# BERKELEY-CHARLESTON-DORCHESTER COUNCIL OF GOVERNMENTS REVOLVING LOAN FUND & CARES RLF FUND APPLICATION PACKET

### **APPLICATION INSTRUCTIONS**

### **PART 1: BORROWER INFORMATION**

Fill in the legal name and address of the company as well as a contact person's information and title within the company.

### **Section 1: Company Information**

Indicate the type of company, its principal owners, their percent of ownership within the company and social security numbers. Fill in the type of project that you are seeking, ie: a startup or expansion, the type of business entity, SIC code and the company's fiscal year end.

### F. Present Number of Employees:

Indicate the total current number of employees and if they are female, male or a minority.

#### G. Employment as a Result of the Project:

- 1. Number of new positions indicates the number of full-time jobs that will be created through the use of these funds. The number of saved positions indicates the number of positions that will be retained or kept through the use of the funds. Report the total of the first two items. *NOTE: 2 part-time positions equate to 1 full-time position*
- 2. Indicate the number of new and/or retained part-time and full-time employees as a result of the funding.

### **Section 2: Attorney/ Account Information**

If you have an attorney or an accountant for your business, please indicate information here.

### **Section 3: Existing Indebtedness Information**

If you have any other loans or debt with another financial institution, please indicate here. If so, attach a copy of any loan documentation or agreements entered into for debt/credit.

### **PART II : PROJECT INFORMATION**

This section will be all about the project you are looking to undertake, whether it be opening or starting a new business, expanding a business or needing assistance for an existing one.

### **Section 1: Project Description**

Where is your business or project going to be located? In which County? Please give a brief description of the business or project and include what your intentions are for the use of the loan proceeds.

### **Section 2: Project Budget**

### A. Proposed Sources and Amounts of Funds

Indicate how much money is coming from which sources ie: if you are receiving any funding from a bank or other financial institution or if you are putting in any of your own equity. The percent of total funds should add up to 100%.

#### B. Proposed Uses of Total Funds

Indicate how much funding from the TOTAL funds (from all sources listed in section 2A) will go towards each use. For example, you are needing \$10,000 for working capital, \$15,000 for covid relief and \$30,000 for renovations for a total loan request of \$55,000.

### C. BCDCOG RLF funding will be used for the following purpose(s):

Indicate the proposed uses of the total funding being requested of the BCDCOG RLF or CARES RLF Fund.

#### D. Participating Lender Information, if applicable

Indicate here if receiving funds from another participating lender, ie: SBA, another bank or local fund.

### **Section 3: Collateral/Security**

Indicate here the type of collateral to be pledged against the loan, ie: real estate, property, A/R, equipment, etc. Please keep in mind that the BCDCOG will need to see that the loan has been adequately secured with the collateral.

### PART III: BASIC DOCUMENTS REQUIRED

- 1. Past Financials Information:
  - A. Provide the past 3 years of business tax returns
  - B. Provide the past 3 years of personal tax returns
  - C. Provide the past 3 years of financial statements/audit reports
- 2. Projected Financial Information:
  - A. Create a month by month cash flow statement projecting your business's financials for the next 36 months
  - B. Create a month by month Profit & Loss (Income) Statement projecting your business's financials for the next 36 months
  - C. Create a year by year proforma Balance Sheet projecting financials for the next 3 years

### 3. Current Financial Statements:

Provide a Balance Sheet and a Profit & Loss Statement showing the business's current financials (within the last 90 days)

- 4. This can be one previously completed for another financial institution or a blank PFS can be provided. Must be dated within the last 90 days.
- 5. A Personal history statement is a brief, detailed description of your history, background, relation to the business, years of experience, how you got into the trade, etc.
- 6. Business plan should be a detailed document describing the plans for your business. It should include a marketing strategy (description of sales, customers, expansion of sales, etc) for the business.
- 7. If you currently have any other debt or loans with other financial institutions, provide a complete list with all necessary details for each item of debt.

### **PART IV: QUALIFIYING STATEMENT**

### **Pages 7-15**

Fill in or complete any blanks, then date and sign the documents.

### Page 12

Complete according to *current* employment status.

### Page 13

Complete in its entirety with name of your business, amount of loan being requested, number of jobs to be created/retained, and within how long from loan closure.

