

Minnesota Forward Fund CHIPS Act Program Application

APPLICATION PROCEDURES

The Minnesota Forward Fund CHIPS Act program provides state funding to match federal funds made available in the Chips and Science Act, Public Law 7-167, for businesses in the semiconductor research, development, and manufacturing sector. Projects eligible for state funding are those for constructing, modernizing, or expanding commercial facilities on the front-end and back-end fabrication of leading-edge, current-generation, and mature-node semiconductors; semiconductor material and manufacturing equipment facilities; and semiconductor research and development facilities. The state will match up to 15% of total project costs, with a maximum of \$75 million per project. The program is available statewide. Applications are accepted on a continuing basis until all funds are committed.

To receive consideration, a business needs to have submitted a Statement of Interest and a Pre-Application to the U.S. CHIPS Program Office. Copies of those documents must accompany this application and be submitted by email (preferable) or mail to:

Chinwe Ngwu
Office of Business Finance
Minnesota Department of Employment & Economic Development
180 E 5th Street, Suite 1200
St. Paul, MN 55101
chinwe.ngwu@state.mn.us

PRE-OFFER/AWARD PROCESS

- 1. The business completes a Minnesota Forward Fund CHIPS Act Program application in collaboration with the municipality or local unit of government where the project will be located and submits it to DEED.
- **2.** The business must procure a resolution of support from the municipality or local unit of government and submit it with the application to DEED. A resolution template is included in this application.
- **3.** DEED evaluates the application and notifies the business of approval or denial. If approved, DEED will inform the applicant via an offer letter, which will indicate the intended award amount. Offers of \$500,000 or more require DEED to hold a public hearing prior to making the award. Awards of \$200,000 or more require that the awardee adhere to Minnesota prevailing wage statutes and rules.

POST-AWARD PROCESS

- **4.** DEED and the business will enter into a Business Subsidy Agreement (BSA) specifying the details of the award, including the job creation and capital investment goals. The business and DEED sign the BSA. The date of final signature is considered the project Award Date.
- **5.** Jobs created and/or capital investment expenditures made on or after the February 1, 2023, related to this project may be counted toward goals.

6. The business will submit required annual progress reports, payment request documentation, and other information requested by DEED.

SECTION 1 – Local Government and Business Applicant Information

Local Governme	ent Information
Local Government Project Sponsor (Town, City, County):	Local Government Contact Name and Title:
Email:	Telephone:
Address:	City/State/Zip:
Local Government Local Government Contact for reviewed the application and business information. I agriculture applicant to supply the information requested to Development, Office of Business Finance. Name/Title of Local Government Contact:	r the proposed Minnesota Forward Fund project, I have ree to work with the Minnesota Forward Fund program

Signature of Local Government Contact: ______ Date: _____

Business I	nformation			
Business Legal Name:	Parent Company (If Applicable):			
Street Address for Project Site:	Business Mailing Address:			
City/State/Zip for Project Site:	Business Mailing City/State/Zip:			
Primary Business Contact:	Contact Title:			
E-mail:	Telephone:			
Business Website:	FEIN:			
NAICS Code:	State of Minnesota SWIFT Vendor Number*			
·	(###########):			
Has the applicant completed the DEED demograp	phic survey?			
☐ Yes ☐ No If you answered "No" to this quu sing the link on page 13 of thi	uestion, please complete the DEED demographic survey is application.			
2. Does the property or the business have any outs	tanding local, state, or federal tax liabilities?			
□ Yes □ No				
3. Are there current or unsatisfied judgements or in	njunctions against the business or owners?			
\square Yes \square No If you answered "Yes" to this question, please describe.				
4. Is there current or pending litigation involving th	4. Is there current or pending litigation involving the business?			
☐ Yes ☐ No If you answered "Yes" to this question, please attach a summary and disposition.				
	y violation(s), citation(s), or complaint(s) of discrimination ourt or before any state, federal, or local government			
☐ Yes ☐ No If you answered "Yes" to this citation(s), or complaint(s) are	s question, please attach a copy of the violation(s), and the disposition of each.			

