

THE CLEAN OHIO COUNCIL
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COLUMBUS, OHIO 43216-1001
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[CORF Application Website](#)

**CLEAN OHIO REVITALIZATION FUND
APPLICATION FOR FUNDING
Guidance for Part B
Known End User Track**

April 2010



Clean**Ohio**Fund

Guidance to Answering Part B Scoring Questions - Known End User Track

General Instructions

- A. The purpose of Part B is to provide a self-contained stand alone section for scoring purposes.
- B. The District Integrating Committee (or Executive Committee, as applicable) may or may not prioritize projects in base score order. A Project scoring the highest base score does not have to be prioritized number one by the District.
- C. Scoring is based on Part B of the application as submitted to the Ohio Public Works District Integrating Committee. No additional information may be included in the application for Part B after the application is placed on file at the library.
- D. The scoring measures in Part B and the eligibility requirements in Parts A are **separate and unconnected**. A Project may have a high base score and be ineligible for funding consideration; a Project may have a low score and be funded, if eligible.
- E. Points will not be given if the required documentation is not provided.
- F. An applicant may choose to provide no documentation and thus receive no points for a measure or part thereof.
- G. Part B of the application can be downloaded and completed in Microsoft Excel™. This version will calculate all formulas for you as you enter information. A copy of the self-scored application and attachments must be provided in a three ring binder.
- H. Decimal answers and percentages are used for some measures. Note: a percentage answer is the decimal answer multiplied by 100.

Economic Benefit

Question 1. Known End User

Six (6) Points

To earn six points in this category, include in **Attachment B1** documentation for each of these required elements:

1. Documented written commitment from each end user:
The written commitment should be printed on company letterhead and signed by an authorized company signatory. (An example is included in Appendix 1 of this document)
2. Dun & Bradstreet (D&B) Company Business Background Report for each end user
These reports can be ordered online for \$49.99 per company. The website is <http://smallbusiness.dnb.com/make-informed-business-decisions/12316286-1.html> Click the 'Order Now' button next to the Business Background Report option. If the search is unsuccessful try using the advanced search option. The "Business Background Report" is the required report for this category. If the business entity that will be the end user does not have a D&B report points will not be awarded. If the business entity that will be the end user does not have a D&B report, the points will not be awarded.
3. Each End User's Business Plan for the Property

A concise business plan for each end user(s) should include at a minimum the following elements and not exceed four pages in length:

Business concept Describes the business, its product(s) or services and the market(s) it will serve. Describe specific attributes of the product or services to be sold, to whom and why the business will hold a competitive advantage. Identify the 4-digit NAICS (North American Industry Classification System) associated with the business, if applicable.

Financial features and requirements Highlight the important financial points of the business including sales, profits, cash flows and return on investment. Please describe how capital will be used and identify the proposed sources: equity, investors and/or lending institutions. Clearly states the capital needed to expand the business.

Current business position Please describe the relevant information about the company, its legal form of operation, when it was formed, the principal owners and key personnel.

Major achievements Detail any developments within the company that are essential to the success of the business. Major achievements include items like patents, prototypes, location of a facility, pending contracts, results from any test marketing that has been conducted or detailed marketing studies related to retail or housing development.

Question 2. Jobs Retained

Retained jobs include: permanent full-time jobs retained by a documented known end user(s) for the project currently located within the state of Ohio. The number of jobs retained should be stated in the known end user(s) letter of commitment in Attachment B1.

Question 3. Jobs Created

Newly created jobs include: permanent full-time jobs to be created by a documented known end user(s) for the project not currently located within the state of Ohio. The number of jobs created should be stated in the known end user(s) letter of commitment in Attachment B1.

Question 4. Quality of Jobs

The value of jobs to be created and/or retained by a documented known end user(s) for the project stated in the known end user(s) letter of commitment in Attachment B1. To determine the number of times the value of jobs compares to the state minimum wage divide the average hourly wage rate by the state minimum wage rate as shown in the example below. The state minimum wage rate currently is \$7.30/hour. Additional information is available on the state of Ohio Department of Commerce webpage: <http://com.ohio.gov/laws/>

Example Calculation:

Average hourly wage for created and/or retained jobs in the known end user letter of commitment is \$14.00.

$$14.00/7.30 = 1.92$$

Question 5. Vacant Property

The project property must be completely vacant at the time of application submission in order to score points in this measure. If the property may become vacant during the application process, no points may be scored in this measure; however, please indicate this in your Application Summary document (Attachment A1).

