

# MEMORANDUM

Agenda Item No. 3(B)(2)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

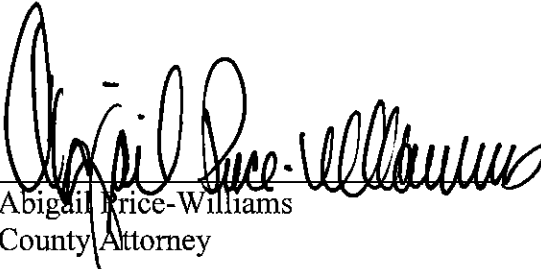
**DATE:** October 3, 2019

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution approving Project ESTEEL as a Targeted Jobs Incentive Fund Program business pursuant to Chapter 2, Article LXXXVI of the Code; confirming that the commitment of incentive awards for Project ESTEEL exists; providing an appropriation of up to \$4,892,000.00 from Countywide General Fund revenues for Fiscal Years 2022-23 through 2031-32; authorizing the County Mayor to make non-substantive modifications or to modify the job creation and disbursement dates timeline, and to execute all contracts, agreements and amendments, and providing for an effective date

Resolution No. R-1001-19

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

  
Abigail Price-Williams  
County Attorney

APW/uw

# Memorandum



**Date:** October 3, 2019

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Jack Esterholt  
Deputy Mayor

**Subject:** Resolution Approving Targeted Jobs Incentive Fund Tax Refund for Project ESTEEL

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## **Recommendation**

The Beacon Council, on behalf of Project ESTEEL, has submitted an application for economic development incentives under the County's Targeted Jobs Incentive Fund (TJIF) Program, Article LXXXVI of the Miami-Dade County Code. It is recommended that the Board of County Commissioners (Board) approve the request for Project ESTEEL to participate in the TJIF Program. It is also recommended that the Board make available \$4,892,000.00 in TJIF assistance from Countywide General Fund Revenues.

## **Scope**

Project ESTEEL is a steel micro and rolling mill company seeking to develop a new facility in Miami-Dade County. The proposed development will be located near Southwest 127th Avenue and Saint Nazaire (Folio Number 30-7901-000-120). The company is committing to create 180 new manufacturing full-time equivalent jobs, as defined in Florida Statute Section 288.106, in Commission District 9, which is represented by Commissioner Dennis C. Moss. The jobs will have a positive Countywide impact through indirect employment and an economic multiplier effect.

## **Fiscal Impact/Funding Source**

Based on a total capital investment of \$224,000,000.00 as stated in the attached application, Project ESTEEL is projected to generate \$7,211,279.00, over a ten-year period, in incremental property tax revenues to the Countywide General Fund. As a result, the business is eligible to receive \$4,892,000.00 in TJIF assistance, to be paid over a ten-year period. The business has also applied for a Qualified Target Industry Refund (QTI) incentive award, as a separate agenda item, in the amount of \$540,000.00, of which \$432,000.00 would be provided by the State and \$108,000 is the local match to be provided by the County. If approved, the County will provide a total of \$5,000,000.00 in economic incentives to this business. The Beacon Council projects that the County will realize a positive fiscal impact of \$2,211,279.00 over the 10-year period of the TJIF award.

The actual disbursement of the TJIF Program award is contingent upon verifying creation of the new jobs and the capital investment appearing on the tax roll. The TJIF Program award may equal up to 2.140 percent of the total real property capital investment and 1.440 percent of the tangible personal property capital investment to remain in compliance with the TJIF Program. Disbursements of the TJIF Program award is capped to not exceed the amount of incremental Countywide General Fund revenues the County generates by the capital investment.

**Track Record/Monitor**

The TJIF Program specifies that a Board approved TJIF Program project must create at least 10 new jobs, retain those jobs in accordance with the program's criteria, and make a significant capital investment to receive the incentive. Project ESTEEL is promising to make a capital investment of \$224,000,000.00 and create 180 new manufacturing jobs.

Upon the company's request for incentive payment, staff from the Research and Planning Section for the Department of Regulatory and Economic Resources will verify that it has met the required number of new jobs created, at the required wage rate and in accordance with the TJIF Program agreement. Staff will also confirm that the ad valorem and/or the tangible personal property taxes are sufficient to cover the TJIF Program payment

**Background**

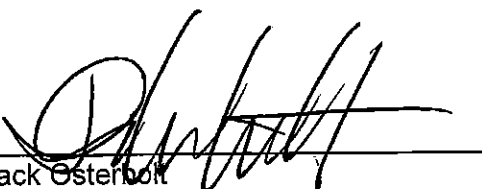
Project ESTEEL is planning to purchase land to construct a new national headquarters for their steel micro and rolling mill facility consisting of 400,000 square feet (North American Industry Classification System Code #331210 and #331110). The company will use over 98 percent recycled scrap material collected by local scrap metal yards, obtained by discarded automobiles and indoor appliances, to manufacture construction steel rebar, merchant bars and wire rods. The company plans to commence construction during FY 2020. Alternative locations include Utah and Navajo Reservation Tribal Lands New Mexico.

As a condition of the TJIF award, Project ESTEEL agrees that the 180 new workers hired will have an average annual salary of \$48,750.00 (excluding benefits) and all employees earn at least the County's Living Wage Rate as defined in Section 2-8.9 of the Code of Miami-Dade County, as adjusted annually by the Internal Services Department, Small Business Development Division or its successor department.

The anticipated dates for job creation and incentive award disbursements are set forth in the resolution, but are subject to change upon the approval of the County Mayor or the County Mayor's designee so long as they remain consistent with the TJIF Program.

The attached documents relating to the application of the incentive have been prepared by The Beacon Council and reviewed by the Department of Regulatory and Economic Resources.

Attachment

  
\_\_\_\_\_  
Jack Osterholt  
Deputy Mayor

PROJECT ESTEEL SUMMARY SHEET	
APPLICANT:	Project ESTEEL
HEADQUARTERS LOCATION:	Miami-Dade County
PROPOSED LOCATION IN MIAMI-DADE COUNTY:	District 9
OTHER LOCATIONS UNDER CONSIDERATION:	Utah and Navajo Reservation Tribal Lands New Mexico
DATE OF QTI/TJIF APPLICATIONS:	April 22, 2019
OVERALL BUSINESS ACTIVITY/MISSION:	National Headquarters
PROPOSED LOCAL BUSINESS ACTIVITY:	Steel Micro and Rolling Mill
PROPOSED CAPITAL INVESTMENT:	\$224,000,000.00 (Not a condition of the award)
TARGETED QTI/TJIF INDUSTRIES:	Manufacturing
PROPOSED LOCATION IN DESIGNATED PRIORITY AREA:	No
NEW BUSINESS OR EXPANDING BUSINESS:	New
TOTAL NUMBER OF DIRECT JOBS TO BE CREATED/RETAINED:	180
EFFORT IN HIRING RESIDENTS IN LOCAL AREA:	Unknown
ESTIMATED ANNUALIZED AVERAGE WAGES FOR NEW JOBS:	\$48,750.00
ANNUAL EMPLOYEE BENEFIT PACKAGE:	\$12,000.00 (Not a condition of the incentive)
NUMBER OF INDIRECT JOBS TO BE CREATED:	Unknown
NUMBER OF YEARS TO CREATE NEW JOBS:	3
MAXIMUM INCENTIVE PER DIRECT JOB CREATED/RETAINED	\$27,177.77
MAXIMUM INCENTIVE AWARD APPLIED FOR:	\$4,892,000.00
PROJECTED INCREMENTAL COUNTY TAX REVENUE:	\$7,211,279.00
TYPE OF FUNDS REQUESTED IN APPLICATION:	Countywide General Fund Revenues
COMMENTS: Information and data in this summary sheet provided The Beacon Council.	

COMMENTS: Information and data in this summary sheet provided The Beacon Council.



MEMORANDUM  
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

DATE: October 3, 2019

FROM: Atigail Price-Williams  
County Attorney

SUBJECT: Agenda Item No. 3(B)(2)

Please note any items checked.

- "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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 3(B)(2)

Veto \_\_\_\_\_

10-3-19

Override \_\_\_\_\_

RESOLUTION NO. R-1001-19

RESOLUTION APPROVING PROJECT ESTEEL AS A TARGETED JOBS INCENTIVE FUND PROGRAM BUSINESS PURSUANT TO CHAPTER 2, ARTICLE LXXXVI OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CONFIRMING THAT THE COMMITMENT OF INCENTIVE AWARDS FOR PROJECT ESTEEL EXISTS; PROVIDING AN APPROPRIATION OF UP TO \$4,892,000.00 FROM COUNTYWIDE GENERAL FUND REVENUES FOR FISCAL YEARS 2022-23 THROUGH 2031-32; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO MAKE NON-SUBSTANTIVE MODIFICATIONS OR TO MODIFY THE JOB CREATION AND DISBURSEMENT DATES TIMELINE, AND TO EXECUTE ALL CONTRACTS, AGREEMENTS AND AMENDMENTS, AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum and Targeted Jobs Incentive Fund (TJIF) Project ESTEEL Application and Agreement for Targeted Jobs Incentive Fund (TJIF), copies of which are incorporated herein by reference; and

**WHEREAS**, Project ESTEEL qualifies as a target industry business under Chapter 2, Article LXXXVI of the Code of Miami-Dade County, Florida (TJIF Ordinance),

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby:

**Section 1.** Adopts and ratifies the matters set forth the foregoing recitals.

**Section 2.** Finds that attracting, retaining and providing favorable conditions for the growth of target industries provides quality employment opportunities for residents of the County and enhances the County's economic foundations.

