

Mark Twain Revolving Loan Fund, Inc.

Administered by the Mark Twain Regional Council of Governments

This program has been designed to provide gap financing to new or expanding businesses, which will induce participation from private lenders. Loan funds can also be utilized by businesses for retention efforts. Businesses located in the following counties are eligible for loan assistance: Audrain, Macon, Monroe, Marion, Pike, Rails, Randolph, Shelby.

The Revolving Loan Fund (RLF) can provide up to 30% of the monies necessary for a project and has a maximum loan amount of \$150,000. An example is as follows:

Revolving Loan Fund	\$30,000
Private Lender, Applicant, etc.	<u>\$70,000</u>
Total Project	\$100,000

Eligible activities include the purchase of land, buildings, construction, equipment, working capital, inventory or machinery. The loans have a maximum term of ten years and are at a fixed rate based upon the current US Treasury rate (minimum rate no more than 4 points below the current US Treasury rate). One job must be created or retained for every \$50,000 of RLF funds requested. The applicant must provide an origination fee equal to 1% of the loan amount.

Other requirements include compliance with Civil Rights laws, handicapped accessibility, and environmental requirements for all loans. Loans used for construction must comply with Federal wage rates.

The Revolving Loan Fund process includes completion and submission of a thorough loan application with exhibits and attachments and a presentation to the loan review committee. The Board of Directors for the Mark Twain Revolving Loan Fund, Inc. will review the application and make a recommendation for financing. Upon approval, the loan documents are executed, and funds are disbursed to the borrower. The borrower is contacted by a staff member of the Council of Governments at least bi-annually to discuss the progress of the borrower and to mitigate any potential problems.

For further information regarding the Revolving Loan Fund, please contact the Mark Twain Regional Council of Governments, 42494 Delaware Lane, Perry, MO 63462. You may reach the Council at (573) 565-2203 by phone or dcampbell@marktwaincog.com by e-mail.

Mark Twain Revolving Loan Fund Loan Application

Complete the items listed below as they apply to your business and loan needs.

Exhibit Checklist: Indicate if attached or not applicable (NA)

- _____1. A letter of commitment from the principals indicating a willingness to personally guarantee the loan (Exhibit I)
- _____2. A history and description of the business and indications why it will be successful in the future (Exhibit II)
- _____3. A statement detailing the exact uses of the loan proceeds (Exhibit III)
- _____4. Current and projected employment data, description of jobs to be created or retained and time frame for new job creation (Exhibit IV)
- _____5. A Personal History Statement on all officers and/or directors (regardless of ownership) and all owners of 20% or more of the applicant's affiliate stock (Exhibit V)
- _____6. A letter from lending bank(s) noting the terms and conditions of their participation, the amount being financed, collateral being given and the reason why they will not finance the entire project (Exhibit VI)
- _____7. A complete list of outstanding debt which includes the original loan date and amount, present balance owed, interest rate, monthly payment, maturity, and security for each loan or debt. Indicate if loan is current or delinquent (Exhibit VII)
- _____8. Preliminary plans and specifications, including cost estimates for new construction and/or equipment and machinery. List name and address of seller and useful life of new facility and/or machinery and equipment (Exhibit VIII)
- _____9. An independent appraisal on property being acquired which includes pre-construction value, post-construction value, and quick sale value (Exhibit IX)
- _____10. A copy of the existing or proposed lease or purchase agreement or other financing arrangements (Exhibit X)
- _____11. A list of collateral to be offered as security for the loan, with the value, prior liens, and the owners identified. Include insurance binders (Exhibit XI)
- _____12. A balance sheet and profit and loss statement for the previous three years which is signed and dated. If new business, substitute evidence of market feasibility and business plan (Exhibit XII)
- _____13. A current balance sheet and operating statement (within the past 90 days) which is signed and dated (Exhibit XIII)

