

SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK (“Bank”)

Financial Assistance Application Process

[SC Code Sections 11-43-30(6) and 11-43-180(B)]

Revised 10/8/2013

ELIGIBILITY

Only *major projects* which provide a *public benefit required by the South Carolina Transportation Infrastructure Bank Act, SC Code Sections 11-43-110 et seq., (“Act”)* are eligible for financial assistance from the Bank. There are two requirements for eligibility.

1. **MAJOR PROJECTS** - Construction of or improvements to highways, including bridges, which exceed \$100 million in cost are eligible for financial assistance. This cost includes preliminary engineering, traffic and revenue studies, environmental studies, right of way acquisition, legal and financial services associated with the development of projects, construction, construction management, facilities, and other costs necessary for the project. The cost shall not include financing costs or interest on loans used for the project. While the total cost must exceed \$100 million, the financial assistance requested may be less than \$100 million. Eligible projects may also include transit facilities as defined by the Act. No minimum cost has been established for transit facilities.
2. **PUBLIC BENEFIT** – The proposed project must provide a public benefit in one or more of the following areas: enhancement of mobility and safety; promotion of economic development; or increase in the quality of life and general welfare of the public.

Once the Board of the Bank determines that a project is eligible under the Act and Board policies, it next must determine if the project qualifies for financial assistance and if so, in what form and amount and under what conditions. The Board will refer the application to its Evaluation Committee which will review and evaluate the application and issue a report to the Board on these issues.

APPLICATION FORMAT

The application must be submitted to the Bank using the following format, containing the following contents, and presented in the following order using the numerical section and subsection designations listed below. A Table of Contents with page numbers and the numerical section and subsection designations listed below is required. In all cases where information or a response is required from SCDOT, the applicant shall include a copy of the request to SCDOT for the information or response and a copy of the response from SCDOT if received prior to the application being submitted. If the SCDOT information or response is not included, the applicant must provide it immediately upon receipt from SCDOT.

DESCRIPTION OF PROJECT:

Describe the project in sufficient detail through a narrative presentation and through data so that the Board may determine the project’s scope, intent, benefits, and financing components and its eligibility for financial assistance. Provide a map depicting project location with a scale of sufficient size (at least 1 inch = 2 miles) so all information on the map may be easily read and with traffic volumes and other useful data referenced thereto.

1. PUBLIC BENEFIT

30 POINTS

The proposed project must provide a public benefit in one or more of the following areas: enhancement of mobility and safety; promotion of economic development; or, increase in the quality of life and general welfare of the public. The application must identify each public benefit and explain how each is substantiated by the information in the application and rank the public benefits in the order of importance from the perspective of the applicant. Evidence to substantiate the public benefit(s) shall include but not be limited to:

- 1.1 traffic studies including the current and projected traffic volume, truck volume and accident data and the pavement quality index of existing road or highway to be improved (cite source and date of information and if not SCDOT, state why another source was used);
- 1.2 urgency of project (why accelerating the project is critical);
- 1.3 resolution from the local governing body or bodies which make a finding, with supporting information, that the project is essential to the economic development in the area and consistent with applicable local land use plans;
- 1.4 certificate that the project is essential to the economic development in the state from the Advisory Coordinating Council for Economic Development of the Department of Commerce;
- 1.5 current and five year history of unemployment data for the counties served by the project;
- 1.6 local support of the project from residents through items such as petitions or comments at public hearings;
- 1.7 resolutions from municipalities, county councils, advisory groups, Metropolitan Planning Organizations or Councils of Government and planning documents indicating where project is on all priority lists maintained by or in possession of those entities, SCDOT and the applicant;
- 1.8 if applicable, explain and substantiate why the project is of regional or statewide significance;
- 1.9 review and evaluate the pros and cons of all alternative transportation plans to the project; and
- 1.10 provide an analysis of the environmental impact of the project.

Such evidence should be referenced in the application and included as appendices.