^{*} Every individual or organization doing business with the state is considered a vendor. If you are intending on submitting an application, you will need to register as a vendor by going to: https://mn.gov/mmb/accounting/swift/vendor-resources/. The vendor number will ensure proper payment via electronic funds transfer (EFT). For new vendors, please note that approval of your registration may take 3-4 business days. If you need assistance obtaining a Vendor Number or completing the registration process, please call 651-201-8100, Option 1

SECTION 2 – Business and Project Overview

1			tarted (i.e., contract d, or construction sta		leases, languag	e have been exed	cuted, building permits
	☐ Yes	s □ No	If you answered "	Yes" to this questio	n, provide start	date and descript	tion:
	Date:						
2	. Projec	t Type:					
	-		npany (New business	s with no parent cor	npany or curren	t operations)	
		•	·	•		, ,	
			· πpansion – Off Site (Ε	•		ny at a new site)	
			Expansion (Expansion	·	,	•	ide of MN)
3	. Busine	ss Type &	provide documentat	ion listed:			
			: Articles of Incorpor		ificate of Incorp	oration	
	□ P	artnership:	Partnership Agreem	ent			
						_	tificate of Organization
		•	torship: Assumed N				
	□ F	oreign Corp	poration: Certificate	of Authority to Trans	sact Business in I	Minnesota and in	home state
4	. Attach	three yea	rs historical financia	als (profit & loss/ba	lance sheets), 2	years financial p	projections, and year to
				CPA audited or rev	ewed financials	are required. If	not available, copies of
5			e required tstanding stock of 10	0% or more of busing	ess ownership. F	or holders over 1	0% that are active
			nd holders over 20%	, personal financial	statements mus	st be submitted.	
		No	ıme		itle		% of Ownership
				1		<u> </u>	J

Na	me	Title		Years at Company
ction 2 attachme	ants (#3 1 5):		<u> </u>	
	. ,	., articles of incorporation	on)	
☐ 3 Yrs. Finan				
□2 Yrs. Projec □ YTD Financi				
	nancial Statements (if a	applicable)		
7. Has state environ	mental review require	ements been met for th	ne project?	
□ Yes □ No □	☐ Not Applicable			
8. Project Timefram	ie.			
o. Trojece imenam			timeted Completion D	And MANA (MANA).
Commitment of Fund	Task:	ES	timated Completion D	rate (IVIIVI/YYYY):
Start of Construction	15			
Purchase Equipment				
Complete Construction	on			
Begin Operations				
•	·			ousiness has received withi I governments, such as loar
grants, or projec	t specific tax benefits	(e.g., tax increment fina	ancing, tax abatements	s, tax refunds):
Subsidy Grantor	Subsidy Amount	Date Received/ Will be Received	Type of Subsidy	Location where Subsidy Received / Used
Example: City	\$100,000	01/01/16	Loan	St. Cloud, MN
10. Current number	of employees in Minn	esota (full-time equiva	lent based on 2,080 ho	urs):
11 Current number	of employees (full-tim	ne equivalent based on	2,080 hours) at the pro	posed Minnesota Forward
Fund project site				

12. Do you anticipate any reduction of positions (non-transfers) at your other Minnesota company sites during the next two years?					
☐ Yes ☐ No	\square Yes \square No If you answered "Yes" to this question, please describe:				
13. Will any jobs be re	elocated from another Minnesota si	te to the proposed M	innesota Forward Fu	und project site:	
☐ Yes ☐ No If	you answered "Yes" to this questic	on, which location(s)	will the employees b	e relocated from?	
	Location	# of E	imployees		
-	cating from another Minnesota loca moving must be included with this		ort of the move from	the city from	
14. Projected number	of new permanent FTE (full-time ed	quivalent based on 2,	080 hours) positions	to be created at	
the proposed Minnesota Forward Fund project site over the next five years:					
To be	e Created in To be Created in	To be Created in	To be Created in	To be Created in	
	Year 1 Year 2	Year 3	Year 4	Year 5	
# of New Permanent,					
Full-Time					
Employees					

JOB CREATION FORM – List All Permanent Jobs to Be Created in Years 1-5

POSITION TITLE List Permanent FTE (full-time equivalent based on 2,080 hours) Positions Only*	NUMBER OF POSITIONS	HOURLY CASH WAGE W/O BENEFITS	HOURLY VALUE OF BENEFITS**	TOTAL HOURLY COMPENSATION INCLUDING BENEFITS

Total Jobs to be Created in Years 1-5	5:
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^{*}For the purposes of the Forward Fund program, FTE jobs considered must be non-contract, non-seasonal, permanent positions.

