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David City 2023 Downtown Revitalization Grant Program

Items Included:

1. Application Checklist
2. Downtown Area Map
3. Program Guidelines
4. Davis Bacon Labor Standard - Contractor's Guide
5. Contractor List
6. Butler County Wage Determination - 6/16/23
7. Grant Instructions & Process
8. Application
9. Frequently Asked Questions
10. Historical Preservation Information

Questions:

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Will Reiter, Recreation Coordinator– 402-367-3135

James Owens, SENDD/Grant Administrator – 402-475-2560

DOWNTOWN REVITALIZATION (DTR) APPLICATION CHECKLIST

Applicants need to complete all of the below items for their application to be considered.

- Project does not contain activities from the list of ineligible improvements (pg 4 of Guidelines)
- Have financing available to pay 100% of the cost up-front (i.e. traditional financing) and can commit to paying at least 25% in match
- Project is located in the designated area
- At least two bids from contractors are included
- Contractors were made aware of Davis-Bacon requirements before completing the estimate
- Architectural or engineering costs are not included
- SHPO has been consulted regarding project details prior to submission and historical requirements are understood
- Photos showing all relevant subjects are included
- Preliminary design sketches and work descriptions are included
- If code is included, a building inspector report is signed off and included
- All sections of the application have been completed to the best of your knowledge

Applicants need to complete 'All' and any relevant section(s) below for their application to be considered.

● **All**

- Signed Hold Harmless Agreement
- Signed Attestation of U.S. Citizenship
- Authorization from property owner is tenant
- City building permit, if applicable
- Timeline for proposed improvements
- Description of proposed improvements
- Justification for work

● **Structural/Exterior Building Repairs or Alterations**

- Details of the improvements to be repaired or replaced
- Location of the improvements
- Details on the condition of the existing improvements
- Two detailed estimates from contractors
- Color photos of improvements

● **Façade**

- Drawing of proposed changes
- Two detailed estimates from contractors.
- Color photos of existing facade on all sides

● **Roof**

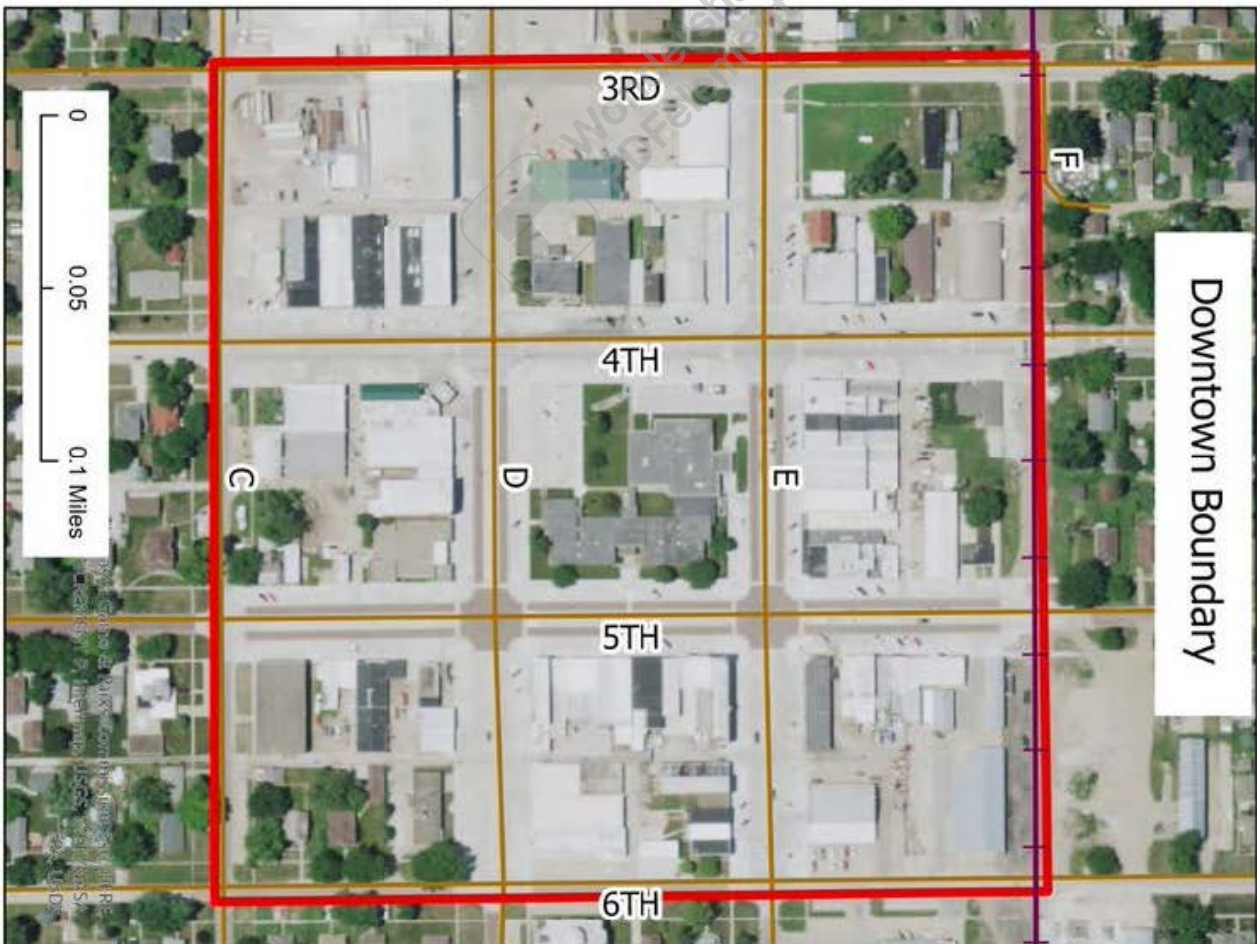
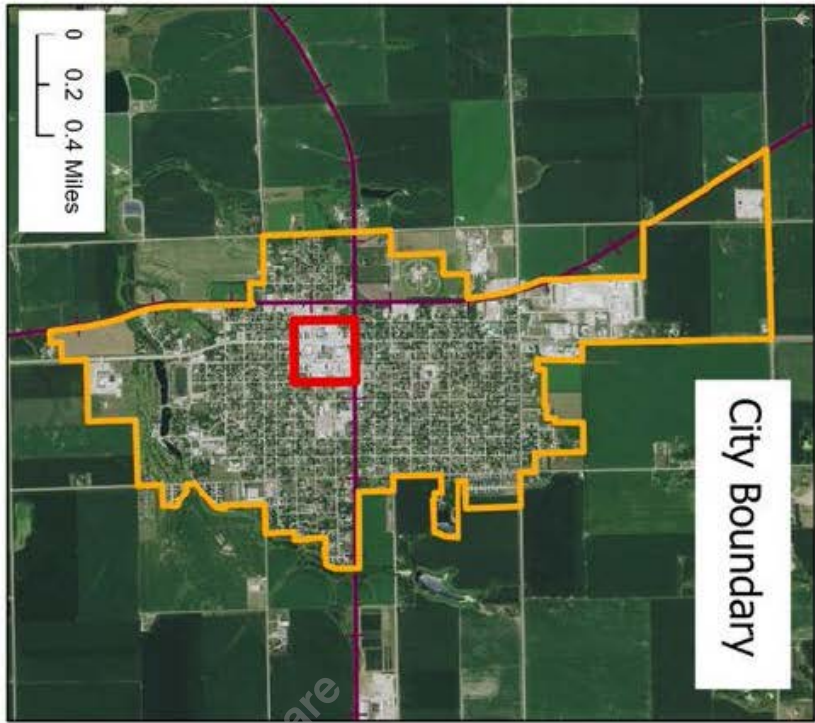
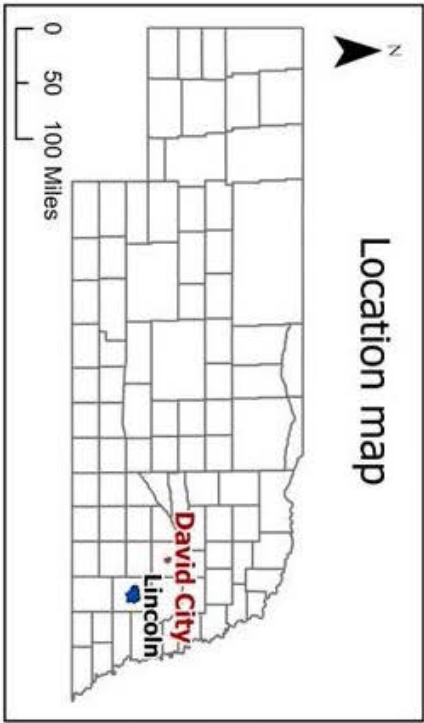
- Details on type of roof being replaced
- Details of replacement materials
- Two detailed estimates
- Color street level photos if roof is visible and detailed photos of damaged area

● **Windows**

- Details on windows to be replaced (include configurations, material, colors)
- Two detailed estimates from contractors
- Color photos of proposed improvements

● **Paint (not a stand alone improvement)**

- Samples of chosen colors provided (including an indication of primary and accent colors)
- Detailed color photos of proposed location for each new color
- Two detailed estimates from contractors





City of David City, Nebraska Downtown Revitalization Program Guidelines

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DOWNTOWN REVITALIZATION PROGRAM GUIDELINES

I. Program Overview

Statement of Purpose:

To improve downtown buildings by restoring, renovating, replacing or reconstructing above ground facades, commercial code compliance repairs, structural repairs/alterations and exterior building repairs. These improvements will be in accordance with historic preservation guidelines to achieve five (5) significant goals and are part of an overall strategy to attract consumers and new businesses, as well as to support existing businesses. These five (5) goals are:

1. Improve the economic potential of individual buildings and the Downtown area
2. Strengthen property values and reduce or eliminate vacancies in the Downtown area
3. Improve the blighted condition and appearance of buildings in the Downtown area
4. Enhance the environmental and historical quality of the Downtown area
5. Encourage pride in the Downtown area

Funding Mechanism

A Downtown Revitalization (DTR) Program is administered by the City of David City and funded by the Community Development Block Grant (CDBG) Downtown Revitalization Program.

