

SBA NEW ACCOUNT CHECKLIST
(Construction bonds over \$250,000)

1. CONTRACTOR QUESTIONNAIRE (**signed & dated**)
2. PERSONAL FINANCIAL STATEMENT (**signed & dated**) **Form 413 attached, if necessary.**
3. BUSINESS FINANCIALS (**all signed & dated**)
 - Company
 - Most recent 3 year ends
 - Interim statement if applicable
 - Other Business owned (affiliates)
 - Most recent 3 year ends OR tax returns schedule e.g. 1120S, containing revenues/income
4. BANK REFERENCE LETTER (**signed & dated**).
5. SCHEDULE OF UNCOMPLETED WORK (surety status reports or optional Form 994F (**signed & dated**))
6. RESUME of PRINCIPALS and/or KEY EMPLOYEES (for start-ups & optional for existing companies)
7. SBA FORM 912 Please be sure to initial boxes 5, 7, 8 & 9. The form must be completed by all 20% or more owners as well as all officers and directors. (**need original signed and dated form**)
8. SBA FORM 994 (Parts 1, 11, IV, & V)

SBA ELIGIBILITY REQUIREMENTS

1) Contractor Eligibility Requirements

- a. The contractor must be unable to obtain a bond with reasonable terms and conditions in the standard surety market.
- b. SBA will not support bonds for contractors who are primarily construction managers or brokers who transfer control of the project to subcontractors.
- c. The contractor, including all affiliates and subsidiaries, must qualify as a small business under the SBA small business size standards. (Average annual receipts for the past 3 years cannot exceed \$7 million)
- d. The contractor and its principals must have good character and reputation
- e. The contractor must be located in and doing business in the US, including its Territories and Possessions.

2) Contract and Bond Eligibility Requirements

- a. A contract must specify that a performance and/or payment bond is required and for a specific period of time.
- b. A contract must be for a specific amount, not to exceed the current statutory limitation of \$2 million. The bonds required must not exceed the contract amount, unless bond is for demolition project.
- c. An invitation for bid or request for proposal must specify a bond is required for an offer and a performance and/or payment bond will be required upon award of the contract.
- d. Contracts containing maintenance agreement of two (2) years or less covering defective workmanship and material are eligible. If longer than two (2) years or if other than defective workmanship and material are to be coverage, than prior approval from the SBA is necessary.

3) Ineligible Contracts and Bonds

- a. A contract that prohibits Surety from performing the contract if contractor defaults.
- b. Stand Alone Maintenance Bonds
- c. License and Permit Bonds
- d. Subdivision Bonds
- e. Lease Bonds (Coal, Gas, Oil, etc)
- f. Financial Guarantees, except for Timber Sale contracts
- g. Warranty of Performance or Efficiency
- h. Warranty of Fidelity
- i. Release of Lien Bonds
- j. Advance Payment Bonds
- k. Completion Bonds
- l. Reclamation Bonds for New Mining
- m. Performance and/or Payment Bonds greater than the contract amount unless for Demolition contract.
- n. Bid Bonds on jobs already bid
- o. Same Surety bonding both Prime and Subcontractor(s)

4) Costs

Surety charges the contractor between 1.5 and 3 percent of the contract price. SBA does not charge for an application or bid bond guarantee. All final bond applications and all bid bonds resulting in awards, require a processing fee of \$7.29 per \$1,000 of the contract amount. In the event of cancellation, or the bond is not issued, the processing fee will be returned.

The underwriting information required are:

Contractors questionnaire, current bank reference letter, business financial statements (most recent three year-ends and interim at six months from year end if applicable), current personal financial statement, general indemnity agreement, status of work in progress and SBA forms (994, 994B and 912)

CONTRACTOR'S SURETY QUESTIONNAIRE

The purpose of the Contractor's Surety Questionnaire is to develop sufficient information to assist the underwriter in evaluating the Contractor's qualifications in order that the underwriter will be in a position to provide the MAXIMUM bonding capacity. ALL INFORMATION MUST BE COMPLETE. If space is inadequate, please attach additional pages.

GENERAL BUSINESS INFORMATION:

COMPANY NAME (as licensed): _____

STREET ADDRESS: _____
(Street, City, State & Zip Code)

MAILING ADDRESS: _____
(if different than above) (Post Office Box, State & Zip Code)

BUS. PHONE:(____) _____ - _____ FAX:(____) _____ - _____ FED ID NO: _____

DATE OF INCORPORATION: ____/____/____ DATE BUSINESS STARTED: ____/____/____

TYPE OF FIRM: ___ CORPORATION ___ PARTNERSHIP ___ PROPRIETORSHIP ___ SUB S CORP
___ LIMITED LIABILITY CORPORATION

Type of construction work performed: _____

List all State Contractor's Licenses held by your company:

<u>STATE</u>	<u>LICENSE NO.</u>	<u>CLASSIFICATION – TYPE OF WORK</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

1. How much of your work is performed as: GENERAL _____% SUBCONTRACTOR _____%
2. What percentage of your work is normally subcontracted: _____%
3. What trades do you normally subcontract: _____
4. Are subcontractors required to bond back: _____ YES _____ NO
5. What trades do you normally undertake with your own forces: _____
6. What is the average breakdown of your firm's construction income: GOVERNMENTAL AGENCIES: _____% PUBLIC WORK: _____% PRIVATE COMMERCIAL _____% PRIVATE RESIDENTIAL _____%
7. What is your average job size? \$ _____
8. What was the largest project completed by your company? \$ _____ Date completed _____
Who were you under contract with on this project? (Name, Address, Phone Number, Person to Contact)

9. What are your anticipated bond needs for the next 12 months?

Single Bond Amount: \$ _____ No. of Jobs at one time: _____

10. What is the largest job you expect to undertake during the next year? \$ _____

11. What is your expected annual volume for next year? \$ _____

12. What was your largest work program (Uncompleted work-on-hand) in the last 3 years?

Total Amount: \$ _____ When (mo/yr): _____ / _____ No. of jobs this entailed: _____

13. List key personnel: (officers, estimators, bookkeepers, foremen, supervisors, etc.)

<u>NAME</u>	<u>POSITION</u>	<u>DOB</u>	<u>YRS EXPER.</u>	<u>PREVIOUS EMPLOYER</u>
-------------	-----------------	------------	-------------------	--------------------------

