



**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

(See page 5 for instructions)

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| PART I: BUSINESS INFORMATION <i>(Complete this section for initial application and to update information previously submitted.)</i> | | | | |
| Business Name/ Business Trade Name: | | | Tax ID No. or SSN | |
| Business Address: | | Tel. No <i>(Include Area Code)</i> | Fax No. <i>(Include Area Code)</i> | |
| City: | County: | State: | Zip: | Are there any affiliates? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>(If yes, attach tax returns)</i> |
| | | | | Number of Employees: <i>(Including subsidiaries and affiliates)</i> |
| Type of Organization: <input type="checkbox"/> Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Joint Venture <input type="checkbox"/> LLC Type of Corp _____ | | Date Business Established: | Average Annual Receipts over last 3 years: <i>(Including Affiliates)</i> | |
| 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, list all applicable Loan #s _____ <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. | | | | |

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| PART II: MANAGEMENT INFORMATION <i>(Complete this section for initial application and to update information previously submitted.)</i> | | | | | |
| MANAGEMENT <i>(Proprietor, partners, officers, directors, all holders of outstanding stock/equity – 100% of ownership must be shown): Use separate sheet if necessary.</i> | | | | | |
| Individual #1 Name: | Position Title: | % Owned: | Telephone No.: | Social Security No.: | Date of Birth: |
| Complete Address: | | Place of Birth: | Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female | Veteran: <input type="checkbox"/> Yes <input type="checkbox"/> No | Service-Disabled Veteran: <input type="checkbox"/> Yes <input type="checkbox"/> No |
| *Race: <input type="checkbox"/> American Indian / Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black / African American <input type="checkbox"/> Native Hawaiian / Pacific Islander <input type="checkbox"/> White | | | *Ethnicity: <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino | | |
| Individual #2 Name: | Position Title: | % Owned: | Telephone No.: | Social Security No.: | Date of Birth: |
| Complete Address: | | Place of Birth: | Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female | Veteran: <input type="checkbox"/> Yes <input type="checkbox"/> No | Service-Disabled Veteran: <input type="checkbox"/> Yes <input type="checkbox"/> No |

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|---|-----------------|-----------------|----------------|---|---|--|
| *Race: <input type="checkbox"/> American Indian / Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black / African American <input type="checkbox"/> Native Hawaiian / Pacific Islander <input type="checkbox"/> White | | | | *Ethnicity: <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino | | |
| Individual #3 Name: | Position Title: | % Owned: | Telephone No.: | Social Security No.: | Date of Birth: | |
| Complete Address: | | Place of Birth: | | Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female | Veteran: <input type="checkbox"/> Yes <input type="checkbox"/> No | Service-Disabled Veteran: <input type="checkbox"/> Yes <input type="checkbox"/> No |
| *Race: <input type="checkbox"/> American Indian / Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black / African American <input type="checkbox"/> Native Hawaiian / Pacific Islander <input type="checkbox"/> White | | | | *Ethnicity: <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino | | |
| *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. | | | | | | |

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| PART III: CONTRACT INFORMATION (Complete this section 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: | Anticipated Project Start Date: | Anticipated Project 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 Oblige: | | # Existing Jobs that will be retained because of this project: (Same job cannot be reported as new in the box 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 in the box above) | |
| Applicant Business: is <input type="checkbox"/> Prime <input type="checkbox"/> Subcontractor on this project | | Percentage of work subcontracted: | |
| Liquidated Damages Dollar Amount: _____ | <input type="checkbox"/> Weekdays <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 started work on the project? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please complete SBA Form 991. | | | |

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| PART IV: AGREEMENTS, CERTIFICATIONS AND COMMENTS (Complete this section 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 for a final (payment or performance) bond.</p> <p>Certification: On behalf of the applicant business, 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) Applicant Business, or any of its Affiliates, has not defaulted on an SBA-guaranteed bond resulting in a Loss that has not been fully reimbursed to SBA or, in the event that SBA made any Imminent Breach payments with respect to an SBA-guaranteed bond issued to an Applicant Business or any of its Affiliates, SBA has been fully reimbursed for such payments. (d) Applicant business is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. (e) All information in this application and any supporting documents submitted with this application, including but not limited to SBA Form 994F, which have been submitted to SBA, any agent, broker, or surety company, is complete and accurate to the best of my knowledge. |

- (f) If Parts I and II of this application have previously been submitted in connection with an earlier application, that information either remains complete and accurate or Parts I and II have been revised with this application and are complete and accurate to the best of my knowledge. (This paragraph (f) applies only to applications submitted electronically. If paper copy of the application is submitted, all Parts of this application must be completed for each application for assistance.)
- (g) Any agent, broker, Surety Company, financial institution, or other party in possession of credit, financial or work experience information concerning the applicant is authorized to release this information to SBA in order that SBA may evaluate the applicant for the purpose of bond guarantee assistance.
- (h) A copy of the "STATEMENTS REQUIRED BY LAW AND EXECUTIVE ORDER" (Statement), which is attached to this Application, has been received and, whenever applicable, Applicant agrees to comply with the requirements in the Statement.
- (i) The individual signing below is authorized to execute this application on behalf of the applicant.

