

MEMORANDUM

Agenda Item No. 3(B)(2)

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

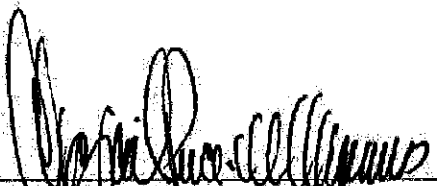
DATE: May 5, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving Confidential Project Vent 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 Confidential Project Vent exists; providing an appropriation of up to \$325,770.00 from Countywide General Fund revenues for Fiscal years 2021-22 through 2030-31; 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-345-20

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



Abigail Price-Williams
County Attorney


APW/lmp

Memorandum



Date: May 5, 2020

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

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Approving Targeted Jobs Incentive Fund Tax Refund for Confidential Project Vent

Recommendation

The Beacon Council, on behalf of Confidential Project Vent, 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 Confidential Project Vent to participate in the TJIF Program. It is also recommended that the Board make available \$325,770.00 in TJIF assistance from Countywide General Fund Revenues.

Scope

Confidential Project Vent is an existing business in Miami-Dade County seeking to expand its operational capacity as an advanced manufacturing company of transportation products. The proposed location is confidential at this time however, the company is looking for a facility in Commission District 12, which is represented by Commissioner Jose "Pepe" Diaz. The company is committing to create 45 new full-time equivalent jobs, as defined in Section 288.106, Florida Statutes, while maintaining 21 existing jobs. 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 \$20,200,000.00 as stated in the attached application, Confidential Project Vent is projected to generate \$606,906.00, over a ten-year period, in incremental property tax revenues to the Countywide General Fund. As a result, the business is eligible to receive \$325,770.00 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 \$225,000.00, of which \$180,000.00 would be provided by the State and \$45,000.00 is the local match to be provided by the County. If approved, the County will provide a total of \$325,770.00 in economic incentives to this business. The Beacon Council projects that the combined TJIF and QTI incentives will result in a positive fiscal impact of \$236,136.00 to the Countywide General Fund revenues.

The actual disbursement of the TJIF Program award is contingent upon verifying the 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. Confidential Project Vent is promising to make a capital investment of \$20,200,000.00 and create 45 new 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

Confidential Project Vent is proposing to build and renovate a new 45,000 square foot manufacturing facility, to expand its design and research/development operations (North American Industry Classification System Code #334413 and #541715). The company plans to commence construction during FY 2020. Alternative locations include Connecticut, Pennsylvania and New York.

As a condition of the TJIF award, Confidential Project Vent agrees that the 45 new workers hired will have an average annual salary of \$68,000.00 (excluding benefits). Employee benefits associated with each newly created job will be \$12,020.00. The value of employee benefits is not a requirement of the TJIF Program. Additionally, the company will maintain the 21 existing jobs at the required wage rate.

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

CONFIDENTIAL PROJECT VENT SUMMARY SHEET	
APPLICANT:	Project Vent
HEADQUARTERS LOCATION:	Miami-Dade County
PROPOSED LOCATION IN MIAMI-DADE COUNTY:	District 12
OTHER LOCATIONS UNDER CONSIDERATION:	Connecticut, Pennsylvania and New York
DATE OF QTI/TJIF APPLICATIONS:	March 9, 2020
OVERALL BUSINESS ACTIVITY/MISSION:	Manufacturing
PROPOSED LOCAL BUSINESS ACTIVITY:	Transportation Products
PROPOSED CAPITAL INVESTMENT:	\$20,200,000.00 (Not a condition of the award)
TARGETED QTI/TJIF INDUSTRIES:	Manufacturing
PROPOSED LOCATION IN DESIGNATED PRIORITY AREA:	No
NEW BUSINESS OR EXPANDING BUSINESS:	Expanding
TOTAL NUMBER OF DIRECT JOBS TO BE CREATED/RETAINED:	45/21
EFFORT IN HIRING RESIDENTS IN LOCAL AREA:	Unknown
ESTIMATED ANNUALIZED AVERAGE WAGES FOR NEW JOBS:	\$68,000.00
ANNUAL EMPLOYEE BENEFIT PACKAGE:	\$12,020.00 (Not a condition of the incentive)
NUMBER OF INDIRECT JOBS TO BE CREATED:	14
NUMBER OF YEARS TO CREATE NEW JOBS:	3
MAXIMUM INCENTIVE PER DIRECT JOB CREATED/RETAINED	\$7,239.33
MAXIMUM INCENTIVE AWARD APPLIED FOR:	\$325,770.00
PROJECTED INCREMENTAL COUNTY TAX REVENUE:	\$606,906.00
TYPE OF FUNDS REQUESTED IN	Countywide General Fund Revenues
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: May 5, 2020

FROM: Abigail 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
Veto _____
Override _____

Agenda Item No. 3(B)(2)
5-5-20

RESOLUTION NO. R-345-20

RESOLUTION APPROVING CONFIDENTIAL PROJECT VENT 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 CONFIDENTIAL PROJECT VENT EXISTS; PROVIDING AN APPROPRIATION OF UP TO \$325,770.00 FROM COUNTYWIDE GENERAL FUND REVENUES FOR FISCAL YEARS 2021-22 THROUGH 2030-31; 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, Targeted Jobs Incentive Fund ("TJIF") Confidential Project Vent's Application ("Application") and Agreement for Targeted Jobs Incentive Fund ("Agreement"), copies of which are incorporated herein by reference; and

WHEREAS, Confidential Project Vent 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 foundation.