2. FINANCIAL PLAN

50 POINTS

Provide a financial plan that clearly describes the funding for development, implementation, operation and maintenance of the project, including but not limited to:

- 2.1 the total cost of the project, including source(s) used to determine cost (include letter from SCDOT stating the projected cost is accurate and reasonable);
- 2.2 the amount of local contribution and the percentage of contribution to total project cost;
- 2.3 source of local contribution or loan payment (whether from a tax, non-tax or other – preference will be given to long-term non-tax sources)
- 2.4 amount of assistance requested from the Bank;
- 2.5 form of assistance requested (e.g. loan, grant, other)-- preference will be given to projects requesting loans;
- 2.6 other proposed sources of funds, include written commitment of all parties;
- 2.7 the anticipated schedule of when disbursement of funds will be required (cash flow diagram) (include letter from SCDOT indicating disbursement timeframes are accurate and reasonable);

- 2.8 if applicable, a schedule of project revenues for local contributions or loan payments and assumptions of risks of such payments such as taxes, user fees, toll rates, etc. (cite source or method used to determine projected revenues);
- 2.9 the useful life of the project and method of determination (include from SCDOT letter verifying) and the estimated maintenance and repair costs of the project over its expected useful life;
- 2.10 commitment to assume future maintenance requirements (include letter from SCDOT stating projected future maintenance costs); and
- 2.11 if more than one individual component project is included in the application, include a component project priority list and explain other contingency plans should the Board approve less than the requested financial assistance or actual project costs exceed estimated project costs, or if only one project is involved, explain how the scope of the project may be reduced if the Board approves less than the requested financial assistance or actual project costs exceed estimated project costs.
- 2.12 whether the County(s) or other political subdivisions benefited by the project has adopted any impact fee(s) to assist in financing the project (see S.C. Code Ann. § 6-1-930)? If the response is negative, please explain why no impact fee to assist in financing the project has been adopted.
- 2.13 whether the County(s) or other political subdivisions benefited by the project has adopted any local accommodations tax dedicated to the project to assist in its financing (see, e.g., S.C. Code Ann. § 6-1-500 et seq., Local Accommodations Tax Act)? If the response is negative, please explain why no such tax has been adopted.
- 2.14 whether the County(s) or other political subdivisions benefited by the project has adopted any local hospitality tax dedicated to the project to assist in its financing (see, e.g., S.C. Code Ann. § 6-1-700 et seq., Local Hospitality Tax Act)? If the response is negative, please explain why no such tax has been adopted.
- 2.15 whether the County(s) or other political subdivisions benefited by the project has adopted any local sales tax dedicated to the project to assist in its financing (*see, e.g., S.C. Code Ann. § 4-10-300 et seq., Capital Project Sales Tax Act*)? If the response is negative, please explain why no such tax has been adopted.
- 2.16 whether the County(s) benefited by the proposed project has adopted a sales tax or implemented any tolls dedicated to the project to assist in its financing (*see, e.g., S.C. Code Ann. § 4-37-10 et seq.*)? If the response is negative, please explain why no such tax has been adopted or no toll has been implemented.
- 2.17 whether the County(s) benefited by the proposed project has adopted any user fee dedicated to the project to assist in its financing or future maintenance (*see, e.g., S.C. Code Ann. § 6-1-300 et. seq.*)? If the response is negative, please explain why no such user fee has been adopted.
- 2.18 whether the County(s) benefited by the proposed project has implemented any Tax Increment Financing Districts to assist in financing the proposed project (see, *S.C. Code Ann. §§ 6-33-10 et seq., Tax Increment Financing and §§ 31-7-10 et seq.*). If the response is negative, please explain why no Tax Increment Finance District has been implemented.
- 2.19 whether the county(s) benefited by the proposed project has implemented an assessment program (*see, S.C. Code Ann. § 4-35-10 et seq.*)? to assist in financing the proposed project? If the response is negative, please explain why no such assessment program has been implemented.
- 2.20 whether the applicant (and/or other political subdivisions benefited by the project) has established any development agreement programs with developers or property owners or entered into any development or other agreements to assist in financing the project? If

