

**BEND URBAN RENEWAL AGENCY
(BURA)**



JUNIPER RIDGE URBAN RENEWAL

CITY OF BEND

**Application Instructions
for
Development Assistance**

Additional copies are available from:

**City of Bend
Economic Development Department
Matt Stuart
Urban Renewal Manager
mstuart@bendoregon.gov
Phone: 541-323-5992**

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1. Application Process

The following application process applies to the award process for the JUNIPER RIDGE DEVELOPMENT ASSISTANCE program. BURA will review applications on a first come first serve basis, and BURA reserves the right to amend, alter, or terminate the JUNIPER RIDGE DEVELOPMENT ASSISTANCE program at any time.

| | |
|----------------|---|
| Step 1: | Submit application to BURA staff for completeness check – Matt Stuart at mstuart@bendoregon.gov |
| Step 2: | Upon completeness, staff reviews application and responds to applicant with questions or comments to be addressed. |
| Step 3: | Staff prepares recommendation and sets public meeting date with BURA for presentation and discussion. |
| Step 4: | BURA to issue approval or denial of application and provide staff direction to prepare Development Agreement for approval. |
| Step 5: | BURA and Applicant sign Development Agreement |
| Step 6: | Applicant has three (3) years following the execution of Development Agreement to obtain Certificate of Occupancy or request an extension. |

More detailed information about the application and process is contained in the following section.

2. Review Process

The following process will be used in BURA's review and selection for the JUNIPER RIDGE DEVELOPMENT ASSISTANCE program.

1. Staff will review each application initially for completeness based on the requirements of this application form, whether the project is eligible for DEVELOPMENT ASSISTANCE under the JUNIPER RIDGE URBAN RENEWAL PLAN, and whether the project is already utilizing incentive assistance from the Bend Enterprise Zone (E-zone) – administered by Economic Development of Central Oregon (EDCO).
2. Applications will then be reviewed and evaluated in further detail by Urban Renewal staff. The evaluation criteria that will be used by staff in reviewing Applications are contained in Section 5.

During the application review period, applicants may be invited to deliver a virtual presentation on their project application to staff and/or BURA. If invited, applicants will be allowed approximately five (5) minutes to present their applications, followed by a five (5) minute question and answer session.

3. Staff's recommendations will be forwarded to BURA for final approval of the JUNIPER RIDGE DEVELOPMENT ASSISTANCE application.
4. BURA will finalize and approve funding decisions for the JUNIPER RIDGE DEVELOPMENT ASSISTANCE application and direct staff to proceed with the Development Agreement, if awarded.
5. If action by an applicant requires that the application be amended, any costs associated with the amendment, including legal notice and public hearing costs, will be the responsibility of the applicant.

3. Development Assistance Overview

This section provides general information regarding the JUNIPER RIDGE DEVELOPMENT ASSISTANCE Program and the types of activities that are eligible for funding. For more detailed information on the JUNIPER RIDGE DEVELOPMENT ASSISTANCE PROGRAM and eligible activities, please contact the Urban Renewal Manager.

3.1 Objectives

Funding from this source shall only be spent for commercial and/or industrial development projects evaluated pursuant to the priorities established through the Juniper Ridge Urban Renewal Plan.

3.2 Eligible Activities

All funding from this program must be targeted for commercial and/or industrial development projects.

Basic Eligible Activities:

JUNIPER RIDGE DEVELOPMENT ASSISTANCE can support eligible activities associated with commercial and/or industrial development projects completely within the boundary of the Juniper Ridge Urban Renewal Area, including.

- Acquisition of real property by purchase
- Construction, reconstruction, and rehabilitation of existing facilities
- Grading, clearing, and other activities related to preparing a site for development
- Construction of necessary on-site and off-site infrastructure related to preparing a site for development

3.3 Ineligible Activities

In general, activities that are not specifically identified as eligible, or are not listed as eligible expenses per ORS 457, are considered to be ineligible. The following activities are specifically identified as activities that are not eligible for the JUNIPER RIDGE DEVELOPMENT ASSISTANCE. Please contact the Urban Renewal Manager for more information on ineligible activities.

