

# NYCIDA PROJECT COST/BENEFIT ANALYSIS

July 17, 2014

## APPLICANT

**Cubit Power One Inc.**  
200 Market Street  
Potsdam, NY 13676

## PROJECT LOCATION

4354 and 4354 Victory Boulevard  
Staten Island, NY 10314

### **A. Project Description:**

Cubit Power One Inc. (the “Company”) is a special purpose entity created in 2011 to develop green manufacturing facilities. The Company seeks to (i) develop, furnish, and equip approximately 6,000 square foot building, and (ii) renovate, furnish, and equip an approximately 5,000 square foot existing building, including the addition of two stories to such building containing 10,000 square feet of space, located on an approximately 11,000 square foot parcel of land in the Travis section of the western shore of Staten Island as an energy efficient packaged ice manufacturing facility with onsite power generation. The facility is also slated to become New York City’s first carbon dioxide (CO<sub>2</sub>) capture plant. The estimated total project cost of the project is approximately \$23,089,000.

The Company expects to create 19 new full-time employees within three years following the start of operations at the Facility.

### **B. Costs to City (New York City taxes to be exempted):**

Mortgage Recording Tax Benefit:	\$15,113
Land Tax Abatement (NPV, 15 years):	97,477
Building Tax Exemption (NPV, 15 years):	1,653,458
Sales Tax Exemption:	721,139
<b>Total Cost to NYC</b>	<b>\$2,487,187</b>

### **C. Benefit to City (Estimated NYC direct and indirect taxes to be generated by Company) (estimated NPV 15 years @ 6.25%):**

**\$4,658,108**



New York City  
Industrial Development Agency



# BENEFITS APPLICATION

Applicant Name: Cubit Power One Inc.	
Name of operating company (if different from Applicant): n/a	
Operating Company Address: 200 Market St., Suite 200, Potsdam NY, 13676	
Website Address: www.cubitpower.com	
EIN #: [REDACTED]	NAICS Code: 312113, 325120, 237990
State and date of incorporation or formation: Delaware, June 1 <sup>st</sup> 2010	Qualified to conduct business in NY? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Applicant is (check one of the following, as applicable):	
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership
<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Natural Person
<input checked="" type="checkbox"/> C Corporation	<input type="checkbox"/> S Corporation
<input type="checkbox"/> 501(c)(3) Organization	<input type="checkbox"/> Other: _____
Are any securities of Applicant publicly traded? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

### Applicable Financial Assistance *(check all that apply)*

*Please note the following:* When Build NYC is the entity providing Financial Assistance, the Project Financial Assistance may be limited to deferral from mortgage recording taxes and tax-exempt conduit bond financing.

<input type="checkbox"/> Bond Financing
<input checked="" type="checkbox"/> Real Estate Tax Benefits
<input checked="" type="checkbox"/> Sales Tax Waiver
<input checked="" type="checkbox"/> Mortgage Recording Tax Deferral

### Applicant Contact Information

	Name/Title	Company	Address	Email	Phone
Applicant Contact Person	Alan Powell	Cubit Power One Inc.	200 Market St, Suite 5, Potsdam NY 13676	[REDACTED]	[REDACTED]
Attorney					
Accountant					
Consultant/Other					

**Background**

Please provide a brief description of the Applicant’s history and nature of its business, including a description of the industry, competitors and services offered, on a separate sheet.

**Proposed Project Activities**

Please provide answers to the following four questions on a separate page.

1. Please provide a brief overview of the entire proposed Project. If necessary, break down by tax lot to describe activities at each Project Location. Please see Project Overview on the following page.
2. Please provide a brief description of how the proposed Project will affect current operations. As a new project, no operations currently exists
3. Please provide a brief description of renovations/construction of the proposed Project. Existing warehouse to be renovated and a new warehouse is to be built described as outlined in the attached pages.
4. Please provide a brief timeline for the entire proposed Project. Timeline is outlined in the attached pages.

**Project Financing**

Amounts provided should be aggregates for all Project Locations.

Uses of Funds	Sources of Funds							Total Uses
	(If needed use an additional sheet to indicate all sources and uses)							
	Bond Proceeds	Commercial Loan	Shareholder loan	Shareholder equity	Mortgage	NYSERDA	Other (Identify):	
Land & Building Acquisition				\$269	\$930			\$1,199
Construction Hard Costs			\$1,049					\$1,049
Construction Soft Costs			\$530	\$852				\$1,382
Fixed Tenant Improvements								
Furnishings & Equipment		\$6,300	\$8,992					\$15,291
Debt Service Reserve Fund								
Capitalized Interest				\$607				\$607
Costs of Issuance								
1. Fees (explain):			\$478	\$1,015		\$2,068		\$3,561
Other (explain)								
<b>Total Sources</b>		<b>\$6,300</b>	<b>\$11,049</b>	<b>\$2,742</b>	<b>\$930</b>	<b>\$2,068</b>		<b>\$23,089</b>

Fees include the following:

- Preconstruction feasibility study
- Project design and engineering
- Project management
- Origination fee and closing costs
- Financial advisory costs
- Legal costs
- Employee training
- Permits applications and approvals
- Project insurance
- Miscellaneous and contingency costs

**Operating Pro Forma** (for NYCIDA applicants only)

Please provide an operating pro forma or other financial analysis demonstrating how NYCIDA assistance is needed in order to make the Project feasible.

**Sourcing**

Please list where machinery, equipment and furnishings will be purchased and what percentage of total machinery, equipment, and furnishings relating to the Project this will represent:

<input checked="" type="checkbox"/> New York City	% of Total?	<u>20%</u>
<input checked="" type="checkbox"/> New York State (excluding NYC)	% of Total?	<u>6.5%</u>
<input checked="" type="checkbox"/> United States (excluding NYS & NYC)	% of Total?	<u>23.5%</u>
<input checked="" type="checkbox"/> Outside United States	% of Total?	<u>50%</u>
<input type="checkbox"/> N/A – No equipment is planned to be purchased for this Project		



# Staten Island Packaged Ice and NYC's First Carbon Capture Facility

## 1. Project Background & Overview

Cubit Power One Inc. is a special purpose company constructing an energy efficient packaged ice manufacturing facility with onsite power generation (phase 1) and New York City's first carbon dioxide (CO<sub>2</sub>) capture plant in Staten Island (phase 2). The proposed project would be located on two abutting lots making a quarter acre lot in a heavy industrial zone (M3) in the Travis neighborhood.

