12,687.54	\$0.00
2008	\$1,901,134.80	\$39,442.46	\$10,674.87	\$541.82	\$15,408.70	\$1,398.28	\$11,418.79	\$0.00
2009	\$1,711,021.32	\$35,498.22	\$9,607.38	\$487.64	\$13,867.83	\$1,258.46	\$10,276.91	\$0.00
2010	\$1,539,919.19	\$31,948.40	\$8,646.65	\$438.88	\$12,481.05	\$1,132.61	\$9,249.22	\$0.00
2011	\$1,385,927.27	\$28,753.56	\$7,781.98	\$394.99	\$11,232.94	\$1,019.35	\$8,324.29	\$0.00
Total 6 Year Tax Revenue			\$61,750.71	\$3,134.27	\$89,134.37	\$8,088.63	\$66,054.01	\$0.00

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Tax Revenue by Government Entity
 2006 - 2011
 CP 07-00235

Year	Value of Real Property \$6,632,660 1.015	Total 0.0207468	County General 0.005615	County Debt 0.000285	School 0.008105	State 0.0007355	Other Districts 0.0060063
2006	\$6,632,660.00	\$137,606.47	\$37,242.39	\$1,890.31	\$53,757.71	\$4,878.32	\$39,837.75
2007	\$6,732,149.90	\$139,670.57	\$37,801.02	\$1,918.66	\$54,564.07	\$4,951.50	\$40,435.31
2008	\$6,833,132.15	\$141,765.63	\$38,368.04	\$1,947.44	\$55,382.54	\$5,025.77	\$41,041.84
2009	\$6,935,629.13	\$143,892.11	\$38,943.56	\$1,976.65	\$56,213.27	\$5,101.16	\$41,657.47
2010	\$7,039,663.57	\$146,050.49	\$39,527.71	\$2,006.30	\$57,056.47	\$5,177.67	\$42,282.33
2011	\$7,145,258.52	\$148,241.25	\$40,120.63	\$2,036.40	\$57,912.32	\$5,255.34	\$42,916.57
Total 6 Year Tax Revenue			\$232,003.34	\$11,775.77	\$334,886.39	\$30,389.75	\$248,171.27

City
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\$0.00

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\$0.00

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Application and Agreement for Targeted Jobs Incentive Fund (TJIF)

CP# 07-00235

Name of Business

(Note: if name of company is confidential at time of application, said company name shall be provided and appended to this Application and Agreement by _____.)

Important: This Application and Agreement for TJIF shall be in compliance with Miami-Dade County Board of County Commissioners Ordinance No. 00-98 as codified in the Code of Miami-Dade County, Chapter 2, Article LXXXVI, and as further modified by Ordinance No. 02-251, as may be amended.



The Beacon Council
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Section 1. Targeted Jobs Incentive Fund (TJIF) Background

- 1.1 The Targeted Jobs Incentive Fund is an initiative fashioned by The Beacon Council and Miami-Dade County and patterned after the State of Florida Qualified Target Industry Tax Refund Program (QTI). The program's intent is to attract relocating out-of-area businesses and encourage expansion of existing local companies by providing cash incentive awards. As with the QTI Program, a Company is required to create a certain number of jobs and must also generate enough new revenue to Miami-Dade County to fund its TJIF benefit. While the State's QTI program is limited to certain industries, including corporate headquarters relocation, the TJIF Program may also be utilized for the One Community One Goal (OCOG) industries, as well as the expansion and/or relocation of other operational components of a business (i.e. sales office, warehouse).
- 1.2 The TJIF is an inducement program available only to companies from outside the County (with the exception of Palm Beach, Broward, and Monroe Counties) wishing to relocate here, and to Miami-Dade companies which undertake a business expansion and which create jobs as a result of the local expansion. Nevertheless, a Palm Beach, Broward or Monroe County-located Company that is planning to relocate outside South Florida is eligible for this program. The Company must provide verifiable documentation supporting its consideration of other locales. Any business decisions, such as announcements, leasing of space or hiring of employees, made prior to the final TJIF approval will likely be grounds for disapproval unless waived by the Miami-Dade County Manager after a showing of good cause.
- 1.3 Although the TJIF is available to companies countywide, it is also used to encourage investment and the creation of jobs in Enterprise Zones, the Empowerment Zone and in Urban Targeted Areas by providing business with an additional award per job if the Company locates within these specified areas.
- 1.4 Another goal of the TJIF is to encourage companies to hire residents living in Enterprise Zones, the Empowerment Zone and Urban Targeted Areas. Companies hiring said residents will be eligible to receive an additional amount per new job created.
- 1.5 The TJIF program is strictly a performance-based incentive that is only paid out to the Company after it has met all of its job creation projections, capital investment commitments and must provide the incremental tax revenue necessary to fund the award.