Grant Details

- Available to property owners within the designated DTR Area as identified in the 2021 DTR Plan prepared by the University of Nebraska-Lincoln (UNL)
- Eligible improvements include the rehabilitation of buildings and addressing safety and code violations
- The David City City Council shall appoint a Downtown Revitalization Committee (DTR Committee)
- Application deadline will be determined by the DTR Committee. If surplus funds remain after the first application cycle, additional cycles will be determined by the DTR Committee
- Requires a minimum 25% match from each participant
- Requested amounts and designs will be reviewed by the DTR Committee
- The DTR Committee will make project funding recommendations to the David City City Council, with the City Council making the final award decision

DOWNTOWN REVITALIZATION PROGRAM GUIDELINES

- Work must be completed and invoices submitted prior to the contract end date December 25, 2024.

II. Application Guidelines

The purpose of this program is to assist in the creation of a cohesive, cost-effective and vibrant downtown business district and if applicable to restore, improve or create historic architectural features to facades of buildings within downtown David City as identified within the DTR Plan.

Eligible Applicants

This program is available to property owners, business owners and tenants within the designated DTR Plan area in the David City Business District, as identified and defined by the 1998 Blight and Substandard Study Area 1 (Exhibit A). Attestation of U.S. Citizenship will be required if the applicant is an individual or a sole proprietor.

Eligible Improvements

Eligible improvements include structural and code compliance repairs and building facade rehabilitation. Eligible improvements include but are not limited to:

- Brick/masonry repair or restoration
- New or replacement of awnings and signs
- Exterior wall repairs, including the repair, restorative installation of decorative details and other design features
- Building mounted facade lighting
- Entryway, door and window repairs and replacements
- Miscellaneous facade improvements
- Facade code violation eradication
 - i. Repairs of building code compliance issues identified in an inspection conducted by the City of David City
- Roof and gutter replacements (on a case by case basis)
- Americans with Disability Act (ADA) improvements
- Painting is eligible for exterior facade improvements in combination with above activities or permanent signage for restoration and historic preservation that are fixed to the structure

Ineligible Improvements

- Residential
- Interior Improvements that do not address code violations
- Roof and gutter replacement maintenance or repairs
- Some code issues will not be covered (this is on a case by case basis)
- Painting as a sole activity
- Sidewalks

DOWNTOWN REVITALIZATION PROGRAM GUIDELINES

III. Program Guidelines

1. A minimum 25% match is required by each participant.
2. Projects shall be located in the designated downtown business district as stated in the City of David City 2021 DTR Plan. A copy of the designated map is attached hereto as Exhibit A.
3. Request amounts and designs will be reviewed by the DTR Committee. The DTR Committee will make project funding recommendations for approval by the David City City Council. Priorities shall be given on a first-come, first-serve basis.
4. Each application will be considered solely on its merits, without regard to age (provided the applicant is of age as prescribed by law), color, creed, marital status, national origin, political party affiliation, race or gender of the applicant(s).
5. \$25,000 of the total awarded grant funds shall be reserved for administrative costs and \$10,000 for construction management.
6. \$400,000 shall be set aside for forgivable loans in the amount greater than \$1,000 but no greater than \$50,000 for eligible applicants and eligible improvements.
7. The DTR program funds will be reimbursed to the applicant for eligible project costs and will become a five (5) year forgivable loan. This is done to ensure that the improvements will remain in place.
8. The five (5) year forgivable loan can be transferred by the property owner at the time of a sale to the purchaser if approved by the David City City Council.
9. For each forgivable loan, the applicant will be required to sign a Promissory Note and the property owner will be required to sign a Deed of Trust.
10. Improvements must remain intact for a minimum period of five (5) years from the date of completion. Changes to funded improvements prior to five (5) years may trigger repayment.
11. Where practical, building facades shall be restored to historic standards. If it is deemed not practical by the DTR Committee then a similar architectural design shall be used.
12. If a building does not have a historic significant architectural design, feature or designation, an application may still be submitted.

DOWNTOWN REVITALIZATION PROGRAM GUIDELINES

13. No work for which funding is sought shall begin until authorized by the CDBG Administrator.
14. To qualify for funding, an application with appropriate conceptual plans and other documents must be submitted to the City Clerk at 490 E Street, David City, NE 68632.
15. The work proposed by the applicant requires at least two (2) bids from outside sources to verify that costs are within reasonable parameters. The DTR Committee may waive this requirement in special circumstances.
16. All projects must comply with City of David City Building Codes as currently adopted by the City as well as relevant Nebraska Statutes, Rules and Regulations.
17. Contractors are required to comply with Davis-Bacon Wage Determination and E-Verify requirements. Applicants should notify contractors of this when securing bids.
18. Applicants are responsible for any architectural fees, preparing design specifications, any engineering and any other costs.
19. Attestation of U.S. Citizenship form is required if the applicant is an individual or sole proprietor.
20. Projects are subject to a Tier II environmental review and approval from the State Historic Preservation Office (SHPO) in compliance with Section 106 standards.
21. All amendments to the program guidelines shall be approved by the David City City Council with prior approval or recommendation of the Nebraska Department of Economic Development.

IV. Design Guidelines

For the benefit of the entire City of David City, this program encourages the improvement of facades and buildings in the downtown business district, so as to accentuate economic opportunities and the historic elements of the district through the restoration, renovation, replacement or reconstruction of facades, as defined:

Facade shall mean the exterior of a building exposed to public view from the building's exterior. This will typically include a visual impact with items such as awnings, windows and signage.

Restoration is the preferred treatment for building facades and improvements. Restoration is most applicable to buildings where there has been very little change to the building facade over time. This results in the return of the facade to its original appearance through the use of authentic materials and colors and the replication of missing or deteriorated components.

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Renovation results in improvements which do not attempt to return the building to its original appearance. Improvements made should be sensitive to historic details and materials and should respect any original character that is remaining.

Replacement of facades is appropriate when the majority of the original facade is missing or has been significantly altered so as to make restoration or renovation impractical. Facade designs should select materials, dimensions and architectural details that are similar or compatible to surrounding buildings such as facade height, window size and spacing, materials and colors. It should be noted that in some cases the current facade alteration may be considered historic in their own right, even if the current look is not original. Projects that intend to replace any aspects of the facade or exterior structure are encouraged to consult with SHPO before application to identify potential project challenges.

Reconstruction takes place when the building and its features no longer exist. With reconstruction, facade designs are created through new construction to replicate, mimic, resemble or accentuate historic period details.

Interior work for residential or commercial purposes often follows a similar definition to the above. In terms of work being done inside a building, work typically allows great variation from the historical design and looks to accommodate modern needs and code.

The DTR Committee may adopt design guidelines to provide additional guidance to applicants.

SHPO encourages applicants to contact their office before final project plans are made. Early contact with their office can help identify potential project delays and clarify what may be considered appropriate or inappropriate work for grant projects. SHPO may be reached at 402-471-3270 (Option 3 - Preservation Office) or you may also contact the City Office at 402-367-3135 for additional historic preservation assistance.

V. Project Design and Document Approval

1. Pre-applications will be reviewed by the DTR Committee. Those projects that the DTR Committee requires additional information about will be asked to submit sketches and a description of the intended use of the funds, which may be amended.
 - a. **Note:** Sketches and description of the planned improvements need only be conceptual but must show enough detail so the DTR Committee can make comments and recommendations.
2. The DTR Committee will conduct a preliminary review of all applications.
3. Applications receiving preliminary approval by the DTR Committee will be forwarded to the CDBG Administrator for Tier II environmental reviews.

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4. If the applicant wishes to participate in the program, the applicant will arrange for preparation of construction drawings and price quotations and provide a copy for the review.
5. The DTR Committee will review the formal application and make a recommendation to the City Council.
6. The City Council will award funding if approved.
7. The CDBG Administrator will meet with the applicant and contractors to review and complete paperwork and legal documents at a preconstruction meeting.
8. After formal approval and completion of all necessary documents, the CDBG Administrator will issue a Notice to Proceed to the applicant.
9. After receiving the Notice to Proceed, the project will begin according to approved design. Any changes must be reviewed by the DTR Committee, SHPO, undergo further Tier II environmental review and be approved by the City Council.
10. The applicant must ensure that the selected contractor is aware of Davis-Bacon Wage Requirements prior to final selection of the contractor.
11. The contractor must be E-Verified and the applicant must be registered on the System for Award Management (SAM) prior to signing the contract between the applicant and contractor.
12. The contractor must work with the CDBG Administrator and adhere to funding rules and regulations.
13. The applicant must submit invoices and corresponding canceled checks to the City.
14. At the project completion, the CDBG Administrator will conduct a final review to ensure that the project has been completed as proposed.
15. The CDBG Administrator will prepare the grant drawdown documents.
16. The City of David City will distribute grant funds as a forgivable loan to the applicant upon receipt from the Nebraska Department of Economic Development.
17. The DTR Committee will review facade and building improvements annually for a period of five (5) years to ensure that the approved designs remain intact.

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VI. Application Review Process

All applications submitted will be sent to Southeast Nebraska Development District (SEND), to ensure prospective projects comply with federal, state and local program guidelines. The City Attorney will confirm property ownership (verified by written confirmation from the Butler County Register of Deeds under a deed search), property taxes are paid and current, property hazard insurance is paid and current, existing liens on property and confirm zoning compliance. Only applications which meet CDBG requirements and whose ownership is confirmed by the attorney will be scored by the DTR Committee as described below.

Applications which have been reviewed and scored will be referred to the City Council for award at the subsequent City Council meeting. Any additional materials requested from the business owner in order to determine eligibility and compliance must be provided prior to referring the project to the David City City Council for award of funds. Application review and scoring will occur on a rolling basis and the Council will continue to issue awards until CDBG funds are fully allocated.

