

Application For

Financial Assistance



State of New York
David A. Paterson, Governor

Empire State Development

Champlain Bridge Recovery Fund – Increased Transport Costs

Application for Champlain Bridge Increased Transport Costs Assistance Grants

Increased Transport Costs Assistance Grants are cash grants to manufacturing and agricultural firms operating in Essex County that have experienced increased costs for transport of goods as a result of the closure of the Champlain Bridge on October 16, 2009. Increased Transport Assistance Grants will compensate businesses up to 75% of the documented uninsured increase in transport costs directly attributable to the October 16, 2009 closure of the Champlain Bridge.

Grants will be disbursed by electronic transfer to applicant banks. A voided check from the business account is required to process this application.

Grant applications should be printed out, completed and mailed to Empire State Development. Electronic submittals will not be accepted. Mail or deliver applications to:

Champlain Bridge Recovery Fund – Increased Transport Costs Program
c/o Empire State Development Corporation
Brendan Healey
Project Manager
Loans and Grants Department
633 Third Avenue
New York, NY 10017

Any questions related to the completion of the application may be directed to 800/STATE-NY (800/782-8369) or e-mailed to ChamplainBridge@empire.state.ny.us.

The deadlines for submitting applications are as follows:

<u>Period Increased Costs Incurred</u>	<u>Deadline for Submitting Application</u>
January 1, 2010 to March 31, 2010	September 30, 2010
April 1, 2010 to June 30, 2010	September 30, 2010
July 1, 2010 to September 30, 2010	December 31, 2010
October 1, 2010 to December 31, 2010	March 31, 2011
January 1, 2011 to March 31, 2011	June 30, 2011
April 1, 2011 to June 30, 2011	September 30, 2011
July 1, 2011 to September 30, 2011	December 31, 2011
October 1, 2011 to December 31, 2011	March 31, 2012

Three-Month Quarter Increased Transport Costs were Incurred:

GENERAL INFORMATION

SECTION 1: DATA SHEET

A. APPLICANT ORGANIZATION

LEGAL NAME: _____ D/B/A _____

STREET (Essex County Location, not P.O. Box) _____

CITY: _____ ZIP: _____ COUNTY: _____

PHONE: _____ EXT. _____ FAX: _____ e-mail: _____

CONTACT NAME AND TITLE: _____

FEDERAL TAXPAYER I.D./CHARITY REG.# (NON-PROFITS ONLY): _____ DUNS NUMBER: _____ NYS UNEMPLOYMENT INSURANCE TAX NUMBER: _____

PARENT COMPANY NAME: _____

STREET (NOT P.O. BOX) _____

CITY: _____ ZIP: _____ COUNTY: _____

B. 1. A. FORM OF BUSINESS BUSINESS CORPORATION **B. IS THE COMPANY:**

SOLE PROPRIETORSHIP NOT FOR PROFIT CORP. OR MINORITY-OWNED YES NO

LIMITED LIABILITY COMPANY LOCAL DEVELOPMENT CORP. WOMAN-OWNED YES NO

PARTNERSHIP INDUSTRIAL DEVELOPMENT (For a minority or Woman-owned Business, please attach a copy of your New York State certification letter.)

SUBCHAPTER S CORPORATION AGENCY MUNICIPALITY OR OTHER PUBLIC ENTITY

2. INDUSTRY: _____ MANUFACTURER YES NO

PRODUCTS: _____

3. LIST ALL NORTH AMERICAN INDUSTRIAL CLASSIFICATION (NAICS) NUMBERS (4 DIGITS) USED TO CLASSIFY EACH TYPE OF THE COMPANY'S BUSINESS ACTIVITY:

1. _____ 2. _____ 3. _____ 4. _____ 5. _____

4. A. IS THE COMPANY CURRENTLY SEEKING ANY OTHER NEW YORK STATE ASSISTANCE? YES NO

B. HAS THE COMPANY EVER APPLIED FOR OR RECEIVED PRIOR NEW YORK STATE FUNDING? YES NO

(IF YOU ANSWERED "YES" TO EITHER 4a OR 4b, PLEASE DESCRIBE EACH PROJECT, ITS DATE, PURPOSE AND LOCATION, THE NYS FUNDING REQUESTED/PROVIDED AND FROM WHICH AGENCY FOR WHICH NEW YORK STATE FUNDING WAS OR IS BEING SOUGHT.)

SECTION 2: COMPANY, PRODUCT AND MARKET INFORMATION (SUCCINCT)

Please provide a concise narrative describing the following.

- The Company's current operations, including its products, services and raw material imports.
- Major customers and supplier located in Vermont that require Champlain Bridge crossing.
- Describe general market trends and financial condition of the company.

