

U.S. Department of Transportation

SUPPORTING STATEMENT **SHORT TERM LENDING PROGRAM**

INTRODUCTION

This is to request the Office of Management and Budget's (OMB) renewed three-year approved clearance for the information collection entitled, Short-Term Lending Program Online Application OMB Control No. 2105-0555, which is currently due to expire on January 31, 2016.

There are two categories of respondents: the loan applicants (hereafter Respondents) and the Participating Lender banks (hereafter PL Respondents).

I-83 Justification.

1. Circumstances that make collection of information necessary. The DOT Office of Small and Disadvantaged Business Utilization (OSDBU) has the Short Term Lending Program (STLP) which financially assists Disadvantaged Business Enterprises (DBEs) and other certified small, disabled veterans, and women owned businesses in their execution of transportation related contracts at the local, state, and federal level at the Department of Transportation (DOT). The STLP program is a federal government guarantee loan program providing short-term lines of credit for small businesses. The program is administered through Cooperative Agreements between DOT's OSDBU and Participating Lenders under 49 CFR Part 22 DOT- OST -2008-0236 entitled, "Short -Term Lending Program". This supports the Department's Economic Competitiveness Strategic Goal by providing certified small businesses, including disadvantaged business enterprises (DBEs) and women-owned businesses, the opportunity to obtain short-term working capital at a reasonable interest rate for DOT and DOT-funded transportation-related contracts.

2. How, by whom, and for what purpose is the information used. The collection involves the use of the "Short-term Lending Program Application for

Loan Guarantee” for both a new loan guarantee or for a loan guarantee renewal. The information to be collected will be used to determine the applicant’s eligibility and is necessary to approve or deny a loan. We are required to publish this notice in the Federal Register by the Paperwork Reduction Act of 1995.

OSDBU’s Short-term Lending Program (STLP) offers certified Disadvantaged Business Enterprises (DBEs) and other certified small businesses (8a, women-owned, small disadvantaged, HUBZone, veteran owned, and service disabled veteran owned) the opportunity to obtain short-term working capital at variable interest rates for transportation-related projects. The STLP provides up to a 75% guaranteed revolving line of credit for a maximum of \$750,000 to finance accounts receivable arising from transportation-related contracts. These loans are provided through banks that serve as DOT’s Participating Lenders (PL). The term of the line of credit is for one (1) year, which may be renewed up to a total of five (5) years. A potential STLP participant must submit a guaranteed loan application package, comprised of a loan application with supporting documentation collected from the STLP checklist that is spelled out in the instructions contained in the application. A STLP participant who wishes to renew their STLP application must fill out the same Short-term Lending Program Application for a Loan Guarantee application package along with supporting documentation collected from the STLP checklist bringing their information up to date.

The PL Respondents utilize the following forms:

- (1) “Short Term Lending Program Bank Verification Loan Activation Form”;
- (2) “Short Term Lending Program Bank Acknowledgement Extension Request Form”;
- (3) “Short Term Lending Program Bank Acknowledgement Loan Close-Out Form”;

- (4) "Guaranty Loan Status Report";
- (5) "Pending Loan Status Report";
- (6) "Drug-Free Workplace Act Certification for a Grantee Other than an Individual";
- (7) "Certification Regarding Lobbying for Contracts, Grants, Loans, and Cooperative Agreements";
- (8) "Office of Small and Disadvantaged Business Utilization U.S. Department of Transportation Short Term Lending Program Certification Regarding Debarment, Suspension";
- (9) "Cooperative Agreement between the US Department of Transportation and the Participating Lender"; and
- (10) "US Department of Transportation Office of Small and Disadvantaged Utilization Short Term Lending Program Guarantee Agreement."

The STLP is subject to the requirements of the Federal Credit Reform Act of 1990 (FCRA) that include budgeting and accounting requirements for Federal credit programs and OMB Circular A-129 Revised 2000 Policies for Federal Credit Programs. The PL must have a process to activate, monitor, service and close-out STLP loans.

3. Extent of automated information collection. The Short Term Lending Online Program Application for a Loan Guarantee is a fillable form for the first time as recommended by Executive Order 13563, "Improving Regulation and Regulatory Review".