Section 3. Authorizes the County Mayor or County Mayor’s designee to execute the Application and Agreement for TJIF between Miami-Dade County and Confidential Project Vent, as a TJIF program business pursuant to the TJIF Ordinance, in substantially the forms 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 Confidential Project Vent exists in an amount not to exceed \$325,770.00, from Countywide General Fund revenues, and is conditioned on and subject to specific annual appropriations by the Board in the following increments:

Fiscal Year 2021-22 - \$32,577.00
Fiscal Year 2022-23 - \$32,577.00
Fiscal Year 2023-24 - \$32,577.00
Fiscal Year 2024-25 - \$32,577.00
Fiscal Year 2025-26 - \$32,577.00
Fiscal Year 2026-27 - \$32,577.00
Fiscal Year 2027-28 - \$32,577.00
Fiscal Year 2028-29 - \$32,577.00
Fiscal Year 2029-30 - \$32,577.00
Fiscal Year 2030-31 - <u>\$32,577.00</u>
TOTAL <u>\$325,770.00</u>

with the provision that any tax abatement granted to Confidential Project Vent 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 Confidential Project Vent with the stipulation Confidential Project Vent is in compliance with the TJIF program as set forth in the TJIF Ordinance, including, but not limited to, the requirement that at least 45 jobs be created. In no

event shall this resolution operate to obligate the County to make disbursements to Confidential Project Vent 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 Confidential Project Vent 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 Vent 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 **Audrey M. Edmonson** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** 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.	absent	Daniella Levine Cava	aye
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		

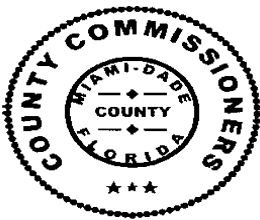
The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of May, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by 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

Melissa Adames

By: _____
Deputy Clerk



Approved by County Attorney as
to form and legal sufficiency.

Shannon D. Summerset-Williams



March 9th, 2020

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

RE: Confidential Project: Vent

Dear Mr. Osterholt:

Attached please find the applications for Confidential Project: Vent to Miami-Dade County's Targeted Jobs Incentive Fund (TJIF) and the State of Florida's Qualified Targeted Incentive (QTI). Confidential Project: Vent is an expansion of an advanced manufacturing company of transportation products and green technology into a proposed 45,000 SF Facility.

The project will create 45 direct new jobs with an average annualized salary of \$68,000 over a 3-year period with a capital investment of \$20,200,000 in Miami-Dade County. Alternate location options include Connecticut, Pennsylvania, and New York.

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 combined maximum award of \$370,770. The QTI award of \$45,000 represents Miami-Dade County's 20% portion to be paid over 6 years and which qualifies at the \$5000/job amount as a High Impact Sector business. The TJIF award of \$325,770 is to be paid over a period of 10 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
Executive Vice President
Economic Development

Enclosures
Copy: Leland Salomon

Miami-Dade County Targeted Jobs Incentive Fund (TJIF)

Project Vent

March 2020

Prepared by Miami-Dade Beacon Council

Executive Summary for Project Vent

Background

Confidential Project: Vent is an expansion of an advanced manufacturing company into a proposed 45,000 SF Facility. The project will create 45 direct new jobs with an average annualized salary of \$68,000 over a 3-year period with a capital investment of \$20,200,000 in Miami-Dade County. Alternate location options include Connecticut, Pennsylvania, and New York.

The proposed development of a 45,000 square foot facility will be in the NW Dade area District 12 of Miami-Dade County where the company expects to positively impact the community and surrounding communities.

Based on the capital investment of \$20,200,000 in new real property and personal property, Confidential Project: Vent will generate \$606,906 in new Miami-Dade County General Fund Taxes over a ten-year period.

Recommendation

The enclosed combined TJIF & QTI application package requests a maximum of \$370,770 to be paid by the County. The resulting net revenue benefit is 1:1.86

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.

Explanation

Both the County 20% portion of the QTI and the TJIF use the general fund as the primary source of revenue to pay out the incentives. The calculations for each of the incentives is done independently through an impact model.

- The Miami-Dade 20% portion of the QTI is \$45,000, paid over 6 years.
- The TJIF is \$325,770, paid over 10 years.
- The total revenue generated by Confidential Project Vent for the use of the TJIF is \$606,906.
- When the TJIF incentive amount of \$325,770 is subtracted from the TJIF revenue of \$606,906, the net revenue to the County is \$281,136.
- This net revenue would have a TJIF ROI of 1:1.86

INCENTIVE PROPOSAL SUMMARY

Project Vent

Project Summary:	
Project Name	Project: Vent
New Jobs	45
Average Salary	\$68,000
New Capital Investment	\$20,200,000
New Square Footage	45,000
Incentive Breakdown:	
Miami-Dade County Incremental Tax Revenue	\$606,906
Local Portion of QTI	\$45,000
Total TJIF Award	\$325,770
Total TJIF + QTI (20%)	\$370,770
Net Revenue Benefit to Miami-Dade	
Net Revenue Benefit to Miami-Dade	\$281,136
Total Cost-Benefit Ratio	1:1.86

INCENTIVE PROPOSAL CHECKLIST

Project Vent

1. Enterprise Zone:	No
2. Number of New Jobs Projected:	45
3. Average Salary per Job:	\$68,000
4. New Capital Investment:	\$20,200,000
5. New Square Footage:	45,000
6. Per Job Incentive:	\$5,000

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

45 New Jobs Over **3** Years

TOTAL QTI TAX REFUND

1. State of Florida Portion (80%)	\$180,000
2. Miami-Dade County Match (20%)	\$45,000
Total QTI Tax Refund Proposal	\$225,000

RETURN ON INCENTIVE INVESTMENT (ROI)

1. Miami-Dade County Incremental General Tax Revenue*	\$344,477	
2. Total Miami-Dade County (20%) QTI Match	\$45,000	\$7,500
3. Miami-Dade County Net Revenue Benefit	\$299,477	
Total ROI Gain/Loss/Breakeven	1: 7.66	
1. Miami-Dade County Total Property Tax Revenue	\$1,306,885	
2. Total Miami-Dade County (20%) QTI Match	\$45,000	\$7,500
3. Miami-Dade County Total Net Revenue Benefit	\$1,261,885	
Total ROI Gain/Loss/Breakeven	1: 29.04	

* See Economic Impact Model

SUMMARY OF ECONOMIC IMPACT

Project Vent

Totals represent what Miami-Dade County would potentially gain over a projected six year period if the business expands in Miami- Dade County.