# BERKELEY-CHARLESTON-DORCHESTER COUNCIL OF GOVERNMENTS REVOLVING LOAN FUND & CARES ACT FUND

### LOAN APPLICATION

PART I: BORROWER INFOR	<b>MATION</b>		
Complete Legal Name of Company	y:		
Mailing Address:			
Street Address:			
Contact		Talanhona	
Contact:			
Title:			
County:	<del></del>	rederal I.D. #:	
Section One: Company Informati	ion:		
Sole P	ed Liability Compar Proprietorship ership	ny	
<u>Pri</u>	ncipal	% Ownership	<u>SSN #</u>
Ownership:			
Joint V	sion of Existing Co Venture	ompany	
Pub	ustrial nmercial/Service olic Entity		
D. Standard Industrial Classification	on(s) (SIC Code):_		
E. The Company's Fiscal Year en	ds on:		

F. Present Number of Employees: Total 100 %  Male %  Female %  Minority %
G. Employment as a Result of the Project:
1. Number of new positions:
Number of saved positions:
Total number of new positions and saved positions:
2. Number of new or retained full-time employees:
Number of new or retained part-time employees: (defined as an employee workin hrs/wk).
Section Two: Attorney/Accountant Information
A. Attorney's Name:
Name of Firm:
Address:
Telephone:
E-mail Address:
B. Accountant's Name:
Name of Firm:
Address:
Telephone:
E-mail Address:
Section Three: Existing Indebtedness Information:
Name of Lending Institution:
Address:
Loan Officer's Name:
Telephone Number: ()
Description of Collateral:
Attach Copy of Loan Documentation
Name of Lending Institution:

Loan Office	r's Name:	
Telephone ?	Number: ()	
Description	of Collateral:	
Attach Cop	y of Loan Documentation	
Name of Le	nding Institution:	
Address:		
Loan Office	r's Name:	
	Number: ()	
Description	of Collateral:	
Attach Cop	y of Loan Documentation	
Name of Le	nding Institution:	
Address:		
Loan Office	r's Name:	
Telephone ?	Number: ()	
Description	of Collateral:	

Attach Copy of Loan Documentation

## **PART II: PROJECT INFORMATION**

# Section One: Project Description

A. Location of Project:	County:	County:			
B. Brief Description of Project:					
Section Two: Project Budget					
A. Proposed Sources and Amounts of Funds					
Commercial Bank	\$,,	%			
BCDCOG RLF	,,	%			
Other (Specify)		%			
Other (Specify)		%			
Equity	,,	%			
TOTAL	\$,	100%			
B. Proposed Uses of Total Funds					
Land and Building	\$,	%			
Construction	\$,	%			
Renovation	\$,	%			
Machinery and Equipment	\$,	%			
Working Capital (no more than 60%)	\$,	%			
Site Preparation	\$,	%			
Other (Specify):	\$,,	%			
TOTAL	\$,	100%			

C. BCDCOG RLF Funding will be use	ed for the following purp	ose(s):	
Land and Building	\$	-,,	%
Construction	\$	_,	%
Renovation	\$	_,,	%
Machinery and Equipment	\$	,,	%
Working Capital	\$	_,	%
Site Preparation	\$	_,	%
Other (Specify):	\$	.,,	%
TOTAL	\$	_,	100_%
D. Participating Lender Information (	if applicable)		
Name of Institution:			
Address:			
Loan Officer's Name:			
Telephone Number: ()			
Name of Institution:			
Address:			
Loan Officer's Name:			
Telephone Number: ()			
Section Three: Collateral/Security			
Pledged Collateral Description:			
1. Collateral:  Lien Holder:	Book Value: \$,_	,Source of V Lien Amount: \$	alue:
2. Collateral: Lien Holder:	Book Value: \$,_	,Source of V	alue:
3. Collateral:	Book Value: \$,_	,Source of V	alue:
Lien Holder:		Lien Amount: \$	

