



STATE OF NEW JERSEY  
**CASINO CONTROL COMMISSION**  
**PILOT PROGRAM FOR**  
**SMALL-SCALE AND STAGED CASINO LICENSES**  
(N.J.S.A. 5:12-80.1)

### INTRODUCTION/OBJECTIVE

The Casino Control Act (“Act”) (P.L.1977,c.110 (C.5:12-1 et seq.) as amended on January 5, 2011, provides for the establishment of a pilot program under which the Casino Control Commission (“Commission”) shall issue two additional types of casino licenses: a small-scale casino facility license and a staged casino facility license.

The Act requires that an applicant for a small-scale casino facility license or a staged casino facility license submit a notice of intent to proceed to the Commission on such forms as the Commission may provide which shall include a statement of intention to apply for either a small-scale casino facility license or a staged casino facility license, a description of the general elements of the project, a description of the financing and source of funds for the project, and a commitment to a minimum investment threshold that includes acquisition costs and hard and soft development costs.

The Act provides that no more than two (2) licenses under the pilot program shall be outstanding at the same time, at least one of which shall be a staged casino facility license.

The Act further provides that if at any time the Commission is in receipt of more than two (2) applications for licensure, the Commission shall rank the applications according to criteria developed by the Commission, including without limitation, job preservation, job creation, immediacy of project development and neighborhood benefit, but shall give preference to applicants seeking licensure to operate a staged casino facility.

In order to further the policies of the Act and to foster and encourage participation in the pilot program and thereby promote new construction, the Commission shall promptly review and consider applications submitted to participate in the pilot program.

### GLOSSARY OF TERMS

The following definitions are applicable to the pilot program:

**Applicant** - An individual or entity that submits a Pilot Program application with the required fee.

**Small-Scale Casino Hotel Facility** - A casino hotel facility containing a minimum of 200, but no more than 499, qualified sleeping units as defined in section 27 of the Act, (P.L. 1977, c. 110 (C.5:12-27) and a maximum of 24, 000 square feet of casino space as defined in section 6 of the Act, (P.L. 1977, c.110 (C.5:12-6) subject to adjustment in accordance with the statute.

**Staged Casino Hotel Facility** - A casino hotel facility containing initially a minimum of 200, but no more than 499 qualified sleeping units as defined in section 27 of the Act (P.L.1977, c.110 (C.5:12-27) which has been approved to commence construction of the number of additional qualified sleeping units

**PILOT PROGRAM  
SMALL-SCALE AND STAGED CASINO LICENSES**

necessary for the total number of qualified sleeping units to be at least 500, and which construction will commence in two (2) years of licensure as a staged facility, and to complete construction of such additional qualified sleeping units within five (5) years of such licensure, and a maximum of 34,000 square feet of casino space as defined in section 6 of the Act (P.L. 1977, c.110 (C. 5:12-6), subject to adjustment in accordance with the statute.

**Special Amenities** - Special amenities may include, but are not limited to, special and unique meeting and convention space; museum space; exhibit space; sports and entertainment venues; spas; treatment facilities; retail space; and themed retail, dining and entertainment venues and such other special amenities as shall be approved by the Commission. Special amenities shall not include casino space, facilities directly related to the function of casino space, standard restaurant or retail space, or standard meeting and convention space.

**Construction Commencement Date** - The date established by the Commission based on information and documentation obtained during the Pilot Program application evaluation and selection process that an approved Pilot Program participant must start demolition of any existing improvements or excavation work.

**Construction Completion Date** - The date established by the Commission based on information and documentation obtained during the pilot program application, evaluation and selection process, that an approved pilot program participant can provide a certificate from the project architect or engineer certifying that the construction has been substantially completed in accordance with the plans and specifications and development criteria and that all necessary approvals have been obtained.

**Expansion Commencement Date** - The date on which a staged casino facility licensee has obtained all necessary permits, including a permit issued pursuant to the "Coastal Area Facility Review Act," P.L. 1973, c. 185 (C.13:19-1 et. seq.), that are necessary for the commencement of site work and the construction of footings and foundations, and has begun site work, including grading, footing and foundation work.