**Section 3.** Authorizes the County Mayor or County Mayor's designee to execute the Application and Agreement for TJIF between Miami-Dade County and Project ESTEEL, as a TJIF program business pursuant to the TJIF Ordinance, in substantially the form attached hereto and incorporated herein by reference.

**Section 4.** Further authorizes the County Mayor or County Mayor's designee to make non-substantive modifications, including modifications to the job creation and disbursement dates timeline, and to execute all contracts, agreements, and amendments necessary to further the purposes set forth in this resolution.

**Section 5.** Finds that the commitment of incentive awards for Project ESTEEL exists in an amount not to exceed \$4,892,000.00, from Countywide General Fund revenues, and is conditioned on and subject to specific annual appropriations by the Board in the following increments:

Fiscal Year 2022-23 - \$489,200.00  
Fiscal Year 2023-24 - \$489,200.00  
Fiscal Year 2024-25 - \$489,200.00  
Fiscal Year 2025-26 - \$489,200.00  
Fiscal Year 2026-27 - \$489,200.00  
Fiscal Year 2027-28 - \$489,200.00  
Fiscal Year 2028-29 - \$489,200.00  
Fiscal Year 2029-30 - \$489,200.00  
Fiscal Year 2030-31 - \$489,200.00  
Fiscal Year 2031-32 - \$489,200.00  
**TOTAL \$4,892,000.00**

with the provision that any tax abatement granted to Project ESTEEL under section 196.1995, Florida Statutes, reduces any TJIF incentive award granted by the amount of any such tax abatement granted, and will be paid to Project ESTEEL with the stipulation that Project ESTEEL is in compliance with the TJIF program as set forth in the TJIF Ordinance, including but not limited

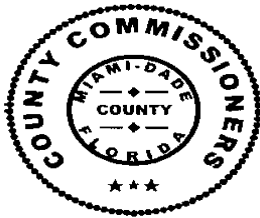
to the requirement that at least 180 jobs be created. In no event shall this resolution operate to obligate the County to make disbursements to Project ESTEEL in an amount that contradicts or violates the program requirements as set forth in the TJIF Ordinance.

**Section 6.** Requires that the commitment of incentive awards shall be contingent on Project ESTEEL 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. Project ESTEEL 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 **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

	Audrey M. Edmonson, Chairwoman	aye	
	Rebeca Sosa, Vice Chairwoman	aye	
Esteban L. Bovo, Jr.	nay	Daniella Levine Cava	nay
Jose “Pepe” Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 3<sup>rd</sup> day of October, 2019. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



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

HARVEY RUVIN, CLERK

By: Linda L. Cave  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "Shannon D. Summerset-Williams", is written over a horizontal line.

Shannon D. Summerset-Williams



April 22, 2019

Mr. Jack Osterholt  
Deputy Mayor  
Miami-Dade County  
Stephen P. Clark Center  
111 NW 1<sup>st</sup> Street, Suite 2910  
Miami, FL 33128

RE: Non-Confidential Project: ESTEEL

Dear Mr. Osterholt:

Attached please find the applications for Project: ESTEEL to Miami-Dade County's Targeted Jobs Incentive Fund (TJIF) and the State of Florida's Qualified Targeted Incentive (QTI). Project: ESTEEL is a Steel Micro and Rolling Mill Facility using over 98% recycled scrap material collected by local scrap metal yards, obtained by discarded automobiles and indoor appliances, to manufacture Construction Steel Rebar, Merchant Bars and Wire Rods. The project will create 180 direct new jobs with an average annualized salary of \$48,750 (greater than the State of Florida average annual wage) over a 3-year period and make a new capital investment of \$224,000,000 in Miami-Dade County. Although there are two Folio numbers associated with the site, this application is only tied to Folio No. 30-7901-000-0120. The proposed development will be located on approximately 400,000 SF of land within Folio 30-7901-000-0120 near SW 127th Avenue and Saint Nazaire, part of Unincorporated Miami-Dade County (Moss/Dist.9), where the company expects to positively impact the community and surrounding communities. Alternate location options include Weber County, Utah and Navajo Reservation Tribal Lands New Mexico.

We are referring this application to your office for review and preparation of a resolution to the Miami-Dade Board of County Commissioners requesting a maximum of \$5,000,000 to be paid over a period of ten years. Attached is the project briefing book as well as the economic impact analysis prepared by The Beacon Council's Research Department.

We are requesting that the item be placed on the next possible BCC agenda.

Thank you,

A handwritten signature in black ink, appearing to read "James Kohnstamm".

James Kohnstamm  
Senior Vice President  
Economic Development

Enclosures

Copy: Leland Salomon

**State of Florida  
Qualified Targeted  
Industry (QTI)  
&  
Miami-Dade County  
Targeted Jobs Incentive  
Fund (TJIF)**

**Project ESTEEL**

**April 2019**

**Prepared by Miami-Dade Beacon Council**

## **Executive Summary for Project ESTEEL**

### **Background**

Project: ESTEEL is a Steel Micro and Rolling Mill Facility using over 98% recycled scrap material collected by local scrap metal yards, obtained by discarded automobiles and indoor appliances, to manufacture Construction Steel Rebar, Merchant Bars and Wire Rods. The project will create 180 direct new jobs with an average annualized salary of \$48,750 (greater than the State of Florida average annual wage) over a 3-year period and make a new capital investment of \$224,000,000 in Miami-Dade County. The proposed development will be located on approximately 400,000 SF of land within Folio 30-7901-000-0120 near SW 127th Avenue and Saint Nazaire, part of Unincorporated Miami-Dade County (Moss/Dist.9), where the company expects to positively impact the community and surrounding communities. Alternate location options include Weber County, Utah and Navajo Reservation Tribal Lands New Mexico.

Based on the capital investment of \$224,000,000 in new real property and personal property, Project: ESTEEL will generate \$7,211,279 in new Miami-Dade County General Fund Taxes over a ten-year period.

Also, based on the projected job creation of 180 new jobs in 3-years with an average salary of \$48,750, Project: ESTEEL will generate \$61,893,772 in direct and indirect wages over a 6-year period.

### **Recommendation**

The enclosed QTI and TJIF application package requests a maximum sum of \$5,000,000. This includes a \$4,892,000 TJIF award paid by Miami-Dade County over a period of ten years and a \$108,000 QTI local match award paid over a period of six years, consistent with state payout schedule. As a manufacturing company, Project ESTEEL qualifies for a state wage waiver of no less than 100% of the State of Florida average annual wage. The resulting positive net fiscal impact of Project Esteel in Miami-Dade County will be \$2,211,279 or 1:1.40.

**This is a performance-based incentive. No funds will be provided to the Company until they meet all program and job creation requirements. The incentive that is provided is not a cash grant; it is an after-the-fact, performance-based refund.**

## INCENTIVE PROPOSAL SUMMARY

### Project ESTEEL

Project Summary	
Project Name	Project: ESTEEL
New Jobs	180
Average Salary	\$48,750
New Capital Investment	\$224,000,000
New Square Footage	400,000
Incentive Breakdown	
Miami-Dade County Incremental Tax Revenue	\$7,211,279
QTI Local Match Award	\$108,000
TJIF Award	\$4,892,000
Net Revenue Benefit to Miami-Dade	\$2,211,279
Total Cost-Benefit Ratio	1:1.40

**TJIF 10-Year Fiscal Analysis: Real Property**  
ESTEEL

Variable	Value	As % of Capital Inv.
Capital Investment	\$131,000,000	100.0%
Market/Capital Inv Ratio	0.85	
Assessed Value	\$111,350,000	85.0%
Budget Adjustment Factor	0.95	
Available for Ad-valorem Taxes, year 1	\$105,782,500	80.8%
Annual Net Appreciation Rate	1.50%	
Available for Ad-valorem Taxes, year 2	\$107,369,238	
Available for Ad-valorem Taxes, year 3	\$108,979,776	
Available for Ad-valorem Taxes, year 4	\$110,614,473	
Available for Ad-valorem Taxes, year 5	\$112,273,690	
Available for Ad-valorem Taxes, year 6	\$113,957,795	
Available for Ad-valorem Taxes, year 7	\$115,667,162	
Available for Ad-valorem Taxes, year 8	\$117,402,169	
Available for Ad-valorem Taxes, year 9	\$119,165,202	
Available for Ad-valorem Taxes, year 10	\$120,950,650	
Countywide GF Millage per \$1000	4.6669	
10-Year Additional General Fund Tax Revenue	\$5,289,680.56	4.0%
Average Yearly Additional Tax Revenue	\$528,968	
<b>Base TJIF Award/Tax Increment</b>	<b>\$2,803,400</b>	<b>2.140%</b>
TJIF Base Award	0	
TJIF Bonus Awards	0	
Green Business Certification	0	0.220%
Designated Priority Area Award	0	0.220%
Green Certified Building Award	0	0.063%
Alt. Energy Producer or Installer Award	0	0.063%
Maximum Potential TJIF Award	\$2,803,400	2.140%

