



Empowering Businesses. Inspiring Growth.

Dean Tamburri, Acting Chairman / Vice Chairman • **Vincent Odock**, Secretary • **James Rinaldi**, Board Member
Susan Walski, Board Member • **Marc Greene**, Board Member • **Giovanni Palladino**, Board Member • **Jeff Crist**, Board Member
William Fioravanti, Chief Executive Officer • **Susan R. Katzoff**, General Counsel • **Christopher C. Canada**, Bond Counsel

Governance Committee Agenda

PLEASE TAKE NOTICE, The Orange County Industrial Development Agency and Orange County Funding Corp. will hold a Governance Committee Meeting on December 19th, 2023, at 5:00 PM at the Orange County IDA Headquarters, 4 Crotty Lane, Suite 100, New Windsor, NY 12553 to consider and/or act upon the following:

Order of Business

- **Call Meeting to Order**
- **Roll Call**
- **Proof of Notice**
- **Minutes**
 - Approval of Minutes from February 7, 2023 OCIDA Finance Committee Meeting
- **New Business**
 - 2024 Proposed Slate of Officers**
 - *Chair* – Jeffrey Crist
 - *Vice Chair* – Dean Tamburri
 - *Secretary* – Vincent Odock
 - 2024 Proposed Committee Assignments (* Committee Chair)**
 - *Governance* – Crist*, Tamburri, Odock & Palladino
 - *Finance* – Greene*, Tamburri, Rinaldi, Crist
 - *Audit* – Walski*, Greene, Rinaldi
 - *Accelerator* – Tamburri*, Walski, Palladino
 - OCIDA/OCFC Annual Report/Project Updates**
 - *OCIDA-OCFC Project Status Worksheet* (12.15.23)
 - Year-End OCIDA/OCFC Policy Review**
 - *Uniform Tax Exemption Policy* (6.13.19)
 - *Project Approval Policy* (1.18.23)
 - *Recapture Policy* (7.25.23)
 - *Procurement Policy* (2020)
 - *Disposition of Property Policy* (5.14.20)
 - *Local Labor Policy* (1.18.23)
- **Adjournment**

Dated: December 19, 2023

By: William Fioravanti – Chief Executive Officer

Orange County Industrial Development Agency
4 Crotty Lane, Suite 100 • New Windsor, NY 12553
Phone : (845) 234-4192 • Fax : (845) 220-2228 • Email : business@ocnyida.com



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Date: November 30, 2023
From: Dean Tamburri
RE: Next Meeting Date

Governance Committee Meeting Notice

The next Governance Committee Meeting of
the Orange County Industrial Development
Agency is:

Tuesday, December 19, 2023
Immediately following the
OCFC Governance Committee

OC IDA Headquarters
4 Crotty Lane, Suite 100
New Windsor, NY 12553

To watch the livestream, please visit our website: www.ocnyida.com

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New Windsor, NY 12553
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Governance Committee Minutes
Tuesday, February 7, 2023

Due to the declaration of a public health emergency and the social distancing requirements imposed at the Federal, State and local level, this meeting was held in accordance with Executive Order 202.1 by video/telephone conference that was made available to the public.

Committee Members Present: Michael Torelli, Dean Tamburri, Dr. Vincent Odock

Committee Members Absent: Mr. Giovanni Palladino

Staff Present: Bill Fioravanti, Dennis Brady, AV (via Zoom)

I. Call Meeting to Order

Chairman Torelli called the meeting to order at 5:42 pm.

II. Pledge of Allegiance

III. Roll Call

Mr. Fioravanti acknowledged the Committee members present and noted the absence of Mr. Palladino.

IV. Minutes

A MOTION TO ACCEPT THE JANUARY 4, 2023, GOVERNANCE COMMITTEE MEETING MINUTES AS PRESENTED WAS MADE DR. ODOCK, SECONDED BY MR. TAMBURRI, AND PASSED UNANIMOUSLY.

V. New Business

Proposed Fee Schedule Changes (revised)

The Board reviewed Mr. Fioravanti's comparative analysis of fees other IDAs charge which included an annual administrative fee, closing fee, bond issuance fee, amendments and assignment fee, and local labor monitoring fees. He noted some changes that were made according to feedback the Board provided at the January 4, 2023 Board meeting. Mr. Fioravanti's proposed suggestions will be presented to the full Board for review.

Proposed By-Laws Changes

Mr. Fioravanti reviewed each proposed change, discussed removing job titles that do not apply to the OCIDA at this time, and verbiage that counsel suggested be revised, amended, and/or clarified.

Proposed Revised Application for Incentives - OCIDA and OCFC

Mr. Fioravanti stated that Counsel had reviewed the applications and determined that they were deficient of essential questions. Counsel drafted updated and streamlined applications and added a supplement to address those essential questions.

VI. Adjournment

A MOTION TO ADJOURN THE MEETING WAS MADE BY MR. TAMBURRI, SECONDED BY DR. ODOCK, AND PASSED UNANIMOUSLY.

THE MEETING CLOSED AT 7:06 PM.

