

THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE

APPLICATION FOR AN ALLOCATION OF THE STATE CEILING ON QUALIFIED PRIVATE ACTIVITY BONDS FOR A SMALL-ISSUE INDUSTRIAL DEVELOPMENT BOND PROJECT

APPLICANT: _____

PROJECT SPONSOR (Borrower): _____

PROJECT NAME: _____

ALL APPLICANTS:

We, the undersigned, hereby make Application to The California Debt Limit Allocation Committee (“CDLAC”) for the purpose of providing a Small-Issue Industrial Development Bond Project (SIIDBP), as described herein.

We agree it is our responsibility to provide a complete Application that bears original signatures, accompanied by one check made payable to CDLAC in the amount of **\$1,200** and a completed CDLAC Performance Deposit Certification Form. We understand that succinct answers providing the requested information are required. We understand that if additional space is required, each additional page will be clearly labeled. We agree that it is also our responsibility to provide all information that is deemed by CDLAC to be necessary to evaluate our Application. We understand that CDLAC may verify the information provided and analyze materials submitted as well as conduct their own investigation to evaluate the Application. We recognize that we have a duty to inform CDLAC when any information in the Application or supplemental materials is no longer true and to supply CDLAC with accurate information.

We represent that we have read all Government Code sections relevant to the CDLAC Regulations Implementing the Allocation of the State Ceiling on Qualified Private Activity Bonds (“Regulations”). We acknowledge that CDLAC recommends that we seek advice from bond counsel, tax attorney and/or tax advisor on matters of eligibility and compliance for tax-exempt bond financing under federal law and regulations.

We understand that at the time of bond closing, additional sums of money will be owing to CDLAC other than the amounts specified on page 1 of this Application. We represent that we have read the pertinent sections of the CDLAC Regulations regarding fees.

We acknowledge that all materials and requirements are subject to change by enactment of federal or state legislation.

In carrying out the development and operation of the proposed project, we agree to comply with all applicable federal and state laws regarding unlawful discrimination and will abide by all CDLAC program requirements.

We acknowledge that our Application will be evaluated based on federal and state statutes and regulations pertaining to Qualified Private Activity Bonds for Small-Issue Industrial Development Projects and the CDLAC Regulations, which identify the minimum requirements, evaluation criteria, priorities and other standards which will be employed to evaluate Applications.

We acknowledge that the information submitted to CDLAC in this Application or supplemental thereto may be subject to the Public Records Act or other disclosure. We understand that CDLAC may make such information public. CDLAC will maintain as confidential, certain financial information, but cannot guarantee confidentiality.

The Project Sponsor declares under penalty of perjury that the information contained in the Application, exhibits, attachments, and any further or supplemental documentation is true and correct to the best of its knowledge and belief. The Applicant declares that the information contained in PARTS I and II of the Application is true and correct to the best of its knowledge and belief, and as to information contained in the Application, exhibits, attachments, and further or supplemental documentation provided by the Project Sponsor, the Applicant is not aware of any information that would cause the Applicant to believe that the Application contains any untrue information or omits to state any material information. We understand that misrepresentation may result in the cancellation of an Allocation, and other actions which CDLAC is authorized to take.

The Project Sponsor certifies that the project can be completed within the development budget and the development timetable set forth in our Application. The Project Sponsor further certifies that the proposed project can be operated in the manner proposed within the operating budget set forth in the Application.

The Applicant certifies that it is in compliance with all applicable statutes, laws, rules, and regulations necessary for the transaction of its business.

We agree to hold CDLAC, its members, officers, agents, and employees harmless from any matters arising out of or related to the awarded Allocation. We acknowledge that all Application materials are to be submitted **by 4:00 p.m.** on the appropriate date at the following address:

The California Debt Limit Allocation Committee
915 Capitol Mall, Room 311
Sacramento, CA 95814

Signature of Applicant's Senior Official

Print Name

Title

Date _____

Signature of Project Sponsor

Print Name

Title

Date _____

Forms, regulations and additional information regarding the application process may be obtained by accessing CDLAC's website at <http://www.treasurer.ca.gov/cdlac> or by calling CDLAC at (916) 653-3255.

