

# CITY OF BILOXI

## DOWNTOWN FAÇADE PROGRAM



# **TABLE OF CONTENTS**

- I. FAÇADE PROGRAM PURPOSE**
- II. ELGIBILITY**
- III. PROCEDURE**
- IV. APPLICATION**
- V. PRIORITY AREA/SELECTION**
- VI. ELIGIBLE COST/MAXIMUM GRANT**
- VII. BIDS**
- VIII. INSPECTION**
- IX. DISPUTES**
- X. WARRANTY**
- XI. APPEALS**
- XII. GENERAL**

## **ATTACHMENT**

**A. FAÇADE DISTRICT**

**B. APPLICATION FOR FAÇADE PROGRAM**

**CITY OF BILOXI**  
**DOWNTOWN FAÇADE PROGRAM GUIDELINES**

***I. FAÇADE PROGRAM PURPOSE***

The City of Biloxi with funding from the U. S. Department of Housing and Urban Development (“HUD”) Community Development Block Grant Program (“CDBG”) will promote upgrading facades in the Downtown Façade Improvement District as outlined in attachment “A”. To encourage property owners to improve the overall appearance of the existing buildings by upgrading facades fronting on public streets, the City of Biloxi will provide grants to property owners. The purpose for this grant program is to make the district more appealing to consumers and investors.

These guidelines are not intended to supersede any federal or state regulation. Federal and/or state regulations prevail in the event any conflicts with the guidelines contained herein.

***II. ELIGIBILITY***

The applicant’s property must be included in the downtown façade district as outlined in attachment “A”. Applicants must be property owners in order to execute a façade easement. All properties must be current on all ad valorem taxes and business licenses to participate in the program. All applicants must comply with all local, state and federal laws and regulations pertaining to licensing and permits.

1. The property must lie within the boundaries of the façade district (attachment “A”).
2. The property owner must possess clear title to the property.
3. The façade grant is for commercial property only and not residential property. For purposes of this grant a building with four or more residential units will be considered commercial.
4. The property owner must complete a Downtown Façade Grant Agreement before a contract is awarded to the successful bidder.
5. Any applicant submitting false information or documents required to prove eligibility will be required to repay, in full, all grant funds awarded for their façade improvement project.

### **III. PROCEDURE**

1. Property owners must submit their Downtown Façade Grant Application to the Department of Community Development of the City of Biloxi.
2. The Downtown Façade Grant Advisory Committee reviews the application and gives priority ranking to the application.
3. Based on the amount of funding available, the top priority property owners will receive a letter assigning an architectural firm to the project.
4. An on-site meeting between City, project architect, code officer and property owner will be conducted.
5. The project architect is responsible to design the façade improvements up to the grant amount using the below criteria (note-any amount over the grant amount is the property owners responsibility):
  - a. Corrections of building code violations,
  - b. Façade improvements in accordance with the Architectural Review Design Guidelines of the City of Biloxi, and
  - c. Property owners requested design improvements.
6. An initial inspection to document existing property conditions shall be performed and from that assessment, a detailed Scope of Work and Cost Estimate will be provided to the City and property owner.
7. Periodic design progress review will be conducted by the design architect. Value engineering and scope of work adjustments will continually be made throughout the design process to keep the cost of the façade improvement within the authorized grant amount.
8. At the final design review meeting, the project architect will present to the property owner the final scope of work and final design cost. The property owner will approve final design and estimated cost.
9. The project architect shall consult with the Mississippi Department of Archives and History on project approvals required by the State Regulatory Agency. Approval is required by all governmental authorities including the Mississippi Department of Archives and History before façade improvements can be placed out for bid.
10. If the agreed upon final design exceeds the grants amount, the property owner will provide the City a certified check in the amount estimated above the grant amount. (example-cost estimate \$40,000-grant amount \$30,000-check from property owner \$10,000)

11. The property owner provides the City a construction easement.
12. The City will offer for bid each façade improvement project. Any planned Project that exceeds the available grant amount shall be managed as follows: (1) Before bids are received, the subject property owner will remit to the City the amount of estimate project cost above the grant amount. (2) Once a bid is accepted by the City, the City will refund to the Property Owner any amount remitted in advance, if the actual accepted bid amount is less than the estimate. (3) If the accepted bid is over the estimated bid amount, the property owner will provide the additional funding before the project is awarded.
13. Once the work is complete, a final inspection will be conducted. Any punch list items must be completed before acceptance by the City and property owner and final payment is remitted.
14. Property owner is required to maintain the façade in good condition for a period of five years after completion of the façade.

#### **IV. APPLICATION**

1. The City of Biloxi Community Development Department will solicit applications for the Downtown Façade Program.
2. The application must be completed on form (attachment "C") and must have attached the following information:
  - a. Proof of ownership (warranty deed).
  - b. Flood insurance certificate if required.
  - c. Current City/County Tax receipts.
3. All improvements to the subject properties must be in accordance with the Architectural Review Guidelines. All code violations must be corrected so as to comply with the most current adopted building code of the City.

#### **V. PRIORITY AREAS/SELECTION**

1. The downtown façade improvement district is shown on attachment "A".
2. Preference will be given to the core downtown. The area commonly known as the Vieux Marche` and Rue Magnolia.
3. Preference will also be given to buildings that are occupied or can be occupied and without major code deficiencies.

4. Preference will also be given to buildings that are a historic landmark or a contributing structure in the historic district.
5. Preference will also be given to property owners contributing more than the basic funding requirements.

