

**ALBANY COUNTY CAPITAL RESOURCE CORPORATION**

**GRANT APPLICATION FORM**

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IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the Albany County Capital Resource Corporation. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Corporation.  
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TO: ALBANY COUNTY CAPITAL RESOURCE CORPORATION  
112 State Street; Room 740  
Albany, New York 12207

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_

APPLICANT'S ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE NO.: \_\_\_\_\_ FAX NO.: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF ATTORNEY: \_\_\_\_\_

ATTORNEY'S ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PHONE NO.: \_\_\_\_\_ FAX NO.: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

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NOTE: PLEASE READ THE CRITERIA AND INSTRUCTIONS ON PAGE 2 AND FOLLOWING HEREOF BEFORE FILLING OUT THIS FORM.  
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## ACCRC GRANT CRITERIA and APPLICATION INSTRUCTIONS

### CRITERIA FOR ACCRC GRANT FUNDING ASSISTANCE

The Albany County Capital Resource Corporation (ACCRC) periodically receives requests for direct grant funding assistance to worthy organizations. Funding assistance provided from the fund balance of the ACCRC is not guaranteed and all requests must conform to the following criteria:

#### **Legal Prohibitions**

All monies must be used to fund operations or projects which would constitute a “project” under the ACCRC statute.

No funds of the ACCRC shall be (a) used to prevent establishment of an industrial or manufacturing plant, (b) given to any group which is attempting to prevent the establishment of an industrial or manufacturing plant or (c) used for advertising or promotional materials which contain the picture of any elected or appointed governmental official.

#### **Process**

Requests for assistance must be submitted in writing, in care of the Chairman of the ACCRC. The request will be forwarded to the ACCRC Board and be reviewed at their next meeting. Upon request, applicants may be asked to present their request and answer additional questions at a regularly scheduled meeting of the ACCRC Board. Each written request must include at a minimum the following information:

1. Name of the organization, mission statement, officers and board members of the organization.
2. Amount requested and purpose of the funding.
3. A brief narrative relating this request to the goals and objectives of the ACCRC mission statement and/or the economic development strategy of Albany County.
4. Organizational budget including a complete listing of all funding sources.
5. Will this be a recurring request? If necessary, how will the organization sustain funding for this project in future years?

The ACCRC must vote on all requests. At the commencement of the project or no later than one year later, applicants are asked to provide a brief narrative to the ACCRC Board describing the outcomes and/or progress of their ACCRC project.

## APPLICATION INSTRUCTIONS

1. The Corporation will not approve any application unless, in the judgment of the Corporation, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the project which is the subject of this application (the “Project”).
3. If an estimate is given as the answer to a question, put “(est)” after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return eight (8) copies of this application to the Corporation at the address indicated on the first page of this application.
6. The Corporation will not give final approval to this application until the Corporation receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Corporation (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant’s competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Corporation all actual costs incurred in connection with this application and the Project contemplated herein. The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Corporation.
9. Based on review of the Application, the Corporation may at its sole discretion request and shall timely be provided with such additional information and details, forms and documentation regarding the Applicant and the Project in order to properly evaluate and assess the application. Failure or refusal to timely provide such information may result in rejection of the application.
10. Upon approval of the Application, the Applicant shall be required to execute such documents as are required by the Corporation to properly detail the terms of the Grant including, but not limited to, the use of funds, accountability, reporting and recovery (or “clawback”) of funds in certain instances of failure to utilize, report and / or account for funds as required or requested by the ACCRC.

ALBANY COUNTY CAPITAL RESOURCE CORPORATION  
GRANT APPLICATION

PLEASE COMPLETE THE FOLLOWING INFORMATION AND ATTACH DOCUMENTS  
AS REQUESTED OR AS REQUIRED TO ADEQUATELY ANSWER

(Please identify answers where attachments are included and be sure to include all  
exhibits on the LIST OF ATTACHMENTS AND EXHIBITS FORM ON PAGE 15)

1. ORGANIZATION NAME:

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2. ORGANIZATION MISSION STATEMENT:

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3. AMOUNT OF FUNDING REQUESTED AND TOTAL COST OF PROJECT:

Amount Requested: \$ \_\_\_\_\_

Total Project Cost: \$ \_\_\_\_\_

4. PURPOSE OF FUNDING REQUEST:

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5. PLEASE ATTACH A LIST OF ORGANIZATION OFFICERS AND BOARD MEMBERS.

6. PLEASE ATTACH A BRIEF NARRATIVE RELATING THIS REQUEST TO THE GOALS AND OBJECTIVES OF THE ALBANY COUNTY CAPITAL RESOURCE CORPORATION AND/OR OF ALBANY COUNTY'S ECONOMIC DEVELOPMENT STRATEGY.

7. PLEASE ATTACH AN ORGANIZATIONAL BUDGET, INCLUDING A COMPLETE LISTING OF ALL FUNDING SOURCES.

8. WILL THIS BE A RECURRING REQUEST?

\_\_\_\_\_ YES \_\_\_\_\_ NO

9. IF NECESSARY, HOW WILL THE ORGANIZATION SUSTAIN FUNDING FOR THIS PROJECT IN FUTURE YEARS?

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ALBANY COUNTY CAPITAL RESOURCE CORPORATION  
GRANT APPLICATION FORM

10. IF YOUR PROJECT IS APPROVED FOR FUNDING BY THE ALBANY COUNTY CAPITAL RESOURCE CORPORATION, YOU UNDERSTAND AND AGREE TO FURNISH AN ANNUAL END OF YEAR REPORT DESCRIBING THE OUTCOMES AND/OR PROGRESS OF THE PROJECT.