APPLICANT	LOCATION	CAPEX	PERMANENT JOBS (FTE)	CONSTRUCTION JOBS (Direct + Indirect)	SALES TAX EXEMPTION SAVINGS	MORTGAGE RECORDING TAX EXEMPTION SAVINGS	PILOT TERM	PILOT SAVINGS	TAX-EXEMPT BONDS	PH AUTH'D	PH DATE	FINAL AUTH	PROJECT STATUS	CONSTRUCTION STATUS	LOCAL LABOR % STATUS
Fiorello (Green Thumb Industries)	Town of Warwick	\$ 154,576,000	179	100	\$ 7,661,875	\$ 24,945	15 YRS	\$ 21,515,000	N/A	1/14/21	2/9/21	3/30/21	CLOSED	Construction mostly complete; Minimal op's began on-site in July '23	82%
Wallkill Owner LLC (initial application re: Wallkill Living Center)	Town of Wallkill	\$ 25,000,000	4	40	\$ 221,000	\$ 187,500	-	-	\$ 18,000,000	2/11/21	3/16/21	-	<i>Application Withdrawn; See project #1096</i>	-	-
CITIVA Medical	Town of Warwick	\$ 49,587,011	164	278	\$ 2,153,125	N/A	15 YRS	\$ 5,740,157	N/A	1/19/22	3/7/22	3/16/22	Applicant still in holding pattern	-	-
Walgreens	Town of Newburgh	\$ 24,000,000	200	-	\$ 1,950,000	\$ -	3 YRS	\$ -	N/A	1/19/22	2/14/22	2/16/22	<i>Unable to come to terms w/NYS</i>	-	-
West Warwick 1 (Convergent Energy)	Town/Village of Warwick	\$ 7,703,704	0	0	\$ 613,407	\$ -	15 YRS	\$ -	N/A	2/16/22	3/7/22	6/15/22	CLOSED	Construction essentially complete, further testing	90%
West Warwick 2 (Convergent Energy)	Town/Village of Warwick	\$ 5,640,212	0	0	\$ 449,102	\$ -	15 YRS	\$ -	N/A	2/16/22	3/7/22	6/15/22	CLOSED	Construction essentially complete, further testing	90%
West Warwick 3 (Convergent Energy)	Town/Village of Warwick	\$ 6,156,085	0	0	\$ 490,178	\$ -	15 YRS	\$ -	N/A	2/16/22	3/7/22	6/15/22	CLOSED	Construction essentially complete, further testing	90%
Mount Saint Mary College	City of Newburgh	-	-	-	N/A	N/A	N/A	\$ -	\$ 56,000,000	3/16/22	4/4/22	4/20/22	CLOSED	This was simply a 'refinancing' of past OCFC bonds	-
Royal Wine Phase I (Goshen Developers JV)	Village of Goshen	\$ 125,000,000	80	701	\$ 3,814,424	\$ 517,000	15 YRS	\$ 24,533,148	N/A	6/15/22	7/19/22	8/17/22	CLOSED	Construction in full-swing, steel erection near complete	85+%
Mack Bros. (Milmar Foods Group)	Town of Goshen	\$ 18,500,000	50	104	\$ 487,500	\$ 75,000	15 YRS	\$ 2,246,325	N/A	8/17/22	11/17/22	12/21/22	Applicant awaiting other approvals	-	-
Scannell Properties #600 LLC & Slate Hill Commerce Center	Town of Waywayanda	\$ 195,500,000	-	1000+	\$ 9,912,500	\$ -	Not Requested	\$ -	N/A	-	-	-	<i>Initial generic application; Replaced by #1092</i>	-	-
Scannell Properties #600 LLC & Amazon.com Services LLC	Town of Waywayanda	\$ 204,401,000	150	1146	\$ 9,912,500	\$ -	Not Requested	\$ -	N/A	2/15/23	3/3/23	5/17/23	<i>Applicant rescinded incentives 10/5/23</i>	-	-
Southern Glazer Wine & Spirits LLC/Slate Hill Property Partners LLC	Town of Waywayanda	\$ 262,500,000	96	1100	\$ 13,812,500	\$ 937,500	6 YRS	TBD	N/A	-	-	-	<i>Application withdrawn on 11/27/23, specifics not provided</i>	-	-
OC Hospitality, LLC (Candlewood Suites)	Town of Wallkill	\$ 14,730,000	20	55	\$ 625,625	\$ 82,500	Not Requested	\$ -	N/A	6/21/23	7/19/23	8/16/23	CLOSED	Construction well underway	85+%
Royal Wine Phase II (RWC only)	Village of Goshen	\$ 68,750,000	55	80	\$ 1,137,500	-	Not Requested	\$ -	N/A	6/21/23	7/17/23	8/16/23	Expected to Close by 12/31/23	-	-
Wallkill Living Center (Wallkill Preservation Limited Partnership)	Town of Wallkill	\$ 33,700,000	4	62	\$ 221,000	\$ 94,500	Not Requested	\$ -	\$ 20,000,000	10/18/23	11/29/23	12/20?	BOD votes on Final Resolution 12/20/23	<i>Note that on 11/16 Applicant withdrew STE MRTE requests</i>	-
SAPA Hospitality (Homewood Suites)	Town of Wallkill	\$ 23,000,000	25	86	\$ 1,444,632	\$ 137,813	Not Requested	\$ -	N/A	10/18/23	11/29/23	12/20?	BOD votes on Final Resolution 12/20/23	-	-
Leentjes Amusements (Castle Fun Center)	Village/Town of Chester	\$ 5,980,000	15	50	\$ 178,750	-	10 YRS	<i>Revised Savings TBD</i>	N/A	11/15/23	12/13/23	Jan/Feb '24	<i>Note that STE shown is only the add'l amount requested for expanded project scope</i>	-	-
TOTALS		\$ 1,224,724,012	1,042	3,802	\$ 55,085,618	\$ 2,056,758	-	\$ 54,034,630	\$ 94,000,000						

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
UNIFORM TAX EXEMPTION POLICY AND GUIDELINES
(Revised June 13, 2019)

The general policy of the Orange County Industrial Development Agency ("Agency") is to grant applicants real property tax abatements (or exemptions) and exemptions from sales, use and mortgage recording taxes as described below. The Agency may grant additional benefits outside the guidelines set forth herein on a case by case basis for a project expected to have a significant economic impact on Orange County as determined by the Agency at its discretion. **This policy supersedes and replaces the policy revised February 15, 2012.**

General Considerations for Financial Assistance and Project Review.

The Agency will consider the following factors, among others, in determining whether to approve a project and financial assistance:

- (i) The extent to which a project will create or retain permanent private sector jobs, including the number of jobs, the quality of and salary for such jobs and any related benefits (healthcare and retirement, for example);
- (ii) The estimated value of any tax exemptions and abatements to be provided;
- (iii) Whether affected tax jurisdictions shall be reimbursed by the project occupant if a project does not fulfill the purposes for which the exemption and abatement were provided;
- (iv) The impact of a proposed project on existing and proposed businesses and economic development projects in the vicinity;
- (v) The amount of private sector investment generated or likely to be generated by the proposed project;
- (vi) The demonstrated public support for the proposed project;
- (vii) The likelihood of accomplishing the proposed project in a timely fashion;
- (viii) The effect of the proposed project on the environment;
- (ix) The extent to which the proposed project will require the provision of additional services, including, but not limited to additional educational, transportation, police, emergency, medical or fire services; and
- (x) The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts.