**Expansion Completion Date** - The date on which a staged casino facility licensee has received a temporary or permanent certificate of occupancy for the number of additional qualified sleeping units necessary for the total number of qualified sleeping units to be at least 500. Except that upon the completion of 75% of the expansion of the facility, as certified by the project architect or engineer, such level of completion shall be deemed an addition of those sleeping units for purposes of calculating such licensee's maximum allowable casino space subject to adjustment in accordance with the statute.

**PILOT PROGRAM  
SMALL-SCALE AND STAGED CASINO LICENSES**

**APPLICATION MINIMUM  
REQUIREMENTS**

Each prospective applicant for participation in the pilot program shall complete and submit in accordance with the deadlines approved by the Commission, a Pilot Program Application, with the required fee. The Commission approved forms shall provide for the following, at a minimum:

1. Statement of intention to apply for either a small-scale or staged casino facility license.
2. A description of the general elements of the proposed small-scale or staged casino facility, including any special amenities.
3. The estimated cost of the small-scale or staged casino facility and a description of the financing and source of funds for the proposed small-scale or staged casino facility.
4. A commitment to a minimum investment threshold, including acquisition and hard and soft development costs.
5. Anticipated commencement and completion dates of the proposed small-scale or staged casino facility.
6. Location of the proposed small-scale or staged casino facility and proof of site control.
7. Evidence of ability to fund the construction of the proposed small-scale or staged casino facility.
8. Description of the economic, social and ecological impact of the proposed small-scale or staged casino facility, including estimates of job creation.
9. Acknowledgment by the pilot program applicant that if granted approval to proceed to apply for a small-scale or staged casino license, it shall provide, no later than one hundred and twenty (120) calendar days of receiving pilot program approval, unless extended by the Commission for good cause shown by the applicant, a bond, letter of credit or cash deposit in the amount of one million dollars (\$1,000,000.00) payable to the State Treasurer, which shall be forfeited upon failure to commence or complete the project within the established time frames.
10. Acknowledgement by the pilot program applicant that if granted approval to proceed to apply for a small-scale or staged casino license it shall make a cash deposit of one million dollars (\$1,000,000.00) to the State Treasurer, within seven (7) calendar days of the commencement date of construction of the project, unless extended by the Commission for good cause shown by the applicant, which shall be non-refundable and used to fund infrastructure improvements in accordance with the provisions of N.J.S.A. 5:12-80.1d.

All responses on the Pilot Program Application must be type-written in 12-point or larger font. If the applicant does not record the response on the page provided, applicant shall first repeat the request made or questions asked and then provide the response.

## PILOT PROGRAM SMALL-SCALE AND STAGED CASINO LICENSES

Each page shall be numbered. The questions and responses shall be typed on only one side of each sheet. Each submission section shall be clearly tabbed and identified by showing the section number and title. Attachments or exhibits shall be titled and assembled behind a tab which clearly identifies the submission section to which they relate.

Each and every question or request in the Pilot Program application shall be answered with no question left blank. In the event a question does not apply to applicant the words "Not Applicable" or "N/A" shall be inserted.

Applicants shall designate those portions of the application that should be regarded as confidential in accordance with N.J.S.A. 5:12-74.1 of the Act and/or N.J.S.A. 47:1A-1 et seq. (Open Public Records Act) either by typing CONFIDENTIAL in the lower right-hand corner of the applicable page (if the entire page is considered confidential) or otherwise clearly indicating that portion of the document considered confidential.

Pilot Program applications shall be submitted as a single package. An original and five (5) copies of the Pilot Program application and supporting documents shall be delivered by applicant or common carrier to the Executive Secretary/General Counsel of the New Jersey Casino Control Commission at 1325 Boardwalk (Tennessee Avenue and the Boardwalk), Atlantic City, New Jersey 08401.

Each application shall be verified by the authorized officer or officers of the applicant, shall be dated, and shall be manually signed in ink.

Any applicant may be required by the Commission to submit additional information to facilitate the review of the application and any subsequent review by the Commission.

These application procedures are subject to amendment at any time. All applicants shall be responsible for monitoring the Commission's website for any additions or changes to these procedures or matters pertaining thereto.