The California Debt Limit Allocation Committee complies with the Americans with Disabilities Act (ADA) by ensuring that the facilities are accessible to persons with disabilities, and providing this notice and information given to the members of the California Debt Limit Allocation Committee in appropriate alternative formats when requested. If you need further assistance, including disability-related modifications or accommodations, you may contact the California Debt Limit Allocation Committee at (916) 653-3255 or TDD (916) 654-9922.

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All references to federal statute are cited for information only. Bond Counsel must be consulted as the requirements are subject to change.

PART I – FINANCING TEAM INFORMATION

1. ISSUER (APPLICANT) OF BONDS

Name of Issuing Agency:

Name of Senior Official:

Title of Senior Official:

Mailing Address:

City:

State:

Zip Code:

Telephone: ()

Fax: ()

E-Mail:

Issuer's Federal Identification No.:

2. PUBLIC JURISDICTION (jurisdiction in which proposed Project is located, if different from above)

Name of Jurisdiction:

Name of Contact Person:

Title of Contact Person:

Mailing Address:

City:

State:

Zip Code:

Telephone: ()

Fax: ()

E-Mail:

3. ISSUER CONTACT (staff person who can answer questions regarding this application)

Name of Staff Person:

Title of Staff Person:

Name of Agency (if different from #1 above):

Mailing Address:

City:

State:

Zip Code:

Telephone: ()

Fax: ()

E-Mail:

4. BOND COUNSEL

Name of Firm:

Name of Attorney:

Mailing Address of Firm:

City:

State:

Zip Code:

Telephone: ()

Fax: ()

E-Mail:

5. BOND UNDERWRITER

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:
Telephone: ()
Fax: ()
E-Mail:

6. PRIVATE PLACEMENT AGENT (IF APPLICABLE)

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:
Telephone: ()
Fax: ()
E-Mail:

7. PRIVATE PLACEMENT BOND PURCHASER (IF APPLICABLE)

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:
Telephone: ()
Fax: ()
E-Mail:

8. CREDIT ENHANCEMENT PROVIDER

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:
Telephone: ()
Fax: ()
E-Mail:

9. FINANCIAL ADVISOR/CONSULTANT

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:
Telephone: ()
Fax: ()
E-Mail:

10. TRUSTEE

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Zip Code:
Telephone: ()
Fax: ()
E-Mail:

11. OTHER PARTICIPANTS

Name of Firm:
Name of Contact:
Mailing Address of Firm:
City:
State:
Telephone: ()
Fax: ()
E-Mail:
Zip Code:

PART II – ALLOCATION/BOND ISSUE INFORMATION

1. Amount of allocation requested: \$
2. Proposed date of bond issuance and proposed terms:
3. Date of inducement:

Attach (**Attachment “A”**) a copy of the adopted resolution. (See Section 5033(b)(4) of CDLAC Regulations.)

4. Date of TEFRA approval:

Submit (**ATTACHMENT “B”**) proof of TEFRA (public approval process required by 26 U.S.C. Section 147(f)).

(See Section 5033(b)(5) of the CDLAC Regulations.)

For an open application process, see time lines posted on the Committee’s website.

5. Indicate whether the bonds will be variable or fixed rate:
(See Chapter 1, Article 6 of the CDLAC Regulations)

If bonds carry a variable rate:

- a. Identify the index:
- b. How frequently will the bonds be re-marketed and by whom?
- c. Is there a feature to allow a conversion to a fixed rate at some time in the future? If so, under what conditions and when?

6. Indicate whether bonds will be sold in a public offering or in a private placement:
(See Chapter 1, Article 6 of the CDLAC Regulations)

7. Briefly describe credit enhancement structure or private placement transaction (include, at a minimum, the construction or interim financing, if applicable, the amount, closing deadlines, security/collateral provided, guaranties, anticipated closing date, etc.):
(See Chapter 1, Article 6 of the CDLAC Regulations)

Attach (**Attachment "C"**, if more than one commitment, label Attachments in sequential order as "**C-1, C-2**", etc.) the credit enhancement commitment or the commitment to purchase privately placed bonds. (See Chapter 1, Article 6 of the CDLAC Regulations.)