PLEASE NOTE THAT A REPRESENTATIVE OF THE APPLICANT MAY BE ASKED TO PRESENT INFORMATION REGARDING THE REQUEST AT A MEETING OF THE ALBANY COUNTY CAPITAL RESOURCE CORPORATION.

DATED: \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

SUBMITTED BY(Signature): \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE, ORGANIZATION AND ADDRESS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PHONE NO.: \_\_\_\_\_ FAX NO.: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

PROJECT INFORMATION SUMMARY

Applicant: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Project / Program /  
Name: \_\_\_\_\_

Location: \_\_\_\_\_

Description of  
Project / Program: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employment Impact: Existing Jobs: \_\_\_\_\_

New Jobs: \_\_\_\_\_

Project Cost (Total from All Sources): \$ \_\_\_\_\_

Grant Total Requested from ACCRC: \$ \_\_\_\_\_

Other and additional types of financing included in funding this Project and their sources:

Sources and amounts (Please indicate status: Received / On Hand; Approved; Applied for but not yet confirmed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other Involved Agencies:

1. Please indicate all other local agencies, boards, authorities, districts, commissions or governing bodies (including any city, county and other political subdivision of the State of New York and all state departments, agencies, boards, public benefit corporations, public authorities or commissions) involved in approving or funding or directly undertaking action with respect to the Project. For example, do you need a municipal building permit to undertake the Project? Do you need a zoning approval to undertake the Project? If so, you would list the appropriate municipal building department or planning or zoning commission which would give said approvals.

2. Describe the nature of the involvement of the federal, state or local agencies described above:

REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Corporation as follows:

A. Job Listings. Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the “DOC”) and with the administrative entity (collectively with the DOC, the “JTPA Entities”) of the service delivery area created by the federal job training partnership act (Public Law 97-300) (“JTPA”), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

B. First Consideration for Employment: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Corporation, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the

value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

D. Annual Employment Reports: The applicant understands and agrees that, if the Project receives any Financial Assistance from the Corporation, the applicant agrees to file, or cause to be filed, with the Corporation, on an annual basis, reports regarding the number of people employed at the Project site, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the “NYS-45”), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable. The applicant also agrees, whenever requested by the Corporation, to provide and certify or cause to be provided and certified such information concerning the participation of individuals from minority groups as employees or applicants for employment with regard to the project.

E. Absence of Conflicts of Interest: The applicant has received from the Corporation a list of the members, officers and employees of the Corporation. No member, officer or employee of the Corporation has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:  
\_\_\_\_\_.

F. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Corporation or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Corporation and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant

DATED: \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

SUBMITTED BY(Signature): \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE, ORGANIZATION AND ADDRESS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PHONE NO.: \_\_\_\_\_ FAX NO.: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

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NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 9 THROUGH 12 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 13  
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VERIFICATION

(If Applicant is a Corporation)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_deposes and says that he is the  
(Name of chief executive of applicant)

\_\_\_\_\_of \_\_\_\_\_,  
(Title) (Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said company is because the said company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

\_\_\_\_\_  
(officer of applicant)

Sworn to before me this  
\_\_\_\_day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public)

VERIFICATION

(If applicant is sole proprietor)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says  
(Name of Individual)

that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application.

\_\_\_\_\_

Sworn to before me this  
\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public)

VERIFICATION

(If applicant is partnership)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says  
(Name of Individual)

that he is one of the members of the firm of \_\_\_\_\_,  
(Limited Liability Company)

the limited liability company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said limited liability company.

\_\_\_\_\_

Sworn to before me this  
\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public)

VERIFICATION

(If applicant is limited liability company)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says  
(Name of Individual)

that he is one of the members of the firm of \_\_\_\_\_,  
(Partnership Name)

the partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

\_\_\_\_\_

Sworn to before me this  
\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public)

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NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE CORPORATION  
UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 13 IS SIGNED  
BY THE APPLICANT.  
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HOLD HARMLESS AGREEMENT

Applicant hereby releases Albany County Capital Resource Corporation and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Corporation") from, agrees that the Corporation shall not be liable for and agrees to indemnify, defend and hold the Corporation harmless from and against any and all liability arising from or expense incurred by (i) the Corporation's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issue of bonds or grants requested therein are favorably acted upon by the Corporation, and (ii) the Corporation's financing of the Project described therein; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Corporation or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Corporation, its agents or assigns, all actual costs incurred by the Corporation in the processing of the Application, including attorneys' fees, if any.

(Applicant)

BY: \_\_\_\_\_

Sworn to before me this  
\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Notary Public)

**LIST OF ATTACHMENTS AND EXHIBITS**

EXHIBIT	DESCRIPTION OF EXHIBIT AND ACCRC APPLICATION PAGE REFERENCE
A	
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	