VII. Scoring Criteria

Scoring criteria will include project eligibility, application completeness, conformance with priority improvements and non-priority improvements, conformance with Design Guidelines and clear and complete project summary and/or drawings. Each application will be considered solely on its merits, without regard to age, color, creed, marital status, national origin, political party affiliation, race or gender of the applicant(s).

Formal Notification of Selection and Non-Selection

In conjunction with SEND, the City will notify applicants in writing of either approval or rejection upon determination by the City Council. After formal approval and completion of all necessary documents, the CDBG Administrator will issue a Notice to Proceed to the applicant.

VIII. Supporting Data

Application Documentation Checklist

The following information shall be submitted with the application:

Facade:

- Provide a drawing of propose changes
- Submit two (2) detailed written estimates from contractors of your choosing
- Submit color photos of existing facade on all exposed sides
- Timeline for the proposed improvements

Paint (only applicable with other improvements):

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- Provide samples of the colors chosen
- Indicate which color will be used as primary and which colors will be used for accents
- Indicate where each color will be used
- Submit two (2) detailed written estimates from contractors of your choosing
- Submit color photos of area to be painted on all exposed sides
- Timeline for the proposed improvements

Windows:

- Provide details on windows to be replaced
- Provide details on replacement windows
- Submit two (2) detailed written estimates from contractors of your choice
- Submit color photos of existing facade on all exposed sides
- Timeline for the proposed improvements

Roof:

- Provide details on the type of roof being replaced
- Provide details on the roofing materials that will be used
- Submit two (2) detailed written estimates from contractors of your choice
- Submit color photos of roof from street level (if visible) and damaged area requiring replacement
- Timeline for the proposed improvements

Structural/Exterior Building Repairs or Alterations:

- Provide details of the components to be repaired or replaced
- Note where these components are located
- Provide details on the condition of the existing components
- Submit two (2) detailed written estimates from contractors of your choice
- Submit color photos of the components being worked on all exposed sides
- Timeline for the proposed improvements

All:

- Submit signed Hold Harmless Agreement
- If applying as an individual or sole proprietor, submit a signed Attestation of U.S. Citizenship
- If applying as a business owner or tenant, provide written authorization from the property owner for the improvements
- Submit a copy of City building permit, if applicable

Conflict of Interest

No member of the governing body of the City of David City and no other official, employee or agent of those organizations who exercises policy, decision-making functions or responsibilities in connection with the planning and implementation of this program shall:

DOWNTOWN REVITALIZATION PROGRAM GUIDELINES

- Be directly or indirectly eligible for this Program;
- Accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub-agreement;
- Obtain a financial interest or benefit from a Program activity;
- Have an interest in any contract, subcontractor agreement for themselves or for persons with business or family ties.

Grievance Procedure

Complaints concerning the Downtown Revitalization Program shall be in writing and addressed to the DTR Committee. A written response will be made within 15 working days. If the project is not satisfied, complaints may be filed with the City Council. The City Council shall meet, as soon as practicable, to review all factors in the complaint for a determination and solution.

Compliance Policies

The applicant shall be required to sign a Certification of Assurances, a sample of which is attached (**Appendix D**) to comply with the requirements of this plan and (as applicable) shall comply with:

1. The Civil Rights Act of 1964 (PL 88-352) and Title VII of the Civil Rights Act of 1968 (PO 90-284);
2. Housing and Community Development Act of 1974, as amended;
3. Age Discrimination Act of 1975;
4. Section 504 of the Rehabilitation Act of 1973;
5. Davis-Bacon Act, as amended (40 U.S.C 276a-276a-5), where applicable under Section 110 of the Housing and Community Development Act of 1974 as amended;
6. Fair Labor Standards Act of 1938, as amended, (29 U.S.C., 102 et, seq);
7. Preservation of Historical and Archaeological Data Act of 1974 (PL, 93-291);
8. National Historic Preservation Act of 1966, Section 106 (PL 89-665);
9. National Environmental Policy Act of 1969;
10. Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1979, Title II and Title III;

DOWNTOWN REVITALIZATION PROGRAM GUIDELINES

11. Nebraska Community Development Law, Section 18-2101 to 18-2144, Revised Statutes of Nebraska, 1943

The City and the CDBG Administrator, Southeast Nebraska Development District (SENDD), shall comply with the following requirements (as applicable):

1. U.S. Office of Management and Budget Circular A-87, “Cost Principles for State and Local Governments”;
2. U.S. Office of Management and Budget Circular A-102, “Uniform Administrative Requirements for Grants-in-Aid to States and Local Governments”;
3. Acquisition of Property for Publicly Financed Projects, Sections 76-1201 to 76-1213, Nebraska Statutes Revised, 1943, as amended;
4. Community Development Law, Sections 18-2101 to 18-2144, Nebraska Statutes Revised, 1943, as amended;
5. Public Meetings Law, Sections 18-1401 to 18-1407, Nebraska Statutes Revised, 1943, as amended;
6. The Hatch Act of 1938, as amended;
7. Certification of Assurances (**Appendix D**); and

It is expressly understood that all applicable local, state and federal laws, rules, regulations and any other requirements applicable to this Downtown Revitalization Program are hereby incorporated by reference and hereinafter apply to all applicable parties to the extent provided by law.

IX. Abbreviations and Definitions of Terms

CDBG – Community Development Block Grant – A federal program that provides funding for community and economic development projects to encourage additional federal, state and private resources. Communities receiving CDBG funds use those grants to provide safe and sanitary housing, a suitable living environment and expanded economic opportunities. The Nebraska Department of Economic Development (DED) administers the CDBG program for most of the state. Due to population size, some cities in Nebraska are the administrators of the CDBG program in their communities. DED receives federal funds for CDBG from the U.S. Department of Housing and Urban Development (HUD) on an annual basis. Communities can apply to use those funds for the planning and construction of projects that:

- Benefit low and moderate income persons
- Prevent or eliminate slum and blight conditions

DOWNTOWN REVITALIZATION PROGRAM GUIDELINES

- Solve catastrophic health and safety threats

Davis-Bacon Wage Determination – A wage determination is the listing of wage rates and fringe benefit rates for each classification of laborers and mechanics which the Administrator of the Wage and Hour Division of the U.S. Department of Labor has determined to be prevailing in a given area for a particular type of construction (e.g., building, heavy, highway or residential). The Wage and Hour Division issues two types of wage determinations: general determinations, also known as area determinations and project determinations. The term wage determination is defined as including not only the original decision but any subsequent decisions modifying, superseding, correcting or otherwise changing the rates and scope of the original decision.

In accordance with the provisions of 29 CFR Part 1 and Part 5, the wage rates and fringe benefits in the applicable Davis-Bacon wage determination shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

DED – Department of Economic Development – is the U.S. State of Nebraska agency responsible for economic development in the state. Created by the Nebraska State Legislature in 1967, the department's emphasis is growing and diversifying the state's economic base by fostering new investment and commercial spending throughout the state.

DTR – Downtown Revitalization

E-Verify – E-Verify is a web-based system that allows enrolled employers to confirm the eligibility of their employees to work in the United States. E-Verify employers verify the identity and employment eligibility of newly hired employees by electronically matching information provided by employees on the Form I-9, Employment Eligibility Verification, against records available to the Social Security Administration (SSA) and the Department of Homeland Security (DHS).

E-Verify is a voluntary program. However, employers with federal contracts or subcontracts that contain the Federal Acquisition Regulation (FAR) E-Verify clause are required to enroll in E-Verify as a condition of federal contracting. Employers may also be required to participate in E-Verify if their states have legislation mandating the use of E-Verify, such as a condition of business licensing. Finally, in some instances employers may be required to participate in E-Verify as a result of a legal ruling.

E-Verify, which is available in all 50 states, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands and Commonwealth of Northern Mariana Islands, is currently the best means available to electronically confirm employment eligibility.

Facade – shall mean the exterior wall of a building exposed to public view from the building's exterior. This will typically include a visual impact with items such as awnings, windows and signage.

DOWNTOWN REVITALIZATION PROGRAM GUIDELINES

Restoration – is the preferred treatment for building facades and improvements. Restoration is most applicable to buildings where there has been very little change to the building over time. This results in the return of the building to its original appearance through the use of authentic materials and replication of missing or deteriorated components.

Replacement – appropriate improvements when the majority of the original façade or building is missing or has been significantly altered so as to make restoration or renovation impractical. Designs should select materials, dimensions and architectural details that are similar or compatible to surrounding buildings such as height, size and spacing, materials and colors.