#### **VI. ELIGIBLE COST/MAXIMUM GRANT**

1. The eligible cost for each property façade is a maximum cost of \$30,000.00.
2. The cost of façade improvements is based upon the exterior façade facing a public street in the following order:
  - a. Cost of correction of exterior building and code related violations that are on the façade.
  - b. Costs of façade improvements designed and constructed in accordance with the Architectural Review Guidelines of the City of Biloxi.
  - c. Costs of owner requested façade improvements.
3. It is the intent of these guidelines that maximum grants shall be \$30,000 for construction cost. However, it is recognized that circumstances may arise that would cause the façade improvement to exceed the grant amount. The Façade Grant Advisory Committee shall approve any excess expenditure and the property owner will be responsible for any amount over \$30,000.00.
4. The Façade Grant Advisory committee may recommend up to a maximum 50% increase in base amount.
5. Construction Change Orders

Change orders must be approved by the City, project architect and property owner. Any change orders above the grant amount of \$30,000.00, the cost will be the responsibility of the property owner with the exception of VI. 4 above.

#### **VII. BIDS**

1. All bids shall follow procurement procedures of the City of Biloxi and the U. S. Department of Housing and Urban Development.
2. Bids shall be submitted to  
City Clerk  
City of Biloxi  
140 Lamuese Street  
Biloxi, MS 39530
3. Bids shall be firm for a period of thirty (60) days from the date of bid closing.

4. Bids may be subject to Davis-Bacon wage determination.
5. The City reserves the right to accept or reject any or all bids or to waive any formality in the bidding process.
6. The City will execute a contract with the lowest and best bidder and will be responsible for all work perform according to bid.

***VIII. INSPECTION***

1. The property owner shall be afforded the opportunity to attend all inspections.
2. A Pre-Construction Construction Conference shall be held with property owner, contractor, City and project architect to review scope of work in bid package.
3. The project architect shall perform appropriate inspections during the construction process.
4. Inspections shall be made to determine contractor is following scope of work as outlined in bid package.
5. A final inspection shall be preformed once all work has been completed and all change orders have been executed to assure work has been completed satisfactorily.

***IX. DISPUTES***

1. All question and disputes of decisions between the contractor and the property owner regarding façade improvement work or methods will be settled by the community development, architect and building inspector. Any code or construction issues may be appealed to the Building Board of Adjustment and Appeals. All other unresolved appeals shall be appealed to the Biloxi City Council.

***X. WARRANTY***

Contractor warranty of workmanship and construction materials contractor warranty installed is for one (1) year.

## **XI. APPEALS**

If a property owner disagrees with a decision on any or all qualifying criteria determining eligibility for the façade grant, he or she may appeal the decision by submitting a written request to the Downtown Façade Grant Program within ten (10) days of notice of the decision. The appeals process requires a letter detailing the applicant's grievance and requested action. This letter should be address to:

City of Biloxi  
Downtown Façade Grant Program  
Department of Community Development  
City of Biloxi  
P. O. Box 508  
Biloxi, MS 39533

## **XII. GENERAL**

No person who is an employee, agent, consultant, officer, elected or appointed official who exercises or has exercised any functions or responsibilities with respect to the Community Development Block Grant activities or who is in a position to participate in decision making process or gain from inside information with regard to CDBG activities or may obtain a personal or financial interest or benefit from a CDBG assisted activity or have an interest in any contract, subcontract, or agreement with respect thereto or the proceeds there under, either for themselves or those whom they have family or business ties, during their tenure or for one (1) year thereafter. Public buildings are exempt in respect to selecting a public building for a grant.

ATTACHMENT “A”

FAÇADE DISTRICT



ATTACHMENT “B”

FAÇADE IMPROVEMENT  
PROGRAM GRANT  
APPLICATION

**DOWNTOWN FAÇADE GRANT PROGRAM**  
**APPLICATION**  
**FAÇADE GRANT**

**Date Received** \_\_\_\_\_ **Time Received** \_\_\_\_\_

**SECTION A – APPLICANT INFORMATION**

1. Full Name: \_\_\_\_\_

2. Address: \_\_\_\_\_

3. Mailing Address: \_\_\_\_\_

4. E-Mail: \_\_\_\_\_

5. Telephone: \_\_\_\_\_

6. Cell Phone: \_\_\_\_\_

**Property Information**

1. Physical address of property to be improved:

\_\_\_\_\_

2. Legal name of entity/person owning the property:

\_\_\_\_\_

Name of Property Owner(s): \_\_\_\_\_

Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Telephone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Federal Tax ID No.: \_\_\_\_\_

How long owned by this entity/person? \_\_\_\_\_

3. Occupant/Tenant Information

Legal Name of Occupant: \_\_\_\_\_

Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Telephone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

**SECTION B - DOCUMENTATION**

1. Ownership/Tenant Lease

a. Warranty Deed/Proof of Ownership \_\_\_\_\_

b. Tenant Lease Documents \_\_\_\_\_

c. City & County Tax Receipts

Current Year Paid \_\_\_\_\_

2. Insurance

a. Flood Insurance – Current Policy \_\_\_\_\_

b. Documentation Not Required \_\_\_\_\_

3. Historical Documentation

a. National Park Service \_\_\_\_\_

b. MS Department of Archives & History \_\_\_\_\_

Comments:

**Statement of Understanding – I understand and acknowledge that submission of this Application does not guarantee a grant award for façade improvements. Everything I have stated in this Application is correct to the best of my knowledge. I understand that you will retain this Application whether or not it is approved. You are authorized to check my employment history. You are also authorized to obtain a title opinion and an appraisal of my property, if applicable.**

Signature \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_