



**Brownfields Redevelopment Fund
Notice of Funding Availability to Assist With the
Abatement of Asbestos and Lead Paint in Existing Buildings
February 2, 2007**

MassDevelopment, the Commonwealth's finance and development authority, works with businesses and nonprofit organizations, property owners, financial institutions, and local officials to stimulate economic growth across the Commonwealth. It also manages, among other things, the Brownfields Redevelopment Fund pursuant to M.G.L. Chapter 23G, Section 29A.

In July 2006, the Massachusetts legislature recapitalized this Fund with an additional \$30 million dollars. As part of that recapitalization, the legislature mandated that MassDevelopment create a pilot program of up to \$1 million dollars for grants to be used for asbestos and lead paint abatement in existing buildings (as opposed to asbestos and lead paint in soil.) Under this pilot program, a limited number of grants will be awarded for eligible projects based upon a competitive application and review process.

Program Overview

This Notice of Funding Availability (NOFA) relates specifically to the set-aside from the Fund of up to \$1,000,000 for asbestos and lead paint abatement in existing buildings. The purpose of the asbestos and lead paint abatement is to support the reuse of buildings and/or demolition and subsequent redevelopment of the properties where contaminated buildings are located so as to contribute to economic development in the host communities. (Funding for site assessments and remediation of contamination in soil is not eligible for this pilot program but continues to be eligible for financing under the existing Brownfields Redevelopment Fund programs operated by MassDevelopment.)

A priority of this pilot program is the reuse of vacant, abandoned, or underutilized mill buildings and downtown block buildings (row buildings with street-level retail uses and upper-level residential or office uses.)

Selected projects will be eligible for grants in amounts ranging in size from \$50,000 to \$350,000 per project.

MassDevelopment will study the efficacy, the continued need for, and the potential costs of extending this pilot program. In connection with this study, successful applicants may be required to provide information to MassDevelopment about their experience under this NOFA with respect to their building(s), asbestos and lead paint abatement, and redevelopment projects.

Funding to abate asbestos and/or lead paint in a building will not be awarded without an inventory, survey or study of the presence of asbestos and/or lead paint and a redevelopment plan in place. Funding availability for approved projects will be reserved through June 30, 2008 with

the possibility of a renewal period to be granted at the sole discretion of MassDevelopment and contingent upon demonstration of significant progress or exigent circumstances that justify the renewal. In the event that an awardee has not drawn down its full grant based on actual abatement expenses by June 30, 2008, then MassDevelopment shall have the right to award the remaining funds to another applicant.

Application Process

This NOFA and the Asbestos and Lead Paint Abatement Application Form are posted online at the MassDevelopment website www.massdevelopment.com. **Applications will be due on March 30, 2007 by 5:00 p.m.** Information about the pilot program and assistance with the application are available from the MassDevelopment regional Community Development representatives for the municipalities in which the buildings are located.

Please submit two printed copies of the application to: Asbestos and Lead Paint Abatement Application to the attention of Joy Conway, Senior Vice President for Community and Business Development, MassDevelopment, 160 Federal Street, 7th Floor, Boston, MA 02110.

Applications must meet the following **Statutory and Program Guidelines**:

- Project must be located within an Economically Distressed Area in Massachusetts as defined in M.G.L. Chapter 21E, Section 2. (A current list of Economically Distressed Areas is included in Attachment A of this NOFA.);
- Applicant must qualify as an eligible person pursuant to the requirements contained within M.G.L. Chapter 23G, Section 29A (e) (3);
- Applicant must have no outstanding administrative or judicial enforcement actions regarding brownfields sites or have a signed agreement with the Department of Environmental Protection or the Attorney General outlining a resolution plan for administrative or judicial enforcement actions pursuant to M.G.L. Chapter 23G, Section 29A (e) (4);
- Grant funds shall not be used for any expenses that are eligible for reimbursement from the Underground Storage Tank Fund at M.G.L. Chapter 21J;
- Proposed reuse of the building and/or demolition and redevelopment of the site will result in a significant economic impact or contribute to the economic or physical revitalization of the economically distressed area in which the site is located through creation of jobs, affordable housing or removal of blight;
- Applications will be reviewed by the Review Committee described below through a competitive submission process that considers, among other criteria, the timeframes for abatement of asbestos and/or lead paint and redevelopment plans, the potential economic development impact of the redevelopment project and the economic need for a grant;

- Priority will be given to projects that involve the reuse of buildings that are vacant or underutilized mill buildings or downtown block buildings (row buildings with street-level retail uses and upper-level residential or office uses.)