Employment

Direct Employment	45
Indirect Employment	14
Total Employment Gain	59

Income from Wages

Direct Employment	\$16,702,734
Indirect Employment	\$2,505,410
Total Income Gain	\$19,208,144

Revenue to Miami-Dade County

Total Property Taxes	\$344,477
Total Local Sales Taxes	\$0
Total Tax Revenue Gain	\$344,477
Total Miami-Dade County (20%) QTI Match	\$45,000
Miami-Dade County Net Revenue Benefit	\$299,477

THE BEACON COUNCIL ECONOMIC IMPACT MODEL

Project Vent

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL
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EMPLOYMENT

Total Direct Jobs	15	30	45	45	45	45	
Indirect Employment	5	9	14	14	14	14	

<u>TOTAL EMPLOYMENT</u>	20	39	59	59	59	59	
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INCOME (\$1,000)

WAGES & SALARY

Total Direct Wages	\$1,020.0	\$2,101.2	\$3,246.4	\$3,343.7	\$3,444.1	\$3,547.4	\$16,702.7
Total Indirect Wages	\$153.0	\$315.2	\$487.0	\$501.6	\$516.6	\$532.1	\$2,505.4

<u>TOTAL WAGES & SALARIES</u>	\$1,173.0	\$2,416.4	\$3,733.3	\$3,845.3	\$3,960.7	\$4,079.5	\$19,208.1
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<u>TOTAL INCOME</u>	\$1,173.0	\$2,416.4	\$3,733.3	\$3,845.3	\$3,960.7	\$4,079.5	\$19,208.1
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INCREMENTAL PROPERTY TAXES (\$1,000)

Building & Equipment Taxes

<u>TOTAL PROPERTY TAXES</u>	\$260.3	\$237.4	\$219.6	\$206.0	\$195.6	\$187.9	\$1,306.9
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<u>MIAMI-DADE PROPERTY TAXES</u>	\$68.6	\$62.6	\$57.9	\$54.3	\$51.6	\$49.5	\$344.5
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SALES TAXES (\$1,000)

<u>Available Income</u>	\$1,173.0	\$2,416.4	\$3,733.3	\$3,845.3	\$3,960.7	\$4,079.5	\$19,208.1
Less Federal Income Tax	\$938.4	\$1,933.1	\$2,986.6	\$3,076.2	\$3,168.5	\$3,263.6	\$15,366.5
Less Hous, Ins, Prop Tax	\$703.8	\$1,449.8	\$2,240.0	\$2,307.2	\$2,376.4	\$2,447.7	\$11,524.9
Less Savings, Life Insur.	\$633.4	\$1,304.8	\$2,016.0	\$2,076.5	\$2,138.8	\$2,202.9	\$10,372.4
Less Food, Drugs, Other Non-Tax	\$475.1	\$978.6	\$1,512.0	\$1,557.3	\$1,604.1	\$1,652.2	\$7,779.3

<u>Avail. Income For Sales Tax</u>	\$475.1	\$978.6	\$1,512.0	\$1,557.3	\$1,604.1	\$1,652.2	\$7,779.3
State Sales Tax Realized	\$28.5	\$58.7	\$90.7	\$93.4	\$96.2	\$99.1	\$466.8
Local Sales Tax Realized	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0

<u>TOTAL SALES TAXES (\$1,000)</u>	\$28.5	\$58.7	\$90.7	\$93.4	\$96.2	\$99.1	\$466.8
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TOTAL MIAMI-DADE PROPERTY & SALES TAXES (\$1,000)

\$68.6	\$62.6	\$57.9	\$54.3	\$51.6	\$49.5	\$344.5
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TOTAL PROPERTY & SALES TAXES (\$1,000)

\$288.8	\$296.1	\$310.4	\$299.4	\$291.9	\$287.0	\$1,773.6
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THE BEACON COUNCIL ECONOMIC IMPACT MODEL - ASSUMPTIONS

Project Vent

Employment Assumptions

New Direct Permanent Jobs

Year 1	15
Year 2	30
Year 3	45
Year 4	45
Year 5	45
Year 6	45

Incremental Multiplier 0.30
 * For every 100 direct jobs, 30 indirect jobs will be created. Total multiplier effect is 1.30

Annual Income Assumptions

Yearly Salary, Direct Permanent Job	\$68,000
Indirect Job Salary	\$34,000

Capital Investment

	Total Cap. Inv.
Y1 Value	\$14,704,064
Y2 Value	\$13,408,382
Y3 Value	\$12,405,141
Y4 Value	\$11,634,578
Y5 Value	\$11,049,227
Y6 Value	\$10,611,394

Inflation 103%

Property/Real Estate Taxes

Mill Rate, Less Dade's Revenue	0.01304
Miami-Dade's Revenue Mill Rate	0.00467
Miami-Dade's Total Mill Rate	0.01771
Assessment Value of Real Property (81.6%)	0.816

	Realty Prop.	Equip.
Y1	\$7,833,600	\$6,870,464
Y2	\$7,951,104	\$5,457,278
Y3	\$8,070,371	\$4,334,771
Y4	\$8,191,426	\$3,443,152
Y5	\$8,314,298	\$2,734,930
Y6	\$8,439,012	\$2,172,382

Sales Tax Rates

Calculation: Income Available For Sales Tax

Income Devoted to:	
Federal Income Tax Liability , 20%	0.80
Housing, Insurance, Real Estate Taxes, 25%	0.75
Savings, Life Insurance, 10%	0.90
Food, Drugs, Other Non-Tax Items, 25 %	0.75

Sales Tax Rates

Investment	\$9,600,000	\$10,600,000
Depreciated		\$8,649,600

Florida Sales Tax	6.00%
Miami-Dade County Sales Tax	0.00%
Total Sales Tax	6.00%

Equipment Depreciation 0.20569

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

Date

Name

Title

Project Vent

Company

2. BUSINESS INFORMATION

A. Legal name of the Applicant:

B. Please provide contact information for the primary contact at the Applicant.

Name

Title

Telephone No.