SAM – System for Award Management – the System for Award Management (SAM) is an official website of the U.S. government. There is no cost to use SAM. You can use this site at not cost to:

- Register to do business with the U.S. government
- Update or renew your entity registration
- Check status of an entity registration
- Search for entity registration and exclusion records

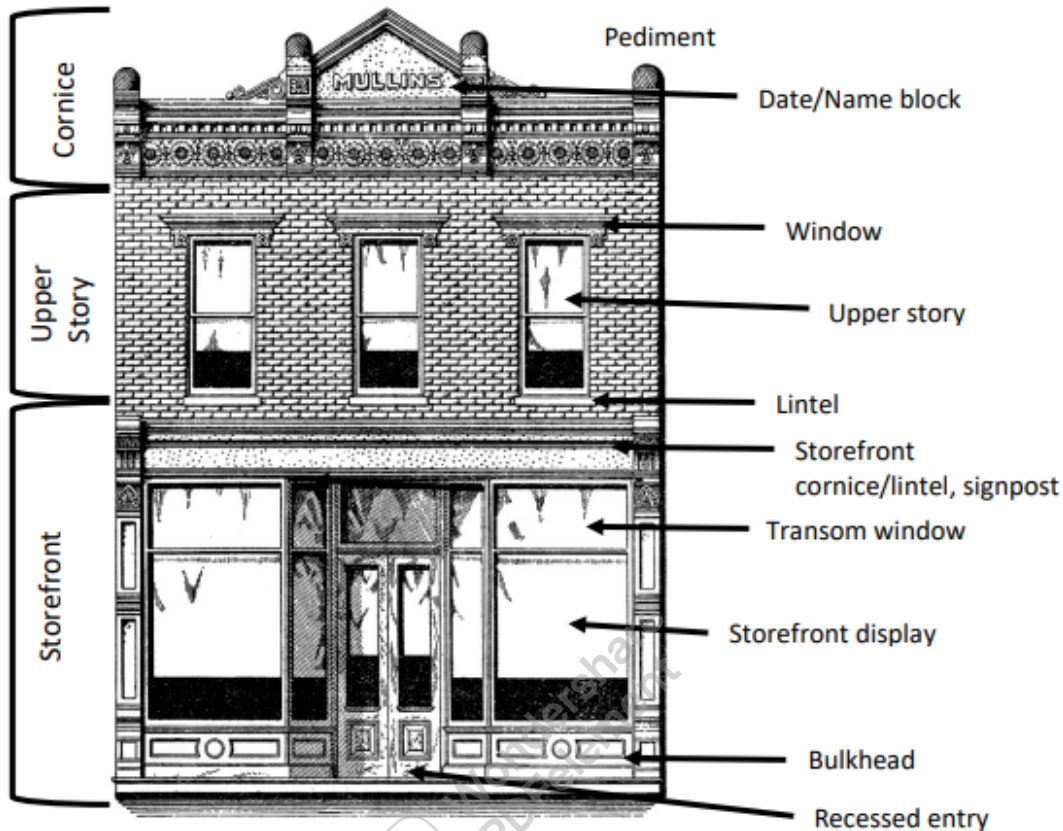
SEND – Southeast Nebraska Development District – is a voluntary association of counties and municipalities formed under the Nebraska Interlocal Cooperation Act to identify common problems, their solutions and to provide continuing support for efficient and effective government among its members. Website: www.sendd.org

SEND Membership includes the Counties (and their participating communities) of: Butler, Fillmore, Gage, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Polk, Saline, Saunders, Seward, Richardson, Thayer, and York.

SHPO – State Historic Preservation Office

Tier II Environmental Review – is the examination of a project relative to the National Environmental Policy Act of 1969 (NEPA) and its related laws. NEPA was established to ensure environmental protection for government funded projects.

X. Commercial Building Design Features and Definitions



Bulkhead – Located between sidewalk and storefront window, the bulkhead raises the display area for better viewing and provides a base that can withstand pedestrian traffic for the storefront windows. Bulkheads were often constructed of wood. Because bulkheads are vulnerable to weather and damage, many have been replaced with more durable materials like tile, stone and brick.

Cornice – The cornice tops the main facade of a building. This feature is typically made of decorative formed metal or patterns of brick, sometimes terra cotta or stone in larger commercial buildings in urban areas.

Date/Name Block – The date block and sometimes a name block can be found within the design of the cornice or below the cornice on the upper part of the facade. It contains the date the building was built and/or name of the original building owner(s).

Facade – The main or front exterior face(s) of a building.

Lintel – Horizontal piece located at the bottom of a window, door or other opening.

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Sign Panel – Located above the storefront, this space for signage was traditionally defined with a brick frame.

Storefront Cornice/Lintel – Not as elaborate as the cornice atop the building, it's used to cap the top of the storefront opening. Also serves as a structural element carrying the weight of the upper facade wall.

Storefront Display Windows – Originally used to bring natural light into the building, they provide an excellent opportunity for product and merchandise displays.

Transom Windows – Window area directly above display windows. Filter light back into narrow traditional commercial buildings, illuminating the interior.

Window Hood/Lintel – Decorative piece located at the top of a window, door or other opening.



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2023 DAVIS-BACON LABOR STANDARD

Contractor's Guide

Section I – The Basics

1-1 The Wage Decision.

All Community Development Block grant (CDBG) Contractors must comply with the Prevailing Wage Requirements. Davis-Bacon labor standards stipulate the wage payment requirements for Carpenters, Electricians, Plumbers, Roofers, Laborers, and other construction work classifications. The Davis-Bacon wage decision that applies to the project contains a schedule of work classifications and wage rates that must be followed.

- a. **The work classification and wage rates.** A Davis-Bacon wage decision is simply a listing of different work classifications and the minimum wage rates that must be paid to anyone performing work in those classifications. A Project Wage Rate Sheet will be provided with prevailing wages and fringe benefits.
- b. **Posting the wage decision.** If you are the prime contractor, you will be responsible for posting a copy of the Project Wage Rate Sheet and a copy of the DOL Davis-Bacon poster titled Employee Rights under the Davis-Bacon Act (Form WH-1321) at the job site in a place that is easily accessible to all of the construction workers employed at the project and where the wage decision and poster won't be destroyed by wind or rain, etc.

1-2 Additional "Trade" Classifications and Wage Rates.

What if the work classification you need isn't on the wage decision? Please contact James Owens, Grant Administrator at SENDD, phone (402) 475-2560 or email jowens@sendd.org.

1-3 Certified Payroll Reports.

You will need to submit a weekly certified payroll report (CPR) beginning with the first week that your company works on the project and for every week afterward until your firm has completed its work. It is recommended to number the payroll reports beginning with #1 and to clearly mark your last payroll for the project "Final."

- a. **Payroll formats.** Please use DOL's WH-347, Payroll. You may access a fillable version of the WH-347 online at HUD Clips (HUD Forms and Publications):
<https://www.dol.gov/whd/forms/wh347.pdf>
- b. **Payroll certifications.** The weekly payrolls are called certified because each payroll is signed and contains language certifying that the information is true and correct. Please make sure to include the signed second sheet.

- c. **“No Work” payrolls.** “No work” payrolls may be submitted whenever there is a temporary break in your work on the project, for example, if your firm is not working on the project but will be returning to the job in a couple of weeks. However, if you know that your firm will not be working on the project for an extended period of time, please send a short note to the Grant Administrator, James Owens, to let him know about the break in work and to give an approximate date when you will return to the project. If you number payrolls consecutively or if you send a note, you do not need to send “no work” payrolls.
- d. **Payroll retention.** Every contractor must keep a complete set of their own payrolls and other basic records such as employee addresses and full SSNs, time cards, tax records, evidence of fringe benefit payments, for a Davis-Bacon project for at least three (3) years.
- e. **Payroll inspections.** In addition to submitting payrolls to the Grant Administrator, every contractor must make their copy of the payrolls and other basic records available for review or copying to any authorized representative.
- f. **Please feel free to contact the Grant Administrator with any questions while preparing the Form WH-347.**

Section II – Payroll Reviews

1-4 **Compliance Reviews.**

- a. **On-site interviews.** Every employer must make their employees available for interview at the job site with the Grant Administrator or other agency representative. The interviews are confidential and the employee will be asked about the kind of work they perform and their rate of pay. Every effort will be made to ensure that these interviews cause as little disruption as possible to the on-going work. The interviewer will record the interview information, on a form HUD-11, record of Employee Interview, and forward the interviews to the Grant Administrator.
- b. **Project payroll reviews.** The Grant Administrator will compare the information on the interview forms to the corresponding payrolls to ensure that the workers are properly listed on the payrolls for the days and hours worked on the job site, work classification and rate of pay. The Grant Administrator will also review the payroll submissions to make certain that the payrolls are complete and signed; that employees are paid no less than the wage rate for the work classification shown; and all other documentation as may be required.

Downtown Revitalization Pre-qualified Contractor List					
Contractor Name	Address	City	State	Zip	Phone Number
Lincoln Glass	1624 S 17th Street	Lincoln	NE	68502	402-475-6785
Lincoln Patio & Tent	3900 Cornhusker Hwy Ste 1	Lincoln	NE	68504	402-467-4559
Anderson Construction	1604 253 Drive	Seward	NE	68434	402-641-6074
Ironhide Construction	3301 S 7th Street Ste C	Lincoln	NE	68502	402-420-4961
DBS Construction	329 S 6th Street	Seward	NE	68434	402-643-4321
Nitz and Son					402-540-1661
Krivada & Son Masonry	510 Windsor Dr	Lincoln	NE	68528	402-890-1527
Knisley Construction	PO Box 85	Goehner	NE	68434	402-523-4043
AAA Roofing	3641 N 22nd St	Lincoln	NE	68521	402-438-1212
Allied Awning	6319 Ames Ave.	Omaha	NE	68104	402-453-9443
Fire SPK	2821 W P Cir #2	Lincoln	NE	68528	402-420-2025
Butzke Contracting	2301 N. 49th Street #2	Lincoln	NE	68504	402-641-6267
Kadavy	216 Ash St.	Seward	NE	68434	402-641-9257
Hartley	139 N. 6th St.	Seward	NE	68434	402-641-1535
Continental	4518 S. 133rd St.	Omaha	NE	68137	402-330-5170
Drain Rite	4701 Pierce Drive, Suite #A7	Lincoln	NE	68504	402-419-4630
Concrete Designs	1910 Raymond Rd	Garland	NE	68360	402-588-2292
Empire Painting	PO Box 6275	Lincoln	NE	68506	402-805-0085
Combs Concrete	117 N Blackburn Ave.	York	NE	68467	402-362-0168
Midwest Roofing	525 Avenue M	Kearney	NE	68847	308-233-4310
Nebraska Door & Window	1714 Culbera St	Lincoln	NE	68521	402-435-3840
York Boot N Repair	514 N Grant Ave	York	NE	68467	402-362-5063
JLC, Inc.	321 W 4th Street	York	NE	68467	402-362-3339
Robinson Enterprises	2124 E 16th Street	York	NE	68437	402-362-2670
Masonry Restoration	PO Box 36	Osceola	NE	68561	402-747-2155
Conner Roofing	3702 N Division Ave	York	NE	68467	402-362-6689
Radcliff Painting	927 Hutchins Ave	York	NE	68467	402-363-1952
Wallingford Sign Co	406 N Lincoln Ave	York	NE	68467	402-362-5776
Hartig Electric	118 S 4th St	Beatrice	NE	68310	402-239-9695
Patina	1901 N Lincoln Ave	York	NE	68467	402-745-1085
Dan's Construction	3016 Division St	York	NE	68467	402-362-6754
Heiss Electric	1312 Road 16	York	NE	68467	402-366-4151
Steever Masonry Co	1316 Rd N	York	NE	68467	402-362-5427
Love Signs	3500 Cleveland #2	Lincoln	NE	68504	402-325-0293
Luke Phillips		Hickman	NE		402-705-0355
Louie Castillo/R&R Renovations					531-242-1113
Harlow Homes	1118 Road P	York	NE	68467	402-366-9813
Korger Construction, LLC	2845 Holdrege St	Lincoln	NE	68503	402-304-3481

This is a non-exhaustive list of contractors that have experience working with SENDD on Downtown Revitalization projects in the region. You are under no obligation to use any of these contractors, and we encourage you to reach out to any contractor that you feel will do the the best job for you. Just remember that any contractor will need to be made aware that this is a federally grant funded project for which Davis-Bacon regulations will apply, and that they will need to be verified by SENDD to be eligible to receive federal funds as payment. Please reach out to the DTR Committee if you need assistance choosing a contractor.