Attached hereto as Schedule F is the Agency's project grading matrix that, unless otherwise determined by the Agency, will be applied against all projects in determining whether the project qualifies for financial assistance and the amount and duration of any such financial assistance.

A. Real Property Taxes.

The Agency maintains a policy for the provision of real property tax abatements for qualified projects, as allowed under General Municipal Law, Section 874 and Real Property Tax Law, Section 412-a. The abatement provided applies to value added by construction or renovation upon the existing parcel involved; and unless otherwise approved by the Agency, the abatement does not apply to land valuation. Unless otherwise approved by the Agency, the period of the exemption will not exceed the period of respective Agency financing or lease and will be, depending on the nature of the project as further set forth below, for a period of four (4), six (6), ten (10), or in certain cases fifteen (15) years, plus a construction period of up to three (3) years, unless extended for up to twenty (20) years under paragraph "E" below or other length of time determined by the Agency in its discretion depending on the project. The Agency's policy typically results in a graduated schedule of abatement applicable to County, Town, Village, and School taxes.

The ten (10) year schedule will result in increasing percentages of taxes due with a maximum initial abatement of one hundred percent (100%), and annual increases of ten percent (10%) per annum (see Schedule A). Eligible projects include, but are not limited to, industrial, manufacturing or business projects such as agriculture, media, defense, banking and financial, data-processing, medical, insurance, professional office, hospital, life and health care and, at the Agency's discretion, qualifying tourism, retail and recreational facilities.

The fifteen (15) year schedule will result in increasing percentages of tax due with a maximum initial abatement of ninety-five percent (95%) in the first year, annual increases of five percent (5%) per annum for the next nine years, and annual increases of ten percent (10%) per annum for the next five years (see Schedule B). Eligible projects include, but are not limited to, manufacturing, research and development, technology, electronics and micro-electronics, biotech, drug-related, pharmaceutical, life science, telecommunications, nanotech, computer hardware and software, internet, semiconductors, micro-chip, solar, communications, assembly, and processing. The Agency may, at its discretion, provide the above schedule to retail, distribution and other projects.

For certain other projects the Agency, may at its discretion, provide a real property tax abatement equivalent to NYS Real Property Tax Law Section 485-b (see Schedule C).

For qualifying hotel projects the duration of the real property tax abatement shall be four (4) years (See Schedule D).

For qualifying new distribution/warehouse facilities the duration of the real property tax abatement shall be six (6) years (See Schedule E).

Special district charges, special assessments, and special ad valorem levies (specifically including but not limited to fire district and library district charges), and water charges and sewer charges are to be paid in full in accordance with normal billing practices.

Any deviations from the standard policy will be made only with the specific approval of the Agency's members based on the factors described in the New York State General Municipal Law Section 874(4) (a). The Agency shall comply with all applicable law prior to any deviation.

At the discretion of the Agency, an appraisal may be required.

B. Tax Agreement.

Each project receiving a real property tax abatement will be subject to a Tax Agreement ("Tax Agreement") in a form acceptable to the Agency. A copy of the Tax Agreement together with other applicable forms will be sent to each of the affected taxing jurisdictions within fifteen (15) days of execution. Unless otherwise agreed by the Agency, with written consent from the affected taxing jurisdictions, such payments shall be allocated among the affected taxing jurisdictions in proportion to the amount of real property tax and other taxes which would have been received by each affected taxing jurisdiction had the project not been tax exempt due to the status of the Agency involved in the project.

C. Sales and Use Tax Exemptions.

- (i) Purchases of construction materials and equipment rentals and purchases of project related equipment, furnishings and services are made as agent for the Agency, and are therefore afforded full exemption from local and New York State Sales and Use Taxes until the project is completed (i.e., certificate of occupancy), or such other period of time as approved by the Agency. Operating and maintenance expenses of projects are not incurred as agent of the Agency, and no sales tax exemption is provided thereof.
- (ii) All project applicants must agree in writing to file with the New York State Department of Taxation, in form and at times required, an annual statement of the value of all sales and use taxes exemption claimed in connection with the facility in full compliance with Section 874(8) of the General Municipal Law.
- (iii) The Agency shall comply with New York State General Municipal and any other applicable law requiring recapture of sales and use tax exemptions.

D. Mortgage Recording Tax Exemptions.

- (i) The Agency's Policy is to permit mortgage recording tax exemptions on all project-related financing to the full extent permitted by New York State Law.
- (ii) The Agency may, in its sole discretion, permit mortgage recording tax exemptions on non-project related financings, (eg. second mortgages on the project to secure subordinated indebtedness of the project applicant, or re-financings of existing

mortgages.) In determining whether to permit such exemptions on non-project related financing, the Agency shall consider such factors as it deems appropriate, including but not limited to the use of the property, the degree of investment, the degree and nature of the employment and the economic condition of the areas in which the facility is located.

E. Deviations.

In addition to or in lieu of the foregoing the Agency may determine, on a case by case basis, to deviate from the guidelines described herein or provide additional benefits for a project expected to have significant impact in the locality where the project will be located, or as otherwise determined by the Agency as warranting enhanced financial assistance. Any deviations from the guidelines set forth above require the written notification by the Agency to the chief executive officer of each affected taxing jurisdictions. In determining whether to deviate from the guidelines set forth herein, the Agency may consider any or all of the factors set forth under the heading General Considerations for Financial Assistance and Project Review above, no single one of which is determinative.

F. Recapture of Benefits.

The Agency, at its sole discretion and on a case-by-case basis, may determine (but shall not be required to do so unless otherwise required by all applicable law) with respect to a particular project, that a project has failed to meet its intended goals and to require the applicant to comply with the recapture by the Agency of the value of any or all exemptions from taxation granted with respect to the project by virtue of the Agency's involvement. Events that the Agency may determine will trigger recapture may include but are not limited to:

- (i) Sale or closure of facility;
- (ii) Significant employment reduction or failure to achieve employment projections;
- (iii) Significant change in use in facility;
- (iv) Significant change in business activities or project applicant or operator;
- (v) Material non-compliance with or breach of terms of Agency transaction documents or of zoning or land use laws or regulations or federal, state or local environmental laws or regulations;
- (vi) Failure to comply with Agency and New York State reporting requirements.

