**Section 521.50 Form of Application**

a) Applications will be accepted at any time during the year. The Department will provide interested applicants with an application package upon request. Submission of an application does not commit the Department to award assistance or pay any costs, including any application fee, incurred by the applicant in the preparation of an application.

b) Any taxpayer proposing a data center project either constructed or to be constructed in Illinois may request consideration by application to the Department in which the applicant states its intent to make a capital investment of at least $250,000,000 and to hire at least 20 new full-time equivalent employees, collectively between the applicant and tenants of the proposed data center, within a specified 60-month period.

c) Written applications are required and must be submitted on the standard application form provided by the Department. Applications shall be submitted to the Department office location or electronic mail address identified in the application.

1) The application shall include:

A) Legal Applicant – name, address, telephone number of each applicant; key contact, title, telephone number and electronic mail address; company Federal Employer Identification Number (FEIN) or the Illinois Business Tax (IBT) number; and whether the proposed project is in an underserved area. The application shall be accompanied by a Certificate of Good Standing from the Office of the Illinois Secretary of State for each applicant or other proof of authority to transact business in the State.

B) Investment Information – a detailed description of the capital investment the taxpayer or its tenants will make in the data center project. This shall include, but is not limited to, a summary of the eligible investment, when the qualified property will be placed in service, and a detailed description of the applicant's commitment to make a minimum eligible investment of at least $250,000,000, and the applicant's plan to create at least 20 new full-time or full-time equivalent jobs involved in the operation and maintenance of the data center, collectively with the applicant's tenants. The applicant should include supporting documentation regarding this investment information for the Department to properly evaluate the project.

C) Green Building Certification −

i) supporting documentation that the qualified property meets the green building standards, with the certification that designates the building as one or more of the following: carbon neutral; BREEAM for new construction; BREEAM In-Use; ENERGY STAR; Envision; ISO 50001-energy management; LEED for Building Design and Construction; LEED for Operation and Maintenance; Green Globes for New Construction; Green Globes for Existing Buildings; UL 3223; or another, substantially equivalent, designation approved by the Department.

ii) in the event the applicant seeks to demonstrate an alternative certification, an explanation and supporting documentation as to how the program is "equivalent" to those programs and categories specifically enumerated in the Act. In the event the certification has not yet been achieved at the time of application, the taxpayer must provide documentation pursuant to the terms of the MOU entered into between the company and the taxpayer.

D) Job Creation – a detailed description of the full-time and full-time equivalent jobs to be created at the data center, including both those jobs involved in the operations and maintenance of the data center and other positions, the annual average wages associated with these job categories, and the actual or anticipated start date for these positions. The application must also include the county average annualized pay for the county in which the data center is, or is to be, located. To the extent known at the time of application, the applicant shall identify any tenants, actual or anticipated new hiring by the tenants, and whether and how the new jobs will be associated with the operations or maintenance of the data center.

E) Other provisions – any other provisions or information that the Department determines is necessary to facilitate the Department's evaluation of the application.

2) The applicant shall additionally submit:

A) Tax Clearance, as follows:

i) to the Illinois Department of Revenue, a Form ITR-1; and

ii) to DCEO, proof of tax clearance from the Illinois Department of Revenue.

B) Project Labor Agreement − evidence of a project labor agreement with respect to the project at the time of the application. If the data center has not been constructed and when the evidentiary material is not available at the time of application, proof of the project labor agreement must be provided to the Department pursuant to the terms of the MOU applicable to the project.

d) The applicant is responsible for the accuracy of all data, information and documentation required by subsection (c). Once submitted, applications shall become the property of the Department.

e) Any materials or data made available or received by any agent or employee of the Department from an applicant for, or a recipient of a tax exemption or credit under this Part, that is exempt from disclosure under Section 7 of the Freedom of Information Act [5 ILCS 140/7], shall not be disclosed.