

MID-MINNESOTA DEVELOPMENT COMMISSION



REVOLVING LOAN FUND FULL-APPLICATION

Return to: Les Nelson
Economic Development Director
Mid-Minnesota Development Commission
333 Sixth Street SW, Suite 2
Willmar MN 56201

Telephone: 320-235-8504 ext. 241
Fax: 320-235-4329

Mid-Minnesota Development Commission Revolving Loan Fund Full-Application

Name and address of business	Telephone number
Name and address of owners	
1.	Telephone number
2.	Telephone number
3.	Telephone number
Briefly describe why other sources of public or private financing are insufficient for this project. (interest rates, terms, risk, collateral, loan limits, etc.)	
Attach an explanation if any answer to the following question is yes.	
<ol style="list-style-type: none"> 1. Have you or any officer or owner of your company ever been involved in bankruptcy or insolvency proceedings? Yes <input type="checkbox"/> No <input type="checkbox"/> 2. Are you or any officer or owner of your business involved in any pending lawsuits or judgements? Yes <input type="checkbox"/> No <input type="checkbox"/> 3. Does your business have any subsidiaries or affiliates? (include financial statements with explanation.) Yes <input type="checkbox"/> No <input type="checkbox"/> 4. Do you buy from, sell to, or use the services of any concern in which someone in your company itself has a significant financial interest? Yes <input type="checkbox"/> No <input type="checkbox"/> 	
I hereby pledge that this project will be completed in accordance with the terms and conditions of this application, if approved and funded.	
Applicant's name (type or print)	Signature of applicant
Date of application	

MID-MINNESOTA DEVELOPMENT COMMISSION REVOLVING LOAN FUND APPLICATION

Provide the following information on your sources of financing for this project.

Name of Source (Proposed)	MMDC Revolving Loan Fund	Bank	Other	Other	Other
Loan amount					
% of project cost					
Term of loan					
Interest rate					
Total annual payment					
Special terms (if applicable)					
Collateral available					
Lien position available					
Guarantees (personal, third party) Agreeable					
Does this loan have final approval?	N/A				
TOTALS					

Mid-Minnesota Development Commission

Revolving Loan Project Checklist

Business Information

- _____ Pre-application received and final application invited
- _____ Business Plan or Sections A and B completed of appendices
- _____ Resume(s) of principal(s) (normally those with 20% of ownership or more)
- _____ Articles of incorporation/by-laws (if applicable)
- _____ Certificate of Good Standing (obtained for corporations from Secretary of State (if applicable)
- _____ Partnership Agreement (if applicable)
- _____ Franchise Agreement (if applicable)
- _____ Fictitious Name Statement (if applicable)

Project Information (as applicable)

- _____ Purchase Agreement (Deposit Receipt)
- _____ Preliminary Title Report on Property to be Acquired
- _____ Preliminary Plans and Specifications
- _____ Cost Estimates (Construction, Machinery and Equipment)
- _____ Lease Agreement, Existing or Future
- _____ Project Appraisal
- _____ Applicable Permits and Licenses
- _____ Copy of Equity Capital/Buy-out Agreement
- _____ Summary of Collateral

Financial Information

A. Business

- _____ Income Statement - Past three years plus current within 60 days
- _____ Balance Sheet - Past three years plus current within 60 days
- _____ Aging Schedules of Accounts Receivable/Payable (same date as current balance sheet)
- _____ Schedule of Existing Debt (same date as current balance sheet)
- _____ Business Federal Tax Returns (past three years) (used to verify/supplement financial statements)
- _____ Income and Cash Flow Projections - (next two years)
- _____ Pro-forma Balance Sheet

B. Personal

- _____ Personal Financial Statements of Principal Owner(s) (normally those with 20 percent ownership or more) Form 1
- _____ Individual Federal Tax Returns of Principal(s) (past three years)
- _____ Special requirements, i.e. insurance, personal guarantee, etc.

Other Information

- _____ Corporate Resolutions to Borrow - Form 10
- _____ Attachments
 - _____ Release of Financial Information - Form 2; _____ Job Determination - Form 3;
 - _____ Civil Rights - Form 4; _____ Davis-Bacon - Form 5; _____ Certificate of Non-Relocation - Form 6; _____ News Release Agreement - Form 7; _____ Clean Air Act - Form 8; _____ Construction Program Assurances - Form 9
- _____ Commitments of other lenders
- _____ Other

Please see the following pages for an explanation.

Explanation of Required Appendices

MID-MINNESOTA DEVELOPMENT COMMISSION FOUR COUNTY REVOLVING LOAN FUND APPLICATION

APPLICATION APPENDICES - Attach the following information:

NOTE: Sections A and B may already be included in your business plan. A business plan may be submitted in lieu of these two sections.

A. BUSINESS, MARKETING, AND MANAGEMENT INFORMATION

Describe your plans for your business, including the following points, where applicable, and any other pertinent information.

1. Describe your product or service and explain the benefits or competitive advantages it has over other products or services.
2. What is your overall strategy for selling, distributing, pricing and advertising your product or service.
3. Describe your targeted market area and the projected demand for your product or service.
4. If applicable, what patents, copyrights, and other legal considerations have been met?
5. If you are building, expanding, or remodeling a facility, include a brief description of your capital improvements and the planned effect on your business.

B. BUSINESS HISTORY

Describe the history of your new or existing business including the following points based on our business situation.

1. Existing business expansion:
 - a. What have been the current and long-term trends in the business?
 - b. How long have the current owners or operators run the business?
 - c. If applicable, what previous experience did the owners or key personnel have?
2. Start-up businesses:
 - a. Summarize the experience, education, and training of the owners and other key personnel.
 - b. Briefly explain how this business concept was formed.

C. FINANCIAL STATEMENT COPIES (for existing businesses)

Submit Balance Sheets and Profit and Loss Statements, along with Notes to Financial Statements explaining all significant entries (i.e. accounting methods and policies, debt structure, market value of assets, etc.). Include Financial Statements dated within 90 days of filing this application and Year-End Financial Statements covering the last three years.

D. FINANCIAL PROJECTIONS

Submit a Proforma Balance Sheet as of the first day of business and for the next three year-ends. Provide Profit and Loss Statements and a Cash Flow Analysis monthly for the first year, year end in years two and three. Financial projections are expected to flow logically for historic Financial Statements (where applicable) and the Business, Marketing, and Management information included in Appendix A. Include notes explaining the basis of your projections.

E. PERSONAL FINANCIAL STATEMENTS OF BUSINESS OWNERS (Form 1)

Where applicable, the date of your Personal Financial Statement should be the same as the date of your most current business Financial Statement. Include notes indicating the basis of value on assets (market value or acquisition cost) and explanations of other entries (notes payable, receivables, stocks, etc.). Financial statements should be dated within 90 days of filing this application.