If the Agency determines to provide for the recapture with respect to a particular project, the Agency also shall determine the timing and percentage of recapture.

G. Effective Date.

This Uniform Tax Exemption Policy shall be effective as of June 13, 2019 and it shall apply to all projects for which the Agency has adopted or adopts an Inducement Resolution after the effective date of this policy, and all re-financings of any project induced or closed before that date, and any project that may be re-induced by subsequent Agency resolution in order to obtain the benefits provided herein.

H. Amendments.

The Agency by resolution of its members and upon compliance with all applicable law may amend or modify the foregoing policy as it may from time to time determine.

SCHEDULE A

TEN YEAR SCHEDULE

Year of Exemption	Percentage of Tax Abatement
1	100
2	90
3	80
4	70
5	60
6	50
7	40
8	30
9	20
10	10

SCHEDULE B

FIFTEEN YEAR SCHEDULE

Year of Exemption	Percentage of Tax Abatement
1	95
2	90
3	85
4	80
5	75
6	70
7	65
8	60
9	55
10	50
11	40
12	30
13	20
14	10
15	10

SCHEDULE C

“485-B EQUIVALENT” SCHEDULE

Year of Exemption	Percentage of Tax Abatement
1	50
2	45
3	40
4	35
5	30
6	25
7	20
8	15
9	10
10	5

SCHEDULE D

FOUR (4) YEAR SCHEDULE FOR QUALIFYING HOTEL PROJECTS

Year of Exemption	Percentage of Tax Abatement
1	75
2	60
3	50
4	30

SCHEDULE E

SIX (6) YEAR SCHEDULE

Year of Exemption	Percentage of Tax Abatement
1	100
2	80
3	60
4	40
5	20
6	10

SCHEDULE F

AGENCY PROJECT GRADING MATRIX

	Score
1. Strategic Vision (0 OR 5)*:	
a. Does the project fit into preferred industry categories (manufacturing, industrial, medical, office, tourism)?	
b. Capitalizes upon un-or-under-employed, available talent pool?	
2. Ratable Value (Capital Expenditure) (0 – 5):	
a. Investment in property resulting in increased ratables in municipality.	
b. Utilizes brownfield or otherwise “undesirable” parcel	
c. Return non-taxable property tax rolls	
d. “Brownfield remediation” would receive a 5	
3. Number of Jobs (1 – 5):	
a. NOT sliding scale; relative to industry	
4. Quality of Jobs (0 – 5):	
a. Defined as	
0 = ANY jobs at minimum wage	
1 = ALL jobs over \$15/hour	
2 = 25% over \$25/hr plus benefits	
3 = 50% over \$25/hr plus benefits	
4 = 75% over \$25/hr plus benefits	
5 = ALL jobs over \$25/hr plus benefits	
5. Location (1 OR 5):	
a. 1 = In Orange County	
b. 5 = Designated growth zone, as identified by IDA (ex. Port Jervis, Highland Falls)	
6. Desirability (0 – 5)*:	
a. Does the project have local political support?	
i. Support letter from Supervisor/Mayor	
b. Is there favor, locally, for the project?	
c. Is the project remediating a brownfield or repurposing a zombie property?	
d. Is the parcel located in federally distressed area?	
TOTAL	0
* Speculative Buildings - identified as a project built with no end-user committed - result in an automatic 0 in these categories	
2-10 - Low/No PILOT	
11-20 - Medium/Sector-based PILOT	
21-30 - High/Qualifies for "Goliath" PILOT	



OCIDA Project Approval Policy

General Considerations for Financial Assistance and Project Review:

The Orange County IDA (“the Agency”) will consider the following factors, among others, in determining whether to approve a project and financial assistance:

- (i) The extent to which a project will create or retain permanent private sector jobs, including the number of jobs, the quality of and salary for such jobs and any related benefits (healthcare and retirement, for example);
- (ii) The estimated value of any tax exemptions and abatements to be provided;
- (iii) Whether affected tax jurisdictions shall be reimbursed by the project occupant if a project does not fulfill the purposes for which the exemption and abatement were provided;
- (iv) The impact of a proposed project on existing and proposed businesses and economic development projects in the vicinity;
- (v) The amount of private sector investment generated or likely to be generated by the proposed project;
- (vi) The demonstrated public support for the proposed project;
- (vii) The likelihood of accomplishing the proposed project in a timely fashion;
- (viii) The effect of the proposed project on the environment;
- (ix) The extent to which the proposed project will require the provision of additional services, including, but not limited to additional educational, transportation, police, emergency, medical or fire services; and
- (x) The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts.

Attached hereto as **Schedule F** is the Agency’s project grading matrix that, unless otherwise determined by the Agency, will be applied against all projects in determining whether the project qualifies for financial assistance and the amount and duration of any such financial assistance.

SCHEDULE F

AGENCY PROJECT GRADING MATRIX

	Score
1. Strategic Vision (0 OR 5)*:	
a. Does the project fit into preferred industry categories (manufacturing, industrial, medical, office, tourism)?	
b. Capitalizes upon un-or-under-employed, available talent pool?	
2. Ratable Value (Capital Expenditure) (0 – 5):	
a. Investment in property resulting in increased ratables in municipality.	
b. Utilizes brownfield or otherwise “undesirable” parcel	
c. Return non-taxable property tax rolls	
d. “Brownfield remediation” would receive a 5	
3. Number of Jobs (1 – 5):	
a. NOT sliding scale; relative to industry	
4. Quality of Jobs (0 – 5):	
a. Defined as	
0 = ANY jobs at minimum wage	
1 = ALL jobs over \$15/hour	
2 = 25% over \$25/hr plus benefits	
3 = 50% over \$25/hr plus benefits	
4 = 75% over \$25/hr plus benefits	
5 = ALL jobs over \$25/hr plus benefits	
5. Location (1 OR 5):	
a. 1 = In Orange County	
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6. Desirability (0 – 5)*:	
a. Does the project have local political support?	
i. Support letter from Supervisor/Mayor	
b. Is there favor, locally, for the project?	
c. Is the project remediating a brownfield or repurposing a zombie property?	
d. Is the parcel located in federally distressed area?	
TOTAL	0
* Speculative Buildings - identified as a project built with no end-user committed - result in an automatic 0 in these categories	
2-10 - Low/No PILOT	
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21-30 - High/Qualifies for "Goliath" PILOT	