- Acquisition, construction, or reconstruction of a Public Building, as defined in ORS 457.0410(12), or buildings for the general conduct of government
- General government expenses
- Purchase of construction equipment, fire protection equipment, furnishings and personal properties
- Operating and maintenance expenses

3.4 Eligible Applicants

Applications will be accepted from property owners, private sector for-profit developers, and/or qualified business organizations.

4. Juniper Ridge Development Assistance Program Goals and Objectives

The JUNIPER RIDGE DEVELOPMENT ASSISTANCE applicant must be consistent with the program goals outlined in the Juniper Ridge Urban Renewal Plan and the BURA Policy for Development Assistance.

4.1 Juniper Ridge Urban Renewal Plan

All activities funded through the JUNIPER RIDGE DEVELOPMENT ASSISTANCE program must be consistent with Goal 1, Goal 2, Goal 3, and Goal 4, of the Juniper Ridge Urban Renewal Plan:

- Goal 1: Support the Development of High Quality Employment Uses within the Area – Stimulate a broad mix of compatible employment and recreational uses within the Area, including commercial, light industrial, research and development, and public open spaces.**
- Goal 2: Preserve and Enhance the Area’s Natural Assets – Promote development that preserves and enhances the Area’s natural assets.**
- Goal 3: Improve Traffic and Transportation – Implement transportation improvements that will increase access to vacant and underutilized properties.**
- Goal 4: Provide Public Utilities – provide sewer, water and surface water management infrastructure adjacent to and within the Area that will facilitate the timely and complete development of the Area.**

4.2 BURA Policy on Development Assistance

BURA shall provide assistance in the form of reimbursements to selected projects other than those falling under the definition of a Public Building (ORS 457.010(12)). Property tax increment reimbursements related to the Development Assistance Program shall be made in annual installments following verification of receipt of property tax payments by the County Assessor.

Reimbursement recipients shall enter into a Development Agreement with BURA prior to the disbursement of funds. The Development Agreement shall include the total amount project/development costs, total amount of financial assistance to be reimbursed, timeframe of Certificate of Occupancy and County Assessor certification, the estimated annual reimbursement amounts, the estimated payment schedule, and the remedies to be employed by BURA in the event that the reimbursement recipient fails to meet the terms and conditions of the Development Agreement.

Following execution of the Development Agreement, BURA staff will verify costs and assessed values with both the recipient and County Assessor on an annual basis to ensure compliance with the terms of the Development Agreement through its entirety.

Terms of the development agreement shall be as follows:

- Monetary value of development assistance does not exceed ten percent (10%) of total development costs associated with project.
- Property tax increment reimbursement is not eligible for disbursement until Certificate of Occupancy is received and new development has been certified by the County Assessor;
- If the value of development assistance requested is less than fifty thousand dollars (\$50,000), reimbursement can occur following completion and approval of the related tasks.
- Annual reimbursement payments do not exceed seventy-five percent (75%) of the yearly increased property tax increment value, as certified by the County Assessor.

- Projects may be subject to Bureau of Labor Industries Prevailing Wage (ORS 279C.838(C)), and applicants are responsible for making its own independent determination of whether prevailing wage applies.

Under extraordinary conditions, BURA may approve modification of the above terms to accommodate a project's specific needs. Modification of these terms will be the exception rather than the rule. In such cases, it shall be the responsibility of the project applicant to provide sufficient evidence – as determined by staff – that the standard reimbursement requirements and terms would cause undue hardship to the applicant or the project. Potential modifications include:

- Reimbursements for projects other than those falling under the definition of a Public Building (ORS 457.010(12)) may be negotiated for annual reimbursement payments exceeding the amount specified in Section 2, if it can be shown that such terms would cause undue hardship to the applicant or would preclude the successful implementation and/or completion of the project.

5. Evaluation Criteria

The evaluation criteria outlined in this section have been developed to be consistent with priorities of the Juniper Ridge Urban Renewal Plan. All applications will be reviewed using these criteria.