^{**} Only eligible non-mandated benefits to the employee. Social security tax, unemployment insurance, workers compensation insurance and other benefits mandated by law must be excluded.

SECTION 3 – US CHI	PS Pro	gram Business Application Attachments
As required, attached to this a	oplication	are the following US CHIPS Program documents:
 Statement of Interest Pre-Application 	□ Yes	□ No □ No
SECTION 4 – Busine	ss Ack	cnowledgement and Certifications
Data Privacy Acknowled	lgemen	t:
eligible for assistance from the to provide the requested info	Minnesot rmation, I data you p	Itutes 13.04, Subd.2, this data is being requested from you to determine if you are ta Department of Employment and Economic Development. You are not required but failure to do so may result in the department's inability to determine your provide that is classified as private or non-public and will not be shared without tate and federal laws.
public data; this includes finance calculations, business plans; in design, market, and feasibility	cial inform ncome an studies n	13.591, Subdivision 1, certain data provided in this Application is private or non nation about the business, including credit reports, financial statements, net worth expense projections; balance sheets; customer lists; income tax returns; and not paid for with public funds. Per MN Statutes 116J.401, Subd. 3., certain data a; this includes data collected on individuals pursuant to the operation of business.
Business Certification:		
start-up or expansion and that happen to the extent outlined as required under the laws of Employment and Training staff	without the Min the State and will s	beby certify that the Minnesota Forward Fund program is necessary to our business the Minnesota Forward Fund our business start-up or expansion project would not innesota Forward Fund Application. We certify that we will pay prevailing wages to of Minnesota, if applicable. We certify we will enlist the services of DEED's sign a Job Listing Agreement as a condition to receiving funds in excess of \$200,000 ployment and Economic Development.
Employment and Economic De	evelopme	I agree to supply the information requested to the Minnesota Department of the information provided arovided herein is true and accurate and that the official signing this form has
Name/Title of Business Official	:	
Signature of Business Officials		Date

Conflict of Interest Disclosure Form

This form gives applicants and grantees an opportunity to disclose any actual or potential conflicts of interest that may exist when receiving a grant. It is the applicant/grantee's obligation to be familiar with the Office of Grants Management (OGM) <u>Grants Policy 08-01 Conflict of Interest Policy for State Grant-Making (January 2022 Effective Date 1/1/22)</u> and to disclose any conflicts of interest accordingly.

All grant applicants <u>must</u> complete and sign a conflict-of-interest disclose	ure form.
☐ I or my grant organization do NOT have an ACTUAL or POTEN	NTIAL conflict of interest.
If at any time after submission of this form, I or my grant organization disorganization will disclose that conflict immediately to the appropriate ag	•
☐ I or my grant organization have an ACTUAL or POTENTIAL co	nflict of interest. (<i>Please describe below</i>):
If at any time after submission of this form, I or my grant organization dimy grant organization will disclose that conflict immediately to the appropriate organization will disclose that conflict immediately to the appropriate organization will disclose that conflict immediately to the approximation of this form, I or my grant organization disclose that conflict immediately to the approximation of this form, I or my grant organization disclose that conflict immediately to the approximation of this form, I or my grant organization disclose that conflict immediately to the approximation of this form, I or my grant organization disclose that conflict immediately to the approximation of the conflict immediately or the conflict immediatel	•
Organization	
Printed Name and Title of Business Contact	Phone
Signature	 Date

Job Listing Notice

A business receiving financial assistance from the State of Minnesota in an amount in excess of \$200,000 for a single project shall work with DEED's Employment and Training staff to list any vacant or new positions related to the project on www.minnesotaworks.net site per Minn. Stat. 116L.66. The employer is also encouraged to enlist the services of DEED's Employment and Training staff to recruit and refer job candidates.

