

**GRANT APPLICATION FORM**

CalRecycle 243-TBAP (New 04/2011)

***April 2011***

**CALIFORNIA NATURAL RESOURCES AGENCY**

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*Department of Resources Recycling and Recovery (CalRecycle)*

**TIRE-DERIVED PRODUCT BUSINESS ASSISTANCE PROGRAM GRANT APPLICATION**

FISCAL YEAR 2010/11 (TBP4)

**Tire-Derived Product Business Assistance Program (Program)**

The Program seeks to improve the operational and cost efficiencies of tire-derived product (TDP) businesses by providing technical and consultative assistance. Eligible businesses may receive assistance grants of up to \$175,000 (See the Grant Application Appendix for categories and funding levels) in the form of assistance that may include, but is not limited to:

- General Business Assistance (business plan development or modification, human resource issues, inventory management/control [including just-in-time inventory systems], asset management, appropriate business structure, appropriate or optimal financial structure, accounting systems and controls, quality systems, etc.).
- Technical Assistance (efficient plant design, manufacturing process improvement or optimization, optimizing specific equipment performance, increasing the amount/percentage of recycled material, converting to recycled material from virgin material, IT systems planning or review, preparation of environmental impact reports, assistance with negotiating with governmental entities regarding siting and permitting issues, etc.).
- Marketing Assistance (branding, marketing plan development or modification, product pricing, product promotion, product packaging, sales lead management systems, distribution systems, cooperative marketing, ad placement, trade shows, website development or modification, internet marketing, etc.).
- Product Testing and Certification (testing products to satisfy the marketplace requirements of the public and private sectors).

**Eligible Applicants**

Eligible applicants are for-profit California-based TDP businesses, Qualifying Indian Tribes and those for-profit TDP businesses domiciled in other states but with an existing operational presence in California. A "Qualifying Indian Tribe" is defined as an Indian tribe, band, nation, or other organized group or community, residing within the borders of California, which:

- (1) is recognized for special programs and services provided by the United States to Indians because of the status of its members as Indians; or
- (2) can establish that it is a government entity and which meets the criteria of the grant program.

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Eligible applicants must produce in California, or demonstrate a long-term commitment to produce, products made from recycled 100 percent California-generated waste tires for the recycled rubber portion of the product. Feedstock conversion using 80 to 300 mesh or even smaller fine crumb rubber sourced out of California may be used for “testing and demonstration” purposes, subject to a CalRecycle staff determination that the needed materials are not currently available in California.

Eligible applicants must be involved in one or more of the following activities:

1. Processing California scrap tires to produce raw materials for tire-derived product;
2. Manufacturing products made from California-generated scrap tire rubber;
3. Marketing or installing products made from California-generated scrap tire rubber; and/or
4. Investigating the use of California-generated scrap tire rubber to manufacture established products that do not currently use recycled rubber (i.e., feedstock conversion) or engaged in product development, including the following activities:
  - a. Identifying options for new product development and feedstock conversion based on analysis of company’s current operations and outside market trends.
  - b. Evaluating and prioritizing options for the company, based on their unique context, strengths, weaknesses, etc. (but not developing products yet)
  - c. Assisting in developing pro forma financial statements based on assumptions related to new product roll out
  - d. Assisting in pursuing financing to support new product development/commercialization
  - e. Assisting companies to develop strategies/approaches for new product development/feedstock conversion, including conducting research on existing products and processes, etc. (but still not developing product formulations)
  - f. Conducting market research to evaluate specific sales channels and strategies for new products (e.g., retail? Specific industry distributors? Other avenues?)
  - g. Crafting new marketing and sales strategies focused on new products
  - h. Conducting tests of new products/reformulated products
  - i. Providing input on the types of technologies, equipment and equipment optimization, and manufacturing approaches that could be considered to create commercial scale production of new products/reformulated products. Technical advice may be offered regarding formulation for new products, as deemed necessary by the Grantee, Contractor and CalRecycle CalRecycle Grant Manager.

Note: See [Grant Application Appendix](#) for recommendations from the Building Material Emissions Study regarding indoor flooring made with tire-derived rubber.

Eligible subsidiary and/or affiliated businesses that apply for assistance grants will receive initial assessments (limited to two businesses per 12-month period), and are limited to a maximum combined assistance of \$175,000 each 12 month period for all related businesses. A business is considered an “affiliated business” if it has at least one owner with a 20 percent or greater interest in another applicant business.

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**Ineligible Applicants/Activities include, but are not limited to:**

- Businesses that perform waste tire incineration, pyrolysis, gasification, and/or liquefaction.
- Waste tire collectors and/or haulers; also the tire collection and/or hauling portion of other businesses.
- Businesses, or that portion of a business's operation, that shred or chip tires for use as Alternative Daily Cover (ADC) or Tire-Derived Fuel (TDF).
- Businesses that perform only research and testing and are not in business to produce and/or sell products.
- Wholesalers and/or distributors, (however, such businesses may benefit from assistance provided to eligible businesses).
- De novo businesses (from concept stage to less than six months of actual operation/sales) unless the de novo business is an affiliated spinoff of an established business that is expanding into the recycled tire arena.
- Micro businesses (businesses that produced and/or sold less than 5,000 Passenger Tire Equivalents (PTE) in 2008).

