



GCRA

Greenville County, SC Façade Improvement Program



Before



After

301 University Ridge, Suite 2500
Greenville, SC 29601
Telephone: 864-242-9801
Fax: 864-232-9946
Website: www.gcra-sc.org

Greenville County Façade Improvement program

A. Program Background:

The Greenville County Redevelopment Authority and the County of Greenville have developed a Façade Improvement Program (FIP) to encourage improvement and investment to the overall revitalization of the Poinsett Highway Corridor. This program provides up to \$10,000 in the form of a declining balance non-interest bearing loan. Funds obtained shall be utilized to finance exterior improvements to a property owner's or tenant's commercial building that will be aesthetically pleasing and complimentary to local design guidelines or concepts acceptable to the GCRA and the County.

B. Program Purpose:

The purpose of the program is to provide financial incentive to business owners located within the Poinsett Highway Corridor and to provide an opportunity to upgrade the exterior of their building. The program is designed to retain and attract businesses, strengthen the Poinsett Highway Corridor, increase utilization of existing properties and buildings, restore economic vitality and enhance property values.

C. Available Funding

The Program is a reimbursement program. The applicant (owner, purchaser or tenant of a property) shall pay all design and construction expenses related to improvements to the exterior façades of an existing commercial building. The GCRA shall reimburse the applicant for eligible improvement expenses not exceeding the approved loan amount. The Façade Improvement Grant Program will not be applied retroactively to works started prior to the commencement of this program.

The program shall be administrated on a first come first served basis, to the limit of available funding. However, projects that promise a greater economic impact will be given greater priority for funding. If the total value of funding requested, for all new applications in any given year, exceeds the total amount of funding available, all applications will be prioritized by the GCRA review committee.

D. Eligible uses:

- Exterior Signs (installation of new or repair or replacement of legally installed and mounted signs; including neon or halo lit signs);
- Awnings, canopies, or sunshades (installation of new or repair or replacement of fixed metal or fabric awnings), which could include perpendicular wall-mounted castle banners (without signage);
- Painting or exterior surface treatment (stucco, tile, stone, or brick replacement or repair);
- Asphalt paving (allowed only if proposed within a larger improvement project involving significant building façade improvements), replacement or repair of tiles or decorative pavers (not in the public right-of-way); sidewalk or courtyard repaving (not in the public right-of-way);
- Repair or replacement or restoration of façade masonry, brickwork or wood.
- Outdoor lighting (installation of new exterior lighting fixtures; repair or replacement of existing exterior lighting fixtures);
- Installation, repair or replacement of decorative or security fencing;
- Replacement or repair of windows.

- Replacement, repair or restoration of cornices, eaves, parapets and other architectural features.
- Entranceway modifications that improve the appearance and or access to the commercial units.
- Restoration of historic features.
- Redesign and reconstruction of the store front

E. Ineligible Uses:

Funds may not be used for improvements that are not permanent or mounted or affixed to the building or the sidewalk. Ineligible uses include but are not limited to:

- Vinyl letter signage (windows);
- Portable signs, such as sandwich board or A-frame signs; signs not mounted or attached to storefronts;
Flags or banners;
- Benches and trash receptacles;
- Tables, chairs, or umbrellas.

F. Eligible Applicants & Projects:

Applicants eligible for the Façade Improvement program must meet the following criteria:

1. A property owner or business tenant that is willing to improve the exterior facades of existing commercial buildings located along the Poinsett Highway Corridor. Only those buildings with commercial use(s) at ground floor shall be eligible for a forgivable loan. Projects involving a previously funded building may be considered after completion of any previous projects. Owners may receive assistance for more than one building provided that funding is available. A maximum of one loan application per store front shall be accepted. Applicants should contact GCRA office at 864-242-9801 extension 120 for determination of property eligibility.
2. The proposed façade improvement project must meet the National Objective of “low and moderate income job creation or retention” such that businesses receiving forgivable loan funds must certify that **51 percent of all full-time or part-time jobs created or retained as a result of the loan funds is made available to low-moderate income persons**. In order to comply with this requirement, the business must certify that created or retained positions do not require education beyond high school diploma nor substantial training. Jobs can also be made “available” to low-moderate income persons if the employer agrees to hire and train low-moderate income persons without the required training. A letter or agreement must be submitted along with application.
- 3.