RECAPTURE POLICY

The Agency, at its sole discretion and on a case-by-case basis, may determine (but shall not be required to do so unless otherwise required by all applicable law) with respect to a particular project, that a project has failed to meet its intended goals and to require the applicant to comply with the recapture by the Agency of the value of any or all exemptions from taxation granted with respect to the project by virtue of the Agency's involvement. Events that the Agency may determine will trigger recapture may include but are not limited to:

- (i) Sale or closure of facility;
- (ii) Significant employment reduction or failure to achieve employment projections;
- (iii) Significant change in use in facility;
- (iv) Significant change in business activities or project applicant or operator;
- (v) Material non-compliance with or breach of terms of Agency transaction documents or of zoning or land use laws or regulations or federal, state or local environmental laws or regulations;
- (vi) Failure to comply with Agency and New York State reporting requirements.

If the Agency determines to provide for the recapture with respect to a particular project, the Agency also shall determine the timing and percentage of recapture.

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PROCUREMENT POLICY

A. Introduction

1. Scope – In accordance with Article 18-A of the General Municipal Law (the “IDA Act”), Section 104-b of the General Municipal Law, the Public Authorities Accountability Act of 2005 and Section 139-j of the State Finance Law ("procurement Lobbying Act"), the Orange County Industrial Development Agency is required to adopt procurement policies which will apply to the procurement of goods and services not subject to the competitive bidding requirements of Section 103 of the GML and paid for by the IDA for its own use and account.
2. Purpose – Pursuant to Section 104-b of the GML, the primary objectives of this policy are to assure the prudent and economical use of public monies in the best interests of the taxpayers of the County, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances and to guard against favoritism, improvidence, extravagance, fraud and corruption.

B. Procurement Policy

1. Determination Required – Prior to commencing any procurement of goods and services, the Chief Financial Officer or an authorized designee shall prepare a written statement setting forth the basis for (1) the determination that competitive bidding is not required for such procurement, and if applicable (2) the determination that such procurement is not subject to any requirements set forth in this policy. Such written statements shall be maintained by the Chief Financial Officer or such authorized designee in a specially designated procurement file.
2. Procedure for determining whether Procurements are subject to Competitive Bidding – The procedure for determining whether a procurement of goods and services is subject to competitive bidding shall be as follows:
 - a. The Chief Financial Officer or an authorized designee shall make the initial determination as to whether competitive

bidding is required. This determination will be based on Section 103 of the GML which requires competitive bidding for expenditures of (1) more than \$35,000 for the performance of any public works contract (services, labor or construction), and (2) more than \$20,000 for any purchase contract (acquisition of commodities, materials, supplies or equipment).

- b. The Chief Financial Officer or such authorized designee shall review the purchase request against prior years' expenditures and a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate purchases of a similar nature will exceed the above competitive bidding procedures shall be followed for said expenditure.
 - c. The Chief Financial Officer or such authorized designee shall present any legal issues regarding the applicability of the competitive bidding requirements stated herein to the Agency's Counsel.
3. Methods of Competition to be used for Non-Bid Procurements and Procurements Exempt by Statute – Alternative proposals or quotations for goods and services shall be secured by use of written requests for proposals or written quotations, verbal quotations or any other method of procurement which furthers the purposes of this Section except for items excepted herein (see 7 below) or procurements made pursuant to:
- a. GML, Section 103 (3) (through county contracts), or
 - b. GML, Section 104 (through state contracts), or
 - c. State Finance Law, Section 175-b (from agencies for the blind or severely handicapped), or
 - d. Correction Law, Section 186 (articles manufactured in correctional institutions).
4. Procedures for the Purchase of Commodities, Equipment or Goods under \$20,000.

- a. Up to \$2,500 The discretion of the Chief Financial Officer or authorized designee.
 - b. \$2,501-\$5,000 Documented verbal quotations from at least three vendors.
 - c. \$5,001 - \$20,000 Written/fax quotations from at least three vendors.

- 5. Procedures for the Purchase of Public Works or Services under \$35,000.
 - a. Up to \$2,500 The discretion of the Chief Financial Officer or authorized designee.
 - b. \$2,501 - \$5,000 Documented verbal quotations from at least three vendors.
 - c. \$5,001 - \$35,000 Written/fax quotations from at least three

- 6. Basis for the Award of Contracts – Contracts will be awarded to the lowest responsible vendor who meets the specifications.

- 7. Circumstances justifying an Award to other than the Lowest Cost quoted.
 - a. Delivery requirements
 - b. Quality requirements
 - c. Quality
 - d. Past vendor performance
 - e. The unavailability of three or more vendors who are able to quote on a procurement.
 - f. It may be in the best interests of the Agency to consider only one vendor who has previous expertise with respect to a particular procurement.

- 8. Documentation
 - a. For each purchase made the Chief Financial Officer or authorized designee shall set forth in writing the category of procurement that is being made and what method of procurement is specified.

b. The basis for any determination that competitive bidding is not required shall be documented, in writing, by the Chief Financial Officer or such authorized designee, and filed with the purchase order or contract therefore.

c. For those items not subject to competitive bidding such as professional services, emergencies, purchased under city contracts or procurements from sole sources, documentation should include a memo to the files which details why the procurement is not subject to competitive bidding and include, as applicable:

- (1) a description of the facts giving rise to the emergency and that they meet the statutory criteria; or
- (2) a description of the professional services; or
- (3) written verification of city contracts; or
- (4) opinions of Counsel, if any; or
- (5) a description of sole source items and how such determinations were made.

d. Whenever an award is made to other than the lowest quote the reasons for doing so shall be set forth in writing and maintained in the procurement file.

e. Whenever the specified number of quotations cannot or will not be secured, the reasons for this shall be indicated in writing and maintained in the procurement file.

f. Pursuant to The Iran Divestment Act of 2012 as codified in Section 103-g of the General Municipal Law, every public works contract or purchase contract shall contain a statement of non-investment signed and affirmed as true, under the penalty of perjury, by the successful bidder/ vendor that to the best of said bidder/vendor's knowledge and belief, the bidder/vendor is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

9. Exceptions to Bidding

a. Emergency Situation – An emergency exists if the delay caused by soliciting quotes would endanger the health, welfare or property of the municipality or of the citizens.