- Virtually no emissions (CO<sub>2</sub> capture and maximum emissions cleaning on site)
- Excess electricity will be sold back to the grid for local use in Staten Island
- Ice will be manufactured with cutting edge energy efficiency measures
- Energy efficient buildings constructed from renewable/sustainable materials
- Ice inventory stored off site to minimize truck traffic and noise (estimated 2 trucks per week day)
- Short construction period through use of pre-fabricated buildings and skid mounted equipment

## BENEFITS

---

### To the Local Economy

- Direct investment – \$22 million over 3 years
- 19 full time green jobs with health benefits created with well paying wages

### To the Community

- New clean and sustainable manufacturing in the Staten Island Green Zone<sup>1</sup>
- Create quality local jobs for Staten Islanders and reduce the need for off-island commutes<sup>2</sup>
- Fits into the current 3 year plan "Working West Shore 2030" vision for Travis-Freshkills<sup>3</sup>
- Locally available emergency ice and dry ice
- Increased local electricity reliability<sup>4</sup>

### To the Environment

- Clean onsite heat and power generation means no extra electricity required from the grid
- Plant's energy efficiency is in excess of 72% (of incoming natural gas thermal value)
- CO<sub>2</sub> captured, purified above FDA food grade standards for use in a plethora of applications
- Green/renewable building materials with aesthetically pleasing architecture to maintain neighborhood character
- Uses very little city water - A comparable ice plant would use approximately 6.3 mill gal per year more
- Carbon Dioxide mitigation of 37,000 tons per year (equivalent of almost 8000 cars taken off the road<sup>5</sup>)

## ABOUT CUBIT

---

Cubit Power One Inc. was started in 2011 to develop green manufacturing facilities that use clean energy and sustainable processes across North America. The Staten Island Ice facility is the first of many projects that aim to benefit the communities in which they are located, the environment and stakeholders. Our executive team has years of experience in manufacturing, green energy and project management.

<sup>1</sup> Staten Island Economic Development Corporation - <http://siedc.org/programs-and-projects/signature-projects/green-zone/>

<sup>2</sup> One of four main objectives of *Working West Shore 2030* - <http://www.nycedc.com/resource/working-west-shore-2030>

<sup>3</sup> West Shore 3 Year Plan: Page 2, bullet 5 - [http://www.nycedc.com/sites/default/files/filemanager/Resources/Studies/Study\\_WestShoreThreeYearWorkPlan.pdf](http://www.nycedc.com/sites/default/files/filemanager/Resources/Studies/Study_WestShoreThreeYearWorkPlan.pdf)

<sup>4</sup> Public Utilities Fortnightly: Capturing Distributed Benefits by Margaret Jolly of Con Edison Inc. <http://www.fortnightly.com/fortnightly/2012/08/capturing-distributed-benefits?page=0%2C0&authkey=ed2f91bfeb755dc6c222d2a76b32f98d675ae9db26fee62ecd0f798b0e67528b>

<sup>5</sup> US EPA Reference for a standard passenger vehicle: 4.75 metric tons CO<sub>2</sub>E /vehicle/year <http://www.epa.gov/cleanenergy/energy-resources/refs.html>