The Job Listing requirements follow these steps:

- 1. At the time of financing award, DEED's Business Finance Office will provide written notification of the award to DEED's Employment and Training staff. This notification will include the business name, address and phone number (as well as for the contact person) and the number and type of jobs to be created as a result of the DEED assistance.
- 2. The Employment and Training representative will contact the business to schedule a meeting to sign a Job Listing Agreement that details how positions will be posted on www.minnesotaworks.net. The employer is required to list only those job openings that are part of the project DEED is assisting.
- 3. Managerial positions, positions that require unusual skills, knowledge, abilities and/or experience not common to the labor market, and job openings to be filled by internal promotion will not subject to the Agreement and need not be listed on www.minnesotaworks.net.
- 4. The business will notify the Employment and Training staff of job openings and will ensure that job vacancies are entered into www.minnesotaworks.net at least 15 days prior to the anticipated hiring date. Employment and Training staff may refer the employer to free services that can expedite the job order entry.
- 5. Applicants will follow instructions on www.minnesotaworks.net to apply for open positions. However, the business will make all decisions on which candidates they will interview and hire.
- 6. The employer may continue to use other recruitment and job referral services in addition to www.minnesotaworks.net and may fill positions prior to meeting with Employment and Training staff and signing the Job Listing Agreement.

The Job Listing Notice is designed to help businesses recruit and hire qualified candidates. If you have questions about using www.minnesotaworks.net, please contact your local Employment and Training staff at https://mn.gov/deed/business/help/workforce-assistance/wf-strategy.jsp or the www.minnesotaworks.net Help Desk Specialist at (651) 259-7500.

	Certification	
	nployment and Training staff a	of state financial assistance in excess of \$200,000, and agree to sign a job listing agreement and posting.
Printed Name of Business Contact	Title	Phone
		 E-mail

Prevailing Wage Certification

To:

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Minnesota Department of Labor and Industry

Prevailing Wage Compliance Unit

443 Lafayette Road N.

St. Paul, MN 55155 Re: Prevailing Wage Certification – Minn. Stat. §116J.871 is a recipient of financial assistance from the Minnesota Department of Employment and Economic Development for the Project identified below. As required by Minn. Stat. §116J.871, subd. 2, [INSERT RECIPIENT NAME, ADDRESS, TELEPHONE NUMBER, AND EMAIL hereby certifies to the Commissioner of Labor and Industry, that laborers and mechanics at the project site during construction, installation, remodeling or repairs for which the financial assistance will be provided, in whole or part, will be paid the prevailing wage rate as defined in Minn. Stat. §177.42, subd. 6. Prevailing wages paid to laborers and mechanics at the project site shall comply with the prevailing wage rates determined for County, Minnesota. Recipient understands that failure to pay prevailing wage is a misdemeanor and that each day of violation is a separate offense under Minn. Stat. §116J.871, subd. 3. Project Name: Project Start Date: **Project Site Address:** Signature: By: Print Name of Authorized Signature of Authorized Representative Representative Its: Date: Authorized Representative's Title Date Signed and Certified

INFORMATION FOR RECIPIENTS

Recipients must ensure all laborers and mechanics at the project site during construction, installation, remodeling or repairs for which the financial assistance from a state agency will be provided is performed under contracts that specifically include the prevailing wage rate requirements of the Minnesota Prevailing Wage Act, Minnesota Statutes sections 177.41-.44 and Minnesota Rules, sections 5200.1000-.1120 (hereinafter "MPWA").

Recipients also must ensure that contractors and their subcontractors will comply with the requirements of the MPWA, including recordkeeping, completion and submission of certified payroll reports, posting and contract requirements and the requirement that laborers and mechanics at the project site during construction, installation, remodeling or repairs for which the financial assistance will be provided are paid the applicable prevailing wage rate(s) for each classification of work they perform. These requirements and enforcement provisions are set forth at Minn. Stat. § 116J.871, subd. 2(a).