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Section 2. Criteria

- 2.1 The Targeted Jobs Incentive Fund (TJIF) is limited to the targeted industries as per the State of Florida QTI Program. In addition, the One Community One Goal (OCOG) target industries are also eligible, as are regional offices. They include, but are not limited to, the following:
- a. Corporate Headquarters and Regional Offices;
 - b. Research and Development;
 - c. Chemicals and Allied Products;
 - d. Rubber and Miscellaneous Plasters;
 - e. Fabricated Metal Products;
 - f. Industrial Machinery and Equipment;
 - g. Electronic and Other Electric Equipment;
 - h. Transportation and Transportation Equipment;
 - i. Instruments and Related Products;
 - j. Miscellaneous Manufacturing;
 - k. Printing and Publishing;
 - l. Wholesale Distribution;
 - m. Business Services;
 - n. Security and Commodity Brokers;
 - o. Insurance Carriers;
 - p. Holding and other Investment Offices;
 - q. Non-Depository Credit Institutions;
 - r. Motion Pictures, Film and Entertainment, Sound Recording and Reproduction;
 - s. Communications;
 - t. Apparel and Other Textiles;
 - u. Lumber and Wood Products;
 - v. Furniture and Fixtures;
 - w. Paper and Allied Products;
 - x. Food Manufacturing;
 - y. Stone, Clay, and Glass Products;
 - z. Aviation;
 - aa. Biomedical;
 - bb. Financial Services;
 - cc. Computers and Information Technology;
 - dd. International Commerce;
 - ee. Telecommunications;
 - ff. Visitor and Tourism
- 2.2 The Company must create at least 10 new jobs. If the project is an expansion, the number of new jobs to be created must be the greater of a minimum of five new jobs or at least ten percent of the Company's work force at the time of application.
- 2.2 The County Commission, in recognition of its responsibility to set a community standard that permits full-time workers to live above the poverty line, enacted the Living Wage Ordinance, Section 2-8.9 Miami-Dade County Code. The County, through this ordinance sets an example by providing a living wage to County employees and requires living wages to be paid for County services provided by contractors and similarly by companies receiving incentives for job creation and capital investment through the TJIF program. http://www.miamidade.gov/dbd/library/Living_Wage_Brochure.pdf

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- 2.3 The Company's countywide ad valorem property taxes, excluding debt service, and countywide portion of sale taxes paid must generate sufficient incremental tax revenue to the County in order to fund the award. Incremental revenue generated by the project shall be determined by utilizing an Economic Impact Model and analysis by both The Beacon Council and County staff. The project must exhibit a positive Return on Investment Incentive of at least 120%.
- 2.4 This Application and Agreement must be signed by the Company and Miami-Dade County stipulating the number of new jobs to be created, the projected amount of capital investment, the amount of the projected tax revenue and the time frame of when the project will be completed. Payment to the Company will only be made after it has achieved all economic benchmarks.
- 2.5 The TJIF is an inducement program that is only available to companies considering a relocation and/or expansion in Miami-Dade County and one or more other communities. The TJIF is utilized to induce "New to Market" companies to relocate to Miami-Dade County (not available for companies located within Palm Beach, Broward and Monroe Counties unless a Company is planning to relocate outside South Florida). Companies located in other Florida counties are eligible for TJIF for any net new jobs being created in Miami-Dade County. The Company must provide verifiable documentation supporting its consideration of other locales. Any business decisions, such as announcements, leasing of space or hiring of employees, made prior to the final TJIF approval will likely be grounds for disapproval.