Mark Twain Revolving Loan Fund Loan Application Checklist

Page 2 of 2

- _____14. A pro forma balance sheet and projected operating statement for the next 24 months (Exhibit XIV)
- _____15. A monthly cash flow analysis for the next 12 months or 3 months beyond the break-even point (Exhibit XV)
- _____16. Indicate the names of affiliates and/or subsidiary firms. Attach most current year end financial statement for the listed firms (Exhibit XVI)
- _____17. Resumes of the principals involved in firms noted in item 16 (Exhibit XVII)
- _____18. If your firm is a franchise include a copy of the Franchise Agreement and Franchisor's FIC Disclosure Statement (Exhibit XVIII)
- _____19. Current personal financial statement for each proprietor, partner and each stockholder with 20% or more ownership of the Applicant. Personal financial statements may also be required by the Review Board when officers are less than a 20% stockholder (Exhibit XIX)
- _____20. A copy of the deed to any property involved in the project (Exhibit XX)
- _____21. If a Corporation, a resolution from the Board of Directors authorizing the Applicant to borrow the funds being requested, as well as, a copy of the Corporation's Certificate of Good Standing. If a partnership, provide a Partnership Agreement and a Certificate as to Partners (Exhibit XXI)
- _____22. Provide a copy of the Certificate of Insurance which shows adequate coverage is in place for the construction and/or machinery and equipment (Exhibit XXII)
- _____23. Statement of Assurances—non construction (Exhibit XXIII) Construction (Exhibit XXIII (a))
- _____24. Is any officer, director, or controlling group of the Mark Twain Regional Council of Governments and/or Mark Twain Revolving Loan Fund, Inc., an officer director or holder of any direct or indirect pecuniary interest of the Applicant? Yes or No
If yes, attach explanation as Exhibit XXIV

Loan Application

Mark Twain Revolving Loan Fund, Inc.

The loan being applied for is funded by the U. S. Department of Commerce, Economic Development Administration, and is subject to the requirements, rules, and regulations of the Economic Development Administration.

Applicant is eligible for this loan only when credit is not otherwise available on terms and conditions which would permit completion and/or the successful operation or accomplishment of the project activities to be financed. Applicant is responsible for providing evidence that it meets this requirement.

APPLICANT				FULL ADDRESS		
NAME OF BUSINESS					TAX I.D. NUMBER	
FULL STREET ADDRESS					PHONE NUMBER (INC AREA CODE)	
CITY	COUNTY	STATE	ZIP	NUMBER OF EMPLOYEES (INC SUBSIDIARIES AND AFFILIATES)		
TYPE OF BUSINESS		DATE BUSINESS ESTABLISHED		AT THE TIME OF APPLICATION:		
BANK OF BUSINESS ACCOUNT AND ADDRESS					IF THE LOAN IS APPROVED:	
					SUBSIDIARIES OR AFFILIATES (SEPARATE FROM ABOVE):	
USE OF PROCEEDS: <i>(ENTER GROSS DOLLAR AMOUNTS ROUNDED TO NEAREST HUNDREDS)</i>		LOAN REQUESTED		COLLATERAL IF YOUR COLLATERAL CONSISTS OF (A) LAND AND BUILDING, (D) ACCOUNTS RECEIVABLE AND/OR (E) INVENTORY, FILL IN THE APPROPRIATE BLANKS. IF YOU ARE PLEDGING (B) MACHINERY AND EQUIPMENT, (C) FURNITURE AND FIXTURES, AND/OR (F) OTHER, PLEASE PROVIDE AND ITEMIZED LIST (LABELED EXHIBIT A) THAT CONTAINS SERIAL AND IDENTIFICATION NUMBERS FOR ALL ARTICLES THAT HAD AN ORIGINAL VALUE GREATER THAN \$500. INCLUDE A LEGAL DESCRIPTION OF REAL ESTATE OFFERED AS COLLATERAL		
LAND ACQUISITION						
NEW CONSTRUCTION/EXPANSION/REPAIR						
ACQUISITION AND/OR REPAIR OF MACHINERY AND EQUIPMENT						
INVENTORY PURCHASE						
WORKING CAPITAL (INCLUDING ACCTS PAYABLE)						
ACQUISITION OF EXISTING BUSINESS				A. Land and Buildings	PRESENT MARKET VALUE	PRESENT LOAN BALANCE
ALL OTHER				B. Machinery and Equipment		
TOTAL LOAN REQUESTED				C. Furniture and Fixtures		
TERM OF LOAN				D. Accounts Receivable		
				E. Inventory		
				F. Other		
				TOTALS		

INDEBTEDNESS: List all outstanding indebtedness and all other indebtedness which you expect to incur prior to the funding of this loan or simultaneously with the funding of this loan.

[illegible]

If additional debt is outstanding, please list on a separate exhibit.

MANAGEMENT: (Proprietor, partners, officers, directors, and all holders of outstanding stock-100% of ownership must be shown.) Use a separate sheet if necessary.

[illegible]

Mark Twain Revolving Loan Fund Loan Application

The following information must be submitted as applicable as attachments to the loan application.

