THE AGENCY

BROOME COUNTY **IDA / LDC**

SMALL BUSINESS INCENTIVE PROGRAM APPLICATION

The Small Business Incentive Program can provide eligible applicants the following: an eight percent (8%) NYS sales tax exemption on all construction materials, machinery & equipment and FF&E.

Applicants seeking assistance must complete this application and provide additional documentation if required. A **non-refundable** application fee of $250.00 must be included with this application. Make check payable to The Agency Broome County IDA.

The Applicant requesting a sales tax exemption from the Agency/IDA must include in the application a realistic estimate of the value of the savings anticipated to be received. As per NYS 2013 Budget Law and the regulations expected to be enacted thereunder are expected to require that the Agency/IDA recapture any benefit that exceeds the amount listed in the application.

Please answer all questions. Use "None" or "Not Applicable" where necessary.

APPLICANT

Name	OCSH Binghamton Holdings, LLC
Address	257 Washington Street
City/State/Zip	Binghamton, NY 13901
Tax ID No.	26-3767852
Contact Name	Kevin Findley
Title	Manager/Member
Telephone	(607) 644-7332
E-Mail	kevin@ocsh.biz

Owners of 20% or more of Applicant Company

Name	%	Corporate Title
*CFLP	75	Member
Kevin Findley	25	Member

Costa Family Limited Partnership

Benefit Requested

- [x] Sales Tax Exemption

Description of project (check all that apply)

- [x] New Construction
- [ ] Existing Facility
  - [ ] Acquisition
  - [ ] Expansion
  - [x] Renovation/Modernization
- [ ] Acquisition of machinery/equipment
- [ ] Other (specify) _____

GENERAL DESCRIPTION OF THE PROJECT

(Attached additional sheets as necessary)

1. Convert Existing Large Apartments into 1 Bedroom Units and Studio Apartments
2. Construct 5 New Studio Apartments in Lower Level
3. Construct a Community Room
4. Install Heat Pumps in the Renovated Apartments and New Studios
5. Modernize Control Access System
6. Install new roof, doors on south side of building and replace windows that are older than 6 years

TAX MAP ID NUMBER: 160.33-1-7

PROJECT TIMELINE

7/1/2022
Start Date

6/30/2023
End Date

257 Washington Street, Binghamton
Project Address

Contractor(s) *please refer to required Local Labor Policy

State Environmental Quality Review (SEQR) Act Compliance

The Agency, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR). This is applicable to projects that require the state or local municipality to issue a discretionary permit, license or other type of Approval for that project.

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

☐ YES – Include a copy of any SEQR or other documents related to this project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration.

◉ NO

LOCAL LABOR POLICY

It is the goal of the The Agency to maximize the use of local labor for each project that receives benefits from The Agency. This policy applies to general contractors, subcontractors, trade professionals, and their employees. The Agency's Local Labor Area consists of the following New York State counties: Broome, Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler, Steuben, Tioga and Tompkins.

APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project by the APPLICANT.

Building Construction or Renovation

a. MATERIALS	a. $225000
b. LABOR	b. $202200

Site Work

c. MATERIALS	c. $_____
d. LABOR	d. $_____
e. Non-Manufacturing Equipment	e. $121200
f. Furniture and Fixtures	f. $118500
g. LAND and/or BUILDING Purchase	g. $_____
h. Soft Costs (Legal, Architect, Engineering)	h. $_____
Other (specify) i. Architect	i. $35000
j. Interest	j. $51660
k. Permit	k. $3000

TOTAL PROJECT COSTS $756560

B. Sources of Funds for Project Costs:

a. Bank Financing & Leasing	a. $618000 Bank $574,000 Leasing $44,000
b. Public Sources	b. $0
Identify each state and federal grant/credit	
_____	$_____
_____	$_____
_____	$_____
_____	$_____
c. Equity	$138560
TOTAL SOURCES	$756560

C. Has the applicant made any arrangements for the financing of this project?

[●] Yes [ ] No

If so, please specify bank, underwriter, etc.