G. Ineligible Applicants & Projects

The Façade Improvement Loan Program will not be applied retroactively to works started prior to the **execution of forgivable loan agreement between the applicant and the GCRA**. Façade Improvement Loans will not be issued to any eligible applicants who are in arrears of any County financial obligation or, if a tenant, in arrears with any rent or other payments specified in its lease agreement with the property owner.

H. Loan Amounts:

The maximum loans shall not exceed \$10,000 per applicant per store front and a minimum request of \$1,000 is permitted. The loan funds will decline in amount ten (10%) each year for ten (10) years. Should the property be sold during the ten (10) year period, the balance of the loan shall be re-paid at the time of the sale. Although there is no funding match required for the program, applicants are encouraged to leverage the loan fund with other funding sources.

I. Application Process:

1. Applicants submit a completed application to the GCRA. Applicants must complete the online application available on the GCRA's website at www.gcra-sc.org along with a hard copy submission of the application signature page and other required documentation as listed on the application checklist. Complete applications with supporting documentation are forwarded to the County Planning and Zoning Department and the GCRA review committee for approval. Applicants with incomplete applications are informed of their deficiencies. The review committee meets once a month to approve loan applications.
2. Once a completed application is submitted, the review committee will review the application and make a determination on the project. The review committee will then forward the application to the State Historic Preservation Office (SHPO) to review the application as required by Federal regulations. SHPO has 30 days to review the project. Within 45 days, the applicant will be notified by letter concerning the status of the review including any approval conditions, if applicable. GCRA and the County reserve the right to deny or refuse any application.
3. If approved, the GCRA will conduct a title search to confirm clear title to the property. Once clear title is confirmed, the GCRA will schedule a mandatory pre-award meeting with the property owner and/or tenant and selected contractor to discuss:
 - a) The requirements and provisions of Davis Bacon & Related Acts with the contractor and applicant to ensure that all related responsibilities are understood.
 - b) Schedule the date(s) and time(s) for the required interviews with project construction workers in consultation with the contractor.
 - c) Sign and notarize the Certificate of Authority to be executed by the applicant which designates and authorizes the contractor to sign and provide certified weekly payroll reports to the GCRA.
 - d) Execute a forgivable loan agreement between the property owner and the GCRA.
 - e) An executed forgivable loan agreement establishes official project approval and the start date for eligible façade improvements.

Any proposed improvements must be in compliance with County building codes and ordinances. If approved, the applicant is responsible for obtaining all building permits and any other required County approvals for the work to be done. The applicant is responsible for conformance with all applicable safety standards and conditions. The applicant also agrees to maintain the property and the improvements.

4. A loan closing date will be scheduled to disburse a reimbursement check for work that is completed in compliance with Davis Bacon and consistent with the approved scope of work/design once the applicant submits: final invoices for completed work, canceled checks as proof of payment and electronic photos of the completed work.

J. Application Review Documentation

All completed applications must be accompanied with the following items but not limited to plans, elevations and estimate of repairs.

1. Verification of Property Ownership, if owner (Title or Deed of Trust)
2. Copy of valid business license
3. Three third party quotes from qualified suppliers for specific aspects of the project that will be completed with the forgivable loan and a cover letter to GCRA identifying the

contractor selected along with reasons for selection (Ex. Lowest price, best quality, project consistency etc.).

4. Two electronic color photos showing the existing building (front & all side elevations)
5. Detailed sketches or drawings of the proposed improvements or other appropriate ac
6. Proof of liability insurance.
7. Completed W9 Form
8. A description of the source of private funding, if applicable. If source is other than the applicant's readily available funds, a letter of commitment or other documentation indicating availability and commitment of funds.
9. If an LLC/Corporation, operating agreement or letter signed by all board members authorizing the applicant to sign legal documents on behalf of the organization.
10. If the applicant is the property owner of a vacant building, an executed lease agreement or letter of intent from a potential tenant is required.
11. An executed lease agreement for a minimum of one-year between tenant and property owner.
12. Completed Employment Income Verification (EIV) forms for each employee to be retained/created.

K. Reimbursements:

All assistance is on a reimbursement basis following completion of the project. The total reimbursement shall not exceed \$10,000 or the amount of funding approved for the applicant. In order to be reimbursed, the completed work must adhere to the scope of work and design plan on which the funding agreement was based and all project activities from start to finish must comply with the Davis Bacon & Related Acts. The loan closing attorney fees are \$200 plus recording costs, which may be deducted from the reimbursement amount or paid by check at the loan closing. Before a reimbursement check is cut, applicants must submit the following:

- a) Proof of payment for the completed work including canceled checks and final invoices from contractor.
- b) Certified payroll reports for each work week from the time work is started on the project until it is completed.
- c) Electronic color photos of the completed work.

