

Loan Application – Part II

Berkshire Brownfields Cleanup Revolving Loan Fund

Contact Melissa Provencher at the Berkshire Regional Planning Commission (BRPC) at any time during the application process for guidance or information, at (413) 442-1521 ext. 22. When requested by BRPC staff, send your completed Part II Application to: Berkshire Regional Planning Commission, 1 Fenn Street – Suite 201, Pittsfield, MA 01201, Attn: Melissa Provencher. Be sure to include a non-refundable BBRLF application fee of \$350.00. Make checks payable to the Pittsfield Economic Revitalization Corporation.

Provide the following information on clearly labeled separate sheets:

- a. Describe the nature of the applicant's business.
- b. Describe reuse plans for the site and buildings after cleanup, including required permits and the need for any additional infrastructure.
- c. Will the project result in the displacement of any tenants or residents currently occupying the site? If yes, please provide a list of affected residents or businesses along with the total number of residents or businesses.
- d. Describe the environmental benefits (e.g. protection of water resources, habitat areas, etc) and community benefits (e.g. protection of public health and safety, job creation, removal of blight, provision of open space, beautification, community revitalization, provision of affordable housing, etc) that the proposed project will create. Attach any letters of community support.
- e. Describe how the project will contribute to environmental justice.
- f. Describe any history of the Applicant filing for bankruptcy protection or other protection from creditors, if applicable.
- g. If the applicant is a private party rather than a public organization, outline the ownership structure and provide a list of the organization's Officers, Directors/Trustees, and equity owners or limited partners owning 10% or more.
- h. Attach a Project Budget with sources and uses that indicates the amount of the BBRLF loan being sought. For loan applicants indicate as well the interest rate and term being requested.
- i. Provide credit references (e.g. financial institutions currently lending to the applicant).¹
- j. Attach the previous three (3) years of financial statements (preferably audited), together with income and cash flow projections on the project for five (5) years.

¹ Items i, j, and k should be completed by loan applicants only.

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- k. Indicate any collateral available to secure the BBRLF loan, including fair market value of real estate, if applicable.
- l. Most recent interim financial statements (accountant prepared) of the applicant, if applicable. These must be dated no more than 90 days prior to the application.
- m. Current personal financial statements of principals (each proprietor, partner, officer and each stockholder with twenty percent (20%) or more ownership of the business). These must be dated no more than 90 days prior to the application.
- n. Listing of existing debt by individual loan outstanding. The listing should include the original amount, term, payment, outstaying balance, rate, date of maturity, to whom payable and collateral securing the loan. Indicate whether the obligations are current or delinquent.
- o. For construction projects, an independent appraisal on an "As completed" basis.
- p. A letter from the participating lender stating the terms and conditions of its participation.
- q. Describe your experience, capacity, and commitment to providing quarterly reports documenting the progress of cleanup and public participation activities and meetings. (In addition to documenting cleanup progress, quarterly reports shall provide information on the estimated budget line item, the actual costs incurred to date, and the percentage completed for each cleanup activity. Borrower will also identify other cleanup activities and amounts not funded by the EPA.)
- r. Describe your experience, capacity, and commitment to maintaining administrative records (i.e. all documents, reports, and materials related to the project) available to the general public.
- s. Describe your experience, capacity, and commitment to undertaking the public participation process required by the Community Relations Plan.
- t. Attach a proof of non-foreign certification status, in a form similar to the attached example.

ATTACHMENT A

DAVIS-BACON CERTIFICATION STATEMENT

I certify that (firm name) _____ will adhere to Section 104(g) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), which states that "...all laborers and mechanics employed by contractors or subcontractors employed in the performance of construction, alteration, or repair work funded in whole or in part [by Brownfields grants] shall be paid locally prevailing wages." These locally prevailing wage rates are determined by the U.S. Department of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C.276a-5), and can be accessed in a searchable database at the following address: <http://www.access.gpo.gov/davisbacon/>.

Firm Representative

ATTACHMENT B

ACKNOWLEDGEMENT REGARDING PUBLIC FUNDING AND INFORMATION DISCLOSURE

The undersigned applicant acknowledges that the loan program for which application is made is funded in whole or in part by the U. S. Environmental Protection Agency through the Brownfields Clean-up Revolving Loan Fund (BCRLF) program and that because these loans are made with public funds, information supplied by the applicant may be considered public information pursuant to applicable federal and/or state laws and regulations.

(Applicant's Signature)

ATTACHMENT C

VERIFICATION OF FINANCIAL FEASIBILITY

The undersigned authorizes the Pittsfield Economic Revitalization Corporation (PERC) to verify all information furnished in connection with the application for a loan under the Berkshire Brownfields Revolving Loan Fund (BBRLF) program. The information that may be verified includes, but is not limited to, the following: employment, pensions, mortgages, deposits, and any other income; information concerning personal or business assets, personal or business loans; hazard insurance; and further, to obtain a credit report concerning applicant and co-applicant(s), co-maker(s) and/or guarantor(s), if contemplated..

(Applicant's Signature)

(Co-Maker or Guarantor)

(Stockholder [20% or more of business])