

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RESIDENTIAL LENDING AND REHABILITATION SERVICES

250 FRANK H. OGAWA PLAZA, SUITE 5313

OAKLAND, CALIFORNIA 94612-2034

ResidentialLending@oaklandca.gov



EARTHQUAKE SAFE HOMES PROGRAM (ESHP)

Owner Instructions

This document contains instructions for owners who have been selected to participate in Oakland’s Earthquake Safe Homes Program (ESHP), which provides reimbursement of **up to 75%** of the cost of the seismic retrofit of certain types of owner-occupied 1-4 unit buildings. If you have received a Notice to Proceed with Design Development from ESHP, these instructions cover the broad steps to complete your project and receive reimbursement of your eligible design and construction costs.

A complete description of program guidelines and forms referenced in these instructions are available at the ESHP website:

<https://www.oaklandca.gov/resources/earthquake-safe-homes-programs>

You may contact the ESHP office at ResidentialLending@oaklandca.gov or 510-238-3598.

Summary

The path you follow for your ESHP retrofit depends on whether your project is eligible for the FEMA Plan Set (FPS) or requires plans engineered according to the California Existing Building Code (CEBC). The steps necessary to complete the three Phases of the process are summarized below and explained in detail on the following pages. See also the [ESHP Retrofit Process Summary](#), available at the website.

<u>PHASE I: DESIGN DEVELOPMENT</u>	
<ol style="list-style-type: none"> Determine your eligibility for the FEMA Plan Set. Complete and return the <u>Intent to Proceed</u> form. 	
Then choose the path appropriate for your type of project and proceed as follows:	
<i>FPS Steps: Eligible to use the FEMA Plan Set:</i> <i>Follow the FPS steps (pages 2-7)</i>	<i>CEBC Steps: NOT eligible to use the FEMA Plan Set:</i> <i>Follow the CEBC steps (pages 8-13)</i>
FPS-3 Hire contractor and have the FEMA Plan Set completed for your project.	CEBC-3 Hire design professional and have design completed.
	CEBC-4 Submit design and ESHP Project Description to ESHP in PDF format.
	CEBC-5 Obtain bids for construction and hire contractor.
<u>PHASE II: PROJECT SUBMISSION AND REVIEW</u>	
FPS-4 Submit Design Review Package.	CEBC-6 Submit Design Review Package.
FPS-5 Approvals and Permit Issuance	CEBC-7 Approvals and Permit Issuance
<u>PHASE III: CONSTRUCTION AND REIMBURSEMENT</u>	
FPS-6 Construction	CEBC-8 Construction
FPS-7 Close-out and reimbursement	CEBC-9 Close-out and reimbursement

1. Determine your eligibility for the [FEMA Plan Set](#)¹

Date complete:

You must use the FEMA Plan Set if your building is eligible to use it. If your building is not eligible, you will need to hire an engineer to design your retrofit plans.

To determine eligibility, answer Yes or No to each of the following questions.

If you answer Yes to all questions, your building is eligible to use the FEMA Plan Set unless a compromised or insufficient foundation requires engineered modifications.

Is the building entirely residential, containing fewer than five residential units?

Yes / No

The FEMA Plan Set is normally limited to single-family and duplex residences. This program expands eligibility to 3- and 4-unit buildings that are structurally similar and entirely residential.

Is the home two stories or less above a crawl space?

For this question, do not count the crawl space as a story, no matter its height.

Are all the floors in each story at the same elevation?

This question refers only to floors above grade. The intent is to exclude split-level houses, which are not eligible due to complex framing and behavior.

Are the home’s walls, floors, and roof constructed of wood framing?

If the house has walls made of brick, concrete block, or concrete, answer No.

Does the home have a continuous perimeter concrete foundation?

If the foundation is built of brick or stone, answer No. If a concrete foundation has only distinct, disconnected pieces under wood posts, answer No. Note that an insufficient or compromised foundation may mean that a retrofit otherwise eligible for the Plan Set may need engineered modifications or work outside of the scope of this program. Concrete testing may be required in certain situations. Consult the Plan Set sheets S2, section H for more information.

Does the home have an accessible crawl space?

