Me² Commercial PACE Financing Interest Form

The purpose of this Interest Form is to allow property owners to express their interest pursuing a project with Me² PACE Financing. This form will help develop a project that fits the property owner's needs, and ensure it falls within the parameters of the program. Me² will review this Interest Form to determine if the initial eligibility requirements are met, and will advise you on your next steps for developing an eligible project. For more details about the application process, please see the Me² Commercial PACE Program Manual or visit www.smartenergypays.com/businesses

SUBMIT: Submit your completed Interest Form:

- Email an electronic copy of this completed form to eshamb@milwaukee.gov, or
- Fax a copy of this completed form to 414-286-5475, or
- Send one hardcopy of this completed form to:

  Me2 Commercial PACE Program
  Attn: Erick Shambarger
  200 E. Wells St., Room 603
  Milwaukee, WI 53202
- Me² will confirm receipt of your Interest Form submission via email.

CONTACT: For questions about the program your current status, please contact Erick Shambarger at 414-286-8556 or eshamb@milwaukee.gov. For details on the program visit: www.smartenergypays.com/businesses

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SECTION M: /hat!b¸ LbChwa!¢Lhb

Company Name: ☐ Owner ☐ Management Company
Contact Name (person to whom all communication will be directed):
Title:
Email: Phone:
Mailing Address:

Name of Owner(s):

Property Owner Business Classification:

- ☐ Corporation
- ☐ LLC
- ☐ Partnership
- ☐ Trust
- ☐ Individual/Solar Proprietor
- ☐ 501(c)(3)

SECTION H: PROt9w¢¸ LbChwa!¢Lhb

Property Address: (Site of Improvement CITY OF MILWAUKEE address only):
City: Milwaukee (If property is condominium, provide address including unit # of the common area)
State: WI Zip:

Property Type:

- ☐ Retail
- ☐ Office
- ☐ Education
- ☐ Industrial
- ☐ Other. If other, please describe:
- ☐ Food Service
- ☐ Hotel/Hospitality
- ☐ Warehouse
- ☐ Condominium (project must be approved by condo board)
- ☐ Apartment building (more than 3 units, 1 tax key)

  If apartment, is primary mortgage holder backed by Freddie Mac or Fannie Mae?
  ☐ YES ☐ NO

Property Occupants:

- ☐ Owner occupied %:
- ☐ Tenants/leased %:

BUILDING DETAILS:

Year building was built:

Total gross building square footage:

VALUE OF PROPERTY:

PACE project costs can typically be up to 20% of the value of the property (up to 10% for industrial/special use properties)*

Current value of property:

Above estimate is based on:

- ☐ Assessed value **OR**
- ☐ Appraised value (less than 120 days old)

*If a condominium, the assessed value is on common area only.

SECTION 3: PROJECT DETAILS

The Program allows property owners that are at the beginning of their property improvement process, as well as those that have a project completely planned out, to begin the process of applying for financing through the Program. To help the Program gauge where you are in the project development process, please check all of the following items that apply.

- ☐ I have just begun investigation, and do not know what property improvements to pursue
- ☐ I have a project that meets the eligible projects requirements
- ☐ I have identified a Participating Me² contractor. List of contractors available at www.smartenergypays.com/contractors

Type of project (select all that apply):

- ☐ Lighting
- ☐ HVAC
- ☐ HVAC Controls
- ☐ Renewable Energy
- ☐ Other
- ☐ If other, please describe:

Estimated project cost (if known): _____

Project cost cannot exceed 20% of the value of the property. The energy, water, and maintenance savings resulting from the project over the life of the project must exceed the project costs.

SECTION 4: ELIGIBILITY

By checking the box below, you are certifying the property's eligibility to receive Me² PACE Financing and have read and understand the main terms of the program (see page 3 of this Interest Form).

- ☐ I have read and understand the main terms of the Me² PACE Financing program.

SECTION 5: SIGNATURES

To the best of my knowledge, the statements above are complete, true, and correct. I hereby certify that I am authorized to submit this Interest Form and affix my signature below. Submission of this Interest Form does not guarantee approval.

