

For: State and County Offices

FSFL Program Cost Certification and Disbursement Calculator

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

The FSFL Program provides low-interest financing for producers to build or upgrade farm storage and handling facilities. Duplicating benefits is **not** permitted according to regulations by FSA because the FSFL Program is based on the “net costs” to the producer. Therefore, if a producer receives a Government grant or loan on the same structure or other collateral used for FSFL, the Government grant or loan **must** be subtracted from the final cost of the FSFL project. The maximum amount of any FSFL shall be 85 percent of the net cost of the applicant’s needed storage or handling equipment **not** to exceed \$500,000 per FSFL.

CCC-197, Final Farm Storage Facility Loan (FSFL) Program Cost Certification, was developed for applicants to certify eligible net cost items associated with FSFL projects and to ensure that there is no duplication of benefits on the same equipment. All financial assistance from all sources **must** be identified on CCC-197 **before** the partial or final disbursement of FSFL.

Additionally, during a recent audit of FSFL, OIG auditors discovered that incorrect down payment amounts were calculated and not properly documented in the producer’s FSFL file folder. The National Office has developed an Excel worksheet, FSFL Disbursement Calculator, to assist State and County Offices in computing FSFL final project costs and the required downpayment needed for FSFL’s.

State and County Offices shall continue to follow 1-FSFL, paragraphs:

- 27, for downpayment policy
- 28, for disbursement policy
- 32, for FSFL policy on other grants and loans
- 133, for final review of cost documents.

Disposal Date	Distribution
February 1, 2012	State Offices; State Offices relay to County Offices

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1 Overview (Continued)

B Purpose

This notice:

- provides State and County Offices with the following:
 - policy for CCC-197
 - instructions for completing CCC-197
 - policy for FSFL Disbursement Calculator
 - an example of FSFL Disbursement Calculator
- obsoletes Notice FSFL-77.

Note: Several State Office employees forwarded comments and suggestions about the FSFL Disbursement Calculator included in Notice FSFL-77; therefore, a new FSFL Disbursement Calculator is provided.

Note: 1-FSFL will be amended to incorporate the procedure detailed in this notice.

C Contact

State specialists with questions about this notice shall contact Toni Williams, PSD, by either of the following:

- e-mail at toni.williams@wdc.usda.gov
- telephone at 202-720-2270.

2 CCC-197, Final FSFL Program Cost Certification

A CCC-197's

CCC-197 is a new **required** FSFL form, and is available to assist FSA in identifying grant and loan recipients **before** preparing loan documents for the final closing of FSFL.

After completing CCC-197, FSFL borrowers will:

- identify all bills and invoices for the entire structure
- identify all other sources of funding for the FSFL structure
- sign and date a certification statement certifying that a request or application has **not** been submitted, approved, or paid by any Government grant or loan on the same structure or other collateral used for this FSFL and, if a grant or loan is received after FSFL is disbursed for the same structure, the grant or loan **must** be paid as a lump sum repayment to the outstanding FSFL.

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2 CCC-197, Final FSFL Program Cost Certification (Continued)

B When to File

CCC-197 **must** be filed in the County Office when final evidence of total cost is submitted, according to 1-FSFL, paragraph 133.

County Offices shall:

- assist the applicant in manually completing CCC-197 and obtain the applicant's signature
- discuss examples of acceptable evidence and CCC-191 requirement, if applicable.

Note: CCC-197 is **not** required for FSFL's disbursed **before** issuance of this notice.

C CCC-197 Availability

CCC-197 is available electronically at either of the following:

- USDA Service Center Agencies eForms web site at
<http://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home>
- FFAS Employee Forms/Publications Online Website at
<http://fsaintranet.sc.egov.usda.gov/dam/ffasforms/forms.html>.

CCC-197 may also be obtained from the applicable servicing County Office as follows:

- by FAX
- by mail
- by telephone
- in person.

D Approving CCC-197's

STC, COC, or designee, shall approve CCC-197's **only** after CCC-197 is completely filed and all acceptable evidence is submitted, according to 1-FSFL, paragraph 133.

E Maintaining CCC-197's

CCC-197's shall be completed and maintained in the producer's FSFL file folder.

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3 Completing CCC-197's

A Instructions for Completing CCC-197's

Complete CCC-197 according to the following instructions.