This question is intended primarily to rule out houses that are entirely “slab on grade” construction. However, even if the ground floor is made from wood joists, if the area between the joists and the ground is too tight for a worker to access, or if the underfloor area has no access hatch, answer No. If part of the house has a crawl space and part is slab on grade, answer Yes. If part or all of the crawlspace is tall enough to stand in, answer Yes.

Are all the cripple walls less than seven feet in height?

The “cripple walls” are the wood stud walls enclosing and within the crawl space. The height of a cripple wall is measured from the top of the concrete foundation to the underside of wood floor joists above. The height in question therefore refers only to the height of the wood portion of the wall, not to the total height of the crawl space (which can sometimes be high enough to stand in).

¹ https://www.fema.gov/media-library-data/1573753230448-1ea79fd48f054cf0435098eb7f55f75e/FEMAP-1024_RA2_SecondEdition_2019.pdf

Yes / No

Is the difference in height between the shortest and tallest cripple walls less than 4'-2"?

Where the floor joists sit directly on a sill plate and foundation, with no cripple wall studs, the "shortest" height to be used in this comparison should be taken as 0'-0". This question is intended to screen out sloped and hillside sites, which lead to complex behavior. If you answered No to this question but your site is not sloped, consult with ESHP.

Is all brick or stone veneer covering exterior walls, excluding chimneys, less than four feet in height above grade?

If the home does not have any brick or stone veneer, answer Yes. This question is intended to screen out especially heavy structures. The four-foot limit is intended to allow wainscot-style veneer. Small areas that rise more than four feet above grade are acceptable. If you are unsure, consult with ESHP.

Is the weight of the home's roof covering less than 11 pounds per square foot?

If the roofing material is asphalt shingle, wood shingle, or metal, answer Yes. If the roofing material is clay, terra cotta, concrete, or stone (including slate), answer No. Some tile roofs are lightweight but made to look like traditional clay tile. If you are uncertain, consult with ESHP.

SUMMARY: Is your building eligible to use the FEMA Plan Set?

If the answer to ALL of the previous questions is Yes, your building is eligible to use the FEMA Plan Set. Enter Yes here and follow the instructions below for projects using the FEMA Plan Set.

Otherwise, your building is not eligible to use the FEMA Plan Set. Enter No here and after completing step 2, follow the instructions beginning on page 9 for projects NOT using the FEMA Plan Set (CEBC steps).

2. Complete and Return the included <u>Intent to Proceed</u> form	Date Complete:
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Deadline: Two weeks from the ESHP Notice to Proceed with Design Development, or as stated within that notice.

By completing the Intent to Proceed, you will confirm your intent to pursue your retrofit according to program guidelines and document your eligibility for the program, including:

- Your understanding of basic program requirements and intent to comply
- Eligibility for the FEMA Plan Set (per Step 1) or need for engineered plans
- Availability of funds for up-front design and construction costs
- U.S. citizenship or legal resident alien status
- Owner-occupancy
- Property tax status
- Mortgage payment status
- Evidence of homeowner's insurance

Once approved, the ESHP office will return an approved copy of your Intent to Proceed and establish deadlines to submit bids and the design package necessary for construction approval.

**If your building is eligible to use the [FEMA Plan Set \(FPS\)](#):
follow Steps FPS-3 through FPS-7 starting on the next page.**

**If your building requires engineered plans:
follow Steps CEBC-3 through CEBC-9 starting on page 9.**

Phase I: Design Development

FEMA Plan Set (cont. from pg. 4)

FPS-3. Obtain and submit bids from at least 2 contractors, submit to ESHP for approval, and hire your choice.

Date complete:

Deadline: 45 days after approval of your Intent to Proceed (Step 2)

Intent to Proceed approval date: _____

Deadline for reporting design bids: _____

If you determined that your building is eligible for the FEMA Plan Set in Step 1, you do not need to hire an engineer or architect. An experienced and licensed contractor should be qualified to provide the necessary design information. The following checklist might be helpful.

Find interested and experienced contractors

You may contact the ESHP office for a list of contractors that are interested in bidding on ESHP projects, but you are also encouraged to research qualified contractors in the region via the internet or referrals. You may find useful information at <http://resilience.abag.ca.gov/retrofitprof/> and <https://www.earthquakebracebolt.com/ContractorListing>.