F. LETTERS OF COMMITMENT

Include documentation of commitment from all other financial participants as listed on Page 2 under sources of financing.

G. AUTHORIZATION FOR RELEASE OF FINANCIAL INFORMATION (Form 2)

Complete the attached Authorization for Release of Financial Information which authorizes the release of credit reports and other financial information to the Enterprise Fund.

H. DOCUMENTATION OF APPROVAL FROM YOUR LOCAL GOVERNMENT UNIT (this is not required but is desirable)

Include a copy of the city, township, or county action approving your project as being in the best interest of that local unit of government. A sample format for the resolutions is attached.

I. CERTIFICATION OF INCORPORATION AND CORPORATE RESOLUTION (if applicable)

For incorporated businesses, include a copy of your Certificate of Incorporation and a corporate resolution authorizing the corporation to borrow money from the RLF.

J. LEASES (if applicable)

If you are leasing or proposing to lease building space or major pieces of equipment, include a copy of the current lease.

K. BIDS AND QUOTES (if applicable)

If you are buying land or constructing a building, provide bids and quotes. If you are buying machinery or equipment, attach a list of the equipment, cost, and seller's name.

L. JOBS DOCUMENTATION (Form 3 - instruction sheets following)

M. CIVIL RIGHTS (Form 4)

Complete Form ED-503 from the Economic Development Administration. This form provides assurances that you will comply with civil rights, rehabilitation, and age discrimination regulations.

N. ENVIRONMENT (Form 5)

Complete the attached Environmental Checklist. Most projects should not have any difficulties complying with environmental standards, but if the potential of a significant environmental impact exists, your local responsible government unit (county or city) may need to prepare an Environmental Assessment Worksheet.

O. FLOOD HAZARD

Please submit evidence that the activity to be financed is not in the 100-year floodplain. This information is obtained from your county.

P. HISTORIC PRESERVATION

Submit a description of the property or site to be built upon, expanded or demolished. This description will be submitted to the State Historical Officer. If the property or site is in a Historical District or has been designated "historically significant", there may be additional requirements you must meet.

Q. HANDICAPPED ACCESS (if applicable)

If this loan will finance a construction project to which the public will have access, you must provide evidence that access to the handicapped will be provided.

R. NON-RELOCATION (Form 6)

Businesses that relocate jobs from one area to another are not eligible borrowers. Complete the Certificate of Non-Relocation (attached), assuring the compliance with this requirement.

S. DAVIS-BACON

Contact our office for further information on compliance with the requirements of the Davis-Bacon Act if this loan will be financing all or part of construction or equipment installation. If the Davis-Bacon Act applies, wages paid to construction workers must comply with a Wage Determination for this area issued by the U.S. Department of Labor and with Federal Labor Standards Provisions.

T. ADDITIONAL ASSURANCES

Complete the assurances form as provided. Agreeing to the terms of the applicable federal regulations is required if you are to receive federal loan funds through the Mid-Minnesota Development Commission Four County Revolving Loan Fund.

U. DOCUMENTATION OF REJECTION

The borrower is eligible for Revolving Loan Fund (RLF) financing only where 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. The borrower will provide supporting documentation in the form of bank rejection letters for the total loan amount or other outside documentation substantiating the need for RLF financing.

V. NEWS RELEASES (Form 7)

Upon approval, your business name, loan amount, and pictures may be utilized in news releases from any of the participating agencies. Sign the enclosed form indicating you have been informed of this policy.

W. CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT (Form 8)

Complete the enclosed form certifying compliance with the named acts.

X. CONSTRUCTION PROGRAM ASSURANCES (Form 9) (if applicable)

Complete the enclosed form indicating you agree to comply with assurances listed.

Y. CORPORATE RESOLUTION TO BORROW (Form 10) (if applicable)

Complete the enclosed form to authorize the corporation to borrow.

Forms

PERSONAL FINANCIAL STATEMENT

As of _____, 19____

Complete this form for: (1) each proprietor, or (2) each limited partner who owns 20% or more interest and each general partner, or (3) each stockholder owning 20% or more of voting stock, or (4) any person or entity providing a guaranty on the loan.

Name	Business Phone ()
Residence Address	Residence Phone ()
City, State, & Zip Code	
Business Name of Applicant/Borrower	

ASSETS (Omit Cents)	LIABILITIES (Omit Cents)
Cash on hands & in Banks \$ _____	Accounts Payable \$ _____
Savings Accounts \$ _____	Notes Payable to Banks and Others \$ _____ (Describe in Section 2)
IRA or Other Retirement Account \$ _____	Installment Account (Auto) \$ _____ Mo. Payments \$ _____
Accounts & Notes Receivable \$ _____	Installment Account (other) \$ _____ Mo. Payments \$ _____
Life Insurance-Cash Surrender Value Only (Complete Section 8) \$ _____	Loan on Life Insurance \$ _____
Stocks and Bonds \$ _____ (Describe in Section 3)	Mortgages on Real Estate \$ _____ (Describe in Section 4)
Real Estate \$ _____ (Describe in Section 4)	Unpaid Taxes \$ _____ (Describe in Section 6)
Automobile-Present Value \$ _____	Other Liabilities \$ _____ (Describe in Section 7)
Other Personal Property \$ _____ (Describe in Section 5)	Total Liabilities \$ _____
Other Assets \$ _____ (Describe in Section 5)	Net Worth \$ _____
Total . . . \$ _____	Total . . . \$ _____

Section 1. Source of Income

Salary \$ _____
Net Investment Income \$ _____
Real Estate Income \$ _____
Other Income (Describe below)* \$ _____

Contingent Liabilities

As Endorser or Co-Maker. \$ _____
Legal Claims & Judgments \$ _____
Provision for Federal Income Tax \$ _____
Other Special Debt \$ _____

Description of Other Income in Section 1.

*Alimony or child support payments need not be disclosed in "Other Income" unless it is desired to have such payments counted toward total income.

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

Name and Address 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 a 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 attachments if necessary. Each attachment must be identified as a part of this statement and signed).

	Property A	Property B	Property C
Type of Property			
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 SRDC/PEDC/Lender to make inquiries as necessary to verify the accuracy of the statement made and to determine my creditworthiness. I certify the above and the statements contained in the attachments are true and accurate as of the stated date(s). These statements are made for the purpose of either obtaining a loan or guaranteeing a loan. I understand FALSE statements may result in forfeiture of benefits and possible prosecution.

Signature: _____ Date: _____ Social Security Number: _____

Signature: _____ Date: _____ Social Security Number: _____

Form 2

**Mid-Minnesota Development Commission
Four County Disaster Revolving Loan Fund**

AUTHORIZATION FOR RELEASE OF
FINANCIAL INFORMATION

_____, hereby authorizes any third party to release to the
(Borrower)
Mid-Minnesota Development Commission Revolving Loan Fund, without limit, any and all
financial information regarding _____ that is requested by the Mid-
(Borrower)
Minnesota Development Commission Revolving Loan Fund, its representatives, or employees
and that is the possession of that third party or readily accessible to that third party.

