

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSÉ FACADE IMPROVEMENT PROGRAM (FIP)

QUALIFICATIONS AND CONDITIONS SUMMARY

The Redevelopment Agency of the City of San José, through the Facade Improvement Program (FIP), provides financial assistance to eligible property owners to improve the appearance of storefronts in order to help create and promote a positive retail environment in Downtown San José. Because the funds are public monies, the benefited property owner must agree to the specified contractual obligations. It is also important to know that the funds available under the Program for construction expenses may not cover the entire cost of the improvements.

The Contract Agreement identifies the conditions and responsibilities for this project. The following is a summary of the major conditions:

ELIGIBILITY

- The building must be located within the Downtown Core area. The Downtown Core is defined as the area bounded by Julian Street to the north, Fourth Street on the east, Hwy 280 to the south, and Hwy 87 on the west.
- New or renovated buildings, i.e., buildings completed within the last five years or buildings, which have previously received Agency assistance through the Façade Improvement Program in the last seven years, are NOT eligible for assistance.
- The basic formula is one grant for every 60 linear feet of storefront or one grant per storefront. Buildings with multiple storefronts must apply in a single application.
- Applications must include signatures of the property owner(s) and owner(s) of a business on the ground floor. Applications must be signed by all legal property and business owners or a legal power of attorney document must be submitted with the application. If in a multi-storefront building a vacancy exists, the Agency will evaluate the eligibility of the building for improvements. If a single storefront building is vacant, the property owner may be the sole applicant; however, the Agency will only consider such applications when there is a lease or rental agreement in place.
- Verify that there are no outstanding code enforcement actions against the property.
- If applicants have previously received business loans from the Agency, the payment of the loans must be current in order to be eligible for storefront grant funds.
- The property owner and the Agency must sign an Owner-Agency Agreement which requires the applicant to provide their matching funds before the applicant is eligible to receive grant funds. Once the Agency executes the contract, the applicant will be notified in writing of the amount of Agency assistance. **Applicant is not to begin any work before the contract is signed and executed by the Agency.**

GRANTS

Non-historic buildings shall be eligible to receive \$35,000 for every 60 linear feet of storefront or one grant per storefront. The Agency will match up to an additional \$5,000, if matched with a \$5,000 contribution from the applicant.

Buildings on the Historic Resources Inventory shall be eligible to receive \$45,000 per 60 linear feet of frontage or per storefront. The Agency will match up to an additional \$5,000, if matched with a \$5,000 contribution from the applicant.

Any expenditure that exceeds the FIP amount stated in the contract shall be the sole responsibility of the applicant(s).

ELIGIBLE IMPROVEMENTS

Types of eligible improvements:

- Painting of entire building facade and sides of building visible from the street;
- Awnings, marquees, or sun control devices;
- Doors, windows, facade and display window lighting; and
- Tile, pavement between door and sidewalk, signs, and other improvements approved by Agency.

INELIGIBLE IMPROVEMENTS

Maintenance improvements such as roofing, sidewalk pavement, tenant improvements, code compliance requirements, and/or structural upgrade improvements are NOT eligible for assistance. All improvements must be approved by the Redevelopment Agency.

ELIGIBLE FEES

Electrical, plumbing, and encroachment permit fees necessary for the façade improvements are eligible expenditures.

PROGRAM REQUIREMENTS

- Applicants are to designate one person who will be the contact person for this project.
- A Permit Adjustment for improvements to a building must be obtained when plans are completed. A fee must be paid by the applicant to the San Jose Planning Department for the processing of the Permit Adjustment.
- Applicant(s)/Owner(s) are also responsible for obtaining a minimum of two written bid proposals, selecting a contractor, and executing agreements with contractors for all improvements. Agency staff will assist the Applicant with the review of the contract to ensure that the bid complies with the Agency requirements and includes the entire scope of work without exceptions. Selected **contractors are required to pay prevailing wages pursuant to the requirements of the California Labor Code, Section 1771.**

- All work must be conducted by contractors licensed by the State of California.
- Non-brick buildings are required to be painted under this program as the first priority funded with the Agency's FIP grant. All other eligible improvements will be paid for with remaining funds.
- Requirements are subject to change.

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A STEP-BY-STEP GUIDE FOR APPLICANTS

This outline will guide applicants in completing all of the steps necessary to receive a grant from the Redevelopment Agency for improvements under the Facade Improvement Program. Note: The foregoing steps are for information only and are subject to change.