In accordance with the MPWA and because the Commissioner, pursuant to Minn. Stat. § 177.30(a)(7), has deemed certain payroll information necessary and appropriate, recipients must also ensure that each employer performing work at the project site during construction, installation, remodeling or repairs for which financial assistance from a state agency is provided will prepare, maintain as required, and provide to the Department of Labor and Industry upon request, certified payroll reports with respect to the wages and benefits paid to employees specifying for each employee: the employee's name; prevailing wage job classifications; hours worked each day; total hours; rates of pay; gross amount earned; each deduction for taxes; total deductions; net pay for week; dollars contributed per hour for each benefit, including name and address of administrator; benefit account number; and telephone number for health and welfare, vacation or holiday, apprenticeship training, pension, and other benefit programs.

These same certified payroll records must be submitted to the contracting authority no more than 14 days after the end of each pay period and retained by the employer for a minimum of three years after the final payment is made on the project. Minn. Stat. §§ 177.30, subd.(a)(7), .43, subd. 3. A sample certified payroll form is available at http://www.dli.mn.gov/sites/default/files/pdf/pw_certified_payroll_form.pdf. The state agency awarding the financial assistance is considered the contracting authority. Minn. Stat. § 116J.871, subd. 2(b).

Recipients of financial assistance from a state agency should contact the Department of Labor and Industry for applicable prevailing wage rates and guidance on how to comply with prevailing wage requirements in Minnesota Statutes, section 116J.871 and the MPWA:

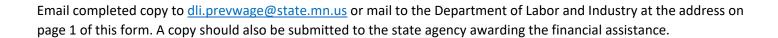
Division of Labor Standards

Karen Bugar, State Program Administrative Director

443 Lafayette Road N, St. Paul, MN 55155

651-284-5091 or dli.prevwage@state.mn.us

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Consent to Release Private Business Employment and Wage Data

Collected and Maintained by the Minnesota Unemployment Insurance Program

To qualify for financial assistance from the DEED Office of Business Finance, your business must agree to create or retain a minimum number of jobs within a specific period of time. These jobs must also pay at or above specified wage levels.

To verify that these requirements have been met, the Office of Business Finance uses quarterly wage records submitted by businesses to the Minnesota Unemployment Insurance Program.

Because Unemployment Insurance records are private, we need your permission to access records about your business. The records we seek to access include:

- Aggregate Minnesota employment levels for your business
- Aggregate Minnesota employment levels at the relevant project site
- Information about your compliance with Unemployment Insurance tax and reporting requirements

It is important to note that we will <u>not</u> receive the names or social security numbers of your employees.

If you sign this form, your records will be securely transmitted by Unemployment Insurance Program staff to the Office of Business Finance. The Office of Business Finance will receive your Unemployment Insurance records on an ongoing basis until your business subsidy agreement expires or is terminated. We will not release any data from your Unemployment Insurance records to any other parties.

You are not legally required to grant us access to your Unemployment Insurance records. You also have the right to withdraw your permission at any time. Please note, however, that refusal to grant access to your Unemployment Insurance records may limit your eligibility for financial assistance.

If you have questions about this form, please contact Jeff Nelson, Executive Director, Office of Business Finance at 651-259-7523 or jeff.m.nelson@state.mn.us.

I give my permission for the Unemployment Insurance Program to release the records about my business (as described in this form) to the DEED Office of Business Finance. I understand that these records will be used by the Office of Business Finance to verify the satisfaction of requirements associated with my business subsidy agreement.

Signature of Business Official	Business Name	Date	-
Printed Name of Business Official	Position		-
E-mail	Phone		-
Employer Identification Number (EIN) Used for	Project Site		_
Other Employer Identification Numbers (FINs)	 Used by Business		-

Notice: Accurately Reporting Business Units to the

Minnesota Unemployment Insurance Program

This notice informs that Minn. Stat. § 268.044 requires your business to submit quarterly wage records to the Minnesota Unemployment Insurance Program by "reporting unit".

You have the option to split reporting units for your business by physical location, financial centers, division of labor, or user security requirements. For the purposes of monitoring job creation and wage level performance per your business subsidy agreement, the Office of Business Finance strongly recommends creating a specific reporting unit for the relevant project site.

Reporting units can be added or modified as follows:

To add a reporting unit:

- 1. Log in to your account at www.uimn.org
- 2. On My Home Page, click **Account Maintenance**.
- 3. Click Maintain Reporting Units.
- 4. Click Add New Reporting Unit.
- 5. Enter reporting unit information.
- 6. Click **Next**. The Address Validation page opens.
- 7. Confirm the address, and then click **Next**.
- 8. Verify the reporting unit information.
- 9. Click Submit.