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: INDIVIDUAL CERTIFICATIONS ON CITIZENSHIP AND CHARACTER AND OTHER MATTERS *(Complete this section for Initial Applications and for Each Bid and Final Bond Guarantee.)*

Individual Certifications:

Each Proprietor, each General Partner, each Guarantor, and each Limited Partner, Stockholder, or other equity holder owning 20% or more of the small business must answer the questions below. The person signing on behalf of the business must also sign in his or her individual capacity. In addition, if spouses collectively own 20% or more of the small business, each spouse must also sign. Initial each response where indicated to confirm your response to the question. Attach a copy of Part V if needed for additional individuals.

1. Are you a U.S. citizen?

- Yes No Individual #1 Initials: _____
- Yes No Individual #2 Initials: _____
- Yes No Individual #3 Initials: _____

If "No" are you a Lawful Permanent Resident alien?

- Yes No Individual #1 Initials: _____ If "Yes", provide Alien Registration Number: _____
If "No", country of citizenship: _____
- Yes No Individual #2 Initials: _____ If "Yes", provide Alien Registration Number: _____
If "No", country of citizenship: _____
- Yes No Individual #3 Initials: _____ If "Yes", provide Alien Registration Number: _____
If "No", country of citizenship: _____

2. Are you presently subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction? *(If "Yes", the applicant is not eligible for SBA assistance.)*

- Yes No Individual #1 Initials: _____
- Yes No Individual #2 Initials: _____
- Yes No Individual #3 Initials: _____

3. Have you been arrested in the past six months for any criminal offense?

- Yes No Individual #1 Initials: _____
 Yes No Individual #2 Initials: _____
 Yes No Individual #3 Initials: _____

4. For any criminal offense – other than a minor vehicle violation – have you ever: 1) been convicted; 2) pleaded guilty; 3) pleaded nolo contendere; 4) been placed on pretrial diversion or 5) been placed on any form of parole or probation (including probation before judgement).

- Yes No Individual #1 Initials: _____
 Yes No Individual #2 Initials: _____
 Yes No Individual #3 Initials: _____

If you answer “Yes” to questions 3 or 4, you must furnish details on a separate sheet, including dates, location, fines, sentences, level of charge (whether misdemeanor or felony), dates of parole/probation, unpaid fines or penalties, name(s) under which charged, and any other pertinent information.

If you answer “Yes” to question 4 and are currently on parole or probation, the applicant is not eligible for SBA assistance.

5. Are you presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency?

- Yes No Individual #1 Initials:
 Yes No Individual #2 Initials:
 Yes No Individual #3 Initials:

By my signature, I certify that I have received and read a copy of the “STATEMENTS REQUIRED BY LAW AND EXECUTIVE ORDER” (Statements), which is attached to this Application, and I agree to comply, whenever applicable, with the requirements in the Statement. I also certify that I have reviewed the information in this Application and that all of the information that I have provided in this Application and in all supporting documents and forms submitted with this Application is true and accurate. 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. In addition, I authorize the SBA 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 Investment Act, as amended. I also authorize any agent, broker, Surety Company, financial institution, or other party to release to SBA any information in its possession relating to my credit, financial or work experience in order that SBA may evaluate this application for bond guarantee assistance.

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| Individual #1 Signature and Title: | Date: |
| Individual #2 Signature and Title: | Date: |
| Individual #3 Signature and Title: | Date: |

SURETY BOND GUARANTEE APPLICATION PROCEDURES

This form is used by small businesses to apply for surety bond guarantee assistance. The information collected is used by SBA and PSB Sureties to determine whether the application for assistance should be approved or declined.

1. Applicant must contact a surety agency which participates in SBA's Surety Bond Guarantee (SBG) Program. A list of participating surety agencies and instructions on how to apply for SBG assistance are on the Office of Surety Guarantees website at <https://www.sba.gov/funding-programs/surety-bonds#paragraph-13>.
2. Upon completion of its underwriting, surety forwards all required documents through the Capital Access Financial System. If the form is prepared electronically, the completed form must be printed, signed and then uploaded into CAFS located at <https://www.sba.gov/partners/surety-bond-partners-agents/operate-surety-partner-or-agent>. If CAFS is unavailable, a paper copy of the form is available on the Office of Surety Guarantees (OSG) website at <https://www.sba.gov/document/sba-form-994-application-surety-bond-guarantee-assistance> where it may be printed, completed, signed and mailed to the OSG office at 409 3rd St., S.W. Suite 8600 Washington, D.C. 20416.
3. SBA staff reviews the application, makes a final determination, and notifies surety of its decision. SBA returns the signed Guarantee Agreement to the surety.
4. If the application is for a final (performance and/or payment) bond, SBA's approval is contingent upon the remittance to SBA of the guarantee fee owed by the contractor.
5. 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, including time for reviewing instructions, gathering the information needed, and completing and reviewing your responses, is approximately 15 minutes. You are not required to respond to any collection of information unless it displays a currently valid OMB Control Number (3245-0007). If you wish to submit comments on the estimated completion time or any other aspect of this collection of information, direct these comments to: U.S. Small Business Administration, Director, Records Management Division, 409 3rd St., S.W., Washington, D.C. 20416 and/or Desk Officer for the Small Business Administration, Office of Management and Budget, New Executive Office Building, Room 10202, Washington, D.C. 20503.