9. Anticipated bond rating (See Chapter 1, Article 6 of the CDLAC Regulations):

	<u>Rating</u>	<u>Date</u>	<u>Rating Anticipated</u>
Fitch			
Moody's			
Standard & Poor's			
Other			

10. Indicate the amount of taxable debt that will be issued in conjunction with the proposed tax-exempt bonds (See Section 5370(g) of the CDLAC Regulations. If applying for points for taxable debt, this will be a requirement imposed on the allocation):

Attach (**Attachment "D"**) documentation demonstrating that the proceeds of the Taxable Debt will be used towards project expenses directly related to job creation or Community Economic Need.

PART III – PROJECT SPONSOR INFORMATION

1. Please answer the following questions for both the Project Sponsor (“Borrower”) and the user of the facility, if different:

A. Official business name, address, telephone number, fax number, e-mail address and contact person:

BORROWER:

USER:

B. Any “Doing Business As” names:

C. Address of Project Sponsor’s headquarters, if different from address in “A” above:

D. Other operating locations in California:

E. The legal structure of the Project Sponsor (i.e. corporation, partnership or sole proprietorship):

Complete the appropriate section below:

Corporation

i) Officers of the Corporation

ii) Major Shareholders (10% or more)

iii) Date and place of incorporation:

iv) For publicly held corporations, stock exchange on which the company is listed. If traded over the counter or on NASDAQ, please indicate the market makers.

Partnership

i) Names and addresses of general and limited partners, and share of ownership.

ii) Date of partnership.

Sole Proprietorship

i) Date and place of establishment.

- F. Federal Tax Identification Number for Project Sponsor and user, including IRS Office where tax returns are filed:
- G. Standard Industrial Code (SIC) Number or the North American Industry Classification System (NAICS) of Project Sponsor and user:
- H. Description of principal products and/or services:
- I. Major customers of firm's products, identifying specific companies and types of customers (i.e., discount retailer):
- J. Description of present physical facilities, including size and use of facility:
- K. Other tax-exempt financings currently outstanding:

2. If the Project Sponsor or user is an owner, subsidiary or affiliated directly or indirectly with any other business or organization, indicate the relationship.

PART IV – PROJECT INFORMATION

1. Project Name:

2. Project Street Address:

City:

County:

Zip Code:

(The zip code must be included. If the project site does not yet have a street address, contact the local United States Post Office for an approximate zip code.)

Federal Congressional District in which the proposed Project is located:

State Senate District in which the proposed Project is located:

State Assembly District in which the proposed Project is located:

Census Tract in which the proposed Project is located:

3. Attach (**Attachment “F”**) a description of current improvements on the site, including age, current use and size; include pictures. If this site is currently vacant, please describe prior use:

4. Indicate by a “YES” or “NO” that the Project Sponsor currently owns the Project site:

If Project Sponsor does not own the site, attach (**Attachment “G”**) a description of escrow agreement, lease agreement, options or other evidence of the Project Sponsor’s plan to lease the site or acquire the site.

5. Proposed Project Description (Attachment “H”). Please include all of the following:

- A. Description of project, including whether it constitutes a renovation or new construction, the number of square feet to be constructed/renovated, the type of equipment being purchased and any other pertinent information.
- B. Estimated time of construction or renovation, including start date and completion date.
- C. Principal products, uses and activities of project, including SIC or NAICS Code of activity to be financed.
- D. Estimated useful life of buildings and/or equipment.
- E. Brief narrative describing purpose of project, explaining the business rationale and economic benefits to be achieved from the project.

6. **Costs of the Project.** State the total costs associated with the acquisition of the site and construction of the proposed project, including any utilities and proposed machinery and equipment purchases. Separate the costs based on their financing sources: the left column should total the bond amount; the sum of both columns should equal the total project costs.