"General Decision Number: NE20230081 06/16/2023

Superseded General Decision Number: NE20220081

State: Nebraska

Construction Type: Building

Counties: Butler, Fillmore, Gage, Jefferson, Johnson, Nemaha, Polk, Richardson, Saline and Thayer Counties in Nebraska.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes or apartments up to and including 4 stories).

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60).

<p>If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:</p>	<ul style="list-style-type: none"> . Executive Order 14026 generally applies to the contract. . The contractor must pay all covered workers at least \$16.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2023.
<p>If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:</p>	<ul style="list-style-type: none"> . Executive Order 13658 generally applies to the contract. . The contractor must pay all covered workers at least \$12.15 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2023.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

Modification Number Publication Date

0	01/06/2023
1	01/13/2023
2	01/20/2023
3	02/03/2023
4	06/16/2023

BRNE0001-004 05/30/2022

JOHNSON AND RICHARDSON COUNTIES

	Rates	Fringes
BRICKLAYER.....	\$ 31.70	17.74

BRNE0001-008 05/30/2022

BUTLER, FILLMORE, GAGE, JEFFERSON, NEMAHA, POLK, SALINE AND THAYER COUNTIES

	Rates	Fringes
BRICKLAYER.....	\$ 31.70	17.74

ELEC0265-003 09/01/2022

	Rates	Fringes
ELECTRICIAN		
Zone 1.....	\$ 31.00	15.75
Zone 2.....	\$ 31.30	15.77
Zone 3.....	\$ 31.60	15.80
Zone 4.....	\$ 32.00	15.84

ZONE DEFINITIONS:

- Zone 1: 0 to 35 miles from the main Post Office in Lincoln
- Zone 2: 36 to 50 miles from the main Post Office in Lincoln
- Zone 3: 51 to 75 miles from the main Post Office in Lincoln
- Zone 4: 76 miles and over from the main Post Office in Lincoln

ELEV0028-001 01/01/2023

	Rates	Fringes
ELEVATOR MECHANIC.....	\$ 51.29	37.335+a+b

FOOTNOTE:

- a. Vacation Pay: 8% for persons with 5 or more years of service, 6% for persons with less than 5 years of service.
- b. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.

LABO1140-010 06/01/2016

	Rates	Fringes
LABORER (Mason Tender, Brick & Hod).....	\$ 20.63	9.40

PLUM0016-014 05/15/2022

BUTLER, JOHNSON, NEMAHA, POLK AND RICHARDSON COUNTIES

	Rates	Fringes
PLUMBER (Includes HVAC Pipe Installation).....	\$ 41.25	13.81

* PLUM0464-003 06/04/2023		

	Rates	Fringes
PIPEFITTER (does not include HVAC piping).....	\$ 42.00	19.80

* PLUM0464-009 06/04/2023		

FILLMORE, GAGE, JEFFERSON, SALINE AND THAYER COUNTIES

	Rates	Fringes
PLUMBER (Includes HVAC Pipe Installation).....	\$ 42.00	19.80

SHEE0003-018 07/01/2021		

SALINE COUNTY

	Rates	Fringes
SHEET METAL WORKER (Includes HVAC Duct Installation).....	\$ 31.11	16.21

SHEE0003-019 07/01/2021		

BUTLER, FILLMORE, GAGE, JEFFERSON, JOHNSON, NEMAHA, POLK, RICHARDSON AND THAYER COUNTIES

	Rates	Fringes
SHEET METAL WORKER (Includes HVAC Duct Installation).....	\$ 37.26	17.76

* SUNE2012-018 04/19/2012		

	Rates	Fringes
CARPENTER, Includes Form Work....	\$ 16.10 **	1.46
CEMENT MASON/CONCRETE FINISHER...	\$ 17.54	1.41
IRONWORKER, STRUCTURAL.....	\$ 22.96	4.50
LABORER: Common or General.....	\$ 14.54 **	3.63
OPERATOR: Backhoe/Excavator/Trackhoe.....	\$ 21.82	2.22
OPERATOR: Loader.....	\$ 16.58	0.94
ROOFER.....	\$ 14.52 **	0.65
TRUCK DRIVER: Dump, Lowboy and Tandem.....	\$ 14.56 **	1.68

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

** Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$16.20) or 13658 (\$12.15). Please see the Note at the top of the wage determination for more information.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate

changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour National Office because National Office has responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISIO"



P.O. Box 191
557 4th Street
David City, NE 68632



Phone: (402) 367-3135
FAX: (402) 367-3126
Website: www.davidcityne.com

2023 DTR Grant Instructions

Because the grants for the David City Downtown Revitalization projects are funded by a federal Community Development Block Grant (CDBG) which is administered by the Nebraska Department of Economic Development (DED) the following instructions must be fulfilled in their entirety (as applicable):

1. Façade Improvement/Commercial Rehab Program

- Review the program guidelines.

2. Application

- Complete the application and return it to Tami Comte, David City City Clerk, 490 E Main Street, David City, NE 68632

3. Citizenship Attestation

- The United States Citizenship Attestation form must be signed and returned to the City Clerk.

4. Release and Hold Harmless Agreement

- The Release and Hold Harmless Agreement must be signed and returned to the City Clerk.

5. Work Plan

- Attach all quotes from vendors and contractors for labor and materials for work to be completed.

6. Section 106

- The purpose of Section 106 Review is to ensure that any changes to historic buildings using CDBG or other federal funds do not have an adverse effect on the structure's historic integrity.
- The State Historic Preservation Office (SHPO) must approve all projects before they can be funded.

7. Davis-Bacon Act

- The purpose of the Davis-Bacon Act is to ensure that the local prevailing wage is paid to contractors and their employees
- All grant recipients, contractors and subcontractors must comply with the Davis-Bacon Act. The following applicable documents are attached:
 - i. Davis-Bacon Labor Standards Contractor's Guide: Provides overview of payroll and wage requirements for contractors and subcontractors.
 - ii. Prevailing wage determinations

8. SAM.gov Registration

- Any entity receiving CDBG funds is required to register with the website SAM.gov. This includes all David City Downtown Revitalization grant recipients, SAM stands for System Administration Management and allows the state and federal government to be assured the vendors and grant recipients are legitimate businesses, even if they are a sole proprietorship.
- You will need to create a user account, and register your business. If you have any problems or questions, please call James Owens, Southeast Nebraska Development District (SENDD) CDBG Administrator at (402) 475-2560.
- DED provides guidance on this matter. The guidance notes that “registrants are required to complete a one-time registration. This registration must be re-certified annually.” See below and also additional guidance at: www.sam.gov

9. Project Construction

- Grant recipients shall not proceed with the project until they have received a written Notice to Proceed from the City of David City.
- Contact James Owens (SENDD) when a contractor or subcontractor begins work on a project. To comply with Davis-Bacon Act, interviews must be conducted with the contractors and workers to be sure they are being paid the prevailing wage. This is a requirement of the DED and federal law.
- If any deviation from the plan approved by SHPO is required, please consult with Trey and he will provide guidance and resubmit the revision to SHPO if necessary.

10. Request for Reimbursement

- A grant recipient is eligible to submit a Request for Reimbursement once they have completed and paid for work in excess of their minimum match requirement. The grants require at least a 25% match by the applicant.
- Complete the Request for Reimbursement form (to be provided after project

approval) and submit to James Owens with the following documentation to prove compliance with the Davis-Bacon Act.

- i. Invoice from each contractor/vendor for work completed.
 - ii. Cancelled check or bank statement proving the the work from the invoice has been paid to the contractor/vendor.
 - iii. Weekly certified payrolls (timesheets per the Contractor's Guide for the Davis-Bacon Act).
- The Request for Reimbursement must be approved by James Owens to ensure compliance with Section 106 and the Davis-Bacon Act. If applicable, the Building Official must inspect work to ensure it complies with applicable building codes.
 - Once approved, James Owens (SENDDD) will request a draw-down from the Department of Economic Development. The minimum draw-down request for a CDBG grant per DED regulations is \$5,000. Therefore, if a grant recipient's Request for Reimbursement is less than \$5,000 it will not be submitted to the DED until additional Requests for Reimbursement are received so the aggregate total is \$5,000 or greater. The City will work to ensure reimbursements are requested in a timely manner.
 - The City will reimburse the grant recipient for any Request for Reimbursement once the funds are received from the DED.