_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

14. List any life insurance in force on owners and/or key personnel:

<u>NAME OF INSURED</u>	<u>BENEFICIARY</u>	<u>AMOUNT</u>
------------------------	--------------------	---------------

A. _____ \$ _____

Insurance Company: _____

B. _____ \$ _____

Insurance Company: _____

C. _____ \$ _____

Insurance Company: _____

15. Is there a buy/sell agreement in effect? _____ How is it funded? _____

What continuity provisions do you have in place for the continuation of the company? _____

Who will complete current projects should something happen to the owners and/or other key employees? _____

Are there any benefits for them to do so? _____

16. Are there any loans due from the owners and/or employees of the company? _____ Yes _____ No

17. Has your firm or any of its owners or officers ever petitioned for bankruptcy, failed in business or defaulted on any project? (If yes, attach full explanation) _____ Yes _____ No

18. Is your firm or any of its owners or officers currently involved in any litigation? _____ Yes _____ No (If yes, attach full explanation)

19. List any subsidiaries and affiliates of this firm:

<u>Firm Name</u>	<u>Ownership</u>	<u>Type of Business</u>
------------------	------------------	-------------------------

_____	_____	_____
_____	_____	_____
_____	_____	_____

20. Was there a predecessor firm? _____

FINANCIAL INFORMATION

Banking:

Name of Bank: _____ Phone No.: _____
Mailing Address: _____ Years with this bank: _____
(Street, City, State & Zip Code)
Have you established a Line Of Credit? _____ If yes, Amount: \$ _____ Date Established: _____
Security on LOC: _____ Bank Officer: _____

(Attach copy of Credit/Loan Agreement)

Accounting & Financial:

Name of Accounting Firm: _____ Phone No.: _____
Mailing Address: _____
(Street, City, State & Zip Code)
Name of Accountant: _____ Years with this firm: _____
Statements are prepared on what basis: _____ COMPILATION _____ REVIEW _____ AUDIT
Method of preparation: _____ PERCENTAGE OF COMPLETION _____ COMPLETED CONTRACT _____ CASH
On what basis are taxes paid? _____ % OF COMPLETION _____ COMPLETED CONTRACT _____ CASH
What is your Fiscal YEAR-END? _____ How often are financial statements prepared? _____
Have operations been profitable since last statement date? _____ YES _____ NO (if no, attach separate sheet with explanation)
What type of accounting system do you use? _____ COMPUTER _____ MANUAL
If computerized, what software do you run and what portions do you use? _____
Do you currently have any disputed or questionable receivables? _____ YES _____ NO
(if yes, attach separate sheet with explanation)
What percentage of your receivables are more than 60 days old (not including retention)? _____

Job Costing:

Are job cost records kept? _____ YES _____ NO
How often are they reviewed? _____ Who reviews? _____
How often are they updated? _____ Are job cost records kept by project? _____
Who is responsible for maintaining the records? _____
What reports do you use to monitor projects? _____
What types of records are maintained: _____

Bonding & Insurance:

Name of Insurance Agency: _____ Phone No.: _____
Mailing Address: _____
(Street, City, State & Zip Code)
Name of Agent: _____ Years with this Agency: _____
Present or most recent Surety Company: _____
Years with this Surety Company: _____ How many bid bonds did you use last year? _____
How many final bonds did you need last year?: _____
Largest project bonded by this surety company: \$ _____ When (mo/yr) _____

CONTRACTOR REFERENCES

List the 5 largest projects completed in the last 3 years:

1. Owner or G.C.: _____ Person to Contact: _____
Mailing Address: _____ Phone No: _____
Project Name & No. _____ Contract Amount:\$ _____ Gross Profit: _____
Description & Location of Work: _____
_____ Yr. Completed _____
2. Owner or G.C.: _____ Person to Contact: _____
Mailing Address: _____ Phone No: _____
Project Name & No. _____ Contract Amount:\$ _____ Gross Profit: _____
Description & Location of Work: _____
_____ Yr. Completed _____
3. Owner or G.C.: _____ Person to Contact: _____
Mailing Address: _____ Phone No: _____
Project Name & No. _____ Contract Amount:\$ _____ Gross Profit: _____
Description & Location of Work: _____
_____ Yr. Completed _____
4. Owner or G.C.: _____ Person to Contact: _____
Mailing Address: _____ Phone No: _____
Project Name & No. _____ Contract Amount:\$ _____ Gross Profit: _____
Description & Location of Work: _____
_____ Yr. Completed _____
5. Owner or G.C.: _____ Person to Contact: _____
Mailing Address: _____ Phone No: _____
Project Name & No. _____ Contract Amount:\$ _____ Gross Profit: _____
Description & Location of Work: _____
_____ Yr. Completed _____

List your 5 largest material suppliers:

1. Supplier Name: _____ Person to Contact: _____
Mailing Address: _____ Phone: _____ Fax: _____
2. Supplier Name: _____ Person to Contact: _____
Mailing Address: _____ Phone: _____ Fax: _____
3. Supplier Name: _____ Person to Contact: _____
Mailing Address: _____ Phone: _____ Fax: _____
4. Supplier Name: _____ Person to Contact: _____
Mailing Address: _____ Phone: _____ Fax: _____

List 3 architects or engineers who are familiar with you work:

1. Firm Name: _____ Person to Contact: _____
Mailing Address: _____ Phone: _____ Fax: _____
2. Firm Name: _____ Person to Contact: _____
Mailing Address: _____ Phone: _____ Fax: _____
3. Firm Name: _____ Person to Contact: _____
Mailing Address: _____ Phone: _____ Fax: _____

COMPANY OWNERSHIP

List all owners and/or stockholders of the company

Name: _____ Position/Title: _____ % Ownership: _____

Home Address: _____
(Street, City, State & Zip Code)

SSN: _____ Date of Birth _____ Home Phone: _____

Spouses Name: _____ Spouse's Employer: _____

Personal Bank: _____ Spouse's SSN: _____

Name: _____ Position/Title: _____ % Ownership: _____

Home Address: _____
(Street, City, State & Zip Code)

SSN: _____ Date of Birth _____ Home Phone: _____

Spouses Name: _____ Spouse's Employer: _____

Personal Bank: _____ Spouse's SSN: _____

Name: _____ Position/Title: _____ % Ownership: _____

Home Address: _____
(Street, City, State & Zip Code)

SSN: _____ Date of Birth _____ Home Phone: _____

Spouses Name: _____ Spouse's Employer: _____

Personal Bank: _____ Spouse's SSN: _____

Name: _____ Position/Title: _____ % Ownership: _____

Home Address: _____
(Street, City, State & Zip Code)

SSN: _____ Date of Birth _____ Home Phone: _____

Spouses Name: _____ Spouse's Employer: _____

Personal Bank: _____ Spouse's SSN: _____

IMPORTANT...(READ CAREFULLY)

Each of the undersigned hereby affirms that the foregoing statements made, and answers given, are the truth and are made to induce the Surety's to execute or procure the execution of surety bonds, and any extension, modification, or renewal thereof, or substitution therefore. Each of the undersigned further affirms that he understands the bond(s) applied for is a credit relationship, and hereby authorizes the Surety, or its authorized agent to gather such credit information as it considers necessary and appropriate for purposes of evaluating whether such credit should be granted.

