

NEBRASKA INVESTMENT FINANCE AUTHORITY
Instructions – Unified Volume Cap Allocation Application

- 1) To request an allocation (“Allocation”) of private activity volume cap in the state of Nebraska, a completed Unified Volume Cap Allocation Application must be submitted to the Nebraska Investment Finance Authority (NIFA). The Application form is available at www.nifa.org.
- 2) Requirements for consideration by NIFA of an Allocation request:
 - a) A completed Application, signed by the private party to be the beneficiary of the bond issue.
 - b) A copy of the Inducement/Intent Resolution adopted by the governmental unit proposing to issue the bonds.
 - c) A letter from the governing authority where the project is to be located indicating its approval of the proposed project (including a statement that all necessary ordinances and licensing requirements will be met).
 - d) A description of the project financing terms and members of the finance team.
- 3) Application Fee and Reservation Deposit:
 - a) Application Fee: - \$150 non-refundable application fee plus expenses (e.g., telephone conference calls).
 - b) Reservation Deposit: - equal to the lesser of \$10,000 or 1% of the amount of the Allocation amount requested (minimum Deposit of \$1,000). In the event an Allocation granted to the Applicant by NIFA is not used prior to the expiration date of the Allocation (or the amount of the Allocation used by the Applicant is less than the amount of the Allocation granted by NIFA), the Reservation Deposit (or if the Allocation used is less than the Allocation amount granted, a proportionate amount of the Reservation Deposit) will be forfeited by the Applicant and retained by NIFA. **In any event, the Reservation Deposit is refundable only to the extent and in the proportion that the Allocation is used prior to the expiration date of the Allocation and upon receipt by NIFA of IRS Form 8038 as filed with the IRS.** (Unpaid expenses noted in a) above may be offset by NIFA against any refundable portion of the Reservation Deposit.)
- 4) To be on the agenda for consideration by the NIFA Board, the items set forth in Section 2 and Section 3 above must be received at the NIFA office no later than 14 days prior to the NIFA Board meeting at which the Allocation Request will be considered. (The calendar of regular NIFA Board meetings may be found at www.nifa.org.) Allocations of Volume Cap are considered and, if appropriate, made by the NIFA Board in accordance with Governor’s Executive Order #98-3.
- 5) Duration of Allocation- generally 120 days from the “Date Allocation Granted” or such shorter period as designated on the Allocation Application. (Allocations may not be carried over a calendar year.) An extension of up to 90 days may be requested in extenuating circumstances. Any such extension, if granted, will be in the sole discretion of NIFA. If an extension is granted, a non-refundable extension fee (of up to ½ of 1% of the principal amount of the Allocation) will be due and payable to NIFA. All Allocations granted during a particular calendar year will expire at the end of such calendar year. In the case of an Allocation of Volume Cap expiring due to the end of the calendar year, NIFA may consider granting an Allocation from Volume Cap available in the next succeeding year. Requests for such extensions must be submitted no later than December 5th of the calendar year.
- 6) To request a refund of the Reservation Deposit, the following must be provided to NIFA:
 - a) IRS Form 8038, filed with the Internal Revenue Service, evidencing the issuance of the bonds.
 - b) Reimbursement to NIFA for expenses (if any) incurred in connection with the Allocation.
- 7) Questions??? Contact Steve Clements, Chief Operating Officer, at NIFA by e-mail steve.clements@nifa.org), by phone (402) 434-3908 or by correspondence (1230 ‘O’ Street, 200 Commerce Court, Lincoln, Nebraska 68508).

