



COMMERCE CITY ECONOMIC DEVELOPMENT DIVISION
7887 EAST 60TH AVENUE
COMMERCE CITY, CO 80022
Telephone: 303.289.3620
Fax: 303.289.3688
Website: <http://www.RedefiningCommerce.com>

BUSINESS INCENTIVE PROGRAM

PROGRAM PURPOSE & DESCRIPTION:

The goal for this program is to encourage Existing and Prospective Businesses in Commerce City's targeted industries to locate or grow in Commerce City, invest in their business and create new jobs. Businesses will benefit from fee and tax rebates.

Applicants **MUST** apply for and receive approval for incentives prior to beginning the eligible activity.

ELIGIBILITY:

Existing and Prospective Businesses (defined below) in Commerce City's five targeted industries are eligible to apply for incentives under the categories listed below. Applications from businesses that are not classified as a targeted industry will be considered on a case-by-case basis.

Commerce City's five targeted industries are:

- Advanced Manufacturing
- Business and Professional Services
- Denver International Airport (DIA) Technology
- Logistics and Distribution
- Retail/Hospitality/Leisure

Existing Businesses

Existing Businesses are businesses in one of the five targeted industries that are located and operating in Commerce City at the time of application. Existing Businesses that plan to invest in new or replacement capital improvements (*i.e.*, expansion, equipment purchase, etc.) are eligible to apply for incentives.

Prospective Businesses

Prospective Businesses include businesses in one of the five targeted industries considering or planning to locate within Commerce City and invest in new or replacement capital improvements (*i.e.*, expansion, equipment purchase, etc.). Developers considering construction of a new facility for a business in one of the five targeted industries are also eligible to apply for Prospective Business incentives. Such incentives will be paid to developers only after a business in one of the five targeted industries is open and operating in the incentivized facility.

PLEASE NOTE: Businesses that, at the time of application, have signed a lease or have closed on a property *are not eligible* for Prospective Business incentives. Prospective businesses may be required to provide a signed letter of intent with a landlord or a property owner to be eligible to apply for incentives.

INCENTIVES:

- A 10% rebate of the sales and use tax remitted to Commerce City on the specific capital improvement.
- A 50% rebate of City fees collected that are associated with the specific capital improvement. City fees include building and plan check fees. Impact and development fees are *excluded* from this rebate.
- An additional 10% rebate of such Commerce City sales and use tax and City fees may be approved if Commerce City vendors/contractors are used to provide equipment or make capital improvements.
- Job Creation Incentives – Prospective Businesses that plan to create new jobs in Commerce City in conjunction with capital improvements are eligible to apply for the following:
 - A \$500 tax rebate per new FTE job created earning above the Adams County average wage; or
 - A \$1,000 tax rebate per new FTE job created earning above the Adams County average wage that is filled by a Commerce City resident.

* FTE means "fulltime equivalent" and is calculated as follows: number of positions earning above the Adams County average wage multiplied by the total number of hours worked per week by all such positions, divided by 40 (hours).

ADDITIONAL INCENTIVES:

New Sit-Down Restaurants

In addition to being eligible to apply for the incentives identified above, Prospective Businesses classified as Sit-Down Restaurants are eligible to apply for the following:

- A 50% rebate of the City sales tax received from such business for the first and second years the business is in operation.

Sit-Down Restaurants include: fine dining, casual/family dining and quick service restaurants (QSR).

Green Businesses & Green Building Practices

Green Businesses

Existing or Prospective Businesses considered part of the Renewable Energy industry are eligible to apply for an additional \$100 tax rebate per job created earning above the Adams County average wage. The City reserves the right to determine what is considered a business in the Renewable Energy industry.

Green Building

Green Building and development is the process by which architects, engineers and building owners design and construct high performance buildings that minimize their impact on the environment while providing benefits to the occupants. Green buildings have a positive impact on many fronts. Not only do green buildings increase energy efficiency and reduce water usage, but a sustainable building increases indoor air quality providing a safer and healthier space for occupants. The benefits of green buildings contribute to higher market values than conventional buildings.