Dated this _____ day of _____, _____.

By: _____

Title: _____
(President, Partner, Manager/Member, or Proprietor)

By: _____

Title: _____
(Corporate Secretary, Vice President, Manager/Member or Partner)



PERSONAL FINANCIAL STATEMENT

U.S. SMALL BUSINESS ADMINISTRATION

As of _____, _____

Complete this form for: (1) each proprietor; (2) general partner; (3) managing member of a limited liability company (LLC); (4) each owner of 20% or more of the equity of the Applicant (including the assets of the owner's spouse and any minor children); and (5) any person providing a guaranty on the loan.

Return completed form to:

7(a) loans - to the lender processing the SBA application;

504 loans - to the Certified Development Company processing the SBA application;

ALL Disaster loans - to the Disaster Processing and Disbursement Center at 14925 Kingsport Road, Fort Worth, TX 76155-2243; and

8(a)/BD - applicants who are individuals claiming social and economic disadvantaged status and their spouses

- electronically at <http://www.sba.gov> or send hard copy with paper application to either of the two following offices listed below:

Mail to the following address, if your firm is located in one of the states below:	Mail to the following address, if your firm is located in one of the states below:
US Small Business Administration DPCE Central Office Duty Station Parkview Towers 1150 First Avenue 10th Floor, Suite 1001 King of Prussia, PA 19406	US Small Business Administration Division of Program Certification and Eligibility 455 Market Street, 6th Floor San Francisco, CA 94105
MA, ME, NH, CT, VT, RI, NY, PR (Puerto Rico), VI (US Virgin Islands), NJ, PA, MD, VA, WV, DC, DE, GA, AL, NC, SC, MS, FL, KY, TN	IL, OH, MI, IN, MN, WI, TX, NM, AR, LA, OK, MO, IA, NE, KS, CO, WY, ND, MT, UT, SD, CA, HI, GU (GUAM), NV, AZ, WA, AK, ID, OR

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

ASSETS		LIABILITIES	
	(Omit Cents)		(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 \$ _____	
(Complete Section 8)		Loan on 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 - Total Present Value	\$ _____	Other Liabilities	\$ _____
(Describe in Section 5, and include Year/Make/Model)		(Describe in Section 7)	
Other Personal Property	\$ _____	Total Liabilities	\$ _____
(Describe in Section 5)		Net Worth	\$ _____
Other Assets	\$ _____		
(Describe in Section 5)			
Total	\$ _____	Total	\$ _____

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 need 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 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 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 SBA/Lender 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)

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 will rely on this information when making decisions regarding an application for a loan from SBA or an SBA Participating Lender, or for participation in the SBA 8(a) Business Development (BD) program.

Signature _____

Date _____

Print Name _____

Social Security No. _____

Signature _____

Date _____

Print Name _____

Social Security No. _____

NOTICE TO LOAN APPLICANTS: CRIMINAL PENALTIES AND ADMINISTRATIVE REMEDIES FOR FALSE STATEMENTS:

Knowingly making a false statement on this form is a violation of Federal law and could result in criminal prosecution, significant civil penalties, and a denial of your loan. A false statement is punishable under 18 U.S.C. §§ 1001 and 3571 by imprisonment of not more than five years and/or a fine of up to \$250,000; under 15 U.S.C. § 645 by imprisonment of not more than two years and/or a fine of not more than \$5,000; and, if submitted to a Federally insured institution, a false statement is punishable under 18 U.S.C. § 1014 by imprisonment of not more than 30 years and/or a fine of not more than \$1,000,000.

NOTICE TO APPLICANTS OR PARTICIPANTS IN THE 8(a) BD PROGRAM: CRIMINAL PENALTIES AND ADMINISTRATIVE REMEDIES FOR FALSE STATEMENTS:

Any person who misrepresents a business concern's status as an 8(a) Program participant or SDB concern, or makes any other false statement in order to influence the 8(a) certification or other review process in any way (e.g., annual review, eligibility review), shall be: (1) Subject to fines and imprisonment of up to 5 years, or both, as stated in Title 18 U.S.C. § 1001; (2) subject to fines of up to \$500,000 or imprisonment of up to 10 years, or both, as stated in Title 15 U.S.C. § 645; (3) Subject to civil and administrative remedies, including suspension and debarment; and (4) Ineligible for participation in programs conducted under the authority of the Small Business Act.

PLEASE NOTE: The estimated average burden hours for the completion of this form is 1.5 hours per response. If you have questions or comments concerning this estimate or any other aspect of this information, please contact Chief, Administrative Branch, U.S. Small Business Administration, Washington, D.C. 20416, and Clearance Officer, Paper Reduction Project (3245-0188), Office of Management and Budget, Washington, D.C. 20503. **PLEASE DO NOT SEND FORMS TO OMB.**

PLEASE READ, DETACH, AND RETAIN FOR YOUR RECORDS
STATEMENTS REQUIRED BY LAW AND EXECUTIVE ORDER

SBA is required to withhold or limit financial assistance, to impose special conditions on approved loans, to provide special notices to applicants or borrowers and to require special reports and data from borrowers in order to comply with legislation passed by the Congress and Executive Orders issued by the President and by the provisions of various inter-agency agreements. SBA has issued regulations and procedures that implement these laws and executive orders. These are contained in Parts 112, 113, and 117 of Title 13 of the Code of Federal Regulations and in Standard Operating Procedures.

Privacy Act (5 U.S.C. 552a)

Any person can request to see or get copies of any personal information that SBA has in his or her file when that file is retrieved by individual identifiers such as name or social security numbers. Requests for information about another party may be denied unless SBA has the written permission of the individual to release the information to the requestor or unless the information is subject to disclosure under the Freedom of Information Act.