Email Address

Street Address

City

State

Zip Code

Country

C. Name of Ultimate Parent Company (if applicable):

City

State/Province

Country

* For an explanation of certain capitalized terms used in this Application, please see Appendix 1.

Revised 08/18

Page 1 of 8

- 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 ¹ First, Middle Initial, Last	Title or Position ²	Percent of Ownership if Greater than 50% ³
	Chief Executive Officer	
	President (if different than CEO)	51%
	Chief Operating Officer	
	Chief Financial Officer	
	Chief Legal Officer/General Counsel	
	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)	
	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)	
	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)	
	Equity Owner (if greater than 50%)	

E. Applicant's Federal Employer Identification Number:

F. Applicant's Reemployment Assistance Number (Formerly Unemployment #)

G. Applicant's Florida Sales Tax Registration Number (if applicable):

H. Last day of Applicant's fiscal year (e.g., December 31, September 30, etc.): **December 31**

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:

21

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:

¹ If not applicable, write "N/A".

² 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.

³ 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?⁴

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 jobs⁵

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? 0

C. Please describe the Project, including the specific business activity(ies) and functions of the Project: **Confidential Project Vent is an expansion of an advanced manufacturing company to strengthen workforce and provide more space for business workflow, assembly and R&D processes in a 45,000 SF Facility**

D. What is the anticipated commencement date of the Project? **Summer 2020**

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

⁵ A QTI Tax Refund award cannot be granted for existing Florida jobs.

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 (\$)
Design, Manufacturing, and retrofit of products to be used in traction equipment and clean technology	334413	95%	\$68,000
Research & Development	541715	5%	\$68,000

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

TBD

Street Address

TBD (Doral/Medley)

Florida

TBD

City

State

Zip Code

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?⁶

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:

100% Explain, if necessary:

4. JOB AND WAGE OVERVIEW

A. How many new-to-Florida Full-Time Equivalent Jobs are projected to be created **45** as part of the Project?

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 **21** are projected to be retained as part of the Project?

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

- 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)?⁷ \$65,220
- 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?⁸ \$68,000
- 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? \$12,020
- F. Please list the benefits that are included in the above calculation (e.g., health insurance, matching 401(k) contributions, etc.)?
Health Insurance, Dental and Vision Insurance, Life Insurance, 401k, AAA membership
- 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.):

Land and/or building purchase in a short-term scheme; our company aims to do its first buy in 2020. Building construction and/or renovations and improvements are highly necessary to be done in the new property; the proposed facility may require an internal restructure and renovation adapted to our business needs, and all maintenance expenses will be significant for the capital investment. Furniture and fixtures will be required to accommodate the interior of the building; we expect to increase the number of positions in the company, so we anticipate investing in office and computer equipment, devices, etc. Machinery and Equipment purchase required for the design, manufacturing and R&D processes. Software investment, because the nature of our business and our projection on R&D, we will require to do important investments in specific software to excel our designs and tests.

- 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)

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

⁸ Id.

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
Construction / Renovations	\$1,800,000	\$1,400,000	\$1,100,000	\$1,100,000	\$4,200,000	\$9,600,000
Manufacturing Equipment	\$1,500,000	\$500,000	\$500,000	\$500,000	\$2,000,000	\$5,000,000
R&D Equipment	\$600,000	\$700,000	\$800,000	\$900,000	\$1,000,000	\$4,000,000
Other Equipment (computer equipment, office furniture, etc.)	\$500,000	\$200,000	\$200,000	\$200,000	\$500,000	\$1,600,000
Total Capital Investment	\$4,400,000	\$2,800,000	\$2,600,000	\$2,700,000	\$7,700,000	\$20,200,000

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	\$1,200,000	\$450,000	\$450,000	\$450,000	\$1,700,000	\$4,250,000
R&D Equipment	\$600,000	\$700,000	\$800,000	\$900,000	\$1,000,000	\$4,000,000
Other Equipment (computer equipment, office furniture, etc.)	\$250,000	\$100,000	\$100,000	\$100,000	\$250,000	\$800,000
Total Capital Investment	\$2,050,000	\$1,250,000	\$1,350,000	\$1,450,000	\$2,950,000	\$9,050,000

E. What is the estimated square footage of the new or expanded facility? **45,000 SF**

6. COMPETITIVE LANDSCAPE

A. What role will the incentive(s) play in the Applicant's decision to locate the Project in Florida?

- (1) Help to increase technical and production capabilities for new business opportunities by at least 50%, including buying/constructing physical facilities and contributing to creating direct and indirect jobs; (2) Help with new technologies that we can offer to targeted markets in a local and national level, but also on an international platform in 4 to 5 years, (3) Boost local workers' earnings which will increasing tax revenue for the Government, thereby increasing the talented pool of professionals in the county.**

(2)

B. What other states or countries (including the cities) is the Applicant considering for the Project?

Connecticut – Bristol, New York - Monroe County (Rochester), Newark, Staten Island, Pennsylvania - Erie, Pittsburg, Philadelphia

C. What advantages or incentives offered by these locations does the Applicant consider important in its decision?

Connecticut: Manufacturing Innovation Fund: Program assists manufacturers with equipment, research and development, and training. It's the most complete program that could benefit our business for the proposed project.