### PART III: BASIC DOCUMENTS REQUIRED

- 1. Past Financial Information
  - A. 3 years prior Federal Income *Business* Tax Returns
  - B. 3 years prior Federal Income *Individual* Tax Returns
  - C. 3 years prior audited Financial Statements/Audit Reports
- 2. Projected Financial Information
  - A. 36-month Cash Flow Projections
  - B. 36-month Profit and Loss Projections
  - C. 3-year Proforma Balance Sheets
- 3. Current Financial Statements (not over 90 days old)
  - A. Balance Sheets
  - B. Profit and Loss Statements
- 4. Personal Financial Statements on all principals
- 5. Personal History Statement on all principals
- 6. Attorney's Statement regarding any current or pending litigation against the company
- 7. Commercial lender(s) Letter of Commitment if seeking bank financing
- 8. Business Plan and Marketing Strategy
- 9. List of indebtedness (including original date and amount, balance, rate, payment amount and terms. Identify security collateral, current or delinquent, for each loan or debt.)
- 10. Copy of Franchise Agreement if the business is a franchise
- 11. Names of affiliates and/or subsidiary firms, if applicable

NOTE: Other documentation may be required to support the application, such as a copy of contracts, letters of reference, leases, credit reports, etc. These will be required as deemed necessary by BCD Council of Governments' Revolving Loan Fund Staff.

### **PART IV: QUALIFYING STATEMENT**

The purpose of these revolving loan funds is to support business activities for which credit is not otherwise available on terms and conditions which would permit completion and/or the successful operation of accomplishment of the project in the following eligible areas: Berkeley, Charleston, and Dorchester Counties.

The Lender reserves the right to recall the loan if these requirements are not met.

I hereby certify and personally guarantee that the information represented in this application is a true, complete and accurate statement of the current position of the applicant and acknowledge that this has been made in conjunction with a request to borrow funds from the BCD Revolving Loan Fund. I understand that this application and the attached exhibits will be relied upon by the BCDCOG in considering the proposed loan and will form part of the loan covenants in effect for loans outstanding with the BCD Revolving Loan Fund.

In conjunction with this application, I authorize the BCDCOG to verify any information contained in the loan application. Therefore, the BCDCOG is authorized to request any and all information on current and past accounts, both personal and corporate, for use in connection with this loan application.

Borrowing Entity		
Name and Title		
Signature		
Date		

#### CERTIFICATIONS AND ASSURANCES

In consideration of a loan from the BCDCOG Revolving Loan Fund (RLF), the Applicant hereby assures and certifies that it will comply with all regulations, policies, guidelines and requirements, as they relate to the application, acceptance and use of RLF loan proceeds for this project. Also, the Applicant assures and certifies that it will comply with all requirements imposed by the federal grantor agency and the RLF, the US Department of Commerce, Economic Development Administration. In addition, the Applicant assures and certifies with respect to the consideration, approval and use of a RLF loan that:

- 1. The Applicant possesses legal authority to apply for the loan, that a resolution, motion or similar action has been duly adopted or passed as an official act of the Applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the Applicant to act in connection with the application, and to provide such additional information as may be required.
- 2. The Applicant will comply with:
  - a. Title VI of the Civil Rights Act of 1964 (Public Law 88-352, 42 U.S.C. 2000-d), which prohibits discrimination on the basis of race, color or national origin;
  - b. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination on the basis of handicap;
  - c. The Age of Discrimination Act of 1975, enacted as an amendment to the Older Americans Act (Public Law 94-135), which prohibits unreasonable discrimination based on age; and
  - d. Title IX of the Educational Amendments of 1972 (20 U.S.C. 1681, et seq.), which prohibits discrimination on the basis of sex in education programs and activities, including those not offered or sponsored by an educational institution.
- 3. The applicant will comply with the minimum wage and maximum hours provisions of the Federal Fair Labors Standards Act (29 U.S.C. 201).
- 4. The Applicant will insure, pursuant to Executive Order 11738, the facilities under its ownership, lease or supervision, which shall be utilized in the accomplishment of this project or result from this project are not listed on the Environmental Protection Agency (EPA) list of Violating Facilities, and that it will notify the BCDCOG promptly upon receipt of any communication for the EPA that a facility to be utilized or result from the accomplishment of this project is under consideration for listing by the EPA.
- 5. The Applicant will comply, to the extent applicable, with all requirements of Section 114 of the Clean Air Act, as amended (42 U.S.C. 1857, et seq.) and Section 307 of the Federal Water Pollution Control Act (33 U.S.C. 1857, et seq.), respectively, relating to inspection, monitoring, entry, reported, and information, as well as other requirements specified in Section 114 and Section 308 of the Air Act and the Water Act, respectively, and all regulations and guidelines issued thereunder.
- 6. The Applicant will comply with the provisions of Executive Order 11990, relating to the protection of wetlands.
- 7. The Applicant will comply with the provisions of Executive Order 11988, relating to floodplain management.
- 8. The Applicant will comply with standards for environmental quality control that may be prescribed pursuant to responsibilities of the Federal Government under the National Environmental Policy Act of 1969 (Public Law 91190) and Executive Order 11514, Protection and Enhancement of Environmental Quality as amended by Executive Order 1191.

