



City of Superior Production Incentive Program Guidelines

Superior Production Incentive Program

PURPOSE: The City of Superior Production Incentive Program's goal is to support the development of television, film, and digital media production within the City of Superior, while also supporting local tourism.

The program's initial allocation is \$20,000. Applications are accepted, reviewed, and scored and approved until funds are exhausted. Approved applicants will receive the financial assistance in the form of reimbursement where approved applicants receive reimbursement for eligible expenditures in accordance with program guidelines and requirements.

REQUIREMENTS: Selected applicants must be conducting eligible television, film, or digital media activities in Superior, which must be validated and certified by the Program Administrator before a project can be enrolled in the program. To be eligible, Applicants must commit to expend a minimum of \$5,000 inside Superior City limits with lodging and catering service providers residing in or located in Superior. Qualified project types are films, television, series, documentaries and commercials. The applicant must be in good standing with the Secretary of State wherein they reside.

APPLICANT REQUIREMENTS:

- Projects must meet program eligibility requirements to apply for reimbursement funds.
- Applicant must supply application, the Applicant's W-9, and Certificate of Good Standing from the state of incorporation which must all be in the same company name.
- The Applicant is responsible for any tax implications regarding reimbursement.
- Applications must be complete.
- Projects will not be accepted into the Program until all required materials are received and reviewed by Program Administrator.
- Expenses incurred and/or payments made before project acceptance (the date on the project acceptance letter) will not be eligible for reimbursement.
Submission of an application does not guarantee reimbursement.
- Additional requirements may be required by the Program Administrator to determine project and production eligibility.

APPLICATION CRITERIA:

Projects are scored on quality and quantity of wages, hires and local spend. In addition, previous professional experience and compliance are considered.

PROOF OF FUNDING:

Applicant must provide proof of funding that shows 100% of projected Superior spend is secured (signed bank letter and statement, completion bond, valid contract, or equivalent). This proof is required 30 days prior to principal start date. If the application is processed within 30 days of principal photography, the applicant must provide proof at the time of application.

STRUCTURE: Up to 25% of the total cost for listed eligible expenses may be reimbursed to the certified projects when associated with production and post production of film and television content creation within the City of Superior. This program may be used jointly with the St. Louis County's Production Incentive Program, The City of Duluth, and the Iron Range Regional Production Rebate as well as all State of Minnesota programs.



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ELIGIBLE EXPENDITURES: Eligible uses of program funds may include reimbursement of expenses made at Superior businesses, included but not limited to the following categories:

- Lodging and transportation expenditures within City of Superior (including rentals and mileage – not to exceed federal U.S. General Services Administration and Internal Revenue Service guidelines – must submit mileage log, parking, fuel for generators and rental vehicles only).
- Personnel, crew, and production personnel from City of Superior labor force (including fringe benefits).
- Legal fees paid to City of Superior law firms relating to production contracts (e.g., labor contracts, licensing rights, etc. are allowed).
- Per diem and lodging allowances are reimbursable to all paid personnel, both City of Superior resident and non-resident, but only while working in City of Superior. If paid in cash, payee's signature is required. Allowances per U.S. General Services Administration Per Diem rates for local area.
- Payroll processing fees paid to a City of Superior payroll company.
- Sets, props and wardrobe including set construction, materials, purchases and rentals (including box rentals) paid to a City of Superior company.
- Production office rental (short term only) in City of Superior, production office equipment rental and production office supplies paid to a City of Superior company.
- Studio/soundstage rental paid to a City of Superior company.
- Equipment rental including camera, grip, lighting and expendables paid to a City of Superior company.
- Digital media and storage devices and related processing including film transfer and dailies paid to a City of Superior company.
- Food and catering expenses including craft service, working meals and crew meals paid to a City of Superior company. Alcoholic beverages are not eligible for reimbursement. Itemized receipts are required.
- Location expenses including location and permit fees paid to a City of Superior location.
- Editing and related post-production expenses, including legal fees relating to post-production (e.g., labor contracts, licensing of music, etc.) paid to a City of Superior company.
- Other direct costs of producing or post-production work paid to a City of Superior company.

A Superior company is defined as a business located and conducts business within the Superior city limits and files Wisconsin tax returns with a Superior address indicated on a W-9. A physical address in Superior is required. Any questionable production expenses will be reviewed by Superior's Program Administrator in consultation with The City of Superior for approval. The City of Superior and or its Program Administrator reserves the right to refuse any project's application or expense for any reason. This determination is at the discretion of the City of Superior and/or Its Program Administrator; all decisions are final and non-negotiable.