New York: Manufacturing Assistance Program: \$1 million capital investment machinery, equipment and related costs directly tied to production, which are necessary for the growth and efficiency of our business.

Industrial Effectiveness Program: Provides technical and financial assistance to help manufacturing firms address competitiveness issues that increase productivity, efficiency and market share.

Pennsylvania: Ben Franklin Technology Partners Challenge Grant: Invest in the transformation of the state through creation and expansion of leading and growth businesses.

Infrastructure and Facilities Improvement Program: Multiyear grants to service debt that was incurred to pay the costs of certain infrastructure and facilities improvement projects

- D. What advantages or disadvantages offered by the proposed Florida location does the Applicant consider important in its decision?

Advantages: (1) Our current contracted personnel reside in surrounding areas of where our business is located, and (2) we have developed a strong supply chain base with local suppliers and service providers.

Disadvantages: (1) Limited Incentives for small business, particularly manufacturing enterprises. (2) Most of our main customers are located outside of Florida. (3) Limited availability of highly technical professionals.

- E. Indicate any additional internal or external competitive issues impacting the Applicant's decision regarding the Project's location?

- (1) The nature of our business requires high level technical professionals in Power Electronics.
(2) The cost of living which directly impacts the salary associated with our personnel. (3) The cost of doing business

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?

Yes No If yes, 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.)

Yes No

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

APPENDIX 1

EXPLANATION OF TERMS

The following terms used in this Application have the meanings set forth below:

AFFILIATE – An entity that is controlled, directly or indirectly, by the ultimate parent entity of such person.

APPLICANT – The entity(ies) that will satisfy all job creation and capital investment requirements under the incentive agreement with the Department and which are applying on or amending this Application.

BROWNFIELD Site with a Brownfield Site Rehabilitation Agreement – Has the meaning ascribed to such term in Section 288.107 of the Florida Statutes.

CONTROL – The power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any person or entity that (i) is a director, general partner or officer exercising executive responsibility (or having similar status or functions); (ii) directly or indirectly has the right to vote 50% or more of a class of a voting security or has the power to sell or direct the sale of 50% or more of a class of voting securities; or (iii) in the case of a partnership, has the right to receive upon dissolution, or has contributed, 50% or more of the capital, is presumed to control that company.

DEPARTMENT – The Department of Economic Opportunity.

FELONY – For jurisdictions that do not differentiate between a felony and a misdemeanor, a felony is an offense punishable by a sentence of at least one year imprisonment and/or a fine of at least \$1,000. The term also includes a general court martial.

FOUND – Includes adverse final actions, including consent decrees in which the respondent has neither admitted nor denied the findings, but does not include agreements, deficiency letters, examination reports, memoranda of understanding, letters of caution, admonishments, and similar informal resolutions of matters.

FULL-TIME EQUIVALENT JOB – One employee or two or more employees (without duplication) who perform at least 35 hours of paid work per week.

JOBS – Has the meaning ascribed to such term in Section 288.106 of the Florida Statutes.

MISDEMEANOR – For jurisdictions that do not differentiate between a felony and a misdemeanor, a misdemeanor is an offense punishable by a sentence of less than one year imprisonment and/or a fine of less than \$1,000. The term also includes a special court martial.

NAICS – Those classifications contained in the North American Industry Classification System, as published in 2012 by the Office of Management and Budget, Executive Office of the President, and updated from time to time.

ORDER – A written directive issued pursuant to statutory authority and procedures, including orders of denial, suspension, or revocation; does not include special stipulations, undertakings or agreements relating to payments, limitations on activity or other restrictions unless they are included in an order.

PRINCIPAL EXECUTIVE OFFICER – With respect to any entity, such entity's chief executive officer, chief financial officer, chief operations officer or any person who performs similar functions regardless of title.

PROJECT – Has the meaning ascribed to such term in Section 288.106 of the Florida Statutes.

RURAL AREA OF OPPORTUNITY – Has the meaning ascribed to such term in Section 288.0656 of the Florida Statutes.

SUBSIDIARY – An entity that is directly or indirectly controlled by the Applicant or the Ultimate Parent.

ULTIMATE PARENT – An entity that directly or indirectly controls the Applicant, which is not directly or indirectly controlled by any other entity.

Qualified Target Industry Tax Refund Attachment to the Application

Project Vent
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 Application and Local Support Resolution¹ 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 unit²? 45

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	15	12/31/2020
II	15	12/31/2021
III	15	12/31/2022
Total	45	

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).

- \$68,000, which is at least 115% of the average wage in Miami-Dade County.
- \$, 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 support³:

Miami-Dade County

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

¹ 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.

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

³ 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 Application

3. SIGNATURES

Signature of Individual Completing this Attachment
(if different from Application)

Date

Address (if different)

Phone Number (if different)

Signature (Authorized Company Officer) REQUIRED

Date

Name and Title of Authorized Officer

4. KEY QTI PROGRAM INFORMATION

- The tax refund claim form will be due by January 31st each year for the number of jobs on December 31st 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 \$3,000 (\$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.
 - \$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%.
 - \$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 of airport in the state by at least 10 percent in value or tonnage in each year of receiving a QTI refund.
 - \$2,500 per job if the project locates in a designated Brownfield area (Brownfield Bonus).
 - \$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:
 - Existing number of full-time equivalent Florida jobs must be maintained for the duration of the QTI agreement.
 - 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 Application 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*:
 - 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.
 - 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.