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Section 3. Program Funding

- 3.1 Incremental tax revenue generated by the companies locating or expanding within Miami-Dade County funds the program.

Section 4. Award Amounts Provided By Miami-Dade County

- 4.1 The total TJIF award is based on the number of new jobs created and the amount of countywide ad valorem property taxes, excluding debt service, and countywide portion of sales taxes paid per annual amounts addressed in the approved application/agreement. The TJIF award is tentatively ascertained, pending Board approval, during application processing by entering application information into the Economic Impact Model. Miami-Dade County will provide a qualifying Company up to (\$9,000.00) per new job in TJIF incentives as follows:

The total award is based on the projected number of new jobs to be created and the amount of countywide ad valorem property taxes, excluding debt service, and countywide portion of sales taxes paid. The base award amount per new job created is up to \$3,000 if the Company is located outside any of the following areas:

- Empowerment Zone
- Enterprise Zone
- Target Urban Area
- Brownfields
- Community Development Block Grant areas

If the Company is located within any of the above areas an additional bonus award of up to \$1,500 per new job created is available. Likewise, if the Company employs a resident of one of the above areas an additional bonus award of up to \$1,500 per new job created is also available.

Up to \$1,500 bonus for companies with a building or facility that qualifies as "green construction" and/or that incorporates alternative energy systems. Specially, a company can receive a bonus of up to \$1,000 if the Company's building or facility qualifies as "green construction" and is certified through the Leadership in Energy and Environmental Design (LEED) Green Building Rating system by the Florida Green Building Council or by the U.S. Green Building Council; and an additional bonus of up to \$500 if the Company's building or facility incorporates solar, thermal, photovoltaic, fuel cell, and/or co-generating energy generation. The alternative energy systems, with the exception of solar thermal, must be grid interconnected to the local utility to qualify.

Up to \$1,500 bonus, if the company is in the business of Solar Thermal and Photovoltaic Manufacturing, Installation and Repair.

Consideration for award within a municipality or unincorporated Miami-Dade County will be evaluated on a case-by-case basis.

- 4.2 A capital investment TJIF award may be provided to a Company when the minimum number of New Jobs has been created and when new capital investment by and/or for the Company exceeds \$3 million in taxable property value. For a period of up to six (6) years (or longer as may be determined by the Board), the Company may receive said capital investment TJIF awards in the amount of eighty percent (80%) of the amount of countywide ad valorem property taxes paid-in on the subject property and one hundred (100) percent of the amount of countywide ad valorem property taxes paid-in on the subject property if it is located in a Designated Priority Area. This award is not applicable to the ad valorem property taxes paid-in on the subject property's land value nor to any improvements in place prior to the project.
- 4.3 A Company may not receive award payments of more than twenty five percent (25%) of the total awards specified in the approved application/agreement in any fiscal year even if all the New Jobs are created in one (1) year. Further, a Company may not receive more than \$1.5 million in awards in any single fiscal year, or more than \$2.5 million in any single fiscal year if the project is located in a Designated Priority Area. A Company may not receive more than \$5 million in award payments in all fiscal years, or more than \$7.5 million (or higher amount as may be determined by the Board for inside or outside a Designated Priority Area) if the project is located in a Designated Priority Area. Further, the total award is capped by the lower of the above or the total of the applicable ad valorem property and sales taxes paid-in as a result of the project. Additionally, a Company cannot receive both a TJIF award and Enterprise Zone Tax Abatements unless the TJIF award is in excess of the Abatement; a Company cannot receive both the TJIF award on large capital investment taxes paid-in and the TJIF regular ad valorem property tax funded award; and, while a Company can receive both a tax refund under the State of Florida Qualified Target Industry Program and a TJIF award at the same time, it cannot receive more than an amount equal to what it has paid-in under the project at any time.

