

ALLEGHENY TARGET INDUSTRY LOAN PROGRAM

Prepared by:



Rich Fitzgerald
County Executive, Allegheny County

Robert Hurley
Director, Allegheny County Economic Development

Allegheny Target Industry Loan Program

PURPOSE

- The Allegheny Target Industry Loan program provides low interest financing for real estate acquisition and development, machinery and equipment, and infrastructure development for Targeted Growth Cluster industries located in, or seeking relocation to, Allegheny County

LOAN LIMITS

- Up to 40% of eligible project costs not to exceed \$500,000 (Maximum available to Targeted Growth Cluster industries in Targeted Geographical Areas)

TERM

- Land and Building – 15 year maximum
- Machinery and Equipment – 7 year maximum

RATE

- Rate set based on a multitude of factors including project cash flow, risk, geography, job creation, overall investment, collateral, industry, etc.
- Rates will be at or below market

PRIVATE FINANCING

- Cash equity, private financing, and/or other public financing of at least 60% of total eligible project cost
- Minimum 10% non-borrowed cash equity

ELIGIBLE BUSINESSES

- Targeted Growth Cluster industries located in, or seeking relocation to, Allegheny County with a minimum of 100 local employees at time of application

PREFERENCES

- Lower interest rates are available to Targeted Growth Cluster industries located in Targeted Geographical Areas, as well as for industries located in Enterprise Zones, Keystone Innovation Zones, Brownfields, and Act 47 communities.

JOB CREATION

- One job created for every \$35,000 loaned

LOW/MOD INCOME REQUIREMENT

- At least 51% of the jobs created must be filled by low/moderate income individuals

INELIGIBLE BUSINESSES

- Commercial, Retail, and Service

CONTENTS

SECTION I

Program Description..... 4
Source of Proceeds..... 4
Background on Growth Clusters..... 4

SECTION II

Eligible Businesses..... 4

SECTION III

Loan Amount..... 5
Use of Proceeds..... 5
 Real Estate Acquisition and Development..... 5
 Machinery and Equipment..... 5
Loan Term..... 5
 Real Estate & Development Financing..... 5
 Machinery and Equipment Financing..... 6
Restrictions..... 6
Loan Security..... 6
Interest Rate..... 6
Loans from Other Sources..... 7
Job Creation & Low/Moderate Income Requirement..... 7
Ineligible Use of Proceeds..... 7
Ineligible Businesses..... 8

SECTION IV

Financing Application Procedures..... 8
 Financing Application Processing..... 9
 Business Loan Review Committee..... 9
 General Requirements..... 9
 Loan Frequency..... 10
 Overview of Loan Process..... 10
Financing Application Evaluation Criteria..... 11
 Financial Evaluation..... 11
 Business Evaluation..... 11
 Public Purpose Evaluation..... 12
Allegheny Target Industry Loan Fees..... 12
Allegheny Target Industry Loan Closing Procedures..... 13
Financing Closing Costs..... 13
Waiver of Provisions..... 13

APPENDIX A

Targeted Geographical Areas..... 14

APPENDIX B

Targeted Growth Clusters..... 15

SECTION I

Program Description

The establishment of new industries and the expansion of existing “Growth Cluster” industries within Allegheny County is a principle objective of the Allegheny Target Industry Loan program. Growth cluster industries will enhance the taxable base of properties in the region, as well as provide greater employment opportunities for residents.

The Allegheny Target Industry Loan program provides low interest financing for real estate acquisition and development, machinery and equipment acquisition, and infrastructure development for identified Growth Cluster industries located in, or seeking relocation to, Allegheny County.

Source of Proceeds

Funds dispersed through the Allegheny Target Industry Loan program utilize Community Development Block Grant (CDBG) funds received from the U.S. Department of Housing and Urban Development.

Allegheny County Economic Development (ACED) is the administrator of the Allegheny Target Industry Loan program, and thus all applications are packaged, closed, and managed by the ACED.

Background on Growth Clusters

Growth clusters are industry sectors in Western Pennsylvania that are established or have the potential to expand and become a substantial factor in Allegheny County’s economy. Allegheny County utilizes outside economic and consulting resources to identify the region’s Growth Clusters. The current list of identified growth clusters are identified in Appendix I.