REVISED 11/2015

Date Received _____
NIFA # _____

NEBRASKA INVESTMENT FINANCE AUTHORITY (NIFA)
Governor's Executive Order
Unified Volume Cap Allocation Application

1. Amount of Allocation Request \$ _____ (Maximum Request: \$18,000,000 for multifamily rental housing; \$10,000,000 for IDB projects; \$15,000,000 for solid waste projects)

2. Governmental Unit Issuing the Bonds for which Unified Volume Cap is Requested

Name of Governmental Unit: _____
Contact: _____
Address: _____
Phone: _____
Email: _____

3. Applicant and Project Information

Name of Applicant: _____
Contact: _____
Address: _____
Phone: _____
Email: _____

Project Address: _____

Project Description (attach additional sheets if necessary): _____

Project Category: Single Family Housing _____
 Student Loans _____
 Multifamily Rental Housing _____
 First Time Farmer Projects _____
 Industrial or Manufacturing **(complete and attach page 2)** _____
 Solid Waste **(complete and attach page 2)** _____

4. The following must accompany this Application:

- (a) A non-refundable Application fee of \$150
- (b) The Reservation Deposit \$ _____ (Refundable only as described below.)
(lesser of \$10,000 or 1% of "Amount of Allocation Requested" in Item 1 above (minimum of \$1,000))
- (c) Copy of Inducement/Intent Resolution from Governmental Unit listed in Item 2 above
- (d) "No Objection" Letter from governing authority where the project will be located
- (e) Exhibits, if applicable, listed on page 2 of this Application form
- (f) A description of the project financing terms and members of the finance team

5. To request a refund of the Reservation Deposit, the following must be provided by Applicant to NIFA:

- a copy of Form 8038 filed with the Internal Revenue Service upon the issuance of the bonds
- payment to NIFA of incidental expenses incurred by NIFA in connection with approving the Allocation

The Applicant hereby understands and acknowledges that in the event an Allocation, if granted, is not used prior to the expiration date set forth below, the Reservation Deposit (or if the Allocation used is less than the amount granted by NIFA, a proportionate amount of the Reservation Deposit) will be forfeited by the Applicant. **The Reservation Deposit is refundable only to the extent and in the proportion that the Allocation is used prior to the expiration date below and upon receipt by NIFA of IRS Form 8038 as filed with the IRS.** (Unpaid expenses noted in Item 5 above may be offset by NIFA against the refundable portion of the Reservation Deposit.)

This Allocation will expire on the "Date Allocation Expires" set forth below unless extended by NIFA. Requests for an extension must include reasons for the necessity of an extension.

Signature of Applicant

Date

In accordance with Governor's Executive Order #98-3, the undersigned hereby certifies that the above Allocation granted meets the requirements of §146 of the Internal Revenue Code of 1986 relating to the Nebraska State Ceiling for private activity bonds and that such Allocation has not been made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Date Allocation Granted

Signature of NIFA Authorized Officer

Date Allocation Expires

NIFA # _____

**NEBRASKA INVESTMENT FINANCE AUTHORITY
Governor's Executive Order
Unified Volume Cap Allocation Application
Required Exhibits**

(Exhibits listed below are required to be submitted with Applications of Unified Volume Cap for Industrial, Manufacturing and Solid Waste Projects; the following is NOT applicable to Multifamily Rental Housing Projects.)

Please attach clearly labeled exhibits (tabbed and numbered to coincide with the numbers below) to provide the following information about your proposed project:

1. Provide an executive summary of the benefits to the State of Nebraska as a result of the project, including a description of the project and the proposed effect on the expansion of the state's economic base, how the proposed project will bring "new wealth" into the state or reduce the loss of wealth from the state, and how the project will result in increased employment, etc.

2. Provide information on the anticipated number of jobs (both temporary and permanent) to be created in the state as a result of the proposed project, including the timing and related wages and benefits.

3. Provide an estimate of the increase in the valuation of the real estate as a result of the project.

4. Provide a statement of the volume of expenditures your company makes with other Nebraska companies for products and services and indicate how the project is likely to affect these transactions.

5. Provide a project schedule with timelines to include timing for financing, design, land acquisition, equipment purchases, ground breaking and project completion.

6. Attach a description of the financing plan including the key financing components, timing, term (maturities) and anticipated interest rates. Include a copy of the financing commitment letter.

7. Enclose brochures, if available, describing the products proposed to be manufactured by the project owner.