

Duties of SEKRPC RLF Borrower

If the loan is approved these conditions apply:

- \$500 loan application fee – submit with application
- Loan payments will be received by ACH or check.
- Pay filing fees and UCC filings
- Sign personal guarantee
- Life insurance in the amount of the loan with an assignment to SEKRPC
- Disability, general liability, workers compensation insurance, as applicable
- Provide certified financial statements yearly
- \$75 late fee
- Borrower agrees to carry out the project in accordance with the loan application including **providing Lender with yearly financials and proof of insurance renewals**. If this information is not provided yearly as of the date of this loan closing, _____, the interest rate of this loan will increase 1%.
- SEKRPC reserves the right to call the loan due and payable at any time.

**SOUTHEAST KANSAS REGIONAL PLANNING COMMISSION
REGIONAL ECONOMIC DEVELOPMENT REVOLVING LOAN FUND
LOAN APPLICATION**

I. GENERAL INFORMATION

1. _____
Name of Applicant Firm _____
Date of Request

2. _____
Firm Address _____
Firm Phone

3. Location of proposed facility: _____
City County

4. Names and addresses of all persons or corporations who would be obligated as either applicant or personal guarantors of loans:

Name	Address
_____	_____
_____	_____
_____	_____

5. Names and addresses of the principal officers and directors of the applicant:

_____	_____
_____	_____
_____	_____

6. Nature of applicant's business: _____

7. Products to be assembled or manufactured or service to be rendered: _____

8. _____
Applicant's Attorney (if any) Address _____
Phone Number

9. _____
Applicant's Financial Advisor (if any) Address _____
Phone Number

10. _____
 Applicant's Accountant Address Phone Number
11. Estimated amount of loan: \$ _____
12. Number of years (or months) to retire loan: _____
13. Number of months to complete project: _____
14. List of previous loans and credit references: _____

II. USE OF LOAN PROCEEDS

1. Amount requested for purchase of land: \$ _____
2. Amount requested for land improvements: \$ _____
 (buildings)
3. Amount requested for machinery & equipment: \$ _____
 Describe:
4. Amount requested for working capital: \$ _____
5. Amount requested for other: \$ _____
 Specify:
- TOTAL REQUEST:** \$ _____

III. LOAN PROPOSAL

1. Will the loan proceeds be used to expand or replace an existing facility?
2. What type and size of building will be constructed (if any)?
3. Name and address of contractor and/or architect:
4. What type of equipment or machinery will be financed (if any)?

IV. LOAN ANALYSIS

1. Has a financial advisor submitted an analysis indicating the need for the loan, the advisability of the loan, or benefit to the applicant loan?
If yes, attach a copy to this application.
2. Has additional financing, whether internally generated or through other loans, been arranged?

If **yes**, explain on an attached sheet.

3. Has the applicant investigated conventional financing? _____

4. What do you propose to use for collateral? _____

V. PROPOSED LOCATION

1. Location of proposed facility: _____

2. If facility is a proposed expansion or replacement of another plant, state size and location of current operations:

3. What percentage of the facility will be occupied by applicant?

4. Is the prospective location properly zoned?

5. If a zoning change is pending, briefly describe what change will be needed and plans for submitting application:

6. If unusual demands for gas, water, electric or sewer services or police or fire protection will be made, specify the demands:

7. Is the property in a flood plain?

VI. OWNERSHIP AND MANAGEMENT

1. Describe the organizational structure of applicant (proprietorship, partnership, subsidiary, corporation, etc.):

Note relationship to a parent company:

VII. FINANCIAL RESPONSIBILITY

1. How many years has the applicant been in the business?

2. What portion of the project is being financed from other company funds (in addition to this loan)? (Applicants are encouraged to contribute non-RLF funds to the contemplated project)? \$

Please describe:

3. Describe all threatened or outstanding litigation:

4. Attach proforma statements for the first three (3) years of operation after issuance of the loan, including revenue projections, operating expense projections, and a debt amortization schedule.