The Commission will accept written questions from prospective applicants. All questions must be submitted in writing. E-mail to the Executive Secretary/General Counsel at [dianna.fauntleroy@ccc.state.nj.us](mailto:dianna.fauntleroy@ccc.state.nj.us) is the preferred method of communication. Telephone inquires will not be answered. Commission staff will prepare written responses to all questions received.

If an applicant discovers any conflict, discrepancy, omission or other error in these guidelines or any of the approved forms, the applicant shall immediately notify the Commission in writing.

Should a potential applicant identify alleged ambiguities in these guidelines and/or any forms, or should there be doubt as to the meaning or intent of any section herein, or on the application, the potential applicant must request clarification from the Commission staff prior to the submission deadline date.

## PILOT PROGRAM SMALL-SCALE AND STAGED CASINO LICENSES

### GENERAL REQUIREMENTS

All completed Pilot Program Applications shall be submitted to the Commission by no later than **April 30, 2012** and shall include a nonrefundable processing fee of \$1,500.00.

The Commission shall expeditiously consider all applications to participate in the pilot program, and shall make all reasonable efforts to act upon applications submitted by the April 30, 2012 deadline.

If no additional applicant is approved to participate in the pilot program after Commission consideration of applications submitted by the April 30, 2012 deadline, the Commission shall continue the pilot program until all available small-scale and/or staged casino facility licenses have been awarded.

Commission approval to participate in the pilot program shall specify the project commencement date, completion date, the general elements of the proposed small-scale or staged casino facility, the number of approved qualified sleeping units and the square footage of any approved special amenities.

An applicant approved to participate in the Pilot Program shall file an application for casino licensure in accordance with the Act, specifically N.J.S.A. 5:12-80 and N.J.S.A. 5:12-82 and applicable Division of Gaming Enforcement and Casino Control Commission regulations by no later than one hundred and twenty (120) days after approval, unless extended by the Commission for good cause shown by the approved applicant. The approved applicant shall at that time post a one million dollar (\$1,000,000) bond, irrevocable letter of credit or cash deposit payable to the Treasurer, State of New Jersey, which shall be held as security for satisfaction of the required commencement and completion date obligations established by the Commission. The posted bond, letter of credit or cash deposit shall be released to the State upon failure of an approved applicant to meet the required commencement and completion date obligations or returned to the applicant upon completion of construction provided the applicant satisfied the required commencement and completion date obligations.

### EVALUATION AND SELECTION PROCEDURE IF MORE THAN TWO (2) APPLICANTS

If at any time the Commission receives and has pending more than two (2) applications to participate in the pilot program, or the Commission has approved one (1) application to participate, and subsequently receives and has pending two (2) or more new applications to participate in the pilot program, then each such applicant shall be provided written notice that the Commission will be conducting a comparison of such applications for the purpose of ranking the proposals contained therein. Within twenty (20) calendar days of applicant's receipt of the written notice, each applicant shall submit to the Commission, such additional information as the applicant may deem appropriate, and such other additional information as the Commission may by written request require.

Should the Commission receive two (2) or more applications to participate in the pilot program as described above, the Commission shall rank such applications giving due consideration to the following factors:

**PILOT PROGRAM  
SMALL-SCALE AND STAGED CASINO LICENSES**

1. Immediacy of project development;
2. Job preservation and job creation;
3. Potential for enhancing tourism;
4. Anticipated tax revenues from all sources;
5. Level of committed investment;
6. Evidence of financing and financial resources;
7. Experience of the applicant and its affiliates in developing and operating gaming and entertainment facilities;
8. Neighborhood benefits, including improvement of infrastructure and elimination of blight and underutilization of property;
9. Such other factors as the Commission may consider relevant.

1. The proposed casino facility must be located in the Boardwalk casino zone and originate on the beach block touching the Boardwalk, but may extend across a street.
2. The proposed casino facility must consist entirely of new construction.
3. The proposed casino facility must be designed to be an approved hotel that is in all respects a superior, first class facility of exceptional quality.
4. The proposed casino facility must be designed to contain at least one first class restaurant, the type and quality of which shall be subject to Commission approval.
5. The proposed casino facility must be designed to contain at least one entertainment venue, the type and quality of which shall be subject to Commission approval.