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Section 5. Payment of Incentive

- 5.1 The TJIF is a performance based incentive program; therefore, verification of the new jobs created, capital investment made by the Company, and new revenue generated to Miami-Dade County must be verified by the County prior to any disbursement of funds to the Company. This procedure must be repeated each year that the Company submits a claim for the TJIF payment. The year that is applicable for consideration of taxes paid-in resulting in incremental tax revenue is April 1 through March 31. Company award claims must be submitted each year during the period of April 1 through May 15. Any award appropriation, if made by the Miami-Dade County Board of County Commissioners will be paid in the County fiscal year that begins on October 1 following the May 15 claims-submission deadline date.
- 5.2 The TJIF incentive is paid out beginning after the first year the new jobs are created. For instance, if a Company has projected creating 400 new jobs, 100 per year during a four-year period, the incentive will be paid for the first 100 jobs in the year after the jobs have been created. Disbursement shall be over four years even if all the new jobs are created in one year. Payment to the Company will only be made after it has achieved all economic benchmarks. A Company's incremental tax revenue paid to Miami-Dade County must be sufficient to fund the Company's award. In keeping with the State QTI program requirements, a Company receiving a cash incentive award under this TJIF program and also applying for and receiving Enterprise Zone tax abatements, must, in any given year, have its TJIF cash incentive award reduced by the amount of any such tax abatement granted.

Section 6. Application Process

- 6.1 Any Company that meets the criteria and objectives of the TJIF must submit this Application and Agreement to The Beacon Council for review. The Beacon Council will prepare an economic impact analysis for the project, based on the information provided by the Company.
- 6.2 The completed Application and Agreement is submitted to Miami-Dade County for verification and concurrence with the economic impact analysis provided by The Beacon Council. The analysis should reflect a Return On Incentive Investment (ROI) of at least 120% if the Company is not located in a Designated Priority Area, at least 110% if the Company is located in a Designated Priority Area, and at least 100% if the Company is located in a Designated Priority Area and the Board of County Commissioners finds such increase is in the public's best interest and approves said ROI when jointly recommended by The Beacon Council and the County Manager. The Beacon Council presents Company Application and Agreement along with its analysis and recommendation to Miami-Dade County.

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Section 7. Review and Approval Process

- 7.1 Upon Application and Agreement evaluation by the County, staff will recommend approval or denial to the County Manager and prepare an agenda item for the next available Board of County Commissioners meeting where the TJIF incentive is considered for approval. The County Manager will recommend Application and Agreement approval or denial to the Board of County Commissioners. Per Miami-Dade County Ordinance No. 00-98 creating this program as amended by Ordinance No. 02-251, the Board of County Commissioners shall have no obligation to approve any Application and Agreement before it.
- 7.2 The Beacon Council staff and a Company representative (when requested) will attend the Board of County Commissioners meeting to be available to answer any questions related to the project and the TJIF.
- 7.3 If the Board of County Commissioners approves the Application and Agreement, the Company and the County Manager will execute said document(s). Pursuant to Florida Statutes, § 288.075 and § 288.1066, confidentiality will be protected for any information regarding a project's location and/or expansion evaluation of any site in the State of Florida. If confidentiality is requested, the Company name and identifying information shall be provided by the Company by the date indicated on the cover page of this Application and Agreement and shall be appended hereto. Upon said approval, as the applying Company you will be sent a letter by The Beacon Council stipulating the conditions of the approval.

