

**CUMBERLAND VALLEY AREA DEVELOPMENT DISTRICT  
REVOLVING LOAN FUND — FULL APPLICATION**

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Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact: \_\_\_\_\_

Telephone: \_\_\_\_\_

RLF Loan ID Number: \_\_\_\_\_

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This application is designed to supplement the preliminary application previously completed and provide financial information on your company. Please respond as completely as possible. If you have any questions, contact the staff of the Cumberland Valley Area Development District.

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1. Thoroughly describe the proposed project. Attach additional sheets as necessary.

2. Financial Information — Please attach the following:

- a. Balance sheet for applicant and/or project user(s) for the past three fiscal years.
- b. Profit and loss statements for the past three fiscal years and for as much of the current year as is available.
- c. Pro forma statements (balance sheet and profit and loss statement) for three full years after project loan is approved. (please explain assumptions used.)
- d. Cash flow projections by month for the next year and quarterly for the following two years.
- e. Resumes of owners and key management.
- f. Please provide a complete listing of each loan or debt that your business has. Please include original date, amount, and present balance owed. Include interest rate, monthly payment, maturity, and security for each loan or debt. Indicate whether the loan is current or delinquent.
- g. Any additional information such as a business plan that will explain further the proposed project.
- h. Bank letter of commitment showing terms and conditions.
- i. Job Descriptions—Please provide a description of the specific occupational titles that correspond to the new jobs to be created as a result of Revolving Loan Fund financing, together with estimated annual wages to be paid for each title. Please be specific.

2. Certification of Application:

**CERTIFICATION:** I hereby represent and certify that the foregoing information to the best of my knowledge is true and complete, and accurately and fairly describes the proposed project for which financial assistance is required. I also hereby certify that I have read and fully understand the Borrower's Legal Requirements as presented in this application.

Signature: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Title: \_\_\_\_\_

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

## **BORROWERS RELATED LEGAL REQUIREMENTS**

Revolving Loan Fund (RLF) borrowers must comply with all requirements of Federal, State and local laws concerning the following:

1. It will comply with the Civil Rights laws listed below, and with any subsequent modifications of those regulations.
  - a. Civil Rights requirements in Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-2000d-4), and 15 CFR Part 8, providing that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program receiving Federal financial assistance, and applicant will immediately take any measures to effectuate this agreement. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
  - b. The Age Discrimination Act of 1975, as amended (42 U.S.C. 6101, et seq.) and 15 CFR Part 20, prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance.
  - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) and the implementing regulations of the Department of Commerce in 15 CFR Part 8b, prohibiting discrimination against and providing fair and equitable treatment of the handicapped under programs or activities receiving Federal financial assistance.
  - d. The Public Works and Economic Development Act of 1965 (42 U.S.C. 3121, 3123 et seq.), providing that no person, on the ground of sex, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
  - e. Executive Orders 11246 and 11375, providing that Federal contractors or Federally assisted contractors shall not discriminate on the basis of race, color, religion, sex, or national origin.
  - f. Title 13 CFR Part 317 (Civil Rights Regulations of the Economic Development Administration).
2. It will comply with all state and local environmental review requirements with all applicable Federal, State and local standards, including:
  - a. The National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4327).
  - b. The Clean Air Act, Clean Water Act and Executive Order 11738.
  - c. The Federal Water Pollution Control Act, as amended (33 U.S.C §1251, et seq.).
  - d. The Flood Disaster Protection Act of 1973, (42 U.S.C. § 4002, et seq.), requiring borrower to obtain flood hazard insurance, where applicable. Executive Order 11988 (Floodplain Management), and Executive Order 11990 (Protection of Wetlands, May 24, 1977).
  - e. Executive Order 11990, Protection of Wetlands (May 24, 1977).
  - f. The Endangered Species Act (16 U.S.C. § 1531, et seq.), the Laboratory Animal Welfare Act of 1966 (Pub. L. No. 89-544), as amended (7 U.S.C. § 2131 et seq.), and the implementation regulations at 9 C.F.R. parts 1, 2 and 3; the Marine Mammal Protection Act (16 U.S.C. § 1361 et

seq.), and the Non-indigenous Aquatic Nuisance Prevention and Control Act (16 U.S.C. § 4701 et seq.).