Question 6. Acquisition

The entire project property must be owned by the applicant, non-profit organization or the development partner with no further need for acquisition at the time of application submission in order to score points in this measure. This means that no further legal or financial transactions will be required to acquire the property prior to conducting cleanup activities. Additionally, the property owner must not have caused or contributed to the contamination on the property. If the property is to be acquired once the project is approved or during the application process, no points may be scored in this measure; however, please indicate this in your Application Summary document (Attachment A1).

The copy of the Deed provided in Part A Attachment A5 will be used to score this question.

Environmental Improvement

Question 7. Extent of Contamination

The intent of this question is to differentiate projects based on the extent of contamination as measured by complete exposure pathways. More complete pathways will equate to a higher score. The four pathways relevant to this question are:

- Soil to human receptor (direct contact to end-user and/or construction worker),
- Ground water to human receptor (exceeds Unrestricted Potable Use Standards),
- Surface water and/or sediment to ecological receptor either on the property or immediately adjacent to the property (exceeds surface water or sediment standards),
- Indoor-air to current or future human receptor (exceeds an indoor-air risk standard, or a building contains friable asbestos)

Soil to Human Receptor

The soil pathway is considered complete if supporting sampling data shows that a direct contact standard is exceeded within the proposed point of compliance. The point of compliance and applicable standards must match the proposed end-use of the property or exposure unit (i.e. commercial/industrial, residential, or recreational end-use, or construction worker).

Ground Water to Human Receptor

The ground water pathway is considered complete if supporting sampling data shows that the ground water zone under the property is either Class A or Critical Resource and contaminants exceed Unrestricted Potable Use Standards in that zone. The ground water pathway is considered incomplete if the ground water is Class B or if the property is located within an Urban Setting Designation.

Surface Water and/or Sediment to Ecological Receptor

The surface water/sediment pathway is considered complete if supporting sampling data shows that the stream or sediment exceeds an applicable standard and that the contaminants are shown to have originated from the property. The stream must be located either on the property or immediately adjacent to the property. The applicable standards are surface water quality standards and/or sediment screening values.

Indoor-Air to Current or Future Human Receptor

Based on the current location or the reasonably anticipated location of future human receptors, the indoor-air pathway is considered complete if supporting sampling data (soil-gas, sub-slab, direct indoor-air, and/or J&E modeling) shows that the current soil and/or ground water contamination could or will impact either current or future human receptors. Furthermore, if asbestos is an identified contaminant, the pathway is considered complete only if the asbestos survey shows that the materials are currently friable.

Support documentation must be included in **Attachment B2**.

Question 8. Proximity to Receptors (Homes, Schools, or Daycares)

The home, school and daycare receptors shall include: residences; daycare facilities; schools, colleges and other educational institutions; nursing homes, elder care and other long-term health care facilities; and, correctional facilities. All distances to these receptors should be measured in feet from the closest identified receptor to the nearest property boundary of the project. Points are awarded if **one** of these

receptors is present within 1,000 feet of the property. Points are not cumulative if multiple receptors are present.

In order to receive points for this question, **all** of the following documentation must be provided in **Attachment B3**:

- Map, to scale, documenting the separation distance;
- The type/name of the receptor, the distance (in feet) from the project property boundary and the address of the receptor; and,
- At least one recent aerial photograph, noting the project property boundaries and the location of the receptor.

Question 9. Exposure Potential

This measure intends to differentiate projects based on the degree of contamination present on the property. Higher concentrations of contaminants will equate to a higher score. The maximum score for this measure is eight points. The points for this measure are not cumulative. Only the maximum score from one of the scoring choices will be awarded.