5. Do you have any tax liens against you or your company? _____

VIII. MEASURES OF ECONOMIC GROWTH AND BENEFIT

1. What dollar amount of sales is contemplated?
2. What percentage of sales will be sold locally (in SE KS region)?
3. Describe contemplated market area:
4. What is the estimated amount of merchandise and services purchased locally, per year? \$
5. What is the number of **current** full-time employees? _____
Part-time employees? _____
Minority employees? _____
Women employees? _____
6. How many **new** people will the project employ: _____
Full-time employees? _____
Part-time employees? _____
Minority employees? _____
Women employees? _____
7. Specify Skilled, Semi-Skilled or Unskilled:
Professional:
Technical:
Clerical:
General Labor:
8. Estimated number of low-and-moderated income persons benefiting:
9. What is the ratio of loan fund dollars to jobs created: _____

IX. In order to facilitate the timely processing of the application, please attach, as part of the proposal, the following items:

1. A turndown letter from a bank where you tried to obtain funding for the project or a letter from the participating lender with terms and conditions and the reason they will not finance the entire project.
2. Copies of the applicant's and businesses tax returns for the past three years.
3. Applicant's most recent annual or quarterly financial report and interim financial statements, to date, for the current fiscal year.
4. A current financial statement for each personal guarantor with twenty percent or more ownership in the proposed project.
5. Provide a brief narrative or **Letter of Intent and Business Plan**, which includes:
 - a. Specific uses of project funds (land to be purchased, building plan, types of machinery to be purchased, etc.) with cost estimates attached.
 - b. Documentation regarding the anticipated market for the product or service to be produced, including a general financial projection.

- X. Applicant should be aware that additional financial data shall be required if requested.
- XI. APPLICANT ACKNOWLEDGES AND AGREES THAT SAID REQUIREMENTS, AS WELL AS THIS APPLICATION, ARE A SET OF GUIDELINES, AND ANY OF THE PROVISIONS STATED THEREIN MAY BE WAIVED OR ADDED TO AT THE DISCRETION OF THE GOVERNING BODY.
- XII. EACH APPLICANT ALSO EXPRESSLY AGREES AND UNDERSTANDS THAT ANY MONETARY PLEDGE OF MONIES FROM THE FUND AND COMMITMENTS MADE IN ANY AGREEMENT SHALL BE CONTINGENT UPON AVAILABILITY OF FUNDS.

Signature Title Date

Signature Title Date

Signature Title Date

Signature Title Date

**SOUTHEAST KANSAS REGIONAL PLANNING COMMISSION
REGIONAL ECONOMIC DEVELOPMENT LOAN FUND**

SUPPLEMENTAL FORM "A"

**ASSURANCE OF COMPLIANCE WITH FEDERAL REQUIREMENTS
and
ENVIRONMENTAL ASSESSMENT**

The SEKRPC Revolving Loan Fund is based upon funding from the U.S. Economic Development Administration. Applicants for funds must, therefore, assure the Commission that they are aware of the following requirements and that they intend to comply with them. Non-compliance can result in recall of the loan.

I. CIVIL RIGHTS

The Borrower, hereby, assures the Commission that this firm will comply with Federal Anti-discrimination Requirements including:

- A. Section 112 of Public Law 92-65 prohibiting sex discrimination.
- B. Section 504 of the Rehabilitation Act of 1973 prohibiting discrimination against the handicapped.
- C. Section 303 of the Age Discrimination Act prohibiting discrimination on the basis of age.
- D. Executive Order 11246 prohibiting discrimination on the basis of race, color, religion, sex or national origin.

II. FLOOD HAZARD

If the project involves facilities located in a flood plain, the borrower must inform the Commission of this fact and where applicable, provide evidence of flood hazard insurance.

III. HANDICAPPED

Funds utilized for construction projects to which the public has access must include accessibility to the handicapped.

IV. DAVIS-BACON

Construction financed in whole or in part by this loan must meet the requirements of the Davis-Bacon Act relative to minimum wage classification standards.

V. RELOCATION

Projects for which loan funds are requested must be located within an eligible county in the SEKRPC District. The applicant hereby assures the SEKRPC that no relocation outside the eligible area is contemplated and that the business is not relocating jobs from another designated labor area.

VI. ENVIRONMENTAL ASSESSMENT

1. Air Quality: Describe any anticipated emissions produced by the manufacturing process or during the construction process:

2. Water Quality: Describe any unusual water capacity or volume needs and provide assurance that the City involved has facilities adequate to handle this need:

3. Waste and Wastewater: Describe industrial waste to be produced and provide assurance of City's capacity to handle the need:

4. Energy: Describe your energy needs and indicate that adequate resources are available and that no coal burning or woodburning is contemplated:

5. General Checklist: Please respond to the following potential problems and explain all "yes" answers in the space provided:

	YES	NO
(a) Noise emissions	_____	_____
(b) Appreciable increase in local traffic	_____	_____
(c) Presence of historical properties or unique nature features	_____	_____
(d) Possible danger to natural habitats	_____	_____
(e) Presence of toxic substances	_____	_____
(f) Knowledge of negative public reaction	_____	_____
(g) Special permits required	_____	_____
(h) Area subject to flooding	_____	_____
(i) Construction activity on "prime farm land"	_____	_____

Explanation of "YES" responses to #5 (-i):

ASSURANCES:

The Applicant for a SEKRPC Revolving Loan assures the Commission that he has read the Federal Requirements discussed in this form and will comply with regulations cited.