4. Efforts to identify duplication. The duplicity of having two Short Term Lending Applications for Loan Guarantee and Loan Guarantee Renewal has

been eliminated. There is only one (1) application and one (1) checklist incorporated in the application.

5. Efforts to minimize the burden on small businesses. Every effort has been made to simplify and make the combined Short Term Lending Program Online Application for a Loan Guarantee easier to understand than the expiring form (s). The first page of the application contains the eligibility requirements of the program so if the applicant does not meet the basic requirements then they do not need to finish completing the application. Detailed instructions are included to explain line by line on the application; why it is needed; and how to submit the information. An attempt has been made to make the letters larger making it easier to read. Discussions were held with the Regional Small Business Transportation Resource Centers who assist the applicants fill out the STLP application to help receive input. The changes have produced a much more customer friendly document.

6. Impact of less frequent collection of information. There was a great effort made to take out information that was not necessary to the Office of Small and Disadvantaged Business Utilization (OSDBU) or the Participating Lenders. The Participating Lenders approve the loan for the borrower and the US DOT/OSDBU guarantees the loan. The information on the revised STLP Application for Loan Guarantee is what is needed or required for the small business to obtain access to capital utilizing the Short Term Lending Program. The Participating Lender Respondents need to utilize their corresponding forms to fulfill the terms of their Cooperative Agreement. We cannot eliminate any of the forms but we made them easier to read, understand, and use.

7. Special circumstances. The information contained in the Short Term Lending Online Application for Loan Guarantee is protected under the Privacy Act. The PLs respondents are required to retain their loan application records for

7 years according to the requirements in the Code of Federal Regulations. This rule applies to the loan record retained at DOT/OSDBU.

8. Federal Register Notice. 60 Day Notice Vol. 80, No. 210, Friday, October 30, 2015 Docket No. DOT- OST- 2008 - 0211. No comments received.

9. Payments or gifts to respondents. No payments or gifts are made to the Respondents. PL Respondents receive an administrative fee when they activate a loan approval. Respondent fees are spelled out in Short Term Lending Program Regulations 49 Part 22 DOT- OST- 2015 - 0236. Respondent submits an application fee of \$150.00 payable to the PL when submitting their application to the PL.

10. Assurance of confidentiality. All information collected from the respondents on the Short –Term Lending Online Program Application for a Loan Guarantee is covered under the Privacy Act.

11. Justification for collection of sensitive information. No sensitive information is collected.

12. Estimate of burden hours for information requested.

Respondents: Certified Disadvantaged Business Enterprises (DBEs) and other certified small businesses (8a, women-owned, small disadvantaged, HUBZone, veteran-owned, and service disabled veteran-owned) interested in financing their transportation-related contracts.

DOT Form 2301-1(REV.1): Short Term Lending Program Application for Loan Guarantee. A potential new STLP participant or a current STLP participant who wishes to renew their loan guarantee must submit a guaranteed loan application package comprised of the loan application along with supporting

documentation listed on the checklist. The application may be obtained directly from OSDBU; the Regional Small Business Transportation Resource Centers, from one of the PL, or online from the agency's website currently at <http://www.osdbu.dot.gov/financial/stlp.cfm>

Respondents: 100

Frequency: Once

Estimated Average Burden per Response: 2 hours

Estimated Total Annual Burden Hours: 200 hours

Supporting documentation. Required documentation shall include the following items:

- a. business, trade or job performance reference letters;
- b. DBE or other eligible certification letters;
- c. aging report of receivables and payables;
- d. business tax returns;
- e. business financial statements;
- f. personal income tax returns;
- g. personal financial statements;
- h. schedule of work in progress;
- i. signed and dated copy of transportation-related contracts;
- j. business debt schedule;
- k. cash flow projections;
- l. owner(s) and key management resumes.

Respondents: 100

Frequency: Once

Estimated Average Burden per Response: 12 hours

Estimated Total Annual Burden Hours: 1200 hours

DOT Form 2303-1. Short-Term Lending Program Bank Verification Loan Activation Form. The PL Respondent must submit to OSDBU a Loan Activation Form that indicates the date in which the loan has been activated.