1. State whether or not there will be any co-signors and/or guarantors for this loan. If so, submit their names, addresses, and Personal Balance Sheets. (Attachment 1)
2. State whether or not any individual involved in the management or ownership of the company has ever been involved in a bankruptcy or insolvency proceeding.
____Yes ____ No If so please provide details. (Attachment 2)
3. is the business or any of the owners or management currently involved in any pending lawsuits? ____Yes ____No If yes, please provide explanation. (Attachment 3)
4. Provide proof that you are unable to receive the funds being requested from a commercial lender. This should include at least two (2) bank declination letters. (Attachment 4)

.....
If applicant is a proprietor or general partner, sign below:

By: _____ Date: _____

If applicant is a Corporation, sign below:

_____ Date: _____
Name of Corporation

By: _____
Signature of President

Attested by: _____ (Seal)
Signature of Corporate Secretary

Name	Business Phone (xxx-xxx-xxxx)
Home Address	Home Phone (xxx-xxx-xxxx)
City, State, & Zip Code	
Business Name of Applicant/Borrower	
Business Address (if different than home address)	
Business Type: ___ Corporation ___ S-Corp. ___ LLC ___ Partnership ___ Sole Proprietor (does not apply to ODA applicant)	
This information is current as of [month/day/year] (within 90 days of submission for 7(a)/504/SBG/ODA/WOSB or within 30 days of submission for 8(a) BD)	
WOSB applicant only, Married ___ Yes ___ No	

ASSETS (Omit Cents)	LIABILITIES (Omit Cents)
Cash on Hand & in banks.....	Accounts Payable.....
Savings Accounts.....	Notes Payable to Banks and Others.....
IRA or Other Retirement Account.....	(Describe in Section 2)
(Describe in Section 5)	Installment Account (Auto).....
Accounts & Notes Receivable.....	Mo. Payments
(Describe in Section 5)	Installment Account (Other).....
Life Insurance – Cash Surrender Value Only.....	Mo. Payments
(Describe in Section 8)	Loan(s) Against Life Insurance.....
Stocks and Bonds.....	Mortgages on Real Estate.....
(Describe in Section 3)	(Describe in Section 4)
Real Estate.....	Unpaid Taxes.....
(Describe in Section 4)	(Describe in Section 6)
Automobiles.....	Other Liabilities.....
(Describe in Section 5, and include	(Describe in Section 7)
Year/Make/Model)	Total Liabilities.....
Other Personal Property.....	Net Worth.....
(Describe in Section 5)	
Other Assets.....	
(Describe in Section 5)	
Total	Total
	Must equal total in assets column.

Section 1. Source of Income.	Contingent Liabilities
Salary.....	As Endorser or Co-Maker.....
Net Investment Income.....	Legal Claims & Judgments.....
Real Estate Income.....	Provision for Federal Income Tax.....
Other Income (Describe below).....	Other Special Debt.....

Description of Other Income in Section 1 (Alimony or child support payments should not be disclosed in "Other Income" unless it is desired to have such payments counted toward total income)

Section 2. Notes Payable to Banks and Others. (Use attachments if necessary. Each attachment must be identified as part of this statement and signed.)

Names and Addresses of Noteholder(s)	Original Balance	Current Balance	Payment Amount	Frequency (monthly, etc.)	How Secured or Endorsed Type of Collateral

Section 3. Stocks and Bonds. (Use attachments if necessary. Each attachment must be identified as part of this statement and signed.)

Number of Shares	Name of Securities	Cost	Market Value Quotation/Exchange	Date of Quotation/Exchange	Total Value

Section 4. Real Estate Owned. (List each parcel separately. Use attachment if necessary. Each attachment must be identified as a part of this statement and signed.)

	Property A	Property B	Property C
Type of Real Estate (e.g. Primary Residence, Other Residence, Rental Property, Land, etc.)			
Address			
Date Purchased			
Original Cost			
Present Market Value			
Name & Address of Mortgage Holder			
Mortgage Account Number			
Mortgage Balance			
Amount of Payment per Month/Year			
Status of Mortgage			

Section 5. Other Personal Property and Other Assets. (Describe, and, if any is pledged as security, state name and address of lien holder, amount of lien, terms of payment and, if delinquent, describe delinquency.)

Section 6. Unpaid Taxes. (Describe in detail as to type, to whom payable, when due, amount, and to what property, if any, a tax lien attaches.)

Section 7. Other Liabilities. (Describe in detail.)

Section 8. Life Insurance Held. (Give face amount and cash surrender value of policies – name of insurance company and Beneficiaries.)

I authorize the SBA/Lender/Surety Company to make inquiries as necessary to verify the accuracy of the statements made and to determine my creditworthiness.