Item	Instructions
Part A – General Information	
1-3	Enter FSFL applicant's full name, phone number (optional), and FSFL number.
4-6	Enter name, address, and telephone number of the FSA County Office.
7	Producer must select either, "Partial Disbursement" or "Final Disbursement".
Part B – FSFL Structure Bills and Invoices	
8	Producer must provide the name of the vendor or contractor and approved STC/COC on-farm equipment.
9	Producer must provide the total amount of bill.
For FSA Use Only	
10	STC, COC, or designee must answer "yes" or "no" to the question, "Was a CCC-191 obtained, if applicable?" If "No" is answered, give the reason why not. Note: CCC-191 and signed and dated final invoices must be for the same amount or the invoice total must be greater than the total entered on CCC-191.
Part C – Certification of Grants or Loans	
11	Producer must answer "yes" or "no" to the question, "Are there any unresolved claims or demands for payments pending with a vendor, contractor, subcontractor, or material supplier in connection with the FSFL project? If "Yes", provide item number (8a through 8i) of the vendor or contractor information in item 18."
12	Producer must answer "yes" or "no" to the question, "Has an application been submitted, approved, or paid for by any other governmental loans or grants on the same structure or other collateral used for this FSFL? If "Yes", provide details of the loan and/or grant in item 18. If "No", skip Part D."
Part D – Grant and/or Other Loan Information	
13	Producer must provide the total grant eligible costs.
14	Producer must provide the total grant or loan requested.
15	Producer must provide sources of funds, if a value is entered in items 13 and/or 14.
Part E – Producer Certification	
16A	Each producer must sign CCC-197 after carefully reading the information in Part E.
16B	Each producer must provide title/relationship of the individual signing in the representative capacity.
16C	Each producer must enter the last 4 digits of their TIN.
16D	Each producer must enter date CCC-197 was signed.
Part F – STC, COC or Designee Signature – For FSA Use Only	
Important:	STC, COC, or designee shall approve CCC-197 after all required CCC-191's are received and acceptable cost documents are received that support the total cost on CCC-191.
17A	STC, COC, or designee shall sign.
17B	Enter the title of designee signing item 17A.
17C	Enter the date STC, COC, or designee signed item 17A.
18	Enter any remarks that may be pertinent to any information entered on CCC-197.

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3 Completing CCC-197's (Continued)

B Example of CCC-197

The following is an example of a completed CCC-197.

This form is available electronically.		
CCC-197 (08-10-11)	U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation	
FINAL FARM STORAGE FACILITY LOAN (FSFL) PROGRAM COST CERTIFICATION		
<p>NOTE: <i>The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is 7 CFR Part 1436, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to obtain the program cost certification data required for the preparation of partial or final Farm Storage Facility Loan Program documents. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for CCC financing under the Farm Storage Facility Loan Program.</i></p> <p><i>This information collection is exempted from the Paperwork Reduction Act, as it is required for administration of the Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246, Title I, Subtitle F - Administration).</i></p> <p><i>The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</i></p>		
This form needs to be completed and signed by the loan applicants before partial or final FSFL documents can be prepared.		
PART A - GENERAL INFORMATION		
1. Loan Applicant's Name Terry Dawn Farms	2. Telephone Number (Including Area Code) (Optional) 555-123-4567	3. FSFL Number 2011/00015
4. County FSA Office Name Buckhead County FSA Office	5. County FSA Office Address (Including Zip Code) 2020 Lewis Dr. Travis, MT 20155-1033	6. Telephone Number (Including Area Code) 555-221-1000
7. FSFL Disbursements (Check One): <input type="checkbox"/> Partial Disbursement <input checked="" type="checkbox"/> Final Disbursement		
PART B – FSFL STRUCTURE BILLS AND INVOICES (Applicants must provide information for bills and invoices received for the FSFL structure)		
		For FSA Use Only 10. CCC-191 Obtained (If Applicable)
8. Name of Vendor or Contractor	9. Total Amount of Bill	
A. C and G Contractors	\$ 100,000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If "NO", provide reason in Item 18)
B. Sand and Gravel	\$ 17,000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If "NO", provide reason in Item 18)
C. Kerry's Hardware	\$ 50,000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If "NO", provide reason in Item 18)
D. Jim and Patty's Construction	\$ 12,120.56	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If "NO", provide reason in Item 18)
E. Home Depot	\$ 10,645	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If "NO", provide reason in Item 18)
F. Williams Electrical Supply	\$ 25,000.89	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If "NO", provide reason in Item 18)
G. Kelly's Concrete	\$ 33,000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (If "NO", provide reason in Item 18)
H.	\$	<input type="checkbox"/> YES <input type="checkbox"/> NO (If "NO", provide reason in Item 18)
I.	\$	<input type="checkbox"/> YES <input type="checkbox"/> NO (If "NO", provide reason in Item 18)
The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.		