SECTION II

Eligible Businesses

An eligible business is a legal business entity located within, or seeking relocation to, Allegheny County having one hundred (100) or more full time local employees at the time of application. Businesses located within communities with CDBG entitlement programs are not eligible for the Allegheny Target Industry Loan program unless such communities participate in the project financially or in kind.

In addition, the business must have the necessary owner equity and demonstrate the ability to repay loan proceeds. Special consideration will be given to applicants with

fewer than 100 employees that otherwise are eligible for the ATIL program. In addition, ACED reserves the right to require additional eligibility criteria from applicants.

SECTION III

Loan Amount

Financing is available through the ATIL program for up to forty percent (40%) of the total eligible projects costs. The maximum loan amount will not exceed \$500,000 and will typically only be available to those Targeted Growth Cluster industries located in, or relocating to, a Targeted Geographical Area.

Use of Proceeds

Real Estate Acquisition and Development

- The acquisition of land or building(s)
- New construction, conversion, expansion, or rehabilitation of existing facilities
- The preparation of the site(s) for use which may include testing, infrastructure installation, expansion and/or rehabilitation of existing facilities
- Engineering, architectural, legal, and other costs related to real estate acquisition and land development deemed appropriate by ACED

Companies developing space for their own occupancy are eligible to apply for loan funding. Property developers and Industrial Development Corporations may apply for financial assistance with build-to-suit projects which include firm tenant commitments. Housing programs are eligible under this program only if they are related to a mixed used economic development project or initiative.

Machinery and Equipment

- The acquisition of equipment, machinery, or other fixed asset of depreciable value associated with the operation of the small business
- Computers, peripherals, and software integral to regular business operations are eligible for ASBL program proceeds.

Loan Term

Real Estate Acquisition & Development

- Generally, the loan term shall not to exceed 15 years and will be less than or equal to the term of any private lender.

Machinery & Equipment

- The loan term for equipment shall not exceed seven (7) years, or the depreciable life of the asset, whichever is the shortest.

Restrictions

- The applicant and its principals may not be delinquent or in default of any existing loans related to the applicant, unless there has been a satisfactory workout agreement entered into with the respective creditor(s). Full compliance with the terms of such an agreement is required, demonstrated by the execution of an affidavit to that effect. For purposes of the ASBL program, a “principal” of an applicant is any record or beneficial owner of 20% or more of an ownership interest in the applicant.
- The applicant and its principals must be current on the payment of all applicable federal, state, and local taxes unless a satisfactory workout agreement has been reached with the respective taxing authority and there is full compliance with the terms of such agreement.
- The applicant and its principals and managerial officers must disclose any potential conflicts of interest with any officials or employees of ACED or others involved in the review and disbursement process of the ASBL program.

Loan Security

Loans dispersed through the ATIL program will be secured with the best possible lien position against the asset financed. Personal guarantees of the principal owners, those who own twenty percent (20%) or more of the business, are required and where applicable corporate guarantees will also be required.

Interest Rate

The interest rate for each Allegheny Target Industry Loan will be individually determined.

Real estate development projects that achieve LEED® green building certification will be eligible for a reduced interest rate

Loans from Other Sources

Projects funded by the ATIL program are required to have a combination of cash equity, private sector financing, and/or other public financing, excluding public financing capitalized with CDBG proceeds, of at least sixty percent (60%) of the total eligible project costs. A minimum of ten percent (10%) non borrowed cash equity will be required from the borrower. Furthermore, a private regulated financial institution must

commit to at least thirty percent (30%) of the total loan requests. Private regulated financial institutions include commercial banks, savings and loan associations, and other government regulated lenders.

Job Creation and Low/Moderate Income Requirement

Job creation is a key component to the sustainability of economic development in the region. Therefore, one (1) job is to be created for every thirty five thousand dollars (\$35,000) loaned.

Loan recipients have three (3) years from the date of Loan Review Committee approval to fulfill their job requirements unless extended by the ACED. Additionally, at least fifty one percent (51%) of the jobs created must be filled by low/moderate income individuals as defined by CDBG guidelines. Failure to meet these requirements may also result in a retroactive increase in the loan's interest rate to the prime interest rate plus two percent (2%).