Private construction activities that include features meeting energy and resource efficiency, such as the following, may be eligible for the Green Building Incentives:

- Green roofs
- Improved building performance rating
- The use of non-polluting and/or renewable on-site energy sources
- Recycling and/or salvaging at least 50% of non-hazardous construction and demolition debris, or utilizing recycled building materials and products

If an Existing or Prospective Business in one of the City's five targeted industries meets the above criteria for Green building, the business is eligible to apply for the following:

- An additional 15% rebate of the sales and use tax remitted to the City for the specific capital improvement.
- An additional 10% rebate of City fees associated with the specific capital improvement. City fees include building permit and plan check fees or other as determined.

The City reserves the right to determine what is considered Green Building. The City will incentivize the increased cost of making a building green.

Strategic Incentives

Projects that, in the opinion of the Economic Development Division, tend to forward the overall goals of the Economic Development Strategic Plan or meet a particular community need may apply for Strategic Incentives. Projects qualifying for Strategic Incentives may be characterized by one or more of the following:

- Existing or Prospective Businesses that create more than 50 permanent FTE jobs
- Existing or Prospective Businesses that plan to make a significant investment in capital improvements. A significant investment is generally recognized as an investment of \$5,000,000 or more
- Projects likely to have a significant economic development impact on the community or meet a specific community need
- Projects likely to meet goals of the Commerce City economic development strategic plan
- Projects that, in the City's sole determination, are likely to serve as a catalyst for additional development of an area or for business growth and retention. Catalyst projects are generally recognized as those where atypical infrastructure improvements are required.

The determination as to whether a project qualifies for Strategic Incentives is solely within the City's discretion. Strategic incentives are negotiated on a case by case basis and may be considered for:

- Accelerated development review
- Sales/use tax rebates in excess of the rebates identified above
- For Catalyst incentives, 10% rebate of sales and/or use tax payments made to the City by the business that generated the need for the atypical infrastructure improvements (the "Catalyst Business");
 - For up to 5 years or until the actual cost of the required infrastructure improvements has been rebated, whichever occurs first.
 - In the event atypical infrastructure improvements are required, the Incentive will be paid to the entity responsible for construction of such improvements.

PROGRAM REQUIREMENTS:

Except under certain rare circumstances, requests for incentives totaling more than \$50,000 must be approved by the City Council. Other incentive requests may be approved administratively.

Capital Improvements

- The term "capital improvements" only includes projects that are depreciated according to IRS rules and regulations.
- Capital improvements, including construction, must be started within 18 months of notification of approval of the incentive(s), unless otherwise approved. Prospective Businesses that are leasing existing space must be open within 18 months of notification of approval of the incentive(s), unless otherwise approved.
- New sit-down restaurants that are leasing existing space must be open within 18 months of notification of approval of the incentive, unless otherwise approved. **New Sit-Down Restaurants must notify the City of opening date within 30 days of first day of business.** Rebates will take place on an annual basis. Rebated funds should be used to reinvest in or promote the business.
- Incentives for use of Commerce City contractors/vendors will only apply to the portion of the capital improvement project upon which such contractors/vendors were used, and only in proportion to such use. Supporting documentation, such as copies of invoices, receipts and/or contracts must be provided as verification that Commerce City contractors/vendors were used for the capital improvement project.