ENTERPRISEFLORIDA.COM



March 9, 2020

James C. Kohnstamm
Executive Vice President
Economic Development
80 SW 8th Street, Suite 2400
Miami, Florida 33130

*Governor Ron DeSantis,
Chairman*

*Jamal Sowell,
Florida Secretary of Commerce
President & CEO*

Re: Confidential Project Vent

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

Dear Mr. Kohnstamm:
Enterprise Florida supports the application of Confidential Project Vent and is recommending an award of \$5,000 per new job which includes a \$2,000 bonus per new job for businesses in the High Impact Sector.

MIAMI
201 Alhambra Circle
Suite 610
Coral Gables, Florida 33134
T 305-808-3660

If you have questions about Florida's incentives process, please do not hesitate to contact me at 407.956.5679.

TALLAHASSEE
101 North Monroe Street
Suite 1000
Tallahassee, Florida 32301
T 850-298-6620

Sincerely,

Tim Vanderhoof
Senior Vice President, Business Development
Enterprise Florida, Inc.

**QUALIFIED TARGET INDUSTRY LOCAL JOBS
COMMITMENT**

This Qualified Target Industry Local Jobs Commitment (the "Commitment") is made this 09 day of March, 2020 ("Effective Date"), by : Project Vent , an S-Corporation , the address of which _____ ("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.
8. Business acknowledges and agrees that the representations, warranties, covenants and agreements contained in this Commitment constitute a material inducement to the County to adopt the Resolution of Support and provide the Local Financial Support and that without the

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:

_____, a

By: _____

Name: _____

Title: _____

TJIF 10-Year Fiscal Analysis: Real Property
Project Vent

Variable	Value	As % of Capital Inv
Capital Investment	\$9,600,000	100.0%
Market/Capital Inv Ratio	0.85	
Assessed Value	\$8,160,000	85.0%
Budget Adjustment Factor	0.95	
Available for Ad-valorem Taxes, year 1	\$7,752,000	80.8%
Annual Net Appreciation Rate	1.50%	
Available for Ad-valorem Taxes, year 2	\$7,868,280	
Available for Ad-valorem Taxes, year 3	\$7,986,304	
Available for Ad-valorem Taxes, year 4	\$8,106,099	
Available for Ad-valorem Taxes, year 5	\$8,227,690	
Available for Ad-valorem Taxes, year 6	\$8,351,106	
Available for Ad-valorem Taxes, year 7	\$8,476,372	
Available for Ad-valorem Taxes, year 8	\$8,603,518	
Available for Ad-valorem Taxes, year 9	\$8,732,571	
Available for Ad-valorem Taxes, year 10	\$8,863,539	
Countywide GF Millage per \$1000	4.6669	
10-Year Additional General Fund Tax Revenue	\$387,201.02	4.0%
Average Yearly Additional Tax Revenue	\$38,720	
TJIF Incentive Awards	Value	As % of Capital Inv
Base TJIF Award/Tax Increment	\$205,440	2.140%
TJIF Base Award	0	
TJIF Bonus Awards	\$0	0.220%
Green Business Certification	\$0	0.220%
Designated Priority Area Award	\$0	0.063%
Green Certified Building Award	\$6,029	0.063%
Alt. Energy Producer or Installer Award	\$211,469	2.203%
Maximum Potential TJIF Award		

Total TJIF Amount \$325,770
 Local Portion of QTI \$45,000
 State Portion of QTI \$180,000
 TOTAL INCENTIVE \$550,770.00

TJIF 10-Year Fiscal Analysis: Personal Property
Project Vent

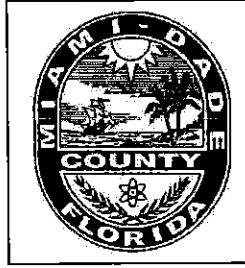
Variable	Value	As % of Capital Inv
Capital Investment	\$10,000,000	100.0%
Market/Capital Inv Ratio	0.85	
Assessed Value	\$9,010,000	85.0%
Budget Adjustment Factor	0.95	
Available for Ad-valorem Taxes, year 1	\$8,550,300	80.8%
Annual Depreciation (Value)*	\$855,950	
Available for Ad-valorem Taxes, year 2	\$7,705,550	
Available for Ad-valorem Taxes, year 3	\$6,847,600	
Available for Ad-valorem Taxes, year 4	\$5,994,650	
Available for Ad-valorem Taxes, year 5	\$5,135,700	
Available for Ad-valorem Taxes, year 6	\$4,279,750	
Available for Ad-valorem Taxes, year 7	\$3,423,800	
Available for Ad-valorem Taxes, year 8	\$2,567,850	
Available for Ad-valorem Taxes, year 9	\$1,711,900	
Available for Ad-valorem Taxes, year 10	\$855,950	
Countywide GF Millage per \$1000	4.6669	
10-Year Additional General Fund Tax Revenue	\$219,704.82	2.1%
Average Yearly Additional Tax Revenue	\$21,970.48	
TJIF Incentive Awards	Value	As % of Capital Inv
Base TJIF Award/Tax Increment	\$152,640	1.440%
TJIF Base Award	0	
TJIF Bonus Awards	\$0	0.220%
Green Business Certification Bonus Award	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	\$6,657	0.063%
Maximum Potential TJIF Award	\$159,297	1.509%

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

State Portion of QTI	\$180,000
Local Portion of QTI	\$45,000
Job Bonus	\$0.00
B/C Ratio	1.86
Net Fiscal Imp	\$281,136
Tax Incentment	\$606,906
Sum	\$525,770.00

Tax Incentment \$606,906
 Net Fiscal Imp \$281,136
 B/C Ratio 1.86
 Job Bonus \$0.00

Miami-Dade County, Florida



Application and Agreement for Targeted Jobs Incentive Fund (TJIF)

Project Vent

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. 8th Street, Suite 2400
Miami, FL 33130

Phone: 305-579-1300
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

- 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

- 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

- 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

- 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: James Kohnstamm, Executive Vice President
Targeted Jobs Incentive Fund (TJIF)
80 S.W. 8th Street, Suite 2400
Miami, Florida 33130
Phone: 305-579-1300

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 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.