Under the provisions of the Privacy Act, you are not required to provide your social security number. Failure to provide your social security number may not affect any right, benefit or privilege to which you are entitled. Disclosures of name and other personal identifiers are, however, required for a benefit, as SBA requires an individual seeking assistance from SBA to provide it with sufficient information for it to make a character determination. In determining whether an individual is of good character, SBA considers the person's integrity, candor, and disposition toward criminal actions. Additionally, SBA is specifically authorized to verify your criminal history, or lack thereof, pursuant to section 7(a)(1)(B), 15 USC Section 636(a)(1)(B) of the Small Business Act (the Act). Further, for all forms of assistance, SBA is authorized to make all investigations necessary to ensure that a person has not engaged in acts that violate or will violate the Act or the Small Business Investment Act, 15 USC Sections 634(b)(11) and 687(b)(a), respectively. For these purposes, you are asked to voluntarily provide your social security number to assist SBA in making a character determination and to distinguish you from other individuals with the same or similar name or other personal identifier.

The Privacy Act authorizes SBA to make certain "routine uses" of information protected by that Act. One such routine use is the disclosure of information maintained in SBA's investigative files system of records when this information indicates a violation or potential violation of law, whether civil, criminal, or administrative in nature. Specifically, SBA may refer the information to the appropriate agency, whether Federal, State, local or foreign, charged with responsibility for, or otherwise involved in investigation, prosecution, enforcement or prevention of such violations. Another routine use is disclosure to other Federal agencies conducting background checks; only to the extent the information is relevant to the requesting agencies' function. See, 74 F.R. 14890 (2009), and as amended from time to time for additional background and other routine uses.

Right to Financial Privacy Act of 1978 (12 U.S.C. 3401) -- This is notice to you as required by the Right to Financial Privacy Act of 1978, of SBA's access rights to financial records held by financial institutions that are or have been doing business with you or your business, including any financial institutions participating in a loan or loan guaranty. The law provides that SBA shall have a right of access to your financial records in connection with its consideration or administration of assistance to you in the form of a Government guaranteed loan. SBA is required to provide a certificate of its compliance with the Act to a financial institution in connection with its first request for access to your financial records, after which no further certification is required for subsequent accesses. The law also provides that SBA's access rights continue for the term of any approved loan guaranty agreement. No further notice to you of SBA's access rights is required during the term of any such agreement. The law also authorizes SBA to transfer to another Government authority any financial records included in a application for a loan, or concerning an approved loan or loan guarantee, as necessary to process, service or foreclose on a loan guaranty or collect on a defaulted loan guaranty.

Freedom of Information Act (5 U.S.C. 552)

This law provides, with some exceptions, that SBA must supply information reflected in agency files and records to a person requesting it. Information about approved loans that will be automatically released includes, among other things, statistics on our loan programs (individual borrowers are not identified in the statistics) and other information such as the names of the borrowers (and their officers, directors, stockholders or partners), the collateral pledged to secure the loan, the amount of the loan, its purpose in general terms and the maturity. Proprietary data on a borrower would not routinely be made available to third parties. All requests under this Act are to be addressed to the nearest SBA office and be identified as a Freedom of Information request.

Flood Disaster Protection Act (42 U.S.C. 4011) -- Regulations have been issued by the Federal Insurance Administration (FIA) and by SBA implementing this Act and its amendments. These regulations prohibit SBA from making certain loans in an FIA designated floodplain unless Federal Flood insurance is purchased as a condition of the loan. Failure to maintain the required level of flood insurance makes the applicant ineligible for any financial assistance from SBA, including disaster assistance.

Executive Orders -- Floodplain Management and Wetland Protection (42 F.R. 26951 and 42 F.R. 26961) -- SBA discourages settlement in or development of a floodplain or a wetland. This statement is to notify all SBA loan applicants that such actions are hazardous to both life and property and should be avoided. The additional cost of flood preventive construction must be considered in addition to the possible loss of all assets and investments due to a future flood.

Occupational Safety and Health Act (15 U.S.C. 651 et seq.) -- This legislation authorizes the Occupational Safety and Health Administration in the Department of Labor to require businesses to modify facilities and procedures to protect employees or pay penalty fees. Businesses can be forced to cease operations or be prevented from starting operations in a new facility. Therefore, SBA may require additional information from an applicant to determine whether the business will be in compliance with OSHA regulations and allowed to operate its facility after the loan is approved and disbursed. Signing this form as an applicant is certification that the OSHA requirements that apply to the applicant business have been determined and that the applicant, to the best of its knowledge, is in compliance. Furthermore, applicant certifies that it will remain in compliance during the life of the loan.

Civil Rights Legislation -- All businesses receiving SBA financial assistance must agree not to discriminate in any business practice, including employment practices and services to the public on the basis of categories cited in 13 C.F.R., Parts 112, 113, and 117 of SBA Regulations. This includes making their goods and services available to handicapped clients or customers. All business borrowers will be required to display the "Equal Employment Opportunity Poster" prescribed by SBA.

Equal Credit Opportunity Act (15 U.S.C. 1691) -- The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status or age (provided the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program, or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act.

Executive Order 11738 -- Environmental Protection (38 F.R. 251621) -- The Executive Order charges SBA with administering its loan programs in a manner that will result in effective enforcement of the Clean Air Act, the Federal Water Pollution Act and other environment protection legislation.

Debt Collection Act of 1982, Deficit Reduction Act of 1984 (31 U.S.C. 3701 et seq. and other titles) -- These laws require SBA to collect aggressively any loan payments which become delinquent. SBA must obtain your taxpayer identification number when you apply for a loan. If you receive a loan, and do not make payments as they come due, SBA may take one or more of the following actions: (1) report the status of your loan(s) to credit bureaus, (2) hire a collection agency to collect your loan, (3) offset your income tax refund or other amounts due to you from the Federal Government, (4) suspend or debar you or your company from doing business with the Federal Government, (5) refer your loan to the Department of Justice or other attorneys for litigation, or (6) foreclose on collateral or take other action permitted in the loan instruments.

Immigration Reform and Control Act of 1986 (Pub. L. 99-603) -- If you are an alien who was in this country illegally since before January 1, 1982, you may have been granted lawful temporary resident status by the United States Immigration and Naturalization Service pursuant to the Immigration Reform and Control Act of 1986. For five years from the date you are granted such status, you are not eligible for financial assistance from the SBA in the form of a loan guaranty under Section 7(a) of the Small Business Act unless you are disabled or a Cuban or Haitian entrant. When you sign this document, you are making the certification that the Immigration Reform and Control Act of 1986 does not apply to you, or if it does apply, more than five years have elapsed since you have been granted lawful temporary resident status pursuant to such 1986 legislation.

Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821 et seq.)

Borrowers using SBA funds for the construction or rehabilitation of a residential structure are prohibited from using lead-based paint (as defined in SBA regulations) on all interior surfaces, whether accessible or not, and exterior surfaces, such as stairs, decks, porches, railings, windows and doors, which are readily accessible to children under 7 years of age. A "residential structure" is any home, apartment, hotel, motel, orphanage, boarding school, dormitory, day care center, extended care facility, college or other school housing, hospital, group practice or community facility and all other residential or institutional structures where persons reside.

Executive Order 12549, Debarment and Suspension (13 C.F.R. 145)

1. The prospective lower tier participant certifies, by submission of this loan application, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participants shall attach an explanation to the loan application.



United States of America
SMALL BUSINESS ADMINISTRATION
STATEMENT OF PERSONAL HISTORY

Please Read Carefully: SBA uses Form 912 as one part of its assessment of program eligibility. Please reference SBA Regulations and Standard Operating Procedures if you have any questions about who must submit this form and where to submit it. For further information, please call SBA's Answer Desk at 1-800-U-ASK-SBA (1-800-827-5722), or check SBA's website at www.sba.gov.

Name and Address of Applicant (Firm Name)(Street, City, State, and ZIP Code)		SBA District/Disaster Area Office	
		Amount Applied for (when applicable)	File No. (if known)
1. Personal Statement of: (State name in full, if no middle name, state (NMN), or if initial only, indicate initial.) List all former names used, and dates each name was used. Use separate sheet if necessary.		2. Give the percentage of ownership or stock owned or to be owned in the small business or the development company	
First	Middle	Social Security No.	
Last		3. Date of Birth (Month, day, and year)	
		4. Place of Birth: (City & State or Foreign Country)	

Name and Address of participating lender or surety co. (when applicable and known)	5. U.S. Citizen? <input type="checkbox"/> YES <input type="checkbox"/> NO If No, are you a Lawful Permanent resident alien: <input type="checkbox"/> YES <input type="checkbox"/> NO If non- U.S. citizen provide alien registration number: _____	INITIALS: _____
------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------

6. Present residence address: From: To: Address: Home Telephone No. (Include Area Code): Business Telephone No. (Include Area Code):	Most recent prior address (omit if over 10 years ago): From: To: Address:
---------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------

PLEASE SEE REVERSE SIDE FOR EXPLANATION REGARDING DISCLOSURE OF INFORMATION AND THE USES OF SUCH INFORMATION.

YOU MUST INITIAL YOUR RESPONSES TO QUESTIONS 5,7,8 AND 9.

IF YOU ANSWER "YES" TO 7, 8, OR 9, FURNISH DETAILS ON A SEPARATE SHEET. INCLUDE DATES, LOCATION, FINES, SENTENCES, WHETHER MISDEMEANOR OR FELONY, DATES OF PAROLE/PROBATION, UNPAID FINES OR PENALTIES, NAME(S) UNDER WHICH CHARGED, AND ANY OTHER PERTINENT INFORMATION. AN ARREST OR CONVICTION RECORD WILL NOT NECESSARILY DISQUALIFY YOU; HOWEVER, UNTRUTHFUL ANSWER WILL CAUSE YOUR APPLICATION TO BE DENIED AND SUBJECT YOU TO OTHER PENALTIES AS NOTED BELOW.

7. Are you presently under indictment, on parole or probation? **INITIALS:** _____
 Yes No (If yes, indicate date parole or probation is to expire.)

8. Have you ever been charged with, and/or arrested for, any criminal offense other than a minor motor vehicle violation? Include offenses which have been dismissed, discharged, or not prosecuted. (All arrests and charges must be disclosed and explained on an attached sheet.)
 Yes No **INITIALS:** _____

9. Have you ever been convicted, placed on pretrial diversion, or placed on any form of probation, including adjudication withheld pending probation, for any criminal offense other than a minor vehicle violation?
 Yes No **INITIALS:** _____

10. I authorize the Small Business Administration Office of Inspector General to request criminal record information about me from criminal justice agencies for the purpose of determining my eligibility for programs authorized by the Small Business Act, and the Small Business Investment Act.

CAUTION - PENALTIES FOR FALSE STATEMENTS: Knowingly making a false statement on this form is a violation of Federal law and could result in criminal prosecution, significant civil penalties, and a denial of your loan, surety bond, or other program participation. A false statement is punishable under 18 USC 1001 and 3571 by imprisonment of not more than five years and/or a fine of up to \$250,000; under 15 USC 645 by imprisonment of not more than two years and/or a fine of not more than \$5,000; and, if submitted to a Federally insured institution, under 18 USC 1014 by imprisonment of not more than thirty years and/or a fine of not more than \$1,000,000.

Signature	Title	Date
-----------	-------	------

Agency Use Only		12. <input type="checkbox"/> Cleared for Processing	Date _____	Approving Authority _____
11. <input type="checkbox"/> Fingerprints Waived	Date _____	Approving Authority _____		
<input type="checkbox"/> Fingerprints Required	Date _____	Approving Authority _____		
Date Sent to OIG _____				
		13. <input type="checkbox"/> Request a Character Evaluation	Date _____	Approving Authority _____
(Required whenever 7, 8 or 9 are answered "yes" even if cleared for processing.)				

PLEASE NOTE: The estimated burden for completing this form is 15 minutes per response. You are not required to respond to any collection of information unless it displays a currently valid OMB approval number. Comments on the burden should be sent to U.S. Small Business Administration, Chief, AIB, 409 3rd St., S.W., Washington D.C. 20416 and Desk Officer for the Small Business Administration, Office of Management and Budget, New Executive Office Building, Room 10202, Washington, D.C. 20503. OMB Approval 3245-0178. **PLEASE DO NOT SEND FORMS TO OMB.**

NOTICES REQUIRED BY LAW

The following is a brief summary of the laws applicable to this solicitation of information.

Paperwork Reduction Act (44 U.S.C. Chapter 35)

SBA is collecting the information on this form to make a character and credit eligibility decision to fund or deny you a loan or other form of assistance. The information is required in order for SBA to have sufficient information to determine whether to provide you with the requested assistance. The information collected may be checked against criminal history indices of the Federal Bureau of Investigation.