\* These businesses will be directed to appropriate technical resources, such as US Small Business Development Centers, local Economic Development Corporations, Inventor Alliances, and other similar providers of valuable training and resources to entrepreneurs.

**Available Funds for Technical Assistance**

- Up to \$175,000 in assistance per eligible applicant with a minimum grant award of \$50,000 in assistance. (See the [Grant Application Appendix](#) for categories and funding levels and oversubscription procedures).
- An estimated \$3,000,000 is available for grant awards.
- Additional funds are available for low-interest loans through the Recycling Market Development (RMDZ) Loan Program.

**CalRecycle reserves the right to not fund any particular project or any part of a project, or not to award any grants.**

**Assistance grants are designed to supplement, not supplant, existing business activities.**

**Assistance grants will be in the form of technical and consultative assistance rather than cost reimbursement.** Consult your attorney or tax advisor regarding any tax consequences associated with accepting the assistance grant.

**Process**

There will be one application period from April 15—June 1, 2011, for 2010/11 fiscal year funding. The amount of the assistance grants awarded to eligible businesses will be based on available funding, historical tire diversion, business category, and other factors approved by CalRecycle (See the [Grant Application Appendix](#) for categories and funding levels).

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Please refer to the [Grant Application Appendix](#) for additional detail regarding the Application, evaluation and assessment process, PTE diversion, assistance and reporting requirements.

**Application and Assistance Grant Agreement**

To enable Grantee businesses to begin receiving assistance more quickly than in the early TBAP grant cycles, the Grant Application and Assistance Grant Agreement have been combined. Assistance grants are contingent upon determination of eligibility, subject to all conditions described herein and in [the Grant Application Appendix](#)) and upon award by CalRecycle.

The Assistance Grant Agreement consists of the executed Assistance Grant Agreement Cover Sheet; the Application and Assistance Grant Agreement; the completed Application Cover page; the completed Business Description Questions and Answers; Applicant Declarations & Certifications; the Articles of Incorporation, By Laws, Partnership Agreements, etc.; Business Licenses and Fictitious Business Name Statement (if applicable); General Checklist of Business Permits, Licenses and Filings Form; Letter of Designation; the [Terms and Conditions](#) (Exhibit A), the [Procedures and Requirements](#) (Exhibit B), sample sales and other marketing materials, the Notice of Funds Available, and the Assistance Grant Appendix.

The Assistance Grant Agreement Cover Sheet, which must be signed by the signature authority for the applicant business, is included in the Grant Application. If the applicant business is recommended for an assistance grant, a Work Plan and Budget that broadly describe the technical and consultative services to be provided to the applicant business, if awarded a grant, will be prepared. These documents will be incorporated as Amendments to Assistance Grant Agreement and must be signed by the signature authority. The Assistance Grant Agreement will be effective upon award by CalRecycle and upon execution by the CalRecycle's Director or his designee.

**Application Submittal Deadline**

Applications must be postmarked by **Wednesday, June 1, 2011**. Hand delivered applications will also be accepted at the Cal/EPA Headquarters Building located at 1001 I Street, Sacramento, CA until 3:00 p.m. on **Wednesday, June 1, 2011**. Faxed or e-mailed applications will not be accepted. Late applications will be returned and will not be considered for grant assistance.

**Applications mailed or sent by U.S. Postal Service or a commercial delivery service should be sent by a means that allows for tracking by the sender and that provides an addressed and dated receipt. Failure to do so is at the risk of the applicant, and if delivery is delayed or the application is lost by the Post Office or delivery service, the burden is on the applicant to demonstrate timely mailing or delivery of the application.**

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Applications that are hand-delivered or sent by commercial carrier:

CalRecycle  
Tire-Derived Product Business Assistance Program  
1001 "I" Street, MS #9A  
Sacramento, CA 95814

Applications delivered by U.S. Postal Service:

CalRecycle  
Tire-Derived Product Business Program  
P.O. Box 4025, MS #9A  
Sacramento, CA 95812-4025

**Application Checklist**

(Submit all attachments, attached in the following order to the back of the signed Assistance Grant Agreement Cover Sheet and completed Application Cover Page)

Public Information:

- \_\_\_ Signed Assistance Grant Agreement Cover Sheet
- \_\_\_ Application Cover Page
- \_\_\_ Business Description Questions and Answers
- \_\_\_ Applicant Declarations & Certifications
- \_\_\_ Articles of Incorporation, By Laws, Partnership Agreements, etc.
- \_\_\_ Business Licenses and Fictitious Business Name Statement (if applicable)
- \_\_\_ General Checklist of Business Permits, Licenses and Filings Form
- \_\_\_ Letter of Designation
- \_\_\_ Terms and Conditions (Exhibit A)
- \_\_\_ Procedures and Requirements (Exhibit B)
- \_\_\_ Sample sales brochures and other marketing materials

Confidential/Proprietary Information (Submit together in a separate sealed envelope):