8.2 TARGETED JOBS INCENTIVE FUND (TJIF)

- a) Name of Company: _____
- b) Mailing Address: _____
- c) Primary Company contact-please include phone and fax numbers: _____
- d) Company’s federal employer identification number: _____
- e) Company’s unemployment compensation identification number: _____
- f) Company’s Florida sales tax registration number: _____
- g) List NAICS codes of all activities of the Company: **334413 and 541715**
- h) Describe the Company’s primary business activities: **R&D, design and manufacturing of products for transportation systems and green energy.**
- 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.

 X 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 Women Owned
- 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: 21
 - c) Provide a full description of the project: Confidential Project Vent is an expansion of an advanced manufacturing company to strengthen workforce and provide more space for business workflow, assembly and R&D processes in a 45,000 SF Facility
- 9.2 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, Medley, or Doral
 - Anticipated Miami-Dade County Commission District(s): District 12
- 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 type="checkbox"/> national headquarters office	6 <input type="checkbox"/> office/administration
3 <input type="checkbox"/> world headquarters office	7 <input type="checkbox"/> sales & marketing
4 <input type="checkbox"/> Latin America headquarters office	8 <input 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
RESEARCH & DEVELOPMENT	541715
MANUFACTURING	334413

9.5 Project employment and wages:

a) Existing jobs in Miami-Dade County 21

b) Total number of new jobs projected to be created by the project at the business location indicated in 9.2: 45

c) Schedule of additional direct jobs and their average annual wage (not including benefits) created by the project by December 31st for each of the years indicated below:

Year	New Jobs	Average Annual Wage
2020	15	68K
2021	15	68K
2022	15	68K

d) Average annualized value of employer provided benefits associated with each new job created by the project in the first year indicated in (c): \$12,020.00

e) Square footage of proposed location indicated in 9.2 :
 EXISTING 11,000 SF NEW: 45,000 SF

9.6 a) Anticipated commencement date of project: Summer of 2020

b) Anticipated timeframe when the project will be completed: 2024

9.7 Amount of incentive award requested from Miami-Dade County \$370,770

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.
(Attached)

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.
(Attached)

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?)
(Attached)

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): **Land and/or building purchase in a short-term scheme; our company aims to do its first buy in 2020. Building construction and/or renovations and improvements are highly necessary to be done in the new property; the proposed facility may require an internal restructure and renovation adapted to our business needs, and all maintenance expenses will be significant for the capital investment. Furniture and fixtures will be required to accommodate the interior of the building; we expect to increase the number of positions in the company, so we anticipate investing in office and computer equipment, devices, etc. Machinery and Equipment purchase required for the design, manufacturing and R&D processes. Software investment, because the nature of our business and our projection on R&D, we will require to do important investments in specific software to excel our designs and tests.**

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>\$ 9,600,000.00</u>	Construction/Renovations	<u>Improvements</u>
Amount <u>\$ 5,000,000.00</u>	Manufacturing Equipment	<u>Machinery</u>
Amount <u>\$ 5,600,000.00</u>	Other Equipment	<u>Furniture, Devices, Computers</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 |
| <input type="checkbox"/> Jobs Tax Credit | <input type="checkbox"/> Transportation "Road Fund" |
| <input checked="" type="checkbox"/> Qualified Target Industry | <input type="checkbox"/> Quick Response Training |
| <input checked="" type="checkbox"/> Other <u>Incumbent Worker Training</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.
- 11.11 X that the company agrees to pay ALL current employees the Living Wage Rate pursuant to the attached Living Wage Rate notification published by the Internal Services Department, Small Business Development Division.

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 \$ <u>606,906</u>	Property Taxes	<u>General Fund</u>
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 _____
- 14.2 Date Application Received by The Beacon Council 02/19/2020
- 14.3 Date Application Completed/Finalized 03/06/2020
- 14.4 Date Application presented to Miami-Dade County 03/10/2020

Section 15. Maximum Award and Agreement End Date

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

- 15.1 \$ 325,770: 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>2021-2022</u>	\$ <u>32,577</u>
FY <u>2022-2023</u>	\$ <u>32,577</u>
FY <u>2023-2024</u>	\$ <u>32,577</u>
FY <u>2024-2025</u>	\$ <u>32,577</u>
FY <u>2025-2026</u>	\$ <u>32,577</u>
FY <u>2026-2027</u>	\$ <u>32,577</u>
FY <u>2027-2028</u>	\$ <u>32,577</u>
FY <u>2028-2029</u>	\$ <u>32,577</u>
FY <u>2029-2030</u>	\$ <u>32,577</u>
FY <u>2030-2031</u>	\$ <u>32,577</u>

15.3 The term of this Agreement shall commence upon full execution of this Agreement and continue through 2030-2031, 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 1st Street – 12th Floor
 Miami, FL 33128

Company: _____

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

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 _____, _____.

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: _____

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: _____

EXHIBIT 1

Question 10.2 Incentive Rationale

The TJIF incentive award will help to increase Confidential Project Vent's technical and production capabilities for new business opportunities by at least 50%, including buying/constructing physical facilities and contributing to creating direct and indirect jobs. As far as research and development, it will help with new technologies that we can offer to targeted markets in a local and national level, but also on an international platform in 4 to 5 years. We believe the award will help with our supply chain contributing to the expansion of local suppliers and service providers. It will also allow for increment technical skills of our personnel through training, boosting local workers' earnings which will increasing tax revenue for the Government, thereby increasing the talented pool of professionals in the county.