Privacy Act (5 U.S.C. § 552a)

Any person can request to see or get copies of any personal information that SBA has in his or her file, when that file is retrieved by individual identifiers, such as name or social security numbers. Requests for information about another party may be denied unless SBA has the written permission of the individual to release the information to the requestor or unless the information is subject to disclosure under the Freedom of Information Act.

Under the provisions of the Privacy Act, you are not required to provide your social security number. Failure to provide your social security number may not affect any right, benefit or privilege to which you are entitled. Disclosures of name and other personal identifiers are, however, required for a benefit, as SBA requires an individual seeking assistance from SBA to provide it with sufficient information for it to make a character determination. In determining whether an individual is of good character, SBA considers the person's integrity, candor, and disposition toward criminal actions. In making loans pursuant to section 7(a)(6) the Small Business Act (the Act), 15 USC § 636 (a)(6), SBA is required to have reasonable assurance that the loan is of sound value and will be repaid or that it is in the best interest of the Government to grant the assistance requested. Additionally, SBA is specifically authorized to verify your criminal history, or lack thereof, pursuant to section 7(a)(1)(B), 15 USC § 636(a)(1)(B). Further, for all forms of assistance, SBA is authorized to make all investigations necessary to ensure that a person has not engaged in acts that violate or will violate the Act or the Small Business Investment Act, 15 USC §§ 634(b)(11) and 687b(a). For these purposes, you are asked to voluntarily provide your social security number to assist SBA in making a character determination and to distinguish you from other individuals with the same or similar name or other personal identifier.

When the information collected on this form indicates a violation or potential violation of law, whether civil, criminal, or administrative in nature, SBA may refer it to the appropriate agency, whether Federal, State, local, or foreign, charged with responsibility for or otherwise involved in investigation, prosecution, enforcement or prevention of such violations. See 74 Fed. Reg. 14890 (2009) for other published routine uses.



**U.S. SMALL BUSINESS ADMINISTRATION
APPLICATION FOR SURETY BOND GUARANTEE ASSISTANCE
TO BE COMPLETED BY SMALL BUSINESS AND SUBMITTED TO THE SURETY AGENT OF CHOICE**

PART I: BUSINESS INFORMATION (Complete for initial application and to change information previously submitted.)				
Business Name:			Tax I.D. No. or SSN	
Business Trade Name:				
Business Address		Tel. No (Include Area Code)		Fax No. (Include Area Code)
City	County	State	Zip	Are There any affiliates Yes <input type="checkbox"/> No <input type="checkbox"/> (If yes, attach tax returns) Number of Employees (Including subsidiaries and affiliates)
Type of Organization <input type="checkbox"/> Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Joint Venture Type of Corp _____			Date Business Established	Average Annual Receipts Over last 3 years, Including Affiliates
Largest previous work program undertaken Total Dollar Value: _____			Total Number of Contracts: _____	
Type of Business			Primary NAICS Code	DUNS Number
Applicant: <input type="checkbox"/> is <input type="checkbox"/> is not an SBA 8(a) Certified Contractor <input type="checkbox"/> is <input type="checkbox"/> is not an SBA Certified HUB Zone Contractor <input type="checkbox"/> has <input type="checkbox"/> has not had an SBA loan. If so, Loan # _____ <input type="checkbox"/> has <input type="checkbox"/> has not received SBA Surety Bond Guarantee Assistance under another business name. If so, Business Name _____ Tax ID or SSN _____ <input type="checkbox"/> has <input type="checkbox"/> has not defaulted on any previous surety bonds (SBA or other) <input type="checkbox"/> has <input type="checkbox"/> has not ever failed to complete a job If so, include pertinent information in comments section. <input type="checkbox"/> is <input type="checkbox"/> is not requesting Business Development Assistance				
PART II: Principal Information (Completed for initial application and to change information previously submitted)				
MANAGEMENT (Proprietor, partners, officers, directors, all holders of 20 % or more outstanding stock – 100% of ownership must be shown) Use separate sheet if necessary				
Name and Social Security Number and Position/Title	Complete Address and Telephone Number	% Owned	*Gender	
			Veteran <input type="checkbox"/> Yes <input type="checkbox"/> No	
			Service Disabled <input type="checkbox"/>	
Race*: American Indian/Alaska Native <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> White/Caucasian <input type="checkbox"/>		Ethnicity *Hispanic/Latino <input type="checkbox"/> Not Hispanic/ Latino <input type="checkbox"/>		
*This data is collected for statistical purposes only. It has no bearing on the credit decision. Disclosure is voluntary. One or more boxes for race may be selected.				
Name and Social Security Number and Position/Title	Complete Address and Telephone Number	% Owned	*Gender	
			Veteran <input type="checkbox"/> Yes <input type="checkbox"/> No	
			Service Disabled <input type="checkbox"/>	
Race*: American Indian/Alaska Native <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> White/Caucasian <input type="checkbox"/>		Ethnicity *Hispanic/Latino <input type="checkbox"/> Not Hispanic/ Latino <input type="checkbox"/>		
*This data is collected for statistical purposes only. It has no bearing on the credit decision. Disclosure is voluntary. One or more boxes for race may be selected.				