INELIGIBLE EXPENDITURES (including but not limited to):

- Alcoholic beverages and tobacco (even if purchased as props).
- Expenses relating to illegal activities including, but not limited to tickets issued for parking or moving violations, towing fees, etc.
- Unpaid invoices
- Damages due to accidents, loss, or theft.
- Pass-thru expenses (e.g., internal invoices, or invoices not related to lodging or catering)

APPLICANT REQUIREMENTS:

- Projects must meet program eligibility requirements to apply for reimbursement funds.
- The application, W9 and Certificate of Good Standing from state of incorporation must all be in the



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same production company name.

- The applying entity is responsible for any tax implications regarding reimbursement.
- Applications must be complete.
- Projects will not be certified until all required materials are received and reviewed by Program Administrator.
- Expenses incurred and/or payments made before project certification (the date on the project certification letter) will not be eligible for reimbursement. Submission of an application does not guarantee reimbursement.
- Additional requirements may be required to determine project and production eligibility.

APPLICATION CRITERIA:

Projects are scored based on several metrics such as quality and quantity of wages, hires and local spend. Previous professional experience and compliance are taken into consideration.

Losing Eligibility or Disqualification: Projects will be disqualified from the Program and will be disqualified from receiving reimbursement if:

- The Applicant falls out of good standing with the Secretary of State in the state where the entity is incorporated.
- Production is delayed or suspended for an unreasonable amount of time, the applicant loses funding for the project or the production will no longer take place in Superior.
- Program Administrator determines that the production will not occur.
- Program Administrator determines that the Applicant is engaged in fraudulent or unlawful behavior (e.g., submitting inaccurate or falsified information, wage theft, etc.).
- Applicant has not fulfilled financial obligations of using Superior vendors or goods and services.
- Applicant or the project no longer meets eligibility criteria.
- Applicant fails to meet Rebate Expenditure Report submission deadlines.
- Extensions may be considered on a case-by-case basis.
- Applicant no longer qualifies for any other reason.
- Program Administrator determines that the project is engaged in detrimental, unprofessional, indecent or acts in bad faith.
- If principal photography on the project does not start within 6 months of approval of the project.

REQUIREMENTS FOR REIMBURSEMENT

During production of the project the Program Administrator must:

- Receive daily call sheets, production logs or equivalent for the project
- Be provided the name and contact information for the unit publicist or person responsible for interfacing with media
- Be allowed the ability to arrange set visits for Superior officials
- Be allowed the ability to arrange behind the scenes video footage to be taken and used for marketing promotions



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Before reimbursement Applicants are required to:

- Provide the City of Superior 's Program Administrator with proof that all expenses incurred in Superior are paid in full.
- Provide final crew list to City of Superior's Program Administrator including contact information (phone or email)
- Provide Program Administrator with a list of locations used in the project.
- Agree to provide Program Administrator with 3-5 production stills in electronic format with rights cleared for promotional use by DEDA and/or the s Program Administrator.
- Agree to provide Superior and or Program Administrator with poster art.
- Agree to provide Superior and or Program Administrator with a minimum 60 seconds of video from production.
- Agree to provide at least one producer/talent for local media promotion/interview (if requested).
- All files must be provided in electronic format
- Once certified Production/Post production activity is complete, Applicants must complete and submit a Rebate Expenditure Report (RER) on a form which will be provided to the applicant and all supporting documentation as required by the Guidelines or as requested by the Program



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*All projects with onscreen credits must include the City of Superior's and the Program Administrator's logos and permit the City of Superior and the Program Administrator to identify the production in its marketing and promotional materials. Allow the City of Superior government to use all material provided to its Program Administrator under these guidelines for its said purposes.

OTHER REQUIREMENTS:

Production Delay:

A certified project must start principal photography within 6 months of certification. If a certified project is delayed beyond that, the project will be moved into "pending" status. While a project is in pending status, the funds may be allocated to other active projects on the production waiting list. When the pending project is ready to begin principal production, and only if incentive program funds are available, the certified project will move back to "active" status. If a certified project is delayed and does not start principal photography within 12 months of certification, it will lose eligibility. A certified project that loses eligibility or is disqualified due to significant production delays or loss of funding may reapply by completing and submitting a new project certification application with new attachments.

Funding Availability:

If applications received for the Superior rebate exceed the total amount appropriated for the program, the Program Administrator will maintain a waiting list. Projects that meet eligibility may be provisionally certified in amounts up to 25% if funds become available. Submission and/or provisional certification of an application does not in any way guarantee that a project will be reimbursed or that funds will be available.