**For more information please call Stephen Beatus, Associate Executive Vice President,
The Beacon Council, at 305-579-1343.**

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Section 8. Application and Agreement Instructions

- 8.1 Please carefully review all Application and Agreement materials.
- 8.2 Contact The Beacon Council at the below address to discuss your project and application before submitting a formal proposal.
- 8.3 Any information or documentation that cannot be supplied in the provided space should be placed in a notebook or other presentation format. The material should be indexed, tabbed or labeled with the number of the relevant question from the Application and Agreement form.
- 8.4 The completed and signed Application and Agreement must be filed with:

The Beacon Council
Attn: Stephen Beatus, Associate Executive Vice President
Targeted Jobs Incentive Fund (TJIF)
80 S.W. 8th Street, Suite 2400
Miami, Florida 33130
Phone: 305-579-1343
Fax: 305-579-7580

- 8.5 **Important note: This Application and Agreement must be filed prior to making the decision to locate a new business in Miami-Dade County or to expand an existing Miami-Dade County business. However, an applying Company that has initiated such a business decision may, upon request and Beacon Council recommendation, be considered by the County Manager for preserving inducement. If the County Manager authorizes preserving inducement the applying company maintains TJIF program eligibility.**

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Section 9. Employer Identification

9.1

Please note: The following form may not provide enough space for required answers. Please attach a separate page with tabs that refers to the question number. Please include supporting documentation or explanation with responses where appropriate.

9.2

TARGETED JOBS INCENTIVE FUND (TJIF)

- a) Name of TJIF Business: _____
Must be a business unit or reporting unit of a business that is registered with or will be registered with the Florida Department of Labor and Employment Security.
- b) Mailing Address: _____

- c) Primary Business contact -please include phone and fax numbers: _____

- d) TJIF Business' federal employer identification number: _____
- e) TJIF Business' unemployment compensation identification number: _____
- f) TJIF Business' Florida sales tax registration number: _____
- g) List SIC codes of all activities of the TJIF business: _____
- h) Describe the TJIF business' primary business activities: _____
Manufacturer and Distributor HQ - Marine Industry
- i) You may request that your project information (including the information contained in this application) be confidential per F.S. 288.075, Confidentiality of Records.
 YES, we Request Confidentiality
 NO, we do not Request Confidentiality

9.3

- a) Is the TJIF business 51% or more minority owned? _____ YES NO
- b) If YES, please explain: _____

- c) Is the TJIF business certified as a Black Business Enterprise (BBE), Women Business Enterprise (WBE), Hispanic Business Enterprise (HBE), Community Small Business Enterprise (CSBE), Community Business Enterprise (CBE) and/or Disadvantaged Business Enterprise (DBE) pursuant to Miami-Dade County Code?
 YES NO

9.4

- a) Has the TJIF business ever been subjected to criminal or civil fines and penalties?
 YES NO
- b) If YES, please explain: _____

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Section 10. Project Identification / Information

10.1 Description of the type of business activity or product covered by the project:

a) Is the business unit a (please choose one):

- New business to Miami-Dade County
- An expansion of an existing Miami-Dade County business

b) How many Miami-Dade County-located employees are there currently in the expanding business unit: 419

c) Full project description: To retain and add to our current workforce in order to satisfy the growth and expansion of facilities. We need to accommodate increasing production volumes and 6 new model launches over the next 3 years

10.2 Check the appropriate box and complete the line item:

Project's current location, if applicable: _____

Project's proposed location, if different from above: _____

Miami-Dade County Commission District: District 5

10.3 Check the boxes that best define your project:

- | | |
|---|---|
| 1 <input type="checkbox"/> regional headquarters office | 5 <input checked="" type="checkbox"/> manufacturer |
| 2 <input type="checkbox"/> national headquarters office | 6 <input type="checkbox"/> office |
| 3 <input checked="" type="checkbox"/> world headquarters office | 7 <input type="checkbox"/> sales & marketing |
| 4 <input type="checkbox"/> Latin America headquarters office | 8 <input type="checkbox"/> warehouse / distribution |

10.4 If the project is not a headquarters, or if it includes other target industries, indicate the major industry groups(s) and the four-digit SIC code of each target industry or industries included in this project:

Business Activities	2-digit SIC Code	4-digit SIC Code
<u>Building & Repairing</u>	_____	<u>3730</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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10.5 Project employment and wages:

- a) Existing jobs in Miami-Dade County 419
- b) Total number of new jobs projected to be created by the project at the business indicated in item 9.2.a): 150
- c) If new jobs are to be phased in, provide the date when each phase of employment will be fully implemented (please limit the job creation phases to three):

Phase	Total New Jobs	Date
I	25	12/31/2008
II	65	12/31/2009
III	150	12/31/2010

- d) Annualized average wage (not including benefits) of all the new combined jobs created by the project at the business indicated in item 9.2.b): \$ 36,101
- e) Annualized average value of benefits associated with each new job created by the project at the business unit: \$ 9,025
- f) Square footage: EXISTING: 400,000 NEW: 60,000

- 10.6 a) Anticipated commencement date of project: September 2007
- b) Anticipated timeframe when the project will be completed: August 2010

10.7 Amount of cash incentive award requested from Miami-Dade County \$101,953

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Section 11. Project Impact Information

11.1 Miami-Dade County Ordinance 00-98 as amended by Ordinance 02-251 requires that Miami-Dade County review and evaluate the application based on the following issues. Therefore, thorough and concise responses to the items below are very important.

11.2 **Incentive Rationale:**

Provide a statement indicating why the incentive award is needed to further the project. What role will the incentive award play in the decision of the applicant to locate or expand in Miami-Dade County? Indicate whether or not there are other communities competing for this project, and if so, which communities, and what incentives are being offered by these communities. Also, specifically address the role the incentive will play in creating Miami-Dade County jobs. This statement should include an analysis of the impact of any incentive awards granted on the viability of the project and the probability that the project will occur in Miami-Dade County if such incentive awards are granted to the applicant, taking into account the expected long-term commitment of the applicant to economic growth and employment in Miami-Dade County.

The incentive award is a key factor in our decision whether to stay and expand at our current location in Miami Florida, or relocate to another facility in North Carolina. NC is willing to significantly support our efforts if necessary. Our current growth plans call for an additional 150 jobs to be created over the next 3 years along with an investment in our facilities in excess of 8.5 million dollars. During the next 3 years we have 6 new production models to launch with a price range of 1.6 to 5.1 million dollars. Our long term goal is to launch 2 new models every year, putting us at the top of our industry in new model development.

11.3 **Project Impact:**

Provide a brief synopsis on the impacts the project is expected to stimulate in the community, the state or regional economy, focusing on economic conditions in the area, including the unemployment rate in the community where the project will be located.

There will be a large investment into the local economy, retention of approximately 420 employees, addition of approximately 150 jobs, plus maintain and grow the strong marine industry in the Miami area.

11.4 **Environmental and Growth Management:**

Submit a brief review of the applicant's past activities in Miami-Dade County, Florida and in other states, particularly as they relate to environmental and growth management impacts and how these have been handled. Have any criminal or civil fines or penalties been assessed? Have any awards been recommended or received? (Basically, what kind of corporate citizen has the applicant been?)

Water and energy conservation:

In collaboration with Miami Dade Water & Sewer Department and FPL our Safety and Environmental department is currently conducting water and energy conservation classes with our employees.

Hazardous Emissions:

As part of our equipment investments/upgrades, we will be purchasing two new Fit Gelcoat Systems and their required accessories. These units significantly reduce VOC's and HAP's along with reducing hazardous materials in order to maintain the equipment.

In the last 3 months we have reduced our usage by 28% as a result of our internal process changes and training of employees expressing the adverse effects of on the environment.

Manufacturing Processes

We were awarded

recognition of our process improvements throughout the entire manufacturing system.