Ineligible Use of Proceeds

ACED will also impose certain restrictions for the use of proceeds distributed through the ATIL program. The following is a list, although not exhaustive, of purposes with which ATIL proceeds cannot finance:

- Refinancing existing debt where ACED would take over a lien position sustaining a loss through refinancing;
- To effect a partial change of business ownership or a change that will not benefit the business;
- To reimburse funds owed to any owner, including any equity injection, or injection of capital for the purposes of the business' continuance until other loan proceeds are disbursed;
- To repay delinquent state or federal withholding taxes or other funds that should be held in trust or escrow; and
- For any other non sound business purpose, as determined by ACED.

The ACED reserves the right to establish further restrictions as needed.

Ineligible Businesses

The ACED has deemed certain businesses ineligible for ATIL program funds. Specific types of businesses not eligible include, but are not limited to:

- Speculative activities where firms realize profits from fluctuations in price rather than through the normal course of trade.
- Lending activities, such as banks, finance companies, factors, leasing companies, insurance companies (not agents), and any other firm whose stock in trade is money.

- Pyramid sales plans where there are endless chains of distributors and sub-distributors, and where a participant's primary incentive is based on the sales made by an ever-increasing number of participants. Such products as cosmetics, household goods, and other soft goods lend themselves to this type of business.
- Illegal activities conducted in the jurisdiction where the business is located are not supported by ATIL program proceeds.
 - Included in these activities is the production, servicing, or distribution of otherwise legal products that are to be used in connection with an illegal activity, such as selling drug paraphernalia or operating a motel that permits illegal prostitution.
- Any business whose principle activity is gambling, excluding any business that obtains less than one-third of their annual gross income from the sale of official state lottery tickets under a state license, or legal gambling activities licensed and supervised by a state authority
- Vehicle dealers are ineligible for ATIL program proceeds.
- Bars, taverns, or any establishment which sells alcoholic beverages
- Owner-operator trucking firms
- Personal care and nursing homes, day care centers
- Live adult entertainment establishments and/or production facilities
- Game rooms and/or gaming establishments
- Recreation and fitness facilities
- Professional services firms

SECTION IV

Financing Application Procedures

Financing Application Processing

A complete Financing Application accompanied by all the required attachments and exhibits should be returned to the ACED for processing and analysis. After the ACED conducts due diligence associated with the application and determines the proposal's eligibility based upon both (1) the objectives of the ATIL program and (2) concurrence with the project eligibility requirements, the ACED will submit the application for consideration by the Business Loan Review Committee.

Business Loan Review Committee

The Business Loan Review Committee is comprised of representatives from the private and public sectors that have proven expertise in both credit analysis and economic development. It may advise and provide expertise on the availability of any and all services and private and public funding sources which may be available to assist the

development of the project. After review of the proposal, the Committee may take one of the following actions:

- 1) Approve and recommend the project for funding.
- 2) Approve contingent upon certain modifications.
- 3) Deny approval and recommend further analysis by the ACED.
- 4) Deny approval with no recommendation for further review.
- 5) Table the application pending further review

The Loan Review Committee meets on the third Wednesday of every month. Complete applications must be received by ACED by the first of the month in order to be considered on that month's agenda.

General Requirements

- The applicant must meet all deadlines for the submission of documents as required by the ACED. The failure of the applicant to meet established deadlines may result in the cancellation of the application, or the applicant's loss of priority position in loan processing.
- Loan approval will be evidenced in writing to the applicant. Construction activity or equipment purchases prior to loan closing are prohibited and as such would be considered ineligible costs for the purpose of the ATIL program
- Any denial of a loan application by the ACED will be communicated in writing to the applicant. In the event of an application denial, the applicant shall bear the cost of any and all expenses incurred in connection with either the preparation or processing of the loan application, including, but not limited to, credit reports, appraisals and feasibility studies.
- An applicant may withdraw a loan application from consideration for funding at any time after the Business Loan Review Committee approval and prior to loan closing, by giving written notice to ACED. The applicant shall bear the cost of any and all expenses incurred to that point in connection with either the preparation or processing of the loan application or documentation.
- An applicant shall bear the cost of any and all expenses incurred in the preparation of loan documentation which shall be satisfactory to the ACED. All or a portion of these expenses may be financed.