**Clearly mark the sealed envelope "BUSINESS ASSISTANCE PROGRAM GRANT APPLICATION – CONFIDENTIAL/PROPRIETARY INFORMATION SUBMITTAL – AUTHORIZED PERSONNEL ONLY" Clearly mark each page containing confidential or proprietary information as "Confidential and Proprietary Information."**

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- \_\_\_ Business Financial Information (annual financial statements and first two pages of tax returns and expense detail sheet or Schedule C for a Sole Proprietorship) for the past three years
- \_\_\_ Business Plan (if available, even if it is out of date)
- \_\_\_ Marketing Plan (if available, even if it is out of date)
- \_\_\_ Business Description
- \_\_\_ Documentation of PTE diversion in 2010
- \_\_\_ Lease/Purchase Agreement for project site (if applicable)

**Note:** Documents submitted with this application that are clearly marked "trade secret" or "confidential/proprietary information" will be handled by CalRecycle pursuant to the procedures set forth in Title 14 California Code of Regulations (14 CCR) sections 17041-17046. The mere marking of documents (such as sales brochures, promotional literature and other general non-financial documents) as "confidential/proprietary information" will not result in their being treated as confidential if they do not fall within the categories of protected financial documents listed in 14 CCR section 17046. CalRecycle and all documents submitted to it are subject to the California Public Records Act (Govt. Code sections 6250, et seq.). Refer to the [Grant Application Appendix](#) for additional information.

Upon completion of the application package, submit a signed original to CalRecycle at the address set forth above. The original must be printed double-sided on recycled-content paper containing one hundred percent (100%) post-consumer fiber. Specific pages containing full color photographs or other ink-intensive graphics may be printed on photographic paper, and the pages should be fastened in the upper left-hand corner. Please do not bind. Missing information received after the deadline set forth below, unless otherwise specified, will not be accepted. Review your application and exhibits for completeness. Substantially incomplete packages will be disqualified.

Include with the Grant Application a copy of the label from the paper package(s) used to print and/or copy the application and any attachments, indicating that it was printed and/or copied on paper containing 100% recycled content.

**Question and Answer Process**

Questions must be submitted in writing by **Friday, May 6, 2011**, to the address below. Responses will be provided as soon as possible and posted continually on the Frequently Asked Question (FAQ) section of the Program's web site. Similar or related questions may be grouped together or reworded for clarity and responded to as one question.

**Note:** Periodically check Program's web site for updates at:  
<http://www.calrecycle.ca.gov/Tires/Grants/TDPBusiness/>

To submit questions, request an application, or for more information:

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Web site: <http://www.calrecycle.ca.gov/Tires/Grants/TDPBusiness/FY201011/default.htm>

Email: [tiregrants@calrecycle.ca.gov](mailto:tiregrants@calrecycle.ca.gov) Phone: (916) 341-6441

Mail: CalRecycle  
Tire-Derived Product Business Assistance Program  
P.O. Box 4025, MS#9A  
Sacramento, CA 95812-4025

**GENERAL CHECKLIST OF BUSINESS PERMITS, LICENSES AND FILINGS**

CalRecycle (Rev. 1/10)

GRANT APPLICANT/GRANTEE NAME		
GRANT NAME AND CYCLE	GRANT NUMBER, IF APPLICABLE	DATE SUBMITTED/UPDATED

**Mark (✓ or X) appropriate box on each line below. All lines must be completed.**

*Note: This list is not all-inclusive. Grant Applicant/Grantee must list other critical permits/licenses/filings not identified below.*

Grant Applicant/Grantee currently holds this valid permit/license/filing		
Grant Applicant/Grantee will modify and/or obtain this permit/license/filing		
This permit/license/filing is not applicable for this grant project or business		
		<b>LOCAL PERMITS, LICENSES &amp; FILINGS</b>
		<b>REGULATOR OR ISSUER</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Authority to Construct/Permit to Operate
		Air Quality Management District
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Building Construction Permit
		City or County
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Business License
		City or County
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Fictitious Business Name Filing
		County
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Land Use Permit/Zoning Clearance/Conditional Use Permit
		City or County
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Permit By Rule (PBR) for Permanent HHW Facilities or Temporary Collection Events
		City, County or Cal/EPA-DTSC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Waste Hauler Permit
		City or County
		<b>STATE PERMITS, LICENSES &amp; FILINGS</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Antifreeze, Battery, Oil & Paint (ABOP) Notification
		CUPA or Cal/EPA-DTSC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Corporate, Company or Partnership Filings
		Ca. Secretary of State
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Hazardous Waste Haulers Permit
		Cal/EPA – DTSC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Industrial Activities Storm Water General Permit
		Cal/EPA – SWRCB
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Non-Profit Organization 501 (C) (3)
		Ca. Secretary of State
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Prop. 65 Safe Drinking Water & Toxic Enforcement Act
		Cal/EPA – OEHHA
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Solid Waste Facilities Permit
		Cal/EPA – CalRecycle
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> State EPA Identification Number
		Cal/EPA – DTSC
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Waste and Used Tire Hauler Registration
		Cal/EPA – CalRecycle
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Waste Discharge Requirements
		Cal/EPA – SWRCB
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Waste Tire Facilities Permit
		Cal/EPA – CalRecycle
		<b>FEDERAL PERMITS, LICENSES &amp; FILINGS</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> US EPA – Identification Number
		US EPA
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> US EPA – NPDES and/or NSR Permits
		US EPA
		<b>OTHER PERMITS, LICENSES &amp; FILINGS</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DO NOT submit copies of the permits/licenses/filings with this form. Please retain all permits/licenses/filings in grant file for audit purposes.