Solicit and receive at least 2 bids for Construction

Instruct each potential bidder that they must:

- Review the materials at the website, including the [ESHP Design and Construction Fact Sheet](#) and the [ESHP Retrofit Process Summary](#) for a description of the process.
- **Confirm your eligibility to use the FEMA Plan Set** and comply fully with the instructions within. This document is readily available from an internet search, but you might need to provide them with a copy or link: https://www.fema.gov/media-library-data/1573753230448-1ea79fd48f054cf0435098eb7f55f75e/FEMAP-1024_RA2_SecondEdition_2019.pdf
- Complete the [ESHP Construction Bid Form – For Contractors](#) and provide an itemized bid with all costs required to secure permits including the cost of special inspection(s), if needed. For this program, you may not act as your own general contractor.

Check references, licenses, and insurance coverage.

- Checking references from similar projects is highly recommended but not required by ESHP.
- A contractor’s license may be confirmed at <http://www.cslb.ca.gov>

Submit the bids to ESHP using the [Documentation of Design or Construction Bids](#) form and indicate your choice.

Once bids have been approved, hire a contractor and forward the agreement to ESHP.

- An ESHP Construction Services Addendum is also required and must be signed by both parties.

Phase II: Project Submission and Review

FEMA Plan Set

FPS-4. Prepare and submit the design and Permit Application.

Date complete: _____

Deadline: 90 days after approval of your Intent to Proceed (Step 2)

Intent to Proceed approval date: _____

Deadline for submitting Design Review Package: _____

The Permit Application package **must be submitted directly to ESHP** and include the items in the checklist below. Once ESHP has a complete submission, it will be submitted on the applicant’s behalf for the required plan check and FEMA approval before permit issuance.

Completed FEMA Plan Set sheets: 1 electronic set in PDF format

These are to be completed by your contractor in accordance with the instructions on the Plan Set and forwarded to ESHP via email.

ESHP Project Description

This simple form is necessary for FEMA’s review and should be completed by your contractor. A copy was sent along with the Notice to Proceed and a PDF form that can be completed electronically is also available at the [ESHP website](#). The Project Description indicates:

- Whether the intended work will result in a change visible from the exterior of the building and include a complete description of any such visible change, including photographs of the existing condition and a statement regarding whether alterations will be in-kind or reversible. **Visible changes are likely to delay approvals and are therefore discouraged.**
- Whether any of the seismic retrofit work covered by the FEMA Plan Set is not needed for your building and what optional seismic work you intend to do as part of the project.
- What optional non-reimbursable work you intend to do as part of the project under a separate permit application.

Building permit application(s)

To be completed by your contractor. Use the [Permit Application](#) available from the Bureau of Building or the [ESHP website](#).

- All work needed to comply with the FEMA Plan Set must be under a single permit application.
- Optional reimbursable seismic work may be included on the same permit or included under a separate permit.
- Optional non-reimbursable work must be under a separate permit.
- The project valuation must match the amount shown in the previously submitted bids and as summarized on the [Documentation of Design or Construction Bids](#) form (Step FPS-3).

FPS-5. Allow 4-6 weeks for approvals and permit issuance.	Date complete:
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Once the ESHP review is complete and the permit application has been submitted:

- Permit staff will contact the permit applicant with any questions required during plan check and for payment of applicable fees.
- If plan check prescribes special inspection(s), you will need to hire a special inspector separate from your contractor before the permit can be issued. Your contractor may recommend one. You are responsible for keeping copies of invoices and proof of payment for any associated costs.
- Once the FEMA review is complete and the selected construction bid has been approved, the ESHP office will issue a Notice of FEMA Design Approval to the owner confirming eligible activities and reimbursable costs and setting a deadline for project completion, which is typically 120 days from that letter.
- A copy of this notice will be provided to the Bureau of Building, authorizing them to issue the permit once their review is complete. Once all permit application requirements have been met, the permit may be issued and construction can begin.

Phase III: Construction and Reimbursement

FEMA Plan Set

FPS-6. Begin and complete the permitted construction.

Date complete:

Deadline for project completion per Notice of FEMA Design Approval: _____

Once the permit is issued, construction should begin promptly and be completed by the provided deadline. Your contractor is responsible for complying with all Bureau of Building requirements, including:

- Scheduling permit inspections with the Bureau of Building.
- Coordinating special inspections.
- Documenting and obtaining engineering and permit approvals for any necessary changes to the approved plans.