PLEASE DO NOT SEND COMPLETED FORMS TO OMB.

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

This application, and any assistance provided pursuant to this application, is subject to the following laws, regulations, and Executive Orders:

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

This law provides, with some exceptions, that SBA must provide information contained in agency files and records to a person requesting it. Information about approved bond guarantees that will be automatically released includes, among other things, statistics on the Surety Bond Guarantee (SBG) programs and other information such as the names of small businesses (and their officers, directors, stockholders or partners) and the amount of the bond guarantees. 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) and Debt Collection Improvement Act (31 U.S.C. 7701)

Authorities and Purpose for Collecting Information: SBA is collecting the information on this form, including social security numbers and other personal information, to make a character and credit eligibility decision in connection with you or your company's application for SBA assistance. SBA may also use social security numbers for the purpose of collecting and reporting on any delinquent fees or other amounts owed SBA.

Under the provisions of 31 U.S.C. 7701, the applicant business and any indemnitor of the bond are required to provide their social security numbers, or other taxpayer identification numbers, in order to do business with SBA. Failure to provide this information would affect your ability to obtain an SBA guaranteed bond. For other individuals signing this application, the submission of the social security number is voluntary and failure to provide your social security number may not affect any right, benefit or privilege to which you are entitled. However, in evaluating whether the applicant satisfies the criteria for a bond guarantee under section 411 of the Small Business Investment Act, 15 USC 694b, SBA considers whether the applicant and each owner of 20% or more of its equity, and each of its officer, directors, or general partners, possesses good character. In making this determination, SBA considers the person's integrity, candor, and criminal history if any. SBA is authorized, through section 308(f) of the Small Business Investment Act, to verify your criminal history, or lack thereof, pursuant to section 7(a)(1)(B) of the Small Business Act, 15 USC § 636(a)(1)(B). In addition, 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, see 15 USC Section 687b(a). In conducting the criminal background check, SBA also uses your social security number to distinguish you from other individuals with the same or similar name or other personal identifier. This use is permitted under Executive Order 9397.

Routine Uses: Some of the information collected may be checked against criminal history indices of the Federal Bureau of Investigation. When the information collected 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, SBA's Privacy Act System of Records, at 74 Fed. Reg. 14890 (2009) (as amended from time to time) for other published routine uses for the collected information.

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

This is notice, as required by the Right of 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. 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 bond guarantee. SBA is required to provide a certificate of its compliance with this 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 access. The law also provides that SBA's access rights continue for the term of any approved bond 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 an application for a bond guarantee, or concerning an approved bond guarantee, as necessary to process or service the bond 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)

Under this Act, and its implementing regulations, SBA is prohibited from providing financial assistance in a designated floodplain unless Federal flood insurance is purchased as a condition of the assistance. 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.

Executive Orders 11988 and 11990 -- 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 applicants for SBA assistance 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.

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

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. In some instances, 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 bond guarantee agreement is approved. Signing this form as an applicant is a certification that the applicant has determined which OSHA requirements, if any, apply to the applicant's business and the applicant to the best of its knowledge is in compliance.

Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821 et seq.) – Businesses that receive surety bond guarantee assistance from SBA for a contract to construct or rehabilitate 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.

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 the business' 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 and Debt Collection Improvement Act of 1996 (5 U.S.C. 5514 note and 31 U.S.C. 3701 et seq.)

These laws require SBA to aggressively collect fee payments (or any other amount due to SBA) that become delinquent. If you receive a bond guarantee, and do not pay the related fee (or any other amount due to SBA), 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 delinquent fee (or any other amount due to SBA) to the Department of Justice or other attorney for litigation
- Foreclose on collateral or take other action permitted

Executive Order 12549 as amended by E.O. 12689, Debarment and Suspension (2 CFR 180, adopted by reference in 2 CFR Part 2700 (SBA Debarment Regulations)) -- By submission of this application, you certify and acknowledge that neither you nor any Principals have within the past three years been: (a) debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a transaction by any Federal department or agency; (b) formally proposed for debarment, with a final determination still pending; (c) indicted, convicted, or had a civil judgment rendered against you for any of the offenses listed in the Regulations; or (d) delinquent on any amounts due and owing to the U.S. Government or its agencies or instrumentalities as of the date of execution of this certification. If you are unable to certify and acknowledge (a) through (d), you must obtain and attach a written statement of exception from SBA permitting participation in this surety bond guarantee. You further certify that you have not and will not knowingly enter into any agreement in connection with the goods and/or services purchased with the proceeds of this loan with any individual or entity that has been debarred, suspended, declared ineligible from participating in, or voluntarily excluded from participation in a Transaction. All capitalized terms have the meanings set forth in 2 C.F.R. Part 180.