3. Please provide a brief description of renovations/construction of the proposed Project.

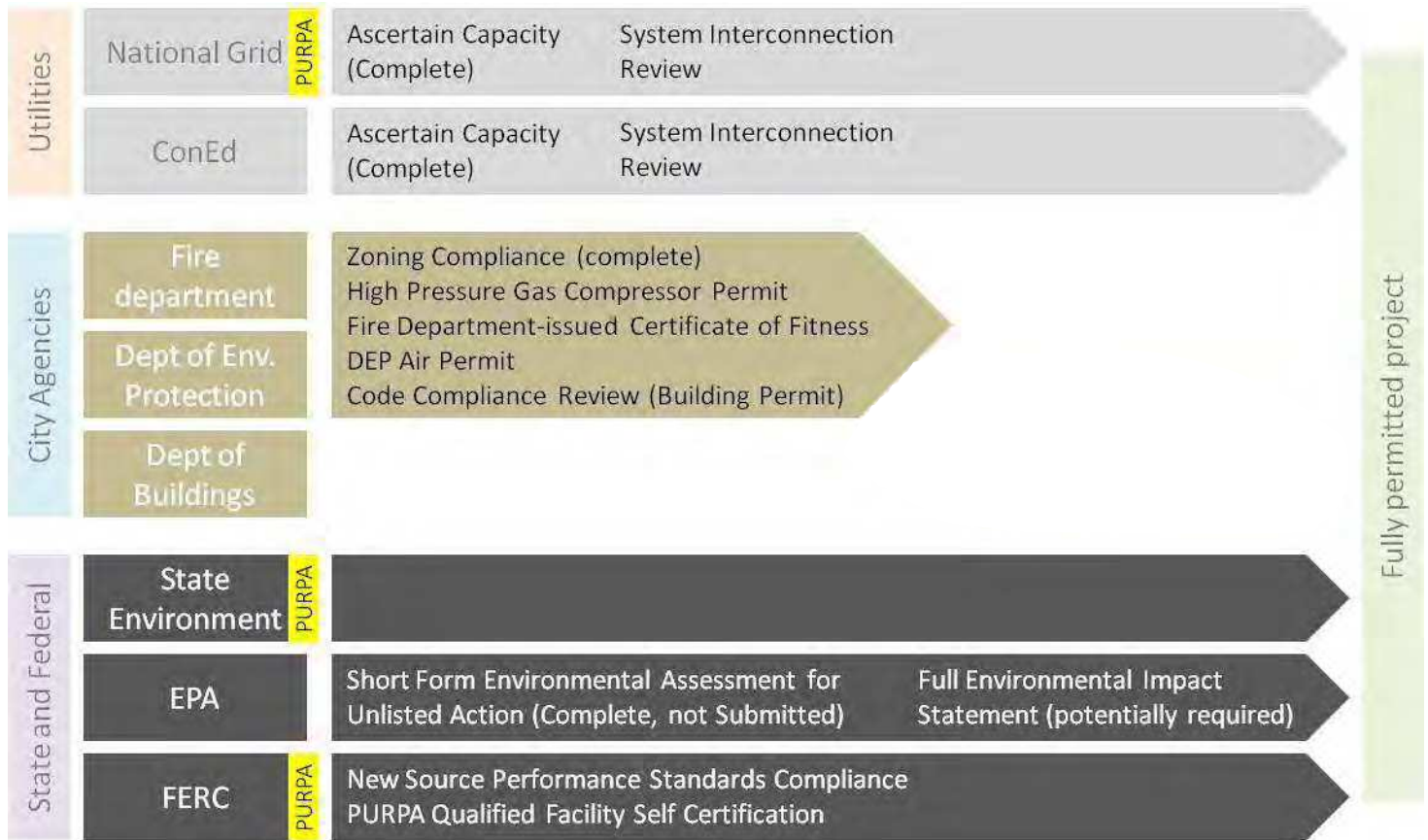
- Purchase Price: \$1,150,000 for both abutting lots each with a building on it
- Building Improvements to Existing Building: \$200,000
  - Conversion of a 5000 sq foot cheese manufacturing facility
  - Demolition costs of second 4000 sq ft existing building
- New building construction:
  - TOTAL: \$854,000
    - \$554,000 (phase 1) –includes foundation, drainage and temporary roof
    - \$300,000 (phase 2) – additional 2 floors on above building (prefab)
  - Construction of a new 6000 sq ft sound and vibration attenuated building
  - Renewable construction materials (prefabricated cross laminated timber)
- New building and equipment installed cost: \$15,231,000
  - Natural gas compressor, natural gas fired engines/alternators, transformers and substation
  - Heat exchangers and emissions treatment system, chillers, ice manufacturing equipment
  - CO2 extraction and production system
- Assumptions:
  - The two 5MWe CHP plants are co-located on the two adjacent properties (phase 1)
  - The CHP plants will be built simultaneously, and the CO2 plant (phase 2) will be built approximately 12 months after CHP plant is operational
  - Building construction materials incorporates Binderholz pre-manufactured kit costing approximately \$40/sf to construct
  - Staten Island location zoned M3 provides access to ConEd high tension lines, and National Grid's high pressure gas line for two CHP plants, confirmed by ConEd and National Grid





4. Please provide a brief timeline for the entire proposed Project

Project permitting process



Project timeline

Project Timeline – Phase 1	Start Date	Completion Date
<b>Engineering Design and Procurement</b>	<b>May 1st 2014</b>	<b>Nov 15th 2014</b>
Place deposit on Prime Movers	May 15 <sup>th</sup> 2014	May 15 <sup>th</sup> 2014
Detailed Site and Soil Survey for Foundation Design and building Dimensions	May 29th 2014	June 13th 2014
Completion of Detailed Engineering Design (mechanical, electrical and plumbing)	May 1st 2014	July 15th 2014
Produce Architectural Drawings of Building	June 13th 2014	June 30th 2014
Hire Project Manager	May 30 <sup>th</sup> 2014	June 30 <sup>th</sup> 2014
Order prefab building for delivery	July 2nd 2014	July 2nd 2014
Procure Remaining Equipment	July 15th 2014	Nov 1st 2014
RFP for Construction Services	June 13th 2014	June 30th 2014
Select Construction Service Provider	July 2nd 2014	July 2nd 2014
Staff hiring and training	Nov 1st 2014	Nov 15th 2014
<b>Permitting and Regulatory</b>	<b>April 2nd 2014</b>	<b>Dec 2nd 2014</b>
Commence NYSIO ICAP Regulatory Filings	June 1 <sup>st</sup> 2014	July 15 <sup>th</sup> 2014
Consultation with local city councilperson and neighbours	April 2nd 2014	June 6th 2014
NYCDEP Notice of No Objections	June 1st 2014	June 13th 2014
Building permit (incl mechanical and fuel gas code compliance & NFPA 37)	June 13th 2014	July 30th 2014