This Authorization to release financial information specifically includes records and
information prepared or compiled prior to the date of the signing of this Authorization and
records and information prepared after the date of the signing of this Authorization.

_____, hereby authorizes release of said records and
(Borrower)
information by Mid-Minnesota Development Commission Revolving Loan Fund, to a third party,
as deems necessary.

A photocopy of this signed Authorization shall be treated in the same manner as the
original.

Upon full payment of the loan obligation of _____, to Mid-
(Borrower)
Minnesota Revolving Loan Fund, this Authorization shall automatically expire without any
express written revocation needed on behalf of _____.
(Borrower)

Signature of Owner or Chief Executive Officer & Title

FORM ED-612 U.S. DEPARTMENT OF COMMERCE
(REV. 3-86) ECONOMIC DEVELOPMENT
ADMINISTRATION

**CURRENT AND PROJECTED
EMPLOYEE DATA**

1. Name and address of organization
Organization
No. and Street
City
State
Zip Code

2. This report is:
 Initial, No Annual Follow-up required. Complete only items 1--10.
 Initial, Annual Follow-up is required. Complete all items.
 Annual Follow-up. Complete only items 1--9.

EDA USE ONLY
Project No:
"Other Party" suffix; OP.
3. Organization is:
 EDA Applicant or recipient
 EDA "Other Party"; if "Other Party," enter name of EDA Applicant or Recipient.
4. First Impact Date:
5. Fully Operational Date:

Job Categories	6. Current Permanent Employees						7. New Permanent Jobs						8. Permanent Jobs To be Saved						9. Permanent Employees one Year after First Impact		10. Permanent Employees when Fully Operational	
	SEX	A Total Employees	B Black (Not of Hispanic Origin)	C Hispanic	D Asian or Pacific Islander	E American Indian or Alaskan Native	F Total Employee	G Black (Not of Hispanic Origin)	H Hispanic	I Asian or Pacific Islander	J American Indian or Alaskan Native	K Targeted by Employment Plan	L Total Employees	M Total Minorities	N Total Employees	O Total Minorities	P Total Employees	Q Total Minorities				
Officials and Managers	F																					
	M																					
Professionals	F																					
	M																					
Technicians	F																					
	M																					
Sales Workers	F																					
	M																					
Office and Clerical	F																					
	M																					
Craftsperson (skilled)	F																					
	M																					
Operatives (semi-skilled)	F																					
	M																					
Laborers (unskilled)	F																					
	M																					
Service Work and others	F																					
	M																					
TOTAL	F																					
	M																					
GRAND TOTAL																						

11. Current temporary and part-time employees
Total _____ Minorities _____ Females _____

12. Projected temporary and part-time employees when fully operational
Total _____ Minorities _____ Females _____

13. This form prepared by: _____
(Type Name and Position) _____ Date _____ Telephone No. _____

14. Name of Labor Market Area _____
Labor Force of Area _____ Total _____
Unemployment of Area _____ Overall Rate: _____
Date and sources of labor market data: _____

15. Authorized organization official
Type Name and Title _____ Signature _____

No further monies or other benefits may be authorized under this program unless this report is completed and filed as required by existing law and regulations (42 U.S.C. 2000d-1, 42 U.S.C. 3123, 42 U.S.C. 6709, E.O. 11246, 15 C.F.R. part 8, 28 C.F.R. part 42, 13 C.F.R. part 311)

INSTRUCTIONS FOR FORM ED-612
(Remove before submitting)

A. GENERAL INSTRUCTIONS FOR INITIAL AND FOLLOWUP SUBMISSION

1. Initial Submission Requirements. *EDA Civil Rights Guidelines* (Section 17) establish the following requirements for an initial submission of the ED-612 form by Applicants and "Other Parties" that apply for, or will benefit from, EDA assistance. (The meaning of the term "Other Parties" is discussed below in the instructions for Item 3.) In most cases these requirements are tied to the combined total number of permanent jobs to be created or saved by the Applicant or "Other Party" in their own workforce as reported in Items 7 and 8 of the form. ("Permanent jobs" are defined below in the instructions for Item 6.) Except in those cases under (c) below when an "Other Party" is not identified at the time of project application, the form must be submitted to EDA as part of the project application.

(a) Applicants creating or saving fewer than 15 permanent jobs shall fill out only Items 1 through 8 plus 13 through 15 of the form.

(b) Applicants creating or saving 15 or more permanent jobs shall fill out the entire form.

(c) "Other Parties" creating or saving 15 or more permanent jobs, and either specifically identified as such in the project application to EDA or locating in an EDA assisted industrial park before EDA's final disbursement is made, shall fill out the entire form

2. Follow-up Annual Report Requirements. EDA requires annual submissions of the ED-612 by those and "Other Parties" that fall under GENERAL INSTRUCTION Numbers 1(b) and 1 (c) above. The annual submissions contain only current employment data which EDA compares with the detailed employment projections these organizations submit in their initial ED-612 reports. See ANNUAL REPORTS, Section C, below.

3. EDA Civil Rights Evaluation. *EDA Civil Rights Guidelines* (Section 17) describe the basis upon which EDA evaluates an ED-612 form as initially submitted, and judges the adequacy of the organization's projections for the future employment of minorities and women. The organization must develop these projections taking into account the character of the local labor market as reported in Item 14 of the form.

4. Employment Plan Requirement. When projects will create new permanent jobs, EDA requires Recipients and "Other Parties" to make efforts to ensure that a portion of the newly created jobs are targeted to the long-term unemployed. Typically, EDA expects Applicants and "Other Parties" to consult with a local training agency and jointly develop an Employment Plan. The Employment Plan will identify the specific jobs to be targeted and the training programs and resources which will be used to train and refer qualified applicants for the new jobs. For further information on this requirement see EDA's published policies and procedures for its Employment Plans. Targeted jobs are reported in Item 7, Column K of the ED-612 form.

5. Limitation on Data Required. *EDA Civil Rights Guidelines* (Section 17) set the following limitation on the employment information required by EDA. Public Applicants, such as towns, cities, and counties, that employ more than 1,000 persons, need only submit data for the sub-division, agency, unit, or department that actually administers the project or uses the funds. "Other Parties" and non-governmental Applicants for business loans need only submit data for the site, facility, or plant actually being assisted.

6. Job Categories. The nine job categories on the ED-612 form (Officials and Managers, Professionals, Technicians, etc.) are the standard ones used in Federal reporting, and are defined on the back of the form.