**GENERAL CHECKLIST OF BUSINESS PERMITS, LICENSES AND FILINGS**

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*Comments/Notes:***Mark (✓ or X) appropriate box below.**

<input type="checkbox"/>	<b>PRIVATE ENTITY CERTIFICATION:</b> I declare under penalty of perjury under the laws of the State of California that the proposed grantee: 1) is in good standing and qualified to do business in the State; and 2) has or will comply with all applicable state, federal, and local laws, ordinances, regulations, license and permit requirements necessary for the proper performance of this grant; and 3) where compliance has not been met, I have attached a letter describing what has been done to achieve full compliance.
<input type="checkbox"/>	<b>PUBLIC ENTITY CERTIFICATION:</b> I declare under penalty of perjury under the laws of the State of California that the proposed grantee: 1) has or will comply with all applicable state, federal, and local laws, ordinances, regulations, license and permit requirements necessary for the proper performance of this grant; and 2) where compliance has not been met, have attached a letter describing what has been done to achieve full compliance.

Executed at: \_\_\_\_\_ on \_\_\_\_\_  
City and State Date

<b>X</b>	_____	_____
	<i>Signature Authority / Authorized Designee</i> <i>(as authorized in Resolution or Letter of Designation (LOD))</i>	<i>Date</i>
	_____	_____
	<i>Print Name</i>	<i>Print Title</i>

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**BUSINESS DESCRIPTION**

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**Clearly mark each page of the *Business Description* attachment as “Confidential and Proprietary Information.”**

The purpose this section is to provide sufficient information to the TBAP Assistance Team to understand your business, your needs and your vision for how the TBAP can best assist your business. The Assistance Team will review this information prior to meeting with you at your facility to gather additional information and ensure that your perspectives are understood. As needed, additional documentation or information also may be requested.

Each broad category includes both required questions to which you must respond in order for this application to be deemed complete and eligible, as well as optional questions that you should, at a minimum, review and be prepared to address. You are encouraged to complete these optional questions as part of your application, but are not required to.

**1. COMPANY OVERVIEW AND ASSISTANCE SERVICES REQUESTED**

**Required - Address the following questions in writing and submit with your application:**

A. Briefly describe the business and any affiliations or partnerships. Identify the city, state and country (if not the U.S.) of all company facility locations. Briefly note the types of business activities conducted at each location (e.g. administrative, sales, production, warehousing).

B. How is the business structured (e.g. LLC, LLP, C-Corp, S-Corp)?

C. Place a check mark to indicate the types of activities the company is directly engaged in at California facilities, and identify any activities that are only conducted outside of California, and/or that are planned to be conducted in California in the future:

- Waste Tire Collection and Hauling
- Waste Tire Processing
- Manufacturing Tire-Derived Products
- Custom Manufacturing (on behalf of other companies)
- Install Products (e.g., playground surfacing, sports turf, rubberized asphalt etc.)
- Marketing Tire-Derived Products
- Wholesale or Retail Distribution of Tire-Derived Products

D. What types of products does your business produce, install or market, and what are the annual sales in 2010? If you do not track revenue by product or service, estimate the splits.

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Product or Service	2010 Revenue
Total Revenue	

E. Identify the specification, annual amount of tire-derived raw materials your business received in 2010, and the percentage of each that was generated in California?

Category	Specification	Amount Received in 2010 (please note unit of weight)	Percent California Generated	Primary Sources
Whole tires				
Tire Chips				
Crumb Rubber				
Buffings (Derived from Retreader Operations)				
Finished Products				
Other				
Total Received				

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F. Value Statement: What objectives would you like to achieve through the services provided through this TBAP grant? What types of services are you requesting in order to achieve these objectives? Please be as specific as possible (e.g. increase sales by xx%, decrease sales expense to yy% of sales, etc.)

G. Experience has shown that company management must be actively engaged in services conducted under the TBAP program in order to succeed. Identify any timing issues or constraints on company management's ability to work with TBAP service providers to achieve identified objectives.

**Optional - Be prepared to address the following questions during the site visit and/or through subsequent information requests if needed. You are encouraged but not required to address these optional questions as part of your submitted application:**

H. Describe the history of the business. When and where did it start? What are the high and low points in its history?

I. List any certifications (such as ISO 9001 2000), awards or other noteworthy recognition.

**2. BUSINESS STRATEGY AND GOALS**

**Required - Address the following questions in writing and submit with your application:**

A. What are the business's short range plans (1-2 years)? What does the business hope to accomplish and how will it achieve these goals over this period?