The highest soil or ground water contaminant concentrations determined during the Phase II assessment of the project property should be compared to Voluntary Action Program (VAP) generic residential standards found in the newly proposed Ohio Administrative Code (OAC) 3745-300-08(B)(3)(b) Table II, (f) Table V, and generic unrestricted potable use standards for ground water found in the newly proposed OAC 3745-300-08(C)(3)(b) Table VI and (c) Table VII. (See: <http://www.epa.state.oh.us/derr/vap/rules/rules.aspx>)

Supplemental residential direct contact and unrestricted potable use value tables developed by the VAP may also be used if a contaminant is not listed in the proposed VAP rules. These values can be found at the following link: <http://epa.ohio.gov/LinkClick.aspx?fileticket=kihrg/TDoWE=&tabid=3052>

The VAP generic standards and supplemental values provide a list of the most common compounds identified at brownfield properties. Only compounds found in the VAP rules or the above supplemental value tables can be used to develop the score for this measure. When determining a score for this measure, each contaminant shall be compared to each published generic standard or supplemental value and a multiple chemical adjustment shall NOT be performed if more than one contaminant is present.

The score is determined as follows:

For soil:

Soil concentration (mg/kg) ÷ by the generic residential standard or supplemental soil value (mg/kg) = X

For ground water:

Ground water concentration (ug/l) ÷ by the unrestricted potable use standard or supplemental ground water value (ug/l) = Y

If X or Y is 100 or greater, Score = 7 points

If X or Y is 20 to 99.9, Score = 3 points

If X or Y is 1 to 19.9, Score = 1 point

To achieve maximum points in this scoring measure, at least one contaminant (soil or ground water) must be present on the property that is at least 100 times the VAP generic standards or supplemental values. No points will be awarded if all soil or ground water concentrations are below VAP generic standards or supplemental values, or if soil or ground water media have not been impacted. (e.g. if regulated asbestos containing material is the only contaminant of concern).

To document this scoring measure, a map must be included in **Attachment B4** that shows identified areas, sample location, and sampling data, which support whether a soil or ground water concentration exceeds generic residential standards, unrestricted potable use standards, or supplemental values.

Question 10. Orphan Property or Responsible Party Contribution

Points can only be awarded in either the Orphan Property category or the Responsible Party Contribution category, but **not both**.

Orphan Property

Points are awarded if no viable responsible parties exist, or the project is an asbestos-only project. An orphan property means any property for which no viable responsible party that caused or contributed to the contamination at the property exists to contribute funds for the cleanup of the property. Responsible parties should be identified by conducting a Potentially Responsible Party (PRP) Search following U.S. EPA guidelines (OSWER Directive 9834.3-2a, PRP Search Supplemental Guidance for Sites in the Superfund Remedial Program, Final, June 16, 1989). At a minimum, this search must identify present and past OWNERS and OPERATORS that caused or contributed to the contamination at the property through a title search for the property, using typical "Phase I" information, and appropriate interviews of past owners and operators, employees, and local residents. A property can be considered an orphan property if the business entities that acted as owners or operators and caused or contributed to the contamination at the property are either liquidated or no longer in existence. A search for transporters associated with past ownership or operations is not required, unless the property has been used as a dump or solid waste landfill.

PRP viability should be determined using readily available financial research tools such as Dun & Bradstreet or Standard & Poor. The PRP search and viability determination should be documented in **Attachment B5**.

Responsible Party Contribution

If viable responsible parties are identified, points will be awarded based on the percentage of environmental cleanup costs that are committed by the responsible parties; or points will be awarded if environmental remediation at the property is required by solid or hazardous waste closure obligation, decision document or court order, and the viable responsible parties exist and will contribute 100% of the environmental cleanup costs. Only actual dollar contributions from viable responsible parties can be included in this measure. Any contributions by non-responsible parties (e.g., applicant, development partner, etc.) cannot be applied as a contribution. Furthermore, the reduction in property sale price by a responsible party owner is not applicable to this measure.

Environmental cleanup costs means those costs to contain, remove or dispose of hazardous substances or petroleum at the brownfield and does not include acquisition, demolition, or infrastructure costs.

The percentage of responsible party contribution must be calculated by dividing the total dollars committed by all responsible parties divided by the total environmental cleanup costs (excluding any acquisition, demolition or infrastructure costs):

Total PRP contributions ÷ total environmental cleanup cost x 100 = _____ %

A summary of the responsible party contributions and environmental cleanup costs should be provided in **Attachment B5**.