Total Tax Increment  
Maximum Miami-Dade County Award  
TJIF minus Local Portion of QT  
Miami-Dade County Match of QT (20%)  
State Match of QT (80%)  
**TOTAL INCENTIVE**

**TJIF 10-Year Fiscal Analysis: Personal Property**  
ESTEEL

Variable	Value	As % of Capital Inv.
Capital Investment	\$93,000,000	100.0%
Market/Capital Inv Ratio	0.85	
Assessed Value	\$79,050,000	85.0%
Budget Adjustment Factor	0.95	
Available for Ad-valorem Taxes, year 1	\$75,097,500	80.8%
Annual Depreciation (Value)*	\$7,509,750	
Available for Ad-valorem Taxes, year 2	\$67,587,750	
Available for Ad-valorem Taxes, year 3	\$60,078,000	
Available for Ad-valorem Taxes, year 4	\$52,568,250	
Available for Ad-valorem Taxes, year 5	\$45,058,500	
Available for Ad-valorem Taxes, year 6	\$37,548,750	
Available for Ad-valorem Taxes, year 7	\$30,039,000	
Available for Ad-valorem Taxes, year 8	\$22,529,250	
Available for Ad-valorem Taxes, year 9	\$15,019,500	
Available for Ad-valorem Taxes, year 10	\$7,509,750	
Countywide GF Millage per \$1000	4.6669	
10-Year Additional General Fund Tax Revenue	\$1,927,598.88	2.1%
Average Yearly Additional Tax Revenue	\$192,759.89	
<b>Base TJIF Award/Tax Increment</b>	<b>\$1,339,200</b>	<b>1.440%</b>
TJIF Base Award	0	
TJIF Bonus Awards	0	0.220%
Green Business Certification	0	0.220%
Designated Priority Area Bonus Award	0	0.063%
Green Certified Building Bonus Award	0	0.063%
Alt. Energy Producer or Installer Bonus Award	0	0.063%
Maximum Potential TJIF Award	\$1,339,200	1.440%

\* Depreciation based on 10% scrap value at end of 10th year and taken on straight line basis.

2016	\$844,149
2017	\$816,507
2018	\$788,976
2019	\$761,557
2020	\$734,254
2021	\$707,066
2022	\$679,996
2023	\$653,046
2024	\$626,217
2025	\$599,512

2016	\$4,142,600.00
2017	\$414,260.00
2018	\$414,260.00
2019	\$414,260.00
2020	\$414,260.00
2021	\$414,260.00
2022	\$414,260.00
2023	\$414,260.00
2024	\$414,260.00
2025	\$414,260.00
Sum	\$5,150,600.00

Tax Increment \$7,211,279  
Net Fiscal Imp \$2,211,279  
B/C Ratio 1.40  
Job Bonus \$1,008,000

**Proposed Job Bonus**  
For every additional 50 jobs created an additional .15% of total investment will be added at the end of the 10th year. All jobs promised will have to be in place (no partial credit will be given). For this project the bonus (180 jobs) will be equal to:  
\$22400000 \* .0015 \* 3 = \$1008000

\$1,008,000

## INCENTIVE PROPOSAL CHECKLIST

### ESTEEL LLC

1. Enterprise Zone:	No
2. Number of New Jobs Projected:	180
3. Average Salary per Job:	\$48,750
4. New Capital Investment:	\$224,000,000
5. New Square Footage:	400,000
6. Per Job Incentive:	\$3,000

### QUALIFIED TARGET INDUSTRY TAX REFUND (QTI) BASED UPON THE CREATION OF

180 New Jobs Over 3 Years

#### TOTAL QTI TAX REFUND

1. State of Florida Portion (80%)	\$432,000
2. Miami-Dade County Match (20%)	\$108,000
Total QTI Tax Refund Proposal	\$540,000

#### RETURN ON INCENTIVE INVESTMENT (ROI)

1. Miami-Dade County Incremental General Tax Revenue*	\$4,131,922	
2. Total Miami-Dade County (20%) QTI Match	\$108,000	\$18,000
3. Miami-Dade County Net Revenue Benefit	\$4,023,922	
Total ROI Gain/Loss/Breakeven	1: 38.26	
1. Miami-Dade County Total Property Tax Revenue	\$15,502,786	
2. Total Miami-Dade County (20%) QTI Match	\$108,000	\$18,000
3. Miami-Dade County Total Net Revenue Benefit	\$15,394,786	
Total ROI Gain/Loss/Breakeven	1: 143.54	



ENTERPRISEFLORIDA.COM



April 19, 2019

James Kohnstamm  
Senior Vice President  
Beacon Council  
80 SW 8<sup>th</sup> Street, Suite 2400  
Miami, FL 33130

Governor Ron DeSantis,  
Chairman

Jamal Sowell,  
Florida Secretary of Commerce,  
President & CEO

Dear Mr. Kohnstamm:

As a manufacturer establishing in Florida, Enterprise Florida supports the ESTEEL QTI application that includes a wage waiver reducing the requirement from 115% of the average wage to 100% of the average wage in the State of Florida (\$47,775).

ORLANDO  
800 North Magnolia Avenue  
Suite 1100  
Orlando, Florida 32803  
T: 407-956-5600

MIAMI  
201 Alhambra Circle  
Suite 610  
Coral Gables, Florida 33134  
T: 305-808-3600

Sincerely,

Tim Johns  
Senior Director

TALLAHASSEE  
101 North Monroe Street  
Suite 1000  
Tallahassee, Florida 32301  
T: 850-208-6020

**APPLICATION\***  
**Private Companies**

**1. SIGNATURE**

The undersigned person hereby affirms that he or she has been duly authorized and empowered to verify, execute and deliver this Application, that he or she will read this Application (including all attachments hereto) and he or she has knowledge of all of the facts stated herein, and that this Application, and all information submitted in connection herewith, shall be complete and accurate and shall contain no misstatements, misrepresentations, or omissions of material facts, to the best of his or her knowledge and belief.

Signature Gustavo Lopez

Date 4/18/19

Name

Gustavo Lopez

Title

Chief Executive Officer

Company

ESTEEL

**2. BUSINESS INFORMATION**

- A. Legal name of the Applicant: ESTEEL
- B. Please provide contact information for the primary contact at the Applicant.

Name

Gustavo Lopez

Title

Chief Executive Officer

Telephone No.

(305) 803-4843

Email Address

glsteel45@gmail.com

Street Address

151 SE 15<sup>th</sup> Road #1901

City

Miami

State

FL

Zip Code

33129

Country

USA

C. Name of Ultimate Parent Company:

City

State/Province

Country

\* For an explanation of certain capitalized terms used in this Application, please see Appendix 1.  
Revised 08/18

- D. List each **Principal Executive Officer, director (or any person who performs a similar function regardless of title, e.g., a manager of a limited liability company or a general partner of a limited partnership) of the Applicant and the Ultimate Parent Company (if applicable), and any person or entity that Controls the Applicant.** Attach additional sheets if necessary.

Name: <i>(First, Middle-Initial, Last)</i>	Title or Position	Percent of Ownership, if Greater than 50%
Gustavo Lopez	Chief Executive Officer	52%
	President (if different than CEO)	
	Chief Operating Officer	
	Chief Financial Officer	
	Chief Legal Officer/General Counsel	
Shana Cox (Board Member)	Director (i.e., member of the board of directors if a corp.) or Manager (i.e., member of the board of managers if an LLC)	25%
Julio Gimenez (Director of Construction Markets and Board Member)	Director (i.e., member of the board of directors if a corp.) or Manager (i.e., member of the board of managers if an LLC)	23%
	Director (i.e., member of the board of directors if a corp.) or Manager (i.e., member of the board of managers if an LLC)	

- E. Applicant's Federal Employer Identification Number:  
**82-5180742**
- F. Applicant's Reemployment Assistance Number (Formerly Unemployment #)  
**3548066**
- G. Applicant's Florida Sales Tax Registration Number (if applicable):  
**23- 80176638707**
- H. Last day of Applicant's fiscal year (e.g., December 31, September 30, etc.):  
**December 31<sup>st</sup>**
- I. Total number of employees (on a Full-Time Equivalent Job Basis) who are currently employed by the Ultimate Parent Company and its Subsidiaries (including the Applicant) in Florida: **0**
- J. Total number of employees (on a Full-Time Equivalent Job Basis) who are currently employed by the Ultimate Parent Company and its Subsidiaries (including the Applicant) worldwide: **0**

<sup>1</sup> If not applicable, write "N/A".

<sup>2</sup> For example, chief executive officer, director, stockholders that directly or indirectly own more than 50% of the capital stock or other equity interests of the Applicant or the Ultimate Parent Company, etc.