B. What are the business's long range plans (3-5 years)? What does the business hope to accomplish and how will it achieve these goals over this period?

**Optional - Be prepared to address the following questions during the site visit and/or through subsequent information requests if needed. You are encouraged but not required to address these optional questions as part of your submitted application:**

C. What characteristics describe the company's culture? What distinguishes the company's business philosophy?

D. What do the business owners ultimately want to get out of the business?

E. What motivated you (and/or the business owners) to get involved with the tire industry and what has been your experience?

F. Describe the key areas that make (or will make) the business successful?

G. What are the business's most important concerns or challenges?

H. What is the owner/manager's long term vision for the company over the next 5-10 years?

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**3. MANAGEMENT AND ORGANIZATION**

**Required - Address the following questions in writing and submit with your application:**

- A. Identify the principals and key management. Include a copy of an organization chart.
- B. Describe the business’s management and personnel (e.g., management expertise, key employees, use of professional services, present and future staffing requirements, breakdown of skill levels, wages, unionization, etc.).
- C. Describe key information systems (e.g. multi-functional solutions like ERP or Enterprise Resource Planning packages as well as any point software/service solutions for areas such as accounting, budgeting, CRM or customer relationship management, maintenance, logistics optimization, fleet management, and the like. Does the company management have the information it needs? Are there shortcomings or gaps?
- D. What are the key performance indicators management uses to track company progress and identify issues?
- E. What are your concerns related to company management and organization structure? What, if any, plans are in place to address these concerns?

**Optional - Be prepared to address the following questions during the site visit and/or through subsequent information requests if needed. You are encouraged but not required to address these optional questions as part of your submitted application:**

- F. What are the management team’s top priorities? Are they able to adequately address these priorities?
- G. Are there any key gaps in skill sets or capacities of the management team?
- H. Describe any succession plans for future ownership/management.
- I. Is the office facility efficiently organized; does it reflect the image you want for your company, and is it customer-friendly?
- J. If there are affiliated businesses, how do you handle the related business transactions?

**4. FINANCIAL PERFORMANCE**

**Required - Address the following questions in writing and submit with your application:**

- A. Briefly describe the company’s recent financial performance and current position. Identify any particularly strong areas and areas of concern.
- B. Are there any issues regarding the business’s financial condition (including access to capital) that may jeopardize the business’s continued vitality and growth? What other concerns does management have about the business’s financial performance? What plans are in place to address these issues?

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C. Are there any unresolved regulatory issues related to the business's operations? If yes, explain. What plans are in place to address these issues?

**Optional - Be prepared to address the following questions during the site visit and/or through subsequent information requests if needed. You are encouraged but not required to address these optional questions as part of your submitted application:**

D. Does company management have the information needed to evaluate production costs and profitability by product type and customer type? How is this information used in practice?

E. Have the business or its principals had voluntary or involuntary bankruptcies, foreclosures, repossessions, debt judgments or criminal penalties within the last seven years? If yes, please explain.

F. Are there any legal actions, such as claims or lawsuits, pending against the business? If yes, please give us the specifics.

G. How are loans (or other transactions) to or from shareholders or employees recorded and treated?

H. Does the business have obligations not included on its financial statements, or is the business a guarantor, co-maker or endorser for any obligations? If yes, please give us the specifics.

I. Describe the business's capitalization structure, including debt and equity sources and status.

J. Describe the business's ability to collect (accounts receivable) and pay on its obligations (accounts payable).

**5. MARKETING AND SALES**

**Required - Address the following questions in writing and submit with your application:**

A. Briefly describe the market, including demand trends, key competition and the business's market position for each main product group. What are the business's competitive strengths and weaknesses (if not fully covered in an attached marketing plan).

B. Describe the business's marketing strategy and key tactics (if not fully covered in an attached marketing plan or other document). Identify priority market segments and customers.

C. Describe the strengths, weaknesses and any key gaps related to marketing collateral, including the business's web site(s).

D. List all business-related URLs (i.e., website addresses) for all products, brands and affiliates.

E. Briefly describe the business's sales process (solicitation, receipt of orders, customer relations management system, lead tracking and follow-up, customer satisfaction follow up, etc.). What electronic means are used to track and share information on prospects, leads, customers?

F. Describe how the business's products are distributed. What intermediaries are used, if any?

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G. Are there opportunities to expand products lines, targeted customers or targeted markets?

H. Overall, what concerns do you have about the business's marketing and sales systems? What plans are in place to address these concerns?

**Optional - Be prepared to address the following questions during the site visit and/or through subsequent information requests if needed. You are encouraged but not required to address these optional questions as part of your submitted application:**

I. How successful has the business been in marketing to customers and executing sales?

J. What repayment terms, if any, are offered to customers?

K. Describe how product pricing is determined.

L. Who are the business's major customers (more than 5% of annual sales)?

M. What is/are the business's current market segment(s) and sales per market segment?

N. What markets would you like to expand/enter and why? Who would you like to have as new customers and why?

O. Who are the business's major competitors and in what market segments?

P. What is the advertising/promotion strategy (print, media, mail, trade shows, etc.) for the business and why was that approach taken?