2. The proposed small-scale casino facility must be designed to contain a maximum of 24,000 square feet of casino space, subject to adjustment in accordance with the statute.

The following mandatory project requirements shall apply to staged casino facility license program applicants:

1. The proposed staged casino facility must be designed to contain a minimum of 200 qualified sleeping units.
2. The proposed staged casino facility must be designed to contain a maximum of 34,000 square feet of casino space, subject to adjustment in accordance with the statute.
3. The proposed staged casino facility must be designed to provide for the commencement of construction within two (2) years of licensure of the number of additional qualified sleeping units necessary for the total number of qualified sleeping units to be at least 500 within five (5) years of casino licensure.

**MANDATORY PROJECT REQUIREMENTS**

In accordance with the provisions of N.J.S.A. 5:12-80.1 and 80.2 the following mandatory project requirements shall apply to both small-scale and staged casino facility license pilot program applicants:

The following mandatory project requirements shall apply to small-scale casino facility license program applicants:

1. The proposed small-scale casino facility must be designed to contain a minimum of 200 qualified sleeping units.

**PILOT PROGRAM  
SMALL-SCALE AND STAGED CASINO LICENSES**

4. The proposed staged casino facility must be designed to provide for the completion of construction within five (5) years of casino licensure of the number of additional qualified sleeping units necessary for the total number of qualified sleeping units to be at least 500 within five (5) years of casino licensure.

**PROJECT COMMENCEMENT/  
COMPLETION DEPOSIT**

No later than one-hundred and twenty (120) days of an applicant's approval to participate in the pilot program, it shall provide a bond, letter of credit or cash deposit in the amount of one million (\$1,000,000.00) dollars payable to the State Treasurer which shall be forfeited upon the failure to commence or complete the project within the time frames specified by the Commission Resolution.

**INFRASTRUCTURE DEPOSIT**

Within seven (7) calendar days of the commencement date as specified by the Commission Resolution, an applicant approved to participate in the pilot program shall deliver, in accordance with N.J.S.A. 5:12-80.1d, a non-refundable cash deposit of one million dollars (\$1,000,000.00) to the State Treasurer which shall be a fee to be accessed by the City of Atlantic City and used to fund infrastructure improvements within the City of Atlantic City, provided that such improvements are related to the applicant's project. A certification from the approved applicant's project architect or project engineer that the infrastructure improvements are related to the applicant's project and evidence of the required deposit with the State Treasurer shall be submitted to the Commission within ten (10) calendar days of delivery of the cash deposit to the State Treasurer.

**EXPANSION FUND**

In accordance with N.J.S.A. 5:12-80.1e the holder of a small-scale or staged casino facility license shall be required to annually deposit an amount equal to 5% of gross revenues, as that sum is defined in N.J.S.A. 5:12-24, into a special non-lapsing fund to be administered by the State Treasurer. Such funds deposited by the holder of a small-scale casino facility license shall be made available to the small-scale casino facility licensee for the purpose of expanding the number of qualified sleeping units at the facility. Such funds deposited by the holder of a staged casino facility license shall be made available to the staged casino facility licensee for the purpose of expanding the facility in accordance with N.J.S.A. 5:12-80.1.

Funds that are not used for the stated purposes within five (5) years of initial casino licensure shall be expended for the purpose of funding infrastructure improvements in the City of Atlantic City or made available for low interest loans for capital expenditures for existing casinos, including small-scale and staged casino facilities, in accordance with

**PILOT PROGRAM  
SMALL-SCALE AND STAGED CASINO LICENSES**

guidelines established for such loans, provided that neither the City of Atlantic City, nor the existing casinos collectively, shall be eligible to receive more than fifty percent (50%) of the amount of the fund and provided that all such funds received by the City of Atlantic City or existing casinos shall be used for capital improvements in the Boardwalk casino zone.

**EXPANSION REQUIREMENTS**

If a staged casino facility licensee fails to expand the total number of qualified sleeping units at the facility to at least five hundred (500) within five (5) years of initial staged casino facility licensure, the licensee's approved casino space shall be reduced by ten thousand (10,000) square feet until the number of qualified sleeping units reaches five hundred (500). Additionally, in accordance with N.J.S.A. 5:12-80.1e, until the number of qualified sleeping units reaches five hundred (500), the staged casino facility license holder's annual deposit into the special non-lapsing fund shall increase to ten percent (10%) until the end of a period of five (5) years or until the number of sleeping units reaches five hundred (500), whichever occurs first.