<sup>3</sup> This should **only be included** if the individual directly or indirectly **owns more than 50%** of the capital stock or other equity interests of the Applicant or the Ultimate Parent Company.

K. What type of legal entity is the applicant?

C-Corporation  S-Corporation   
Limited Liability Company  Partnership

L. Is it presently anticipated that the Applicant will have corporate income tax liability in Florida?<sup>4</sup>

Yes  No

M. Is the applicant a small business (i.e., is the aggregate net worth of the Applicant, the Ultimate Parent Company and its Subsidiaries (other than the Applicant) less than \$5,000,000 or does the Applicant have a Small Business Administration 8(a) certification)?

Yes  No

N. Is the applicant a veteran-owned business (i.e., is the business at least 51% owned and controlled by one or more veterans)?

Yes  No

### 3. PROJECT OVERVIEW

A. Which of the following best describes the Applicant:

- New business to Florida  
 Existing Florida business creating and/or retaining jobs<sup>5</sup>

B. How many employees of the Applicant, the Ultimate Parent Company and its Subsidiaries (other than the Applicant) will be transferred from other Florida locations in connection with the Project (on a Full-Time Equivalent Job Basis), please indicate the number of employees being transferred and from which Florida county? **N/A**

C. Please describe the Project, including the specific business activity(ies) and functions of the Project: **ESTEEL is contemplating developing a 224 Million Dollar Steel Micro and Rolling Mill Facility using over 98% recycled scrap material collected by local scrap metal yards, obtained by discarded automobiles and indoor appliances, to manufacture Construction Steel Rebar, Merchant Bars and Wire Rods.**

D. What is the anticipated commencement date of the Project? **3<sup>rd</sup> Quarter 2020**

<sup>4</sup> In most cases, limited liability companies, S corporations, and partnerships will not have corporate income tax liability.

<sup>5</sup> A QTI Tax Refund award cannot be granted for existing Florida jobs.  
Revised 08/18

E. Break down of the Project's primary business activity(ies)/job functions and the corresponding wages:

Applicant's Activities	6 Digit NAICS Code(s)	Project Function (total = 100%)	Average Annualized Wage (\$)
Iron and Steel Pipe and Tube Manufacturing	331210	30%	\$48,750
Iron and Steel Mills and Ferroalloy Manufacturing	331110	70%	\$48,750

F. Please provide the address of the proposed permanent location of the Project:

*Street Address*

FOLIO 30-7901-000-0120

City Miami

State Florida

Zip Code 33033

G. Will the Project be located in a current or proposed Brownfield Area?

Yes  No

If Yes, does the proposed site have a Brownfield Site Rehabilitation Agreement in place or are you pursuing one?

Yes  No  If yes, identify the site number?

Will the Project be located in a designated Rural Area of Opportunity?

Yes  No  If yes, which area?

Will the Project be located in an Urban area?<sup>6</sup>

Yes  No  If yes, describe?

H. Which of the following best describes the location of the Project:

- Regional headquarters If it is a regional headquarters, what region?
- National headquarters
- International headquarters
- Not applicable

I. Please provide an estimate of the percentage of goods or services from the Project that will be sold or delivered to customers outside of Florida:

% 50 Explain, if necessary:

#### 4. JOB AND WAGE OVERVIEW

A. How many new-to-Florida Full-Time Equivalent Jobs are projected to be created as part of the Project? ESTEEL will provide 180 Direct Jobs within Miami-Dade County.

<sup>6</sup> An Urban area may include a Community Redevelopment Area (CRA), Urban Job Tax Credit eligible area, Federal Empowerment Zone, and an Urban Revitalization Area.

- B. If the Applicant operates in Florida, how many of the Applicant's Full-Time Equivalent Jobs in Florida that would have otherwise moved to another state are projected to be retained as part of the Project? **0**
- C. What is the projected annualized average wage (excluding benefits) of the retained Full-Time Equivalent Jobs in Florida listed in Section 4(B) above (if any)?<sup>7</sup> **N/A**
- D. What is the projected annualized average wage (excluding benefits) of the new Full-Time Equivalent Jobs Florida jobs created as part of the Project?<sup>8</sup> **\$48,750**
- E. What is the projected annualized average cost to the Applicant of benefits for each Full-Time Equivalent Job created and retained as part of the Project? **\$12,000**
- F. Please list the benefits that are included in the above calculation (e.g., health insurance, matching 401(k) contributions, etc.)? **Health insurance and 401K**
- G. Does the applicant contract with a Professional Employer Organization (PEO) and have a PEO relationship with that PEO? Yes  No
- If Yes, please provide the company name:

#### 5. CAPITAL INVESTMENT OVERVIEW

- A. Describe the capital investment in connection with the Project in real and personal property (Examples: construction of new facility; remodeling of facility; upgrading, replacing, or buying new equipment.): **Construction of New Facility, Installation of New Micro Mill equipment, Purchase of Land, Utility Upgrades and Road Remediation.**
- B. Identify whether the Project will be located in a/an:
- Leased space with renovations or build out
  - Newly constructed building(s) on newly acquired land
  - Newly constructed building(s) on previously acquired land
  - Newly acquired existing building(s) with renovations
  - Addition to previously acquired existing building(s)
  - Other (please describe in 5A above)
- C. List the projected capital investment to be made in Florida in connection with the Project (by type and year):

Calendar Year:	2020	2021	2022	2023	2024	Total
Land or Building Purchase	\$17,000,000	\$0	\$0	\$0	\$0	\$17,000,000
Construction / Renovations	\$72,000,000	\$10,000,000	\$18,000,000	\$0	\$0	\$100,000,000
Manufacturing Equipment	\$600,000	\$0	\$0	\$0	\$0	\$600,000
Predevelopment, Engineering and Investments	\$13,400,000	\$0	\$0	\$0	\$0	\$13,400,000

<sup>7</sup> All cash payments to the employees (other than reimbursements of business expenses) should be included.

<sup>8</sup> Id.

Other Equipment (computer equipment, office furniture, etc.)	\$0	\$0	\$0	\$0	\$0	\$0
Total Capital Investment	\$103,000,000	\$10,000,000	\$18,000,000	\$0	\$0	\$131,000,000

D. List the projected capital investment to be made outside of Florida, for equipment that will be located at the Project location in connection with the Project (by type and year):

Calendar Year:	2020	2021	2022	2023	2024	Total
Manufacturing Equipment	\$0	\$54,600,000	\$36,400,000	\$0	\$0	\$91,000,000
R&D Equipment	\$0	\$0	\$0	\$0	\$0	\$0
Other Equipment (computer equipment, office furniture, etc.)	\$0	\$2,000,000	\$0	\$0	\$0	\$2,000,000
Total Capital Investment	\$0	\$56,600,000	\$36,400,000	\$0	\$0	\$93,000,000

E. What is the estimated square footage of the new or expanded facility? **400,000 Sq/Ft**

#### 6. COMPETITIVE LANDSCAPE

- A. What role will the incentive(s) play in the Applicant's decision to locate the Project in Florida? **Since the micro mill is a new industry in South Florida, identifying, training and certifying employment candidates are substantial initial for the facility thereby necessitating these incentives for locating in Florida.**
- B. What other states or countries (including the cities) is the Applicant considering for the Project? **Weber County, Utah and Navajo Reservation Tribal Lands New Mexico**
- C. What advantages or incentives offered by these locations does the Applicant consider important in its decision? **Real estate tax exemption, sales tax accreditation, workforce training incentives, infrastructure funds and free land**
- D. What advantages or disadvantages offered by the proposed Florida location does the Applicant consider important in its decision? **TJIF and QTI grants, employee training**
- E. Indicate any additional internal or external competitive issues impacting the Applicant's decision regarding the Project's location? **Lack of real estate tax exemption and the site is designated a CERLA Superfund site but not a Brownsfield site. Currently there are conversations to designate the parcel a Brownsfield. Miami-Dade's advantage is both available workforce and the price of Scrap metal is the cheapest in the U.S.**

#### 7. DISCLOSURE

- A. In the past 10 years, has (1) the Applicant, the Ultimate Parent Company or any of its Subsidiaries, (2) any Principal Executive Officer of the Applicant or the Ultimate Parent Company or (3) any entity that any Principal Executive Officer of the Applicant or the Ultimate Parent Company Controls or Controlled been convicted of or pled guilty or nolo contendere ("no contest") in a domestic, foreign or military court to any Felony or Misdemeanor involving fraud,

false statements or omissions, wrongful taking of property, bribery, perjury, forgery or a conspiracy to commit any of these offenses?

If yes,

Yes  No  explain?

- B. Is (1) the Applicant, the Ultimate Parent Company or any of its Subsidiaries, or (2) any Principal Executive Officer of the Applicant or the Ultimate Parent Company or (3) any entity that any Principal Executive Officer of the Applicant or the Ultimate Parent Company Controls (a) the subject of a pending criminal prosecution or governmental enforcement action in any jurisdiction; (b) to the best of the Applicant's knowledge after due inquiry, the subject of any criminal, civil, or regulatory investigation by any law enforcement authority in the State of Florida, or any regulatory body in the State of Florida; or (c) subject to any unsatisfied tax liens in Florida or judgment liens in any jurisdiction in the U.S.?