7. Minority Groups. The four minority group designations used on the ED-612 form (Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaskan Native) are the standard designations adopted for Federal reporting, and are defined on the back of the form. They are not scientific definitions of anthropological origins. Employees should be included in the group with which they identify, or to which they are regarded as belonging by the community. No person shall be counted in more than one minority group.

B. INSTRUCTIONS FOR SPECIFIC NUMBERED ITEMS

The following instructions apply to the initial submission of the ED-612 form. They also apply to the Annual Reports, except as modified in the ANNUAL REPORTS section, Section C, below. If there is no information to enter for a specific item, leave the space blank.

Item 1 — Self explanatory.

Item 2 — Check one box. See GENERAL INSTRUCTION Numbers 1 and 2, Section A, above.

Item 3 — Check one box. If the organization is an EDA "Other Party," enter the name of the EDA Applicant or Recipient that directly receives EDA financial assistance. "Other Parties" are organizations that do not receive EDA financial assistance themselves, but indirectly benefit from it, perhaps by locating in an EDA assisted industrial park or by using an EDA constructed water line. "Other Parties" are defined fully in Section 2, of *EDA Civil Rights Guidelines*.

Item 4 — For "First Impact Date," estimate the month and year (e.g. August 1988), in which EDA assistance will have its first effects upon employment, (actual new hires, promotions, averted layoffs, etc.) In cases where jobs are to be saved, the first impact may be immediately upon EDA approval of the project. EDA uses this date to begin measuring the employment effects of its assistance and to set due dates for annual reports.

Item 5 — For "Fully Operational Date," estimate the month and year (e.g. June 1990) in which the employment objectives of the EDA assistance have been fully met.

Item 6 — By job category and sex, enter the minority group data, and totals (minority plus non-minority) requested for current employees in *permanent* jobs only. "Permanent jobs" are defined here as full-time, year-round jobs of indefinite term. They must be at least 35 hours a week and 10 months a year. All other jobs will be considered part-time, seasonal, or temporary and are reported only in Items 11 and 12.

Item 7 — Enter the number of *new* permanent jobs expected to be created as a result of EDA assistance or benefits. This must not include jobs counted in Items 6 or 8, nor part-time, seasonal, or temporary jobs.

If there is an Employment Plan for the project, enter the goal, established in the plan, for the number of jobs to be filled by the long-term unemployed. See GENERAL INSTRUCTION Number 4, Section A, above. While the Employment Plan itself may not distinguish between jobs targeted for males and those targeted for females, it would be helpful to make this distinction on the ED-612 form.

For the Annual Report, Item 7, has a different use. See ANNUAL REPORTS, Section C, below.

Item 8 — Enter the number of current permanent jobs that are expected to be lost if EDA assistance or benefits are not received.

Item 9 — Project the number of employees expected to have permanent jobs *one year after* the "First Impact Date" given in Item 4.

Item 10 — Project the number of employees expected to have permanent jobs on the "Fully Operational Date" given in Item 5.

Item 11 — Include *only* part-time, seasonal, and temporary employees. Do not include permanent employees.

Item 12 — Include *only* part-time, seasonal, and temporary employees. Do not include permanent employees.

Item 13 — Self-explanatory.

Item 14 — All data to be entered here must cover the *Labor Market Area* (LMA), as defined by the U.S. Department of Labor and the State Employment Service, in which the project will be located. In most areas

INSTRUCTIONS FOR FORM ED-612 (Continued)

of the United States, LMAs consist of one or more whole counties; metropolitan and urbanized LMAs usually are coextensive with Standard Metropolitan Statistical Areas (SMSAs) as defined by the Office of Management and Budget and the Bureau of the Census.

Item 15 — The ED-612 form must be signed by an authorized official of the reporting organization except *when* it is submitted by EDA Applicants as an integral part of an EDA Application form.

It is almost always the case that the data requested here is readily available from the local office of the State Employment Service. If necessary, EDA's Economic Development Representative (EDR), local and State planning offices and commissions, or Economic Development District offices also can assist.

As noted in GENERAL INSTRUCTION Number 3, Section A, above, Applicants and "Other Parties" must take this data into account when they prepare their projections for the future employment of minorities and women.

C. ANNUAL REPORTS

1. *EDA Civil Rights Guidelines* (Section 22) require an annual submission of the Form ED-612 each year for five years from those Recipients and "Other Parties" falling under GENERAL INSTRUCTION Numbers 1(b) and 1(c), Section A, above. Also see GENERAL INSTRUCTION Number 2, Section A, above.

2. The Annual Reports shall contain data as of one, two, three, four, and five years after the "First Impact Date" established in Item 4 of the initial submission of the form to EDA. Since the "First Impact Date" is expressed only as a month and year, follow-up data should normally be as of the end of the appropriate anniversary month. If a project becomes unavoidably delayed for over three months, the applicant or "Other Party" may request a change of the "First Impact Date."

3. Annual Reports are due within two weeks after the end of the appropriate anniversary month. They shall be sent to EDA's Office of Compliance Review/Civil Rights in Washington, D.C.

4. For the Annual Report, complete only Items 1,2,3,6,7,11,13 and 15.

Item 7 — (For annual report only) By sex and job category, enter the following data on *employees actually hired* or permanent jobs since the date of the most recent Form ED-612 report sent to EDA: In Column F, enter total employees hired. In Columns G-J, enter total minorities hired. In Column K, enter the number of long-term unemployed hired as a result of the training, referral, or other services provided under your Employment Plan. See GENERAL INSTRUCTION Number 4, Section A, above.

JOB CATEGORY DEFINITIONS

Officials and Managers — Occupations requiring administrative personnel who set broad policies, exercise overall responsibility for execution of these policies, and direct individual departments or special phases of a firm's operations. Includes: Officials, executives, middle management, plant managers, and superintendents, salaried supervisors who are members of management, purchasing agents and buyers, and kindred workers.

Professional — Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes: accountants and auditors, airplane pilots and navigators, architects, artists, chemists, designers, dietitians, editors, engineers, lawyers, librarians, mathematicians, natural scientists, registered professional nurses, personnel and labor relations workers, physical scientists, physicians, social scientists, teachers, and kindred workers.

Technicians — Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through about 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes: computer programmers and operators, drafters, engineering aides, junior engineers, mathematic aides, licensed, practical or vocational nurses, photographers, radio operators, scientific assistants, surveyors, technical illustrators, technicians (medical, dental, electronic, physical science), and kindred workers.

Sales — Occupations engaging wholly or primarily in direct selling. Includes: advertising agents and sales workers, insurance agents and brokers, real estate agents and brokers, salesworkers, demonstrators, retail salesworkers, and sales clerks, grocery clerks and cashier checkers, and kindred workers.