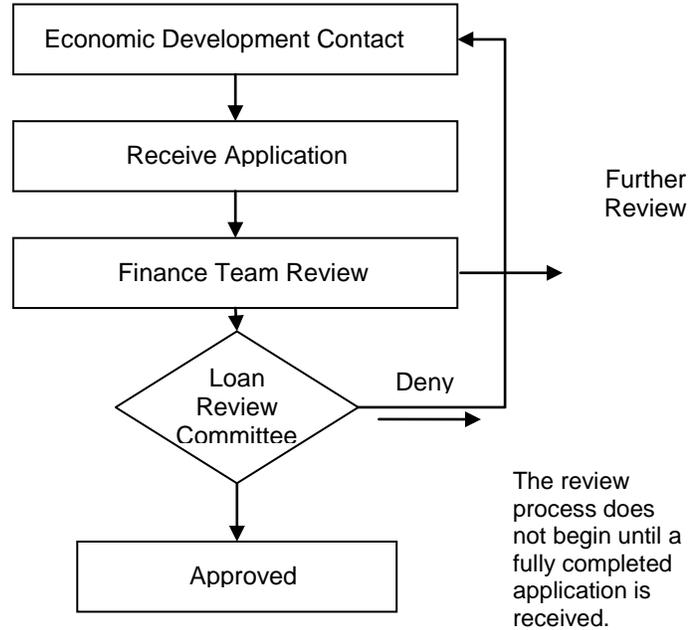
Loan Frequency

Additional loans may be available to businesses provided they are current on their existing loan, their job creation requirements have been met, and the loan being financed is a separate and stand-alone project. The maximum loan balances outstanding to any

one business entity or affiliate under the ATIL program is \$1,000,000. No more than two (2) loans may be outstanding under all Allegheny County funded loan programs.

Overview of Loan Process

Allegheny Target Industry Loan Application Process



Financing Application Evaluation Criteria

The following documentation will be the minimum amount of information required by ACED in order to evaluate the financing application. ACED reserves the right to request any and all information it deems necessary to evaluate a proposal/application for the ATIL Program.

Financial Evaluation

The current performance of the business and the financial status of the proposed owners will be evaluated to determine the ability to repay the loan. The evaluation will include, but not be limited to the following criteria:

Financial Status of the Business

This involves an evaluation of prior years' and current financial performance. Independently prepared financial statements, with an accountant's opinion, and tax returns for the prior three years must be submitted. If the business is

a start-up or if this documentation is unavailable, balance sheets, income statements and statements of cash flows must be provided.

Financial Status of the Owners

This involves an evaluation of the prior three years personal tax returns, personal financial statements, and credit history for any individual or entity owning twenty percent (20%) or more of the business seeking financing. A similar evaluation of a Guarantor, if applicable, will also be conducted.

Projected Cash Flow Analysis

Profit and loss statements and cash flow statements projected for at least the next three (3) years will be required.

Collateral/Security Analysis

An analysis of the assets which are used to secure the loan, showing evidence of their economic useful life, must be submitted. Appraisals, when necessary, are to be provided. Existing machinery and equipment utilized as collateral will be based on the depreciated value of the asset.

Business Evaluation

An evaluation of the proposed or present business will include, but not be limited to the following criteria:

Business Plan

A complete business plan, including in some cases market study or market documentation acceptable to the ACED will be required. The business plan should demonstrate evidence for a strong potential market for the product or service through an evaluation of the relevant local and national market.

Management Ability

The general business skills, as well as the specialized experience in the particular industry of the owners, partners or directors will be evaluated. Evidence of expertise must be submitted.

Tenant Commitments

For build-to-suit projects, the strength of anchor tenant commitments will be thoroughly evaluated.

Public Purpose Evaluation

Because there may be insufficient funds to approve all eligible applications, priority will be given to those applications showing a significant "public purpose" or "benefit" based upon an evaluation of the following criteria:

- The total number of jobs created, with an emphasis on the number of employed Allegheny County residents.
- The quality of jobs in terms of salary, skill level, stability, etc.
- The ratio of ATIL funds to private investment.
- The amount of alternative funding from sources other than the ATIL proceeds invested in the project.
- The projected tax revenues for ten (10) years to Allegheny County and the municipality in which the project is located.
- The overall benefit to the community or neighborhood.
- Projects in Distressed/Act 47 communities.
- Reuse or maintenance of sites formerly or currently used for economic activities (brownfield sites) such as sites in established community business and industrial districts, provided project is consistent with municipal plans and land use regulations.
- The applicant's demonstrated commitment to environmentally sensitive practices.
- Projects must be supported by the municipality in which they will be located, and the degree to which the project is supported or opposed locally will generally be a factor in decisions on applications.