- g. The Safe Drinking Water Act of 1974, as amended, (42 U.S.C. §§ 300f-300j).
  - h. The Wild and Scenic Rivers Act, as amended, (16 U.S.C. § 1271, et seq.).
  - i. The Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, and the Superfund Amendments and Reauthorization Act of 1986, and the Community Environmental Response Facilitation Act of 1992, as amended (42 U.S.C. § 9601 et seq.).
  - j. The National Historic Preservation Act P.L. 89-665 (16 U.S.C. 470, et seq.), (36 CFR Part 800).
3. It will insure that the facilities under its ownership, lease, or supervision to be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be utilized in the project is under consideration for listing by the EPA.
  4. It will comply with the Program Fraud Civil Remedies Act (31 U.S.C. § 3801-3812), which provides for the imposition of civil penalties against persons who make false, fictitious or fraudulent claims to the Federal government for money (including grants, loans or other benefits).
  5. It will comply with the Criminal False Claims Act and the False Statements Act (18 U.S.C. §§ 287 and 1001), which provides for criminal prosecutions of a person who knowingly makes or presents any false, fictitious or fraudulent statements or representations or claims against the U.S.
  6. It will comply with the Civil False Claims Act (31 U.S.C. § 3729), which provides that suits under this Act can be brought by the Federal government, or a person on behalf of the federal government, for false claims under federal assistance programs.
  7. It will comply with the Copeland "Anti-Kickback" Act 18 U.S.C. § 874 and 40 U.S.C. § 276c), which prohibits a person or organization engaged in a federally-supported project from enticing an employee working on the project from giving up part of his compensation under an employment contract.
  8. It will comply with the provisions of the Fly American Act (49 U.S.C. § 40118).
  9. It will try to the greatest extent possible to purchase American-made equipment and products with funding provided under this loan.
  10. It will comply with Intellectual Property Rights as determined by the Bayh-Dole Act, as amended (Pub. L. No. 96-517), and codified in 35 U.S.C. § 200 et seq., except as otherwise required by law, and as further described in 37 C.F. R. part 401 and 37 C.F.R. § 401.14.
  11. It shall comply with Executive Order 13043, which encourages employees and contractors to enforce on-the-job seat belt policies and programs when operating company-owned, rented or personally-owned vehicles.
  12. It will comply with 15 C.F.R. part 27, *Protection of Human Subjects*, for all proposed research involving human subjects.
  13. It will comply with Executive Order 13202, "Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects", unless exempt under section 5(c) of the Order.
  14. It will comply with Executive Orders 13256, 13230 and 13270, which encourages broadening the participation of Minority Serving Institutions in federally assisted programs.

15. It will comply with P.L. 90-480, as amended (42 U.S.C. 4151, et seq.), and the regulations issued thereunder, which pertains to facility access for the physically handicapped when the RLF is used in whole or in part to finance a building or facility intended for use by the public or for the employment of physically handicapped.
16. It will comply with the Davis Bacon Act (40 U.S.C. 276a-276a-5) when any contract for construction, alteration and/or repair including painting and decorating in excess of \$2,000 is financed in whole or in part by the RLF.
17. It will provide a drug free workplace as defined by the Controlled Substances Act (21 U.S.C. 812) and 21 CFR 1308.11.
18. It will comply with Section 2 of the Public Works and Economic Development Act of 1965, as amended, which states that under the provisions of this Act new employment opportunities should be created by developing and expanding new and existing facilities and resources rather than by merely transferring jobs from one labor area to another.
19. It will give the Lender or the Economic Development Administration or the Appalachian Regional Commission through any authorized representative the right to examine all records, books, papers, or documents related to the loan.
20. It will comply with all requirements imposed by the Federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.