11. Contact Information

- James Owens, DTR Grant Administrator
Southeast Nebraska Development District
(SENDDD)
(402) 475-2560
jowens@sendd.org
- Jessica Miller, Mayor
City of David City
(402) 367-3135
jessica-miller@cdolinc.net
- Tami Comte, City Clerk
City of David City
(402) 367-3135
tcomte@davidcityne.com
- Will Reiter, Recreation Coordinator
402-367-3135
wreiter@davidcityne.gov

P.O. Box 191
557 4th Street
David City, NE 68632



Phone: (402) 367-3135
FAX: (402) 367-3126
Website: www.davidcityne.com

DOWNTOWN REVITALIZATION (DTR) APPLICATION

PART I: APPLICANT INFORMATION

Applicant Name: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Email Address: _____ Phone: (_____) _____ - _____

Legal Name of Business or Entity*: _____

**Name used to register business with the State of Nebraska*

Business Address: _____ City: _____ State: _____ Zip: _____

PART II: PROJECT INFORMATION

Eligible Property Address: _____

Total Square Footage: _____ Commercial Square Footage: _____

Residential Square Footage: _____ Other: _____

PART III: OWNERSHIP INFORMATION

OWN LEASE

IF LEASE

Name of Property Owner: _____

Email Address: _____ Phone: (_____) _____ - _____

Beginning Date of Lease: _____ Termination Date of Lease: _____

Note: A copy of the applicant's current lease and a letter from the property owner authorizing the application and rehabilitation activities must be submitted with the Application Form.

PART IV: ELIGIBLE ACTIVITIES

Proposed project activities (please mark all that apply):

- Preparation of Structural Engineering
- Preparation of Engineering Specifications
- Removal of Nonconforming Items/Materials
- Brick/Exterior Repair or Restoration
- Other Facade Improvements (please explain)
- Preparation of Architectural Plans
- Building Code Compliance
- Sign/Awning Repair or Replacement
- Window/Door Repair or Replacement
- Other Improvements (please explain)

Explanation:

PART V: FINANCIAL

Estimated total project cost: \$ _____

Revitalization Grant Funds* (up to 75% of Total Project Costs): _____

Matching Funds provided (at least 25 % of Total Project Costs):

*Revitalization funds provided by the Nebraska Department of Economic Development Community Development Block Grant (CDBG) Program.

Sources of Matching Funds (please mark all that apply):

- Cash on hand in checking, savings, or other
- Bank loan
- Private loan or gift
- Other (please explain) _____

PART VI: AGREEMENT & SIGNATURE**Certification of Assurances**

To the best of my knowledge and belief, as a condition of obtaining assistance through the David City DTR Program, the applicant will, if assistance is approved, comply with all Federal and State requirements and code, including the following:

- A. The Civil Rights Act of 1964 (PL 88-352) and Title VII of the Civil Rights Act of 1968 (PO 90- 284);
- B. Housing and Community Development Act of 1974, as amended;
- C. Age Discrimination Act of 1975;
- D. Section 504 of the Rehabilitation Act of 1973;
- E. Davis Bacon Act, as amended (40 U.S.C 276a-276a-5), where applicable under Section 110 of the Housing and Community Development Act of 1974 as amended;
- F. Fair Labor Standards Act of 1938, as amended, (29 U.S.C., 102 et, seq);
- G. Preservation of Historical and Archaeological Data Act of 1974 (PL, 93-291);
- H. National Historic Preservation Act of 1966, Section 106 (PL 89-665);
- I. National Environmental Policy Act of 1969;
- J. Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1979, Title II and Title III;
- K. Nebraska Community Development Law, Section 18-2101 to 18-2144, Revised Statutes of Nebraska, 1943.

THE UNDERSIGNED, in applying for financial assistance from the City of David City Downtown Revitalization Program:

- 1) Agrees that prior to receiving an award, he or she shall comply with all federal, state, and local laws to the extent that such are applicable;
- 2) Attests that he or she is currently in good standing with the City or will return to good standing before any release of funds; and,
- 3) Acknowledges and agrees to enter into or execute any additional documents required by the City, the Nebraska Department of Economic Development, or the United States Department of Housing and Urban Development.

Address: _____ City: _____ State: _____ Zip: _____

Signature: _____

Printed Name and Title: _____

Date: _____

Release and Hold Harmless Agreement

Release executed on this _____ day of _____, _____.

By (Property Owner) _____ and

(Business Owner if applicable) _____, of

(Street Address) _____, City of David City,
State of Nebraska, referred to as Releaser(s).

- In consideration of being granted monies for restoration, modifications, or other physical changes to property located at the above address, the Releaser(s), understands that they are solely responsible for providing their own contractors, paying their contractors, to assure that those contractors are fully insured and (where required) licensed, and have obtained all necessary permits in accordance with all pertinent regulations.
- The Releaser(s) waives, releases, discharges, and agreed to indemnify the City of David City (or entities under the City's umbrella) for loss or damage, and claims or damages therefore, on account of any work that has been performed in accordance with City or State guidelines.
- Releaser(s) agree that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of Nebraska and that if any portion of the agreement is held invalid, it is agreed that the balance, shall; notwithstanding, continue in full legal force and effect
- Releaser(s)'s obligation and duties hereunder shall in no manner be limited or restricted by maintaining any insurance coverage related to the above referenced event.
- This release contains the entire agreement between the parties to this agreement and the terms of this release are contractual and not a mere recital.

Signature of Property Owner: _____

Printed Name and Title: _____

Date: _____

If Applicable:

Signature of Business Owner: _____

Printed Name and Title: _____

Date: _____

Attestation of U.S. Citizenship

For the purpose of complying with Neb. Rev. Stat. §§4-108 through 4-114, I attest as follows:

I am a citizen of the United States.

— OR —

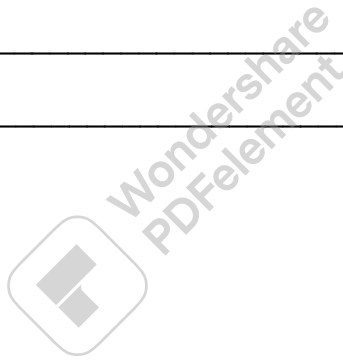
I am a qualified alien under the Federal Immigration and Nationality Act, my immigration status and alien number are as follows: _____, and I agree to provide a copy of my USCIS documentation upon request.

I hereby attest that my response and the information provided on this form and any related application for public benefits are true, complete and accurate and I understand that this information may be used to verify my lawful presence in the United States.

Printed Name: _____
First Middle Last

Signature: _____

Date: _____



David City DTR Frequently Asked Questions

Q. Can I apply for DTR funding to fix my roof?

A. DTR funding for roofing depends on public safety factors. For example, if a roof is leaking and causing water damage within a property, that property's roof could be eligible for funding.

Q. Can I apply for DTR funding to improve my sidewalks?

A. No. The only eligible use relating to sidewalks would be if it addresses an ADA compliance issue. For example, removing a step to get into the property.

Q. Do I need to get two cost estimates? What happens if I can't?

A. Applicants should try their best to get two cost estimates from different pre-qualified contractors. These estimates do not need to be comprehensive bids, but they will be used to help determine the amount of funds to award for your project. Applications that do not contain two cost estimates will still be reviewed and considered, however, failing to provide all two may affect how well your project scores and the amount of funds awarded to you.

Q. What happens if my project is not selected?

A. Unfortunately, there is only so much funding available, and it is possible that not every project will receive an award. If your project is not selected during the first round and there is enough funding available for a second round, you may apply again.

Q. Do I have to get building permits?

A. Yes, all work must be done according to city standards, which includes applying for and receiving the appropriate building permits. This typically involves contacting the building inspector to discuss the project and providing the City with plans and specifications to be done.

Q. Can I apply for funding to cover code related improvements?

A. Yes and no. An inspection report must be provided by a building inspector or prepared by a contractor and signed off by the City office in order to be eligible for DTR funding.

Q. Can I choose any contractor I want?

A. Yes and no. All contractors and subcontractors must be authorized to transact business in Nebraska and must comply with the Nebraska Contractor Registration Act. Furthermore, no contractor or subcontractor can be debarred, suspended, or ineligible to receive federal funds. Contractors or subcontractors can reach out to Southeast Nebraska Development District (SENDD) to verify they are in good standing.

Q. My building is located on the corner, can I apply for funding to complete exterior work on both sides of the building?

Yes. As long as the two sides are visible to the public and not covered by another building, it would be eligible. All façade improvements would have to be reviewed and approved by SHPO.

Q. How do I know if my project is ineligible?

Ineligible projects include but are not limited to the following:

- Roof repairs that don't address the safety of public
- Painting as a single activity (Painting is only eligible if it is combined with another eligible activity)
- Murals (The supplies would be eligible, the design itself would not)
- Interior improvements (the only interior improvements that are eligible is if it is classified as a code violation and is required by the City to fix). ADA improvements will be reviewed on a case-by-case basis. Interior improvements that would be ineligible for funding include:
 - Elevators
 - Fire Sprinkler Systems
 - Flooring
 - Paint
 - Lighting
 - Equipment/software
 - Infrastructure (i.e. water lines)
 - HVAC systems
- Sidewalk repairs
- Residential related improvements
- Property owners looking at doing improvements for speculative purposes are not eligible for funding

- Must have a for-profit business currently occupying the space or an agreement to occupy the space prior to reimbursement

Q. Should I include all items I think are eligible in the application?

A. DTR applicants may add everything they think may be grant eligible (i.e. Building Inspector says it's a code violation). The City and SENDD will determine if an activity is truly eligible when all applications are received. If an activity is determined ineligible, the City and SENDD will work with the applicant to remove any ineligible activities and modify the total project cost.

Q. How do I get reimbursed for project costs?

A. Reimbursement can happen either on a rolling basis or as a lump sum once the project has been completed. As you receive invoices, and begin paying them off, you can submit a copy of the invoice and proof of payment (including cancelled checks, credit card receipts, bank/credit card statements) to the City. The City will work with SENDD to review the invoiced work to make sure the expenses are eligible for reimbursement and the work was done in compliance with the program guidelines.

Q. I want to participate in the program, but I'm not sure I can afford the matching requirement. Is other financial assistance available.