Application Evaluation and Scoring Overview

- (1) Regional MassDevelopment staff will determine if all Statutory and Program Guidelines are met and will select applications for submission to the Review Committee.
- (2) The Review Committee, consisting of representatives of MassDevelopment and the Massachusetts Brownfields Advisory Group, will independently review and evaluate applications using the Project Evaluation Criteria.
- (3) Reviewers may request additional information from any/all relevant sources during the application review process.

Project Evaluation Criteria

The Review Committee will make selection recommendations based upon but not limited to the degree to which the proposed project meets the Statutory and Program Guidelines and furthers the objectives of the Fund using the following criteria:

- Description of the proposed project;
- Evidence of site control or demonstrated plan to obtain site control with a current right to enter the site and building(s);
- Written estimate and budget detailing costs and alternative options for abating the asbestos and/or lead paint in building(s). Costs and alternative abatement options shall relate to the potential reuses of the redeveloped property. Such cost estimate and budget shall be prepared by a licensed architect, engineer or contractor with experience in the work of assessing and/or abating asbestos and/or lead paint in buildings that have been used in a commercial or industrial capacity;
- Evidence that asbestos contractor and/or deleading contractor holds a valid license for the proposed abatement from the Division of Occupational Safety within the Massachusetts Department of Labor;
- Evidence that abatement of asbestos and/or lead paint can begin expeditiously, preferably by June 30, 2007;
- Evidence that abatement of asbestos and/or lead paint will comply with regulatory requirements applicable to the proposed reuse of building(s) and/or property;
- Pro forma financial statements for the project including a development budget and timeline, sources and uses of cash, and ongoing income and expense projections;
- Demonstrated capacity to redevelop building(s) and/or property for the proposed project;
- Demonstrated community support for redevelopment of building(s) and/or redevelopment of the site;
- Evidence of previous efforts/results to attract private redevelopment of building(s);
- Level of unemployment and poverty in the Economically Distressed Area and/or census tract where building(s) are located;
- Evidence of the likelihood that the proposed funding for asbestos and/or lead paint abatement and other financing commitments and other potential funding sources will be adequate for abatement of the asbestos and/or lead paint in building(s) and redevelopment of the property in accordance with the requirements of all applicable laws;

- Significance of the economic impact and community benefits associated with the project including, but not limited to, job creation or retention and/or the creation of housing opportunities consistent with the housing needs of the community;
- Proximity of the property to existing transportation and utility infrastructure appropriate to support the proposed reuse of building(s) and property;
- Timeframe for completing project, including abatement of asbestos and/or lead paint by June 30, 2008, and anticipated date for redevelopment of property.

General Provisions

1. MassDevelopment reserves the right to reject any or all applications or parts of applications, to solicit new applications and to award grants as it deems to be in the best interest of the Brownfields Redevelopment Fund.
2. Potential applicants are hereby notified that issuance of this NOFA and receipt of applications do not assure that an applicant will be selected.
3. Applicants will bear all costs and expenses incurred in preparation of their application.
4. Responses to any questions that may pertain to all potential applicants will be posted on the MassDevelopment website at www.massdevelopment.com.
5. MassDevelopment reserves the right to waive any informalities, minor deviations, insignificant mistakes and matters of form rather than substance and to seek clarification of the applications, which can be waived or corrected without prejudice to other applicants, potential applicants or MassDevelopment.
6. An application may be modified or withdrawn by an applicant by delivering a written notice to MassDevelopment at 160 Federal Street, 7th Floor, Boston, MA 02110 prior to March 30, 2007.
7. No applicant shall make any press conference, news releases or announcements concerning its selection or non-selection for a contract prior to MassDevelopment's public release of said information or prior to the written approval of MassDevelopment.
8. During the evaluation process, the content of each application will be held in confidence and details of any proposal will not be revealed (except as required under law).
9. The selected applicant(s) will be subject to all laws of the Commonwealth of Massachusetts including conflicts of interest and any other laws that may be applicable.
10. Selected applicants must enter into a satisfactory Memorandum of Agreement with MassDevelopment prior to any funding of a grant.