STATE OF NEW JERSEY  
CASINO CONTROL COMMISSION



PILOT PROGRAM APPLICATION

**NEW JERSEY CASINO CONTROL COMMISSION PILOT PROGRAM  
APPLICATION FOR A SMALL-SCALE OR STAGED CASINO FACILITY**

Fill in the blanks, using "NONE" or "NOT APPLICABLE" where necessary. If more space is needed to answer any specific question, attach a separate sheet. Return **one typed original plus five copies** of this application, including all exhibits, and a non-refundable application fee of \$1,500.00 to the New Jersey Casino Control Commission: (make check payable to the "Casino Control Fund")

**I. APPLICANT INFORMATION (proposed owner of the project)**

**A. General Information**

Name of Applicant (official, legal name without abbreviations) \_\_\_\_\_

Street Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_ Telefax Number \_\_\_\_\_

Email Address \_\_\_\_\_

Trade Name or Doing Business as Name \_\_\_\_\_

Name and Title of Contact Person for application \_\_\_\_\_

Telephone Number \_\_\_\_\_ Telefax Number \_\_\_\_\_

Email Address \_\_\_\_\_

**B. Applicant's Business Organization:** \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Sole Proprietorship \_\_\_\_\_ LLC

Other (describe): \_\_\_\_\_

Where is the company headquartered? \_\_\_\_\_

Year company formed: \_\_\_\_\_ If incorporated, what year? \_\_\_\_\_ In what State chartered? \_\_\_\_\_

Is the applicant a subsidiary or direct or indirect affiliate of any other organization? \_\_\_ Yes \_\_\_ No  
If "yes", indicate name and address, and employer identification number of related organization and relationship. (Use separate page if needed and include as Exhibit I.B.)

**C. List 100% ownership including all officers, directors and partners of the applicant. Also, list all owners and stockholders of applicant, and any individuals/entities guaranteeing any loan (complete all columns for each person (Use separate page if needed and include as Exhibit I.C.) Do not include share holders of less than 5%.**

Name (list first, middle & last)	Home Address (incl. zip code)	Percent Ownership

**D.** Do any of the individuals identified in Section I.B and C above have any other holdings or business relationships that would be relative to the potential success of the proposed casino hotel facility which is the subject of this pilot program application?

\_\_\_ Yes \_\_\_ No If yes, use a separate page and include as Exhibit I.D.

**E.** Use Exhibit I.E. to provide a description of all businesses presently operated or intended to be operated by the applicant and all former businesses operated by the applicant in the past ten (10) years.

## **II. PROJECT INFORMATION**

### **A. Location of Proposed Project**

Street Address \_\_\_\_\_

Block(s) \_\_\_\_\_ Lot(s) \_\_\_\_\_ Section \_\_\_\_\_

**1.** Does the applicant currently own all land for the entire project site?

\_\_\_ Yes \_\_\_ No If “no”, please explain and attach separate sheet and include as Exhibit II.A.1.

**2.** Use Exhibit II. A. 2 to provide a certification that sets forth that the proposed facility will be located in the Boardwalk casino zone and shall originate on the beach block touching the Boardwalk pursuant to N.J.S.A. 5:12-80.1a. In addition, the exhibit should identify the specific location and boundaries of the proposed facility.

**3.** Are municipal property tax payments current at the project site?

\_\_\_ Yes \_\_\_ No If “no”, please explain and attach separate sheet and include as Exhibit II.A.3.

**4.** Describe as Exhibit II.A.4., any public utility and/or road improvements needed prior to the opening of the facility.

**5.** Will the facility be a small-scale facility as defined in N.J.S.A. 5:12-80.1?

\_\_\_ Yes \_\_\_ No If “yes”, please provide, as Exhibit II.A.5, preliminary renderings, and if necessary, blueprints, drawings and/or architecture designs to convey the general elements of the project. The renderings should be sufficient in detail to adequately convey the general appearance of the project including, but not limited to, the quality of the facility, casino space, hotel rooms, public space, meeting rooms, parking facilities, shopping and special amenities.