If yes,

Yes  No  explain?

- C. In the past 5 years, has (1) the Applicant, the Ultimate Parent Company or any of its Subsidiaries, (2) any Principal Executive Officer of the Applicant or the Ultimate Parent Company or (3) any entity that any Principal Executive Officer of the Applicant or the Ultimate Parent Company Controls or Controlled (a) been named as a DEFENDANT in any civil litigation or arbitration in any jurisdiction, (b) had an application for license, or a license or its equivalent, to practice any profession or occupation denied, suspended or revoked in any jurisdiction, or (c) been subject to a bankruptcy or insolvency petition in any jurisdiction?

If yes,

Yes  No  explain?

#### 8. CONFIDENTIALITY

In accordance with Section 288.075 of the Florida Statutes, the Applicant may request that Enterprise Florida, Inc. and the Department of Economic Opportunity maintain the confidentiality of all information regarding the Project (including information contained in this application) for the lesser of a 12 month period after the date of this application (which may be extended for an additional 12 months upon request), 6 months after the issuance of the final project order approving the project or until the information is otherwise disclosed.

Please indicate whether the Applicant is requesting confidential treatment of the Project in accordance with Section 288.075 of the Florida Statutes. (Does not apply to SDST sales tax exemption applicants.)

No

\*\*\*PLEASE BE SURE TO ATTACH THE PROPER INCENTIVE ATTACHMENT SHEET(S).\*\*\*



# ESTEEL

## **Section 3 Project Overview Question I. Explanation**

Steel Prices are predicated on transportation costs. The further the end user is from the mill, the higher the price of steel. This principle drives steel manufacturing as a commodity that focuses on local markets rather than interstate and international markets.

However, ESTEEL does intend to sell products out of state and internationally (Caribbean Basin) as percentage amount is stipulated on Section 3 question I. This amount will increase as market conditions change over time.

# Qualified Target Industry Tax Refund Attachment to the General Project Overview

**ESTEEL**

Name of Business

FOR EFI USE ONLY		
Date Received	Date Revised	Date Completed
EFI Project Number		

*Must be a separate business unit or reporting unit of a business unit that is or will be registered with the State of Florida for unemployment compensation purposes.*

**IMPORTANT NOTE:** This application must be filed and the incentive approved *prior* to making the decision to expand an existing Florida business unit or to locate a new business unit in Florida.

\*\*\*Be sure to submit the General Project Overview and Local Support Resolution<sup>1</sup> following passage by the City / County\*\*\*

## 1. PROJECT EMPLOYMENT AND WAGE COMMITMENTS

**A. What is the total number of net new full-time equivalent Florida jobs created by the project at the business unit??** 180

**B. Provide the job creation schedule to which you commit:** (Please limit the phases to a maximum of three consecutive years and job creation to no less than ten jobs in the first year).

Phase	Number of net new full-time equivalent Florida jobs created in the business unit	Date by which jobs will be created
I	130	2021
II	40	2022
III	10	2023
<b>Total</b>	<b>180</b>	

**C. For the purposes of certification, agreement, and claim review, indicate the average wage and corresponding threshold (percentage) to which you commit:**

Check the relevant box (only one) and fill in the first field (wage commitment) and second field (county, state, or MSA used).

- \$48,750, which is at least 100% of the average wage in Florida.
- \$\_\_\_\_\_, which is at least 150% of the average wage in \_\_\_\_\_.
- \$\_\_\_\_\_, which is at least 200% of the average wage in \_\_\_\_\_.

## 2. LOCAL FINANCIAL SUPPORT

**A. Identify the local government(s) anticipated to provide local financial support<sup>2</sup>:**

Miami-Dade County

**B. Indicate the date(s) the QTI support resolution(s) is / are anticipated to be passed by the local government:**

2019


<sup>1</sup> Submit the resolution adopted by the local governing body recommending the applicant be approved as a QTI Business unit and indicating the amount of local financial support that has been committed. Resolution should clearly indicate waivers requested and justification for such waivers.

<sup>2</sup> Must be a minimum of 10 new jobs and a 10 percent increase in current business unit employment (if an existing Florida business).

<sup>3</sup> The total QTI award may not exceed five times the local financial support provided by the community. If the community has requested a local financial support waiver or the support is provided in the form of ad valorem tax abatement, the QTI award will be reduced by this amount.

# Qualified Target Industry Tax Refund Attachment to the General Project Overview


## 3. SIGNATURES

  
 Signature of Individual Completing this Attachment  
 (If different from General Project Overview)

4/18/19  
 Date

1515E 15 RD #1901, MIAMI, FL 33129  
 Address (if different)

305-803-4843  
 Phone Number (if different)

  
 Signature (Authorized Company Officer) REQUIRED

4/18/19  
 Date

CEO - GUSTAVO LOPEZ

**Name and Title of Authorized Officer**

## 4. KEY QTI PROGRAM INFORMATION

- The tax refund claim form will be due by January 31<sup>st</sup> each year for the number of jobs on December 31<sup>st</sup> of the previous calendar year. Tax refunds paid per state fiscal year (July 1 – June 30) may not exceed 25 percent of the total tax refund award associated with the phase(s) scheduled.
- The total award will be equal to \$9,000 (\$6,000 in Enterprise Zones or Rural Counties) times the number of jobs reported in Item 1A. Additional per job bonuses may be available; however, the QTI award may not exceed five times the local financial support paid by the community.
  - o \$1,000 per job if the average annual wage is at least 150% of the area's average, or \$2,000 per job if the average annual wage is at least 200%.
  - o \$2,000 per job if the business falls within a designated high impact sector OR if the business increases exports of its goods through a seaport or airport in the state by at least 10 percent in value or tonnage in each year of receiving a QTI refund.
  - o \$2,500 per job if the project locates in a designated Brownfield area (Brownfield Bonus).
  - o \$1,000 per job if the local financial support is equal to the base QTI award.
- If in any year the applicant does not achieve the job creation schedule outlined in Item 1C, but achieves at least 80% of the required net new jobs, the company will receive a pro-rated refund less a 5% penalty of the scheduled award amount for that year. If job creation falls below 80% of the required jobs, the company will not receive a refund and will be terminated from the program. Similarly, if the average wage falls below the wage committed to in 1C, the company will not receive a refund and will be terminated from the program.
- For an expanding Florida business unit
  - o Existing number of full-time equivalent Florida jobs must be maintained for the duration of the QTI agreement.
  - o The average wage commitment should include wages paid for only the net new to Florida jobs, as shown on the unit's UCT-6 form. The applicant will be required to establish a tracking mechanism to distinguish between existing versus new jobs and employees filling those jobs. Contact Enterprise Florida for more information.
- QTI eligible jobs are those that are physically located within the State of Florida and located at the facility listed as the proposed location address in question 2G of the General Project Overview or subsequent QTI contract with the State of Florida. If any jobs will not be physically located at the proposed location address, contact Enterprise Florida to discuss the situation. Jobs that are paid out of the proposed location address facility but are not located at that facility or in the State of Florida are not considered net new jobs for QTI purposes.
- A qualified target industry business that fraudulently claims a refund under 288.106(2), Florida Statutes:
  - o Is liable for repayment of the refund to the account, plus a mandatory penalty in the amount of 200 percent of the tax refund which shall be deposited into the General Revenue Fund.
  - o Is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- Qualified Target Industry Tax Refund, Section 288.106, Florida Statutes.

**QUALIFIED TARGET INDUSTRY LOCAL JOBS  
COMMITMENT**

This Qualified Target Industry Local Jobs Commitment (the "Commitment") is made this 18 day of April, 2019 ("Effective Date"), by :  
ESTEEL, a Limited Liability Company, the address of which is 151 SE 15<sup>th</sup> Road #1901 Miami, FL 33129 ("Business"); and given as a material inducement to Miami-Dade County, a political subdivision of the State of Florida the address of which is 111 NW First Street, Miami, Florida 33128, Attn: Deputy Mayor ("County").

**WITNESSETH**

WHEREAS, the County approved Resolution R-1175-16 set forth policy requiring QTI businesses to fill not less than 20 percent on the jobs created on a project with residents of Miami-Dade County ("local residency requirement") as a condition of the Miami-Dade County Board of County Commissioners adopting a resolution recommending that the project be approved as a Qualified Target Industry business; and

WHEREAS, the Board finds that attracting, retaining and providing favorable conditions for the growth of target industries provides high quality employment opportunities for residents of this county and enhances the county's economic foundations; and

WHEREAS, the State requires an applicant requesting certification as a qualified target industry business to include with its application, among other things, a resolution adopted by the board of county commissioners of the county in which the project will be located that recommends that the target industry business be approved as a qualified target industry business exist ("Resolution of Support"); and

WHEREAS, such board of county commissioners may condition its support and recommendation; and

WHEREAS, the State also requires funding from local sources, public or private, ("Local Financial Support") to be paid to the Economic Development Trust Fund equal to 20 percent of the annual tax refund for a qualified target industry business; and

WHEREAS, in each application of a business seeking to be certified as a qualified target industry business, the Board has provided the Local Financial Support from Miami-Dade County's General Fund revenue; and

WHEREAS, although Miami-Dade County has provided the Local Financial Support, there has been no guarantee or requirement that the business would hire or employ any residents of Miami-Dade County; and

WHEREAS, it is in the best interest of Miami-Dade County and its residents to ensure that residents of Miami-Dade County have the opportunity to be employed in the high wage jobs created by the qualified target industry businesses, especially when Miami-Dade County funds are being used to finance 20 percent of the tax refunds to those businesses through the Local Financial Support.

**NOW THEREFORE**, effective as of the Effective Date, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Business agrees as follows:

1. Recitals: The foregoing recitals are true and correct and are incorporated into this Agreement;
2. Business shall ensure that twenty (20) percent of new hires created on the Project (as that term is defined and set forth in the Business' application to the State of Florida for the qualified industry business tax refund) are residents of Miami-Dade County.
3. Business shall allow County staff to conduct annual site visits, and such other site visits as the County deems necessary, to ensure compliance with local residency requirement.
4. Business shall, upon request of County, provide County with such documentation as requested by County to evidence that the Business is in compliance with the requirement that twenty percent of new hires are County residents. Any such documentation requested by the County shall be provided to the County not more than five business days after the request is made.
5. Business understands and agrees that County shall have no obligation to pay the Local Financial Support until such time as the Business has met the local residency requirement contained herein and proven such compliance to the satisfaction of County.
6. Business understands and agrees that in the event County is required by the State of Florida to pay the Local Financial Support before the Business has complied with the local residency requirement contained herein or notwithstanding Business' failure to comply with the local residency requirement, Business shall refund directly to County all amounts expended by County for the Local Financial Support within ten business days of the County making such payment to the State of Florida.
7. Business understands and agrees that in the event Business fails to comply with the local residency requirement and provide documentation or such other proof satisfactory to County to evidence such compliance, Business shall pay to the County, within ten business days of demand an amount equal to the total Local Financial Support contained and set forth in the Resolution of Support for the Business, without regard to whether the County has actually paid such amounts.

Local Jobs Commitment contained herein the County would not adopt the Resolution of Support and provided the Local Financial Support. Business further acknowledges and agrees that without the County's Resolution of Support and the Local Financial Support, Business would not be eligible to receive any tax refund as set forth in Florida Statutes Chapter 288, including not only the twenty percent Local Financial Support, but the eighty percent funded by the State of Florida.

9. Successors and Assigns: This Commitment shall bind Business and its legal representatives, successors and assigns.

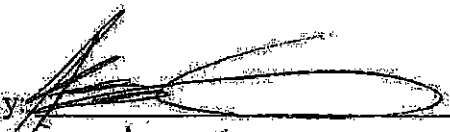
10. Attorneys' Fees: In the event of any litigation concerning the enforcement of this Commitment, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs, through the appellate level, from the non-prevailing party.

**WAIVER OF JURY TRIAL: BUSINESS WAIVES ITS RIGHT TO TRIAL BY JURY IN ANY ACTION, WHETHER ARISING IN CONTRACT OR TORT, BY STATUTE OR OTHERWISE, IN ANY WAY RELATED TO THIS THIS COMMITMENT. THIS PROVISION IS A MATERIAL INDUCEMENT FOR COUNTY'S RESOLUTION OF SUPPORT AND LOCAL FINANCIAL SUPPORT**

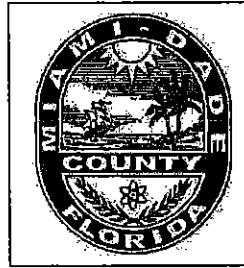
IN WITNESS WHEREOF, the Business has executed this Agreement, as of the day and year first written above.

BUSINESS: ESTEEL, LLC

  
\_\_\_\_\_  
GUSTAVO A. LOPEZ

By:   
\_\_\_\_\_  
Name: Luis Gomez  
Title: Principal

# Miami-Dade County, Florida



## Application and Agreement for Targeted Jobs Incentive Fund (TJIF)

**ESTEEL**

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Name of Business

(Note: If the name of company is confidential at time of application, said company name shall be provided and appended to this Application and Agreement within 60 days of being approved by the County.)

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. 18-36, as may be amended.



**The Beacon Council**  
80 S.W. 8<sup>th</sup> Street, Suite 2400  
Miami, FL 33130

Phone: 305-579-1300  
[www.beaconcouncil.com](http://www.beaconcouncil.com)

## **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.
- 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 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 Mayor or Mayor's designee after a showing of good cause.
- 1.3 Although the TJIF program is available to companies countywide, it is also used to encourage investment and the creation of jobs in Designated Priority Areas (DPA) i.e. Enterprise Zones, Empowerment Zones, Targeted Urban Areas, Community Development Block Grant eligible areas, and Brownfield areas, by providing business with additional incentives if the Company locates within these specified areas.
- 1.4 The TJIF program is strictly a performance-based incentive that is disbursed to the Company after it has met all of its job creation projections, average salary commitment, capital investment commitments and all other requirements of the program.

## **Section 2. Eligibility Criteria**

- 2.1 The Targeted Jobs Incentive Fund (TJIF) is available to companies in the following industries:
  - a. Advance Manufacturing;
  - b. Aviation/Aerospace;
  - c. Clean Energy including, but not limited to, Solar Photovoltaic and Solar Thermal Energy, Biofuels, Smart Grid Technologies, Energy Storage, and Ocean Energy;
  - d. Financial/Professional Services;
  - e. Homeland Security/Defense;
  - f. Information Technology;
  - g. Life Sciences;
  - h. Creative Industries including, but not limited to, Fashion and Lifestyles;
  - i. Global Logistics;
  - j. Headquarters including regional headquarters ( NAICS Code 5511); and
  - k. Any industry designated as a "Target industry business" under the State of Florida's Qualified Target Industry ("QTI") program, Section 288.106(1) of the Florida Statutes.

The Board of County Commissioners, at its discretion, may waive the eligible industry requirement at the request and recommendation of The Beacon Council and the County Mayor and County Mayor's designee.

- 2.2 The Company must create at least 10 new jobs and make a minimum capital investment of at least \$3 million.
- 2.3 The County Commission, recognizes its responsibility to set a community standard that permits full-time workers to live above the poverty line. Therefore, the TJIF Program will not be available to companies that pay any of their employees less than the Living Wage Rate as defined in Section 2-8.9 of the Code of Miami-Dade County, as adjusted annually by the Department of Small Business Development or its successor department. In addition, the New Jobs promised under the TJIF application/agreement must pay an estimated Average Annual Wage at least equal to the average private sector wage of the County or the statewide private sector average wage. In determining the Average Annual Wage, only New Jobs are to be included and wages for existing jobs shall be excluded from the calculation.
- 2.4 The Company's countywide ad valorem property taxes, excluding debt service, and countywide portion of sale taxes paid must generate sufficient additional general fund tax revenue to the County in order to fund the award. Additional general fund tax revenue generated by the project shall be determined by using a methodology acceptable to the County.
- 2.5 An economic impact analysis of the project will be determined using a professionally accepted econometric model such as Department of Commerce, BEA RIMS-II; Minnesota Implan Group, IMPLAN V.3; or REMI, Inc., REMI Model PI+, and reviewed by the County's Chief Economist.
- 2.6 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 date when the project will be completed. Disbursements of the TJIF award to the Company will only be made after it has achieved the capital investment and job creation benchmarks set forth in the Application and Agreement, and all other terms of the TJIF program.
- 2.7 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 identify the other metro areas being actively considered as locations for the project.

### **Section 3. Award Amounts Provided By Miami-Dade County**

- 3.1 The TJIF Program is structured so that revenues received from the TJIF project will meet or exceed incentives paid by the County. As a result, the TJIF Program has a positive revenue impact on the countywide general fund during the incentive payout period. TJIF incentives are disbursed over a ten-year period, subsequent to the capital investment of the TJIF project appearing on the tax roll,

and may equal up to 2.140 percent of the total real property capital investment and up to 1.440 percent of the tangible personal property capital investment. The TJIF project is eligible for additional incentive amount, for both real property and tangible personal property capital investment, if it is:

- a. A Miami-Dade County "green certified" business, as applicable (an additional 0.220 percent);
- b. Located in a DPA (an additional 0.220 percent);
- c. Located in a "green certified" building pursuant to Section 2-1258 (an additional 0.063 percent); and/or
- d. Classified as having its principal business activity in the manufacturing, installation, and repair of Solar Thermal and Photovoltaic energy production or other clean energy project (an additional 0.063 percent).
- e. A project that creates more than 50 new jobs (an additional 0.015 percent of the total amount of the Project's Capital Investment in taxable real property and tangible property for every 50 new jobs created).

In no case will TJIF incentive disbursements exceed the amount of additional countywide ad valorem generated by the TJIF project. In the event that the actual capital investment is less than the amount of capital investment stated in the application, the TJIF project will only be eligible to receive an incentive based on the approved percentage of the actual capital investment.