Pathfinder Bank
3775 State Route 31
Liver Pool, NY 13090

VALUE OF INCENTIVES

A. Sales Tax Exemption Benefit

Estimated value of goods that will be exempt from New York State and local sales tax (materials, non-manufacturing equipment, furniture and fixtures - **line a,c,e,f from Project Costs**)	$ 464,700.00
Estimated value of New York State and local sales tax exemption (8% of value of eligible goods)	$ 37,176.00
Estimated duration of sales tax exemption (The sales tax letter shall be valid for a period of twelve (12) months.	12 M

PROJECTED EMPLOYMENT

Will this investment result in the creation of new jobs? If so, how many?	3.00
Current number of full time employees:	1.00

Estimated annual salary range of jobs to be created:

Annual Salary range from: 41,600 to 57,200

Estimated annual salary range of current jobs:

Annual Salary range from: 36,400 to 36,400

Upon approval of this application, the business agrees to provide FTE and all construction job information, along with its NYS 45 in all years that a sales tax benefit is claimed.

APPLICATION & ADMINISTRATIVE FEES

A. Application Fee:

A non-refundable application fee of $250.00 shall be charged to each applicant and accompany the completed application. $ 250.00

B. Administrative Fee:

A non-refundable administrative fee is due and payable prior to the issuance of a Sales Tax Letter. The administrative fee is based on the size and scope of the project, and is determined on a case by case basis. $ 500.00

TOTAL TAX EXEMPTION FEES $ 750.00

This Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

The Agency reserves the right to terminate, modify, or recapture Agency benefits if :

(i) an applicant or its sub-agency (if any) authorized to make purchases for the benefit of the project is not entitled to the sales and use tax exemption benefits;

(ii) sales and use tax exemption benefits are in excess of the amounts authorized by the Agency to be taken by the applicant or its sub-agents;

(iii) sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the project;

(iv) the applicant has made material, false, or misleading statements in its application for financial assistance;

(v) the applicant has committed a material violation of the terms and conditions of a Project Agreement.

(vi) As of the date of the Application this project is in substantial compliance with all provisions of GML Article 18-A, including but not limited to, the provisions of GML Section 859-a and GML Section 862(1) (the anti-raid provision) and if the project involves the removal or abandonment of a facility or plant within the state, notification by the IDA to the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located.

APPLICANT COMPANY

OCSH Binghamton Holdings, LLC

Signature, Title Date 6/6/2022

Sworn to before me this

6th day of June, 2022

Alyn L. Gusefski

(Notary Public)

ALYN E. GUSEFSKI
NOTARY PUBLIC, STATE OF NEW YORK
No. 01GU6089810
Qualified in Broome County
Commission Expires March 31, 2023

LABOR POLICY

Local General Contractor, Subcontractor, Trades and Labor Policy

It is the goal of the The Agency/**IDA** to maximize the use of local labor for each project that receives benefits from the Agency/**IDA**. This policy applies to general contractors, subcontractors, trade professionals, and their employees. The Agency/**IDA**'s Local Labor Area consists of the following New York State counties: Broome, Chemung, Chenango, Cortland, Delaware, Otsego, Schuyler, Steuben, Tioga and Tompkins.

Every applicant is obligated to provide written proof and data (see attached ... forms) to the Agency/**IDA** as to the physical location of all the contractors who worked on the project.

The Agency/**IDA** will review the data provided and determine, on a case-by-case basis and in a fully-transparent manner, whether the Applicant has substantially conformed to the policy.

An Applicant **will not be deficient** if the proposed project requires specifically skilled labor that is unavailable in the Local Labor Area.

An Applicant **will not be deficient** if the proposed project utilizes parts and supplies assembled elsewhere because no such assembly is available in the Local Labor Area.

An Applicant **will be held non-compliant** with the Labor Policy if it imports labor from outside the Local Labor Area when equal labor that is ready, willing, cost-competitive, etc. resides in the Local Labor Area.

The Agency/IDA may determine on a case-by-case basis to waive any portion of this policy for a project or a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services, documented lack of workers meeting the Local Labor Requirement or if other compelling circumstances exist.

In consideration of the extension of financial assistance by the Agency/**IDA** OCSH Binghamton Holdings, LLC (the Applicant) understands the Local Labor Policy and agrees to submit either or both a Local Labor Utilization Report or a Non Local Labor Utilization Report at the time that construction ends on the project to the Agency.

The Applicant understands an Agency/IDA tax-exempt certificate is valid for one year from the effective date of the project inducement. If an Applicant wishes to request an extension, a letter must be sent 30 days prior to the end date to the Executive Director, on company letterhead, explaining the necessity for the extension.

The Applicant further understands any request for a waiver to this policy must be submitted in writing and approved by the Agency/**IDA** before a tax-exempt certificate is issued or extended.

The Applicant further understands that if the required forms are not submitted to the Agency/**IDA**, the Agency/ **IDA** shall have the authority to immediately terminate any and all Financial Assistance being provided to the Project.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the Project as of June 6, 2022 (Submission date).