According to our internal research regarding potential communities we are considering outside the state of Florida, the following cities and states are offering programs to expand and relocate our business:

Connecticut - Bristol:

- **Manufacturing Innovation Fund:** This program assists manufacturers like us with equipment, research and development, and training. It's the most complete program that could benefit our business for the proposed project.

New York - Monroe County (Rochester), Newark, Staten Island:

- **Manufacturing Assistance Program:** \$1 million capital investment machinery, equipment and related costs directly tied to production, which are necessary for the growth and efficiency of our business.
- **Industrial Effectiveness Program:** Provides technical and financial assistance to help manufacturing firms address competitiveness issues that increase productivity, efficiency and market share.

Pennsylvania - Erie, Pittsburg, Philadelphia:

- **Ben Franklin Technology Partners Challenge Grant:** Invest in the transformation of the state through creation and expansion of leading and growth businesses.
- **Infrastructure and Facilities Improvement Program:** Multiyear grants to service debt that was incurred to pay the costs of certain infrastructure and facilities improvement projects.

Exhibit 2

Question 10.3 Project Impact

Confidential Project Vent will generate a positive impact to the community and will stimulate the economy in a broad swath of sectors.

1. Increasing job offers in specialized areas, our business will attract talented professionals in the high technology sector, and this will allocate us as a potential competitor to similar industries located in areas such as Silicon Valley, San Francisco, Seattle and other ones.
2. These professionals will be remunerated accordingly to their expertise and knowledge, and it is expected that such high remunerations will contribute in renting, or even better, investing in properties in Miami-Dade County. Moreover, it is expected they will expend in goods and services for themselves and their families that could subsequently contribute to Miami-Dade's economy in terms of revenues and taxes.
3. We are currently working hand-in-hand with local universities, bringing on board last year students from engineering departments; in this win-win relationship we share our experience and mentoring, giving them professional and technical tools to their future profiles.
4. Lastly, but not less importantly, Confidential Project Vent will contribute to the Government's plan on reducing the unemployment rate of the state and provide more jobs directly and indirectly to the County, significantly and positively impacting the whole community of Miami-Dade.

Exhibit 3

Corporate Sustainability Report

Environmental Awareness, Innovation, Employees & Safety

Confidential Project Vent strives to ensure its business operations are eco-friendly and have minimal impact on the environment. We are committed to reducing our carbon footprint by reducing our energy and water consumption, as well as waste management. We value our workforce and take pride in educating and training our employees to ensure that decisions and business practices adhere to our code of conduct, employee handbook and procedures. We recognize the importance of providing a safe and healthy workplace for our employees. Therefore, we ensure that all aspects of our business operations are handled by trained, prepared and conscious individuals who always maintain a safe environment.

Ethics and Governance, Business Partners and Suppliers, Our People

Confidential Project Vent's commitment to managing its business operations in an ethical manner with integrity and honesty; apparent not only in our conduct but also in how we educate and train our employees. We provide our employees with resources that are intended to guide them in performing their duties in a responsible manner. We work with suppliers who portray environmental awareness, human rights advocacy, high quality standards and integrity.

Human Rights, Inclusion & Diversity, Environment

Following principles found in the *Universal Human Rights Declaration*, we refuse to do business with those who do not share our commitment to equal rights for all. As a company we strive to exhibit excellence through every area of our business, we endeavor to entrust our employees with the needed tools and equipment to combat discrimination, harassment, and violence. We believe a diverse and inclusive workforce because it is our belief that we work better because of our differences, not despite them. Our employees are one of its greatest assets and therefore, it is our responsibility to ensure our employees are provided with a safe working environment. We ensure our employees are educated and trained on proper safety protocol during our onboarding process.

We focus on the following objectives to help improve the environment:

- Bring sustainability practices to customer projects.
- Reduce energy consumption
- Integrate alternative energy sources into our projects.
- Reduce carbon footprint.
- Use recycled/reused materials.

Actions:

- 1.- Lighting: Installed energy efficient lighting with LED light bulbs. Motion sensors switch on when needed and switch off when an area is unoccupied. Employees are also

instructed to switch all appliances and computers off at the power source at the end of each day.

2.- Paper/Printers/Photocopier(s): All printers are to have double sided printing set as default setting and single sided printing only when needed. Most printers can only print black & white and color printing is only used when absolutely necessary. We also encourage employees to print what is necessary. Our facility uses a digital archive system and electronic deliveries for payment/orders to reduce our paper consumption.

3.- Waste: We reduce waste where possible.

4.- Recycling: We ensure employees separate the trash from materials which are recyclable by placing two different bins one for waste and one for recyclable materials. We use recycled materials to build/furnish office furniture and donates on a regular basis any furniture not in use by our facility to charities. We reuse packaging materials for outgoing shipments, such as boxes, packing peanuts and packing paper.

5.- Drinking Water: Staff are to use glasses &/or cups from kitchen that can be washed and re-used

6.- Cars: We have established and encouraged employee carpool to reduce gas emissions.

7.- Cool Roof: We have installed a reflecting coating that thermally isolates the building reducing air conditioning energy consumption.

8.- HVAC: Our facility also uses a Smart Air Thermostat which only is in function when the motion sensors are triggered. Once the temperature has reached a certain degree the smart sensor automatically triggers the system for standby operation.

9.- Projects: We specialize in retrofitting old systems our innovative designs have increased efficiency allowing the rolling stock and the parts we assembly to endure longer than most of our competitors. This in turn reduces the amount of material which is discarded into our environment after the rolling stock has reached its performance capacity. Our engineers and laborers use as much of the viable materials found in the old system to be added to our new and improved systems this translates not only to lower costs for our clients but also a sustainable way to reuse the materials as opposed to discarding them. All the unusable materials are sent to the appropriate recycling plant.