1. Confirm that your building is within the Downtown Core area.
2. Complete and sign application. If applicant is the tenant of the building, a copy of the ground floor lease agreement must be submitted with the signed application.
3. Confirm that there are no outstanding code enforcement actions pending against the property.
4. Include any existing designs of building with the application.
5. Submit the application to the Agency for review and acceptance.
6. Meet with the Agency's designated Project Manager to review concepts and application.
7. Execute the FIP Agreement. Review and sign Agreement prepared by the Agency. Deliver Grantee's contribution (matching funds), made payable by check to the "San Jose Redevelopment Agency." Note: The Agency can not commit to providing financial assistance unless and until the FIP agreement is fully executed. Return the signed agreement to the Agency's Project Manager.
8. Meet with the Agency's Project Manager, project architect, to discuss applicant's preliminary thoughts on desired improvements.
9. Meet with Agency's Project Manager, including the Agency's design consultant and project architect, to review schematic drawings of the proposed improvements. Unless otherwise agreed, the Agency's design consultant prepares the schematic design. By signing the schematic plan, the applicant approves the design.
10. Complete the Design Development phase of the drawings. Unless otherwise agreed, the Agency's project architect does this work.
11. A Permit Adjustment from the City of San Jose is required for the improvements. Applicants must submit a completed permit application to the Agency's Project Manager. Agency's Project Manager will process the permit application on behalf of the applicant. The permit fee will be paid by the applicant to the "City of San Jose" for processing and issuance of the permit.

12. After review, the City, through the Agency's Project Manager, will issue a Permit Adjustment and send it to the applicant
13. The project architect will complete construction drawings for improvements. Unless otherwise agreed, the Agency's project architect does this work. The drawings are sent to the applicant to be used in obtaining construction bids.
14. Applicant must obtain all permits including, but not limited to, electrical, plumbing, encroachment, and other permits, as required by the City for construction.
15. Applicant will take the project out to bid. The Agency's Project Manager, upon applicant's request, can provide a list of contractors from which applicant can solicit bids. This list is provided to applicant solely for purposes of assisting with the process of obtaining bids. Applicant shall solicit and obtain a minimum of two written bid proposals. **The selected contractor is required to pay prevailing wages pursuant to the requirements of the California Labor Code, Section 1771.**
16. The Agency Project Manager, project architect, and applicant will evaluate bids. If the bid exceeds available resources, the Agency's Project Manager will assist applicant to evaluate means of reducing costs to reach the project budget.
17. Agency Project Manager approves the contract and the designated contractor before the applicant signs a construction contract. The construction contract shall be consistent with the terms and conditions of the FIP agreement signed by the applicant. The applicant is responsible for hiring and managing the contractor. Applicant has 30 (thirty) days from the contract execution date to authorize contractor to begin construction.
18. Upon Agency's approval of the Owner-Contractor Agreement, a Notice To Proceed (NTP) will be issued by the Agency's Project Manager to the applicant. **Contractor is not allowed to start work prior to the issuance of the NTP to the applicant.**
19. If applicant has not authorized contractor to begin construction within thirty (30) days of the issuance of the NTP, the Agency has the right to terminate the FIP agreement and utilize the allocated grant funds for other projects.
20. Applicant is financially responsible for any approved change orders, which may affect the approved bid price. However, **change orders are not to be made without the prior written approval of Agency's Project Manager and project architect.**
21. Once work is successfully completed, applicant shall obtain a final invoice from the contractor. The applicant shall send the final invoice to Agency's Project Manager. The contractor shall also provide final lien releases and certified payroll to the Agency and City's Office of Equality Assurance.
22. The project shall be deemed complete once the Agency's Project Manager, project architect, and applicant(s) sign the Notice of Completion. The final payment to the

contractor will be issued in accordance with the terms and conditions of the Owner-Contractor Agreement.

23. Applicants commit to maintain improvements and keep storefronts clean and free of debris and graffiti.



Redevelopment Agency

FAÇADE IMPROVEMENT PROGRAM (FIP)

APPLICATION

Thank you for your interest in the Façade Improvement Program. Please list all legal owners, attach a copy of your lease agreement, and sign the application.

Property/ Business Name and Address:

Primary Contact Person:

Business Information

<i>BUSINESS:</i>	<i>BUSINESS:</i>
Name:	Name:
Mailing Address:	Mailing Address:
Phone:	Phone:
Fax:	Fax:
Cell:	Cell:
e-mail:	e-mail:
Best time to contact:	

Property Owner Information

Name:	Name:
Mailing Address:	Mailing Address:
Phone:	Phone:
Fax:	Fax:
Cell:	Cell:
e-mail:	e-mail:
Best time to contact:	

PROPOSED IMPROVEMENTS:

We certify that the owner is the property owner of record and that there are no current code enforcement actions pending against this property.

We have attached a print of architectural drawings of the existing building façade (if available).

I have read and understand the attached Qualifications & Conditions Summary and Step-by-Step Guide and accept these conditions and qualifications.

I certify that I am qualified and will abide by such conditions set forth in this application and all reasonable conditions which may be issued by the San Jose Redevelopment Agency in the implementation of this project.

Property Owner(s) signature _____ Date: _____

_____ Date: _____

Business Owner(s) signature _____ Date: _____

_____ Date: _____

This form should be returned to the San Jose Redevelopment Agency Attn: Downtown Façade Improvement Program, 200 E. Santa Clara Street, 14th Floor, San Jose, CA 95113; by Fax: (408) 292-6755. For further information please contact the FIP managers at (408) 535-8500.

To be completed by Staff

Date received:	Lease attached:
Date distributed:	Drawings attached:
Historic:	Rating:
Project Area:	APN Number:
Accepted:	If not accepted reasons: