**Section 5.100 Pre-Eligibility Process**

a) The Department will perform a preliminary eligibility determination based upon the submittal of the application and required documentation.

1) Incomplete applications or applications that do not include the required documentation will be rejected.

2) Applicants who meet all of the requirements, outlined in Section 5.70, will be determined to be pre-eligible to qualify for a loan.

3) A determination of pre-eligibility is not a guarantee that the applicant will receive a loan under this Part.

b) Notification of an incomplete application, pre-eligibility, eligibility or ineligibility will be sent to the applicant within 10 calendar days after receipt of the application by the Department.

c) A determination of pre-eligibility will be valid for six months after the date of the notification.

d) Approvals for loans under this Part will be made by the Committee in accordance with Section 5.110.

e) In the event of a loan denial that affects DBE participation, the process will be administered by the Department by adhering to federal regulations for the substitution of a DBE for reasons including, but not limited to, the DBE's voluntary withdrawal from the project or because the DBE refuses to perform work on the subcontract because the loan impacts its ability to mobilize.  Written approval from the Department for substitution of a DBE is required.  (See 49 CFR 26.53(f).).

f) Withdrawal from a contract or subcontract as a result of a loan rejection will not disqualify a DBE from consideration for future loans.