Office and Clerical — Includes all clerical-type work regardless of level of difficulty, where the activities are predominantly nonmanual though some manual work not directly involved with altering or transporting the products is included. Includes: bookkeepers, cashiers, collectors (Bills and accounts), messengers and office helpers, office machine operators, shipping and receiving clerks, stenographers, typists and secretaries, telegraph and telephone operators, and kindred workers.

Craft Worker (skilled) — Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training. Includes: the building trades, hourly paid supervisors and lead operators (who are not members of management), mechanics and repairers, skilled machining occupations, compositors and typesetters, electricians,

engravers, job setters (metal), motion picture projectionist, pattern and model makers, stationary engineers, tailors and tailoresses, and kindred workers.

Operatives (semi-skilled) — Workers who operate machines or other equipment or perform other factory-type duties or intermediate skill level which can be mastered in a few weeks and require only limited training. Includes: apprentices (auto mechanics, plumbers, bricklayers, carpenters, electricians, machinists, mechanics, building trades, metalworking trades, printing trades, etc.), operatives, attendants (auto service and parking), blasters, chauffeurs, delivery workers, dressmakers and sewers (except factory), dryers, furnace workers, heaters (metal), laundry and dry cleaning operatives, milliners, mine operatives and laborers, motor operators, oilers, and greasers (except auto), painters (except construction and maintenance), photographic process workers, boiler tender, truck and tractor drivers, weavers (textile), welders, and flamecutters and kindred workers.

Laborers (unskilled) — Workers in manual occupations which generally require no special trainings perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Includes: garage laborers, car washers and greasers, gardeners (except farm) and groundkeepers, stevedores, wood choppers, laborers performing lifting, digging, mixing, loading and pulling operations, and kindred workers.

Service Workers — Workers in both protective and nonprotective service occupations. Includes: attendants (hospital and other institutions, professional and personal service, including nurses aides and orderlies), barbers, charworkers, and cleaners, cooks (except household), counter and fountain workers, elevator operators, firefighters and fire protection, guards, doorkeepers, stewards, janitors, police officers and detectives, porters, waiters and waitresses, and kindred workers.

MINORITY GROUP DEFINITIONS

Black (Not of Hispanic origin) — All persons having origins in any of the Black racial groups of Africa.

Hispanic — All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

Asian or Pacific Islanders — All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent of the Pacific Islands. This area includes, for example, China, Japan, India, Korea, the Philippine Islands, and Samoa.

American Indian or Alaskan Native — All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

U. S. DEPARTMENT OF COMMERCE
ECONOMIC DEVELOPMENT ADMINISTRATION

Locator No. _____

ASSURANCES OF COMPLIANCE
with Civil Rights and Other Legal Requirements
(To Be Executed Only By Other Parties)

Applicant Name:
City, State, Zip:

Brief Project Description:

The obligations incurred under this form apply only to the facility or property receiving EDA assistance. This form applies to Other Parties, who are inclusive of any governmental, public or private agency, institution, organization or other entity, or any individual with a direct or substantial participation in the program or project receiving Federal financial assistance from the Economic Development Administration (EDA), such as contractors, subcontractors, providers of employment, or users of the facility or its services. This form is being executed by an "Other Party" who satisfies one or both of the following conditions (check at least one:)

1. The Other Party will be creating or saving 15 or more jobs (estimated number: _____) as a result of EDA assistance, and (check a or b)
- (a) is specifically cited in the application for funds as a project beneficiary.
- (b) will locate or is located in an assisted industrial park before EDA has made its final disbursement for the park. (Source: 13 CFR 311.3)
2. The project serves an industrial park site which is neither owned nor operated by the applicant or recipient of Federal financial assistance. The non-applicant owner(s) and operator(s) are considered "Other Parties" (Source: 13 CFR 305.43)

ASSURANCES OF COMPLIANCE WITH THE DEPARTMENT OF COMMERCE AND THE
ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) REGULATIONS UNDER
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964,
PUBLIC LAW 92-65 (as amended), SECTION 504 OF THE REHABILITATION ACT OF 1973,
AND THE AGE DISCRIMINATION ACT OF 1975

(Name of Other Party)

(hereinafter called the "Other Party") assures that, as an Other Party, it will comply with Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-2000d 4), the requirements imposed by or pursuant to regulations issued for the Department of Commerce and designated as 15 CFR Subtitle A Part 8, and any amendments thereto.

The Other Party agrees to comply with the provisions of Section 112 of Public Law 92-65 (42 USC 3123), the requirements imposed by or pursuant to the regulations of the Economic Development Administration promulgated in 13 CFR Part 311 (as explained in the April 1979 EDA Civil Rights Guidelines), and any amendments thereto.

The Other Party agrees to comply with Section 504 of the Rehabilitation Act of 1973 (26 USC 794) and 15 CFR Part 8b, subsections a, b, c, and e (Regulations of the Department of Commerce implementing Section 504 of the Rehabilitation Act), and the Age Discrimination Act of 1975 (42 USC 6101), 15 CFR Part 20. Such requirements hold that no person in the United States shall on the ground of race, color, national origin, sex, handicap, or age be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity for which Federal financial assistance has been extended.

Assurances of Compliance
With Civil Rights and
Other Legal Requirements

In accordance with these assurances and without limiting the above, the Other Party agrees that these assurances shall be binding upon it, its grantees, assignees, transferees, lessees, and successors in interest. These assurances shall also be binding through every modification or amendment to this project.

The Other Party acknowledges that it has received and read the Department of Commerce and EDA regulations, and that it is aware that if there appears to be a failure or threatened failure to comply with this part, and if the noncompliance or threatened noncompliance cannot be corrected by informal means, compliance with this part may be effected by the suspension or termination of, or refusal to grant or to continue, Federal financial assistance, or by any other means authorized by law.

NOTICE

This form must be executed by an official authorized to make the aforementioned assurances contained herein, with full authority to bind the recipient or other party identified herein. If the recipient or other party is a corporation, this form must be executed by a corporate officer authorized to make such assurances, and the title block must clearly indicate such authority. Assurance forms executed by employees other than corporate officers will not be accepted unless they are accompanied by a separate certification signed by a corporate officer stating the assurer has full authority to bind the recipient or other party identified below. In the case of an individual executing this assurance form as sole owner, sole owner must be indicated in the title block. For situations other than those discussed herein, contact the EDA regional office for appropriate acceptance instructions.

ACCEPTANCE OF ASSURANCES OF COMPLIANCE

These assurances are made and accepted for:

Name of Other Party: _____

Address: _____

Phone No.: () _____

By _____
(Type or Print Name)

(Title of Accepting Official)

(Signature of Accepting Official)

(Date)

WARNING

False statements or representations made in connection with this "ASSURANCE OF COMPLIANCE" is a violation of Federal law punishable by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both (see 42 USC 3220; 18 USC 1001).

