

# ADA Financing Program

## OVERVIEW

The Authority is committed to helping members reduce risk by providing a variety of resources. Through the Executive Committee's authorization, the Authority's ADA Financing Program will make financing available to members on an as-needed basis each year for the development of a current and complete ADA Transition Plan and ADA barrier removal projects.

The financing provided through this program is intended to encourage members to complete ADA Transition Plan development or ADA barrier removal projects for the purposes of reducing risk exposure. All financing requests will go through an approval process by the Executive Committee.

Members selected to receive funds must repay the amount, plus interest, with level annual payments of principal and interest over a five-year term.

Members who receive funding through this program are welcome to apply in following years, but funding priority will generally be given to members that have not received previous funding from the Authority for this program.

## REQUIREMENTS

In order to be eligible for the ADA Financing Program, members must meet the following requirements at the time of application:

- The agency must be current on any other payment plans with the Authority.
- If applying for a barrier removal project, the proposed work must be identified in the agency's current and complete ADA transition plan. [*Note: This requirement does not apply if your agency is applying for ADA Transition Plan financing.*]



## **INSTRUCTIONS**

The deadline for submitting a complete application for consideration during this cycle of funding is **January 13, 2021**.

Please submit a completed application and any supporting documentation via e-mail (with the e-mail subject title of “ADA Financing Program Application”) to Abraham Han, Administrative Analyst: [ahan@cjpia.org](mailto:ahan@cjpia.org)

## **APPLICATION REVIEW**

The allocation of financing will be determined based on set application review criteria. Authority staff and the Executive Committee will review and evaluate applications based on the following significant considerations:

- Total funding amount requested by the member
- Total amount of funding requested from all applicants during each funding cycle
- Readiness to begin work
- Information of member’s past ADA claim(s) and its relevance to the proposed project
- Financial need
- Member has attempted to access and leverage other funding sources for the proposed project
- Risk associated with not doing the project

The application review period is expected to be completed within 60 days of the application deadline.

## **NOTIFICATION AND AWARD OF FUNDS**

Generally, the funding threshold for each eligible project is expected to be approved in the range of \$100,000 to \$300,000. However, approved financing by the Executive Committee may exceed that amount.

Before the financing is disbursed, the member must adopt a resolution (a resolution template is available upon request) approving participation in the program, and review and execute either (i) a promissory note for the financing if the member’s source of repayment is not subject to the debt limit clause of the California Constitution; or (ii) lease and lease-back documentation if the source of repayment is subject to the constitutional debt limit clause. The documentation will be prepared by special counsel to the Authority and will include the parties involved, the principal amount borrowed, the interest rate for the financing, repayment terms, etc.



## **QUESTIONS**

Questions about the ADA Financing Program and the application process may be directed to Abraham Han, Administrative Analyst at [ahan@cjpia.org](mailto:ahan@cjpia.org) or (562) 467-8778.



**MEMBER INFORMATION**

**Agency Name**

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**Primary Contact**

Name:

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Title:

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Phone:

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E-mail:

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**Alternate Contact**

Name:

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Title:

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Phone:

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E-mail:

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## FUNDING REQUEST

Is your agency's funding request for: 1) the development of a complete and current ADA Transition Plan (a prerequisite in applying for funding for barrier removal projects), or 2) a barrier removal project (*check one*)?

ADA Transition Plan Development     Barrier Removal Project

Total Requested Funding from California JPIA: \$ \_\_\_\_\_

Estimated Total Cost of Project (*include funding from all sources*): \$ \_\_\_\_\_

## PROPOSED ADA TRANSITION PLAN DEVELOPMENT INFORMATION

*Note: If your agency already has a current and complete ADA Transition Plan, please skip this section and proceed to the next section ("Proposed Barrier Removal Project Information").*

The development of an ADA Transition Plan will involve an ADA consultant conducting an overall diagnostic of the agency, performing inspections (e.g., buildings, facilities, public rights of way, etc.), and assisting in the development of a complete ADA Transition Plan.

**Project Description/Justification (maximum 500 words)** – *Please include: 1) general description of project or work, 2) statement of readiness, and 3) whether there are alternate sources of funding for this work if funds are not granted by the Authority.*



**PROPOSED BARRIER REMOVAL PROJECT INFORMATION**

*Note: If your funding request is for ADA Transition Plan development, please skip this section and complete the previous section (“Proposed ADA Transition Plan Development Information”).*

**Project Title:** \_\_\_\_\_

**Is this a new ADA project or a continuation of an existing ADA project (*check one*)?**

**New Project**                       **Continuation of Existing Project**

**Has the proposed project or work been approved by your governing body, if applicable, pending financing approval from the California JPIA (*check one*)?**

**Yes**                                       **No**

**What financing amount has your agency approved and authorized from the California JPIA for this project or work?**

\$ \_\_\_\_\_

**Estimated Project Start Date:** \_\_\_\_\_

**Estimated Project Completion Date:** \_\_\_\_\_

**Project Description/Justification (maximum 500 words) – Please include: 1) general description of project or work, 2) statement of readiness, and 3) whether there are alternate sources of funding for this work if funds are not granted by the Authority.**



**REPAYMENT AND RELATED MATTERS**

Please describe the source of funds to be used to repay the borrowing (e.g., general fund of the member, enterprise revenues, etc.):

If the source of repayment is subject to the debt limit clause of the California Constitution, please identify a facility, or a site improved with a facility, that the member owns that has an insured or replacement value at least equal to the amount of requested funding, which facility, or site and facility, can be the subject of a lease-leaseback financing structure:

*Note that the facility, or the site and facility, must not be encumbered, for any real property to be leased.*



**GENERAL TERMS AND CONDITIONS**

Below are the general financing terms and conditions for the ADA Financing Program. More detailed financing terms and conditions will be provided to members with Authority funding-approved projects through the execution and delivery of appropriate documentation, and adoption by the member’s governing board of authorizing legislation in a form provided by the Authority, before financing disbursement.

**Interest Rate:** The preliminary estimate of the interest rate of the financing is **1.91%**, based on the Authority’s portfolio return rate (1.41%; as of September 30, 2020), plus 50 basis points (0.50%). The Authority reserves the right to review and adjust the rate at the beginning of the year for each year in which financing is issued. While the interest rate may change in subsequent program years, all financing disbursed in a particular year will maintain that fixed rate throughout the repayment period.

**Administration Fee:** Members will be responsible for fees related to administering the ADA Financing Program. Fees are one-time per financing, and they are determined based on the agency’s financing category.

| Financing Category                          | Fee Amount | Note(s)   |
|---|------------|---|
| Promissory Note                             | \$2,500    | Non-debt limit entity or special revenue repayment source |
| Lease Agreement & Property Lease            | \$4,000    | Debt limit entity leasing facilities only                 |
| Lease Agreement & Site and Facilities Lease | \$5,000    | Debt limit entity leasing real property and facilities    |

**Repayment:** Members will repay the financing to the Authority within five years of the date of financing disbursement. Therefore, five years is the maximum repayment term for the financing. Members will receive an annual invoice from the Authority for one-fifth of the total financing amount every year for five years. The Authority will periodically evaluate the appropriateness of annual invoicing and make adjustments, if needed.

**Proof of Completed Work:** Members will need to provide proof that the project or work outlined for the financing has been completed. Members may provide either copies of invoices or a written statement of completed work. If the member opts to submit a written statement, it should be on official agency letterhead and signed by the chief executive.

**Late or Delinquent Payments:** Fees and penalties will be assessed on late payments.





**ACKNOWLEDGMENT**

I acknowledge that I understand the general requirements and guidelines of the ADA Financing Program. I am authorized to sign and submit this application on behalf of my agency. If I am the authorized officer of the agency executing this application, but have not directly completed the application, then I acknowledge that I have reviewed all information in the application for accuracy and applicability.

I also acknowledge that the submittal of an application does not guarantee ADA financing, and I further acknowledge that the Authority will conduct an application review to determine which proposed work will be selected for funding. I agree to provide any additional documentation requested by the Authority for the purposes of application review.

Furthermore, I understand that an incomplete application may result in a delay in processing the application.

**Chief Executive**

**Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Agency Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_