FPS-7. Submit the Request for Reimbursement form and complete the close-out inspection.

Date complete:

Deadline: 30 days from the final permit inspection.

Follow the steps below for project close-out and reimbursement. When the submittal and the inspection are complete, the ESHP office will request funds from CalOES and disburse them to you with a Project Close-Out Notification. **This final step is expected to take 30 to 60 days.**

Register with [iSupplier](#)

The City’s payment disbursement system is iSupplier. Register for the system here and note your assigned ID number: <https://www.oaklandca.gov/services/register-with-isupplier>. See instructions on the Reimbursement Request form.

Ensure that the project value of each relevant permit matches the project costs you intend to submit for reimbursement. Pay outstanding permit fees before submitting a request.

Complete and submit the Reimbursement Request form with invoices and proof of payment.

The form will require details from your Notice of FEMA Design Approval regarding eligible costs along with invoices and proof of payment for actual costs incurred. If project costs exceeded the maximum as stated in the ESHP Design Approval and a funding increase has not already been approved, include supporting documentation with a narrative of the circumstances to request additional funds. Requests should be submitted as soon the need can be documented, ideally before costs have been incurred.

Coordinate and complete the close-out inspection

ESHP must inspect to document final conditions and ensure that all FEMA requirements were satisfied.

If your building is *not* eligible to use the FEMA Plan Set (FPS), skip Steps FPS-3 through FPS-7 above, and follow Steps CEBC-3 through CEBC-9 starting on the next page.

Phase I: Design Development

CEBC engineered plans (cont. from pg. 4)

CEBC-3. Obtain bids for design services and have the design completed.

Date complete

Deadline: 45 days after approval of your Intent to Proceed (Step 2)

Intent to Proceed approval date: _____

Deadline for reporting design bids: _____

For ESHP projects that require engineered plans, qualified design professionals include only California-licensed architects, civil engineers, or structural engineers. The following checklist might be helpful:

Find interested design professionals

Engineers are in great demand, so searching a wide geographic area is encouraged. Look for smaller firms that can do residential projects for a flat fee of \$1500-\$3000, in which case a second bid is not required. Some contractors also provide referrals or in-house design services. Useful resources are also available at <http://aiaeb.org/find-an-architect/member-firms/> and <https://www.seaonc.org/page/referrallist>.

Solicit bids for Design

Instruct each potential bidder that they must:

- Comply fully with Chapter A3 of the current *California Existing Building Code* (CEBC).
- Review the materials at the website, including the [ESHP Design and Construction Fact Sheet](#) and the [ESHP Retrofit Process Summary](#) for a description of the process. Understand that finished work that changes the visible exterior of the building will cause delays for FEMA review and is therefore discouraged.
- Include costs required for clarifications as needed during the permitting plan check process.
- Include in their design bid the cost of structural observation during the construction phase (this is different than a “special inspection” required by the building permit).
- Include the costs of any additional optional services, such as design of optional reimbursable or non-reimbursable work, construction bid review, or construction management.

Check references and licenses

- Checking references from similar projects is highly recommended, but not required by ESHP.
- An architect’s license may be confirmed at https://www.cab.ca.gov/consumers/license_verification.shtml.
- An engineer’s license may be confirmed at https://www.bpelsg.ca.gov/consumers/lic_lookup.shtml.

If your project requires multiple design bids because the estimated fees exceed \$3750, submit the completed [Documentation of Design or Construction Bids](#) form to ESHP indicating your choice.

- Include the requested bid information from at least 2 design professionals. If you were unable to get more than one bid, explain your efforts and your choice on the form.
- Use the proper Bid Type on the form:
 - If you solicit bids only from design-build contractors, use the “Design & Construction” bid type on the form.
 - If you will solicit bids for design and construction separately, use the “Design” bid type for this phase and describe any construction costs on a separate form (see step CEBC-5 on page 11 and the [ESHP Design, Construction, and Reimbursement Guidelines](#) for more information.

Once bids have been approved, hire a design professional, forward the agreement to ESHP, and have the plans completed.

Your engineer should complete the design and prepare plans sufficient to solicit construction bids. The plans may use the format and details of the FEMA Plan Set, but the design must be substantiated by building-specific calculations in compliance with CEBC Chapter A3. The plans should show all the intended work, including any optional reimbursable and optional non-reimbursable work described under a separate permit.