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11.5

Capital Investment:

a) Describe the capital investment in real and personal property (examples: construction of new facility; remodeling of facility; upgrading, replacing or buying new equipment):

New construction, remodeling and upgrading facilities, new equipment

b) List the amount and type (purchase of machinery/equipment, construction of buildings, etc.) of major capital investment to be made by the applicant in connection with this Miami-Dade County project:

Amount \$6,632,660	Construction/Renovations	_____
Amount \$2,177,080	Manufacturing Equipment	_____
Amount \$170,000	Other Equipment	_____

11.6

Indicate other incentive programs the Company will be applying for:

- | | | | |
|-------------------------------------|------------------------------|--------------------------|----------------------------|
| <input checked="" type="checkbox"/> | Enterprise Zone Program | <input type="checkbox"/> | Property Tax Abatement |
| <input type="checkbox"/> | Refund of Impact Fees | <input type="checkbox"/> | Sales Tax Refunds |
| <input type="checkbox"/> | Jobs Tax Credit | <input type="checkbox"/> | Transportation "Road Fund" |
| <input type="checkbox"/> | Qualified Target Industry | <input type="checkbox"/> | Quick Response Training |
| <input checked="" type="checkbox"/> | Other <u>Training Grants</u> | | |

Section 12. Please initial below indicating your agreement:

12.1 _____ that Miami-Dade County may review and verify the financial and personnel records of the Company and/or perform on site visits to verify employment relating to the New Jobs, review said financial and personnel records, and ascertain whether the Company is in project compliance;

12.2 _____ that compliance with the terms and conditions of the approved application/agreement is a condition precedent for the receipt of any TJIF award in a fiscal year and that Company failure to comply with the terms and conditions of the approved application/agreement results in the loss of eligibility for receipt of TJIF awards and the revocation by the County Manager or the TJIF Committee of the certification of the Company as a TJIF business;

12.3 _____ that the payment of TJIF awards are conditioned on and subject to specific annual appropriations by the Board sufficient to pay amounts under the approved application/agreement;

12.4 _____ that Miami-Dade County shall be notified in writing of any development that impacts the implementation or operation of this Agreement or the project that this Agreement covers. Such developments will include, but not be limited to: commencement of and full implementation of the project; significant project delays; cancellation of the project; and all material changes of the project; and

12.5 _____ that the Company will maintain personnel and financial records related to jobs, wages, and taxes paid which are the subject of this Agreement and submit summary reports of said records to Miami-Dade County as part of each annual claims-submission. The Company will retain said personnel and financial records for a period of three (3) years after payment of the last cash incentive award.

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THIS INFORMATION TO BE COMPLETED BY THE BEACON COUNCIL

Section 13. Projected New Revenue to Miami-Dade County

List the amount and type of projected taxes this project will provide in the form of new revenue to Miami-Dade County:

Amount \$	\$17,574	Sales Taxes	_____
Amount \$	\$1,085,389	Property Taxes	_____
Amount \$	_____	Other Taxes	_____ (List)

Section 14. If Project will be locating or expanding in a targeted area

<input checked="" type="checkbox"/>	Enterprise Zone
<input checked="" type="checkbox"/>	Unincorporated Miami-Dade County
<input type="checkbox"/>	City of Florida City
<input type="checkbox"/>	City of Hialeah
<input type="checkbox"/>	City of Homestead
<input type="checkbox"/>	City of Miami
<input type="checkbox"/>	City of Miami Gardens
<input type="checkbox"/>	City of North Miami
<input type="checkbox"/>	City of Opa-locka
<input type="checkbox"/>	City of Miami Beach
<input type="checkbox"/>	Perrine-Cutler Ridge
<input type="checkbox"/>	Satellite (Dolphin Stadium)
<input type="checkbox"/>	Empowerment Zone
<input type="checkbox"/>	Developable Site
<input type="checkbox"/>	Target Urban Area (TUA)
<input type="checkbox"/>	_____
<input type="checkbox"/>	Community Development Block Grant area
<input type="checkbox"/>	Brownfields

Section 15. Application Confirmation

15.1	Company Telephone Contact Number	_____
15.2	Date Application Received	7/12/07
15.3	Date Application Completed/Finalized	7/12/07
15.4	Date Application presented to Miami-Dade County	7/12/07

Section 16. Maximum Award and Agreement End Date

(To be completed by The Beacon Council and/or Miami-Dade County.)