	To Be Paid From Bond Proceeds	To Be Paid From All Other Sources
Acquisition of Land ¹	\$	\$
Acquisition of Existing Buildings	\$	\$
Fees and Other Charges Related to Sale	\$	\$
Rehabilitation of Existing Building(s)	\$	\$
Site Preparation	\$	\$
Construction of New Building(s)	\$	\$
Utilities Connection	\$	\$
Acquisition and Installation of Used Equipment	\$	\$
Acquisition and Installation of New Equipment	\$	\$
(a) Invoice	\$	\$
(b) Installation	\$	\$
(c) Other (please explain)	\$	\$
Engineering/Architecture	\$	\$
Legal, Permits, etc.	\$	\$
Bond Issuance Expenses ² (including discount)	\$	\$
Letter of Credit or Bond Insurance Fee	\$	\$
Interest During Construction	\$	\$
From _____ to _____	\$	\$
Interest Income During Construction	\$	\$
From _____ to _____	\$	\$
Other (please explain)	\$	\$
	Total Bond Amount	Total Other Costs
	\$	\$

1 Only 25% of bond proceeds may be applied to the acquisition of land. This cost includes the cost of demolition of any existing buildings.

2 Total of issuance expenses paid from bond proceeds cannot exceed 2% of face amount of bonds.

NOTE: Project costs may not include working capital, moving expenses, inventory or assumption, repayment or refinancing of existing indebtedness other than construction loans.

PART V – MINIMUM REQUIREMENTS

Applicants are advised to read Section 5369 of the CDLAC Regulations regarding Small-Issue Industrial Development Bond Projects when answering the following questions.

1. Attach (Attachment “J”, if more than one, label each attachment in sequential order as “J-1, J-2” etc.) evidence of all required local approvals or permits relating to the project (i.e. conditional use permits, zoning variances, etc.) from federal, state or local planning agencies other than ministerial approvals, in one or more of the following forms (identify the form of evidence by responding “yes” to the appropriate item):
 - A. Copies of local land use approvals, which allow the discretion of local elected officials to be applied (General Plan amendments, rezoning, conditional use permits, etc.):
 - B. Documentation by a local agency that clearly demonstrates the agency’s intentions to acquire the Project Site, or a portion of the Project Site, through eminent domain proceedings:
 - C. A certification, using the attached form provided by CDLAC (if used, the form should be labeled Attachment “J”) from the jurisdiction in which the proposed Project is located, evidencing the status all required approvals/permits:

PART VI – EVALUATION CRITERIA

Applicants are advised to read Section 5370(a)(h) of the CDLAC Regulations regarding Small-Issue Industrial Development Bond Projects when answering the following questions.

1. Community Economic Need (Section 5370(a) of CDLAC Regulations)

Answer “YES” or “NO” to the following:

A. The proposed project is located in a community with an unemployment rate equal to or greater than 125% of the statewide average based on the California Employment Development Department’s most recent annual average for sub-county areas. (10 Points Max) (See Section 5370(a)(1) of CDLAC Regulations):

- Project located in an area with an unemployment rate that is one hundred seventy-five percent (175%) or more of the statewide average. (10 points)
- Project located in an area with an unemployment rate that is one hundred twenty-five percent (125%) or more, but less than one hundred seventy-five percent (175%), of the statewide average. (5 points)

Staff will perform the calculations based on the preceding year unemployment rate of the county sub area in which the proposed Project will be located compared to the statewide unemployment rate. The sub county unemployment rate and the statewide unemployment rate for the preceding year may be found at the state Employment Development Department website <http://www.labormarketinfo.edd.ca.gov>.

B. The proposed project is located in a community with a poverty rate equal to or greater than 110% of the statewide average based on the most recent census data available for cities or Census Designated Places. (If no city or Census Designated Place level data is available, or if the Applicant chooses to identify a project benefit area that is smaller than a city or Census Designated Place, such as a census tract or tracts, smaller geographic areas will be used. (5 Points Max) (See Section 5370(a)(2)):

- Project is located in an area in which the poverty rate is over one hundred twenty-five percent (125%) of the statewide poverty rate. (5 points)
- Project is located in an area in which the poverty rate is over one hundred ten percent (110%) but not more than one hundred twenty-five percent (125%) of the statewide poverty rate. (3 points)

Staff will perform the calculations based on the poverty rate of each census tract within a one-mile radius of the Project site compared to the statewide poverty rate. The census tracts poverty rates and the statewide poverty rate may be found at the federal Census Bureau website <http://www.census.gov>.

