



# Biennial Progress Report for Texas Economic Development Act

Economic Development and Analysis  
**Form 50-773-A**

## INTRODUCTION

- You have been assigned an application number. Please verify this number on the website prior to completing the form. This form will indicate the sections you need to complete based on application number.
- This form must be filled out by each applicant that is party to a limitation agreement.
- If the original application was made by a group of two or more companies, each company must complete this form.
- If the original applicant split into two or more applicants after the original agreement, all current agreement holders must complete this form.
- Applicants should only complete the information for their years as an agreement holder, noting what year they were formed after the original agreement was approved.
- Each agreement holder should respond as a current agreement holder in Section 2.
- Applicants should report their proportionate share of required employment and investment information.
- In addition to the Biennial Progress Report required from each applicant that is a party to an agreement, a separate Biennial Progress Report summarizing the combined applicants' data for the entire agreement must be completed.
- If one of the applicants cannot provide this information, a summarization report must be completed by the school district and signed by the superintendent.
- Projects spanning more than one school district must complete forms for each school district.
- Please return signed hard copy forms and electronic spreadsheets to the school district before May 15 of each even-numbered year.

### Note:

- The school district that is a party to the Chapter 313 agreement is collecting the data required by Chapter 313.032 on this form for the Comptroller of Public Accounts (CPA).
- The CPA requests companies complete the electronic spreadsheet version of the form. Please submit both an *electronic version* and a *signed hard copy version* of the spreadsheet (with any attachments) to the district. Please contact CPA if you have questions about the form. The spreadsheet version of this form can be downloaded at: [www.texasahead.org/tax\\_programs/chapter313/forms.php](http://www.texasahead.org/tax_programs/chapter313/forms.php).
- After ensuring that all forms are complete, the school district will forward that data to the CPA for inclusion in a statutorily required report to the Texas Legislature.

## SECTION 1: Applicant Information

1. Application number 213
2. Name of school district Brazosport ISD
3. Name of central appraisal district (CAD) appraising the qualified property in this school district Brazoria County Central Appraisal District
4. Name of project on original application (or short description of facility) OASIS
5. Name of applicant on original application The Dow Chemical Company
6. Name of company entering into original agreement with district The Dow Chemical Company
7. If you are one of two or more companies originally applying for a limitation, list all other applicants here and describe their relationships. (Use attachments if necessary.)

N/A

**SECTION 2: Current Agreement Information**

1. Name of current agreement holder(s) The Dow Chemical Company

2. Complete mailing address of current agreement holder Tax Department, TXINN APB, 332 SH 332 E, Lake Jackson, TX 77566

3. Company contact person for agreement holder:

<u>David Ngo</u>	<u>Tax Manager</u>
Name	Title
<u>(979) 238-0065</u>	<u>dngo@dow.com</u>
Phone	Email

4. Texas franchise tax ID number of current agreement holder: 13812851288

5. If the current agreement holder does not report under the franchise tax law, please include name and tax ID of reporting entity:

<u>N/A</u>	<u>N/A</u>
Name	Tax ID

6. NAICS Code of current agreement holder (6 Digit): 325000 Chemical Manufacturing

7. If the authorized company representative is different from the contact person listed above:

<u>N/A</u>	<u>N/A</u>
Name	Title
<u>N/A</u>	
Complete Mailing Address	
<u>N/A</u>	<u>N/A</u>
Phone	Email

8. If you are a current agreement holder who was not an original applicant, please list all other current agreement holders. Please describe the chain of ownership from the original applicant to the new entities. (Use attachments if necessary.)

N/A

**SECTION 3: Project Timeline**

1. Date original limitation agreement approved by school district .....	<u>5/1/2012</u>
2. First (complete) year of qualifying time period – after the date the application is approved. See Tax Code §313.021(4). . .	<u>2013</u>
3. Date commercial operations began at the site of the project .....	<u>3/31/2015</u>
4. First year of property value limitation .....	<u>2015</u>

For more information, visit our website: [www.TexasAhead.org/tax\\_programs/chapter313/](http://www.TexasAhead.org/tax_programs/chapter313/)

**SECTION 4: Value Limitation Details**

- 1 Minimum limitation amount per Agreement (for entire agreement): ..... 30,000,000.00
- 2 Amount of qualified investment during the qualifying time period the recipient committed to spend or allocate for this project on application (not total investment): ..... 136,320,000.00
- 3 Total qualified investment made from the beginning of the qualifying time period through the end of the qualifying time period or the last complete tax year, if still in the qualifying time period. .... 80,372,558.00
- 4 Has the size and/or scope of the project changed, resulting in a material change in qualified property from that in the application? .....  Yes  No
  - 4a. If yes, please describe on an attachment how the actual qualified property — for which you are providing actual and estimated market values on subsequent pages — differs from that property described in the agreement. Include only property located in this school district.
- 5 What was the number of permanent existing jobs at this facility prior to application? ..... 4,070  
(See guidelines for definition of existing job.)


