



Retaining Wall Program Administrative Procedures

1. **Application**

- The Applicant/Property Owner/Owner's Representative (Owner) obtains from Historic Preservation (HP) Office, NeighborWorks or City of Deadwood Website:
 - Retaining Wall – Residential Program Application with Guidelines form
- The Owner submits completed copies of the above form with signatures to HP Office.
- A discussion between the Owner and the Historic Preservation Officer is recommended to clarify requirements and expectations of this program. This can greatly streamline the process.

2. **Determination of Program Eligibility**

- The Historic Preservation Officer conducts an on-site inspection of property to determine eligibility.
- Photographs are taken for documentation.
- Building Inspector determines if the wall is eligible as a life safety project.
- Historic Preservation Officer determines if the wall is eligible as historic or protecting a historic structure project.
- The Historic Preservation Officer will prepare a written HP Staff Report for use by the Historic Preservation Commission (HPC).

3. **Historic Preservation Commission Review of Application**

- The Retaining Wall – Residential Program Application and HP Staff Report is presented to the HPC.
- HPC approves or denies application. If approved, the Historic Preservation Officer is requested to engage an engineering firm to develop a retaining wall design, bid documents and an opinion of probable costs.
- The Historic Preservation Officer notifies the Owner of the HPC decision and, if Owner needs financial assistance, encourages Owner to begin financial applications with NeighborWorks.

4. **Engineering Contacted / Engaged**

- The Historic Preservation office contacts the engineer and forwards them a copy of the staff memo.
- The Historic Preservation Officer authorizes engineer to begin the design work for the retaining wall.
- The Engineer, City Building Inspector, Historic Preservation Officer and any additional city staff conduct an on-site inspection of the existing retaining wall.
- Any utility work, easements and survey requirements shall be determined and communicated between the City Departments and the Engineer.

5. **Approval of Design**

- The Engineer forwards the completed design plans and specifications for the retaining wall to the Historic Preservation Office.
- The Historic Preservation Officer and Building Inspector review the plans and specifications with the Owner.

- The Historic Preservation Officer provides approval of plans or communicates any changes to the Engineer.
 - The Engineer makes any final changes to the design based on any information provided.
6. **Construction Cost Estimate**
- The Engineer provides an Opinion of Probable Construction Costs (cost estimate) to the Historic Preservation Office based upon final engineering plans and specifications.
 - The Historic Preservation Office notifies the Owner of the cost estimate. Also this cost estimate is communicated to NeighborWorks, if Owner desires to finance their portion through NeighborWorks.
7. **Applying for Revolving Loan Funds (if needed)**
- The Owner completes and submits the Revolving Loan Fund Application to NeighborWorks.
 - NeighborWorks prepares a preliminary worksheet for the Owner’s potential financial responsibility for the construction cost based on the guidelines of the program. To prepare this preliminary worksheet, NeighborWorks:
 - verifies owner vs. non-owner occupied status,
 - verifies length of ownership of the resource, and
 - conducts a title search.
 - The Owner makes an appointment with NeighborWorks to determine the Owner’s financial eligibility for Revolving Loan Fund monies.
 - NeighborWorks review credit reports, verifies income, and underwrites the loan to determine the Owner’s financial eligibility. The following are examples of the documents / items required:
 - Uniform Residential Loan Application
 - Verification of Income – If the property is owner-occupied, the applicant(s) will need to submit two months paystubs. If the property is a rental, the applicant must submit a balance sheet. Copies of lease agreements and copies of the last two years tax returns.
 - Two years tax returns
 - Two months bank statements for all accounts
 - Credit report will be obtained at Owner’s cost
 - Proof of ownership – A copy of the deed, the contract for deed, or the acquisition contract must be submitted.
 - The completed Revolving Loan Fund Application is submitted Loan Committee for recommendation for approval or denial.
 - The Owner signs a Letter of Understanding that indicates the Owner’s financial responsibilities based on the guidelines of the program based on NeighborWorks calculations and the cost estimate.
8. **Historic Preservation Commission Review of Application**
- NeighborWorks presents to the HPC the Loan Committee’s recommendation.
 - HPC approves or denies application.
9. **Bidding the Project**
- The Engineer produces a final set of plans and specifications for the retaining wall to be publically bid through the City of Deadwood.
 - The City of Deadwood sets the bid opening and advertises the project for bids.
 - The City of Deadwood opens the bids and makes a recommendation

- The Historic Preservation Office provides NeighborWorks and the Owner with the recommended bid results. The Owner is asked if they want to continue with the project or withdraw.

10. Owner Financed Owner’s Portion

- When a NeighborWorks Loan is **not** involved:
 - The Owner signs an Agreement for their portion of the final construction costs based upon the policies and guidelines of the program.
 - Owner is requested to provide their portion of the funds to Historic Preservation to manage and compensate the Contractor.