FIRM NAME:

Signature	Title	Date
Signature	Title	Date

OMB Control Number: 0610-0092
Expiration Date: 10/31/93

Burden Hour Statement

This form below is estimated to take 20 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form should be sent to the Director, Compliance Review Division, Environmental Branch, Economic Development Administration, Room H7019, Department of Commerce, Washington, D.C. 20230, and to the office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0610-0092, Washington, D.C. 20503

APPLICANT CERTIFICATION CLAUSE

The Applicant represents and certifies that it has used due diligence to determine that the description of the site described herein is accurate with respect to the presence or absence of contamination from toxic or hazardous substances. The term "site" includes the entire scope of the project, including future phases of the project and all areas where construction will occur.

1. Is the site currently, or has it in the past fifty years, been used for any of the following operations or activities:
 - a. generation of hazardous substances and/or waste / / YES / / NO
 - b. treatment, storage (temporary or permanent), or disposal of solid or hazardous substances and/or waste / / YES / / NO
 - c. storage of petroleum products / / YES / / NO
 - d. used/waste oil storage or reclamation units / / YES / / NO
 - e. research or testing laboratory / / YES / / NO
 - f. ordnance research, testing, production, or storage / / YES / / NO
 - g. chemical manufacturing or storage / / YES / / NO
 - h. military weapons or ammunition training or testing / / YES / / NO
 - i. iron works/foundry / / YES / / NO
 - j. railroad yard / / YES / / NO
 - k. industrial or manufacturing operation / / YES / / NO

If any of the above operations ever occurred at the site, and appropriate cleanup or other action was performed in accordance with the local, state and Federal laws, provide documentation of such cleanup.

2. Do wells draw water from an underlying aquifer to provide the local domestic water supply? / / YES / / NO
3. Has a Federal, state or local regulatory authority ever conducted an environmental assessment, environmental impact statement, or a preliminary assessment/site inspection, or similar environmental survey or inspection report at the site? If yes, provide copies of reports or results. / / YES / / NO
4. Have any environmental or OSHA citations or notices of Violation been issued to the facility? If yes, provide copies. / / YES / / NO

5. Have any unpermitted releases of hazardous substances Occurred at the facility which resulted in notification to the EPA's national Response Center? If yes, what was the nature of the release? / / YES / / NO
6. Is asbestos containing material currently in the facility? If yes, describe. / / YES / / NO
7. Is there any equipment (electrical transformers, etc.) containing polychlorinated biphenyls (PCB) on the site? If yes, describe. / / YES / / NO
8. a. Are there underground storage tanks on the site? / / YES / / NO
 b. If so, how many are there? _____
 c. Have they been inspected for leaks within the past year? If so, what were the results? / / YES / / NO
9. Has the facility been tested for radon? If yes, provide results. / / YES / / NO
10. Have there been or are there now any environmental Investigations by Federal, state or local government agencies on or which could affect the site in question? If yes, provide available information. / / YES / / NO

The applicant acknowledges that this certification regarding hazardous substances and/or waste is a material representation of fact upon which the Government relies when executing this award.

The Government reserves the right to terminate the award, if at any time during the useful life of the project it becomes aware that hazardous substances and/or waste are present thereon, or that such hazardous substances and/or waste have been inappropriately handled thereon. Further, if it is determined at any time that the presence of hazardous substances and/or waste, or inappropriate handling thereof, has been misrepresented, the Government will utilize other available legal remedies against the applicant.