NYCDEP Air Permit	June 13th 2014	July 30th 2014
SEQR/CEQR Short EAF (Unlisted Action)	May 15th 2014	Sept 15th 2014
National Grid Gas Authorization	June 2nd 2014	July 22nd 2014
Con Edison SC-11 Approval	May 15th 2014	Aug 3rd 2014
NYFD PW1 Permit	June 2nd 2014	July 31st 2014
Department of Buildings Plumbing Permit	June 2nd 2014	July 31st 2014
Approval of the NYC DOB Office of Technology Certification and Research	June 6th 2014	July 2nd 2014
NYFD Certificate of Fitness	Sept 3rd 2014	Oct 4th 2014
NYFD TM-1	June 2nd 2014	July 15th 2014
DOB Electrical Advisory Board Approval	June 2nd 2014	July 15th 2014
NYFD Electrical and Alarm Plan Approval	June 2nd 2014	July 15th 2014
NYFD Emergency Action Plan Filing	July 15th 2014	Aug 17 2014
FERC Self Certification Filing for PURPA QF Designation	July 2nd 2014	July 2nd 2014
NY State Department of Agriculture and Markets License 20-C	Oct 1st 2014	Nov 15th 2014
FDA Food processing Facility Registration Form 3537	Oct 1st 2014	Nov 1st 2014
Permit to Maintain and Operate a Refrigeration System	Dec 2nd 2014	July 15th 2014
IPIA Ice Making Voluntary Audit	Dec 5 <sup>th</sup> 2014	Dec 5 <sup>th</sup> 2014
Refrigeration System Operating Engineer Certificate of Qualification	Nov 15th 2014	Dec 2nd 2014
<b>Construction</b>	<b>July 15th 2014</b>	<b>Dec 15th 2014</b>
Site preparation (soil analysis, demolition and grading)	July 15th 2014	Aug 28th 2014
Foundation installation	Aug 17th 2014	Aug 28th 2014
Renovation of existing building	Aug 17th 2014	Sept 17th 2014
New building erection (prefabricated sectional building)	Sept 3rd 2014	Oct 4th 2014
Chiller installation	Oct 7th 2014	Oct 28th 2014
Plumbing, Electrical and Mechanical Systems Installation	Oct 7th 2014	Nov 2nd 2014
Ice making plant and refrigerated storage installation	Oct 7th 2014	Oct 28th 2014
Peripheral CHP systems installation (including measurement and control systems)	Oct 7th 2014	Oct 28th 2014
Reciprocating engine installation	Dec 2nd 2014	Dec 15th 2014
Control Systems Integration	Nov 5th 2014	Nov 10th 2014
<b>Commissioning and Start-Up</b>	<b>Sept 19th 2014</b>	<b>Dec 30th 2014</b>
Acceptance testing of machinery at manufacturer facility (Ulsan South Korea)	Sept 19th 2014	Sept 20th 2014
FDNY Permit Sign Off	Dec 9th 2014	Dec 15th 2014
DOB Final Inspection	Dec 9th 2014	Dec 15th 2014
Gas Activation	Dec 20th 2014	Dec 20th 2014
CHP Machinery Commissioning	Dec 20th 2014	Dec 25th 2014
Electric utility interconnection testing	Dec 27th 2014	Dec 30th 2014
Ice Machinery Start-Up and testing	Dec 27th 2014	Dec 30th 2014
Electric Utility Final Acceptance and Cost Reconciliation	Dec 27th 2014	Dec 30th 2014
NYS DAM Inspection of Ice Manufacturing Facility	Dec 25th 2014	Dec 30th 2014
EPA NSPS Initial Emissions Testing	Dec 30th 2014	Dec 30th 2014

Project Timeline – Phase 2	Start Date	Completion Date
Completion of Detailed Engineering Design (mechanical, electrical and plumbing)	Sept 1 <sup>st</sup> 2015	Nov 1 <sup>st</sup> 2015
Produce Architectural Drawings of Building	Oct 15 <sup>th</sup> 2015	Nov 1 <sup>st</sup> 2015
Order prefab building for delivery	Nov 1 <sup>st</sup> 2015	Nov 1 <sup>st</sup> 2015
RFP for Construction Services	Nov 15 <sup>th</sup> 2015	Dec 1 <sup>st</sup> 2015
Select Construction Service Provider	Dec 1 <sup>st</sup> 2015	Dec 10 <sup>th</sup> 2015
Erection of new floors on existing building (prefabricated sectional building)	Jan 3 <sup>rd</sup> 2016	Feb 1 <sup>st</sup> 2016
Skid mounted CO2 equipment installation (including tank)	Feb 1 <sup>st</sup> 2016	Feb 15 <sup>th</sup> 2016
Plumbing, Electrical and Mechanical Systems Installation	Feb 1 <sup>st</sup> 2016	Mar 1 <sup>st</sup> 2016
Peripheral CHP systems installation (including measurement and control systems)	Feb 1 <sup>st</sup> 2016	Mar 1 <sup>st</sup> 2016
Reciprocating engine installation	Feb 15 <sup>th</sup> 2016	Mar 1 <sup>st</sup> 2016
Control Systems Integration	Feb 20 <sup>th</sup> 2016	March 5 <sup>th</sup> 2016
FDNY Permit Sign Off	March 5 <sup>th</sup> 2016	March 5 <sup>th</sup> 2016
DOB Final Inspection	March 5 <sup>th</sup> 2016	March 5 <sup>th</sup> 2016
CHP and CO2 Machinery Commissioning	March 8 <sup>th</sup> 2016	March 8 <sup>th</sup> 2016
NYS DAM Inspection of Ice Manufacturing Facility	March 6 <sup>th</sup> 2016	March 6 <sup>th</sup> 2016
EPA NSPS Initial Emissions Testing	Mar 15 <sup>th</sup> 2016	Mar 15 <sup>th</sup> 2016

**Project Location Detail**

Project Location		Project Location # 1 of 1	
Borough/Block/Lot: Staten Island/Block 2661/Lots 23 & 25		Street address and zip code: 4352 & 4354 Victory Blvd, 10314	
Zoning: M3 – Heavy Industry		Number of Floors: 3	
Square footage of existing building(s): 5,000 + 4,000		Square footage of land: 10,903	
Anticipated square footage of building following construction and/or renovation: 21,000		Anticipated square footage of non-building improvements following construction and/or renovation (i.e., parking lot construction): 900	
Intended use(s) of site (check <u>all</u> that apply): <input type="checkbox"/> Retail <input checked="" type="checkbox"/> Manufacturing/Industrial <input type="checkbox"/> Office <input type="checkbox"/> Non-profit <i>For ALL USES other than Non-profit or Retail, please also complete <b>Energy Questionnaire</b></i>			
Is there any improved space which is currently occupied by existing subtenant(s) (whether Affiliates or otherwise)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Will any improved space be occupied by subtenant(s) (whether Affiliates or otherwise)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
If yes to either, please attach a separate page and provide details such as (1) name of subtenant business(es) (whether Affiliates or otherwise), (2) square footage of subtenant operations, (3) subtenant lease commencement and termination dates, and (4) copies of leases.			

**Anticipated Ownership of Premises**

1. Please check all that apply:

<input checked="" type="checkbox"/> Applicant or an Affiliate is or expects to be the fee simple owner of the Project Location	(Projected) Acquisition date: May 20 <sup>th</sup> 2014
<input type="checkbox"/> Applicant or an Affiliate leases or expects to lease the Project Location	(Projected) Lease signing date:
If you checked the box above, please select one of the following: <input type="checkbox"/> Lease is for an entire building and property <input type="checkbox"/> Lease is for a portion of the building and/or property.	
<input type="checkbox"/> None of the above categories fully describe Applicant’s interest or intended interest in the Project Location, which may be more accurately described in a supplementary document (attached).	