L. Approval Forfeiture & Fees for Untimely Projects

All project approval letters will expire 30 days from the date of the approval notice if all outstanding issues are not addressed or required documents are not submitted prior to signing a forgivable loan agreement. The applicant will forfeit the project approval if the façade improvement project is not complete 90 days from the date of the forgivable loan agreement unless GCRA is notified of reasonable circumstances that prolong the project. If the project extends beyond 90 days, the applicant is responsible for legal fees related to additional title searches required to confirm clear title before entering a loan agreement and/or conducting a loan closing to complete the project. The title search must be conducted by GCRA's attorney and legal fees may be deducted from the approved reimbursement or paid by check at the loan closing.

M. Security:

The Façade Improvement Program will be secured by a deferred forgivable mortgage on the real property for a 10 year term of the ownership of the business. Eligible businesses must be occupied for a period of six continuous months prior to becoming eligible for the program. Tenants must have written permission and agreement from the owner to make improvements to buildings.

N. Repayments:

Repayment to the fund is not required as long as the terms of the note and mortgage are met. Should the tenant or property owner fail to comply with the terms of the loan, the Greenville County Redevelopment Authority reserves the right to seek repayment in full or in part in a Court of appropriate jurisdiction.

**O. Other Regulations:
Davis Bacon & Related Acts (DBRA)**

The Davis-Bacon Act requires the payment of prevailing wage rates (which are determined by the U.S. Department of Labor-DOL) to all laborers and mechanics on Federal government and District of Columbia construction projects in excess of \$2,000. Construction includes alteration and/or repair, including painting and decorating, of public buildings or public works. In addition to the Davis-Bacon Act, Congress has added the Davis-Bacon prevailing wage provisions to numerous laws -- "related Acts" -- under which Federal agencies fund or assist construction projects through grants, loans, loan guarantees, and insurance. The "related Acts" include provisions that require Davis-Bacon labor standards apply to most federally assisted construction projects.

Construction Contract Requirements: Each contract subject to Davis-Bacon labor standards requirements must contain labor standards clauses and a Davis-Bacon wage decision. The labor standards clauses describe the responsibilities of the contractor concerning Davis-Bacon wages and obligate the contractor to comply with the labor requirements. The labor standard clauses also provide for remedies in the event of violations, including withholding from payments due to the contractor to ensure the payment of wages or liquidated damages which may be found due. These contract clauses enable the contract administrator to enforce the Federal labor standards applicable to the project. See Appendix, Exhibit 1, U.S. Department of Housing & Urban Development, Office of Labor Standards, Federal Labor Standards Provision for labor standard clauses that must be included in contracts subject to DBRA.

The Davis-Bacon wage decision (or wage determination) is a listing of various construction work classifications, such as Carpenter, Electrician, Plumber and Laborer, and the minimum wage rates (and fringe benefits, where prevailing) that people performing work in those classifications must be paid. Davis-Bacon wage decisions are established by the US DOL for various types of construction (e.g., residential, heavy, highway) and apply to specific geographic areas, usually a county or group of counties. Wage decisions are modified from time to time to keep them current. In most cases, when the contract is awarded or when construction begins, the wage decision is "locked-in" and no future modifications are applicable to the contract or project involved. See Appendix, Exhibit 2 and 3, "General Decision SC20100005: Construction Type: Building" and "General Decision SC20100026: Construction Type: Heavy," for prevailing wages in Greenville County for construction projects eligible for funding under this Forgivable Loan Program. If the work classifications needed for the covered project is not contained in the wage decision provided in Exhibit 2 and 3, the applicant will need to contact GCRA staff for assistance to make certain that the exact wage required is paid. All current Davis-Bacon wage decisions can be accessed on-line at no cost at: <http://www.wdol.gov/dba.aspx#0> .

Reporting: Each contractor, subcontractor, and lower-tier subcontractor, shall submit (through the prime contractor) to the GCRA, certified payroll reports (CPRs) for each work week from the time work is started on the project until it is completed. Payrolls shall be numbered sequentially and the last payroll marked "final." If work is not performed on the project during a given work week, a payroll does not need to be submitted if the contractor numbers his payrolls sequentially and notifies the GCRA he will not be working on the project for a specified period of time. Otherwise, the contractor should submit "No Work" payrolls when there is a temporary break in

work on the project. Contractors are required to pay workers every week. They cannot put two weeks of work on one payroll. Payrolls shall be completed and submitted no later than seven (7) workdays following completion of the workweek.