PART III: CONTRACT INFORMATION (Completed for each bid and final bond guarantee)			
<input type="checkbox"/> Bid Bond	Estimated Contract Amount		Bid Date and Time
<input type="checkbox"/> Final Bond	Contract Amount	Start Date	Completion Date
Project Type <input type="checkbox"/> Construction <input type="checkbox"/> Service <input type="checkbox"/> Supply <input type="checkbox"/> Other _____ Project Description:		Project Location	
NAICS Code for this project		# Employees before this project was awarded	
Name and Address of Obligee		# Existing Jobs that will be retained because of this project (Same job cannot be reported as new - below)	
Obligee Type: <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Private <input type="checkbox"/> Special District		# New Jobs that will be created because of this project (Same job cannot be reported as retained - above)	
Is the obligee the California Dept. of Transportation (CalTrans) <input type="checkbox"/> Yes <input type="checkbox"/> No		Is the prime or subcontract funded by the California Dept. of Transportation (CalTrans) <input type="checkbox"/> Yes <input type="checkbox"/> No	
Applicant Business is <input type="checkbox"/> Prime <input type="checkbox"/> Subcontractor on this project		Percentage of work subcontracted:	
Liquidated Damages <input type="checkbox"/> Weekdays Dollar Amount: _____ <input type="checkbox"/> Calendar Day		Project: Similar to previous work <input type="checkbox"/> Yes <input type="checkbox"/> No Pertains to an 8(a) contract <input type="checkbox"/> Yes <input type="checkbox"/> No	
Have you updated SBA Form 994F in the last 3 months? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, please update.		Have you started work on the project? <input type="checkbox"/> Yes <input type="checkbox"/> No If so, please complete SBA Form 991.	
PART IV: AGREEMENTS, CERTIFICATIONS AND COMMENTS (Completed for Initial Applications and Each Bid and Final Bond Guarantee.)			
<p>Agreements: In consideration of assistance from the SBA, I agree to comply with the nondiscrimination requirements of Title 13, Code of Federal Regulations, Part 113 and Executive Order 11246. I agree to pay the applicable contractor fee and submit my check with any application for a final (payment or performance) bond.</p> <p>Certification: I certify:</p> <ul style="list-style-type: none"> (a) A bid, payment, or performance bond is required by the bid solicitation or the original contract for this project (b) Applicant business has attempted and failed to obtain the required bonds without SBA's guarantee. (c) Percentage of work that applicant has subcontracted (see Part III) is accurate. (d) Applicant is not delinquent on any Federal debt or Federally Guaranteed Debt. (e) All information in this application and that relates to this application which has been submitted to SBA, any agent, broker, or surety company, is complete and accurate to the best of my knowledge. (f) If Parts I, II and V of this application, and/or "Statement of Personal History" (SBA Form 912) have previously been submitted in connection with an earlier application, I have reviewed that information and certify that it either remains complete and accurate or that I have submitted a revised application Parts I, II or V or revised SBA Form 912 with complete and accurate information to the best of my knowledge. (g) I authorize any agent, broker, surety company, or financial institution in possession of credit, financial or work experience information concerning the undersigned applicant and the applicant's business to release the same to SBA, in order that SBA may evaluate the same for the purpose of bond guarantee assistance. 			
Comments			
I understand that knowingly making a false statement or submitting false information is a violation of Federal law and could result in criminal prosecution or civil penalties under 18 U.S.C. §§ 287, 371, 1001, 15 U.S.C. § 645, or 31 U.S.C. § 3729			
Principal's Signature (Applicant)			
Title	Date	SBG Number	

Part V: "STATEMENTS REQUIRED BY LAW AND EXECUTIVE ORDER AND CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION" (Completed for Initial Application and with any Ownership Changes)

APPLICANT'S CERTIFICATION

By my signature, I certify I have read and received a copy of the "STATEMENTS REQUIRED BY LAW AND EXECUTIVE ORDER" which was attached to this application. My signature represents my agreement to comply with the approval of my request for SBG Assistance and to comply whenever applicable with the hazard insurance, lead-based paint, civil rights or other limitations in this notice. I also certify that my personal history and financial information submitted to SBA electronically, as part of my application, is current, accurate, and complete.

Business Name: _____

By: _____
Signature Title Date

Each Proprietor, each General Partner, each Limited Partner or Stockholder owning 20% or more, each Guarantor, and the spouse, when applicable, of each of these must sign. The person signing on behalf of the business must also sign individually.

Signature and Title Date

Signature and Title Date

Signature and Title Date

Signature and Title Date

Signature and Title Date

Signature and Title Date

Signature and Title Date

PLEASE READ, DETACH, AND RETAIN FOR YOUR RECORDS
STATEMENTS REQUIRED BY LAW AND EXECUTIVE ORDER

Federal executive agencies, including the Small Business Administration (SBA), are required to withhold or limit assistance, to impose special conditions on approved guarantee agreements, to provide special notices to applicants and to require special reports and data from applicants in order to comply with legislation passed by the Congress and Executive Orders issued by the President and by the provisions of various inter-agency agreements. SBA has issued regulations and procedures that implement these laws and executive orders, and they are contained in Parts 113 and 117, Title 13, Code of Federal Regulations Chapter I, or Standard Operating Procedures.

Freedom of Information Act (5 U.S.C. 552)

This law provides, with some exceptions, that SBA must supply information reflected in agency files and records to a person requesting it. Information about approved SBG guarantee agreements that will be automatically released includes, among other things, statistics on the SBG programs (individuals are not identified in the statistics) and other information such as the names of small businesses (and their officers, directors, stockholders or partners), the amount of the SBG guarantee agreement. Proprietary data on an applicant would not routinely be made available to third parties. All requests under this Act are to be addressed to the nearest SBA office and be identified as a Freedom of Information request.

Privacy Act (5 U.S.C. 552a)

A person can request to see or get copies of any personal information that SBA has in his or her file when that file is retrievable by individual identifiers such as name or social security numbers. Requests for information about another party may be denied unless SBA has the written permission of the individual to release the information to the requestor or unless the information is subject to disclosure under the Freedom of Information Act.

Under the provisions of the Privacy Act, you are not required to provide your social security number. Failure to provide your social security number may not affect any right, benefit or privilege to which you are entitled. Disclosures of name and other personal identifiers are, however, required for a benefit, as SBA requires an individual seeking assistance from SBA to provide it with sufficient information for it to make a character determination. In determining whether an individual is of good character, SBA considers the person's integrity, candor, and disposition toward criminal actions. Before any bonds may be guaranteed by SBA pursuant to Section 411 of the Small Business Investment Act (the Act), 15 USC 694b, SBA is required to have a reasonable expectation that the applicant will perform the contract for which the bond is sought, and that the terms of and conditions of the bond are reasonable in the light of the risks involved and the extent of the surety's participation. Further, for all forms of assistance, SBA is authorized to make all investigations necessary to ensure that a person has not engaged in acts that violate or will violate the Small Business Investment Act, 15 USC Section 687(b)(a). For these purposes, you are asked to voluntarily provide your social security number to assist SBA in making a character determination and to distinguish you from other individuals with the same or similar name or other personal identifier.

The Privacy Act authorizes SBA to make certain "routine uses" of information protected by that Act. One such routine use for SBA's system of records is that when this information indicates a violation or potential violation of law, whether civil, criminal or administrative in nature, SBA may refer it to the appropriate agency, whether Federal, State, local, foreign, charged with responsibility for or otherwise involved in investigation, prosecution, enforcement or prevention of such violations. (See, 74F.R. 14890(April 1, 2009) (and as amended from time to time) for additional background and other routine uses.)

