

## Exhibit A – ART Program Project Specifications

<p>Purpose and Objective</p>	<p>The Activation, Revitalization, and Transformation Program (“ART Program”) is a grant program that will proactively deploy \$10 million in American Rescue Plan funding (\$5 million allocated to CRDA for use in Atlantic City and \$5 million allocated to NJEDA for use in Newark) to address the impacts of COVID-19 in New Jersey communities through the new construction or the rehabilitation of vacant, underutilized, blighted and/or historic structures and the development of permanent place-based infrastructure associated with traditional downtowns, social-zones, outdoor dining, and place-based public spaces. The ART Program is funded through the American Rescue Plan (Pub.L. 117-2) Coronavirus State and Local Fiscal Recovery Funds (SLFRF), was recommended for appropriation in Governor Murphy’s Fiscal Year 2023 Budget in Brief and completed the Joint Budget Oversight Committee process in November of 2021.</p> <p>To mitigate the economic impact of the COVID-19 pandemic, and to support the development and recovery of New Jersey’s commercial corridor, the ART Program will invest in the infrastructure, capacity building, and resources necessary to help select New Jersey municipalities recover from the pandemic and thrive for years to come. While the pandemic impacted millions of American households and businesses, some of its most severe impacts fell on low income and underserved communities, where pre-existing disparities amplified the impact of the pandemic and where the most work remains to reach a full recovery. Utilizing funding provided from SLFRF, the ART program aims to provide financial support to municipalities that were disproportionately impacted by the COVID-19 pandemic, specifically urban areas who experienced revenue losses and economic harms due to decreased commuter foot-traffic. By providing funding to support catalytic real estate development and placemaking initiatives that increase foot- traffic, the ART program funding will help mitigate the harms caused in municipalities that were disproportionality impacted by the COVID-19 pandemic by increasing local spend and promoting economic stability in vital commercial corridors.</p> <p>Administered by the New Jersey Economic Development Authority (NJEDA), the ART tool provides up to \$7 million to support real estate development in the form of grants for real estate rehabilitation, new construction, and development costs associated to each project, and up to \$3 million in grant funding that can support public space place-based infrastructure per project. The goal of this program is to partner with local entities to proactively address the negative economic impacts of the pandemic by investing in projects that create the environment necessary to attract and retain residents and talent, enable business creation and attractions, enhance downtown vitality, and help local governments avoid budget crises.</p> <p>Businesses or nonprofits are eligible to apply for one or both programs. Municipalities and government entities are ineligible to apply for this funding.</p>
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Programs	Real Estate Rehabilitation & Development	Public Space Activation
Eligible Applicants	<ul style="list-style-type: none"> <li>• Private or non-profit developers that can demonstrate capacity to complete a development and redevelopment project, or have experience with a project of a similar scope.</li> <li>• Non-profit economic development or redevelopment agencies that can</li> </ul>	<ul style="list-style-type: none"> <li>• Nonprofit organizations with a 501c(3) or 501c(19) status including but not limited to: <ul style="list-style-type: none"> <li>○ Economic Development Corporations.</li> <li>○ Community Development Corporations.</li> </ul> </li> </ul>
	<p>demonstrate capacity to complete a development or redevelopment project or have experience with a project of a similar scope.</p> <ul style="list-style-type: none"> <li>• Commercial property owner(s) that can demonstrate capacity to complete a development and redevelopment project or have experience with a project of a similar scope.</li> </ul>	<ul style="list-style-type: none"> <li>○ Nonprofit economic development or redevelopment agencies.</li> <li>○ Business Improvement Districts and City Improvement Districts.</li> <li>○ Arts Organizations</li> </ul>
Eligible Project Activities	<p>Up to \$7M of total funding is expected support project-specific hard and soft costs that revitalize commercial corridors and incentivize catalytic development.</p> <p>In order to be eligible for ART funding, all capital construction projects must have a total cost of less than \$10M.</p> <p>These projects can include:</p> <ol style="list-style-type: none"> <li>1. Renovation or restoration of vacant buildings, or square feet of vacant space within a partially occupied building.</li> <li>2. New construction of at least 10,000 square feet on an existing vacant lot.</li> <li>3. Acquisition costs.</li> <li>4. Eligible projects can include mixed- used construction.</li> </ol> <p>Ineligible activities include:</p> <ol style="list-style-type: none"> <li>1. Demolition of a structure to create a vacant lot for future development.</li> <li>2. Projects that are 100% residential construction.</li> </ol>	<p>Up to \$3M of funding is expected to support the creation of public space activation initiatives, such as:</p> <ol style="list-style-type: none"> <li>1. Placemaking projects, public art installations, signage, and streetscape improvements.</li> <li>2. Activation of public spaces through events.</li> <li>3. Operating costs for arts organizations.</li> <li>4. Master/subleases for programmatic use (including incubator space, small business support, and events) in mixed use and commercial properties only.</li> </ol> <p>All applicants that receive grant funding for the creation of programs will be required to submit quarterly reports to demonstrate backend compliance.</p>

