

## **Guidelines for Phase 3 of the Champlain Bridge Recovery Fund – Retail Assistance Grant Program**

### **Program**

The Champlain Bridge Recovery Fund – Retail Assistance Grant Program (the "Retail Program") is a program established by the New York State Urban Development Corporation d/b/a the Empire State Development Corporation ("ESDC") to provide assistance to retail and service firms that have been adversely affected by the Lake Champlain Bridge Closure on October 16, 2009.

### **Program Funding**

Funding for the Retail Program is being made available from \$1.30 million in state appropriations to ESDC for the Empire State Economic Development Fund ("EDF"). The Retail Program has been extended through November 30, 2011. Retail and service firms may receive grants of up to \$10,000 per quarter to compensate them for a portion of uninsured business revenue losses resulting from the bridge closure.

### **Eligible Firms**

A firm shall be eligible for funding under Phase 3 of the Retail Program if it meets the following criteria:

- It is a for-profit business entity engaged in retail or service enterprise and filing taxes as a New York State business.
- It operates a business establishment in the Towns of Crown Point, Moriah, Ticonderoga or the Village of Port Henry, in Essex County (hereinafter defined as the Eligible Area).
- The business must have been continuously in operation from October 1, 2008 through the time of grant disbursement.
- It has a gross revenue loss of at least 15% established on a quarter-by-quarter basis, using the quarterly periods established by the New York State Department of Taxation and finance State and Local Quarterly Sales and Use Tax Return Filings. (Specific quarterly comparisons are listed in the Phase 3 application.)

### **Grant Amounts**

To the extent of available Retail Program funds, each Eligible Firm will be entitled to a grant of up to 50% of uninsured lost revenue for each quarter the firm demonstrates a loss of 15% or more. Grants will be capped at a maximum of \$10,000 per quarter. Applicants must document quarterly revenue losses as requested by ESD.

## **Eligible Area**

To be eligible for the Retail Assistance Program, an Eligible Firm must be in operation in the Towns of Crown Point, Moriah, Ticonderoga, or the Village of Port Henry, in Essex County on or before October 1, 2008 and continue in operation through the grant disbursement period.

## **Application**

Eligible Firms must file a completed application for Program assistance. A completed application is required for each quarter the applicant is eligible for assistance.

A completed Phase 3 application for a first-time submittal includes: (i) a completely filled out and signed application form; (ii) a voided check for the business bank account imprinted with the business name and address; (iii) a completed IRS W-9 form attached to the application; (iv) copies of your signed ST-100 forms filed with NYS Department of Taxation and Finance for the Post- and Pre-Bridge Closure quarters for which you are requesting compensation; (v) copies of your signed 2008 and 2009 Federal Tax Returns (unless you previously submitted them with Phase 1 or Phase 2 applications); (vi) a copy of the deed or lease verifying the business location; and (vii) documentation from insurance carrier verifying coverage for or ineligibility of your business revenue loss.

Subsequent application for other eligible quarters will require: (i) a completely filled out and signed application form; (ii) copies of your signed ST-100 forms filed with NYS Department of Taxation and Finance for the Post- and Pre-Bridge Closure quarters for which you are requesting compensation; and (iii) documentation from insurance carrier verifying coverage for or ineligibility of your business revenue loss.

All applicants will be required to submit a copy of a signed 2010 Federal Tax Return after it is filed, but no later than June 30, 2011. In addition, a copy of a signed 2011 Federal Tax Return will be required after it is filed, but no later than June 30, 2012.

Failure to provide the 2010 or 2011 Federal Tax Return by the appropriate deadlines will be cause for the forfeiture of any award made, with interest and penalties where applicable.

## **Application Submission**

Separate Phase 3 application must be submitted for each quarter for which an applicant is establishing an eligible loss. Applications will be processed in order of receipt of completed applications. The deadline for all quarterly submittals is March 31, 2012. Applications postmarked after that date will not be considered for compensation.

Applications should be mailed to: Empire State Development, Champlain Bridge Retail Assistance Grant Program, 30 South Pearl Street, Albany, NY 12245

## **Processing**

Applications will be processed in the order in which they are received. ESDC will use its best efforts to evaluate and process all applications and to make prompt grant payments to successful applicants.

All grants disbursed by ESDC to recipients will be reported by ESDC to the IRS.

## **Audit and Control**

ESDC may audit applications on a random or specified basis for a period extending to three years after the disbursement of the grants. ESDC reserves the right to contact insurance companies and other federal, state and local governmental agencies to confirm information included in the applications.

## **Availability of Funds**

The making of any Retail Program grants hereunder is explicitly subject to the Retail Program approval and the allocation of a sufficient amount of Retail Program funds by the New York State Division of Budget.

## **Non-Discrimination**

ESD's Non-Discrimination Policy will apply.

## **Amendments to Guidelines**

ESDC may amend these guidelines from time to time.

## **Additional Information**

The applicant may access the application form and instructions, the guidelines, any amendments to these guidelines, and additional information about the Program at the ESDC Web site at <http://www.esd.ny.gov/ChamplainBridge.html>

Information may also be obtained by calling 518/292-5340.