Form 5

ENVIRONMENTAL ASSESSMENT CHECKLIST

1. Check the following construction activities or elements which are associated with the proposed project.

Yes	No	Unknown	
_____	_____	_____	Alteration of Natural Drainage
_____	_____	_____	Surfacing, Paving
_____	_____	_____	Cut and Fill
_____	_____	_____	Fencing, Other Barriers
_____	_____	_____	Pipelines, Transmissions Lines
_____	_____	_____	Surface Excavation
_____	_____	_____	Jetties, Gabions
_____	_____	_____	Riprapping, Revetments
_____	_____	_____	Canalization
_____	_____	_____	Channel Alternation
_____	_____	_____	Dredging
_____	_____	_____	Dams, Impoundments
_____	_____	_____	Renovation or Expansion of Existing Facilities
_____	_____	_____	Demolition of Structures
_____	_____	_____	Water Intake Structures
_____	_____	_____	Wastewater Discharge Structures
_____	_____	_____	Air Emission Sources
_____	_____	_____	New Facility Construction

2. Check the following environmental resources which may be affected by the proposed project.

Yes No Unknown

					a. <u>Water</u>
_____	_____	_____			Surface (river, lake, reservoir)
_____	_____	_____			Estuary
_____	_____	_____			Ocean
_____	_____	_____			Underground
					b. <u>Existing Air Quality</u>
					c. <u>Flora</u>
_____	_____	_____			Trees
_____	_____	_____			Shrubs
_____	_____	_____			Grasses
_____	_____	_____			Crops
_____	_____	_____			Aquatic Plants
_____	_____	_____			Endangered Species
					d. <u>Fauna</u>
_____	_____	_____			Birds
_____	_____	_____			Land Animals, including reptiles
_____	_____	_____			Fish and Shellfish
_____	_____	_____			Lifefoms on bottom of Water Bodies (benthos)
_____	_____	_____			Endangered Species
					e. <u>Land Use</u> (check uses that are directly affected or adjacent to affected property)
_____	_____	_____			Wilderness (designated or proposed under the Wilderness Act)
_____	_____	_____			Open Spaces
_____	_____	_____			Wetlands

Yes	No	Unknown	
_____	_____	_____	Forests
_____	_____	_____	Grazing
_____	_____	_____	Agricultural
_____	_____	_____	Residential
_____	_____	_____	Commercial
_____	_____	_____	Industrial
_____	_____	_____	Floodplain
_____	_____	_____	Mining, Quarrying
_____	_____	_____	Recreation
_____	_____	_____	Transportation
_____	_____	_____	Historical, Archaeological Sites, (listed on the National Register or Historic Places or eligible for listing)
_____	_____	_____	Shoreline
_____	_____	_____	Beaches
_____	_____	_____	Dunes
_____	_____	_____	Steep Slopes
_____	_____	_____	Aquifer Recharge Area
_____	_____	_____	Wildlife Refuge

3. Project Description

Identify all specific elements of the project including size and magnitude. Indicate the purpose of project and extent of land to be considered as the project site. Clarify those items checked in number one above to include the appropriate sizes, quantities, lengths or the appropriate magnitudes of the items checked.

4. Beneficiaries

Identify by name, product and operation. Indicate if existing, expanding or new location. Indicate the major types of liquid, gaseous, and solid wastes produced.

5. Area Description

Describe in detail, the size, terrain, and present land uses as well as adjacent land uses of the areas to be affected. This description should clarify the items checked in number two

above. Provide location maps and, if available at this time, any time drawings or photographs. Indicate the presence of any known historic/archaeological sites.

6. Describe the impacts on air quality checked in item two above and those associated with the beneficiaries' operations. Comment on possible problems resulting from gaseous emissions, orders, smoke, and dust or other particulate mater. If available at this time, provide a general description of the expected amounts and types of emissions. Indicate the status of the existing air quality of the area.
7. Describe the impacts on the water resources checked in item two above and those associated with the beneficiaries' operations. Indicate any deficiencies or problems relating to the present availability of raw water and its treatment. Indicate the degree of sewage treatment presently provided. Describe the wastewater discharge resulting from the project along with a general description of the expected amounts and types of discharges. Comment on any foreseeable problems resulting from erosion, sedimentation, and storm water runoff. Indicate the nature of any potential impacts to scenic or recreational watercourses.
8. Discuss the kinds and amounts of solid wastes to be generated by the proposal including the operations of the beneficiaries. Describe the methods of disposal and any problems relating to these methods. Indicate any programs or plans for resource recovery i.e. recycling.
9. Describe the existing transportation systems serving the project area. Indicate any present problems related to these systems or potentially resulting from the project. Indicate any expected changes in traffic patterns and their impacts on nearby sensitive land use such as schools, hospitals, and residences.
10. Indicate the nature of any impacts on the human environment as a result of relocation, noise levels, visual appearance and radiation. Describe existing noise levels, visual appearance and radiation. Describe existing noise levels in the project area and the new sources associated with the project.
11. Indicate any related federal and non-federal projects planned or underway for the project area.
12. Indicate whether objections have been raised to the project on environmental grounds. Indicate whether a public hearing has been held to include the results and a summary of any objections raised. Indicate any other evidence of the community's awareness of the project such as newspaper articles.

I affirm that the information contained in this document is true to the best of my knowledge.

Prepared on _____
Date

Prepared by _____
Applicant

U. S. DEPARTMENT OF COMMERCE
Economic Development Administration
EMPLOYER'S CERTIFICATE OF NONRELOCATION

To be executed by employers within project boundaries of projects for construction grant assistance under Titles I, IV, IX and section 301 (f) of Title III of the Public Works and Economic Development Act of 1965, as amended (PWEDA).

NOTE—EDA's regulations at 13 CFR 309.3 prohibit EDA from making construction grants under Titles I, IV, IX and section 301(f) of Title III which will have the effect of assisting an employer in moving jobs from one commuting area to another commuting area. An expansion of an existing business to anew location may be assisted if such an expansion will not cause unemployment in other areas where the business conducts operations.

Items 1-2 are to be completed by Grant Applicants before this form is executed by employers.

1. Grant Applicant Name:
City, State:

2. Short Project Description:

Employers are to complete items 3-4 and read and understand item 5.

3. This form is being executed by an employer who satisfies one or more of the following conditions: (Check at least one)

- a. It is an employer located or locating, or a nonapplicant owner or operator of an industrial park or site within the Project Boundaries.
- b. In the case of construction grants to fund area-wide utility systems it is an employer which uses or is projected to use greater than ten percent (10%) of the total capacity of the utility system as improved by the EDA grant.
- c. It is an affiliate, subsidiary, or other entity under direct, indirect, or common control of the foregoing entities.
- d. It is an assignee, transferee, lessee, or successor in interest of the foregoing entities.