2. If an Affiliate owns or controls (or will own or control) a Project Location, then describe such Affiliate by choosing one of the following selections and completing the chart provided below:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership       | <input type="checkbox"/> C Corporation          |
| <input type="checkbox"/> S Corporation       | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> 501(c)(3) Organization |
| <input type="checkbox"/> Natural Person      | <input type="checkbox"/> Other (specify): _____    |   |

Name of Affiliate:	EIN # of Affiliate:
Address of Affiliate:	
Affiliation of Affiliate to Applicant:	
Contact Person:	Title of Contact Person:
Phone Number(s):	

**Employment Information**

The following information will be used as part of the Agency's calculation of the benefit of the Project, and as a basis for the comparison with the employment information that the Applicant will be required to report on an annual basis for the term of the Project Agreement.

- Anticipated Facility Operations Start Date: Q1 2015
- Number of Employees Applicant employed throughout New York City as of the last pay period:  
Part-time (working between 17.5 and 35 hours per week):  Full-time (working 35 or more hours per week):
- If Applicant currently occupies and operates at the Project Location, how many Full- and Part-time Employees are employed at Project Location?  
Part-time (working between 17.5 and 35 hours per week):  Full-time (working 35 or more hours per week):
- Number of Employees Applicant expect to employ throughout New York City on the Facility Operations Start-Date:  
Part-time (working between 17.5 and 35 hours per week):  Full-time (working 35 or more hours per week):

How many of these employees are expected to be relocated to the Project Location on or about the Facility Operations Start Date?

Part-time (working between 17.5 and 35 hours per week):  Full-time (working 35 or more hours per week):

- Estimated New-growth Employment. Complete the following chart to indicate the number of new employees that are expected to be hired at the Project Location in each year. Note: Year 1 is the year following the Facility Operations Start Date; Year 2 is the second year following that date; Year 3 is the third, etc. **Please be sure to include back-up documentation (i.e., historical payroll data) which inform your employment projections.**

Years following Facility Operations Start Date	1	2	3	4	5	6	7	Total New Growth
Permanent Full-time	10	9			1		1	21
Permanent Part-time								

**Wage Information**

The questions in this section apply only to **Permanent Employees** employed or to be employed at the Project Location, and this information should **not include** compensation paid to Principals. Please note this information is required to be provided to the Agency on an annual basis.

- If employees are to be relocated on the Facility Operations Start Date, what will be the average annual compensation per relocated employee?  
Part-time: N/A Full-time: N/A
- With regard to the employees currently employed at the Project Location, what is the current average annual compensation per employee?  
Part-time: N/A Full-time: N/A
- For new employees expected to be hired in the first year following the Facility Operations Start-Date, what is the projected average annual compensation per employee?  
Part-time: 0 Full-time: \$53,000
- For all new employees (again, excluding Principals) expected to be hired during the three-year period following the Facility Operations Start Date, please project the following:

**Part-Time**

Average annual compensation per employee:  
Annual salary of highest compensated part-time employee: N/A  
Annual salary of lowest compensated part-time employee: N/A

**Full-Time**

Average annual compensation per employee: \$55,000  
Annual salary of highest compensated full-time employee: \$98,000  
Annual salary of lowest compensated full-time employee: \$33,000

- Generally describe all other forms of compensation and benefits that Permanent Employees will receive. Examples: healthcare, employer-contributions for retirement plans, on-the-job training, reimbursement for educational expenses, etc.
  - Compensation includes, wages, health benefits, annual bonuses, and training.

**Labor**

The Applicant and its Affiliates hereinafter will be referred to collectively as the “Companies” or individually as a “Company.” If none of the following questions apply to any of these Companies, answer “NO”; but, for any question that does apply, be sure to specify to which of the Companies the answer is relevant.

1. Have any of the Companies during the current calendar year or any of the five preceding calendar years experienced labor unrest situations, including actual or threatened labor strikes, hand billing, consumer boycotts, mass demonstrations or other similar incidents?  
 Yes  No                      If Yes, please explain on an attached sheet
2. Have any of the Companies received any federal and/or state unfair labor practices complaints asserted during the current calendar year or any the five calendar years preceding the current calendar year?  
 Yes  No                      If Yes, please describe and explain current status of complaints on an attached sheet
3. Do any of the Companies have pending or threatened requests for arbitration, grievance proceedings or other labor disputes during the current calendar year or any of the five calendar years preceding the current calendar year?  
 Yes  No                      If Yes, please explain on an attached sheet
4. Are all employees of the Companies permitted to work in the United States?  
 Yes  No                      If No, please provide details on an attached sheet.  
 Do the Companies complete and retain all required documentation related to this inquiry, such as Employment Eligibility Verification (I-9) forms?  
 Yes  No                      If No, please explain on an attached sheet
5. Has the United States Department of Labor, the New York State Department of Labor, the New York City Office of the Comptroller or any other local, state or federal department, agency or commission having regulatory or oversight responsibility with respect to workers and/or their working conditions and/or their wages, inspected the premises of any Company or audited the payroll records of any Company during the current or preceding three year calendar years?  
 Yes  No                      If “Yes,” please use an attached sheet to briefly describe the nature and date of the inspection and the inspecting governmental entity. Briefly describe the outcome of the inspection, including any reports that may have been issued and any fines or remedial or other requirements imposed upon any of the Companies as a consequence.
6. Have any of the Companies incurred, or potentially incurred, any liability (including withdrawal liability) with respect to an employee benefit plan, including a pension plan?  
 Yes  No                      If “Yes,” please use an attached sheet to quantify the liability and briefly describe its nature. Refer to any governmental entities that have had regulatory contact with the Company in connection with the liability.
7. Are the practices of any of the Companies now, or have they been at any time during the current or preceding five calendar years, the subject of any complaints, claims, proceedings or litigation arising from alleged discrimination in the hiring, firing, promoting, compensating or general treatment of employees?  
 Yes  No                      If “Yes,” provide details on an attached sheet. Note “discrimination” includes sexual harassment.