Respondents: 100
Frequency: Annually, up to five years
Estimated Average Burden per Response: ½ hour
Estimated Total Annual Burden Hours: 50 hours

DOT Form 2310-1. Short-Term Lending Program Bank Acknowledgement Extension Request Form. An extension of the original loan guarantee for a maximum period of ninety (90) days may be requested, in writing, by the PL Respondent using the STLP Extension Request Form.

Respondents: 100
Frequency: Annually, up to five years
Estimated Average Burden per Response: ½ hour
Estimated Total Annual Burden Hours: 50 hours

DOT Form 2304-1. Short-Term Lending Program Bank Acknowledge Loan Close-Out Form. The PL Respondent must submit to OSDBU a Loan Close-Out Form upon full repayment of the STLP loan or when the loan guarantee expires.

Respondents: 100
Frequency: Annually, up to five years
Estimated Average Burden per Response: ½ hour
Estimated Total Annual Burden Hours: 50 hours

DOT Form 2305-1. Guaranty Loan Status Report. PL Respondent submits a monthly status of active guaranteed loans to OSDBU.

Respondents: 100
Frequency: Monthly
Estimated Average Burden per Response: 1 hour
Estimated Total Annual Burden Hours: 1200 hours

DOT Form: 2306-1. Pending Loan Status Report. PL Respondent submits monthly loan(s) in process report to OSDBU.

Respondents: 100

Frequency: Monthly

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 1200 hours

DOT Form 2307-1. Drug-Free Workplace Act Certification for a Grantee Other than an Individual Form. The PL certifies it is a drug-free workplace by executing this certification.

Respondents: 100

Frequency: Once

Estimated Average Burden per Response: 15 minutes

Estimated Total Annual Burden Hours: 25 hours

DOT Form 2308-1. Certification Regarding Lobbying for Contracts, Grants, Loans, and Cooperative Agreement. PL Respondent must certify that no Federal funds will be utilized for lobbying by executing this form.

Respondents: 100

Frequency: Once

Estimated Average Burden per Response: 15 minutes

Estimated Total Annual Burden Hours: 25 hours

DOT Form 2309-1. Certification Regarding Debarment, Suspension Form. The PL Respondent must not currently be debarred or suspended from participation in a government contract or delinquent on a government debt by submitting a current SBA Form 1624 or its equivalent.

Respondents: 100

Frequency: Once

Estimated Average Burden per Response: 15 minutes

Estimated Total Annual Burden Hours: 25 hours

DOT Form 2313-1. Cooperative Agreement between the United States Department of Transportation and the Bank (Participating Lender). This is the official agreement between the US DOT and the Participating Lender (Bank) which spells out the terms; deliverables; audit, investigation, and review; record retention; duration of agreement; expiration of agreement; suspension of agreement; termination; DOT's representative; and miscellaneous conditions.

Respondents: 100

Frequency: Every two years

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 100 hours

DOT Form 2313-2. Cooperative Agreement Between the United States Department of Transportation and the Community Development Financial Institution (CDFI). This is the official agreement between the US DOT and the Community Development Financial Institution (CDFI), an eligible Participating Lender or which spells out the terms; Deliverables; Audit, Investigation, and Review; Record Retention; Duration of Agreement; Expiration of Agreement; Suspension of Agreement; Termination; DOT's Representative; and Miscellaneous Conditions.

Respondents: 100

Frequency: Every two years

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 100 hours

DOT Form 2314-1. Department of Transportation Office of Small and Disadvantaged Business Utilization (OSDBU) Short Term Lending Program Guarantee Agreement Form.

This document is the seventy-five (75%) loan guarantee from the US Department

of Transportation to the specific Participating Lender Respondent. It also contains Annex A which is the Participating Lender's default mechanism.

Respondents: 100

Frequency: Every year

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 100 hours

13. Estimate of total annual costs to respondents

Respondents: Certified Disadvantaged Business Enterprises (DBEs) and other Certified Small Businesses (8a, women-owned, small disadvantaged, HUBZone, veteran owned, and service disabled veteran owned) interested in financing their transportation-related contracts.