4. EMPLOYER CERTIFICATION AND ASSURANCE OF COMPLIANCE WITH EDA'S NONRELOCATION REGULATIONS

(Name of Employer)

(Street Address, City, State, Zip

Phone Number)

(hereinafter called the "Employer") certifies and assures that, as an Employer on a project involving EDA financial assistance, it will comply with EDA's nonrelocation regulations at 13 CFR 309.3. These regulations provide that EDA financial assistance will not be used directly or indirectly to assist Employers who transfer one or more jobs from one commuting area to another. A commuting area is that area defined by the distance people normally travel to work in the locality of the project receiving EDA financial assistance. This restriction applies to the transfer of jobs, not of personnel.

The Employer certifies and assures that it is not its intention to transfer one or more jobs from one commuting area to another by either (1) closing an operation in one commuting area and opening a new operation in the Project Area, which is in a new commuting area, or (2) curtailing its operations in another location and increasing the number of jobs of the existing operations located in the Project Area, for a period forty-eight (48) months from the date of approval by EDA of financial grant assistance.

The Employer certifies and assures that it has not located and that it will not locate in the Project Area prior to the date of EDA's approval of the proposed financial assistance, for the purpose of avoiding the restrictions of this nonrelocation rule.

The Employer understands that EDA financial assistance is not prohibited for the expansion of an Employer through the creation of a new branch, affiliate, or subsidiary which will not result in a decrease in jobs in any area where the Employer conducts business operations, and that retail stores which open new outlets in EDA funded facilities are exempt from this requirement provided: (1) the retail store is not a direct recipient of EDA financial assistance; (2) the retail store is not engaged in a pattern of operations which would result in relocating a substantial portion of its operations from one multi-state region to another; and, (3) the new outlet opening will not result in a significant reduction of employment in the retail store's entire operation.

The undersigned is authorized to make the foregoing certification and assurances and to execute this Certificate on behalf of the Employer.

Executed this _____ day of _____, 19

by _____
(Type or Print Name) (Title of Executing Official)

(Signature of Executing Official)

5. WARNING

Note—Section 710(a) of the Public Works and Economic Development Act of 1965, as amended, provides that: "Whoever makes any statement knowing it to be false, or whoever willfully over values any security, for the purpose of obtaining for himself for for any applicant any financial assistance under section 101, 201, 202, or 403 or any extension thereof by renewal, deferment or action, or otherwise, or the acceptance, release, or substitution of security therefore, or for the purpose of influencing in anyway the action of the Secretary, or for the purpose of obtaining money, property, or anything of value, under this Act, shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both." EDA'S NONRELOCATION REQUIREMENTS AT 13 CFR 309.3(m) PROVIDE THAT: "WHEN EDA DETERMINES THAT THESE REQUIREMENTS HAVE BEEN VIOLATED, EDA WILL TERMINATE FOR CAUSE THE FINANCIAL ASSISTANCE MADE AVAILABLE BY EDA. THE RECIPIENT WILL BE OBLIGATED TO REPAY TO EDA THE FULL AMOUNT OF THAT FINANCIAL ASSISTANCE, PLUS INTEREST, FROM THE DATE DETERMINED BY EDA UPON WHICH THE VIOLATION OCCURRED, AT THE NEW YORK BANK PRIME RATE AS REPORTED IN THE WALL STREET JOURNAL ON THE DATE OF TERMINATION."

MEMORANDUM

TO: RLF Applicants and Recipients

FROM: MMDC Staff

RE: Public Information/News Releases

This memo is to inform Revolving Loan Fund (RLF) applicants and recipients in regard to MMDC public information and news release policies. Information included in RLF applications is strictly confidential. However, once the RLF Review Committee makes a recommendation the name(s) of the applicant, amount requested, and committee decision becomes public information.

The MMDC reserves the right, as specified in the resolution approving the application and in the loan commitment agreement, to publicize the RLF through a news release by using the name of the business and the principals and the amount loaned. This option will be used at the discretion of the MMDC.

Applicants should also be aware that the other funding agencies may also utilize this information in news releases or as public information. The other funding agencies involved in the MMDC RLF are Kandiyohi, McLeod, Meeker and Renville Counties, the State of Minnesota Department of Trade and Economic Development, the U.S. Department of Commerce Economic Development Administration and the Southwest Minnesota Foundation.

If you have any questions regarding the public information aspects of your loan or about any news releases planned, please contact Nancy (Anderson) Larson.

kn

Please sign and date one copy and return to MMDC in the enclosed self-addressed stamped envelope.

Signed:

Date: _____
Date: _____
Date: _____

Form 8

**CERTIFICATION OF COMPLIANCE WITH THE CLEAN AIR
ACT AND THE FEDERAL WATER POLLUTION CONTROL ACT**
42 USC 7401 et seq., 33 USC 1251 et seq., E.O. 11738

Name of Project: _____ Project Number: _____

Location: _____
(City, county, state)

The UNDERSIGNED Certifies that:

- (a) it is either (1) an applicant for financial assistance from the Economic Development Administration, (2) a bidder for a construction, service or supply contract to be entered into by the recipient of EDA assistance for the purpose of accomplishing the project noted above, or (3) a bidder for a subcontract under the latter contract;
- (b) as such, those facilities under its ownership, lease or supervision which will be utilized in the accomplishment of the project noted above are not listed on the Environmental Protection Agency's (EPA) List of Violating Facilities, pursuant to Section 15.20 of 40 CFR, Part 15; and
- (c) it will notify the Economic Development Administration, if the UNDERSIGNED is an applicant, or notify the recipient of the EDA financial assistance, if the UNDERSIGNED is a bidder, 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 on the EPA List of Violating Facilities.

*Signature and Title of Applicant's/
 Contractor's/Subcontractor's Authorized Representative** _____
Date

for _____
*Applicant/Contractor/Subcontractor**

ACKNOWLEDGEMENT

I, _____, as _____ of _____

_____ do hereby certify that the foregoing officer who executed the certification has full authority to bind that entity. In witness whereof I set my hand and affix the (corporate, state, county, or municipal)* seal this _____ day of _____, 19____.

Name and Title of Individual

SEAL

NOTE: The above acknowledgement must be executed by a different officer than the person who signed above for the entity. HOWEVER, if such entity represents a single owner, or a proprietorship, or a partnership, then the acknowledgement need not be executed.

* STRIKE OUT INAPPROPRIATE REFERENCES

PART V - ASSURANCES - CONSTRUCTION PROGRAMS

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 nondiscrimination 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 completed 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 nineteen 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; and Section 112 of P.L. 92-65 which prohibits sex discrimination in PWEDA programs; (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. 93-255), as amended, relating to non-discrimination 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 non-discrimination provision in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other non-discrimination Statute(s) which may apply to the application.