**SECTION 5: Job Details**

- 1 For agreements before Jan. 1, 2014, does the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), as the rule existed at the time of application? .....  Yes  No
  - 1a. If yes, please provide the definition of "new job" as used in the agreement. (Use attachments if needed.)

**SECTION 6: Authorized Signature**

After this report and charts are complete, they should be reviewed and certified to be complete by a company employee authorized to sign on behalf of the company listed in Section 2.

By signing below, I certify that I am an employee of The Dow Chemical Company, a current agreement holder of a limitation on appraised value who is authorized to sign on behalf of the company. I attest that the contents of this form and attachments are true and correct to the best of my knowledge and belief and have determined that the electronic copy is identical to the hard copy of this report.

<b>print here</b> ▶	David Ngo	Tax Manager	(979) 238-0065
	<small>Print Name of Company Employee</small>	<small>Title</small>	<small>Phone</small>
<b>sign here</b> ▶		5-15-16	
	<small>Signature of Company Employee</small>	<small>Date</small>	

NOTE: If you amend your report, you will need to resign and resubmit this section with your forms, charts or attachments.

## Biennial Progress Report for Texas Economic Development Act

### CHART A1: Job Data for Applications 1 through 999

App Number: 213  
 District Name: Brazosport Independent School District  
 Company Name: The Dow Chemical Company

Date: 5/12  
 1st Yr. of Qualifying Time Period: 2013

	Tax year (YYYY)	Qualifying Time Period										Limitation Period					Viable Presence Period				
		Year 1 (First Complete Tax Year)	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	Year 16	Year 17			
1	Number of qualifying jobs <sup>1</sup> applicant committed to create on application (cumulative)	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8		
2	Number of qualifying jobs <sup>1</sup> applicant actually created (cumulative)	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10		
3	Number of new jobs <sup>2</sup> created (cumulative)	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10		
4	Median annual wage of new jobs applicant created	107,880.00	107,880.00	110,038.00	112,238.00	114,483.00	116,773.00	119,108.00	121,490.00	123,920.00	126,399.00	128,927.00	131,505.00	134,135.00							
5	Total wages for new jobs applicant created	1,078,800.00	1,078,800.00	1,100,380.00	1,122,380.00	1,144,830.00	1,167,730.00	1,191,080.00	1,214,900.00	1,239,200.00	1,263,990.00	1,289,270.00	1,315,050.00	1,341,350.00							

Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

**Notes:**

- Jobs meeting all of the requirements of Tax Code §313.021(3) as the statute existed before Jan. 1, 2014. Do not include construction jobs in counts of qualifying jobs.
- For new job definition see TAC §9.1051(14) as rules existed before Jan. 1, 2014.

**Biennial Progress Report for Texas Economic Development Act**  
**CHART A2: Investment and Market Values for Applications 1 through 999**

**Date** 05/14/16  
**Application Number** 213  
**Current Agreement Holder Name** The Dow Chemical Company  
**ISD Name** Brazosport Independent School District

**Form 50-773A**  
 Revised May 2014

CHART A2 - Only complete this for applications 1 through 999.

	Year	School Year (YYYY-YYYY)	Tax Year (actual tax year) YYYY	Total Investment <sup>1</sup> (cumulative)	Market value of qualified property on Jan. 1 BEFORE any exemptions <sup>2</sup>	Market value less any exemptions (such as pollution control) and before limitation <sup>3</sup>	Taxable value of qualified property for purposes of M&O
Prior to start of value limitation period	1	2013-2014	2013	20,000,000			
	2	2014-2015	2014	78,000,000	37,500,000	37,500,000	37,500,000
Value limitation period	3	2015-2016	2015	78,000,000	76,000,000	76,000,000	30,000,000
	4	2016-2017	2016	78,000,000	72,960,000	72,960,000	30,000,000
	5	2017-2018	2017	78,000,000	70,041,600	70,041,600	30,000,000
	6	2018-2019	2018	78,000,000	67,239,936	67,239,936	30,000,000
	7	2019-2020	2019	78,000,000	64,550,339	64,550,339	30,000,000
	8	2020-2021	2020	78,000,000	61,968,325	61,968,325	30,000,000
	9	2021-2022	2021	78,000,000	59,489,592	59,489,592	30,000,000
	10	2022-2023	2022	78,000,000	57,110,008	57,110,008	30,000,000
Viable presence period	11	2023-2024	2023	78,000,000	54,825,608	54,825,608	54,825,608
	12	2024-2025	2024	78,000,000	52,632,583	52,632,583	52,632,583
	13	2025-2026	2025	78,000,000	50,527,280	50,527,280	50,527,280

Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

Notes:

1. Total investment is all investment at original cost, including land acquired after filing of application. Investments made in a year should be reflected in the subsequent year's market value.
2. Use appraisal values from CAD as available. For future years, use market value that the entity estimates will approximate the market value for ad volorem tax purposes in that year.
3. This amount is typically the taxable value for the purpose of I&S fund or debt service reserve fund.

The CPA requests companies complete the electronic spreadsheet version of the form and submit identical electronic and hard copy versions of the spreadsheet (with any attachments) to the district.



## Biennial Progress Report for Texas Economic Development Act

### CHART B1: Job Data for Applications 1000+

App Number: \_\_\_\_\_ Date: \_\_\_\_\_  
 District Name: \_\_\_\_\_ 1st Yr. of Qualifying Time Period: \_\_\_\_\_  
 Company Name: \_\_\_\_\_

**CHART B1 - Only complete this for applications 1000+**

	Qualifying Time Period			Limitation Period <sup>1</sup>						Viable Presence Period					
	Year 1 (First Complete Tax Year)	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15
<b>Tax year (YYYY)</b>															
<b>1</b> Number of qualifying jobs <sup>1</sup> applicant committed to create on application (cumulative)															
<b>2</b> Number of qualifying jobs <sup>1</sup> applicant actually created (cumulative)															
<b>3</b> Median annual wage of qualifying jobs <sup>1</sup> applicant created															
<b>4</b> Total wages for qualifying jobs <sup>1</sup> applicant created															
<b>5</b> Number of non-qualifying jobs <sup>2</sup> applicant created (cumulative)															
<b>6</b> Average annual wage of non-qualifying jobs <sup>2</sup> applicant created															
<b>7</b> Total wages for non-qualifying jobs <sup>2</sup> applicant created															

Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

**Notes:**

- Jobs meeting all of the requirements of Tax Code §313.021(3).
- For non-qualifying job definition see TAC §9.1051.
- Insert columns as needed to adjust beginning date of limitation per 313.027(a-1)(2).

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# Biennial Progress Report for Texas Economic Development Act

## CHART B2: Investment and Market Values for Applications 1000+

Applicant Number: \_\_\_\_\_

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

ISD Name: \_\_\_\_\_

Current Agreement Holder Name: \_\_\_\_\_

**CHART B2 – Only complete this for applications 1000+**

Year	School Year (YYYY-YYYY)	Tax Year (actual tax year) YYYY	Total Investment <sup>1</sup> (cumulative)	Market value of qualified property on Jan. 1 BEFORE any exemptions <sup>2</sup>	Market value less any exemptions (such as pollution control) and before limitation <sup>3</sup>	Taxable value of qualified property for purposes of M&O
0						
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						

Prior to start of value limitation period or most recent year end. Insert rows as needed.<sup>4</sup>

Value limitation period

Viable presence period

Actual and projected data. Use actual data for prior years. Estimates are required for current and future years.

**Notes:**

1. Total investment is all investment at original cost, including land acquired after filing of application. Investments made in a year should be reflected in the subsequent year's market value.
2. Use appraisal values from CAD as available. For future years, use market value that the entity estimates will approximate the market value for ad valorem tax purposes in that year.
3. This amount is typically the taxable value for the purpose of I&S fund or debt service reserve fund.
4. Insert rows as needed to adjust beginning date of limitation per 313.027(a-1)(2).

The CPA requestis companies complete the electronic spreadsheet version of the form and submit identical electronic and hard copy versions of the spreadsheet (with any attachments) to the district.

## Biennial Progress Report for Texas Economic Development Act

2015 FORM 50-773A

Application Number 213

Section 4

Question 4a

This project when initially applied for Chapter 313 had a total estimated qualified investment of \$150,000,000.

The project has since de-scoped to approximately half of the initial number for capital affordability and the school was informed in 2014.