Please list all of the census tracts that are within a one-mile radius of the Project:

C. The proposed project is located in a community with a median family income of less than 80% of the statewide average based on the most recent census data available for cities or Census Designated Places. (If no city or Census Designated Place level data is available, or if the Applicant chooses to identify a project benefit area that is smaller than a city or Census Designated Place, such as census tract or tracts, smaller areas will be used. (See Section 5370(a)(3) of CDLAC Regulations)(5 Points Max):

Staff will perform the calculations based on the most recent data from the United States Bureau of the Census, the estimated median family income of the cities or Census Designated Places.

2. Job Creation (35 points maximum) (Section 5370(b)(1) of CDLAC Regulations)

The award of points for Job Creation is based on the Borrower and/or User’s representation that they will make their best efforts to increase the number of direct, full-time employees at the Project site within two years of Project completion:

- 10 percent to 20 percent increase (10 points)

- 21 percent to 30 percent increase (20 points)
- 31 percent or more increase (35 points)

3. Job Retention (10 points maximum) (Section 5370(b)(2) of CDLAC Regulations)

The award of points for Job Retention is based upon receipt of written confirmation from the appropriate local governmental entity that the company was contemplating moving or closing within two years of its application for tax-exempt IDB financing, and that the ongoing operations of the company within the local jurisdiction is important to the local economy and employment. Alternatively, the Applicant may submit written evidence from the Borrower and/or User that the company, within two years prior to the submission of an application for tax-exempt IDB financing, engaged a “site selector” to find possible relocation sites outside of California (Attachment “K”). (10 points)

4. Workforce and Economic Development (15 points maximum) (Section 5370(c) of CDLAC Regulations)

- Welfare-to-Work Plan (5 points)

To earn points in this subcategory, the Applicant must submit a letter or other documentation from a local governmental agency, educational agency, or non-profit organization evidencing the Project Sponsor’s current or planned participation in a Welfare-to-Work plan. The letter or documentation, at a minimum, should include the manner and extent of the Project Sponsor’s participation in a Welfare-to-Work Plan. (Attachment “L”)

- Workforce Training (5 points)

To earn points in this subcategory, the Applicant must submit copies of official documentation of its current or pending participation in one of the following worker training programs. Points will be awarded where the Project Sponsor participates in one or more training, retraining or apprenticeship programs offered by any of the following state agencies, certified training facilities or postsecondary institutions: the state’s Employment Training Panel; the California Department of Industrial Relations; a community college, university, or adult school; or a private training agency approved by the state’s Bureau for Private Postsecondary Education. Official documentation shall include: (1) a copy of an executed contract between the Borrower and/or User and the provider; or (2) a formal letter from the provider addressed to the Borrower and/or User acknowledging the Borrower and/or User’s current or pending participation in the program. (Attachment “L”)

- Exports Outside California (5 points maximum)

To qualify for points in this subcategory, an officer or owner of the Borrower and/or User must certify in writing that it exports, or in the case of the construction of a new manufacturing facility at a new Project site, anticipates it will export, as part of its business plan (Attachment “L”):

- Up to 20 percent of its products manufactured at the Project site (2 points)
- Up to 30 percent of its products manufactured at the Project site (3 points)
- More than 30 of its products manufactured at the Project site (5 points)

5. Payment of Employee and Dependent Medical, Dental, Vision, and Retirement Costs (Section 5370(d) of CDLAC Regulations)

Medical, Vision, and Dental Benefits (15 points maximum): Attach information documenting the average monthly payment of the Project Sponsor towards the cost of employee and dependent medical, vision, and dental benefits. The documentation must include the following:

- A letter or statement (**Attachment “M1”**). If more than one, label each attachment in sequential order as “**M-1-1**”, “**M-1-2**” etc.) from each of the Project Sponsor’s medical, vision, and dental benefits provider(s) certifying the total amount paid by the Project Sponsor for each type of benefit; and