5.1 Juniper Ridge Urban Renewal Plan Goals and Objectives

Only those projects addressing Goals 1, 2, 3, and 4, identified in the Juniper Ridge Urban Renewal Plan (listed in Section 4.1 above), where/when applicable, will be considered for JUNIPER RIDGE DEVELOPMENT ASSISTANCE. Please review the Juniper Ridge Urban Renewal Plan goals and objectives to ensure that your project is consistent with these goals and objectives before submitting an application.

5.2 General Criteria

In reviewing and evaluating applications, staff will seek to address the following:

- Projects that successfully maximize utilization of outside (non-JUNIPER RIDGE DEVELOPMENT ASSISTANCE) financial assistance and services.
- Projects that demonstrate a lack of financial feasibility without the award of the JUNIPER RIDGE DEVELOPMENT ASSISTANCE.
- Projects that demonstrate a capital investment for the Area.
- Projects that support high quality employment.
- Projects that are clearly defined and realistic in scope, location, need, budget, and goals.
- Projects that can demonstrate readiness to be implemented in a timely manner once the JUNIPER RIDGE DEVELOPMENT ASSISTANCE is awarded.
- Projects that will have a sustainable long-term impact
- Projects that have strong neighborhood/community support
- Projects that have not received incentive assistance through the Bend Enterprise Zone (E-zone) – administered by Economic Development of Central Oregon (EDCO).

6. Rules and Requirements for Recipients

Applicants awarded JUNIPER RIDGE DEVELOPMENT ASSISTANCE by BURA (also referred to as “recipients”) will be required to comply with all regulations and record-keeping requirements governing the use of JUNIPER RIDGE DEVELOPMENT ASSISTANCE. Applicable regulations and requirements are summarized below.

Recipients will be responsible for satisfying these requirements, documenting how the requirements are being satisfied, and reporting to BURA on how these requirements are being satisfied.

6.1 Written agreements

Each recipient will be required to enter into a Development Agreement with BURA that requires compliance with (1) all JUNIPER RIDGE DEVELOPMENT ASSISTANCE terms applicable to the project, (2) the Application, and, (3) any modifications and conditions imposed by BURA. This agreement must be signed and executed prior to the disbursement of any funds. Every effort will be made by BURA to have contracts developed and ready for execution within a timely manner following BURA approval and award.

6.2 Record-Keeping and Reporting Requirements

Recipients will be required to maintain accurate records documenting the financial requirements are being satisfied.

For all projects, recipients will be required to maintain records and documentation including, but not limited to:

- Documentation showing the amount of yearly Tax Increment generated by the project, over the property tax amount at time of approval, as certified by the County Assessor.
- Documentation showing the requested payment amount does not equal more than seventy-five percent (75%) of the yearly Tax Increment generated by the project for that given year, as certified by the County Assessor.
- Documentation demonstrating the amount of monetary assistance approved by BURA, less than what has been previously paid.
- Information on how the project continues to meet the goals of the Juniper Ridge Urban Renewal Plan.

6.3 Other Requirements

In addition to the record-keeping and reporting requirements outlined above, JUNIPER RIDGE DEVELOPMENT ASSISTANCE recipient projects may also be subject to other requirements. The following is a brief summary of additional requirements that may apply to each project. The descriptions are very brief and do not provide all of the information that recipients will need in order to satisfy the requirements. Recipients shall be solely responsible for complying with these and any other applicable requirements, and shall be responsible for obtaining all of the information necessary to satisfy these requirements.

Employment and Contracting: Recipients may not discriminate in employment and must make efforts to provide training and employment opportunities.

Flood Insurance: JUNIPER RIDGE DEVELOPMENT ASSISTANCE may not be provided in a Federal Emergency Management Agency (FEMA) designated special flood area unless specific precautions are undertaken.

Lead-Based Paint: JUNIPER RIDGE DEVELOPMENT ASSISTANCE rehabilitation and construction activities must comply with 24 CFR Part 35 and Section 401 (b) of the Lead-Based Paint Poisoning Prevention Act.

