

**AGREEMENT BETWEEN**  
**THE MESA COUNTY ENTERPRISE ZONE**  
(A Program of the Business Incubator Center under Contract with Mesa County)  
**AND**  
STRiVE (Operations)

The Colorado Urban and Rural Enterprise Zone Act, 39-30-101, et seq., C.R.S., and more specifically, 39-30-103.5, C.R.S. allows a taxpayer, for income tax credit purposes, to make a monetary or in-kind contribution for the purpose of implementing the economic development plan for an established enterprise zone. This Agreement, entered into this 1st day of January 2018 by the Mesa County Enterprise Zone and STRiVE, concerns the administration of the Colorado Enterprise Zone Contributions Tax Credit for contributions to assist approved Enterprise Zone Contribution Projects in their mission of economic and community development.

**RECITALS**

1. The Mesa County Enterprise Zone Administrator (MCEZA) has determined that contributions to STRiVE are consistent with the Mesa County Economic Development Plan and with the Enterprise Zone guidelines. This project has been approved/supported by the local Enterprise Zone Committee, the Mesa County Commissioners, and the State of Colorado's Economic Development Committee.
  2. STRiVE was approved on 5/19/2016 to provide Enterprise Zone credits on donations for the organization as a whole within the Mesa County Enterprise Zone boundary\*. This currently includes facilities at 950 Grand Avenue and other locations inside Mesa County, CO. The project ID# is 5035. **Strive's project expires on 12/31/2022.**
- \*Activities of the project OUTSIDE Mesa County are NOT eligible.
3. Colorado Enterprise Zone legislation permits a 25 percent tax credit for Colorado taxpayers who make qualified cash contributions, and a 12.5 percent tax credit for qualified in-kind contributions to approved Enterprise Zone projects for carrying out the economic development plan of an Enterprise Zone, and allows the MCEZA to determine what use of contributions fall within the scope of the Mesa County Enterprise Zone's development plan.

Contributions that directly benefit the contributor shall not be allowed.

**UNDER THE TERMS OF THIS AGREEMENT, STRiVE agrees to comply with the following criteria:**

**1) Administrative Cost Reimbursement:**

Contribution projects will pay an administrative cost reimbursement to the Business Incubator Center to cover the cost of overhead expenses to manage the program. Your contribution project will be billed on a quarterly basis. Your contribution project is a self-certified project; this means that the organization is allowed to receive donations directly, and your organization is responsible for the reporting requirements to the MCEZA. **The administrative fee for the period the project is in the Enterprise Zone is: \$1 for each certificate and 1% of cash/stock contributions. Maximum % fee for any single cash/stock contribution is \$500.00.**

**2) Record Keeping:**

Each contribution project is required to retain records of individual contributions for inspection by the MCEZA or the State **for at least five years**. It is highly recommended that each Project Administrator keep copies or electronic scans of donation certificates in case of lost certificates. Copies may be available from the BFI system, but is not guaranteed. The Project Administrator should also keep copies of any other correspondence or pertinent records, including back-up information for the value of in-kind donations, stock, or vehicles. **The MCEZA requires that backup documentation be uploaded for ALL cash or in-kind donations of \$5,000 or more. In addition, all donations of stock or vehicles require backup documentation, regardless of the value/amount of the donation.** Consult the IRS publications to determine types of acceptable valuations; if clarification is needed, consult the MCEZA.

**3) Failure to Comply:**

Failure to comply with the terms of this agreement will result in your project not being renewed for the following year, or in the case of serious issues, immediate termination.

**Reporting Requirements:**

- 1) Certification of Qualified Enterprise Zone Contribution.** Your organization will enter each contribution on-line. In order to be eligible for an EZ certificate, donors must meet a minimum donation: **cash donations of \$50 or more; in-kind donations of \$100 or more.** Individual projects may set their own higher minimums, not to exceed \$250.
- 2) Each organization is responsible for naming an authorized Project Administrator who will enter donations. This authorization must be in writing (e-mail is sufficient) and the project must immediately notify the**

**MCEZA, in writing, of any changes made.** All Project Administrators must have training from the MCEZA prior to processing donations.

**3) Contributions must be received by, or postmarked, no later than midnight December 31 for the year of the donation.**

- Donations must be reported for the year they are received (i.e. if received December 15 of 2018, they must be reported as a 2018 donation). No exceptions.

**4) Donation Reporting:** Qualified projects will log all donations on-line at the BFI site. Donations should be entered as they come in to prevent a backlog and to ensure timely processing of paperwork. The MCEZA will monitor reporting and has the authority to require projects to enter donations more frequently if it appears the project is lagging behind. Failure to make timely entries may jeopardize the project's status. If a project does not meet the minimum of \$5,000 in annual donations from at least 5 donations, in any year of their eligibility, their project may not be renewed after that year.

- Once a donation has been entered, the MCEZA will review the entry on-line, and either approve, deny, or hold pending additional information. Denied or pending donations will receive an e-mail specifying the reason for the denial or requesting additional information.
  - The project will receive an e-mail for each approved DR0075 certificate with an attached PDF from the on-line system.
  - Project Administrator is responsible for having a process to ensure the donor receives a hard copy or e-mailed copy of the certificate in a timely manner, as well as instructions on what do to with the certificate.
  - The MCEZA will not maintain copies of the PDF certificates or any other documentation; record retention will reside with the project and the state website.
  - Project Administrator may request reports from the MCEZA periodically to verify items such as donations processed or donor totals within specified periods; MCEZA will comply in as timely a manner as possible.

**Additional reporting requirements or other information may be required from contribution projects from time-to-time on an as needed basis. Contribution projects agree to comply with these requirements as requested.**

**UNDER THE TERMS OF THIS AGREEMENT, the Enterprise Zone agrees to:**

1. Provide information to potential donors within the community about the Enterprise Zone approved contribution projects.
2. Provide legislative updates and information about State of Colorado Enterprise Zone policies to the contribution projects.

3. Provide information and answer questions for the contribution projects to assist them with administrative issues.
4. Review contributions entered on the BFI system in a timely manner and respond to the contribution projects, and provide reports requested as possible.
5. Compile and submit project applications, annual renewals, and reports to the State of Colorado Enterprise Zone Office in a timely manner.
6. Submit new contribution projects for consideration and approval to the Mesa County Enterprise Zone Committee, the Mesa County Commissioners, and the State of Colorado Economic Development Commission (EDC).
7. Provide training to the Project Administrators and Staff on MCEZ administrative issues.

**TERMINATION:**

This Agreement shall be in effect for the calendar year listed above. The Contribution Project will be considered for renewal by the Economic Development Council (EDC) annually. If approved by the EDC, the Contribution Project will be required to sign a new Agreement for the next calendar year. Projects may be terminated early by either party, with or without cause, by giving ten (10) days' prior written notice to the other respective party, or otherwise terminated by operation of law or action of Mesa County or the State of Colorado.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

**Contribution Project: STRiVE FEIN: 84-6044855**

**Authorized Signatory (print name):** \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\*Designated Project Administrator: Ellen Miller

Phone: 970-234-0665 E-Mail: emiller@strivecolorado.org

\*Notify MCEZA immediately if designated administrator information changes

**MESA COUNTY ENTERPRISE ZONE  
2591 Legacy Way, Grand Junction, CO**

By: \_\_\_\_\_  
Terri Benson, Mesa County Enterprise Zone Administrator

Date: \_\_\_\_\_