- A completed Small-Issue Industrial Development Bond Health Benefits Worksheet (**Attachment “M2”** provided by CDLAC and attached to the Application) from the Project Sponsor showing the total net aggregate amount paid towards the provision of these benefits (resulting from adding together the total net dollar amount for each benefit provided) divided by the total number of employees participating in the plan(s), and the resulting average dollar amount of coverage per employee. Points are awarded as follows:
 - The Borrower or User contributes an average of \$330 or more per month toward the cost of the medical, dental and vision benefits for each participating employee and dependents of the employee. (15 points)
 - The Borrower or User contributes an average of \$220 or more, but less than \$330, per month toward the cost of the medical, dental, and vision benefits for each participating employee and dependents of the employee. (10 points)
 - The Borrower or User contributes an average of \$110, but less than \$220, per month toward the cost of the medical, dental, and vision benefits for each participating employee and dependents of the employee. (5 points)

Retirement Benefits (5 points maximum)

To qualify for points in this category, the Applicant must submit documentation (Attachment M2) evidencing the Borrower’s or User’s contributions to an employer-sponsored defined benefits retirement plan, an employer-sponsored defined contribution plan, or other retirement savings account for each participating employee. Additionally, an officer of the Borrower or User must certify that the company will offer such retirement benefits to employees hired in accordance with representations made with respect to the Job Creation category (5 points).

7. Weighted average hourly wage (10 points maximum) (Section 5370(e) of CDLAC Regulations)

Using **Attachment “K”**, calculate the average hourly wage for all positions to be created or retained by the project. The average hourly wage will be determined by (1) multiplying the hourly wage for each category by the number of jobs to be created or retained within each job category, (2) adding together the resulting weighted wage totals, and then (3) dividing the grand total by the total number of jobs to be created or retained by the proposed project. This weighted average hourly wage is then compared to the average manufacturing wage for the closest Metropolitan Statistical Area (MSA) listed by the Bureau of Labor Statistics (BLS). The amount is based on the BLS Series Code obtained from the BLS website no more than 30 days prior to the application deadline. The manufacturing wage data is available on the BLS website (<http://www.bls.gov/>).

- One hundred twenty-five percent (125%) or more of the Manufacturing Wage (10 points);
- One hundred fifteen percent (115%) or more but less than one hundred twenty-five percent (125%) of the Manufacturing Wage (6 points); or
- One hundred five percent (105%) or more but less than one hundred fifteen percent (115%) of the Manufacturing Wage (3 points).

Provide the most recent average hourly general manufacturing wage for the MSA obtained from the BLS:

8. Environmental Stewardship (27 point Maximum) (Section 5370(f) of CDLAC Regulations)

- Land Use (3 points)

To qualify for points in this subcategory, Projects must involve the reuse of (a) vacant or abandoned buildings or (b) vacant or abandoned land with developed infrastructure, excluding land where the immediate prior use was agricultural, open space or other similar use.

Applications will be evaluated based on the information provided in Attachments **F** and **H** required by Items #3 and #5 in PART IV of this Application.

- Public Transit Corridor/Transportation System Management Plan (4 points maximum)
To qualify for points in this subcategory, Projects must be:

A) located within a $\frac{1}{4}$ -mile of a regular route stop within a Public Transit Corridor and the Borrower or User provides written evidence of offering public transit subsidies for employees at the Project site. (4 points); or,

B) in areas where there is no public transportation system, the Borrower or User has an adopted transportation system management plan. (3 points).

Submit Attachment "N" to qualify for points under one of the following:

- 1) If the proposed Project is sited within a Public Transit Corridor as defined in Section 5000 of the CDLAC Regulations, attach (**Attachment N**) a detailed, scale-for-distance map demonstrating that the proposed project is within a Public Transit Corridor; or
- 2) If, at the time of application the Project Sponsor has an adopted transportation management plan, submit a narrative of the plan. The narrative, at a minimum, should include the number of employees participating in the plan, an estimation of the total driving miles saved through the plan, and the participation of local transportation/congestion management agencies in designing the plan.

- Energy Efficiency and Renewable Energy (10 points maximum)

A) Points will be awarded for Projects that utilize designs, materials or techniques to reduce energy use by at least fifteen (15 percent) compared to the following benchmarks: (1) for building construction or rehabilitation, the most recent California Energy Commission Energy Efficiency Standards for Residential and Non-Residential Buildings; or (2) for equipment to be purchased and installed, the current per energy unit output of equipment currently in use by the Borrower and/or User. The Applicant must submit a completed Attachment "O" along with documentation, which must be either a utility company letter confirming the projected energy savings, or a written certification of projected energy savings from a **Certified Energy Plans Examiner (CEPE)** or **Certified Energy Analyst (CEA)**. (5 points)

B) Points will be awarded for Projects that involve the installation and use of renewable energy equipment to power the production process (Section 5370(f) of CDLAC Regulations). The Borrower and/or User must provide written documentation from its utility company which specifies the installation or planned installation of the renewable energy equipment. (5 points) (Attachment "O").