Signature_____Title_____

Date_____

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PROGRAM TERMS

- The commercial property is located in the City of Milwaukee.
- The property must be Non-Residential property (ie. or a multi-family property with five or more units).
- A Me² Participating Contractor must be used to install the project financed through PACE.
- If the project is over $250,000, the Participating Me² Contractor must provide a performance contract, must have a savings to investment ratio greater than one, as defined in the Program Manual.
- For projects less than $250,000 the property owner must submit a professional energy and/or water audit on the property that corresponds with the proposed improvements the owner is seeking to finance. The audit should meet ASHRAE Level 3 standards or be a comparable energy analysis (i.e. development of projected energy savings, cost savings, and project costs).
- Projects must have a useful life of at least five years. PACE financing terms should not exceed the expected life of the proposed improvement.
- Projects must be permanently affixed to the real property or building, and the property owner will leave the improvements with the property upon sale or transfer of title.
- Projects must reduce energy or water usage, or generate clean power for the property.
- The project cost financed by PACE may not exceed 20% of the total property value for most properties, and may not exceed 10% for industrial or special use properties. The City and its financing partners reserve the right to limit the size of approved projects.
- Payments for the improvement are collected through a voluntarily assumed municipal special charge (upon approval of final application and signed agreement between the property owner, financial institution, and City of Milwaukee)
- The property owner agrees to participate in annual surveys and program evaluations, which may include access to utility bill usage information.
- The property owner must obtain the written affirmative acknowledgment of existing mortgage lenders. The Program will provide templates for this purpose but it is the property owner's responsibility to obtain consent from the mortgage lender(s). The owner must submit a copy of the mortgage lender's written affirmative acknowledgment with the Final Application.
- All owners of the fee simple title to the subject property, or their legally authorized representatives, must sign the Final Application. Therefore, before submitting this Interest Form, please ensure that all owners (or their representatives) of the fee simple title to the subject property will agree to participate in the Program on the terms set forth in this Interest Form.
- The property owner must certify that it (and its corporate parent if the property owner is a single-purpose entity) is solvent and that no proceedings are pending or threatened in which the property owner (or the corporate parent, as applicable) may be adjudicated as bankrupt, become the debtor in a bankruptcy proceeding, be discharged from all of the property owner's (or corporate parent's, as applicable) debts or obligations, be granted an extension of time to pay the property owner's (and the corporate parent's, as applicable) debts or be subjected to a reorganization or readjustment of the property owner's (and the corporate parent's, as applicable) debts. The property owner must also certify that the property owner (or any corporate parent if the property owner is a single-purpose entity) has not filed for or been subject to bankruptcy protection in the past three years.
- The property owner must be current in the payment of all obligations secured by the subject property, including property taxes, assessments and tax liens and have had no delinquencies within the past 3 years (or since taking title to the subject property if it has been less than 3 years). The City and its financing partners may review public records, including the real property records, to verify compliance with this requirement. The City reserves the right to make allowances for certain property tax payment delays that do not reflect financial distress.

- Properties that are currently appealing a property tax assessment will be reviewed, and eligibility for the Program will be determined on a case-by-case basis.
- There must be no notices of default or foreclosure, whether in effect or released, due to non-payment of property taxes or loan payments filed against the subject property within the last 5 years (or since ownership, if less than 5 years). Exceptions may be granted on a case-by-case basis.
- The property owner must have no involuntary liens, defaults or judgments applicable to the subject property. The City and its financing partners may review public records, including the real property records and court documents, to verify compliance with this requirement. A property owner with an involuntary lien(s), default or judgment may be allowed to participate in the Program if it can demonstrate an acceptable reason for the lien, default or judgment and a path for resolution along with supporting documentation.
- The property owner must certify that it is not party to any litigation or administrative proceeding of any nature in which the property owner has been served, and that no such litigation or administrative proceeding is pending or threatened that, if successful, would materially adversely affect the property owner's ability to operate its business or pay the contractual assessment when due, or which challenges or questions the validity or enforceability of the Assessment Contract or any other documents executed by property owner in connection with the Program.
- The City of Milwaukee cannot provide legal advice on whether the special charge may be able to be passed to the building's tenants, and will not mediate any disputes between a property owner and tenant.
- The City provides no advice or mediation on whether the property owner accounts for the municipal special charge as an operating expense or a capital expense
- The City of Milwaukee, the Me² program, and its financial partners have the right to review all projects for eligibility and may approve PACE projects for financing at their sole discretion
- The City of Milwaukee, the Me² program, and its financial partners:
    - Do not endorse any particular installation contractor, engineering firm, manufacturer, product, or system design by this offering.
    - Are not responsible for any tax liability imposed on the recipient as a result of the payment.
    - Make no representation or warranty, and assume no liability with respect to the quality, safety, performance, or other aspect of any design, consulting, product, system, equipment, or appliance installed or received and expressly disclaim any such representations, warranties, and liability, including, but not limited to, any implied warranties of merchantability or fitness for a particular purpose. Please contact your contractor for detailed manufacturer equipment warranties.
    - Do not guarantee that installation and operation of energy efficient equipment will result in reduced usage or in cost savings.
    - Are not responsible for the proper disposal/recycling of any waste generated as a result of this project
    - Are not liable for any damages, including any incidental or consequential damages, arising out of the operation or malfunction of the products, equipment, or appliances, or the installation thereof.
    - Signatory(ies) and applicant(s) shall indemnify the Me² program, the City of Milwaukee, their respective affiliates, subsidiaries, parent companies, officers, directors, agents, and employees against all losses, damages, expenses, fees, costs and liability arising from any design, consulting, product, system, equipment, or appliance.
    - Unless notified in writing, the Me² program reserves the right to publicize participation in the program.
    - A Me² program representative may schedule a site visit to verify that qualified products, systems, equipment, or appliances were installed.