Question 11. Responsible Party Donation

Points can be awarded if the responsible party donated the project property to the current owner. Donation is defined as either a zero sum transaction or a transaction where minimal costs were included to address typical administrative fees (i.e. \$1 transaction or charges for recording the deed).

A copy of the settle sheets, deeds or county auditor information should be provided in **Attachment B6**. At a minimum, the following information must be included in the documentation provided: property description, name of the parties, transaction date, and the dollar amount of the transaction.

Question 12. Green Building

Points are awarded if the applicant or local government entity has passed a Resolution or Ordinance that ensures any renovation or new building construction follows Leadership in Energy & Environmental Design (LEED) standards. LEED standards can be found on the U.S. Green Building Council's web page located at: www.usgbc.org/leed/

CORF projects are not required to seek LEED certification, however certified projects receive a LEED plaque, which is the nationally recognized symbol demonstrating that a building is environmentally responsible, profitable and a healthy place to live and work. Following LEED standards promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality.

An example of an acceptable resolution can be found in Appendix 2. If you have questions about Green Buildings or LEED standards, please contact Amy Yersavich Ohio EPA, DERR /SABR, at (614) 644-2285 or e-mail at Amy.Yersavich@epa.state.oh.us.

To document this scoring measure, a copy of the executed Resolution or Ordinance should be included **Attachment B7**; draft or un-signed ordinances will not be accepted.

Question 13. Total Acreage

Up to three points will be awarded based on total project acreage above 0.5. **No points** will be awarded to project properties that are smaller than 0.5 acres. Total acreage should be documented in Part A **Attachment A4**.

Question 14. Environmental Insurance

To help ensure that environmental risks are further minimized at brownfield projects funded by the Clean Ohio Fund, this question promotes the use of either "cost cap" or "pollution legal liability" insurance policies as extra levels of protection against unforeseen environmental conditions at the property. Points will be awarded to projects that have either a "cost cap" or "pollution legal liability" insurance policy in-place at the time of application; a draft or un-signed policy will not be accepted. A copy of this policy must be included in **Attachment B8**.

Match

Match includes cash, in-kind services, or portions of grants or loans specifically expended on project property for eligible activities. Match can either have been expended within two years prior to the application submittal to the Clean Ohio Council or committed to be expended during the application process and 48 month grant period. Eligible match categories are clearance, assessment, environmental insurance, acquisition, demolition, cleanup and infrastructure. The infrastructure must be on or at the project property. Application preparation is not an eligible match item.

Question 15. Percentage Participation

Up to two points will be awarded based on the match percentage of the total project costs. While 25% match is required for the program, additional points are given for a higher match percentage. Funds received through the Clean Ohio Assistance Fund program may NOT be counted as match. The percentage participation identified on the Sources and Uses of Funds document Attachment A8 along with match documentation provided in Attachment A9 will be used to score this question.

Question 16. Percent Participation in Cleanup and Demolition

Up to two points will be awarded based on the percentage participation toward cleanup and demolition activities. The percentage participation is based on total match committed not the total project costs. Funds received through the Clean Ohio Assistance Fund program may NOT be counted as match. The percentage participation identified on the Sources and Uses of Funds document Attachment A8 along with match documentation provided in Attachment A9 will be used to score this question.

Question 17. Private Match Contribution

Up to two points will be awarded based on the percentage participation committed by a private entity. The percentage participation is based on total match committed not the total project costs. Funds received through the Clean Ohio Assistance Fund program may NOT be counted as match. Loan(s) from a public loan program borrowed by the private entity are included as Private Match Contribution. The percentage participation identified on the Sources and Uses of Funds document Attachment A8 along with match documentation provided in Attachment A9 will be used to score this question.

Question 18. Previously Expended Match Contribution

Up to two points will be awarded based on the percentage participation for previously expended match contribution. The percentage participation is based on total match committed not the total project costs. Funds received through the Clean Ohio Assistance Fund program may NOT be counted as match. The percentage participation identified on the Sources and Uses of Funds document Attachment A8 along with match documentation provided in Attachment A9 will be used to score this question.