Borrower Name

By: _____

Date: _____

NOTICE OF PROCEDURES FOR LOAN APPROVALS,

**DOCUMENTATION OF LOAN BOARD DECISIONS,
AND NOTIFICATION OF BORROWERS**

1. Applicants will submit completed applications to Southeast Kansas Regional Planning Commission (SEKRPC) staff and to the Local Loan review committee in the county of jurisdiction. SEKRPC staff may provide assistance in the completion of applications that may initially appear to be incomplete or fail to meet one or more of the RLF program requirements.
2. The Local Loan Review Committee in the county of jurisdiction will either approve the application for review by the Regional Loan Review Committee, disapprove the loan application or suspend the application for further documentation and review. The Local Loan Review Committee will recommend terms and conditions for approved applications. Approved applications will be forwarded to SEKRPC staff for further review and processing.
3. Upon payment by the applicant of a **\$500.00 LOAN APPLICATION FEE**, applications that have been approved by the Local Loan Review Committee will be forwarded to the Regional Loan Review Committee for further review and consideration. The SEKRPC staff will facilitate the meeting of the Regional Loan Review Committee. Official minutes of the meetings of the Regional Loan Review Committee will be maintained. The Regional Loan Review Committee may approve the loan as recommended by the Local Loan Review Committee, approve the loan subject to terms and conditions other than those recommended by the Local Loan Review Committee, suspend consideration of the loan for further study or deny the request for funds. The Regional Loan Review Committee will recommend terms and conditions for approved applications. **If the loan application is not forwarded or approved by the Regional Advisory Committee or the SEKRPC Executive Committee, a fee of \$400.00 will be refunded.**
4. The SEKRPC Executive Committee will consider loan applications approved by the Regional Loan Review Committee. The SEKRPC Executive Committee may approve the loan as recommended by the Regional Loan Review Committee, approve the loan subject to terms and conditions other than those recommended by the Regional Loan Review Committee, suspend consideration of the loan for further study or deny the request for funds.
5. SEKRPC staff will notify applicants of the action of the SEKRPC Executive Committee in writing. This notification will usually occur within twenty-four hours of the meeting of the Executive Committee.
6. SEKRPC staff will begin the process of completing the loan documents and constructing the loan-closing packet. Staff will work in close communication with the applicant to complete the closing requirements in a timely manner. The loan closing and release of RLF funds should usually occur within thirty days of approval by the SEKRPC Executive Committee.
7. Flexibility in the closing of RLF loans will be granted when the release of RLF funds is conditioned by the closing of other loans or grants. Any closing that is anticipated to occur more than six-months from the date of the Executive Committee action must be clearly stated in the application and approved in the terms and conditions of the loan. If such a closing delay becomes apparent to the applicant only after the Executive Committee's action, the applicant must notify the Executive Committee in writing as soon as the potential for such a delay in closing becomes known. Such notification shall contain a full explanation for the cause for such delay and propose a new loan closing date.
8. The SEKRPC staff shall withhold the release of funds and the Executive Committee shall have

the right to withdraw its approval of any loan application prior to loan closing upon failure of the applicant to meet any condition or term of the application approval as set out in the SEKRPC Executive Committee motion to approve the loan application.

9. Each application is reviewed on a case by case basis. There is the possibility of a modification in the loan origination fee, terms of notices, etc.

I hereby acknowledge that SEKRPC staff has provided me with a copy of the Notice of Procedures for Loan Approvals, Documentation of Loan Board Decisions, and Notification of Borrowers. SEKRPC staff has reviewed the Notice of Procedures for Loan Approvals, Documentation of Loan Board Decisions, and Notification of Borrowers with me and afforded me an opportunity to ask questions regarding its provisions.

I further acknowledge that SEKRPC Staff has explained to me that the payment of a \$500 Loan Application Fee is required before my loan application can be processed further. SEKRPC staff has clearly explained that SEKRPC will use the \$500 Loan Application Fee to fund its cost to process my application and obtain credit reports.

Signed: _____

Date: _____

Signed: _____

Date: _____

Witness: _____

Permission to Verify Financial Information and Credit History

I, _____, hereby grant permission for the Southeast Kansas Regional Planning Commission (SEKRPC) to investigate our personal financial status and credit history. This permission is granted for the purpose of allowing SEKRPC to verify the accuracy and completeness of information provided in the Regional Economic Development Revolving Loan Fund Application submitted to SEKRPC on behalf (the business) _____.

I, _____, further certify that we agree to hold harmless SEKRPC and SEKRPC's staff, agents and officers from any claim for damages while acting within the scope of this permission.

Name _____
Address _____
City, State, Zip _____
Phone _____
SSN _____

Name _____
Address _____
City, State, Zip _____
Phone _____
SSN _____

Signed: _____
Signed: _____

Date: _____
Date: _____