A. We recommend you reach out to a local traditional lender in the David City area to see what options they can provide you. If working with a traditional lender is not possible, please contact the City to learn more about other financial assistance programs that be available to you. SENDD has several Revolving Loan Fund (RLF) programs that businesses could be eligible to apply for. Contact Kelly Gentrup, (402) 475-2560, for more information.

Historic Building Preservation Recommendations / Process

The role of the City/DTR Committee that follows the program guidelines is to preserve and re-develop a sense of place and community pride. Their role is to preserve the historic character of buildings within the Downtown District and provide guidelines for visual continuity in the appearance of the downtown. The goal of the program is to assist in the creation of a cohesive, cost effective, and vibrant downtown district and if applicable to restore, improve, or create historic architectural features to facades of buildings.

This document outlines acceptable practices and standards for rehabilitation and renovation of projects. The guidelines lessen the subjective nature of the granting process and give the City/DTR Committee and applicants criteria by which to make informed decisions.

These recommendations concentrate on the historical architecture and appearance of the building. They do not supersede applicable state and local building codes and regulations. The City/Design Committee reserves the right to deviate from these recommendations and the program guidelines to protect the community investment and approve the best qualified applicant possible.

Below is a list of five (5) guiding principles that summarizes the best practices for historic building preservation.

1. Do no harm.
2. Repair rather than replace.
3. Preserve character-defining features.
4. Use same or appropriate materials.
5. Use gentlest and least invasive methods possible.

These principles and guidelines summarize widely-accepted preservation practices described in further detail in the Secretary of Interior's Standards for Rehabilitation (Appendix A).

An outline of the façade grant application process.

1. Review Program Guidelines
2. Historical research / Building analysis
3. Exploratory Investigation
4. Contact Grantor/DTR Committee, if necessary
5. Prepare Application
6. Grantor/DTR Committee perform an initial review of application
7. Upon preliminary approval by the DTR committee, applications are forwarded to SENDD for a Tier II Environmental Review
8. After clearance from both the Tier II Environmental Review and the State Historic Preservation Office the DTR Committee will make a recommendation to the City Council for Final Approval
9. The City and Applicant will enter into a loan agreement.
10. SENDD will meet with the applicant and contractors to review Davis-Bacon (Labor Standards) and ensure the contractor(s) understand their responsibilities. SENDD will perform Davis-Bacon interviews, and will meet with applicant and contractor upon completion of the project for a final inspection.

Historical Research

Before beginning any rehabilitation project, thorough historical research must be conducted to provide sufficient documentation for the changes. Knowing the building's architectural background will give the necessary information to determine which features to preserve through repair, which to recreate, and which to remove altogether. It is this documentation the City/DTR Committee will refer to when helping an owner develop the design of the alterations. The City/DTR Committee recommends beginning this step early to allow sufficient time for the design and application process.

Photographs are a very important piece of documentation that can clearly show a building's historic features. Information on a building's construction history may be found in the County Recorder's office (<https://butler.gisworkshop.com/>). The National Register of Historic Places Inventory may also have information such as the name of structure, address, wall material, over-all shape, dimensions (if known), number of stories, roof type, interesting exterior features, date of construction, alterations, style (if applicable), and known architect/builder.

For further information, SHPO encourages applicants to contact their office at (402) 471-4787.

Building Analysis

With information about the building's historical appearance, examine the building's current façade. Commercial buildings such as those in the downtown district can be subdivided into three (3) parts: the storefront, the upper stories, and the cornice (Figure 1). Most downtown buildings consist of a storefront and only one upper story, although a few three-story buildings may remain.

The storefront elements consist of an entrance (often recessed), display windows, a bulkhead under the display windows, transom windows over the storefront, and sometimes a sign board, fascia sign or additional cornice. The majority of commercial buildings have either an awning or canopy providing protection for pedestrians. The first floor also may contain an entrance to the upper floors. Later buildings may lack several elements of traditional storefronts such as transom windows, or decorative details.

Upper floors are characterized by smaller window openings that repeat on each floor. These windows may vary in size, type, and decoration but usually are the same for each floor. Other facade details may be present on the upper level facades such as brick banding, corbelling, metal grilles or decorative panels.

The cornice decorates the top of the building and may be made of metal, masonry, or wood. Some decorative cornices project from the building while an ornamental band delineates others. The top of the wall may have a patterned brick band or may have a coping of brick, concrete, or metal.

Evaluate which of the building's character defining features still remain, which have been destroyed, and which are merely covered by modern additions or renovations.

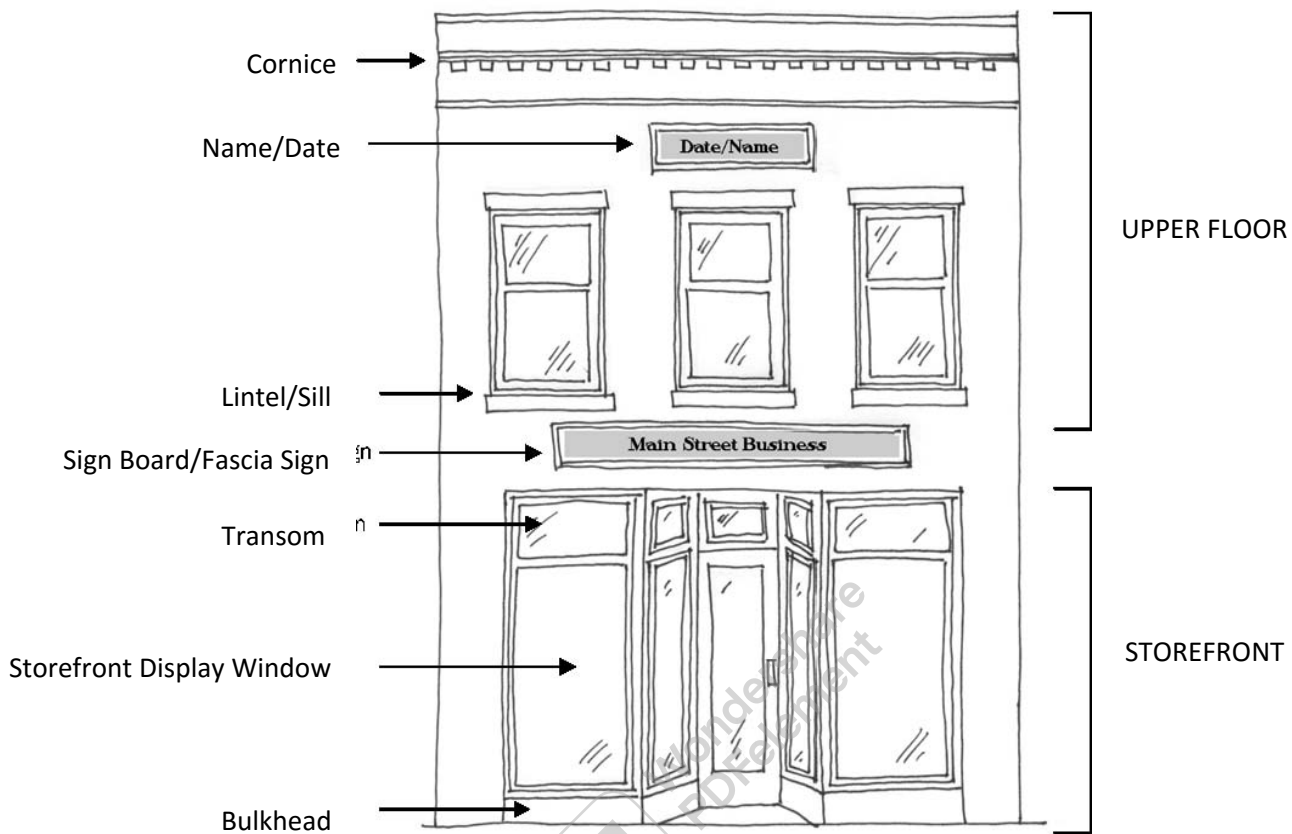


Figure 1. Typical Commercial Building Features

Exploratory Investigation

On commercial buildings, modern materials may have been applied over the original facades. To determine the integrity of the historic materials, a small, inconspicuous area should be uncovered. In many instances, the materials and features are preserved and intact. Other times, the modern materials have trapped moisture and accelerated the rot or decomposition. This exploratory investigation provides the owner with important information on the amount of repair or replacement the project will require. This cost of this exploratory work is not covered in the façade grant monies.

Review Program Guidelines

Façade grant applicants should make themselves familiar with the program guidelines described in this document. They outline the eligible improvements and processes that need to be followed. Although these recommendations describe some of the best practices, the City/DTR Committee will work with each owner to develop a plan that preserves and highlights the historic character of that building. Together the guidelines are a standard for which the Downtown Community strives.

Prepare Application

Once the applicant has finalized the scope of their project or façade design, the applicant should begin to gather necessary application materials. Complete application materials are included in the program guidelines under **V. Supporting Data Checklist**. From the design plan, the applicant should create a detailed scope of work describing nature of the work to be done. This scope should be presented to contractors to solicit at least two detailed bid estimates for all major project components. Other elements included in the application are a project budget and timeline to keep the project running smoothly and on task.

City/DTR Committee Review of Application and Award

The applicant will submit the application to the DTR Committee. Satisfactory applications that meet all the grant criteria and applicable design guidelines will be considered for final decision on grant awards. A satisfactory review of the project and application by the DTR Committee staff does not guarantee an applicant will receive a grant.



Downtown Revitalization & Historic Preservation

The National Historic Preservation Act of 1966, established a comprehensive program to preserve the historic and cultural foundation of the nation as a living part of community life. Section 106 is crucial to the program because it requires all federally funded projects be reviewed to determine their potential effect on historic resources. Section 106 reviews encourage, but do not mandate, preservation and ensures that preservation values are factored into planning. In Nebraska, the State Historic Preservation Office (SHPO) is charged with completing these reviews. **To learn more visit: history.nebraska.gov/historic-preservation**

Section 106: 4 Step Process

1. Initiation of the Process: submittal of a review by a designee (SENDD, NENEDD, etc.).
2. Eligibility for the National Register determination completed by SHPO.
3. Project evaluation if structure is eligible.
4. Project Review completed as either, No Historic Properties Affected, No Adverse Effect, No Adverse Effect with Conditions, or Adverse Effect.
 - If Adverse Effect, mitigation will begin to find an appropriate compromise.
 - An Adverse Effect finding could result in a loss of project funding.