Q. Are the sales brochures, promotional pieces, point-of-sale items, etc., as effective as possible or what would you like to improve and why?

R. Are there any testing, certifications, or independent studies that would demonstrate the performance or cost effectiveness of the business's product and assist in sales?

**6. OPERATIONS**

**Required - Address the following questions in writing and submit with your application:**

A. Briefly describe the business's production facility, equipment and flow of materials and products at the site(s) (if not included in an attached business plan or other document).

B. Describe the product(s) quality and cost of production. Where might there be room for improvement?

C. Overall, what are your concerns related to operational efficiency and product quality? What plans are in place to address these concerns?

**Optional - Be prepared to address the following questions during the site visit and/or through subsequent information requests if needed. You are encouraged but not required to address these optional questions as part of your submitted application:**

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- D. How well does the business manage inventory?
- E. Is the facility well organized and clean?
- F. Describe recent or current changes implemented to improve productivity or profitability, along with the status or results.
- G. Describe the business’s facilities such as age, size, zoning, opportunities for expansion, etc.
- H. What are the specific opportunities and priorities to improve the product quality or reduce the cost?
- I. Identify the key pieces of equipment, their condition, and processing capacity in pounds per hour (or day).
- J. Describe the operating shifts (hours, days per week, number of operators by position, etc.).
- K. Explain the repair and maintenance procedures, personnel, timelines, etc.

**7. PRODUCT TESTING NEEDS**

**Required - Address the following questions in writing and submit with your application:**

- A. Does the business have specific product testing needs?
- B. Are there specific areas related to product performance, composition or other factors where third party documentation or certification would be beneficial?
- C. What plans are in place to address product testing needs and concerns?

**Optional - Be prepared to address the following questions during the site visit and/or through subsequent information requests if needed. You are encouraged but not required to address these optional questions as part of your submitted application:**

- D. What product tests have been performed to date?

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**TIRE-DERIVED PRODUCT BUSINESS ASSISTANCE PROGRAM (TBAP)**

APPLICATION COVER PAGE				
Name of Business		d.b.a. (if used)		
Mailing Address	City	County	State	Zip Code
Production Facility Address	City	County	State	Zip Code
Primary Contact Name	Title	E-mail	Phone	Fax
<input type="checkbox"/> Corporation <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Sole Prop. <input type="checkbox"/>				
Other (specify)				
Web Site URL:				
Was a consulting or finder's fee paid? <input type="checkbox"/> Yes <input type="checkbox"/> No    Amount Paid: \$				
To whom was the fee paid?				
Federal Tax I.D. No:		Date Business Established:	Date when operations began:	
Business Owner/Principal Name		Title	E-mail address	% of Ownership (must total 100%)
Social Security Number				

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Business Owner/Principal Name		Title	E-mail address	% of Ownership (must total 100%)
Social Security Number				
Legislative District (Senate)	Legislative District (Assembly)		Congressional District	
Site Information: <input type="checkbox"/> Own <input type="checkbox"/> Lease (Submit copy of the executed lease, purchase agreement, or deed)				
Passenger Tire Equivalents (PTE) diverted in <u>2010</u> . Include supporting documentation. See Appendix for PTE definition.	NAICS Classification:  SIC Code:	Number of employees (total and full time equivalents - FTE):		
Provide a brief description of your business, what you would like to accomplish with the assistance grant and the impact you hope it will have on the business (non-confidential information only):          				

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**Applicant Declarations & Certifications**

With respect to each of the following, I/we declare, under penalty of perjury, under the laws of the State of California, that all information provided in this application and all information provided in support of this application is true and complete to the best of my/our knowledge and belief. (initial as to each one certified to be true)

\_\_\_\_\_ **Financial Condition** - I/we authorize the Department of Resources Recycling and Recovery (CalRecycle) to obtain business credit reports and conduct any other inquiries deemed necessary to determine the financial condition and regulatory compliance of the applicant business. Each person signing below certifies that he/she is signing on behalf of the applicant business in the capacity indicated next to the signer's name and such signer is authorized to execute this application on behalf of the applicant business.

\_\_\_\_\_ **Waste Tire Diversion** - I/we also agree to allow CalRecycle to verify the diversion of California-generated waste tires by checking various sources such as suppliers, the California Used/Waste Tire Manifest Program, and waste disposal locations. My/our signature serves as permission to the various sources to release any and all appropriate information regarding my receipt of waste tires, tire shreds, crumb rubber, and/or other material as well as any disposed residual/waste material.

\_\_\_\_\_ **California Environmental Quality Act** - I/we certify that the business is in compliance with all local, State and Federal laws, regulations, requirements and rules, including the California Environmental Quality Act found in Public Resources Code Sections 2100, et. seq.

\_\_\_\_\_ **Environmental Justice** - Entities that receive assistance funding from CalRecycle for this assistance program must comply with the principles of Environmental Justice. Environmental Justice is defined in Government Code Section 65040.12(e). as: "...the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."