- the response is negative, please explain why no development agreement programs have been established or such agreements entered.
- 2.21 what, if any, zoning or other land use controls has the applicant (and/or other political subdivisions benefited by the project) established to foster the use of existing roads to connect developments? If the response is negative, please explain why no such zoning or other land use controls have been established.
- 2.22 discount, to present value, any and all cash flows using a 5% discount rate to include, without limit:
The value of the applicant's future payments or contributions to the proposed project; and
The value of the any non-SIB third-party future payments or contributions to the proposed project; and
The value of future expenditures associated with the proposed project.
- 2.23 for purposes of cost estimates associated with the proposed project, please set forth the inflation rate assumed.
- 2.24 should condemnation be needed to complete the proposed project, is the applicant and/or other political subdivisions benefited by the project willing to serve as the named party in such condemnation proceedings? If the response is negative, please explain why the applicant and/or other political subdivisions benefited by the project are unwilling to serve in such role.
- 2.25 whether the applicant and/or other political subdivisions benefited by the proposed project has utilized or sought sources of funding other than those listed hereinabove? If the answer is affirmative, please explain the status and amount of each other source of funding. If the answer is negative, please explain why such other sources of funding have not been sought or obtained.

The Act requires the Board to give preference to eligible projects which have local financial support. Local financial support may include local fees, grants, tolls, private contributions, donated rights of way, local taxes or similar payments. The Board reserves the right to determine the suitability of the form of the local financial support.

3. PROJECT APPROACH

20 POINTS

Describe the expected schedule for implementing the project, including the time for completion. Identify critical assumptions or milestones for completion of the project. In this section, the application shall provide at a minimum the following:

- 3.1 a time table bar chart of events/milestones to implement phases of project (including when the facility will be open for use); include critical factor necessary for the project success (i.e. environmental approvals, permit approvals, etc.) and the status of each (include letter from SCDOT concurring with time table);
- 3.2 a complete description of the current status of the project;
- 3.3 a description and explanation of potential obstacles (legal issues, lack of local support, public opposition, right of way costs, environmental impact and concerns, etc.) and methods the applicant proposes be used to manage or avoid those obstacles; and
- 3.4 a clear statement of the entity (including contact name, address and telephone number) responsible for each of the following activities:
environmental studies, design of project, right of way acquisition, construction, construction management, operation, maintenance, tort liability and ownership, law enforcement, and marketing (include letters from the entities agreeing to the responsibilities).

OTHER

The Board may consider other significant factors not included in the above in determining award of financial assistance to a project.

APPLICATION SUBMITTAL AND EVALUATION

Applications should include an executive summary and list a contact person for the applicant including that person's full name, mailing and street addresses, telephone and facsimilie numbers, e-mail address, and relationship to applicant.

Applications will be no longer than 50 pages, excluding appendices. Evidence of local support, studies, and other reports may be attached as appendices.

Applications should include cross-referencing rather than using repetition in explaining the project and assistance requested.

Applications shall be submitted as follows:

Fifteen complete copies on fifteen compact discs in Word software, (or if compact discs are not possible, 15 bound copies) mailed to the address below, **and**

One complete un-bound printed copy mailed to:

**South Carolina State Transportation Infrastructure Bank
P. O. Box 191
Columbia, South Carolina 29202-0191**

Each application submitted to the Board will be reviewed to determine if a project is eligible for financial assistance. Projects that are not eligible for financial assistance will be returned to the applicant with proper notification.

The Board reserves the right to request or obtain additional information about any and all applicants and applications and to return applications that do not comply with the format set forth herein, are not found to be eligible by the Board, or are filed after any deadlines established by the Board.

EVALUATIONS OF ELIGIBLE APPLICATIONS

An Evaluation Committee of the Board will review applications determined to be eligible by the Board. The Evaluation Committee will review each application and rate its strengths and weaknesses based on prescribed evaluation criteria. The Evaluation Committee will issue a report to the Board on each application. The final decision on financial assistance on each application will be determined by the Board. The Board may place conditions on financial assistance it provides.

PRESENTATIONS

By invitation from the Board, an applicant may be given the opportunity to make a presentation to the Board. Presentations usually will occur before the Evaluation Committee reviews the applications. Further presentations may be requested to answer any questions from the Board or Evaluation Committee.

Additional Provisions Applicable to All Applications and Applicants

Projects and financial assistance approved by the Board also must be approved by the Joint Bond Review Committee of the General Assembly under the Act prior to implementation.

The Bank is not responsible for providing any additional financial assistance of any kind to a project beyond what it and the Joint Bond Committee initially approve under any circumstances regardless of the actual cost of the project.

The Board assumes no liability for and will not reimburse any costs or liabilities incurred by applicants or others, whether provided financial assistance by the Bank for the project or not, in developing, submitting or presenting applications.

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