What determines Eligibility?

- Being listed on the National Register of Historic Places individually or as part of a district.
- Being eligible for listing individually or as part of a district.
- A property's connection to historic events and/or people.
- Architecture
- Historic Integrity; does it still have its original features?
 - o Original doors, windows, siding, storefront, masonry, etc.

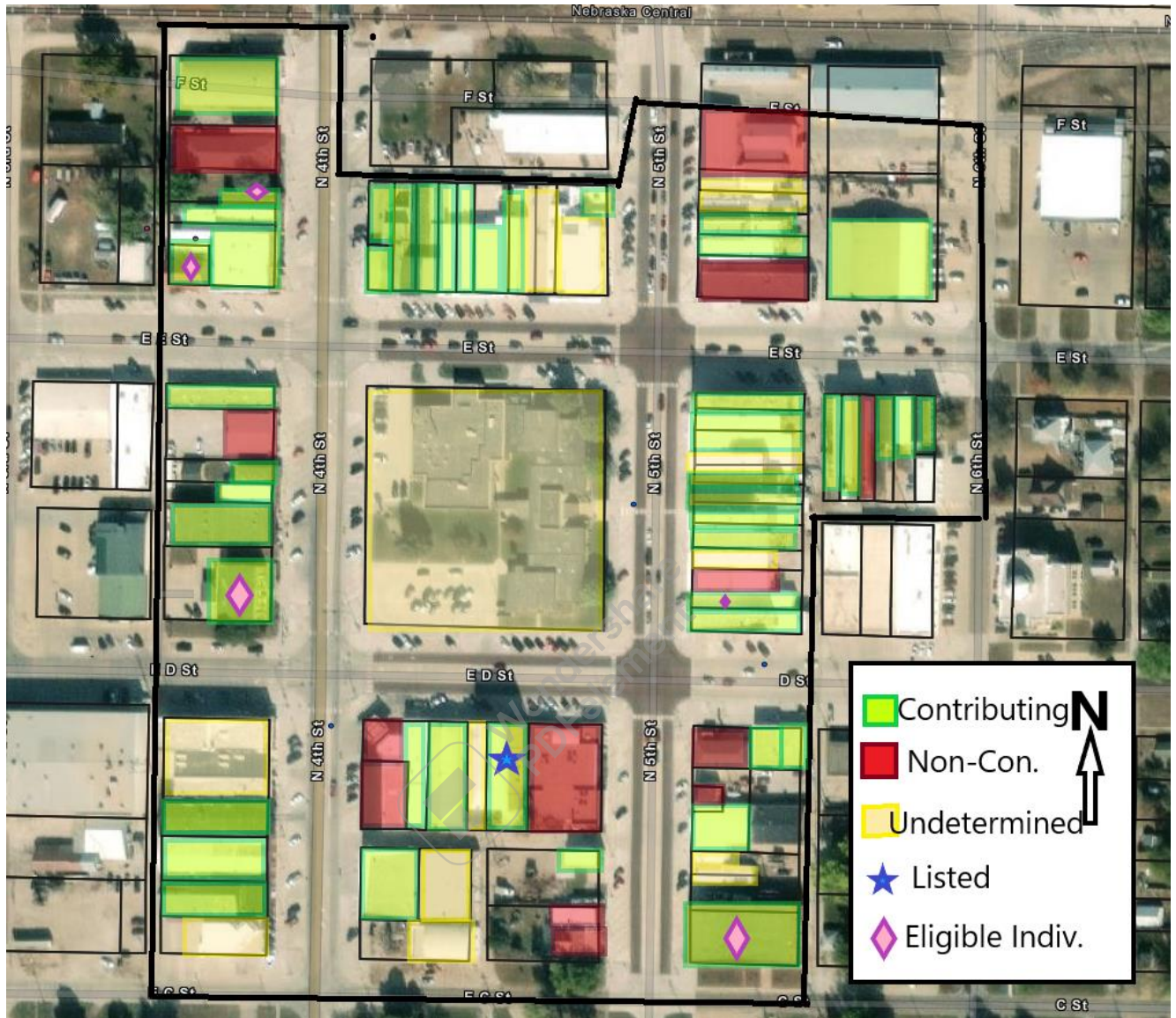
Appropriate Façade Projects

- Signage on windows and awnings
- Retractable or fixed cloth awnings.
- Repair/replace metal mid-century awnings
- Removing slip covers
- Returning windows to original size
- Wood or aluminum-clad window replacements
- Tuck-pointing
- Painting already painted brick

Inappropriate Façade Projects

- Signage over windows and mounting on masonry where no sign was before
- Metal awnings
- Installation of awnings on buildings that never had one
- Slip covers
- Removal of historic material
- Downsizing or enclosing windows
- Tinted windows
- VINYL replacement windows (PVC)
- Painting brick that was not painted before

Eligible David City Commercial Historic District Map



Potential Period of Significance: **1886-1955**

- Black = Potential District Boundary
- Green = Contributing to Potential District
- Red = Non-Contributing to Potential District
- Yellow = Further Research Needed for a Determination
- ★ Blue Star = Already Listed
- ◆ Pink Diamond = Eligible Individually for Listing

Nebraska State Historic Preservation Office: Directory of Craftspeople with Experience in Historic Preservation

This directory is a resource for products or services of companies/individuals with experience in preserving and rehabilitating historic properties. These companies/individuals have requested or consented to be placed on this list. The Nebraska State Historic Preservation Office is not endorsing any of these companies or individuals. We strongly recommend checking references, reviewing previous projects, and conducting careful interviews of prospective providers. We reserve the right to remove businesses from this database if their work fails to comply with the Secretary of Interior's Standards for Rehabilitation. Hiring someone with a proven-record in historic preservation is especially important when the project is using historic tax incentives. If you are interested in using historic tax incentives, please contact our office before starting any work. If you are interested in having your business represented in the directory, please contact our office at hn.hp@nebraska.gov. To learn more about historic preservation, visit our website at <https://history.nebraska.gov/historic-preservation>

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Specialty Area	Name	Contact Info	Specialties
Carpentry	Lawrence Paint Co.	Facebook.com/LawrencepaintCo lawrencepaintco@gmail.com 402-813-0827, Omaha	Wood/architectural detail repair, windows, glazing, plasterwork
General Contractor	Lund-Ross Constructors	www.lundross.com , info@lundross.com 402-934-2088, Omaha	General contractor
	Tru-Built Construction	www.tru-built.net steve@tru-built.net 402-477-4663, Lincoln	General contractor
Masonry	Kehm Contractors, Inc.	www.kehmcontractors.com bids@kehmcontractors.com 402-341-6177, Omaha	Masonry, tuck-pointing, cleaning, protective coatings
	Mark 1 Masonry	www.mark1masonry.com dpettigrew@mark1masonry.com 312-533-7020, Dolton, IL	Masonry/terra cotta replace & repair
	Mid Continental Restoration	www.midcontinental.com josh_heisinger@midcontinental.com 605-680-9970, Fort Scott, KS	Masonry/stone restoration
Plaster/Painting/Stucco	Aimee Struble	www.nolapaintgirl.com nolapaintgirl@gmail.com 504-400-1937, Lincoln/Omaha	Interior and exterior painting, sheetrock, plaster repair, window glazing
	Grace Plastering & Stucco	402-657-5294 (primary) 402-896-4638 (secondary) Omaha	Plaster and stucco
	Scott's Quality Plastering and Stucco	www.scottsquality.com scottsqualityplastering@outlook.com 402-601-9144, Lincoln	Plastering and stucco

Roofing	Renaissance Roofing, Inc.	www.claytileroof.com jbartholomew@renroof.com 800-699-5695, Belvidere, IL	Clay tile, slate, architectural sheet metal, masonry
Windows & Doors	Aksarben Windows Works	www.aksarbenwindowworks.com david@aksarbenwindowworks.com 402-880-3580, Omaha	Windows, installation of SpencerWors storm windows, full wood restoration
	Chicago Lumber Company (Marvin Historic Windows)	www.clc-omaha.com info@clc-omaha.com 402-342-0840, Omaha	Windows, doors, historic windows
	Hawkeye Windows and Doors, Inc.	www.hawkeyewindows.com infor@hawkeyewindows.com 800-701-3220, Waterloo, IA	Windows, doors, custom historic window duplication
	Lanny Johnson Construction	Juiceman65@live.com 308-440-3129, Kearney	Historic windows
	Palace Glass	www.palaceglass.com studio@palaceglass.com 402-476-9661, Lincoln	Window repair/restoration, custom stained glass, custom beveling, etching, bent panel shade production
	Parrett Windows & Doors	www.parrettwindows.com jsafford@parrettwindows.com 715-654-1247, Dorchester, WI	Windows and doors
	Re-View	www.reviewwindows.com brooks@reviewwindows.com 816-741-2876, Kansas City, MO	Wood/steel window restoration and historic replication
	Spencerworks	www.spencerworks.com spencerwrk@yahoo.com 402-499-7848, Lincoln	Storm windows, custom-built
	The Window Doctor	Sites.google.com/site/omahawindowmd/ Dmorin7@gmail.com 402-672-2208, Omaha	Window repair, glazing, sash ropes, wood repair
	Window Option Specialists	https://windowoptionspecialists.com/ info@windowoption.com 402-466-2777, Lincoln	Knowledge in historic window repair and replacement
Petsche Stained Glass Studio	Main contact: Ron Cell: 402-649-0456 (text available) Office: 402-371-8640	Stained glass window repair; focus on church windows	