With approval by the Chief Financial Officer such emergency shall not be subject to competitive bidding or the procedures stated above.

b. Resolution Waiving Bidding Requirements – The Agency may adopt a resolution waiving the competitive bidding requirements whenever it is determined to be impracticable.

c. Sole Source – Defined as a situation when there is only one possible source from which to procure goods and/or services and it is shown that the item needed has unique benefits, the cost is reasonable for the product offered and there is no competition available. In this situation, a request for a resolution waiving bidding requirements, as described above, is required.

d. True Lease – Prices will be obtained through quotations whenever possible. The award shall be made on the basis of goods and/or services to be provided, ability to meet the specifications desired and price.

e. Insurance – All insurance policies shall be procured in accordance with the following procedures:

(1) Premium less than \$10,000 – documented telephone quotations from at least three agents (if available).

(2) Premium over \$10,001 – written quotations/fax or proposals from at least three agents (if available)

f. Professional Services – This category includes services which require special education and/or training, license to practice or are creative in nature. Examples of professional services are: lawyers, doctors, accountants, engineers, artists, etc. Minority and Women Business Enterprises – The Agency shall comply with all applicable legal requirements relating to the hiring of such businesses.

10. Input from members of the Agency – Comments concerning the procurement policy shall be solicited from the members of the Agency from time to time.

11. Annual Review – The Agency shall annually review its policies and procedures.
12. Unintentional Failure to Comply – The unintentional failure to comply with the provisions of Section 104-b of the GML shall not be grounds to void action taken or give rise to a cause of action against the Agency or any officer thereof.
13. Procurement Lobbying. Pursuant to Section 139-j of the State Finance Law, the Agency designates its Chief Operating Officer as its authorized contact during each procurement activity.
 - a. No person or entity submitting bids, proposals, quotations, or offers in response to any Agency request for bids, proposals, services, technology or other commodities involving an estimated annualized expenditure in excess of \$15,000 shall contact any Agency Board member, officer or employee during the restricted period except for contacts made with the Agency's Chief Operating Officer.
 - b. For the purposes of this section, a "contact" shall mean any oral, written or electronic communication with the Agency under circumstances where a reasonable person would infer that the communication was intended to influence the Agency's conduct regarding the award of a procurement contract.
 - c. For the purposes of this section, the "restricted period" shall mean the period of time commencing with the earliest posting on the Agency's website or in a newspaper of general circulation, of an invitation of bids, requests for proposals or other method of soliciting responses from offerors intending to result in a contract with the Agency and ending with the final contract award and approval by the Agency.
 - d. For the purposes of this section, an "offeror" shall mean the individual or entity, or any employee, agent, consultant or person acting on behalf of such individual or entity that contacts the Agency during the restricted period of the procurement process whether or not the individual making such contact has a financial interest in the outcome of the procurement process.
 - e. Upon any contact in the restricted period, the Agency shall obtain the name, address, telephone number, place of principal employment and occupation of the person or organization making

the contact and inquire and record whether the person or organization making such contact was the offeror or was retained, employed or designated by or on behalf of the offeror to appear before or contact the Agency about the procurement. All recorded contacts shall be included in the procurement record for the procurement contract.

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
DISPOSITION OF PROPERTY POLICY GUIDELINES
ADOPTED PURSUANT TO SECTIONS 2895-2897 OF THE PUBLIC AUTHORITIES LAW

SECTION 1. DEFINITIONS

A. “Contracting officer” shall mean the officer or employee of the Orange County Development Agency (hereinafter, the “Agency”) who shall be appointed by resolution to be responsible for the disposition of property. The Agency Attorney shall likely be the Contracting Officer pursuant to annual resolution.

B. “Dispose” or “disposal” shall mean transfer of title or any other beneficial interest in personal or real property in accordance with section 2897 of the Public Authorities Law.

C. “Property” shall mean personal property in excess of five thousand dollars (\$5,000) in value, and real property, and any inchoate or other interest in such property, to the extent that such interest may be conveyed to another person for any purpose, excluding an interest securing a loan or other financial obligation of another party.

SECTION 2. DUTIES

A. The Agency shall:

(i) maintain adequate inventory controls and accountability systems for all property owned by the Agency and under its control;

(ii) periodically inventory such property to determine which property shall be disposed of;

(iii) produce a written report of such property in accordance with subsection B herewith; and

(iv) transfer or dispose of such property as promptly and practicably as possible in accordance with Section 3 below.

B. The Agency shall

(i) publish, not less frequently than annually, a report listing all real property owned in fee by the Agency. Such report shall consist of a list and full description of all real and personal property disposed of during such period. The report shall contain the price received by the Agency and the name of the purchaser for all such property sold by the Agency during such period; and

(ii) shall deliver copies of such report to the State Comptroller, the Director of the Budget, the Commissioner of the Office of General Services, the New York State Legislature and the Authorities Budget Office.

SECTION 3. TRANSFER OR DISPOSITION OF PROPERTY

A. Supervision and Direction. Except as otherwise provided herein, the appointed contracting officer (the “Contracting Officer”) shall have supervision and direction over the disposition and sale of property of the Agency. The Agency shall have the right to dispose of its property for any valid corporate purpose.

B. Custody and Control. The custody and control of Agency property, pending its disposition, and the disposal of such property, shall be performed by the Agency or by the Commissioner of General Services when so authorized under this section.