Labor Standards: Construction Activities may subject to Bureau of Labor Industries Prevailing Wage (ORS 279C.838(C)) (recipients are responsible for making their own independent determination of applicability), and the Contract Work Hours and Safety Standards Act dependent upon other funding in the project.

Debarred, suspended, and ineligible contractors and recipients: JUNIPER RIDGE DEVELOPMENT ASSISTANCE cannot be provided to debarred, suspended, or ineligible contractors, subcontractors or recipients.

Conflict of Interest: JUNIPER RIDGE DEVELOPMENT ASSISTANCE recipients must comply with procurement requirements found at 2 CFR 200.317-326 and with any other applicable conflict-of-interest provisions.

Acquisition and Relocation: Acquisition, rehabilitation, and/or demolition activities may be covered by the Uniform Relocation Act and/or Section 104 (d) of the Housing and Community Development Act.

7. Required Application Contents

Applications for funding must contain the following information in the order presented below. Applicants are expected to provide the requested information in a clear and concise manner. BUR A reserves the right to reject any applications that do not contain all of the information outlined below.

If your organization is seeking funding for more than one project, a separate project application must be submitted for each project. If your organization is submitting more than one project application, please indicate your project funding priorities in each application.

1. Table of Contents

2. Completed Project Summary Form (*Form A*)

3. Project Description

Please provide a brief description of the following:

- The type and use of the development being proposed.
- How your project will address the goals of the Juniper Ridge Urban Renewal Plan.
- The Capital Investment required to make the development project successful.
- The number of jobs anticipated with the development.
- The ways in which your project will have a long-term impact for the Juniper Ridge Urban Renewal Area.

4. Project Timeline

Please provide a timeline of the anticipated construction schedule and when Certificate of Occupancy is anticipated to be obtained for the entire project, or if phased, each phase of the project.

5. Property and Project Information

Please attach a map showing the project's location within the Juniper Ridge Urban Renewal Area. If the project involves a specific site or a physical structure, include details about the site or structure, such as the size of the site, the floor area, the number and size of buildings, the project amenities, the condition of any existing structures, and any proposed alterations to the site or structures.

6. Financial Information

Please provide the following financial information:

- A detailed line item budget describing the total project cost, including consideration of inflationary factors, associated with the project.
- A funding source line item form showing secured and potential sources of funding, including other federal and state grants and loans, in addition to traditional financiers. Attach letters of funding commitment from sources, if available.
- A description of the assumptions used to determine the total project cost, including the sources consulted and how costs were determined.
- A detailed line item of the anticipated tax increment to be generated by the project for a period of ten years (10) following the Certificate of Occupancy.
- A statement regarding the applicant's ability to proceed with the project without the requested JUNIPER RIDGE DEVELOPMENT ASSISTANCE, or with a JUNIPER RIDGE DEVELOPMENT ASSISTANCE award less than your requested amount.
 - For construction projects, please provide a detailed pro forma to demonstrate

7. Project Feasibility and Readiness

Please provide the following information regarding project feasibility and readiness:

- A description of the applicant's capacity to complete the project, including its experience in implementing and managing activities similar to the proposed project. If capacity is achieved through partnerships with or utilization of other organizations or agencies, describe the nature and status of these partnerships.
- A description of neighborhood and/or community support for the project. Attach letters of support or other evidence of neighborhood/community support, if available.
- A description of the applicant's readiness to proceed with the project. For example, if the construction of the property is involved, is the property currently in the applicant's control? Is staff currently available to work on the project, or is the applicant ready to proceed with hiring consultants, contractors, or other necessary staff?
- A description of any land use processes (such as a zone change or a conditional use permit) the project will require and what steps, if any, have been taken to address these issues.

8. Applicant Information

Please provide the following information about the applicant:

- Background, mission, and development history. (Please limit to one (1) page)
- A brief description of the applicant's financial stability as it pertains to the applicant's capacity to successfully complete the project, including a brief financial history and primary funding sources.
- A list of key personnel that will be assigned to this project and their job titles and qualifications.