DOT Form 2301-1(REV.1): Short-Term Lending Program Application for Loan Guarantee. A potential STLP participant or a STLP renewal applicant must submit a guaranteed loan application package, comprised of a loan application, with supporting documentation. The application may be obtained directly from OSDBU, from the Regional Small Business Transportation Resource Centers, from a current PL, or online from the agency's website currently at <http://www.osdbu.dot.gov/financial/stlp.cfm>

Respondents: 100

Frequency: Once

Estimated Average Burden per Response: 2 hours

Estimated Total Annual Burden Hours: 200 hours

Estimated Total Annual Cost to Respondents: \$4,000

Loan application supporting documentation may include the following items:

- a. business, trade or job performance reference letters;
- b. DBE or other eligible certification letters;
- c. Aging Report of Receivables and Payables

- d. business tax returns;
- e. business financial statements;
- f. personal income tax returns;
- g. personal financial statements;
- h. schedule of work in progress;
- i. signed and dated copy of transportation-related contracts to be used as collateral;
- j. business debt schedule;
- m. cash flow projections;
- n. owner(s) and key management resumes.

Respondents: 100

Frequency: Annually

Estimated Average Burden per Response: 12 hours

Estimated Total Annual Burden Hours: 1200 hours

Estimated Total Annual Cost to Respondents; \$24,000

Respondents: Participating Lenders that are in the process or have entered into cooperative agreements with 49 CFR Part 22 DOT- OST -2008-0236 entitled, “Short -Term Lending Program”.

DOT Form 2303.1. Short-term Lending Program- Loan Activation Form. The PL Respondent must submit to OSDBU a Loan Activation Form that indicates the date in which the loan has been activated.

Respondents: 100

Frequency: Annually, up to five years

Estimated Average Burden per Response: ½ hour

Estimated Total Annual Burden Hours: 50 hours

Estimated Total Annual Cost to Respondents \$1,000

DOT Form 2310.1. Short-Term Lending Program Extension Request Form.

An extension of the original loan guarantee for a period of up to ninety (90) days may be requested by the PL Respondent using this STLP Extension Request Form.

Respondents: 100
Frequency: Annually, up to five years
Estimated Average Burden per Response: ½ hour
Estimated Total Annual Burden Hours: 50 hours
Estimated Total Annual Cost to Respondents \$1,000

DOT Form 2304.1. Short-Term Lending Program Bank Loan Close Out Form. The PL Respondent must submit to OSDBU a Loan Close-out Form upon full repayment of the STLP loan or upon expiration of the loan guarantee.

Respondents: 100
Frequency: Annually, up to five years
Estimated Average Burden per Response: ½ hour
Estimated Total Annual Burden Hours: 50 hours
Estimated Total Annual Cost to Respondents \$1,000

DOT Form 2306.1. Pending Loan Status Report. PL Respondent shall submit a month status report to OSDBU of pending loans in process.

Respondents: 100
Frequency: Monthly
Estimated Average Burden per Response: 1 hour
Estimated Total Annual Burden Hours: 1200 hours
Estimated Total Annual Cost to Respondents \$24,000

DOT Form 2305.1. Guarantee Loan Tracking Report. PL Respondent shall submit a status report of pending guaranteed loans to OSDBU with the monthly balance on these loans.

Respondents: 100
Frequency: Monthly
Estimated Average Burden per Response: 1 hour
Estimated Total Annual Burden Hours: 1200 hours
Estimated Total Annual Cost to Respondents \$24,000

DOT Form 2307.1. Drug-Free Workplace Act Certification for a Grantee Other than an Individual Form. The PL certifies that the bank is a drug-free workplace by executing a Certification of Compliance concerning a drug-free workplace.

Respondents: 100
Frequency: Once
Estimated Average Burden per Response: 15 minutes
Estimated Total Annual Burden Hours: 25 hours
Estimated Total Annual Cost to Respondents \$500

DOT Form 2308.1. Certification Regarding Lobbying for Contracts Grants, Loans, and Cooperative Agreement. PL Respondent must certify that no Federal funds will be utilized for lobbying by executing a Certificate Regarding Lobbying in compliance with Section 1352, Title 21, of the US Code.