Applications for a TJIF award within Miami-Dade County are evaluated on a case-by-case basis.

- 3.2 A TJIF award is usually provided to a Company for a period of up to ten (10) years 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. 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.
- 3.3 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 if the project is located in a Designated Priority Area. However, the Board of County Commissioners, at its discretion, may waive the applicable \$5 million or \$7.5 million total award cap at the request and recommendation of The Beacon Council and the County Mayor or the County Mayor's designee. However, in no event shall the total award exceed the amount of countywide general fund ad valorem property taxes paid in as a result of the project. 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.

## Section 4. Payment of Incentive

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- 4.1 The TJIF program is a performance based incentive program; therefore, verification of the new jobs created, capital investment made by the Company, and the additional general fund tax 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 the additional general fund 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's fiscal year that begins on October 1 following the May 15 claims-submission deadline date.
- 4.2 The TJIF incentive award is paid beginning after the first year the new jobs are created. For example, if a Company committed to creating 100 new jobs by December 31, 2018, meets this benchmark (and all other conditions of the incentive award), and submits a claim for disbursement by May 15, 2020, then the first incentive payment will be disbursed in the County's fiscal year that begins on October 1, 2020. Disbursements shall occur according to the disbursement schedule set forth in the Board resolution granting the TJIF award even if all the new jobs are created prior to the end of the disbursement schedule. Payment to the Company will only be made after it has achieved all economic benchmarks. The Company's additional general fund tax revenue paid to Miami-Dade County must be equal to or greater than the Company's TJIF award less the County's portion of any Florida Qualified Target Industry incentive the Company may be receiving for the same project.
- 4.3 The Company must be current on its Miami-Dade County taxes in order to receive the disbursement of its approved TJIF incentive. Failure to meet this condition may cause that year's incentive to be forfeited.
- 4.4 No incentive amounts shall be disbursed after the last fiscal year set forth in the TJIF application agreement and the Board-approved TJIF Resolution. If a company fails to submit an application for reimbursement within three years of the first job creation benchmarks pursuant to Section 9.5 (c) in this application, the TJIF award will be cancelled without notice.
- 4.5 If in any year the applicant does not achieve the job creation schedule outlined in the applicant's approved resolution, but achieves at least 80% of the required net new jobs created, the company will receive a pro-rated incentive award less a 5% penalty of the scheduled award amount for that year. **If job creation falls below 80% of the required jobs, the company will not receive a refund and will be terminated from the program.**

## Section 5. Application Process

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- 5.1 Any Company that meets the criteria and objectives of the TJIF program must submit this Application and Agreement to the County through 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 and submit the application to the County Mayor or County Mayor's designee. An officer of the applying Company must sign the application.

## **Section 6. Review and Approval Process**

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- 6.1 Subsequent to an evaluation of the Application and Agreement by the County, staff will recommend its approval or denial to the County Mayor or the County Mayor's Designee and prepares an agenda item for the next available Board of County Commissioners meeting where the TJIF incentive is considered for approval. The County Mayor or the County Mayor's Designee 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. 18-36, the Board of County Commissioners shall have no obligation to approve any Application and Agreement that comes before it.
- 6.2 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 Application.
- 6.3 If the Board of County Commissioners approves the Application and Agreement, the Company and the County Mayor or the County Mayor's Designee will execute said document(s). Upon request, a Company's confidentiality will be protected for any information regarding a project's location and/or expansion evaluation of any site in Florida in accordance with Sections 288.075 and 288.1066 of the Florida Statutes. If confidentiality is requested, then the Company name and identifying information shall be provided by the Company within 60 days of being approved by the County. Upon said approval, as the applying Company you will be sent a letter by The Beacon Council stipulating the conditions of the approval.
- 6.4 The Company, upon Board of County Commissioners approval, shall submit a current employee roster and tangible personal property and/or real property tax bill(s) for Miami-Dade County within 60 days after the Board's approval of the Application and Agreement.

## **Section 7. Application and Agreement Instructions**

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- 7.1 Please carefully review all Application and Agreement materials.
- 7.2 Contact The Beacon Council at the below address to discuss your project and Application before submitting a formal proposal.
- 7.3 Any information or documents 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.
- 7.4 The completed and signed Application and Agreement must be filed with:

The Beacon Council  
Attn: Dyan Brasington, Executive Vice President  
Targeted Jobs Incentive Fund (TJIF)  
80 S.W. 8<sup>th</sup> Street, Suite 2400  
Miami, Florida 33130  
Phone: 305-579-1343

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7.5 **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 is contemplating such a business decision may, upon request and Beacon Council recommendation, be considered by the County Mayor or the County Mayor's Designee for preserving inducement. If the County Mayor or the County Mayor's Designee authorizes preserving inducement the applying company maintains TJIF program eligibility. See Miami-Dade County Code Section 2-1256 for additional information.

## Section 8. Employer Identification

8.1

Please note: The following information must provide enough space for required answers. Please attach a separate page with the responses to the question number. Please include supporting documentation or explanation with responses where appropriate.

8.2 TARGETED JOBS INCENTIVE FUND (TJIF)

- a) Name of Company: ESTEEL
- b) Mailing Address: 151 SE 15<sup>th</sup> Road #1901 Miami, FL 33129
- c) Primary Company contact-please include phone and fax numbers: Gustavo A. Lopez  
(305) 803-4843
- d) Company's federal employer identification number: 82-5180742
- e) Company's unemployment compensation identification number: 3548066
- f) Company's Florida sales tax registration number: 23-80176638707
- g) List NAICS codes of all activities of the Company: 331210, 331110
- h) Describe the Company's primary business activities: Recycling and Repurposing Scrap Metal for Steel Construction Products
- i) You may request that your project information (including the information contained in this application) be confidential per Section 288.075 of the Florida Statutes, Confidentiality of Records.

YES, we request Confidentiality  
 NO, we do not request confidentiality

- 8.3 a) Is the Company 51% or more minority owned?  YES  NO
- b) If YES, please identify:  Black/African American  Hispanic  Other
- c) Is the Company 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
- 8.4 a) Has the Company or any of its officers ever been subjected to criminal or civil fines and penalties?  
 YES  NO
- b) If YES, please explain: \_\_\_\_\_  
 \_\_\_\_\_

**Section 9. Project Identification / Information**

- 9.1 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) If an expanding business, how many Miami-Dade County-located employees are there currently in the expanding business unit: N/A
- c) Provide a full description of the project: ESTEEL is a \$224 Million Micro Steel Mill and Rolling Mill  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 9.2 Check the appropriate box and complete the line item:
- Project's current location, if applicable: N/A  
 \_\_\_\_\_
- Project's proposed location, if different from above: Possibly located within Folio 30-7901-000-0120 SW 127<sup>th</sup> Avenue and Saint Nazaire Blvd  
 \_\_\_\_\_
- Anticipated Miami-Dade County Commission District(s): 9
- 9.3 Check the boxes that best defines your project:
- |   |                                     |                                   |   |                                     |                            |
|---|-------------------------------------|-----------------------------------|---|-------------------------------------|----------------------------|
| 1 | <input type="checkbox"/>            | regional headquarters office      | 5 | <input checked="" type="checkbox"/> | manufacturing              |
| 2 | <input checked="" type="checkbox"/> | national headquarters office      | 6 | <input checked="" type="checkbox"/> | office/administration      |
| 3 | <input type="checkbox"/>            | world headquarters office         | 7 | <input checked="" type="checkbox"/> | sales & marketing          |
| 4 | <input type="checkbox"/>            | Latin America headquarters office | 8 | <input checked="" type="checkbox"/> | warehousing / distribution |

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

Business Activities	4-digit NAICS Code
<u>Iron and Steel Mill Manufacturing</u>	<u>331130</u>
<u>Steel Product Manufacturing</u>	<u>331210</u>
_____	_____
_____	_____
_____	_____

- 9.5 Project employment and wages:
- a) Existing jobs in Miami-Dade County: 0 (none existing)
  - b) Total number of new jobs projected to be created by the project at the business location indicated in 9.2: 180
  - c) Schedule of additional direct jobs and their average annual wage (not including benefits) created by the project by December 31<sup>st</sup> for each of the years indicated below:

Year	New Jobs	Average Annual Wage
<b>2021</b>	130	\$48,750
<b>2022</b>	40	\$48,750
<b>2023</b>	10	\$48,750

- d) Average annualized value of employer provided benefits associated with each new job created by the project in the first year indicated in (c): \$12,000
  - e) Square footage of proposed location indicated in 9.2 :  
 EXISTING \_\_\_\_\_ NEW: 400,000 SF
- 9.6 a) Anticipated commencement date of project: 3<sup>rd</sup> Quarter 2020
- b) Anticipated timeframe when the project will be completed: 18-24 months
- 9.7 Amount of incentive award requested from Miami-Dade County \$4,892,000 Million (TJIF)

## **Section 10. Project Impact Information**

10.1 Miami-Dade County Ordinance 00-98 as amended by Ordinance 18-36 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.