Attachment A

Economically Distressed Areas

Listed below are the areas that currently qualify as Economically Distressed Areas:

Abington, Acushnet, Adams, Amesbury, Amherst, Ashburnham, Ashfield, Ashland, Athol, Attleboro, Ayer, Barnstable, Barre, Becket, Bedford, Belchertown, Bellingham, Berkley, Bernardston, Beverly, Billerica, Blackstone, Boston, Bourne, Boxborough, Braintree, Brewster, Brimfield, Brockton, Brookfield, Buckland, Burlington, Cambridge, Canton, Charlemont, Charlton, Chatham, Chelmsford (census tract 3170), Chelsea, Cheshire, Chester, Chicopee, Clinton, Colrain, Conway, Dalton, Danvers, Dartmouth, Dedham, Deerfield, Dennis, Devens, Dighton, Douglas, Dracut, Dudley, East Brookfield, Eastham, Easthampton, Edgartown, Erving, Essex, Everett, Fairhaven, Fall River, Falmouth, Fitchburg, Florida, Foxborough, Framingham, Franklin, Freetown, Gardner, Gay Head, Gill, Gloucester, Grafton, Great Barrington, Greenfield, Groton (Assessor's Map M-Parcel 129), Hardwick, Harwich, Hatfield, Haverhill, Hawley, Heath, Hingham, Hinsdale, Holland, Holyoke, Hopedale, Hopkinton, Hubbardston, Hudson, Hull, Ipswich, Lakeville, Lancaster, Lawrence, Lee, Leicester, Lenox, Leominster, Leverett, Leyden, Lowell, Ludlow, Lunenburg, Lynn, Malden (only census track 3414—Telecom City), Manchester-by-the-Sea, Mansfield, Marlborough, Mashpee, Mattapoisett, Maynard, Medford (only census track 3398—Telecom City), Medway, Mendon, Merrimack, Methuen (census tract 2524), Middleborough, Milford (census tracts 7442, 7443, and 7444), Millbury, Millville, Monroe, Monson, Montague, Monterey, Montgomery, Natick, New Ashford, New Bedford, Newburyport, New Salem, North Adams, North Andover (census tracts 2532 and 2532.01), North Attleborough, Norfolk, Northampton, Northborough, Northbridge, North Brookfield, Northfield, Norton, Norwood, Orange, Orleans, Otis, Oxford, Palmer, Phillipston, Pittsfield, Plainville, Plymouth, Provincetown, Quincy, Randolph, Raynham, Revere, Rochester, Rockland, Rockport, Rowe, Royalston, Rutland, Salem, Salisbury, Sandisfield, Sandwich, Savoy, Sheffield, Shelburne, Shirley, Shrewsbury, Somerset, Somerville, Southbridge, Spencer, Springfield, Stockbridge, Stoughton, Sturbridge, Sunderland, Sutton, Swansea, Taunton, Templeton, Tisbury, Truro, Upton, Uxbridge, Walpole, Wales, Waltham, Ware, Wareham (Carver), Wareham (Buzzards Bay,)Warren, Webster, Wellfleet, Wendell, West Bridgewater, West Brookfield, Westfield, Westminster, Westport, Westwood, Weymouth, Whately, Williamstown, Winchendon, Worcester, Wrentham, and Yarmouth.

Former manufactured gas sites that qualify as Economically Distressed Areas are listed below. Sites with an asterisk (*) are municipalities that also already qualify in their entirety.

*Adams, Columbia Street; *Adams, Murray Street; Arlington, Grove Street; Arlington, Mystic Street; *Athol, Electric Street; *Beverly, Henderson Road; *Beverly, River Street; Clinton, Pleasant Street; Danvers, Merrill Street; *Easthampton, Mechanic Street; *Gardner, Logan Street; *Gloucester, Harbor Loop; *Leominster, Main Street and Mill Street; Lexington, Merriam Street; *Lynn, Marine Way; *Malden, Commercial Street and Charles Street; Marblehead, Orne

Street; *Marlborough, Maple Street; *Milford, Pond Street; Nantucket, Candle Street; *North Adams, Brown Street; *Northampton, Main Street; *Plymouth, Howland Street; *Revere, Railroad Street; *Salem, Beaver Street, North Street, Federal Street and Waite Street; *Southbridge, Wardwell Street; *Spencer, Elm Street; Stoneham, Pomeworth Street; *Webster, Union Street; *Williamstown, Cole Avenue; Woburn, Conn Street.

The above list is subject to change by applicable law, and deletion of a community may affect the eligibility of an application.