I/we certify that, if awarded an assistance grant, I/we shall, in the performance of the Assistance Grant Agreement, conduct my/our programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the State.

\_\_\_\_\_ **Five-Year Legacy Reporting** - I/we agree that, if awarded, the business shall provide annual reporting to the CalRecycle for at least five years after the end of the assistance grant term. The requirements will include, but

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may not be limited to: participating in market surveys; providing data on sales increases/decreases; and the effect the assistance grant had on the business.

\_\_\_\_\_ **Three Year Certification** - I/we certify that, to the best of my knowledge, none of the events listed below has occurred with respect to the applicant within the three years prior to the deadline for this assistance application.

- (a) Disallowance of any and/or all claim(s) to CalRecycle due to fraudulent claims or reporting; or
- (b) The filing of a civil action by the Attorney General for a violation of the False Claims Act, [Government Code section 12650](#) et. seq; or
- (c) Default on a CalRecycle loan, as evidenced by written notice from CalRecycle staff provided to the borrower of the default; or
- (d) Foreclosure upon real property loan collateral or repossession of personal property loan collateral by CalRecycle; or
- (e) Filing voluntary or involuntary bankruptcy, where there is a finding based on substantial evidence, that the bankruptcy interfered with CalRecycle contract, subcontract, grant or loan; or
- (f) Breach of the terms and conditions of a previous CalRecycle contract, grant, loan, or any subcontract for a CalRecycle agreement, resulting in termination of the CalRecycle contract, grant, loan, or subcontract by CalRecycle or prime contractor; or
- (g) Placement on CalRecycle's chronic violator inventory established pursuant to Public Resources Code section 44104 for any owner or operator of a solid waste facility; or
- (h) The person, or any partner, member, officer, director, responsible managing officer, or responsible managing employee of an entity has been convicted by a court of competent jurisdiction of any charge of fraud, bribery, collusion, conspiracy, or any act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance under any CalRecycle contract, subcontract, grant or loan; or
- (i) The person or entity is on the list of unreliable persons or entities, or similar list, of any other federal or California state agency; or
- (j) The person or entity has violated an Order issued in accordance with section 14 California Code of Regulation 18304; or
- (k) The person or entity has directed or transported to, has or accepted waste tires at, a site where the operator is required to have but does not have a waste tire facility permit; or
- (l) The person or entity has transported waste tires without a waste tire hauler registration; or
- (m) The person or entity has had a solid waste facility or waste tire permit or a waste tire hauler registration denied, suspended or revoked; or
- (n) The person or entity has abandoned a site or taken a similar action which resulted in corrective action or the expenditure of funds by CalRecycle to remediate, clean, or abate a nuisance at the site.

\_\_\_\_\_ **Confidential/Proprietary Information** - I/we understand that documents provided in this application and clearly marked as "confidential/proprietary information" (such as business financial information, business plan, marketing plan, business description containing confidential information, project proposal, and lease/purchase agreement) will be handled by CalRecycle pursuant to 14 CCR sections 17041 through 17406. I/we further understand that the CalRecycle and all documents submitted to it are subject to the California Public Records Act

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(Govt. Code section 6250, et seq.).

Any person submitting documents to CalRecycle that he or she assert are “confidential” or “proprietary” shall provide the name, address, telephone number and e-mail address of the individual submitting the information to be contacted if Calrectcle receives a request for disclosure of or seeks to disclose data claimed to be confidential.

\_\_\_\_\_ **Release and Indemnification** – I/we agree to indemnify and hold harmless SAIC Engineering, Environment & Infrastructure, LLC and CalRecycle, their agents, subcontractors, employees and assigns from any and all claims or causes of action arising from the Applicant’s use or other activities regarding the information, advice, technical help or other assistance provided to the Applicant. Additionally, as consideration for the assistance provided to the Applicant by SAIC Engineering, Environment & Infrastructure, LLC and CalRecycle, their agents, subcontractors, employees and assigns, the Applicant agrees that it will not assert any claims or causes of action of whatsoever nature against SAIC Engineering, Environment & Infrastructure, LLC and/or CalRecycle, their agents, subcontractors, employees and assigns resulting from, or in any way related to, assistance provided to the Applicant by SAIC Engineering, Environment & Infrastructure, LLC and/or CalRecycle, their agents, subcontractors, employees and assigns.

**Note:** Falsification under penalty of perjury may result in criminal and civil penalties. In addition, pursuant to the terms of the Assistance Grant Agreement, any misrepresentation to the above certification shall constitute a breach of contract that could result in termination of this Agreement; repayment by the grantee of funds previously paid to the Contractor for assistance rendered to the grantee; and/or placement of the grantee on CalRecycle’s Unreliable Contractors list.