Part V - Assurances (continued)

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) and Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (P.L. 100-17) which provides 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), 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 the 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 (E.O.) 11514; (b) notification of violating facilities pursuant to E.O. 11738; (c) protection of wetlands pursuant to E.O. 11990; (d) evaluation of flood hazards in floodplains in accordance with E.O. 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); (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205); (i) assurance of project compliance with all existing environmental laws and policies in accordance with the Environmental Quality Improvement Act, as amended, (42 U.S.C. 4374); (j) protection of navigable waters, fish and wildlife under the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251, et seq.); (k) improvement of solid and hazardous waste management in accordance with Resource Conservation and Recovery Act of 1976, as amended, (42 U.S.C. 6901); (l) control of noise under the Noise Control Act of 1972, as amended, (P.L. 92-574); (m) provisions for hazardous substances cleanup and emergency response pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, (42 U.S.C. 9601 et seq.); (n) conservation and management of fish and wildlife, particularly nongame, under the Fish and Wildlife Conservation Act, as amended, (16 U.S.C. 2901 et seq.); (o) preservation of prime farmland for agricultural purposes under the Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.); (p) protection of the natural resources pursuant to the Coastal Barrier Resources Act of 1982, as amended, (16 U.S.C. 3501 et seq.); (q) protection of marine environment under the Marine Protection, Research and Sanctuaries Act of 1972, as amended, P.L. 92-532; (r) regulation of testing and processing of chemicals under the Toxic Substances Control Act, as amended, P.L. 94-469; and (s) protection of all species of Wildlife resources and their habitat under the Fish and Wildlife Coordination Act, as amended, P.L. 89-72.
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), E.O. 11593 (identification and preservation 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 of 1984.
19. Will operate and maintain the facility in accordance with 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.

Part V - Assurances (continued)

20. Will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17.703). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

21. (Not applicable to State and Local Governments)

In consideration of EDA making a grant and/or loan requested by an Applicant which is a business enterprise, for this project, it agrees that for a period of two years after disbursement by EDA of said grant and/or loan or any part thereof, it will not employ or tender any office or employment to, or retain for professional services, any person who, on the date of such disbursement, or within one year prior to said date, shall have served as an officer, attorney, or agent or employee of EDA occupying a position or engaged in activities which EDA has determined involves discretion with respect to the granting of assistance under the Public Works and Economic Development Act of 1965, as amended.

22. Will give and will require employers who are Substantial Beneficiaries of public works assistance (as defined at 13 CFR 309.10) and contractors or subcontractors (as required by 13 CFR 305.54) to give preferential consideration, wherever possible, to the long term unemployed and underemployed residing in the project area, in connection with the project assisted by EDA. (See Instructions).

23. Will comply, or has already complied with the requirements of the Drug Free Workplace Act of 1988 (P.L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.) and 15 CFR Part 26 (55 FR 21678, 5/25/90) which requires applicants for Federal assistance to certify that they will provide drug free workplaces.

24. Will comply, or has already complied with the requirements of New Restrictions on Lobbying (P.L. 101-121, Section 319) and 15 CFR Part 28 (55 FR 6736-6748, 2/26/90) which imposes requirements regarding use of Federal/nonfederal funds for lobbying activities.

25. 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

CORPORATE AUTHORIZATION RESOLUTION

I, _____, do hereby certify that I am Secretary of _____, Federal Employer I.D. Number _____, a corporation organized under the laws of the State of MINNESOTA, and that the following is a true, complete and correct copy of resolutions adopted at a meeting of the Board of Directors of said Corporation duly and properly called and held on the _____ day of _____, 19 95; that a quorum was present at said meeting; that said resolutions are set forth in the minutes of said meeting and have not been rescinded or modified.

RESOLVED, that MID-MINNESOTA DEVELOPMENT COMMISSION hereinafter sometimes called the Bank be and it hereby is designated as a depository for the funds of this corporation and any officer of this corporation is hereby authorized to open or cause to be opened an account or accounts with said Bank on such terms, conditions and agreements as shall be required by said Bank, to endorse or cause to be endorsed, in the name of this corporation and to cash, to negotiate or to deposit or cause to be deposited in such account or accounts any money, checks, drafts, orders, notes and other instruments for the payment of money and to make any other agreements deemed advisable in regard thereto.

RESOLVED FURTHER, that checks, drafts or other withdrawal orders issued against the funds of this corporation on deposit with said Bank may be signed by any ONE of the following: (Insert One or Two)

and said Bank is hereby fully authorized to pay and charge to the account of this corporation any checks, drafts or other withdrawal orders, so signed, including those payable to the individual order of the person signing the same and including also checks or other withdrawal orders payable to the said Bank or to any other person or corporation, which are applied in payment of any indebtedness owing to said Bank from the person or persons who signed such checks or other withdrawal orders.

RESOLVED FURTHER, that any ONE of the following: (Insert One or Two)

be and hereby are authorized to borrow money for and on behalf of and in the name of this corporation; to make any agreements in respect thereto; and to sign, execute and deliver promissory notes, acceptances or other evidences of indebtedness therefor, or in renewal thereof, in such amounts and for such time, at such rate of interest and upon such terms as they see fit; and are hereby authorized to endorse, assign, transfer, mortgage, or pledge to said Bank the bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now or hereafter owned by this corporation as security for the payment of any money so borrowed; to assign or negotiate to the Bank any bills receivable now or hereafter owned by this corporation, and to discount the same; to unconditionally guarantee payment of any or all bills receivable so negotiated or discounted, and to waive demand, protest and notice of non-payment.

RESOLVED FURTHER, that this resolution shall continue in force until express written notice of its rescission or modification has been furnished to and received by said Bank.

RESOLVED FURTHER, that all transactions, if any, in respect to any deposits, withdrawals, rediscounts and borrowings by or in behalf of this corporation with said Bank prior to the adoption of this resolution be and the same hereby are in all things ratified, approved and confirmed.

RESOLVED FURTHER, that any of the persons above-named be and they hereby are authorized and empowered to make any and all other contracts, agreements, stipulations and orders which they may deem advisable, from time to time, with said Bank in respect to transaction between this corporation and said Bank in regard to funds deposited in said Bank, moneys borrowed from said Bank or any other business transacted by and between this corporation and said Bank.

RESOLVED FURTHER, that any and all resolutions heretofore adopted by the Board of Directors of this corporation and certified to said Bank as governing the operation of this corporation's account(s) with it, be and are hereby continued in full force and effect, except as the same may be supplemented or modified by the foregoing.

I further certify that the Board of Directors of this corporation has, and at the time of adoption of said resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the powers therein granted to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of this corporation this _____ day of _____, 19 95

Attest by On: _____ Officer Secretary

NOTICE: Prepare this form in duplicate - Forward the original copy to the Bank and retain the duplicate copy for your files. Also, complete all other forms furnished by the Bank (such as signature card, lease forms, etc.) and forward them to the Bank immediately, as they are absolutely necessary to carry out the directives of this authorization.