<p style="text-align: center;">Eligible Project Locations</p>	<ul style="list-style-type: none"> <li>• New Jersey municipality that prior to the COVID-19 pandemic had a daytime population with the largest total difference between the residential population and the total daytime population. The city that meets this definition at this time is the City of Newark.</li> <li>• Atlantic City-Atlantic City projects in commercial corridor is defined as a project located in the boundaries of the City of Atlantic City that is within 1 ½ (1.5) miles radius of an active NJ Transit rail station,</li> <li>• Newark-Newark projects in a commercial corridor is defined as a project located in the boundaries of the City of Newark that is within 1½ (1.5) miles radius of an active NJ Transit rail station</li> </ul>
<p style="text-align: center;">Project Considerations</p>	<p>Project submissions will clearly address the following considerations</p> <ul style="list-style-type: none"> <li>• <u>COVID Impact</u>: Applicants must address how the proposal is responsive to the negative public health and/or economic impacts of the COVID-19 pandemic and complies with all the ARPA program requirements.</li> <li>• <u>Locations</u>: Projects must be located in Atlantic City, or Newark. All projects must support commercial corridors and be located in urban areas with mass transit.</li> <li>• <u>Capacity</u>: The applicant must have experience implementing a project of a similar scope.</li> <li>• <u>Long-term impacts</u>: Competitive applicants must articulate via the application process how the proposal will have a positive long-term impact in the community. This may include certain factors like renovating a facility to support small businesses, including how it will enable growth in population and tax revenue.</li> <li>• <u>Financial Viability</u>: Must demonstrate long-term financial viability of the project and a time period for project completion through the submission of a pro forma.</li> <li>• <u>Local impact considerations</u>: A project must demonstrate how it supports the goals and visions stated (if available) in either a local master plan, downtown or neighborhood plan, capital improvements plan and/or economic development strategy, along with the readiness of infrastructure.</li> <li>• <u>U.S. Treasury reporting</u>: Ability to provide the U.S. Department of the Treasury with relevant reporting for all project expenditures exceeding \$1 million, specifically, all proposals must provide a narrative on how the project will address the impacts of COVID-19 in either Atlantic City or Newark, and why this capital expenditure is the most appropriate to address the economic harms caused by COVID.</li> </ul>

<p>Application Process and Board Approval / Delegated Authority</p>	<p>The ART Program will be a competitive grant program with applications due by a set deadline.</p> <p>The Authority will perform a review of applications after the closing of the application period. Applicants will be given five business days to cure any deficiencies. If at the end of the five-day period, the applications are still incomplete, they will be notified the application will not be advancing to be scored and will be withdrawn. At the sole discretion of the Authority, staff may ask for clarification of the information included on the application including but not limited to responses, documentation, and attachments.</p> <p>Applications will be evaluated and scored on a competitive basis. Applications that meet the minimum score requirement of 65 out of the eligible 100 points will be eligible for ART Program funding.</p> <p>Applications will be recommended to the Board for award approval starting with this highest scored application until all available ART Program funding is awarded. NJEDA staff will make up a scoring committee to score each complete application for each product. Staff will recommend to the Board for approval applicants in order of scoring that can be fully funded based on the applicant’s Funding Request Certification and staff’s review.</p>
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	<p>Applications will be accepted during a 60-business day window publicized in the Notice of Funding Availably. Delegated authority is requested to allow the Chief Executive Officer to draw down the funding of \$5,000,000 from ARP SLFRF for the ART program from the New Jersey DCA, and to draw down the funding of \$5,000,000 from ARP SLFRF for the ART program from CDRA.</p> <p>The ART Program awards will proceed to board for all approvals and for declinations for discretionary reasons. As a pilot program, decision based on non-discretionary reasons are subject to the existing delegated authority. CEO will delegate to the appropriate staff on all appeal decisions for non-discretionary reasons.</p>
<p>Scoring</p>	<p>Applications will be reviewed and scored by staff of the Authority formed as a scoring committee. The scoring committee may utilize the advice of subject matter experts from both the Authority and other New Jersey state departments, agencies, councils, offices, and boards to advise scoring decisions. Grants will be scored on a scale of 0-100 points, with award recommendations limited to applications that meet or exceed the minimum score requirement of 65 points. Applications will be evaluated and scored on each of the criteria found in Exhibit B.</p>