C. Method of Disposition. The Agency may dispose of property for not less than its fair market value by sale, exchange, or transfer, for cash, credit, or other property, with or without warranty, and upon such other terms and conditions as the Agency and/or contracting officer deems proper. The Agency may execute such documents for the transfer of title or other interest in property and take such other action as it deems necessary or proper to dispose of such property under the provisions of this section. Provided, however, that no disposition of real property or any interest in real property, shall be made unless an appraisal of value of such property has been made by an independent appraiser and included in the record of the transaction. Furthermore, no disposition of any other property which because of its unique nature or the unique circumstance of the property transaction is not readily valued by reference to an active market for similar property shall be made without a similar appraisal.

D. Sales by the Commissioner of General Services (the “Commissioner”). When the Agency shall have deemed that transfer of property by the Commissioner will be advantageous to the State, the Agency may enter into an agreement with the Commissioner pursuant to which the Commissioner may dispose of property of the Agency under terms and conditions agreed to by the Agency and the Commissioner. In disposing of any such property, the Commissioner shall be bound by the terms hereof and references to the contracting officer shall be deemed to refer to such Commissioner.

E. Validity of Deed, Bill of Sale, Lease, or Other Instrument. A deed, bill of sale, lease, or other instrument executed by or on behalf of the Agency, purporting to transfer title or any other interest in property of the Agency in accordance herewith shall be conclusive evidence of compliance with the provisions of these guidelines and all applicable law insofar as concerns title or other interest of any bona fide grantee or transferee who has given valuable consideration for such title or other interest and has not received actual or constructive notice of lack of such compliance prior to the closing.

F. Bids for Disposal; Advertising; Procedure; Disposal by Negotiation; Explanatory Statement.

(i) Except as permitted by all applicable law, all disposals or contracts for disposal of property authorized by the Agency shall be made after publicly advertising for bids except as provided in subsection (iii) of this Section F.

(ii) Whenever public advertising for bids is required under subsection (i) of this Section F:

(A) the advertisement for bids shall be made at such time prior to the disposal or contract, through such methods, and on such terms and conditions as shall permit full and free competition consistent with the value and nature of the property;

(B) all bids shall be publicly disclosed at the time and place stated in the advertisement; and

(C) the award shall be made with reasonable promptness by notice to the responsible bidder whose bid, conforming to the invitation for bids, will be most advantageous to the Agency, price and other factors considered; provided, that all bids may be rejected at the Agency's discretion.

(iii) Disposals and contracts for disposal of property may be negotiated or made by public auction without regard to subsections (i) and (ii) of this Section F but subject to obtaining such competition as is feasible under the circumstances, if:

(A) the personal property involved has qualities separate from the utilitarian purpose of such property, such as artistic quality, antiquity, historical significance, rarity or other quality of similar effect, that would increase its value, or if the personal property is to be sold in such quantity that, if it was disposed of under subsections (i) and (ii) of this Section F, would adversely affect the state or local market for such property, and the estimated fair market value (FMV) of such property and other satisfactory terms of disposal can be obtained by negotiation;

(B) the fair market value of the property does not exceed fifteen thousand dollars;

(C) bid prices after advertising therefor are not reasonable, either as to all or some part of the property, or have not been independently arrived at in open competition;

(D) the disposal will be to the state or any political subdivision, and the estimated fair market value of the property and other satisfactory terms of disposal are obtained by negotiation;

(E) under those circumstance permitted by Section 3G. herein; or

(F) such action is otherwise authorized by law.

(iv) (A) An explanatory statement shall be prepared of the circumstances of each disposal by negotiation of:

(1) any personal property which has an estimated fair market value in excess of fifteen thousand dollars;

(2) any real property that has an estimated fair market value in excess of one hundred thousand dollars, except that any real property disposed of by lease or exchange shall only be subject to clauses (3) and (4) of this subparagraph;

(3) any real property disposed of by lease if the estimated fair annual rent is in excess of fifteen thousand dollars for any of such years;

(4) any real property or real and related personal property disposed of by exchange, regardless of value, or any property any part of the consideration for which is real property.

(B) Each such statement shall be transmitted to the persons entitled to receive copies of the report required under all applicable law not less than ninety (90) days in advance of such disposal, and a copy thereof shall be preserved in the files of the Agency making such disposal.

G. Disposal of Property for Less than Fair Market Value.

(i) No asset owned, leased or otherwise in control of the Agency may be sold, leased or otherwise alienated for less than its fair market value except if:

(A) the transferee is a government or other public entity and the terms and condition of the transfer require that the ownership and use of the asset will remain with the government or public entity; or

(B) the purpose of the transfer is within the purpose, mission or governing statute of the Agency; or

(C) In the event the Agency seeks to transfer an asset for less than its fair market value to other than a governmental entity, which disposal would not be consistent with the Agency's mission, purpose or governing statute, such Agency shall provide written notification to the Governor, the Speaker of the Assembly, and the Temporary President of the Senate and such transfer shall be subject to denial by the Governor, the Senate or the Assembly. Denial by the Governor shall take the form of a signed certification by the Governor. Denial by either house of the Legislature shall take the form of a resolution. The Governor and each house of the Legislature shall take any such action within 60 days of

receiving notification of such proposed transfer during the months of January through June provided that if the Legislature receives the notification of a proposed transfer during the months of July through December, the Legislature may take any such action within 60 days of January 1 of the following year. If no such resolution or certification is performed within 60 days of such notification of the proposed transfer, the Agency may effectuate such transfer. Provided, however, that with respect to a below market transfer by the Agency that is not within the purpose, mission or governing statute of the Agency, if the governing statute provides for the approval of the transfer by the executive and legislative branches of the County, and the transfer is of property obtained by the Agency from the County, then such approval shall be sufficient to permit the transfer.

(ii) In the event a below fair market value transfer is proposed, the following information must be provided to the Agency's board and the public:

(A) A full description of asset;

(B) An appraisal of the fair market value of the asset and any other information establishing the fair market value sought by the board;

(C) A description of the purpose of the transfer, and a reasonable statement of the kind and amount of the benefit to the public resulting from the transfer, including but not limited to, the kind, number, location, wages or salaries of jobs created or preserved as required by the transfer, the benefits, if any, to the communities in which the asset is situated as required by the transfer;

(D) A statement of the value to be received compared to the fair market value;

(E) The names of the private parties participating in the transfer and, if different than the statement in D above, a statement of the value to the private party;

(F) The names of other private parties who made an offer for such asset, the value offered and the purpose for which the asset was sought to be used.