10.2 **Incentive Rationale:**

Provide a statement, on a separate sheet, 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 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.

10.3 **Project Impact:**

Provide a brief synopsis, on a separate sheet, 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.

10.4 **Corporate Responsibility, Environmental and Growth Management:**

Submit a brief review, on a separate sheet, 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 awards been recommended or received? (Basically, what kind of corporate citizen has the applicant been?)

10.5 **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):

224 Million For the construction of Micro Steel Mill and Rolling Mill utilizing most technologically advanced 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 <u>\$131,000,000</u>	Construction/Renovations: <u>Land, Recycling, Melt and Mill</u>
Amount <u>\$91,000,000</u>	Manufacturing Equipment: <u>Manufacturing Equipment</u>
Amount <u>\$2,000,000</u>	Other Equipment: <u>Computer Equipment/Office Furniture</u>

10.6 **Indicate other incentive programs the Company will be applying for:**

- |  |   |
|--|---|
| <input type="checkbox"/> Enterprise Zone                   | <input type="checkbox"/> Opportunity Zones          |
| <input type="checkbox"/> Refund of Impact Fees             | <input type="checkbox"/> Sales Tax Refunds          |
| X Jobs Tax Credit  | <input type="checkbox"/> Transportation "Road Fund" |
| X Qualified Target Industry                                | <input type="checkbox"/> Quick Response Training    |
| X Other <u>Miami Dade County Economic Development Fund</u> |   |

## Section 11. Please initial below indicating your agreement:

- 11.1  X  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 compliance with the terms of the Application/Agreement and the TJIF program requirements;
- 11.2  X  that compliance with the terms and conditions of the approved Application/Agreement and with the TJIF program requirements is a condition precedent for the receipt of any TJIF award in a fiscal year and that the Company's 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 Mayor or the County Mayor's Designee of the certification of the Company as a TJIF eligible business;
- 11.3  X  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;
- 11.4  X  that Miami-Dade County shall be notified in writing, within 60 days, 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
- 11.5  X  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.
- 11.6  X  that the Company must apply by May 15 in each fiscal year to be considered to receive a TJIF award in the following County fiscal year.
- 11.7  X  that no incentive amounts shall be disbursed after the last fiscal year set forth in the TJIF Application/Agreement and the Board-approved TJIF Resolution. Disbursement dates can only be extended by one year and must be waived/approved by the Board.
- 11.8  X  that if a Company does not achieve the job creation schedule outlined in its approved resolution, but achieves at least 80% of the required net new jobs, the Company will receive a prorated refund less a 5% penalty of the scheduled award amount for that year. **If job creation falls below 80% of the required jobs, the Company will not receive a refund and will be terminated from the program.**
- 11.9  X  that the Company will not enter into a lease agreement before the final approval, without written permission from the County.
- 11.10  X  If a company fails to submit an application for reimbursement within three years of the first job creation benchmarks pursuant to Section 9.5 (c) in this application, the TJIF award will be cancelled without notice.

**THE INFORMATION IN SECTIONS 12-15 TO BE COMPLETED BY THE BEACON COUNCIL**

**Section 12. 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 \$ 7,211,279                      General Fund X  
 Amount \$ \_\_\_\_\_                      Other Taxes \_\_\_\_\_ (List)

**Section 13. If Project will be locating or expanding in a Designated Priority Area (Check all that apply.)**

- Targeted Urban Area or Enterprise Zones \_\_\_\_\_ (indicate specific TUA or EZ)
- Community Development Block Grant area
- Brownfield site
- Opportunity Zone

**Section 14. Application Confirmation**

- 14.1 Company Telephone Contact Number (305) 803-4843
- 14.2 Date Application Received by The Beacon Council 03/01/2019
- 14.3 Date Application Completed/Finalized 04/18/2019
- 14.4 Date Application presented to Miami-Dade County 04/19/2019

**Section 15. Maximum Award and Agreement End Date**

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

- 15.1 \$4,892,000 \_\_\_\_\_: The maximum amount of TJIF cash incentive awards which the Company is eligible to receive on the project.

<u>15.2 Maximum Award in Fiscal Year</u>	<u>Maximum Amount</u>
FY <u>2022-2023</u>	\$ <u>489,200</u>
FY <u>2023-2024</u>	\$ <u>489,200</u>
FY <u>2024-2025</u>	\$ <u>489,200</u>
FY <u>2025-2026</u>	\$ <u>489,200</u>
FY <u>2026-2027</u>	\$ <u>489,200</u>
FY <u>2027-2028</u>	\$ <u>489,200</u>
FY <u>2028-2029</u>	\$ <u>489,200</u>
FY <u>2029-2030</u>	\$ <u>489,200</u>
FY <u>2030-2031</u>	\$ <u>489,200</u>
FY <u>2031-2032</u>	\$ <u>489,200</u>

15.3 The term of this Agreement shall commence upon full execution of this Agreement and continue through 2032, unless terminated earlier in accordance with the Code of Miami-Dade County, Chapter 2, Article LXXXVI, and as further modified by Ordinance No. 11-08, as may be amended.

## **Section 16. Parties**

The parties designate the following offices and addresses:

County: Department of Regulatory and Economic Resources  
 Miami-Dade County  
 111 NW 1<sup>st</sup> Street – 12th Floor  
 Miami, FL 33128

Company: 151 SE 15<sup>th</sup> Road #1901 Miami, FL 33129

## **Section 17. Termination**

17.1 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, and with all requirements of the TJIF Program as set forth in Miami-Dade County Code Sections 2-1251-1260, is a condition precedent for receipt of cash incentive awards each year. The failure to comply with

the terms and conditions of this Agreement and the requirements of the TJIF Program 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 Mayor or the County Mayor's Designee.

- 17.2 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.
- 17.3 This Agreement may be terminated by Miami-Dade County if the Company is delinquent on any Miami-Dade County taxes for a period of two years or longer.

## **Section 18. Legal Requirements**

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- 18.1 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.

IN WITNESS WHEREOF the Parties have caused this Agreement to be executed by their duly authorized representatives on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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 Mayor or Mayor's designee, 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: ESTEEL, LLC

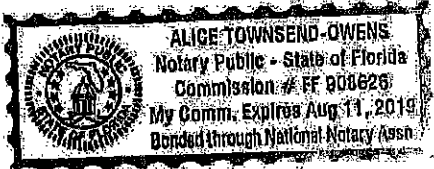
By: [Signature]  
Print: Alice Townsend Owens  
Title: Notary

By: [Signature]  
Print: GUSTAVO B. LOPEZ  
Title: CEO

State of Florida )  
County of Miami-Dade )

The foregoing instrument was acknowledged before me by Gustavo A. Lopez  
CEO (Title), on behalf of ESTEEL, LLC (Company), this 12th day  
of March, 2019.

Notary Public - State of Florida  
Print Name: Alice Townsend Owens  
Commission expires: August 11, 2019



**In response to Section 10.2 of the Targeted Jobs Incentive Program (TJIF) application Incentive Rational statement:** ESTEEL has deemed this incentive program necessary in locating our Recycling Facility in Miami-Dade County. Incentives will assist the company with initial startup costs for training targeting local residents to employ as well as cost savings for utilities and infrastructure. ESTEEL's incentives from Hendry County of (8) years tax exemption, Wavier of all Building/Zoning Fees and up to \$3 Million Dollars for infrastructure to locate the facility. Weber County, Utah has similarly discussed Real Estate Tax Exemption, Infrastructure improvements and Tax Credit Refund of 20% (estimated \$15 million dollars) of all State Revenue if ESTEEL would locate there.

**In response to Section 10.3 of the Targeted Jobs Incentive Program Project Impact:** ESTEEL will create around 2800 new direct, indirect and induced employment, partnering with Neighbors and Neighbors Association to identify training and employment opportunities for 13 most distressed zip codes with Miami Dade County. With over 452,000 or 16.7% of Miami Dade County Citizens living in poverty as per the US Census Bureau 2017 statistics, ESTEEL will identify, train and employ candidates from these economically distressed areas. With our local partners Neighbors and Neighbors, we will create a training program and continuing education program for new hires and current employees for our anticipated growth during operations. The project will also have an impact on indirect jobs.

**In response to Section 10.4, Corporate, Environmental and Growth Management:** ESTEEL will utilize new Green Technologies like Solar Arrays and Rain Water Collection to operate. ESTEEL is a Recycling Micro Mill using 98% recycled materials utilizing New Green technology, projecting 20% of the products to be exported to the Caribbean Basin and locating our national headquarters within the facility. The facility will also utilize solar panels both on the roof of the structure and on solar fields within the facility to provide a percentage of energy needed to operate and the land available is a Superfund site in need of clean up. As per TJIF Section 2.1 Eligibility Criteria, ESTEEL Qualifies under Subsections (a) Advanced Manufacturing, (c) Clean Energy including, but not limited to, Solar Photovoltaic and Solar Thermal Energy, Biofuels, Smart Grid Technologies, Energy Storage, and Ocean Energy, (i) Global Logistics and (j) Headquarters including regional headquarters (NAICS Code 5511).