Respondents: 100
Frequency: Once
Estimated Average Burden per Response: 15 minutes
Estimated Total Annual Burden Hours: 25 hours
Estimated Total Annual Cost to Respondents \$500

DOT Form 2309.1. Certification Regarding Debarment, Suspension Form. The PL Respondent must not currently be debarred or suspended from participation in a government contract or delinquent on a government debt by submitting a current SBA Form 1624 or its equivalent.

Respondents: 100
Frequency: Once
Estimated Average Burden per Response: 15 minutes
Estimated Total Annual Burden Hours: 25 hours
Estimated Total Annual Cost to Respondents \$500

DOT Form 2313-1. Cooperative Agreement between the United States Department of Transportation and the Bank (Participating Lender). This is the official agreement between the US DOT and the Participating Lender (Bank) which spells out the terms; deliverables; audit, investigation, and review; record retention; duration of agreement; expiration of agreement; suspension of agreement; termination; DOT's representative; and miscellaneous conditions.

Respondents: 100
Frequency: Every two years
Estimated Average Burden per Response: 1 hour
Estimated Total Annual Burden Hours: 100 hours
Estimated Total Annual Cost to Federal Government: \$3,429.50

DOT Form 2313-2. Cooperative Agreement Between the United States Department of Transportation and the Community Development Financial Institution (CDFI) This is the official agreement between the US DOT and the Community Development Financial Institution (CDFI), an eligible Participating Lender or which spells out the terms; Deliverables; Audit, Investigation, and Review; Record Retention; Duration of Agreement; Expiration of Agreement; Suspension of Agreement; Termination; DOT's Representative; and Miscellaneous Conditions.

Respondents: 100
Frequency: Every two years
Estimated Average Burden per Response: 1 hour
Estimated Total Annual Burden Hours: 100 hours
Estimated Total Annual Cost to Federal Government: \$3,429.50

DOT Form 2314-1. Department of Transportation Office of Small and Disadvantaged Business Utilization (OSDBU) Short Term Lending Program Guarantee Agreement Form

This document is the seventy-five (75%) loan guarantee from the US Department of Transportation to the specific Participating Lender Respondent. It also contains Annex A which is the Participating Lender's default mechanism.

Respondents: 100

Frequency: Every year

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 100 hours

Estimated Total Annual Cost to Federal Government: \$6,859

14. Estimate of cost to the Federal government.

DOT Form 2301-1 (REV.1): Short-term Lending Program Application for Loan Guarantee). Application Review:

Estimated Average Burden per Application: 2 hours

Estimated Total Annual Burden Hours: 200 hours

Estimated Total Annual Cost to Federal Government: \$45,000

Loan application supporting documentation may include the following items:

- a. business, trade or job performance reference letters;
- b. DBE or other eligible certification letters;
- c. Aging report of receivables and payables;
- d. business tax returns;
- e. business financial statements;
- f. personal income tax returns;
- g. personal financial statements;
- h. schedule of work in progress;
- i. signed and dated copy of transportation-related contracts;

- j. business debt schedule;
- k. cash flow projections;
- l. owner(s) and key management resumes

Estimated Average Burden per Response: 12 hours
Estimated Total Annual Burden Hours: 1200 hours
Estimated Total Annual Cost to Federal Government: \$45,000

DOT Form 2303.1. Short-term Lending Program- Loan Activation Form.

Form review:

Frequency: Annually, up to five years
Estimated Average Burden per Response: ½ hour
Estimated Total Annual Burden Hours: 50 hours
Estimated Total Annual Cost to Federal Government: \$6,375

DOT Form 2310 -1: Short-Term Lending Program Extension Request Form.

Form Review:

Frequency: Annually, up to five years
Estimated Average Burden per Response: ½ hour
Estimated Total Annual Burden Hours: 50 hours
Estimated Total Annual Cost to Federal Government: \$6,375

**DOT Form 2303.1: Short-Term Lending Program Bank Acknowledgement
Loan Close-Out Form.** Form Review:

Frequency: Annually, up to five years
Estimated Average Burden per Response: ½ hour
Estimated Total Annual Burden Hours: 50 hours
Estimated Total Annual Cost to Federal Government: \$6,375

DOT Form 2306-1: Pending Loan Status Report. PL must submit each month to OSDDBU a status report of pending loans in the process.