Job Creation

- Adams County Average wage is \$44,730/year (excluding benefits, commissions and overtime). The average wage is adjusted annually. The average wage at the time of approval will apply for incentives purposes.
- New jobs must be filled within 12 months of notification of approval of the incentive, or, when the capital investment involves construction, within 12 months of issuance of a temporary certificate of occupancy or certificate of occupancy, in which event, only non-temporary jobs created in furtherance of the business's ongoing operations and located at, or based out of, the business's location within the City will qualify for the Job Creation incentive.
- Developers approved for Prospective Business incentives for a development project are not eligible for Job Creation incentives.
- The new employee must be a Commerce City resident at the time such person applies for employment with the business to be eligible for the Job Creation incentive for Commerce City residents. This incentive will not be provided for employees who become Commerce City residents after being hired for the position. Supporting documentation will be required.
- Within 60 days of completion of the 12 month period following notification of incentives approval or completion of construction, applicant must notify City of the actual number of jobs created and submit appropriate payroll records.

Notifications and Payment of Incentives

- The City will notify the applicant of approval or denial in writing. **Approval letters must be signed by the Applicant or authorized representative and returned to the City within 30 days of the date of the approval letter.**
- The Applicant must notify the City of completion of incentivized activity (completion of capital improvement and creation of jobs, if applicable) and submit supporting documentation within 60 days after completion. The required supporting documentation will be identified in the approval notification letter. **Failure to notify the City and provide required documentation may result in a waiver of the incentive payment approved, and the City shall be released from its obligation to pay the relevant portion of the incentive.**
- All capital investment and job creation incentivized by the City are subject to audit. The Applicant agrees to comply with all requests for documentation. **Failure to comply within 60 days of written request for documentation shall result in a waiver of the incentive payment approved, and City shall be released from its obligation to pay the relevant portion of the incentive payment.**
- Unless otherwise approved, rebates of sales and use tax and fees will be provided only after an audit has been completed, closed and paid. The audit will confirm the value of the capital investment, and payment of all related fees and taxes, and job creation. **In no event shall the total of all tax rebates exceed the amount of taxes collected by the City.** Although the City will attempt to schedule the audit as soon as possible after notification of project completion, the extent and timing of the audit will be determined by the Commerce City Finance Department based in part on other audit commitments. Under the City's tax code, an audit may be started at any time within three years following the incentivized activity.

- Rebates are paid according to the following schedule unless otherwise approved in writing:
Incentive rebates are processed and paid twice a year in February and August –
 - Payments made in February are for completion notifications received and/or audits completed, closed and paid between July 1 and December 31 of the prior year
 - Payments made in August are for completion notifications received and/or audits completed, closed and paid between January 1 and June 30 of the current year

APPLICATION PROCESS

STEP 1. Pre-Application. Before applying, businesses are encouraged to contact the Economic Development Division at 303.289.3620 to discuss how this program may best benefit the business, and to discuss specific program requirements.

STEP 2. Application. Businesses must submit a completed Business Incentive Program application to: **Commerce City Economic Development, 7887 East 60th Avenue, Commerce City, CO 80022.** The application must be signed and may be mailed, e-mailed, faxed or submitted in person. **The application must be received and approved prior to beginning the capital investment.**

STEP 3. Approval. Except under certain rare circumstances, requests for incentives totaling more than \$50,000 must be approved by the City Council. Other incentive requests may be approved administratively. Incentives approved by the City Council will be by resolution and may require an incentive contract. **The Economic Development Division will notify the applicant of approval or denial in writing. Approval letters must be signed by the applicant or authorized representative and returned to the city before incentives will be awarded.**

***Contact the Economic Development Division at 303-289-3620, or by email:
c3ed@c3gov.com, to discuss how this program may benefit your business!***



CITY OF COMMERCE CITY
7887 EAST 60TH AVENUE
COMMERCE CITY, CO 80022

ECONOMIC DEVELOPMENT DIVISION
Telephone: 303.289.3620
Fax: 303.289.3688
Website:
<http://www.RedefiningCommerce.com>