**Financials**

1. Has **Applicant**, any **Affiliate**, or **Principal**, or any **close relative of any Principal**, ever received, or is any such person or entity currently receiving, financial assistance or any other kind of non-discretionary benefit from any **Public Entities**?  
 Yes  No If Yes, please provide details on an attached sheet.
2. Has **Applicant**, or any **Affiliate** or **Principal**, or any existing or proposed occupant at the **Project Location(s)**, obtained, or is any such person or entity in the process of obtaining, or contemplating obtaining, other assistance from the NYCIDA/Build NYC and/or other **Public Entities**?  
 Yes  No If Yes, please provide details on an attached sheet.
  - Applying for NYSERDA PON 2701 CHP performance enhancement program
  - Applying for senior debt funding from NYCEEC (Energy Efficiency Corporation)
3. Has **Applicant**, or any **Affiliate** or **Principal**, ever defaulted on a loan or other obligation to a **Public Entity**?  
 Yes  No If Yes, please provide details on an attached sheet.
4. Has real property in which **Applicant**, or **Affiliate** or **Principal**, holds or has ever held an ownership interest and/or controlling interest of 25 percent or more, now or ever been (i) the subject of foreclosure (including a deed in lieu of foreclosure), or (ii) in arrears with respect to any type of tax, assessment or other imposition?  
 Yes  No If Yes, please provide details on an attached sheet.
5. Does **Applicant**, or any **Affiliate** or **Principal**, have any contingent liabilities not already covered above (e.g., judgment liens, lis pendens, other liens, etc.)? Please include mortgage loans and other loans taken in the ordinary course of business only if in default.  
 Yes  No If Yes, please provide details on an attached sheet.
6. Has **Applicant**, or any **Affiliate** or **Principal**, failed to file any required tax returns as and when required with appropriate governmental authorities?  
 Yes  No If Yes, please provide details on an attached sheet.

For questions 7 through 12, below, please answer the following questions relating to the Applicant (if the space provided below is insufficient, please provide complete information on an attached sheet):

7. List major customers:

Company Name	Address	Contact	Phone	Fax	Email	% of Revenues
Consolidated Edison	4 Irving Pl New York, NY, 10003	McAndrews, Thomas	██████████		██████████	48%
New York Independent System Operator	10 Krey Boulevard - Rensselaer, NY 12144	Not applicable	██████████	██████████	██████████	
Packaged ice customers	To be determined					26%
Liquefied CO <sub>2</sub> customers	To be determined					26%

8. List major suppliers:

Company Name	Address	Contact	Phone	Fax	Email
National Grid Keyspan	25 Hub Dr, Melville NY 11747	James Brandow	██████████		██████████
Hyundai Heavy Industries	1000, Bangeojinsunhwan-doro, Dong-gu, Ulsan, 682-792, South Korea	Choi Hoon Hee	██████████		
Broad USA Inc.	401 Hackensack Ave, Suite 503, Hackensack 07601	Douglas A Davis	██████████	██████████	██████████
BUSE Gastek GmbH & Co. KG	BUSE Gastek GmbH & Co. KG Sprudelstraße 3 D-53557 Bad Honningen, Germany	Michael Schulte	██████████	██████████	██████████

9. List major Funding sources (if applicable):

Company Name	Address	Contact	Phone	Fax	Email
Cubit Shareholder Equity and Shareholder Loans	200 Market St, Potsdam NY 13676	Alan Powell	[REDACTED]	[REDACTED]	[REDACTED]
New York City Energy Efficiency Corporation (Initial non-binding commitment for \$6.3)	110 William Street, 3rd Floor, New York, NY 10038	Jay Merves	[REDACTED]		[REDACTED]
NYSERDA (PON 2701) Application Under Review \$2.2 million incentive)	17 Columbia Circle Albany, New York 12203-6399	Jim Hastings	[REDACTED]	[REDACTED]	[REDACTED]

10. List unions (if applicable):

Union Name	Address	Contact	Phone	Fax	Email

11. List banks:

Bank Name	Address	Contact	Phone	Fax	Email	Account Type and Number
Bank of Montreal	55 Metcalfe St., Suite 250, Ottawa Ont. Canada	Jim Carroll	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
NYC Bank to be determined						

12. List licensing authorities (if applicable):

Company Name	Address	Contact	Phone	Fax	Email
NYPSC/FERC					
NYC DOB/FDNY					
NY DAM					
NYC DEC					

**Anti-Raiding**

1. Will the completion of the Project result in the relocation of any plant or facility located within New York State, but outside of New York City, to New York City?  Yes  No

If "Yes," please provide the names of the owners and addresses of the to-be-removed plant(s) or facility(ies):

2. Will the completion of the Project result in the abandonment of any plants or facilities located in an area of New York State other than New York City?  Yes  No

If "Yes," please provide the names of the owners/operators and the addresses of the to-be-abandoned plant(s) or facility(ies):



**Certification**

I, the undersigned officer/member/partner of Applicant, on behalf of Applicant and its Affiliates, hereby request, represent, certify, understand, acknowledge and agree as follows:

I request that this Application, together with all materials and data submitted in support of this Application (collectively, these "Application Materials"), be submitted for review to the applicable Agency's Board of Directors (the "Board"), in order to obtain from the Board an expression of intent to provide the benefits requested herein for the Project.

I represent that I have the authority to sign these Application Materials on behalf of, and to bind, Applicant and its Affiliates.

I certify to the best of my knowledge and belief, after due investigation, the information contained in these Application Materials is accurate, true and correct and does not contain a misstatement of a material fact or omit to state a material fact necessary to make the statements contained herein not misleading. I understand that an intentional misstatement of fact, or, whether intentional or not, a material misstatement of fact, or the providing of materially misleading information, or the omission of a material fact, may cause the Agency's Board to reject the request made in the Application Materials. I understand that the Agency will rely on the information contained within these Application Materials in producing and publishing a public notice and convening a public hearing. If any information in these Application Materials is found to be incorrect, the Applicant may have to provide new information and a new public notice and public hearing may be required. If a new public notice and public hearing is required, they will be at the Applicant's expense.