Report Review:

Frequency: Monthly

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 1200 hours

Estimated Total Annual Cost to Federal Government: \$24,000

DOT Form 2305-1: Guarantee Loan Tracking Report. PL must submit each month to OSDBU a status report of active guaranteed loans including the monthly loan balances. Report review:

Frequency: Monthly

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 1200 hours

Estimated Total Annual Cost to Federal Government: \$24,000

DOT Form 2307-1: Drug-Free Workplace Act Certification for a Grantee Other than an Individual Form. The PL certifies it is a drug-free workplace by executing a Certification of Compliance concerning a drug-free workplace. Certification review.

Estimated Average Burden per Response: 15 minutes

Estimated Total Annual Burden Hours: 25 hours

Estimated Total Annual Cost to Federal Government: \$500

DOT Form 2308-1: Certification Regarding Lobbying for Contracts Grants, Loans, and Cooperative Agreement.. The PL must certify that no Federal funds will be utilized for lobbying by executing a Certificate Regarding Lobbying in compliance with Section 1352, Title 21, of the US Code. Certificate review:

Estimated Average Burden per Response: 15 minutes

Estimated Total Annual Burden Hours: 25 hours

Estimated Total Annual Cost to Federal Government: \$500

DOT Form 2308-1: Certification Regarding Debarment, Suspension Form.

The PL must not currently be debarred or suspended from participation in a government contract or delinquent on a government debt by submitting a current SBA Form 1624 or its equivalent. Certification review:

Estimated Average Burden per Response: 15 minutes

Estimated Total Annual Burden Hours: 25 hours

Estimated Total Annual Cost to Federal Government: \$500

DOT Form 2313-1. Cooperative Agreement between the United States

Department of Transportation and the Bank (Participating Lender). This is the official agreement between the US DOT and the Participating Lender (Bank) which spells out the terms; deliverables; audit, investigation, and review; record retention; duration of agreement; expiration of agreement; suspension of agreement; termination; DOT's representative; and miscellaneous conditions.

Respondents: 100

Frequency: Every two years

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 100 hours

Estimated Total Annual Cost to Federal Government: \$5,000

DOT Form 2313-2. Cooperative Agreement between the United States

Department of Transportation and the Community Development Financial Institution (CDFI). This is the official agreement between the US DOT and the Community Development Financial Institution (CDFI), an eligible Participating

Lender or which spells out the terms; Deliverables; Audit, Investigation, and Review; Record Retention; Duration of Agreement; Expiration of Agreement; Suspension of Agreement; Termination; DOT's Representative; and Miscellaneous Conditions.

Respondents: 100

Frequency: Every two years

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 100 hours

Estimated Total Annual Cost to Federal Government: \$5,000

DOT Form 2314-1. Department of Transportation Office of Small and Disadvantaged Business Utilization (OSDBU) Short Term Lending Program Guarantee Agreement Form. This document is the seventy-five (75%) loan guarantee from the US Department of Transportation to the specific Participating Lender Respondent. It also contains Annex A which is the Participating Lender's default mechanism.

Respondents: 100

Frequency: Every year

Estimated Average Burden per Response: 1 hour

Estimated Total Annual Burden Hours: 100 hours

Estimated Total Annual Cost to Federal Government: \$10,000

15. Explanation of program changes or adjustments. The two STLP applications, Application for Loan Guarantee (Form DOT 2301-1) and Application for Renewal Loan Guarantee (Form DOT2302-1) were consolidated into one

application in 2012. The checklist is contained in the applicant along with a set of instructions. The forms are PDF fillable.

16. Publication of results of data collection. 30 day notice is ready for publication Docket No. OST-2012-0078 OMB Control Number 2105-0555.

17. Approval for not displaying the expiration date of OMB approval. None

18. Exceptions to certification statement. None