BUSINESS INCENTIVE APPLICATION

PLEASE TYPE OR PRINT LEGIBLY

COMPANY INFORMATION	
Company Name: <u>White Dwarf Land company, LLC</u>	Contact Person: <u>TODD Shadewald</u>
Address: <u>7350 E. Progress Place Englewood CO 80111</u>	E-Mail: <u>TShadewald@wlfley.com</u>
Telephone: <u>303-889-7209</u>	Cell or Other #: <u>303-889-7209</u>
Fax: <u>303-779-1277</u>	
Company Website Address (if applicable): <u>www.WILFley.com</u>	

Property Address/General Location (if different from above): <u>new location - 5850-5870 E. 56th Avenue, Commerce City CO 80022</u>

PARENT COMPANY INFORMATION (if different from Company information)	
Company Name: <u>A.R. WILFley & Sons INC</u>	Contact Person: <u>TODD Shadewald</u>
Address: <u>7350 E. Progress Place Suite 200 Englewood CO 80111</u>	E-Mail: <u>TShadewald@wlfley.com</u>
Telephone: <u>303-889-7209</u>	Cell or Other #: <u>303-889-7129</u>
Fax: <u>303-779-1277</u>	
Parent Company Website Address (if applicable): <u>www.WILFley.com</u>	

APPLICATION FOR: (check all that apply)	TYPE OF INDUSTRY: (brief description)
<input type="checkbox"/> Existing Business Incentive, OR <input checked="" type="checkbox"/> Prospective Business Incentive Additional Incentives (check all that apply): <input type="checkbox"/> Commerce City vendors/contractors Incentive <input type="checkbox"/> Job Creation Incentive <input type="checkbox"/> New Sit-Down Restaurant Incentive <input type="checkbox"/> Green Businesses and/or Green Building Incentive <input type="checkbox"/> Strategic Incentives	<u>Manufacturer of centrifugal pumps & pump parts</u>
	COMMERCE CITY BUSINESS LICENSE No:
	COMPANY'S PRIMARY NAICS:

EMPLOYMENT::	
Current total number of employees?	<u>ARW 80</u>
Number of planned new employees?	<u>8-10</u>
How many current employees live in Commerce City? (Note that the majority of zip code areas 80022, 80640 and 80603 are within the city limits of Commerce City)	<u>1</u>
Number of planned new employees with salaries/annual wages over \$44,730?	<u>4-5</u>

NON-CONSTRUCTION CAPITAL EXPENDITURES Value of Fixed Assets to be Purchased for Commerce City Facilities (computers, office furniture, equipment, etc.)	FACILITY CONSTRUCTION & IMPROVEMENTS Value of New Construction, Expansion, or Remodeling of Company's Commerce City Facility	NEW SIT-DOWN RESTAURANTS Estimated Annual Sales 1st Year 2nd Year	
\$ 870,000	\$ 500,000		
DESCRIPTION OF CAPITAL EXPENDITURES AND/OR FACILITY CONSTRUCTION & IMPROVEMENTS Please identify and provide additional detail if applying for Green Building incentive. Attach additional pages if needed.			
- See Attached - 1,370,000 Estimate			

GENERAL ELIGIBILITY REQUIREMENTS

To maximize the positive economic and social impacts of the City of Commerce City Business Incentive Program, certain requirements and guidelines have been established as set forth in the Business Incentive Program attached hereto. Businesses applying for incentives must comply with these requirements.

By checking each requirement, you are confirming the company agrees to comply with each one:

- ☒ Be a licensed business entity located in Commerce City, Colorado, in compliance with all zoning, land use and licensing requirements. For new businesses, a business license must be obtained prior to the rebate being paid.
- ☒ Be current on all fees and taxes owed to the City of Commerce City;
- ☒ Agree to maintain a business presence in Commerce City for a minimum of three years from receipt of incentive. If the business moves out of Commerce City within that period, the applicant agrees to reimburse the City the total amount of the incentive received;
- ☒ Meet the requirements of each of the incentives for which the business is applying.