To inactivate a reporting unit:

- 1. Log in to your account at www.uimn.org
- 2. On My Home Page, click Account Maintenance.
- 3. Click Maintain Reporting Units.
- 4. Under Active Reporting Units, click the reporting unit link.
- 5. Under Inactivate Reporting Unit, check the checkbox Inactivate Reporting Unit.
- 6. Enter the date of last covered wages for this reporting unit.
- 7. Select the reason for inactivating this reporting unit from the drop down menu, and then click Next.
- 8. Verify the reporting unit information and benefit account mailing address.
- 9. Click Save.

If you have any questions about reporting units or other aspects of the Unemployment Insurance wage detail submission process, contact Aaron Tell, Unemployment Insurance Outreach Specialist, at 651-259-7567 or aaron.tell@state.mn.us.

Signature of Business Official	Company	Date
Printed Name of Business Official	Position	
E-mail	Phone	

Financial Assistance Demographic Form

DEED's mission is to empower the growth of the Minnesota economy, for everyone. As part of our continuous improvement efforts, we collect demographic information about the owners of businesses seeking public assistance. We value your participation, as it assists the agency in measuring the effectiveness and reach of our financial assistance programing. This form is estimated to take approximately seven minutes to complete.

Tennessen warning Notice: DEED is requesting information from you so DEED can measure the effectiveness of our financial assistance programs. You are not legally required to provide this information, and there will be no consequences to you if you choose not to provide the information. If you do provide information, the information will be used by individuals within DEED whose job assignments reasonably require access to the information to assess DEED programs. By providing this information, you consent to this use. Certain information you provide to us is classified as private or nonpublic data and cannot be shared except as specified by statute or court order.

Click here to complete the demographic form

Local Government Resolution Template

This resolution must be adopted in conjunction with the submission of the Minnesota Forward Fund program application. The resolution shall be adopted by the City Council, County Board, Town Board or Tribal Government where the project will occur. A resolution of support from the local Economic Development Authority, Housing & Redevelopment Authority or Port Authority does not satisfy program requirements.

CITY OF <<City Name>>, MINNESOTA RESOLUTION NO. <<INSERT>>

RESOLUTION REGARDING THE SUPPORT OF A MINNESOTA FORWARD FUND APPLICATION IN CONNECTION WITH

<BUSINESS NAME>>

WHEREAS, the City of <<City Name>>, Minnesota (the "City"), desires to assist <<Business Name>>, a <<company type>>, which is proposing to <<construct, improve>> a facility in the City and <<pre>cypurchase machinery and equipment>>; and,

WHEREAS, the City of <<City Name>> understands that <<Business Name>>, through and with the support of the City, intends to submit or has submitted to the Minnesota Department of Employment and Economic Development an application for an award from the Minnesota Forward Fund program; and,

WHEREAS, the City of <<City Name>> held a city council meeting on <<date>>, to consider this matter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF <<City Name>>, Minnesota, that, after due consideration, the Mayor and <<Authorized Official>> of the City of <<City Name>>, Minnesota, hereby adopts the following findings of fact related to the project proposed by <<Business Name>> and its application for an award from the Minnesota Forward Fund Program and express their approval.

The City Council hereby finds and adopts the reasons and facts supporting the following findings of fact for the approval of the Minnesota Forward Fund program application:

- 1. Finding that the project is in the public interest because it will encourage the growth of commerce and industry, prevent the movement of current or future operations to locations outside Minnesota, result in increased employment in Minnesota, and preserve or enhance the state and local tax base
 - List reasons and facts supporting this particular finding for the project.
- 2. Finding that the proposed project, in the opinion of the City Council, would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.
 - List reasons and facts supporting this particular finding for the project.
- 3. Finding that the proposed project conforms to the general plan for the development or redevelopment of the City as a whole.
 - List reasons and facts supporting this particular finding for the project.
- 4. Finding that the proposed project will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment or development of the project by private enterprise.

List reasons and facts supporting this particular finding for the project.

S	Sworn and	Executed	Under	Μy	/ Hand t	his	day of	f	, .