9. Other information

Please attach any other statistical data, applicable experience of the applicant, or other material you believe will assist BURA in its review of your application.

8. Other Information

Please review the following points for important information about BURA's JUNIPER RIDGE DEVELOPMENT ASSISTANCE program, including the rights and responsibilities of BURA and the recipients with regard to the application and award process.

- BURA reserves the following rights with regard to the application and review process:
 - Applications that do not contain all of the information required may be rejected immediately.
 - BURA reserves the right to fund projects at a level that is less than the amount requested.
 - BURA reserves the right to waive irregularities or deficiencies in an application if BURA determines that such a waiver is in the best interest of BURA.
 - BURA may request an interview with or supplemental written information from an applicant concerning any deficiencies or ambiguities in an application. If an applicant fails to provide supplemental information within the time stated in the request, BURA may refuse to consider the application.
 - BURA reserves the right to make such investigation it deems appropriate to determine whether an applicant is qualified to provide the services. If an applicant fails to cooperate with an investigation, or if an applicant provides false, misleading, or incomplete information, BURA may further to consider the application.
 - In cases of doubt or differences of opinion concerning the interpretation of this application, BURA reserves the exclusive right to determine and interpret the intent, purpose and meaning of any provision in this application, which determination and/or interpretation shall be binding to the applicant.
- Applicants are cautioned not to make any assumptions as to the implied meaning or intent of any part of the application. Applicants should request clarification if needed. Every request for information or clarification must be submitted in writing to BURA staff.
- Applicants selected for funding will be required to obtain adequate insurance covering workman's compensation, bodily injury, property damage, or automobile liability, depending on the nature of the project. Selected applicants will also be responsible for obtaining any necessary licenses and for complying with all applicable federal, state and municipal laws, codes and regulations.
- Applications selected for funding will become part of the Development Agreement between BURA and the recipient. Each recipient will be required to carry out the specified activity in the manner described in the funding application, and to meet all of the obligations contained therein. Any modifications to the project or the way in which the activity is carried out will require prior approval from BURA and a modification to the Development Agreement.
- Projects must receive a Certificate of Occupancy within three (3) years of the Development Agreement's execution. The applicant may request additional time to obtain the Certificate of Occupancy in the form of an extension for a period of one (1) year. The applicant may only request an extension a total of two (2) times. BURA reserves the right to withdraw the award in the event that an applicant fails to meet this requirement.
- In the event of non-compliance with any applicable federal, state or local laws, codes, or regulations, BURA's agreement with the recipient may be terminated or suspended in whole or in part.

- Any applicant (including any entity that has or had family or business ties or obtains an ownership interest in the project or property) who is in default on any funding agreement or reporting requirements with BURIA, or is not in compliance with any zoning, planning or building division requirements, regardless of site will not be eligible for funding through this program.

9. Application Submission Instructions

- Email one (1) official application to:

Matt Stuart
Urban Renewal Manager
mstuart@bendoregon.gov
(541) 323-5992

- One official signed application must be submitted in a **non-write protected Adobe.pdf** or in **MS Word Format**.

Questions?

If you have any questions about the application or the application process, please contact BURA staff – Matt Stuart at 541-323-5992 and mstuart@bendoregon.gov.

FORM A

**BURA
JUNIPER RIDGE DEVELOPMENT
ASSISTANCE Program
Application**



CITY OF BEND

PROJECT SUMMARY FORM

| | |
|--|--------------------------|
| Project Name: | _____ |
| Project Location: | _____ |
| Project Description: | _____ _____ _____ |
| Total Project Cost | \$ _____ |
| Funds Requested: | \$ _____ |
| Tax Increment Generated Over 10-year Period | \$ _____ |
| Applicant (Organization) | _____ |
| Address: | _____ |
| City, State & Zip: | _____ |
| Contact Person: | _____ |
| Phone Number: | _____ |
| Email Address: | _____ |
| Signature: | _____ Date: _____ |