<p>Proposed Program Funding</p>	<p>The ART Program will be funded through the American Rescue Plan (Pub.L. 117-2) Coronavirus State and Local Fiscal Recovery Funds (SLFRF) and was approved by the New Jersey Joint Budget Oversight Committee (JBOC) in November 2021 and included in the enacted 2022-23 Fiscal Year Budget.</p> <p>Under federal guidelines, all ART Program funding must be obligated by December 31, 2024, and must be expended by December 31, 2026.</p> <p>The ART program allocates \$5 million in funding for projects in Atlantic City and \$5 million in funding for projects in Newark that support commercial corridors.</p> <p>The minimum award request for the Real Estate Rehabilitation and Development Program is \$250,000 and the Public Space Activation Program is \$100,000.</p> <p>The maximum award for the Real Estate Rehabilitation program is \$3,500,000 and the maximum award for the Public Space program is \$1,500,000.</p>
<p>Proposed Funding Allocation for the Programs</p>	<p>Based off application volume, the NJEDA CEO has approval to adjust funding to move excess funding from Public Space Activation program to Real Estate Development and Rehabilitation program, and excess funding from the Real Estate Development and Rehabilitation Program to the Public Space Activation program while maintaining \$5 million overall to both Atlantic City and the City of Newark.</p>
<p>Funding Disbursement</p>	<p>NJEDA will disburse grants only to the Applicant. The Applicant shall be responsible for assuring the compliance of any strategic partners and/or subcontractors with all terms and conditions of this application - and assumes the sole and absolute responsibility for any payments due to any municipal, county, or strategic partners.</p> <p>Grant award recommendations will be made based on the highest scored applications received after the competitive application window closes. Awards will be recommended in order until the funding pool is fully utilized.</p> <p>Staff will recommend to the Board for approval applicants in order of scoring that can be fully funded based on the applicant's Funding Request Certification and staff's review.</p>

If an applicant (that scored above the minimum score) cannot be fully funded due to insufficient program funds remaining to make their full award, NJEDA staff will notify that applicant of the available amount that can be awarded. The applicant will have 15 business days from the date of the notice to accept the amount of the grant and to provide proof of an additional funding to ensure the project can still be completed by using a letter of intent, commitment letter, bank statements, or any other means. If the applicant decides not to accept the amount available or does not identify additional funding to complete the project, the application will be incomplete and deemed withdrawn by NJEDA. The application may also be denied if the additional funding does not meet the product requirement for such funding. If no award is given to that applicant, NJEDA will proceed with the same process to the next highest scored application (above the minimum score). Throughout this process, the applicant will not be allowed to change its project, as that would impact scoring.

However, due requirements established by the United States Treasury Department SLFRF Final Rule, NJEDA must receive a minimum of 3 applications in order to start the process towards application evaluation, scoring, and approval.

All successful Applicants must follow a uniform disbursement schedule. Applicants are required to submit progress reports in order to receive grant disbursements. At a minimum, the progress reports must include:

- Summary of funds expended to date, and
- Narrative detailing milestones achieved and overall progress toward completion of final plan.
- Proof of prevailing wage/Affirmative Action compliance.

Real Estate Rehabilitation & Development	Public Space Activation
Applicants will receive one disbursement of 50% of the total award amount at 50% of project completion as demonstrated through their AIA document. Second disbursement will occur when the applicant can provide a Certificate of Occupancy and proof of completion.	The Applicant will receive the full grant amount upon execution of grant agreement, and then will be required to submit quarterly reporting until project completion. NJEDA will provide the applicant with the report, and they will complete the required documentation indicating proper use of funds.

Appeals	<p>Entities whose applications are denied will have the right to appeal. Appeals must be filed within the timeframe set in the declination letter (Chief Legal &amp; Strategic Affairs Officer or designee will designate Hearing Officers who will review the applications, the appeals, and any other relevant documents or information. The Hearing Officer will prepare a recommended decision, which must be approved, and a Final Administration Decision issued by the Board or, if under delegated authority, by the CEO or their designee.</p>
Fees	<p>Under guidelines established by the American Rescue Plan SLFRF Final Rules, fees are limited to the following:</p> <ul style="list-style-type: none"> <li>• An administrative fee to NJEDA at a max of 2.5% in addition to the two funding sources identified to be used for projects.</li> <li>• Both the Real Estate Rehabilitation and Development Program and the Public Space Activation program will require an application fee of \$1,000.</li> </ul>
	<ul style="list-style-type: none"> <li>• Not-for-profit entities can apply for fee waivers for undue hardships. Fee waivers for Undue hardship can be demonstrated through the nonprofit's most recent 990 form if Revenue Less Expenses (line 19) is less than or equal to \$500,000 and Net Assets/Fund Balances (line 22) is less than or equal to \$1,000,000.</li> </ul>