SECTION 3:**NOTICES**

- In order for an applicant to qualify for assistance under this Program, the applicant must be a for profit business entity engaged in agriculture or manufacturing and be based in New York State as of October 16, 2009.
- According to Internal Revenue Code § 61 (a) payments that are made to replace lost income are "income" and held to be taxable income. **Therefore, all Champlain Bridge Assistance Grants will be reported to the IRS and you will receive 1099 forms for each year relief assistance funds are received.**
- Submit copies only of requested documents and retain originals. Copies become property of Empire State Development Corporation and will not be returned.
- This application is a request for compensation and does not convey any award of funds.
- All calculations in the application are subject to review and adjustment. Under no circumstance do these estimates imply final award of funds.
- You will be notified of your award determination.
- Empire State Development Corporation reserves the right to modify the requirements of this application and to require additional information from the applicant. Empire State Development Corporation, acting in its sole discretion, may reject any application that it deems incomplete, ineligible for assistance or inappropriate for funding. All award decisions are final.
- Empire State Development Corporation reserves the right to reallocate funds according to the need of relief assistance.
- In the event the applicant has made any material misrepresentation in this application, in addition to any other remedies that the Empire State Development Corporation may have under law, the Corporation may require the applicant to repay any assistance provided hereunder together with interest and penalties, if applicable.
- Program funding is limited to \$1 million. Applications received after funding is exhausted will not be processed.
- ESD's non-discrimination and affirmative action policies and programs, which are grounded in both public policy and applicable law, mandate that ESD take affirmative action when implementing projects, to ensure that Minority and Women-owned Business Enterprise (M/WBE's), minority group members and women participate in the economic benefits generated by ESD's participation in projects or initiatives. ESD's non-discrimination and affirmative action policies and programs will apply to this initiative wherever applicable.
- Repayment of all or part of ESD's grant may be required if the Recipient closes or relocates a substantial portion of its operations at the project location(s) out of state.

SECTION 4: Economic Impact

A. Complete the following table based on actual expenditures associated with increased transportation costs of goods and materials movement to and from agricultural and manufacturing firms (“Applicant Organization”) resulting from the October 16, 2009 closure of the Lake Champlain Bridge.

Please provide a breakdown of transportation expenses for the Quarter you are submitting an application for versus the same months in either 4Q 2008, 1Q 2009, 2Q 2009 or 3Q 2009. Please fill in each month below.

Cost of transportation:

	Current Application			4Q 2008, 1Q 2009, 2Q 2009 or 3Q 2009 (Please select the option that contains the same months as Current Application)		
	Month 1	Month 2	Month 3	Month 1	Month 2	Month 3
Import	\$	\$	\$	\$	\$	\$
Fuel						
Tolls						
Labor						
Other (insurance, fees, special charges)						
Export	\$	\$	\$	\$	\$	\$
Fuel						
Tolls						
Labor						
Other (insurance, fees, special charges)						
Total						

Business Interruption Insurance	Receipts	Estimated Loss
[Carrier Name]	\$	\$

SECTION 5: STATEMENT OF NEED (SUCCINCT)

Please provide an explanation of why ESD assistance is being requested. Provide supporting documentation as applicable.

SECTION 6: MISCELLANEOUS

1. Is the Company presently the subject of any litigation, or is any litigation threatened, which would have a material adverse effect on the Company's financial condition? Yes No
 2. Has the company or any of its affiliates ever been involved in bankruptcy, a creditor's rights or receivership proceeding, or sought protection from creditors? Yes No
 3. Has the company ever settled a debt with a lending institution for less than the full amount outstanding? Yes No
 4. Has any senior manager or principal of the Company ever been convicted or any felony or misdemeanor, other than a minor traffic violation, or are any such charges pending? Yes No
 5. Has the Company or any of its affiliates, been cited for a violation of federal, State or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution or operating practices? Yes No
 6. Are there any outstanding judgments or liens pending against the Company other than liens in the normal course of business? Yes No
 7. Is the Company delinquent on any New York State, federal or local tax obligations? Yes No
- (NOTE: If your answer is "YES" for any of the above questions, please provide an explanation.)*

Please provide the following with your completed application:

- 1) Copy of the lease, deed or permit for the premises at which the applicant engaged its business.
- 2) Completed IRS Form 8821

SECTION 7:

CERTIFICATIONS

Certification of Applicant and Recipient

The undersigned does affirm, represent, warrant, acknowledge and agree that:

- (i) He/she is authorized to execute this application on behalf of the applicant and that to the best of his/her knowledge, information and belief, all statements in the application, including all attachments hereto and any affidavits, certifications or supplementation information provided herewith, are true and accurate;
- (ii) The applicant business has been in operation since at least June 1, 2009 and continues to operate at the premises described in 1(c) on Page 1 of this Application, and since that time until October 16, 2009 transported goods and materials over the Lake Champlain Bridge;
- (iii) The financial estimates provided with this application reflect actual increases in cost and expense resulting from the closure of the Lake Champlain Bridge;
- (iv) Applicants shall provide complete and accurate documentation as requested by Empire State Development Corporation;
- (v) The applicant is in compliance with all federal, state and local laws and is not delinquent on any tax obligations except as disclosed to Empire State Development Corporation;
- (vi) The applicant agrees to comply with the Lake Champlain Bridge Transportation Assistance Grants Guidelines in this application, as well as published on www.nylovessmallbiz.com;
- (vii) The application is subject to audit prior to and for up to three years from the date of the making of the grant;
- (viii) In the event the applicant fraudulently represents any information in the application or supporting documentation, Empire State Development Corporation may exercise any and all remedies available to it under law and shall refer the matter to the appropriate authorities for prosecution.

Applicant and Recipient hereby authorize ESD to order credit reports or other financial background information on the Company, and any individual or entity proposed as a guarantor, as may be necessary to provide the assistance requested.

Applicant Signature: _____ Date: _____

Print Name: _____ Title: _____

Signature: _____ Date: _____