**5a.** If the answer to 5 above is yes, please indicate the following;

**1.** The proposed square footage of the casino facility which shall be not more than 24,000 square feet, if the applicant does not develop any special amenities \_\_\_\_\_.

2. The proposed square footage of the casino facility, if the applicant develops the required square feet of special amenities \_\_\_\_\_.
3. The exact number of qualified sleeping units which shall be at least 200 \_\_\_\_\_
4. The proposed number of slot machines \_\_\_\_\_.
5. The proposed number of table games \_\_\_\_\_.

**5b.** Describe the general elements of the proposed casino/hotel facility, including, if applicable, a description of each special amenity along with its related square footage, and indicate that it is the intention of the applicant to operate said small-scale casino/hotel facility as a superior, first class facility pursuant to N.J.S.A. 5:12-80.li. This description should be included as Exhibit II.A.5b.

**5c.** By submitting a complete Pilot Program Application, the applicant understands that if it is granted a small-scale license, it will be obligated pursuant to N.J.S.A. 5:12-80.1e to deposit annually an amount equal to 5% of gross revenue into a special non-lapsing fund to be administered by the State Treasurer.

**6.** Will the facility be a staged casino facility as defined in N.J.S.A. 5:12 – 80.1?

\_\_\_ Yes \_\_\_ No If “yes”, please provide, as Exhibit II.A.6, preliminary renderings, and if necessary, blueprints, drawings and/or architecture designs to convey the general elements of the project. The renderings should be sufficient in detail to adequately convey the general appearance of the project including, but not limited to, the quality of the facility, casino space, hotel rooms, public space, meeting rooms, parking facilities, shopping and special amenities.

**6a.** If the answer to 6 above is yes, please indicate the following;

1. The proposed square footage of the casino facility which shall be not more than 34,000 square feet, if the applicant does not develop any special amenities \_\_\_\_\_.
2. The proposed square footage of the casino facility, if the applicant develops the required square feet of special amenities \_\_\_\_\_.
3. The exact number of initial qualified sleeping units which shall be at least 200 \_\_\_\_\_
4. The proposed number of slot machines \_\_\_\_\_.
5. The proposed number of table games \_\_\_\_\_.

**6b.** Describe the general elements of the proposed casino/hotel facility, including, if applicable, a description of each special amenity along with its related square footage, and indicate that it is the intention of the applicant to operate said staged casino/hotel facility as a superior, first class facility pursuant to N.J.S.A. 5:12-80.li. This description should be included as Exhibit II.A.6b.

6c. By submitting a complete Pilot Program Application, the applicant acknowledges that it understands that if it is granted a staged casino facility license its statutory obligations are as follows:

1. Pursuant to N.J.S.A. 5:12-80.1e, to deposit annually an amount equal to 5% of gross revenue into a special non-lapsing fund to be administered by the State Treasurer.
2. Pursuant to N.J.S.A. 5:12-80.1c, that if the applicant is approved, that within two (2) years of licensure as a staged casino/hotel facility it shall begin expansion of the facility to include not less than a total of five hundred (500) sleeping units which shall be completed within five (5) years of initial licensure.
3. Pursuant to N.J.S.A. 5:12-80.1e, any failure to expand the total number of sleeping units at the facility to at least 500 rooms within five years of initial licensure, shall result in casino space being reduced by 10,000 square feet until the number of sleeping units reaches 500 and the amount the licensee is required to deposit annually into the special non-lapsing fund shall be increased to 10% until the end of a period of five years or until the number of sleeping units reaches 500, whichever occurs first.
7. Describe as Exhibit II.A.7 the name, type and quality of the first class restaurant to be approved by the Commission pursuant to N.J.S.A. 5:12-80.1(j).
8. Describe as Exhibit II.A.8 the name, type and quality of the entertainment venue to be approved by the Commission pursuant to N.J.S.A. 5:12-80.1(j).