I understand the following: that Applicant and Principals will be subject to a background check and actual or proposed subtenants may be subject to a background check, and if such background check performed by the Agency with respect to Applicant or any Affiliates reveals negative information, Applicant consents to any actions that the Agency or NYCEDC may take to investigate and verify such information; that the Agency may be required under SEQRA to make a determination as to the Project's environmental impact and that in the event the Agency determines that the Project will have an environmental impact, Applicant will be required to prepare, at its own expense, an environmental impact statement; that the decision of the Board to approve or to reject the request made in the Application Materials is a discretionary decision; that no Bonds may be issued (if Bonds are being requested) unless such Bonds are approved by the Mayor of the City; that under the New York State Freedom of Information Law ("FOIL"), the NYCIDA/Build NYC may be required to disclose the Application Materials and the information contained therein (see the Disclosure Policy section of the Policies and Instructions provided to Applicant and signed by Applicant on or about the date hereof (the "Policies and Instructions")); and that Applicant shall be entirely responsible and liable for the fees referred to in these Application Materials.

I further understand and agree as follows:

That notwithstanding submission of this Application, the Agency shall be under no obligation to present Applicant's proposed Project to its Board for approval. If the Agency presents Applicant's proposed Project to its Board for approval, the Agency does not guaranty that such approval will be obtained. If upon presenting Applicant's proposed Project to its for approval the Agency obtains such approval, such approval shall not constitute a guaranty from the Agency to Applicant that the Project transaction will close.

That preparation of this Application and any other actions taken in connection with the proposed Project shall be entirely at Applicant's sole cost and expense. Under all circumstances, the Application Fee is non-refundable, including but not limited to the circumstance where the Agency decides, in its sole discretion, to not present Applicant's proposed project to the the Agency Board of Directors for Approval.

That each of Applicant and each of its Affiliates (collectively, the "Indemnitors") hereby releases NYCIDA, Build NYC, NYCEDC and their respective directors, officers, employees and agents (collectively, the "Indemnitees") from and against any and all claims that any Indemnitor has or could assert and which arise out of, or are related to, any Application Materials, any actions taken in connection therewith or any other actions taken in connection with the proposed Project (collectively, the "Actions"). Each Indemnitor hereby indemnifies and holds harmless each of the Indemnitees from and against any and all claims and damages brought or asserted by third parties, including reasonable attorneys' fees, arising from or in connection with the Actions. As referred to herein, "third parties" shall include, but shall not be limited to, Affiliates.

That in the event the Agency discloses the Application Materials in response to a request made pursuant to FOIL, Applicant hereby authorizes the Agency to make such disclosure and hereby releases the Agency from any claim or action that Applicant may have or might bring against the Agency, their directors, officers, agents, employees and attorneys, by reason of such disclosure; and that Applicant agrees to defend, indemnify and hold the Agency and the NYCEDC and their respective directors, officers, agents, employees and attorneys harmless (including without limitation for the cost of reasonable attorneys' fees) against claims arising out of such disclosure as such claims may be made by any party including the Applicant, Affiliate, Owner or Principal, or by the officers, directors, employees and agents thereof.

That capitalized terms used but not defined in this Application have the respective meanings specified in the Policies and Instructions.

I acknowledge and agree that the Agency reserves its right in its sole and absolute discretion to request additional information, waive any requirements set forth herein, and/or amend the form of this Application, to the full extent permitted by applicable law.

**Requested, Represented, Certified, Acknowledged, Understood and Agreed by Applicant,**

I certify that, using due care, I know of no misstatement of material fact in the Application Materials, and know of no material fact required to be stated in the Application Materials to make the statements made therein not misleading. **Certified by Preparer,**

This 21st day of April, 2014

This 21st day of April, 2014

Name of Applicant: Cubit Power One Inc.

Name of Preparer: Alan Powell

Signatory: Alan Powell

Signatory: Alan Powell

Title of Signatory: C.O.O.

Title of Signatory: C.O.O.

Signature: 

Signature: 

617.20  
Appendix B  
Short Environmental Assessment Form


**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Cubit Power One Inc.			
Name of Action or Project: Staten Island Ice and CHP			
Project Location (describe, and attach a location map): 4352 & 4354 Victory Blvd, Staten Island, NY 10314 (Please see Appendix A for map)			
Brief Description of Proposed Action: Site plan approval for a 6000 square foot structure, demolition of a 4000 square foot building & renovation of a 5000 square foot building all for industrial use will be built along with a 5-car parking lot and loading dock with driveway & one existing access drive off Victory Boulevard. The proposed project would be located on two abutting lots for a total project site size of a quarter acre in a heavy industrial zone (M3) for which the project activities are allowed under the current zoning. Lighting/landscaping within the parking lot and around the new building will be provided for. Cross-access into the neighboring parking lot will be provided. There will be on site power generation from 2 x 5.5 MW natural gas fired spark ignition internal combustion engines with emissions treatment (annual NOx emissions below 10.7 tons) furthermore Carbon Dioxide will be separated/captured from the flue gas. Packaged ice production to occur on site where distilled water for ice production is condensed from exhaust gas prior to treatment & freezing. All water discharge (minus office wastewater and storm water runoff) will be captured and reused.			
Name of Applicant or Sponsor: Cubit Power One Inc.		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: 200 Market St, Suite 5			
City/PO: Potsdam		State: New York	Zip Code: 13676
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Please see attached list marked Appendix B.			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.25 acres	
b. Total acreage to be physically disturbed?		0.02 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.25 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ Completed remedial action: State Superfund Program, Class C. ~1650 feet from the project site (coordinates: 40.591699790, -74.201288590), Con Ed. Arthur Kill Station, Water Front, Site Code: 243022. Remedial Action complete date: 03/19/2010	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Alan Powell, COO Cubit Power One Inc.</u>		Date: <u>April 21st 2014</u>
Signature: <u></u>		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>



