

*Luzerne County Office
Of Community Development*



**BUSINESS DEVELOPMENT
APPLICATION**

County Commissioners:

Commissioner Maryanne Petrilla, Chairman
Commissioner Thomas P. Cooney
Commissioner Stephen A. Urban

LUZERNE COUNTY OFFICE OF COMMUNITY DEVELOPMENT

BUSINESS DEVELOPMENT LOAN PROGRAM APPLICATION INSTRUCTIONS

Please type or print application and supportive documentation. All sections should be completed in their entirety, inserting “N/A” in any section that is not applicable to your project.

Applications will be accepted by the Luzerne County Office of Community Development on a continuing basis. There is a minimum of 30 days for review prior to administrative approval by the Office of Community Development. Upon administrative approval, the loan will be submitted for formal approval at a public meeting of the Luzerne County Board of Commissioners. Contingent upon approval by the Commissioners, a preliminary approval letter will be issued to the applicant, which must be executed and returned to the County. A loan agreement will be prepared; however, **a closing will not be scheduled until the environmental review process is completed. Prior to the release of funds evidence of actual expenses incurred for eligible activities (i.e. invoices, bills of sale, cancelled checks, payroll registers, etc.) must be submitted to this Office. All expenses submitted must be incurred after the date of preliminary approval.** County funds will not be released until a loan closing has been held.

Applications must contain the following information in order to be considered complete:

- Original application
- Project narrative
- Commitment from a financial institution for a letter of credit
- Projected cash flow, and income and expenses statements for 3 years
- Balance sheets for 3 years

All applications should be submitted to:

Luzerne County Office of Community Development
54 West Union Street
Wilkes-Barre, PA 18711

**Luzerne County makes every effort to keep all applications confidential; however a public meeting is required prior to application approval, at which time the application becomes public information. Financial information remains confidential throughout the entire process.

LUZERNE COUNTY OFFICE OF COMMUNITY DEVELOPMENT

BUSINESS DEVELOPMENT PROGRAM APPLICATION

PART 1 – GENERAL INFORMATION

Applicant: _____

Address: _____

Business Name: _____
(If different from above)

Address: _____
(If different from above)

Number of years in business: _____

Business CEO: _____

Contact Person: _____

Phone: _____ **Fax:** _____ **Email:** _____

Legal Counsel: _____

Address: _____

Phone: _____ **Fax:** _____ **Email:** _____

Business Specifics

Type of Business Organization (please check one):

Sole Proprietorship Partnership Corporation of the State of _____

Specify DUNS # : _____

(**A DUNS number is now a requirement for any business that receives Federal assistance. If a business does not have one, it should call the DUNS number request line at 1.866.705.5711 to obtain a number. The process is free and takes about ten minutes. More information can be found at http://www.whitehouse.gov/omb/grants/duns_num_guide.pdf.)

Please provide a brief description of the current business operations: _____

Current facility size: _____ sq. feet Is facility Owned Leased

If facility is leased, please provide the name of the lessor: _____

Principal Owners: (Please list all individuals/entities with a 10% or more ownership interest and the percentage:

<u>Individual/Entity</u>	<u>%</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Have any of the owners, partners, officers, directors, or shareholders of the business ever been convicted of a crime? Yes No (If yes, please provide a detailed explanation on a separate sheet.)

Part II – PROPOSED PROJECT

A. PROJECT NARRATIVE

On a separate sheet, provide a typewritten narrative that provides a detailed, comprehensive description of the project. The narrative must also address the positive direct impact the project will create on the community in which it is located, the residents of that community, or on the local and/or regional economy. The narrative should also provide an explanation demonstrating the need for County Business Development Loan Funds. Bids or quotes should be attached for projects that include new construction, renovations, and machinery/equipment.

1. Identify the project location by providing the physical address and/or legal description and provide location on a municipal map.

2. Facility at the project site is or will be Owned Leased

If facility is leased, please provide the name of the lessor: _____

3. Is the project located in the 100 yr. floodplain? Yes No (If yes, please attach evidence of flood insurance.)

B. NEW CONSTRUCTION/RENOVATION (Please complete if the project involves the construction of a new facility or the expansion of an existing facility.)

1. Type of building: _____

2. Size of proposed construction: _____ sq. ft.

C. ACQUISITION (Please complete if the project involves acquisition.)

1. Indicate the present zoning and land use of the project site: _____

2. Will the project result in a change in use of the property? Yes No

3. Please provide the name of the current owner of the property: _____

4. Please provide the estimated fair-market value of the property: \$ _____
(Copies of appraisal must be provided.)

5. Is relocation of existing occupant anticipated? Yes No

PART III – PROGRAM FINANCING

A. LOAN TERMS

1. Please indicate the amount of County loan funds requested: \$ _____
(*The County can potentially finance up to 50% of the eligible project costs, not to exceed a total of \$500,000.00. Loans under \$100,000 will be for maximum 7 year term. The minimum loan amount is \$50,000.)