Benefit to Low Income

To find the census tract(s) for the property go to the website

http://factfinder.census.gov/servlet/SAFFFacts?_submenuId=factsheet_1&_sse=on

In the upper right hand corner of the screen you will see a search box. Beneath the search box is a link called "Search by Address" Click this link and then type in the address of the PROJECT PROPERTY in the boxes provided then click "GO". This will bring up a new page. To the left of the search box you will now see a link for a particular census tract number. Click that link and the new page will show you the census tract, percent poverty and percent minority. Use these values to answer question 17.

Question 19. Location of Property

Points are based on the percentage of poverty in the census tract in which the project property is located.

To document this scoring measure, census tract information must be included in **Attachment B9**.

Project Viability

Question 20. Grant Request

Points are based on grant request for eligible costs.

Two (2) Points

Two points are awarded if the grant request is for \$2,000,000 or less.

One (1) Point

One point are awarded if the grant request is for \$2,000,001 to \$2,500,000

Question 21. Expenditure of dollars toward cleanup and demolition.

Two (2) Points

Two points are awarded if 100% of the dollars requested from CORF will be spent on demolition or cleanup.

One (1) Point

One point is awarded if less than 80.00% to 99.99% of the dollars requested from CORF will be spent on demolition or cleanup.

Question 22. Development Plan In Place

A development plan is a strategic plan, market study, or other document that guides the future economic development or land use of the community in which the project property is located. It is a working document that identifies priorities, outlines short-term, mid-term, and long-term goals, and is used to determine funding priorities.

Five (5) Points

Five points are awarded if the Applicant has both of the following:

- 1) a strategic plan adopted by the municipality or township that identifies the project property; and,
- 2) an approved resolution dated within one year from submitting this application to the Applicant's public library designating the project property as a high priority initiative.

Note: Submit documentation regarding the approval or adoption of the plan and/or study, approved resolution, AND the portion(s) of the plan that applies to the project property.

Three (3) Points

Three points are awarded if the Applicant has ONE of the following:

- 1) a strategic plan adopted by the municipality or township;
- 2) a market study that includes the project property;
- 3) an adopted plan which addresses general brownfield strategy and prioritization; or,
- 4) an approved Watershed Balanced Growth Plan which identifies the project property as within a Priority Development Area.

A Priority Development Area (PDA) is a locally designated area where growth and/or redevelopment is to be especially promoted in order to maximize development potential, efficiently utilize infrastructure, revitalize existing cities and towns, and help restore Lake Erie. PDAs are designated by the Watershed Planning Partnership in consultation with local and state governments and are part of a Watershed Balanced Growth Plan.

Note: Submit documentation regarding the approval or adoption of the plan and/or study AND the portion(s) of the plan that applies to the project property.

One (1) Point

One point is awarded if the Applicant has ONE of the following:

- 1) a general plan adopted by the municipality or township; OR,
- 2) an approved resolution designating the project property as a high priority initiative for future development.

Note: Submit documentation regarding the approval or adoption of the plan and/or study, approved resolution AND the portion(s) of the plan that applies to the project property.

To document this scoring measure, the applicable portions of the plan must be included in **Attachment B10**.

Question 23. New Jurisdiction

New jurisdiction is defined as a brownfield project located in a jurisdiction that has not applied or received a previous CORF award. If it is unclear whether a project qualifies for this measure contact the Urban Development Division at 614-995-2292 or via email at urban@development.ohio.gov

Combination of Uses

Question 24. Combination of Uses

Points are awarded for project plans that include a combination of residential use, commercial use, and/or industrial use.

To document this scoring measure, the plan must be included in **Attachment B11**.

Question 25. Inclusion of Green Space

Points are awarded for project properties that incorporate a project funded by the Clean Ohio Green Space Conservation Program and/or Clean Ohio Trails Program on or adjacent to the project property.

To document this scoring measure, proof of the funding must be included in **Attachment B12**.

Loans

Question 26. Loans

Applicant requests a portion of the requested funds in loan form rather than as a grant.

To document this scoring measure, a financial management plan that the applicant will implement to repay the loan must be included in **Attachment B13**.

Bonus Points

Question 27. O.H.I.O. Hubs / Economic Development Innovation Zones

As a key priority for the Ohio Department of Development, leveraging the development impact of community institutions multiplies the neighborhood benefit of projects and is a recognized element of the state's economic well being.