B. Indicate approximate size of the entire project site (in acres or square feet of land).

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**III. MINIMUM INVESTMENT DEVELOPMENT INFORMATION**

A. Description of Development Costs	<u>Item</u>	<u>Amount</u>
	Acquisition of Land	_____
	Construction of New Facility	_____
	Acquisition of Equipment & Machinery	_____
	Furniture and Fixtures	_____
	Construction of Roads, Utilities, Etc.	_____
	Engineering & Architectural Fees	_____
	Finance Fees	_____

Accounting Fees	_____
Legal Fees	_____
Debt Service Reserve Fund	_____
Interest during Construction	_____
Refinancing	_____
Working Capital	_____
Other (specify) _____	_____
<b>TOTAL PROJECT COSTS</b>	<b>_____</b>

- B. Have any of the above expenditures been paid or incurred? \_\_\_ Yes \_\_\_ No If “yes”, please indicate the expenditures made and the dates on which the expenditures were paid or incurred. (Use separate page if needed and include as Exhibit III.B.)
- C. Please specify any other minimum investment development costs, including hard and soft costs, not delineated in III.A above.

**IV. ECONOMIC, DEMOGRAPHIC AND OTHER INFORMATION**

Each Pilot Program Application shall contain the following information, along with the basis for any estimates or projections:

- A. Describe the potential market and any growth trend for the new facility. Set forth an analysis of the facility’s location as a tourist and entertainment destination designed to attract patrons to the facility, including an estimate of the number of patrons that would be attracted to the gaming facility and the ancillary operations each year. This analysis should be included as Exhibit IV.A.
- B. State the projected economic impact of the facility. This impact statement shall be included as Exhibit IV.B. and shall address the following:
  1. The highest potential prospective total revenues to be attained by the operator based upon a market analysis;
  2. The highest potential payments and funds to be received by the State based upon the project;
  3. Any purchases of goods and services including the dollar amount and type of purchase and whether they are temporary or permanent;
  4. Net direct and induced economic benefit or loss to the State and local community; and

5. Any additional economic development planned or proposed in the area of the proposed gaming facility.
- C. Indicate, in detail, the employment impact of the entire project including construction and permanent. All figures should include full-time (working 35 or more hours per week) and part-time employees; whether the employment is temporary or permanent, the type of work and the employer. These figures should be projected for the first three years of the project. These details should be included as Exhibit IV.C.
- D. State the projected social impact of the facility. This impact statement shall be included as Exhibit IV.D. and shall state the extent of any public support or opposition known to the applicant, and how the facility may affect the following in the locale of the facility, as may be applicable:
1. The surrounding neighborhood;
  2. The police service;
  3. The fire service;
  4. The population growth;
  5. The transportation infrastructure in the vicinity of the project;
  6. The housing demand; and
  7. The community development and support scheme.
- E. Describe the economic effect of the existence of, and competitiveness of, your proposed project in relation to each of the following:
1. Uptown Casinos;
  2. Mid-Town Casinos;
  3. Downtown Casinos;
  4. Marina District Casinos; and
  5. Entire Atlantic City Casino Market.

These descriptions of competition shall be included as Exhibit IV.E.

- F. Describe any ecological and/or geological issues impacting the facility site. Describe any engineering, design, and construction plans to address these issues. This impact statement shall be included as Exhibit IV.F.
- G. Describe the applicant's marketing, promotion and advertising plans for the pre-opening of the facility. This information shall be included as Exhibit IV.G.

- H. Describe the applicant's three year marketing plan for tourism and gaming growth for the Atlantic City Market. This plan should assess the relationship between the marketing plan and the likelihood of success for the facility. This information shall be included as Exhibit IV.H.
- I. Describe the applicant's experience in managing a licensed gaming operation and its history of regulatory compliance, if applicable. This information shall be included as Exhibit IV.I.

## **V. FINANCING AND SOURCE OF FUNDS; ANTICIPATED CONSTRUCTION DATES**

Each Pilot Program Application shall contain the following information:

- A. A detailed project budget of any expenditure related to the completion of the proposed facility in its entirety, including the first year of operation of the casino/hotel facility. This project budget shall be included as Exhibit V.A. The budget shall include, but is not necessarily limited to, the following:
  - 1. Architecture and engineering costs;
  - 2. Land acquisition costs;
  - 3. Site development costs, including survey, soil and site work, utilities, parking lot and transportation access;
  - 4. Facility construction cost, including gaming facility itself, ancillary operations, and security and fire equipment;
  - 5. Equipment acquisition cost;
  - 6. Cost of interim financing;
  - 7. Organization, administrative and legal expenses;
  - 8. Projected permanent financing costs;
  - 9. Estimated payroll;
  - 10. Any operating supplies and services;
  - 11. Marketing costs;
  - 12. The amount of insurance;
  - 13. Taxes of any kind; and
  - 14. Utility expenses.