X		
<i>Signature of Authorized Representative</i>		<i>Date</i>
<i>Print Name and Title</i>		<i>Title</i>
<i>Address (if different from Application)</i>	<i>Phone</i>	<i>E-mail</i>
X		
<i>Signature of Authorized Representative</i>		<i>Date</i>
<i>Print Name and Title</i>		<i>Title</i>

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<i>Address (if different from Application)</i>	<i>Phone</i>	<i>E-mail</i>
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**Mark (✓ or X) appropriate box below.**

<input type="checkbox"/>	<p><b>PRIVATE ENTITY CERTIFICATION:</b> I declare under penalty of perjury under the laws of the State of California that the proposed grantee: 1) is in good standing and qualified to do business in the State; and 2) has or will comply with all applicable state, federal, and local laws, ordinances, regulations, license and permit requirements necessary for the proper performance of this grant; and 3) where compliance has not been met, I have attached a letter describing what has been done to achieve full compliance. I further declare, under penalty of perjury under the laws of the State of California, that I have read all information in the Grant Application and Grant Application Appendix and that all information submitted for CalRecycle’s consideration for award of grant assistance is true and accurate to the best of my knowledge.</p>
<input type="checkbox"/>	<p><b>PUBLIC ENTITY CERTIFICATION:</b> I declare under penalty of perjury under the laws of the State of California that the proposed grantee: 1) has or will comply with all applicable state, federal, and local laws, ordinances, regulations, license and permit requirements necessary for the proper performance of this grant; and 2) where compliance has not been met, have attached a letter describing what has been done to achieve full compliance. I further declare, under penalty of perjury under the laws of the State of California, that I have read all information in the Grant Application and Grant Application Appendix and that all information submitted for CalRecycle’s consideration for award of grant assistance is true and accurate to the best of my knowledge.</p>

Executed at: \_\_\_\_\_ on \_\_\_\_\_  
City and State Date

<b>X</b>	
<i>Signature Authority / Authorized Designee</i> <i>(as authorized in Resolution or Letter of Designation [LOA])</i>	<i>Date</i>
<i>Print Name</i>	<i>Print Title</i>

*Note: Falsification under penalty of perjury may result in criminal and civil penalties. In addition, pursuant to the terms of the grant agreement, any misrepresentations in the above certification shall constitute a*

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*breach of contract that could result in non-payment of grant funds to the grantee; relinquishment by the grantee of funds previously paid; termination of the grant; and/or placing the grantee on the CalRecycle's Unreliable Contractors List.*

**PUBLIC ENTITY CERTIFICATION:** I declare under penalty of perjury under the laws of the State of California that the proposed grantee: 1) has or will comply with all applicable state, federal, and local laws, ordinances, regulations, license and permit requirements necessary for the proper performance of this grant; and 2) where compliance has not been met, have attached a letter describing what has been done to achieve full compliance.

Executed at: \_\_\_\_\_ on \_\_\_\_\_  
City and State Date

<b>X</b>	
_____ <i>Signature Authority / Authorized Designee (as authorized in Resolution or Letter of Designation-LOD)</i>	_____ <i>Date</i>
_____ <i>Print Name</i>	_____ <i>Print Title</i>

*Note: Falsification under penalty of perjury may result in criminal and civil penalties. In addition, pursuant to the terms of the grant agreement, any misrepresentations in the above certification shall constitute a breach of contract that could result in non-payment of grant funds to the grantee; relinquishment by the grantee of funds previously paid; termination of the grant; and/or placing the grantee on the CalRecycle's Unreliable Contractors List.*

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**ASSISTANCE GRANT AGREEMENT COVER SHEET**

INSTRUCTIONS::

1. Fill in the name of your Applicant Business on the line indicated
2. Have the signature authority authorized in the Letter of Designation sign and date below
3. Attach this page to the front of your application package
4. Be sure to make a copy of your application package, because this package will become your Assistance Grant Agreement, if CalRecycle awards your applicant business a grant.

**Assistance grants are contingent upon determination of eligibility, subject to all conditions described in the Assistance Grant Application, Grant Application Appendix, Terms and Conditions, and Procedures and Requirements, and upon award by CalRecycle. Award of a Tire-Derived Product Assistance Program Grant is not guaranteed.**

THIS TIRE-DERIVED PRODUCT BUSINESS ASSISTANCE PROGRAM GRANT AGREEMENT is made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the State of California, acting by and through the Acting Director of the Department of Resources Recycling and Recovery (the "State") and

\_\_\_\_\_

APPLICANT/BUSINESS NAME (the "Grantee"). The State and the Grantee, in mutual consideration of the promises made herein, agree as follows:

The Grantee agrees to perform the requirements described in the Assistance Grant Agreement, to fully participate and cooperate in the assistance that will be provided to it through the Tire-Derived Product Business Assistance Grant Program. The Grantee agrees to abide by the provisions of the following documents, attached:

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Exhibit A – Terms and Conditions

Exhibit B – Procedures and Requirements

Grantee’s application, Exhibits A and B, attached hereto, and the State approved Application and Appendix are incorporated by reference herein and made a part hereof.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the dates entered below:

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(SIGNATURE OF SIGNATURE AUTHORITY)

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(PRINT NAME AND TITLE OF SIGNATURE AUTHORITY)

---

(DATE)

---

(GRANTEE NAME)

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(GRANTEE ADDRESS – STREET, CITY, STATE AND ZIP CODE)

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DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

MARK LEARY, ACTING DIRECTOR

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(DATE)