16.1 \$ \$101,953 : The maximum amount of TJIF cash incentive awards which the Company is eligible to receive on the project.

16.2 Maximum Award in Fiscal Year

Maximum Amount

FY _____
FY _____

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

16.3 The term of this Agreement shall commence upon full execution of this Agreement and continue through _____, unless terminated earlier in accordance with the Code of Miami-Dade County, Chapter 2, Article LXXXVI, and as further modified by Ordinance No. 02-251, as may be amended.

Section 17. Parties

The parties designate the following offices and addresses:

County:

Director, Office of Community and Economic Development
Miami-Dade County
140 West Flagler Street, Suite 1000
Miami, FL 33130

Company:

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Section 18. Termination

- 18.1 This Agreement may be terminated by Miami-Dade County upon failure of the Company to comply with any material term or condition of this Agreement or a decision by the Company not to proceed with the project. A termination will result in the loss of eligibility for receipt of all cash incentive awards previously approved and scheduled, but not paid, as well as the revocation of the certification as a TJIF business. The foregoing notwithstanding, in the event that Miami-Dade County fails to pay the Company a cash incentive award to which the Company is eligible under Agreement as a result of insufficient County funds or for any reason whatsoever, the Company shall have the right to terminate this Agreement and shall be entitled to retain any cash incentive award or credits previously paid or awarded to the Company by Miami-Dade County under this Agreement. Compliance with the terms and conditions of the Agreement is a condition precedent for receipt of cash incentive awards each year. The failure to comply with the terms and conditions of this Agreement shall result in the loss of eligibility for receipt of all cash incentive awards previously authorized pursuant to this section, and the revocation of the certification as a qualified applicant by the County Manager.
- 18.2 This Agreement may be terminated by Miami-Dade County if it finds that the Company has provided false or misleading information in any part of this Application and Agreement or if the Company attempts to meet any of its obligations under this TJIF Program through fraud, misrepresentation or material misstatement. If Miami-Dade County terminates this Agreement for breach of this Section 18.2, the Company shall within 90 days refund to the County all cash incentives awards paid to the Company as a result of the false information.

Section 19. Legal Requirements

- 19.1 This Agreement is executed and entered into in the State of Florida, and will be construed, performed and enforced in all respects in accordance with the laws and rules of the State of Florida. Each party will perform its obligations in accordance with the terms and conditions of this Agreement. Any and all litigation arising under this Agreement shall be brought in the appropriate court in Miami-Dade County, Florida. If any term or provision of the Agreement is found to be illegal and unenforceable, the remainder of the Agreement will remain in full force and effect and such term or provision will be deemed stricken.

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IN WITNESS WHEREOF the Parties have caused this Agreement to be executed by their duly authorized representatives on this _____ day of _____, 2_____.

ATTEST: (SEAL)

MIAMI-DADE COUNTY, FLORIDA

By: _____
Print: _____
Title: _____

By: _____
Print: _____
Title: _____

Approved as to form and legal sufficiency:

By: _____
Assistant County Attorney

State of Florida)
County of Miami-Dade)

The foregoing instrument was acknowledged before me by _____,
County Manager, and _____, Deputy Clerk, respectively, on behalf of Miami-Dade
County, Florida, this _____ day of _____.

Notary Public – State of Florida
Print Name: _____
Commission expires: _____

ATTEST: (SEAL)

Company name: _____

By: _____
Print: _____
Title: _____

By: _____
Print: _____
Title: _____

State of Florida)
County of Miami-Dade)

The foregoing instrument was acknowledged before me by _____,
(Title), on behalf of _____ (Company), this _____ day
of _____.

Notary Public – State of Florida
Print Name: _____
Commission expires: _____

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