Right to Financial Privacy Act of 1978 (12 U.S.C. 3401)

This is notice to you as required by the Right of Financial Privacy of 1978, of SBA's access rights to financial records held by financial institutions that are or have been doing business with you or your business. The law provides that SBA shall have a right of access to your financial records in connection with its consideration or administration of assistance to you in the form of a Government SBG guarantee agreement.

The law also authorizes SBA to transfer to another Government authority any financial records included in an application for a SBG guarantee, or concerning an approved SBG guarantee, as necessary to process or service the guarantee. No other transfer of your financial records to another Government authority will be permitted by SBA except as required or permitted by law.

Flood Disaster Protection Act (42 U.S.C. 4011)

Regulations have been issued by the Federal Insurance Administration (FIA) and by SBA implementing this Act and its amendments. These regulations prohibit SBA from making certain loans in an FIA designated floodplain unless Federal flood insurance is purchased as a condition of the loan. Failure to maintain the required level of flood insurance makes the applicant ineligible for any future financial assistance from SBA under any program, including disaster assistance.

Occupational Safety and Health Act (15 U.S.C. 651 et seq.)

This legislation authorizes the Occupational Safety and Health Administration in the Department of Labor to require businesses to modify facilities and procedure to protect employees or pay penalty fees. In some instance the business can be forced to cease operations or be prevented from starting operations in a new facility. Therefore, in some instances SBA may require additional information from an applicant to determine whether the business will be in compliance with OSHA regulations and allowed to operate its facility after the SBG guarantee agreement is approved. Signing this form as an applicant is a certificate that the OSA requirements that apply to the applicant’s business have been determined and the applicant to the best of its knowledge is in compliance.

Civil Rights Legislation

All businesses receiving SBA assistance must agree not to discriminate in any business practice, including employment practices and services to the public, on the basis of categories cited in 13 C.F.R., Parts 113, and 117 of SBA Regulations. This includes making their goods and services available to handicapped clients or customers. All businesses receiving assistance will be required to display the “Equal Employment Opportunity Poster” prescribed by SBA.

Debt Collection Act of 1982 Deficit Reduction of 1984 (31 U.S.C. 3701 et seq. and other titles)

These laws require SBA to aggressively collect any fee payments which become delinquent. SBA must obtain your taxpayer identification number when you apply for assistance. If you receive a SBG guarantee, and do not pay the related fee assistance, SBA may take one or more of the following actions:

- Report the status of your payment delinquency to credit bureaus
- Hire a collection agency to collect your fee
- Offset your income tax refund or other amounts due to you from the Federal Government
- Suspend or debar you or your company from doing business with the Federal Government
- Refer your fee to the Department of Justice or other attorney for litigation
- Foreclose on collateral or take other action permitted

Immigrations Reform and Control Act of 1986 (Pub. L. 99-603)

If you are an alien who was in this country illegally since before January 1, 1982, you may have been granted lawful temporary resident status by the United States Immigration and Naturalization Service pursuant to the Immigration Reform and Control Act of 1986 (Pub. L. 99-603). For five years from the date you are granted such status, you are not eligible for financial assistance from the SBA in the form of a loan or guaranty under section 7(a) of the Small Business Act unless you are disabled or a Cuban or Haitian entrant. When you sign this document, you are making the certification that the Immigration Reform and Control Act of 1986 does not apply to you, or if it does apply, more than five years have elapsed since you have been granted lawful temporary resident status pursuant to such 1986 legislation.

Executive Order 12549, Debarment and Suspension (13 C.F.R. 145)

1. The prospective lower tier participant certifies, by submission of this proposal, that neither its nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

SURETY BOND GUARANTEE APPLICATION PROCEDURES

1. Applicant must contact a surety agency which participates in SBA's Surety Bond Guarantee Program. A list of participating surety agencies, SBA Area Office contacts, and instructions to apply for SBG assistance are on the Office of Surety Guarantees website at www.sba.gov/OSG/
2. The applicant must submit required forms and information to the surety agent of choice.
3. If the application is for final (performance and/or payment) bonds, it must be accompanied by the Contractor Fee check payable to SBA (or U.S. Small Business Administration)
4. Upon completion of favorable underwriting, surety forwards all required documents, to the appropriate SBA area office.
5. The SBA Surety Bond Guarantee staff reviews the application, makes final determination, and notifies surety of its decision. SBA returns the countersigned Guarantee Agreement to the surety. If SBA declines to issue the guarantee, the check for the Contractor Fee is also returned to the surety.
6. If any adverse information develops subsequent to SBA's approval of the bond guarantee, surety may decline to issue the bonds.

PLEASE NOTE: The estimated burden for completing this form is 6 minutes per response. You are not required to respond to any collection of information unless it displays a currently valid OMB approval number. Comments on the burden should be sent to U.S. Small Business Administration, Chief, AIB, 409 3rd St., S.W., Washington, D.C. 20416 and Desk Officer for the Small Business Administration, Office of Management and Budget, New Executive Office Building, Room 10202, Washington, D.C. 20503. OMB Approval (3245-007). **PLEASE DO NOT SEND FORMS TO OMB.**

SBA Form 994 (1/10) Previous Editions are Obsolete



OMB Control No: 3245-0007
Expiration Date: 1-31-2013

Instructions: The small business must complete this form and submit it to the surety agent of choice.

SMALL BUSINESS ADMINISTRATION							
SCHEDULE OF WORK IN PROCESS (ALL WORK-BONDED & UNBONDED-IF COST PLUS PLEASE INDICATE)							
BUSINESS NAME AND BUSINESS TRADE NAME				TAX ID OR SS NUMBER			DATE AS OF
JOB DESCRIPTION	STARTING DATE	COMPLETION DATE	BONDED YES / NO	CONTRACT PRICE (Including Approved Change Orders)	Total Billed to Date Including Retainages (Explain Any Dispute Items)	Total Cost To Date	Total Estimated Cost To Complete
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
TOTALS							
Signature				Title			
<p><i>PLEASE NOTE:</i> The estimated burden for completing this form is 20 minutes per response. You are not required to respond to any collection of information unless it displays a currently valid OMB approval number. Comments on the burden should be sent to: Chief, Administrative Information Branch, Room 5000, U.S. Small Business Administration, 409 3rd St., SW. Washington, DC 20416; and Desk Officer for the Small Business Administration, Office of Management and Budget, New Executive Office Building, Room 10202 Washington, DC 20503.</p>							

SBA Form 994F (1-10) Previous Editions are Obsolete