**B.** State the construction schedule proposed for completion of the facility. It shall be included in the attachments as Exhibit V.B. It shall include an estimated date of project commencement and completion along with, at a minimum, the following information:

1. A detailed description of the method or methods by which the construction project and components will be undertaken, including but not limited to, general construction contract, force account or fast track method; and
2. An estimated time schedule for construction, including the date the proposed project will be fully operational. The time schedule shall include the number of months after approval to participate in the pilot program is granted that each of the following activities will be commenced and completed:
  - (a) The acquisition of land;
  - (b) The solicitation of bids;
  - (c) The award of construction contracts;
  - (d) The construction commencement;
  - (e) The completion of construction;
  - (f) The occupancy of the new facility or space;
  - (g) The training of staff;
  - (h) Appropriate state and local agency check and inspection of the facility for public and gaming readiness; and
  - (i) The commencement of gaming.

**C.** State the source or sources of funding for the completion of the project proposed by the Pilot Program Application. This information shall be included as Exhibit V.C. At a minimum, the following shall be identified and documented:

1. Each source of cash and equity contribution and the amount of the contribution;
2. Any present or conditional commitment received for each equity funding source;
3. Each source of debt contribution and the amount of the contribution;
4. Any present or conditional commitment received for the debt financing; and
5. A detailed financing timetable.

- D. Identify and describe sources of additional funds needed for cost overruns, non-receipt of expected equity or debt funds, failure to achieve projected revenues or any other cause. This information shall be included as Exhibit V.D.

## **VI. OTHER INFORMATION, CERTIFICATION AND DECLARATION**

- A. The Commission may also consider any other relevant information which the applicant may wish to disclose as part of this selection process. This information shall be included as Exhibit VI.A.
- B. Suitability to participate in the pilot program will be determined by the Casino Control Commission on the information presented in this application and the required attachments. Any changes in the status of the proposed project from the facts presented herein could impact the proposed project's suitability, including but not limited to, anticipated construction commencement or completion dates, type and character of proposed special-amenity or otherwise. Please contact the staff of the Casino Control Commission, in writing, email to the Executive Secretary/General Counsel at [dianna.faultleroy@ccc.state.nj.us](mailto:dianna.faultleroy@ccc.state.nj.us) is preferred, before taking any action which would change the nature or status of the proposed project as presented herein.
- C. By submitting a complete Pilot Program Application, all parties to the application acknowledge and agree to the following terms and conditions which shall be triggered by the approval to participate in the pilot program:
  1. The filing for casino licensure in accordance with the Act, specifically N.J.S.A. 5:12-80 and N.J.S.A. 5:12-82 and applicable Division of Gaming Enforcement and Casino Control Commission regulations by no later than one hundred and twenty (120) days after pilot program approval, unless extended by the Commission for good cause shown by the approved applicant.
  2. The providing, no later than one hundred and twenty (120) calendar days of receiving pilot program approval, unless extended by the Commission for good cause shown by the approved applicant, a bond, letter of credit or cash deposit in the amount of one million dollars (\$1,000,000) payable to the State Treasurer, which it acknowledges shall be forfeited upon failure to commence or complete the project within the applicable time frames in accordance with the provisions of N.J.S.A. 5:12-80.1.d.
  3. The depositing of one million dollars (\$1,000,000) to the State Treasurer, within seven (7) calendar days of the commencement date of the construction of the project, unless extended by the Commission for good cause shown by the approved applicant, which shall be non-refundable and used to fund infrastructure improvements in accordance with the provisions of N.J.S.A. 5:12-80.1.d.

**Please return the completed Pilot Program Application by April 30, 2012, to the Document Control Office, New Jersey Casino Control Commission, Tennessee Avenue & the Boardwalk, Atlantic City, NJ 08401.**