	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)











**PRINT**

## Appendix A – Map of Project Location

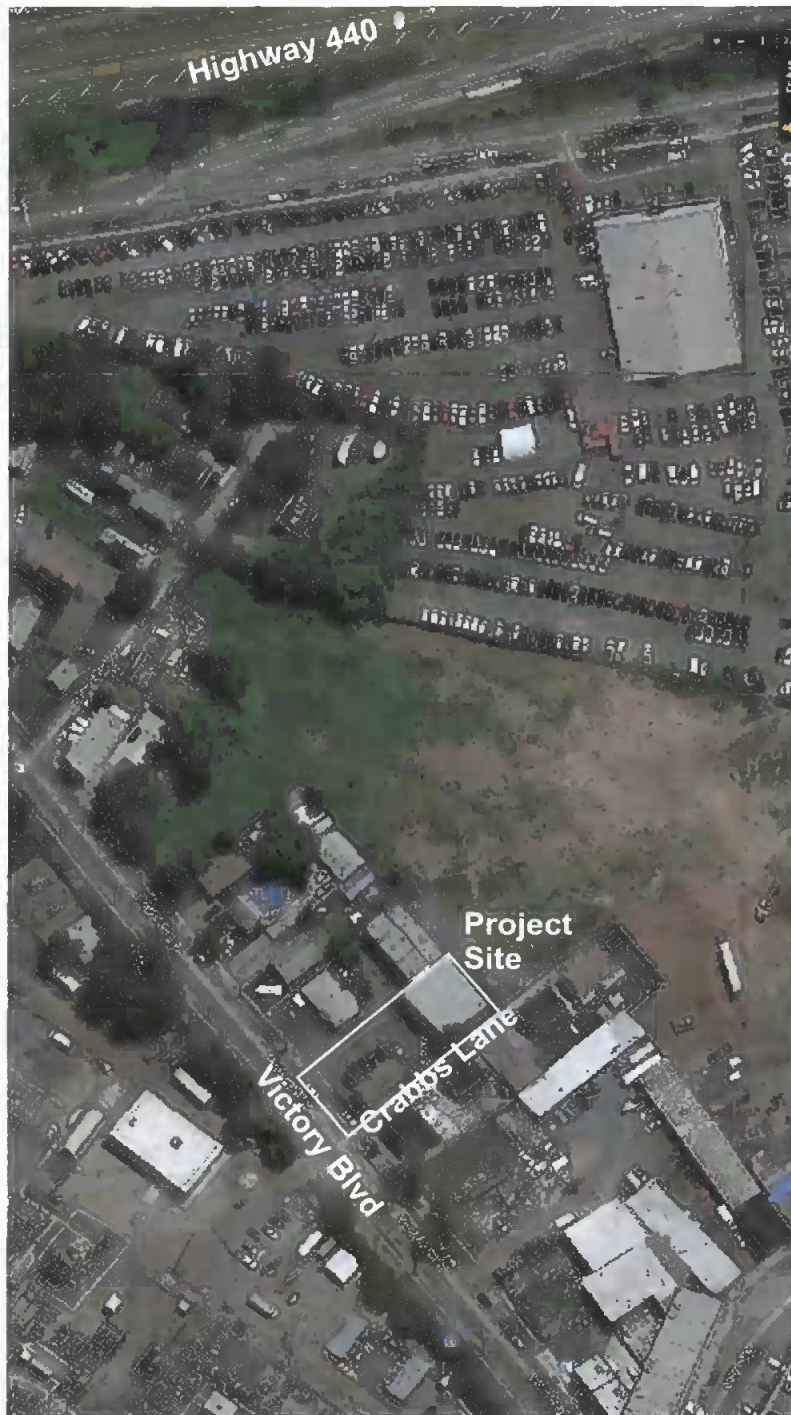
Staten Island Ice Project Site - 4/21/2014

[Digital Tax Map - New York City Dept. of Finance](#)



	Borough Boundary	<b>C50</b>	Condo Flag/Condo Number
	Tax Block Boundary	<b>A50</b>	Air Right Flag/Lot Number
<b>50</b>	Tax Block Number	<b>S50</b>	Subterranean Right Flag/Lot Number
	Tax Lot Boundary	<b>R</b>	REUC Flag
<b>50</b>	Tax Lot Number		Under Water Tax Lot Boundary
<del>50</del>	Condo FKA Tax Lot Number		Other Boundary
50.5	Tax Lot Dimension		Possession Hook
+/-5.5	Approximate Tax Lot Dimension	Misc	Miscellaneous Text
	Condo Units Range Label		Small Tax Lot Dimension
	Building Footprint		Surface Water

**Appendix A – Map of Project Location**





## ***Appendix B - List of Necessary Environmental, Building Permits***

### **New York City Department of Buildings: Permit Applications**

- All CHP installations must comply with New York City's Construction Codes, Electrical Code and Zoning Resolution Together; these regulations cover fuel gas piping, egress, fire protection, fire detection, electrical power and ventilation.
- The CHP facility must comply with the NYC Mechanical Code, Fuel Gas Code and NFPA 37, except where the Codes are more restrictive
- Application Submission. The PW1 permit application must be filed with the Department of Buildings Schedule C (PW1C form) for heating and combustion equipment, and a plumbing permit for gas service.

### **Special Requirements for High-Pressure Gas Service**

- External compressors must obtain a site-specific approval from OTCR.
- The Department of Buildings must review and approve any CHP system capable of producing more than 500 kilowatts per unit. This review will be based upon site-specific conditions before the permit is issued.

### **New York City Fire Department: Permit Applications**

- The New York City Fire Department reviews proposed plans and issues permits for CHP units in which natural gas is compressed on-site to a pressure greater than 6 psig.
- For CHP units that generate more than 500 kilowatts of electricity, the Fire Department will evaluate submitted documents based upon site-specific conditions.

### **New York City Department of Environmental Protection: Permit Applications**

- DEP air permit to operate a CHP system
- The applicant must also obtain a DEP notice of no objection when submitting an application for a construction permit to DOB