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3 Completing CCC-197's (Continued)

B Example of CCC-197 (Continued)

CCC-197 (08-10-11)		Page 2 of 2
PART C – CERTIFICATION OF GRANTS OR LOANS (<i>Borrower must answer the following questions</i>)		
	YES	NO
11. Are there any unresolved claims or demands for payments pending with a vendor, contractor, subcontractor or material supplier in connection with the FSFL project. If "YES", provide Item number (8 A through 8 I) of the vendor or contractor in Item 18.		x
12. Has an application been submitted, approved or paid for by any other governmental loans or grants on the same structure or other collateral used for this FSFL? If "YES", provide details of the loan and/or grant in Item 18. If "NO", skip Part D.		x
PART D – GRANT AND/OR OTHER LOAN INFORMATION		
13. Total Grant Eligible Costs	14. Total Grant or Loan Requested	15. Sources - Provide the sources of funds, if a value is entered in Items 13 and/or 14
\$	\$	
PART E – PRODUCER CERTIFICATION		
Certification:		
<i>I certify that the information provided is true, complete, and correct to the best of my knowledge and is provided in good faith. I understand if any information is found to be false or incomplete, such finding may be grounds for denial of the FSFL. Additionally, I understand if I receive a grant or loan after the FSFL is disbursed for the same structure, the grant or loan must be paid as a lump sum repayment to the outstanding FSFL.</i>		
16A. Producer's Signature (By)	16B. Title/Relationship of the Individual if Signing in a Representative Capacity	16C. Last 4 Digits of Producer's TIN
<i>/s/ Terry Dawn</i>	Producer	xxxx
		16D. Date (MM-DD-YYYY)
		07-27-20XX
PART F – STC, COC OR DESIGNEE SIGNATURE (FOR FSA USE ONLY)		
17A. Signature of STC, COC or Designee	17B. Title	17C. Date Approved (MM-DD-YYYY)
<i>/s/ Clark Tyson</i>	County Executive Director	07-27-20XX
18. Remarks		

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4 Computing FSFL Final Project Costs and Downpayment

A FSFL Disbursement Calculator

The FSFL Disbursement Calculator was created to assist State and County Offices in calculating FSFL final project costs and downpayment needed for FSFL.

When all final bills are received, County Offices **must** access the FSFL Disbursement Calculator, according to subparagraph B, and enter the appropriate information to document and calculate the final FSFL project costs and FSFL downpayment.

County Offices **must** complete and:

- attach a printout of the completed FSFL Disbursement Calculator to CCC-197
- file an FSFL Disbursement Calculator printout in the producer's FSFL file folder **before** a partial or final FSFL is disbursed.

B Accessing the FSFL Disbursement Calculator

The FSFL Disbursement Calculator:

- must be accessed and completed on a computer running Microsoft Excel 2007 software
- is available from the PSD web site located at **<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=prsu&topic=flp-fp>**; under Hot Links, CLICK "Disbursement Worksheet".

Manual calculation must **only** be used when the FSFL Disbursement Calculator is unavailable.

C Using the FSFL Disbursement Calculator

County Offices must enter the following required data in the applicable fields:

- applicant's name
- FSFL number
- estimated FSFL amount
- type of disbursement (partial/final)

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4 Computing FSFL Final Project Costs and Downpayment (Continued)

C Using the FSFL Disbursement Calculator (Continued)

- eligible receipts for this FSFL that include the following:
 - vendor/contractor name
 - was vendor/contractor paid in full (yes/no)
 - total amount of bill
 - payment method (credit card/money order/check/cash)
- preparer's initials and date
- reviewer's initial and date
- comments, if applicable.

Notes: The project cost, 85 percent final disbursement amount, 15 percent minimum downpayment, or required downpayment if \$500,000 loan amount, will be automatically calculated. The producer may provide funds to the County Office to lower the 85 percent final disbursement amount. The County Office must manually enter into the disbursement calculator the funds received from the producer.

If the final loan amount exceeds the FSFL estimated and obligated amount, the County Office **must** review FSFL to determine whether a new financial analysis is needed. Additional funding may be required.

D Partial and Final Disbursements

State and County Offices shall continue to follow policy established in 1-FSFL, paragraph 28 for partial and final disbursements. The FSFL Disbursement Calculator must be completed for a partial and final disbursement.

