(2) A bond is not obtainable on reasonable terms and conditions without assistance under the Maryland Small Business Surety Bond [Guaranty] Program; and

(3) The principal will not subcontract more than 75 percent of the dollar value of the contract.

13–234.6.

(a) To apply for financial assistance from the Maryland Small Business Surety Bond [Guaranty] Program pursuant to §§ 13–234 through 13–234.5 of this subtitle, a principal and, WHERE APPLICABLE, A surety shall submit to the Authority an application on the form that the Authority provides.

(b) The application shall include:

(1) A detailed description of the government or utility project;

(2) An itemization of known and estimated costs;

(3) The total amount of investment required to perform the government or utility contract;

(4) The funds available to the principal for working capital;

(5) The amount of bonding assistance sought from the Authority;

(6) Information that relates to the inability of the principal to obtain adequate bonding on reasonable terms through normal channels;

(7) Information that relates to the financial status of the principal, including:

(i) A current balance sheet;

(ii) A profit and loss statement; and

(iii) Credit references;

(8) A schedule of all existing and pending contracts and the current status of each; and

(9) Any other relevant information that the Authority requests.

(c) After receipt of an application for assistance from the Maryland Small Business Surety Bond [Guaranty] Program, the Authority may determine that a principal shall provide an audited balance sheet before the Authority makes its decision on the application.

~~[~~(d) If a principal has ever defaulted on any loan or guaranty provided by the Authority, the Authority may ~~not approve a guaranty under this Part VI~~ APPROVE A GUARANTY OR BOND UNDER THIS PART VI IF:

(1) TWO YEARS HAVE ELAPSED SINCE THE TIME OF THE DEFAULT; AND