CERTIFICATION

By signing below, I hereby certify and agree as follows:

- I represent the organization identified above and have authority to enter into agreements on behalf of the organization.
- All information submitted in this application is true and correct to the best of my knowledge.
- City staff may require, and the applicant will provide, additional information to complete the application process.
- I understand that failure to notify the City within the appropriate time frames (identified under Notifications and Payment of Incentives) and provide such documentation as required may result in a waiver of the incentive payment approved, and the City shall be released from its obligation to pay the relevant portion of the incentive.
- I understand that the City is subject to the Colorado Open Records Act, and I therefore waive any cause of action against the City in the event the City determines, in good faith, that any applicant data provided to the City must be disclosed pursuant to a request made under the Open Records Act.
- I understand that all capital investment and job creation incentivized by the City are subject to audit. If requested by the City, I agree to comply with requests for documentation. I further understand that failure to comply within 60 days of written request for documentation shall result in a waiver of the incentive payment approved and City shall be released from its obligation to pay the relevant portion of the incentive payment.
- Certain incentives may be subject to approval by the City Council.
- The City is granted permission to use the applicant's name, and the amount of any rebate granted, to illustrate the success of this incentive program.

Name:

Todd Shadewald

Signature

TOOD Shadewald

Printed name

Title:

Chief Financial Officer

Date:

8-29-2014

Blake Street Move - Budget (rough)

91K

(F) FACILITY AMTS = \$500,000

Paint Booth	75,000
Electrical Power to 2nd Building	100,000 (F)
Electrical Distribution Bld #1	50,000
Cranes Building #1	100,000
Test Dept Build	150,000
Concrete Pads	50,000 (F)
Air compressor	25,000
Office Needs (lines)	200,000 50,000 unknown - 150 (F) 50 - Equipment
Machines Moving	300,000 - 150K (F) - 150K moving
Basic Moving	100,000 (2 workers, flat bed trailer)
Extra Personnel	100,000 (1 maintenance, 1 machine person)
Building Needs	100,000 (Plastics rooms, air evacuation, sound, maintenance)
Fork Lift & Trailer	20,000

50K - EQTP
50K (F)

~~1,220,000~~
1,370,000



Others
Air EVAC 3
Plastics - weld
Blue Building - res
2703 - old

FOR SALE

Corporate Image Manufacturing/Warehouse Campus



5850-5870 E. 56th Avenue | Commerce City, CO 80022



Total Campus Size:	121,101 SF
Total Site Size:	5.72 Acres
Zoning:	I-2
Sale Price:	\$5,500,000 - \$45/SF ✓

Building I. (5870 E. 56th Ave.)

Building Size:	78,461 SF
Office Size:	9,750
Site Size:	3.12 Acres
Loading:	4 Docks, 4 Drive-Ins
Clearance:	18'-21'
Y.O.C:	1972
Power:	1800 AMPS, 3 Phase (to be verified by electrician)
Sprinklered:	Yes
Taxes:	(2012) \$59,849

Building II. (5850 E. 56th Ave.)

Building Size:	42,600 SF
Office Size:	600 SF
Site Size:	2.60 Acres
Loading:	4 Docks, 2 Drive-Ins
Clearance:	17'-18'
Y.O.C:	1996
Power:	400 AMPS, 3 Phase (to be verified by electrician)
Sprinklered:	Yes
Taxes:	(2012) \$50,562



LOCAL EXPERTS. INDUSTRIAL STRENGTH.

RINGSBY REALTY CORPORATION

1123 Auraria Parkway | Suite 200 | Denver, CO 80204
www.ringsbyrealty.com

Alex Ringsby, SIOR
alex@ringsbyrealty.com
(303) 892-0120

Scott Patterson
scott@ringsbyrealty.com
(303) 892-0121

No warranty or representation, express or implied, is made as to the accuracy of the information contained herein, and same is submitted subject to errors, omissions, change of price, rental or other conditions, withdrawal without notice, and to any special listing conditions, imposed by our principals.