The total of each or both partial and final loan amounts must not exceed the approved estimated FSFL amounts. If this should happen, the County Office **must** review FSFL to determine whether a new financial analysis is needed to ensure that the producer has the ability to repay the new FSFL amount. The maximum amount of the combined totals, partial and final loan amounts, shall not exceed \$500,000.

When a partial and final FSFL disbursement has been issued, the producer's FSFL file folder must include a completed FSFL Disbursement Calculator for both disbursements.

E Secondary Review

All data entered into the FSFL Disbursement Calculator shall be reviewed and verified by a second person to ensure data accuracy. The preparer and secondary reviewer shall enter their name and the date the data was prepared and reviewed. All discrepancies discovered during the review **must** be corrected **before** closing FSFL.

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4 Computing FSFL Final Project Costs and Downpayment (Continued)

F Example of FSFL Disbursement Calculator Excel Worksheet

The following is an example of the FSFL Disbursement Calculator Excel worksheet.

Farm Storage Facility Loan (FSFL) Disbursement Calculator				
FSFL Applicant		Terry Dawn Farms		
Part A - FSFL Information				
FSFL Number	2011/00015			
FSFL Estimated Loan Amount	\$250,000.00			
What type of disbursement?	Partial/Final Final			
Part B - Enter Eligible Receipts for this FSFL				
Item #	Vendor/ Contractor	Was the Vendor/ Contractor Paid in Full? enter "Yes/No"	Total Amount of Bill	Payment Method: Check/Money Order/Credit Card/Cash
1)	C and G Contractors	No	\$100,000.00	Credit card
2)	Sand and Gravel	Yes	\$17,000.00	Money order
3)	Kerry's Hardware	Yes	\$50,000.00	Check
4)	Jim and Patty's Construction	Yes	\$12,120.56	Credit card
5)	Home Depot	Yes	\$10,645.00	Money order
6)	Williams Electrical Supply	No	\$25,000.89	Check
7)	Kelly's Concrete	Yes	\$33,000.00	Credit card
8)				
9)				
10)				
11)				
12)				
13)				
14)				
15)				
16)				
17)				
18)				
19)				
20)				
21)				
22)				
23)				
24)				
25)	Project Cost		\$247,766.45	
26)	85% Final Disbursement Amount		\$210,601.48	
27)	15% Minimum Downpayment OR Required Downpayment if \$500,000 loan amount		\$37,164.97	
28)	Additional Funds Received from Borrower, if applicable		\$0.00	
29)	Total Downpayment		\$37,164.97	
30)	Final Loan Amount		\$210,601.48	
31)	Information purposes only, total of "Yes" responses		\$122,765.56	
IMPORTANT: Item 29 must be reviewed carefully to determine if the required 15% minimum downpayment was received of the project cost.				
Part C - Review				
Preparer's Initials _____		Date _____		
Reviewer's Initials _____		Date _____		
Part D - Comments				

Important: File the completed FSFL Disbursement Calculator in the applicant's FSFL file folder.

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5 Final Cost Documents

A Release of Liability

State and County Offices must continue to follow final review of cost documents policy at 1-FSFL, paragraph 133. CCC-191's:

- are **required** for all signed and dated final invoices/bills
- must match the final invoices/bills they represent
- must be signed and completed according to 1-FSFL, paragraph 133.

All final invoices/bills must be signed and dated by the seller or provider of services. Initialing the final invoices/bills is **not** acceptable.

Note: If CCC-191 is not obtained, the amount on the final invoice/bill shall **not** be included in FSFL amount.

6 Action

A State Office Action

State Offices shall:

- ensure that County Offices follow the instructions in this notice immediately
- assist County Offices with questions they may have about this notice
- contact PSD with any questions they may have about this notice according to subparagraph 1 C.

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6 Action (Continued)

B County Office Action

County Offices shall:

- comply with the policy and procedures in this notice immediately
- inform FSFL applicants that grants and loans from RD or other Government agencies must be disclosed on CCC-197 and subtracted from the total cost of the structure or equipment **before** the FSFL amount is computed
- handle the possible duplication of benefits according to 1-FSFL, paragraph 32
- ensure that all other applicant eligibility and equipment eligibility requirements are met according to 1-FSFL
- file a copy of the completed CCC-197 **and** FSFL Disbursement Calculator in the producer's FSFL file folder
- contact the State Office for guidance if there are questions or concerns about procedure in this notice.