APPLICANT: OCSH Binghamton Holdings, LCL

REPRESENTATIVE FOR CONTRACT BIDS/AWARDS: Kevin Findley

ADDRESS: 257 Washington Street

CITY: Binghamton STATE: NY ZIP: 13901 PHONE: 607-821-1600

EMAIL: info@ocsh.biz

PROJECT ADDRESS: 257 Washington Street, Binghamton NY 13901

AUTHORIZED REPRESENTATIVE: Kevin Findley TITLE: Manager

SIGNATURE: Kevin Findley

Sworn to before me this

6th day of June, 2022

Alyn L. Gusefski
(Notary Public)

ALYN L. GUSEFSKI
NOTARY PUBLIC, STATE OF NEW YORK
No. 01GU6089810
Qualified in Broome County
Commission Expires March 31, 2023

The following organizations must be solicited in writing for the purpose of meeting the requirements of this Agreement:
Documentation of solicitation MUST be provided to the Agency.

The Builders Exchange of the Southern Tier, Inc.
15 Belden Street
Binghamton, NY 13903
brad@bxstier.com
(607) 771-7000

Binghamton/Oneonta Building Trades Council
11 Griswold Street
Binghamton, NY 13904
raikens@iuoe158.org
(607) 723-9593

(877) 784-9556
Tompkins-Cortland Building Trades Council
622 West State Street
Ithaca, NY 14850
tbrueribew241@gmail.com
(607) 272-3122

Southern Tier Building Trades Council
1200 Clemens Center Parkway
Elmira, NY 14901
ibew139ba@aol.com
(607) 732-1237

Dodge Reports
http://construction.com/dodge/submit-project.asp
830 Third Ave., 6th Floor
New York, NY 10022
support@construction.com

Building Trades
Katie Fairbrother, Secretary
kfairbrother@ualocal112.org
607-723-9593

LOCAL LABOR UTILIZATION REPORT

To be completed for all contractors residing within the Broome County IDA Local Labor Area

APPLICANT: OCSH Binghamton Holdings, LLC

PROJECT ADDRESS: 257 Washington St. CITY: Binghamton STATE: NY ZIP: 13904

EMAIL: info@ochs.biz PHONE: 607-821-1600

GENERAL CONTRACTOR/CONSTRUCTION MANAGER: McGill Balfe & Associates, LLC

CONTACT: Kevin Findley

ADDRESS: 257 Washington St CITY: Binghamton STATE: NY ZIP: 13901

EMAIL: mcgill.balfe@gmail.com PHONE: 607-821-1600

ITEM	CONTRACT/SUB	ADDRESS	EMAIL	PHONE	AMOUNT
Site/Demo					
Foundation/Footings					
Building					
Masonry					
Metals					
Wood/Casework					
Thermal/Moisture					
Doors, Windows & Glazing					
Finishes					
Electrical					
HVAC					
Plumbing					
Specialties					
M& E					
FF & E					
Utilities					
Paving/Landscaping					

CHECK IF CONSTRUCTION IS COMPLETE ☐

CHECK IF THIS IS YOUR FINAL REPORT ☐

I CERTIFY THAT THIS IS AN ACCURATE ACCOUNTING OF THE CONTRACTORS THAT ARE WORKING AT THE PROJECT SITE.

Company Representative Date

NON LOCAL LABOR UTILIZATION REPORT

To be completed for all contractors not residing within the Broome County IDA Local Labor Area

APPLICANT:

PROJECT ADDRESS: CITY: STATE: ZIP:

EMAIL: PHONE:

GENERAL CONTRACTOR/CONSTRUCTION MANAGER:

CONTACT:

ADDRESS: CITY: STATE: ZIP:

EMAIL: PHONE:

ITEM	CONTRACT/SUB	ADDRESS	EMAIL	PHONE	AMOUNT
Site/Demo					
Foundation/Footings					
Building					
Masonry					
Metals					
Wood/Casework					
Thermal/Moisture					
Doors, Windows & Glazing					
Finishes					
Electrical					
HVAC					
Plumbing					
Specialties					
M& E					
FF & E					
Utilities					
Paving/Landscaping					

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CHECK IF THIS IS YOUR FINAL REPORT ☐

I CERTIFY THAT THIS IS AN ACCURATE ACCOUNTING OF THE CONTRACTORS THAT ARE WORKING AT THE PROJECT SITE.

Company Representative Date