Allegheny Target Industry Loan Fees

The Borrower will be responsible for the payment of the following fees:

Financing Application Fee

A non-refundable application fee in the amount of \$300 will be required to submit a financing application to the ATIL program. An applicant shall bear the cost of any and all expenses incurred in the preparation of loan documentation which shall be satisfactory to the Business Loan Review Committee. All or a portion of these expenses may be financed. The ACED retains the right to waive this fee.

Commitment Fee

A Commitment fee of \$500 for loans greater than \$25,000 will be due at loan closing.

Annual Administrative Fee

An annual administrative fee \$250 for loans greater than \$25,000 will be due on each anniversary date of the loan as long as the loan is outstanding. The annual fee is to be paid in advance and is non-refundable in the event of loan prepayment. The annual fee due for the initial year of the loan term is to be paid at loan closing

Allegheny Target Industry Loan Closing Procedures

The legal counsel for the ACED will arrange with Borrower's counsel all matters regarding the loan closing, including the responsibilities for the preparation of certain loan documents.

Financing of Closing Costs

The Borrower may finance all or a portion of the closing costs of the ATIL, including those incurred on behalf of ACED's legal counsel, construction loan inspection engineer, and any other professional services which the ACED deems necessary to expedite the loan process. The Commitment Fee and the initial Annual Administrative Fee may not be financed in this manner but rather must be paid at loan closing.

Waiver of Provisions

The ACED may waive certain provisions of these Program Guidelines based upon a determination of the private and public benefits are significant enough to warrant such a waiver.

For Additional Information regarding the Allegheny Target Industry Loan Program, you may contact the Allegheny County Economic Development at (412) 350-1198.

APPENDIX A

The following communities meet the low/mod income exception criteria on a municipal wide basis:

Avalon
Bellevue
Blawnox
Brackenridge
Braddock
Clairton
Duquesne
East Deer
East McKeesport
East Pittsburgh
Elizabeth Borough
Glassport
Homestead
Leetsdale
McDonald
McKees Rocks
McKeesport
Millvale
Mt. Oliver
North Braddock
Pitcairn
Port Vue
Rankin
Sharpsburg
South Versailles
Stowe
Swissvale
Tarentum
Trafford
Verona
Versailles
Wall
West Elizabeth
Wilkinsburg
Wilmerding

APPENDIX B

Targeted Growth Clusters

Advanced Manufacturing

Industrial Research for Manufacturing, Materials Production, and Steel Making
Metal Work
Machine Tools
Process Equipment
Metal Processing
Casting and Forging
Food Processing
Food Science Research

Information Technology

Household Audio and Video Equipment
Instruments – Measuring and Controlling Devices
Research Organizations
Electronic Components and Assemblies
Electro-Optics
Data Storage
Photonics
Software
 Artificial Intelligence
 Search Technology
 Cyber Security
 Spend Management and Optimization
 Entertainment Technology
Communication Equipment and Services
Robotics

Biotechnology/Pharmaceutical/Chemical

Packaging
Containers
Specialty Chemicals
 Coatings and paints
 Plastics and rubber
 Polymers
 Resins
 Synthetic dyes
 Pigments
Laboratory Instruments and Process Equipment
 Laboratory Analytical Instruments
 Surgical and Medical Instruments and Apparatus
 Orthopedic, Prosthetic, and Surgical Appliances and Supplies
 X-Ray Apparatus and Tubes and Related Irradiation Apparatus
 Electromedical and Electrotherapeutic Apparatus

Pharmaceuticals

- Medicinal Chemicals and Botanical Products
- Pharmaceuticals Preparations
- Biological Products, Except Diagnostic Substances
- Industrial Organic Chemicals

Distribution

Research

Tissue Engineering

Green Products Manufacturing/Environmental Services

Recycled/Reclaimed Materials Processing

Renewable Energy

- Biofuel Research, Equipment and Production

- Photovoltaic Research and Manufacturing

- Wind Energy Research and Equipment

- Hydroelectricity Research and Equipment

Green Building Product Manufacturing

Green Chemistry/Green Materials Research

Water Management/Treatment Equipment

Industrial Waste Management

Alternative Transportation

Pollution Control Systems

[Etc. – consult with GBA, CCI, Sustainable Pittsburgh for others]