2. Please indicate the term requested: 7 Years 15 Years 20 Years (IDC's Only)

B. LETTER OF CREDIT

Please provide contact information for the financial institution where the letter of credit is secured:

Bank: _____

Contact Person: _____

Phone: _____

Fax: _____

Email: _____

PART IV – PROJECT BUDGET

A. PROPOSED SOURCES & USES OF FUNDS

Identify all sources and amounts in the chart below:

SOURCES OF NON-COUNTY FINANCING

Eligible BDLP Activity	BDLP FUNDS	DEVELOPER'S EQUITY	OTHER SOURCE	OTHER SOURCE	OTHER SOURCE	TOTAL
A.1 Land and/or Building Acquisition						
A.2 Construction Cost to Contractor						
A. 3 Professional/ Financial Fees						
A. 4 Machinery/ Equipment						
A. 5 Working Capital						
TOTAL PROJECTS COSTS						

B. PROPOSED PROJECT PERFORMANCE SCHEDULE

<u>Activity</u>	<u>Commence Work</u>	<u>Complete Work</u>
Land/Building Acquisition		
Construction		
Professional/Financial Fees		
Machinery & Equipment		
Working Capital		

PART V – EMPLOYMENT SUMMARY

A. JOB CREATION PROVISIONS

All applicants must commit to create 1 permanent, full-time equivalent job at the project site, for every \$35,000 borrowed from the County. A majority (51% or more) of the above referenced jobs must be taken by or made available to persons from low/moderate income families. Low/moderate income family is defined as a family whose income does not exceed 80% of the median family income for the area. Low/moderate income guidelines are as follows: Family of 1-\$31,650; 2-\$36,200; 3-\$40,700; 4-\$45,200; 5-\$48,850; 6-\$52,450; 7-\$56,050; 8-\$59,700.

Specific job description (check appropriate box)	Current # of employees	Projected New Employment			Projected New Employee Hourly Rate	Projected Weekly Hours Per New Employee	Required Employee Qualifications (Please check appropriate box)			
		1 st Year Only	2 nd Year Only	3 rd Year Only			# of jobs with employer sponsored health care benefits	Unskilled	Unskilled trained to semi-skilled	Skilled
Officials and Managers <input type="checkbox"/>										
Professional <input type="checkbox"/>										
Technicians <input type="checkbox"/>										
Sales <input type="checkbox"/>										
Office and Clerical <input type="checkbox"/>										
Craft Workers (skilled) <input type="checkbox"/>										
Operatives (semi-skilled) <input type="checkbox"/>										
Laborers (unskilled) <input type="checkbox"/>										
Service Workers <input type="checkbox"/>										
TOTALS										

PROJECTED **TOTAL** NUMBER OF LOW-MOD EMPLOYEES: _____

*If a position requires less than 1 year of training, education, or work experience, beyond high school, or employer agrees to hire unskilled person and provide training. (Examples of these positions would be cashiers, keypunch apprentice, laborer, assembler trainee, etc.)

ASSURANCES

The Applicant hereby assures and certifies that:

1. The undersigned has been duly authorized by the officers of the applicant and hereby certify that the filing of this application was authorized by its Board of Directors (if applicable); that the statements made in the foregoing application and in all exhibits and documents submitted in connection herewith are true and correct to the best information and belief of the undersigned, and are submitted as a basis of the loan.
2. The applicant obligates itself to use all powers available to enforce the creation and retention of jobs which are specified in the employment and budget section of this application.
3. This application and all exhibits and documents submitted in connected herewith, comply; and all activities contemplated hereunder comply with:
 - a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), and the regulations issued pursuant thereto (24 CFR, Part I), which provides that no person in the United States shall on the grounds 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 or activity for which the applicant receives funding under the Business Development Loan Program;
 - b. Title VIII of the Civil Rights Act of 1968 (P.L. 90-284), as amended, administering all programs and activities relating to Housing and Community Development in a manner to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provisions of brokerage services;
 - c. Section 109 of the Housing and Community Development Act of 1974, and the regulations issued pursuant thereto (24 CFR, Part 570.601), which provides that no person in the United States shall, on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds provided under the Business Development Loan Program;
 - d. Executive Order 11063 on equal opportunity in housing and nondiscrimination in the sale or rental of housing built with Federal assistance;
 - e. Executive Order 11246, and the regulations issued pursuant thereto (24 CFR, Part 130 and 141, CFR Chapter 60), which provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in all phases of employment during the performance of federally assisted construction contracts. Contractors and sub-contractors on federally assisted construction contracts shall take affirmative action to insure fair treatment in employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training and apprenticeship.
4. It will comply with Section 3 of the Housing and Urban Development Act of 1968, as amended, requiring that to the greatest extent feasible, opportunities for training and employment to be given to lower-income residents of the project area, and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part, by persons residing in the area of the project.
5. It will, to the greatest extent practicable under State law, comply with Sections 301 and 302 of Title III (Uniform Real Property Acquisition Policy) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and will comply with Sections 303 and 304 of Title III, and HUD implementing instructions of 24 CFR, Part 42, and all other pertinent subsections pertinent to the project.
6. It will give the County, HUD, and the Comptroller General, through any authorized representatives, access to, and the right to examine all records, books, papers, or documents related to the project.
7. It will insure that the facilities funded under the Business Development Loan Program, which shall be utilized in the accomplishments of the program, are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities, and that it will notify the Department of Housing and Urban Development of the receipt of any communication from the Director of the EPA Office of Federal Activities, indicating that a facility to be used in the project is under consideration for listing by the EPA.
8. It will comply with the flood insurance purchase requirement of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234, 84 Stat. 975) approved December 31, 1973. Section 102(a) requires, on or after March 2, 1974, the purchase of flood insurance in communities where such insurance is available, as a condition for the receipt of any Federal financial assistance for the construction or acquisition purposes for use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.
9. It will require every building or facility designed, constructed or altered with funds provided under the Business Development Loan Program to comply with The Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.
10. It will comply with the provisions of Executive Order 11296, relating to evaluation of flood hazards; and Executive Order 11288, relating to the prevention, control, and abatement of water pollution.
11. It will comply with all applicable laws, ordinances, and codes of the Commonwealth of Pennsylvania and local governments, and shall commit no trespass on any public or private property in performing any of the work embraced by this Application.
12. It will comply with HUD Lead Based Paint regulations, 24 CFR, Part 35, as it applies to the rehabilitation or construction of residential structures.

13. It will comply with the Pennsylvania Steel Products Procurement Act (No. 1978-3), in that any steel used or supplied in the performance of the application shall be produced in the United States. This provision shall not apply, in any case, where the County, in writing, determines that the type of steel products necessary to the performance of the application are not produced in the United States in sufficient quantities to meet the requirements of the application.

14. It will comply with all mandatory standards and policies relating to energy efficiency, which are contained in the State Emergency Conservation Plan issued in compliance with the Energy Policy and Conservation Act (P.L. 94-163).

15. It will comply with requirements pertaining to the retention of records, in that all financial records, supporting documents, statistical records, the environmental review records required by 24 CFR 58.11, and all other records pertinent to the application, be retained for a period of three (3) years from the date of the loan.

16. Full compliance with the regulations, policies, guidelines, and requirements of OMB Circular A-102, revised and OMB Circular A-87, as they relate to this project.

17. It will comply with the County's requirements, in order that the applicable labor standard requirements shall be in force, as set forth in 24 CFR 570.605, and HUD regulations issued to implement such requirements.

18. It will comply with the County, in order that all requirements imposed by HUD, concerning special requirements of law, program requirements and other administrative requirements, approved in accordance with OMB Circular A-102, revised, will be adhered to.

19. The applicant certifies that it has not been cited by any governmental agency for causing pollution in the Commonwealth, and the project has been designed so as not to cause pollution in violation of existing standards.

20. No member of, or delegate to the Congress of the United States, and no resident Commissioner, has been nor shall be admitted to any share or part of this Agreement, or to any benefit to arise from same.

21. The assistance provided for under this Agreement shall not be used in the payment of any bonus or commission for the purpose of obtaining approval of the application for such assistance, or approval of applications for additional assistance, or any other approval or concurrence required under this Agreement; provided, however, that reasonable fees or bona fide technical, consultant, managerial or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as program costs.

22. No member, officer, or employee of the Public Body, or its designees or agents; no member of the governing body of the locality in which the program is submitted; and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his tenure, or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under the Agreement.

23. The applicant certifies that it has not knowingly and willfully made or used a document or writing containing any false, fictitious, or fraudulent statement or entry, subject to fine or imprisonment, or both.

24. The applicant recognizes that none of the following actions by the County constitutes a commitment by the County to provide Business Development Loan Funds:

1. Acceptance by the Luzerne County Office of Community Development of this application;
2. Application approval by the Board of Commissioners;
3. Completion of the Office of Community Development's processing requirements.

By: _____, (Chief Executive Officer, Principal Partner, or Owner)
(Signature)

(Typed Name and Title)

(Date)

By: _____, (Partner or Co-Owner, if applicable)
(Signature)

(Typed Name and Title)

(Date)

Attest: _____
(Secretary)