Points are awarded for project properties located within a one-mile radius of one of the following qualifying institutions that are not currently owned by the institution:

- 1) An existing University System of Ohio institution or a private four-year university,
- 2) A public hospital, or
- 3) A non-profit research institution

OR

Project property is within a designated O.H.I.O. Hub with an Anchor Institution. The goal of the O.H.I.O. Hub strategy is for a region to leverage its resources to attract clusters of connected businesses, encourage new investments and an influx of talented workers, and create new opportunities to grow jobs and develop Ohio's key industries.

To be designated an Ohio Hub of Innovation and Opportunity (O.H.I.O. Hub), a region must identify core strengths and develop a strategic plan for urban revitalization. A Hub designation is a commitment from both the state and region to work collaboratively and target economic development efforts toward building upon those identified strengths.

To document this scoring measure, a to-scale map showing the project property within a one-mile radius of a qualifying institution or within a designated O.H.I.O. Hub with an Anchor Institution **AND** a letter from the institution must be included in **Attachment B14**.

The letter from the institution must state a connection between the institution's core assets and the proposed end use. If the qualifying institution or O.H.I.O. Hub Anchor Institution is providing a minimum 5% of the total match contribution for the project, documentation demonstrating the match to be provided must be included with Part A Attachment A8 (Sources and Uses of Funds).

APPENDIX 1

Question 1: Known End User – Sample End User Commitment Letter Attachment B1

Date

Ohio Department of Development
Urban Development Division
77 S. High St., 26th Floor
Columbus, Ohio 43216

To Whom It May Concern:

If the (Project Name) project located at (Project Address) is funded with a Clean Ohio Revitalization Fund (CORF) Grant, (Company Name) plans to invest (Dollar Amount) to develop (square feet) of (commercial, industrial or retail) space or (number of housing units) on the project property.

(Commercial/Industrial projects use the following paragraph)

Development will occur within five years from the CORF grant agreement Effective Date assuming completion of the “Remediation Project” and “No Further Action Letter” has been issued within three years of the Effective Date. This will result in approximately (number of new jobs) and/or (number of retained jobs) at the property with an average wage of (hourly average wage).

Attached is evidence of available financing to complete the planned development at the property (Bank letter, Documentation of Equity, etc.).

(Residential projects use the following paragraph)

A minimum of 20% of the proposed units will start construction within one year of the completed cleanup and will be completed by (Completion Date) within an estimated expenditure of (total cost for construction). Attached is evidence of available financing to complete the planned development at the property (Bank letter, Documentation of Equity, etc.).

Attached is evidence of available financing to complete the planned development at the property (Bank letter, Documentation of Equity, etc.).

(All letters must include the following paragraph)

I also certify that I have the authority to make this commitment of behalf of the company/business, and that we have the resources to finalize the financing package identified above and shown in the community’s application for funds.

Yours truly,

Chief Executive Officer or Authorized Company Representative (Signature)

(Typed Name and Title)

(Witness)

APPENDIX 2

RESOLUTION NO. [_____]

BY:

In support of a Clean Ohio Revitalization Fund (CORF) project located at _____ to have any public and/or private new construction or renovation incorporate materials and methodologies that maximize economic and environmental performance through sustainable design practices.

WHEREAS, this Council believes that high-performance buildings are desirable for [Local government] because they protect, conserve, and enhance environmental resources, yield cost savings to the [Local government] taxpayers through reduced operating costs, and provide healthy work and living environments; and

WHEREAS, the [Local government] desires to merge sound, environmentally responsible practices into one discipline that looks at the environmental, economic, and social effects of a building or built project as a whole.

NOW, THEREFORE, BE IT RESOLVED by the Council of [Local government] State of Ohio:

Section 1. The [Local government] will require the use of building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction and/or renovation at CORF project [name of project] located at [address of property].

Section 2. The [Local government] will require establishment of performance goals for both renovation and new construction projects located at [address of property] and require utilization of Leadership in Energy and Environmental Design (LEED) standards developed by the US Green Building Council.

Section 3. This resolution shall take effect only if [applicant] is a successful CORF grant recipient.

Adopted [Date], 200_

Approved this _____ day of _____, 200_

[NAME, Title]

Attest:

[NAME]
[Title]