CERTIFICATION: (to be completed by each person submitting the information requested on this form and the spouse of any 20% or more owner when spousal assets are included)

By signing this form, I certify under penalty of criminal prosecution that all information on this form and any additional supporting information submitted with this form is true and complete to the best of my knowledge. I understand that SBA or its participating Lenders or Certified Development Companies or Surety Companies will rely on this information when making decisions regarding an application for a loan, surety bond, or participation in the WOSB or 8(a) BD program. I further certify that I have read the attached statements required by law and executive order.-

Signature _____

Date _____

Print Name _____

Social Security No. _____

Signature _____

Date _____

Print Name _____

Social Security No. _____

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED	

**Additional Assurances
Non-Construction Loans**

As the duly authorized representative of the applicant, I further certify that the applicant:

1. In consideration of a loan for a project that is requested by an applicant which is a business enterprise, it agrees that for a period of two years after disbursement for said loan, the applicant will not employ or tender any office or employment to, or retain for professional services, any person who, on the date such assistance is needed or within one year prior to said date, shall have served as an officer, attorney, agent or employee of the Mark Twain Regional Council of Governments or the Economic Development Administration which has been determined as being directly involved in the loaning of funds to the applicant.
2. Will comply with the non-relocation regulations which generally prohibit use of financial assistance to assist employers who transfer jobs from one commuting area to another. This includes an affirmative duty on the part of the applicant to inform the Mark Twain Regional Council of Governments of any employer who will benefit from such assistance who will transfer jobs in connection with the RLF,
3. Will observe and comply with Federal procurement rules, as defined in 15 CFR Part 24 and/or Office of Management and Budget Circulars as applicable, for award of any contracts for architectural engineering and/or administrative services and/or construction financed with loan funds.
4. Understands that conflicts of interest or appearances of conflicts of interest are prohibited and may jeopardize this application or result in the forfeiture of the loan funds. A conflict of interest occurs, for example, where a representative, official, employee, architect, attorney, engineer, or inspector of the applicant, or representative or official of the Federal, State, or local government, has a direct or indirect financial interest in the acquisition or furnishing of any materials, equipment, or services to or in connection with the project.
5. Will comply with the required reporting requirements of the Government Performance and Results Act (GPRA) of 1993 for measuring and reporting project performance.

Signature and Title of Certifying Official

Date

ASSURANCES - CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the

National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE
APPLICANT ORGANIZATION		DATE SUBMITTED

**Additional Assurances
Construction Loans**

As the duly authorized representative of the applicant, I further certify that the applicant:

1. Will operate and maintain the facility in accordance with at least the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.
2. Will require the facility to be designed to comply with the Americans With Disabilities Act of 1990 (ADA) (P.L. 101-336) and the Accessibility Guidelines for Buildings and Facilities, as amended, (36 CFR Part 1191). Will be responsible for conducting inspections to insure compliance with these specifications.
3. In consideration of a loan for a project that is requested by an applicant which is a business enterprise, it agrees that for a period of two years after disbursement for said loan, the applicant will not employ or tender any office or employment to, or retain for professional services, any person who, on the date such assistance is needed or within one year prior to said date, shall have served as an officer, attorney, agent, or employee of the Mark Twain Regional Council of Governments or the Economic Development Administration which has been determined as being directly involved in the loaning of funds to the applicant.
4. Will have no facilities under ownership, lease or supervision that are to be utilized for this project either listed or under consideration for listing on EPA's List of Violating Facilities,
5. Will comply with the non-relocation regulations which generally prohibit use of financial assistance to assist employers who transfer jobs from one commuting area to another. This includes an affirmative duty on the part of the applicant to inform the Mark Twain Regional Council of Governments of any employer who will benefit from such assistance who will transfer jobs in connection with the RLF.
6. Will comply with Executive Order 12699, Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction, which imposes requirements that federally assisted facilities be designed and constructed in accordance with the 1991 ICBO Uniform Building Code; or 1992 Supplement to the BOCA National Building Code; and/or 1991 Amendments to the SBCC Standard Building Code.
7. Will observe and comply with Federal procurement rules, as defined in 15 CFR Part 24 and/or Office of Management and Budget Circulars as applicable, for award of any contracts for architectural engineering and/or administrative services and/or construction financed with loan funds.
8. Understands that conflicts of interest or appearances of conflicts of interest are prohibited and may jeopardize this application or result in the forfeiture of the loan funds. A conflict of interest occurs, for example, where a representative, official, employee, architect, attorney, engineer, or inspector of the applicant, or representative or official of the Federal, State, or local government, has a direct or indirect financial interest in the acquisition or furnishing of any materials, equipment, or services to or in connection with the project.
9. Will comply with the required reporting requirements of the Government Performance and Results Act (GPRA) of 1993 for measuring and reporting project performance.

Signature and Title of Certifying Official

Date

**Sample
Attachment 4**

From Lending Institution

Date

Dear Mr. Applicant

Although we appreciate the fine performance of your company and the ability of your business to make payments in a timely fashion, we much decline your request for financing for additional equipment.

We appreciate your consideration of our bank for this request and wish you much success in your future endeavors.

Sincerely,

Joe Banker
Vice President