- 9. The Applicant will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234, 42 U.S.C. 4106 and 4128, 87 Stat. 975), which requires the purchase of flood insurance in communities where such insurance is available, as a condition of a BCDCOG RLF Loan, such as having been identified by the Secretary of Housing and Urban Development as areas having special flood hazards.
- 10. The Applicant will comply with Section 106 of the National Historic Preservation Act of 1966 as amended 16 U.S.C. 470), Executive Order 11593 and the Archaeological and Historical Act (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historical Preservation Officer as necessary to identify properties which may suffer adverse effects as a result of this project and notifying BCDCOG of the existence of any such properties and by (b) complying with all requirements established by the Economic Development Administration to avoid or mitigate adverse effects upon such properties.
- 11. The Applicant will comply with the equal opportunity clause prescribed by Executive Order 11246, as amended, and will require that contracts and subcontracts which have or are anticipated to yield in excess of \$10,000 within 12 months of carrying out this project, include such clause.
- 12. The Applicant will maintain its legal entity in good standing with applicable federal, state and local laws and requirements regulating the conduct of its business, including the payment of all taxes, fees and other charges, and the maintenance of all requisite licenses and any other government authorizations necessary for the continued operation of the Applicant's business.
- 13. The Applicant will not, for a period of two years after the closing of this loan, employ or tender any office or employment to, or retain for professional services, any person who, on the date of closing or one year prior to said date (1) shall have served as an officer, attorney, agency or employee of BCDCOG, (2) any person who is of a blood relationship to any member of the BCDCOG, the BCD Regional Development Corporation, or, the BCDCOG staff, and (3) as such, shall have occupied a position or engaged in activities which BCDCOG shall have determined, or may determine, involved discretion with respect to the granting of this loan under BCDCOG RLF Administrative Plan.
- 14. The Applicant assures it is not relocating any present operation as a result of this project. Further the Applicant (including "affiliate, etc." as shown above) has not discontinued, liquidated or curtailed production at a similar facility to that proposed in this project within the past two years. In addition, the Applicant assures that the project will not result in a decrease in employment at facilities under its control elsewhere.
- 15. The Applicant has authorized BCDCOG to investigate the character and credit backgrounds of all individuals and entities which have been, are or will be in any way involved in the carrying out of the project for which a BCDCOG RLF loan is sought. Further, in the course of securing participants in the project, BCDCOG is authorized to divulge such information as BCDCOG deems necessary and appropriate, which is available to BCDCOG.
- 16. The Applicant waives any and all claims it may have against BCDCOG, members of its Board of Directors or Loan Administration Board, its staff and/or its agents, arising out of or in any way related to any technical and/or management assistance provided by them.
- 17. The Applicant will approach and work with appropriate employment and training entities, in the interest of making job opportunities resulting from the project available to the long-term unemployed and low-income persons as well as others in the area.
- 18. Neither the Applicant, nor any officer, board member or owner of any interest in the Applicant is/are related by blood, marriage or law to any BCDCOG officer, or member of BCDCOG's Board of Directors who has loan approval authority.
- 19. Construction financed in whole or in part by the RLF will meet the requirements of the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5).

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#### CONFLICT OF INTEREST CERTIFICATION

Pursuant to the Economic Development Administration's requirements regarding conflict of interest under its Title IX Revolving Loan Fund Program, and the undersigned's desire to enter into a contractual financial relationship with BCD Council of Governments, the purpose of which is to obtain financing from the Revolving Loan Fund, the undersigned does hereby certify to the BCD Council of Governments and acknowledge the following understandings:

- (A) The borrowing entity, or any owner of interest in the borrowing entity is not related by blood, marriage, law, or business arrangement to any officer, employee or director of the BCD Council of Governments.
- (B) No officer, employee, director or person related by blood, marriage, law or business arrangement to an officer, employee or director of the BCD Council of Governments shall receive any benefit resulting from the use of loan funds, unless the affected party has first disclosed on the public record the proposed or potential benefit and receives written determination by BCD Council of Governments that the benefit is not so substantial as to affect the integrity of the loan decision process or the services of the officer, employee or director.
- (C) An officer, employee or director of the BCD Council of Governments has not solicited or accepted, directly or indirectly, any gift, gratuity, favor, entertainment, or any other item of monetary value for himself or for another person, from any person or organization seeking to obtain a loan.

These above covenants are acknowledged and agreed to this date of remain in effect so long as the loan is outstanding.	, 20 and shall
Borrowing Entity	
Authorized Signatory	
Name and Title	

### EMPLOYMENT VERIFICATION FORM

A.	A. TOTAL CURRENT EMPLOYMENT:	
	Full-Time Permanent Employment	
	Full-Time Temporary Employment	
	Part-Time Employment	
	Total Company Employment	
B.	B. EMPLOYMENT CHARACTERISTICS:	
	1. Total Male Employment:	
	White:	
	Black:	
	Other:	
	2. Total Female Employment:	
	White:	
	Black:	
	Other:	
ack	I hereby certify that the above figures accurately reflect current company employment as of the above acknowledge that this statement has been made in conjunction with other forms as part of the loan covenant for loans outstanding with the BCD Revolving Loan Fund.	
Bo	Borrowing Entity	
Au	Authorized Signatory	
Na	Name and Title	

### EMPLOYMENT PERFORMANCE AGREEMENT

between
(Company)
and
BCD Council of Governments
In consideration of a Dollar (\$) loan from the BCD Council of Governments agrees to increase and/or maintain County's workforce by a minimum of permanent full-time employment positions.
This job commitment, as herein described, shall be fulfilled within() months from the date of the RLF Loan Closing.
Should there be extenuating circumstances which prevent the Company from fulfilling this commitment, and where such circumstances are agreed to in writing by the BCD Council of Governments, then this Employment Performance Agreement may be modified in a manner acceptable to both parties.
If the Company fails to meet these employment requirements within the specified time period, and in absence of modification to this Agreement, the Company shall within thirty (30) days of the expiration of the specified time period stipulated herein repay such portion of the outstanding loan as to bring the job/loan ratio requirement of one job per Ten Thousand Dollars (\$10,000) in loans outstanding into balance with the actual number of permanent jobs created during the time period stipulated herein.
In acceptance this date of, 20, and in witness thereof, the undersigned do hereby agree and acknowledge acceptance of the covenants contained herein and that it has been executed by its duly authorized officers.
Borrowing Entity
Authorized Signatory
Name and Title

### PROGRAM NOTIFICATION FORM

BORROWER:	
LOAN AMOUNT:	
LOAN PURPOSE:	
In regard to the above-referenced loan, the Berkeley-Charleston-Dorchester Coun-	has been provided an overview of il of Governments Revolving Loan Fund Program.
Borrowing Entity	
Authorized Signatory	
Name and Title	

### BCD COUNCIL OF GOVERNMENTS REVOLVING LOAN FUND CREDIT REQUEST AUTHORIZATION

the BCDCOG to	verify any informal verify any information on	ation contained in	the loan application.	Therefore, the	BCDCOG	
N			_			
Name			_			
Signature			_			
Date			-			
Home Address						
City	State	Zip Code				

## **APPLICATION CHECKLIST**

1.	Completed Application	
2.	All Basic Documents listed on page 6 of the application	
3.	Signed and Dated Forms (pages 7-15)	
	b. c. d. e. f.	Qualifying Statement Certifications and Assurances Conflict of Interest Certification Employment Verification Form Employment Performance Agreement Program Notification Form Credit Request Authorization
4. Business/Entity Documents		
	a.	Articles of Organization/Incorporation
	b.	Operating Agreement or By-Laws (if applicable)

## **POST-APPROVAL CHECKLIST**

1.	Resolution of Board of Directors (if corporation) authorizing business to borrow
2.	Certificate of Good Standing, certified by the Secretary of State, dated no more than 30 days prior to closing
3.	Articles of Organization, certified by the Secretary of State, dated no more than 30 days prior to closing
4.	Tax Compliance Form from the Department of Revenue
5.	Life Insurance Policy in the amount of the loan assigned to Berkeley Charleston Dorchester Council of Governments
6.	Effective Insurance on all collateral with Berkeley Charleston Dorchester Council of Governments added as Loss Payee
7.	Signed Commitment Letter
8.	Obtain a closing attorney