The prime contractor is responsible for full compliance with regard to his own workforce and with regard to the compliance of every subcontractor. For this reason, all CPRs and any related records are submitted to the GCRA through the prime contractor. Payrolls and related records shall be maintained during the course of the construction work and preserved by the contractor and the subcontractor for at least three (3) years.

CPR information may be submitted in any form, provided that the GCRA staff can reasonably interpret the information to monitor employer compliance with the labor standards and all required information is included on the form. Contractors are encouraged to use US DOL Payroll Form WH-347. The weekly payrolls are called certified because each payroll is signed and contains language certifying that the information reported on the payroll is true. The payroll certification language is on the reverse side of the WH-347. If the contractor uses another type of payroll format he may attach the certification from the back of the WH-347 Form Statement of Compliance. The US DOL Payroll Form WH-347 can be accessed from the following website: www.dol.gov/whd/forms. See Appendix, Exhibit 4, for Payroll Form WH-347.

Recordkeeping: Under the DBRA, covered contractors must maintain payroll and basic records for all laborers and mechanics during the course of the work and for a period of three years thereafter. Records to be maintained include:

- Project and contractor/subcontractor information
- Name, address, and Social Security number of each employee
- Each employee's work classifications
- Rate of pay
- Hours worked (daily and hourly)
- Gross wages
- Deductions
- Net pay
- Apprenticeship or trainee program information, if applicable
- Statement of Compliance
- Signature

Posters: Under the DBRA, covered contractors and subcontractors are required to post the applicable Davis-Bacon wage decision and the "Employee Rights Under The Davis-Bacon Act" poster (WH-1321) on the work site in a prominent and accessible place where they can be easily seen by the workers. The Davis Bacon Poster (WH-1321) is available electronically for downloading and printing at the following site in English and Spanish: <http://www.dol.gov/oasam/programs/osdbu/sbrefa/poster/matrix.htm>. For convenience in posting the Davis-Bacon wage decision, prepare a "Project Wage Sheet (HUD-4720) which is a one-page transcript that will show only the classifications and wage rates for a particular project. See Appendix, Exhibit 5, for the U.S. Department of Housing & Urban Development, Office of Labor Standards, "Project Wage Rate Sheet." See Appendix, Exhibit 6, for the Davis-Bacon Act poster.

Penalties/Sanctions and Appeals: Reimbursement payments may be withheld in sufficient amounts to satisfy liabilities for underpayment of wages and for liquidated damages for overtime violations under the Contract Work Hours and Safety Standards Act (CWHSSA). In addition, violations of the Davis-Bacon contract clauses may be grounds for contract termination, contractor liability for any resulting costs to the government and debarment from future contracts for a period up to three years.

Relation to State, Local, and Other Federal Laws: The Copeland Act makes it a Federal crime for anyone to require any laborer or mechanic (employed on a Federal or Federally assisted project) to kickback (i.e., give up or pay back) any part of their wages. The Copeland Act requires every employer (contractors and subcontractors) to submit weekly certified payroll reports (CPRs) and regulates permissible payroll deductions for wages paid to each employee performing DBRA covered work. Contractors on projects subject to DBRA labor standards may also be subject to additional prevailing wage and overtime pay requirements under State (and local) laws. Also, overtime work pay requirements under CWHSSA) and the Fair Labor Standards Act may apply.

Other Posters: In accordance with Equal Employment Opportunity Laws and the Section 3 Clause of the Housing and Urban Development Act of 1968, the Section 3 Clause and Equal Employment Opportunity Posters must be posted on the work site in a prominent and accessible place where they can be easily seen by the workers. See Appendix, Exhibit 7 and 8, "Section 3 Clause" and "Equal Employment Opportunity is The Law" posters.

Non-discrimination

All projects funded under this Program are subject to the requirements of Title VI of the Civil Rights Act of 1964 (Pub.L. 88-353) and HUD regulations with respect thereto including the regulations under 24 CFR Part 1 and 45 CFR Parts 90 and 91. The contractor/subcontractor agrees that no person shall, on the grounds of race, color, age discrimination or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The business must operate in compliance with all applicable local, state and federal codes, laws and regulation.

All work must be completed in accordance with Community Development Block Grant program; all County building, design ordinances or plans;