11. NeighborWorks Financed Owner’s Portion

- When a NeighborWorks Loan **is** involved:
 - NeighborWorks prepares a final worksheet for the Owner’s financial responsibility for project costs based on the project guidelines and the recommended bid. If the recommended bid is higher than the approved amount, NeighborWorks will:
 - Review credit reports, income, and underwrites the loan to determine the Owner’s financial eligibility.
 - Submits revised Revolving Loan Fund Application to the Loan Committee for recommendation for approval or denial.
 - Presents to the HPC the Loan Committee’s recommendation. HPC approves or denies application.
 - If the Owner desire to continue and HPC approves the loan application, the Owner must sign a new Letter of Understanding that indicates the Owner’s financial responsibilities based on the guidelines of the program based on NeighborWorks calculations and the recommended bid amount.
- NeighborWorks prepares closing documents for the construction loan (i.e. mortgages and settlement statements, etc.)
- NeighborWorks prepares other necessary documents to properly secure the promissory note (i.e. assignments on contract for deed, personal guarantees, etc.)
- At a closing meeting, the Owner signs all necessary loan documents.
- NeighborWorks records the mortgage and any other necessary documents.
- NeighborWorks collects from the Owner and disburses the closing costs (title search costs, recording fees, etc.)
- The Owner signs appropriate loan documents for the Forgivable Portion of the retaining wall based upon the final construction costs and stating that, if the property owner violates the City of Deadwood’s Minimum Maintenance Standards before the term of the Forgivable Loan, the entire forgivable loan amount must be repaid in full based upon the policies and guidelines of the program.
- NeighborWorks prepares and issues a “Notice to Proceed” to the Contractor and the City of Deadwood.

12. Project Begins

- HPC approves the allocation of Loan Funds (Owner portion) and Grant Funds (HPC’s Portion).
- The City of Deadwood awards the contract to the recommended bidder.
- The Owner enters into a contract with the recommended bidder (Contractor).
- The Contractor obtains a City of Deadwood Building Permit.

- The Historic Preservation Officer and the City Building Inspector monitor and inspect the work in progress.
 - The City Building Inspector conducts inspections when:
 - demolition of the old wall is complete,
 - soil nails, shot-crete, anchors or other soil stabilization is conducted
 - wall reinforcement is installed but before new footings are poured,
 - wall reinforcement is installed but before the wall is poured or laid up,
 - concrete blocks are set, and
 - any masonry work is conducted.
 - After all construction is complete, the Historic Preservation Officer and the City Building Inspector will conduct final inspections and note any punch list items if the work is not complete. When all the punch list items are completed, a last inspection will be done.
13. **Forgivable Portion and Owner’s Portion Disbursement**
- The Historic Preservation Officer and City Building Inspector authorize the disbursement of the forgivable portion funds and Owner’s portion funds after the Contractor satisfies the progress payment milestone or satisfies all the punch list items.
 - If a loan is involved, NeighborWorks submits a voucher for the Owner’s disbursement to HPC for approval.
 - HPC approves the forgivable portion and Owner’s portion disbursement at the HPC meeting.
 - The City Finance Office issues checks for the grant portion and Owner’s portion disbursement to the Historic Preservation Office.
 - If a loan is NOT involved,
 - Contractor picks up checks from Historic Preservation office and if the check are to cover the final payment, the Contractor must sign a lien waiver.
 - Owner is notified that final contractor payment has been made.
 - If a loan IS involved,
 - NeighborWorks picks up checks from the Historic Preservation Office.
 - Contractor picks up checks from NeighborWorks, and if the check is to cover the final payment, the Contractor must sign a lien waiver.
 - Owner is notified that final contractor payment has been made.
14. **Final Loan Closure**
- NeighborWorks prepares the permanent loan documents and retains the Owner’s signature.
 - NeighborWorks places the account on computer.
 - If loan applies to a Non-Owner Occupied property, NeighborWorks sends payment coupon books to the Owner.
15. **Continued Administration of Loans**
- If loan applies to a Non-Owner Occupied property, the Owner delivers their monthly loan payments to NeighborWorks. Checks must be payable to Deadwood Historic Preservation Commission.
 - NeighborWorks records the loan payments on the computer account.
 - NeighborWorks delivers checks for loan payments and loan statement to the City Finance Office.

- NeighborWorks reviews all accounts once a month.
- NeighborWorks contacts the delinquent accounts and requests payments.
- NeighborWorks prepares and presents a month loan report to HPC.

16. **Satisfaction of Loan**

- Building Inspector notifies property owner if property does not meet Minimum Maintenance Standards, and if these issues are not resolved, the Building Inspector advises the HP Loan Committee. The HP Loan Committee provides recommendation to HPC either to work with owner, or make loan immediately payable.
- After terms and conditions of the loan are completed, NeighborWorks prepares a satisfaction of mortgage for the loan funds.
- HPC signs the satisfaction of mortgage.
- NeighborWorks collects from the Owner the recording fees for the satisfaction of mortgage documents.
- NeighborWorks delivers the satisfaction of mortgage to the Register of Deeds.
- NeighborWorks closes the Owner's loan account.
- NeighborWorks forwards the loan documents to the HP Office.
- The HP Office retains the loan documents for at least seven (7) years.