(iii) Before approving the disposal of any property for less than fair market value, the Board shall consider the information described in subsection (ii) above and make a written determination that there is no reasonable alternative to the proposed below-market transfer that would achieve the same purpose of such transfer.

These Guidelines are subject to modification and amendment at the discretion of the Agency Board by resolution and shall be filed annually with all local and state agencies as required under all applicable law.

LABOR POLICY
ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Adopted 01-18-23

The Orange County Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Orange County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Orange County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs, though limited in time duration, are vital to the overall employment opportunities and economic growth in Orange County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices (hereinafter "construction workers"), including those who have returned from military service, during the construction phase of projects. In this way, the IDA can generate significant benefits to advance the County's general prosperity. It is, therefore, the policy of the IDA that firms benefiting from its programs shall employ workers from Orange County and the "local labor" market during all project phases, including the construction phase.

For the purpose of this policy, the "local labor" market for construction workers shall be defined as those individuals living in Orange, Ulster, Sullivan, Dutchess, Putnam, Rockland, Westchester, and Delaware Counties. Applicants receiving IDA benefits shall ensure the contractor/developer hire at least 85% from the "local labor" market for their approved projects. The 85% shall be by contractor and in total at the time of completion of the project. The contractor/developer is mandated to keep daily log sheets of all field workers, commencing on the date of application. Any work performed after application shall be included in the determination of overall compliance with the 85% hiring requirements of this policy. A third-party auditing firm will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

However, the IDA recognizes that the use of local labor may not be possible for the following reasons and the applicant may request an exemption on a particular contract or trade scope for the following reasons:

1. Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers;
2. Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work;

3. Cost Differentials:
 - a. For projects whose project cost exceeds \$15M, significant cost differentials in bid prices whereby the use of local labor and materials significantly increases the sub contract or contract of a particular trade or work scope by at least 20%. Every reasonable effort should be made by the applicant and or the applicant's contractor to get below the 20% cost differential including, but not limited to, communicating and meeting with local construction trade organizations, such as the Hudson Valley Building and Construction Trades Council and other local Contractor Associations;
 - b. For projects whose project cost is less than \$15M, significant cost differentials in bid prices whereby the use of local labor and materials significantly increases the sub contract or contract of a particular trade or work scope by 10% or more. Every reasonable effort should be made by the applicant and or the applicant's contractor to get below the 10% cost differential including, but not limited to, communicating and meeting with local construction trade organizations, such as the Hudson Valley Building and Construction Trades Council and other local Contractor Associations;
4. No labor is available for the project; and
5. The contractor requires key or core persons such as supervisors, foreman or "construction workers" having special skills that are not available in the "local labor" market.

The request to secure an exemption for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party monitor and received in advance of work commencing. The request will be reviewed by the 3rd party monitor and forwarded to the IDA, at which time the IDA's Audit Committee shall have the authority to approve or disapprove the exemption. The 3rd party monitor shall report each authorized exemption to the Board of Directors at its monthly meeting.

In addition, applicants receiving IDA benefits and Contractors on the project shall make every reasonable effort to utilize vendors, material suppliers, subcontractors and professional services from Orange County and the surrounding counties. Applicants and contractors shall be required to keep records of those local vendors, material suppliers, contractors and professional services whom they have solicited and with whom they have contracted with or awarded. This shall be stored in a binder on site and shall be easily available for review by an authorized representative of the IDA, such as the IDA's 3rd party monitor. It shall include any documents for solicitation and contracts. It is the goal of the County of Orange and the IDA to promote the use of local veterans on projects receiving IDA benefits. By partnering with local contractors, local contractor groups, local trade unions and contractors awarded work on IDA projects, there are opportunities for veterans to gain both short term and long term careers in the construction industry.

Once approved for IDA benefits, all applicants will be required to provide to IDA staff the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project;
2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions;
3. The names, contact information, certificate of authorization to do business in the State of New York and copies of current Certificates of NYS Workers' Compensation Insurance, NYS Disability Insurance, General Liability Insurance and proof of current OSHA training certification from all contractors' employees performing work on the site; and
4. A Construction Completion Report listing the names and business locations of prime contractors, subcontractors and vendors who have been engaged in the construction phase of the project.

All Orange County IDA projects are subject to local monitoring by the IDA and any 3rd party monitor. The applicant and/or the Construction Manager or General Contractor acting as agent for the applicant on the project, shall keep a log book on site detailing the number of workers, hours worked and counties and states in which they reside. Proof of residency or copy of drivers' license shall be included in the log book, along with evidence of necessary OSHA certifications. Reports will be on forms provided by the IDA or weekly payroll reports which contain the same information as required on the IDA issued form. The applicant and contractors are subject to periodic inspection or monitoring by the IDA or 3rd party monitor.

The 3rd party monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the Audit Committee and/or IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, IDA staff shall notify the applicant and contractor in writing of non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or its 3rd party monitor shall notify the applicant that the project is in violation of the Orange County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

The IDA will use a third party firm or firms to monitor and audit compliance with this local labor policy, the cost of which shall be paid for by the Company in advance of the audits and held in a non-interest bearing escrow account until audits are complete.

The applicant of an IDA approved project shall be required to maintain a 4' X 8' bulletin board on the project site containing the following information:

1. Contact information of the applicant;
2. Summary of the IDA benefits received;
3. Contractors names and contact information on IDA provided form;
4. Copies of proof of exemption from labor policy;
5. Copies of any warnings or violations of policy;
6. Copy of the Executed Labor Policy.

The bulletin board shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible at least 10 feet from said board.

The applicant has read the OCIDA Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same. The Applicant understands and agrees that it is responsible for all third-party auditing and monitoring costs.

Applicant Signature

Signature of CM, GC or SC

Company Name

Company Name

Print Name of above signer

Print Name of above signer

Email/phone of Applicant

Email/phone of CM/GC/SC

Date

Date