- Manufacturer of Certified Environmentally Preferable Products (5 points maximum) (Section 5370(f)(4) of CDLAC's regulations)
- U.S. Green Building Council (USGBC) LEED-Certified Manufacturing Facility (5 points maximum) (Section 5370(f)(5) of CDLAC's regulations)

Leverage (5 points maximum) (Section 5370(g) of CDLAC Regulations)

To qualify for points in this category, the Applicant must demonstrate that the financing of the project will include Taxable Debt, taxable loans, and/or private funds such that the Taxable Debt, taxable loans, and/or private funds will supplement the use of tax-exempt bond financing.

Points will be awarded in this category under one of the following scenarios:

- 1) Greater than twenty percent (20 percent) of total project costs will be paid from one or more of these other sources of financing. (5 points)
- 2) Greater than ten percent (10 percent) and up to twenty percent (20 percent) of total project costs will be paid from one or more of these other sources of financing. (3 points)

Applications will be evaluated based on the information provided in **Attachment D**.

PART VII – LEGAL STATUS OF PROJECT SPONSOR AND DEVELOPER

If a separate sheet is used to respond to the following questions, the sheet shall be labeled **Attachment P**.

1. Financial Viability

Disclose any legal or regulatory action or investigation that may have a material impact on the financial viability of the project or the Project Sponsor and Developer. The disclosure should be limited to actions or investigations in which the applicant or the applicant's parent, subsidiary, or affiliate involved in the management, operation, or development of the project has been named a party.

Response (Not Applicable is an unacceptable response):

2. Fraud, Corruption, or Serious Harm

Disclose any legal or regulatory action or investigation involving fraud or corruption, or health and safety where there are allegations of serious harm to employees, the public, or the environment. The disclosure should be limited to actions or investigations in which the Project Sponsor and Developer or the Project Sponsor's and Developer's current board member (except for volunteer board members of non-profit entities), partner, limited liability corporation member, senior officer, or senior management personnel has been named a defendant within the past ten years.

Response (Not Applicable is an unacceptable response):

Disclosures should include civil or criminal cases filed in state or federal court; civil or criminal investigations by local, state, or federal law enforcement authorities; and enforcement proceedings or investigations by local, state or federal regulatory agencies. The information provided must include relevant dates, the nature of the allegation(s), charters, complaint or filing, and the outcome. For a publicly-traded company, the relevant sections of the company's 10K, 8K, and 10Q most recently filed with the Securities and Exchange Commission may be attached in response to question #1. With respect to a response for question #2, previous 10K, 8K, and 10Q filings of the company may be attached if applicable.

PART VIII – SELLER OF PROPERTY INFORMATION

This PART is to be completed if bond proceeds will finance the acquisition of property.

1. Name of Property Seller:

Business Street Address:

City:

State:

Zip code:

Telephone number: ()

2. Principals, business addresses and telephone numbers of each partner comprising the Seller:

3. When is sale of property expected to close escrow?

SIIDBP APPLICATION DOCUMENTS CHECKLIST

This checklist is provided to ensure that a completed application package is filed. If an attachment does not apply, please write N/A in the space provided.

Your application package must contain the following:

Check Box	Document Description	Attachment Name
	\$1,200 initial filing fee made payable to CDLAC (See Section 5033(b)(2) of CDLAC Regulations)	
	<u>Signed</u> Performance Deposit Certification Form (See Section 5033(b)(1) of CDLAC Regulations)	
	Adopted Inducement Resolution (See Section 5033(b)(4) of CDLAC Regulations.)	A
	Evidence of TEFRA hearing (either adopted resolution or certification) (See Section 5033(b)(5) of CDLAC Regulations.)	B
	Evidence of Bond Sale Structure and Commitment (See Chapter 1, Article 6 of CDLAC Regulations.)	C
	Evidence of Taxable Debt (Section 5370(g) of CDLAC Regulations)	D
		E
	Description of current improvements	F
	Evidence of ownership	G
	Description of proposed Project	H
		I
	Evidence of permits and approvals documentation (Section 5369 of CDLAC Regulations)	J
	Job Creation / Job Retention (Section 5370(b) of CDLAC Regulations)	K
	Evidence of Workforce and Economic Development (Section 5370(c) of CDLAC Regulations)	L
	Evidence of payment of employee benefits (including the Small-Issue Industrial Development Project Health Care Benefits Worksheet) (Section 5370(d) of CDLAC Regulations)	M1, M2
	Evidence of Public Transit Corridor/Transportation Plan (Section 5370(f)(2) of CDLAC Regulations)	N
	Evidence of Energy Efficiency and Renewable Energy (Section 5370(f) of CDLAC Regulations)	O
	Legal Status of Applicant and Project Sponsor	P

ATTACHMENT J

THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE
VERIFICATION OF ZONING AND LOCAL APPROVALS

PROJECT NAME:

PROJECT ADDRESS:

ASSESSOR PARCEL NUMBER (S):

PLANNING FILE NUMBER:

PROJECT CITY:

The entire parcel upon which the above-described project will be located is zoned _____, which allows for industrial development of no greater than _____ square feet per acre or floor area ratio (FAR). Please indicate which measure is being used.

1. Does the project currently comply with all applicable local land use and zoning ordinances (If no, please explain)?

2. Please describe the current zoning allowed for the site.

3. Has the project sponsor (developer) obtained all local approvals (other than a building permit) necessary to begin construction (If no, please explain)?

4. Are there any outstanding approvals required by the Planning Commission, City Council, or Board of Supervisors for land use entitlements (If yes, please explain)?

5. Are you aware of any state approvals which may be required (If yes, please explain)?

DATED: _____

STATEMENT COMPLETED BY: _____
(Please Print Name of Local Agency Representative)

SIGNATURE OF LOCAL AGENCY REPRESENTATIVE: _____

TITLE: _____

TELEPHONE: _____ **FAX:** _____ **E-MAIL:** _____

ATTACHMENT M2

SMALL-ISSUE INDUSTRIAL DEVELOPMENT BOND PROJECT HEALTH CARE BENEFITS WORKSHEET

Part I

Medical

Gross monthly medical premiums made by Project Sponsor at the time of Application: \$ _____
Less
Total monthly medical premiums made by all employees to health care premium at the time of Application: \$ _____
Equals
Net monthly medical premiums made by Project Sponsor at the time of Application: \$ _____

Vision

Gross monthly vision premiums made by Project Sponsor at the time of Application: \$ _____
Less
Total monthly vision premiums made by all employees to vision premium at the time of Application: \$ _____
Equals
Net monthly vision premiums made by Project Sponsor at the time of Application: \$ _____

Dental

Gross monthly dental premiums made by Project Sponsor at the time of Application: \$ _____
Less
Total monthly dental premiums made by all employees to dental premium at the time of Application: \$ _____
Equals
Net monthly dental premiums made by Project Sponsor at the time of Application: \$ _____

ATTACHMENT M2

SMALL-ISSUE INDUSTRIAL DEVELOPMENT BOND PROJECT HEALTH CARE BENEFITS WORKSHEET

Part II

Total Monthly Net Medical, Dental, and Vision Costs:

Medical \$_____

Vision \$_____

Dental \$_____

Total \$_____

Part III

Total monthly net premium/costs: \$_____

divided by

Total number of employees participating in plan: _____
equals

Total monthly net medical, dental, and vision costs paid per employee:
\$_____

Part IV

Does the Company offer Retirement Benefits to its employees (Yes, No, or N/A)?

Total Retirement Benefits:

- Employee-Sponsored defined benefits retirement plan
- Employee-Sponsored defined contribution plan
- Other (please specify)

Total monthly retirement contribution:

Total # of participating employees:

By completing the preceding section of the worksheet, the Borrower and/or User confirm that it will offer the same retirement benefits to employees hired in accordance with representations made with respect to the Job Creation category (Attachment "K").