CEBC-4. Submit the ESHP Project Description, plans, and calculations to ESHP in PDF format.	Date complete:
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The following files must be submitted to ESHP in electronic PDF format once complete:

ESHP Project Description (PDF Format)

This form is necessary for FEMA’s review and should be completed by your design professional. You received a copy with your Notice to Proceed and a PDF form that can be completed electronically is also available at the [ESHP website](#). The Project Description will indicate:

- Whether the intended work will result in changes visible from the exterior of the building and include a complete description of any such visible change, including photographs of the existing condition and a statement regarding whether alterations will be in-kind or reversible. **Visible changes are likely to delay approvals and are therefore discouraged.**
- Whether any of the required seismic retrofit measures are not needed for your building and what optional seismic work you intend to do as part of the project.
- What optional non-reimbursable work you intend to do as part of the project under a separate permit application.

Plans suitable for bid, with supporting calculations (PDF Format)

These are to be completed by your design professional. They will include calculations showing compliance with CEBC Chapter A3, compliance of any optional work with applicable codes and regulations, and other materials as requested by the Building Official. All materials are to be prepared in accordance with normal Bureau of Building requirements.

CEBC-5. Obtain and submit at least 2 construction bids and hire your approved contractor.	Date complete:
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Deadline: Construction bids are expected before submission of the permit application. If bids are delayed, contact ESHP to discuss design submission before all bids have been obtained.

Provide the completed design to potential contractors for them to bid on. You may find this checklist helpful:

Find interested and experienced contractors

You may contact the ESHP office for a list of contractors that are interested in bidding on ESHP projects, but you are also encouraged to research qualified contractors in the region via the internet or referrals. You may find useful information at <http://resilience.abag.ca.gov/retrofitprof/> and <https://www.earthquakebracebolt.com/ContractorListing>.

Solicit and receive at least 2 bids for Construction (3 are preferred)

Instruct each potential bidder that they must:

- Summarize each bid using the [ESHP Construction Bid Form – For Contractors](#). You received this with the Notice to Proceed and it is also available at the ESHP website as a PDF form that can be completed electronically.
- Itemize all costs of securing permits and approvals, as well as the cost of special inspection, if needed. For this program, you may not act as your own general contractor, and you may not pull your own permit.
- Understand the approval process for this program, including possible waiting periods for design approvals by ESHP and FEMA. You may refer potential bidders to the [ESHP Retrofit Process Summary](#) and the [ESHP Design Construction and Reimbursement Guidelines](#) for a description of the process.

Check references, licenses, and insurance coverage

- Checking references from similar projects is highly recommended, but not required by ESHP.
- A contractor’s license may be confirmed at <http://www.cslb.ca.gov>

Submit the bids to ESHP using the [Documentation of Design or Construction Bids](#) form and indicate your choice.

Once bids have been approved, hire a contractor and forward the agreement to ESHP.

- An ESHP Construction Services Addendum is also required and must be signed by both parties.

Phase II: Project Submission and Review

CEBC engineered plans

CEBC-6. Prepare and submit the design and Permit Application.

Date complete: _____

Deadline: 90 days after approval of your Intent to Proceed (Step 2)

Deadline for submitting Design Review Package: _____

The Permit Application package **must be submitted directly to ESHP** and once complete it will be submitted on the applicant’s behalf for plan check and FEMA approval before permit issuance. Include the following:

Building permit application(s)

To be completed by your contractor. Use the [Permit Application](#) available from the Bureau of Building or the [ESHP website](#).

- All work needed to comply with CEBC Chapter A3 must be under a single permit application.
- Optional reimbursable seismic work may be included on the same permit or included under a separate permit.
- Optional non-reimbursable work must be under a separate permit.
- The project valuation must match the amount shown in the previously submitted bids and as summarized on the [Documentation of Design or Construction Bids](#) form (Step CEBC-5).

Completed seismic retrofit plans and calculations: 1 electronic set and 3 paper sets if formatted larger than 11x17

A digital copy of the final plans should have already been forwarded to ESHP and can be printed by the ESHP office so long as they are to scale at 11x17. Provide any revisions in PDF format and 2 paper copies of any plans formatted larger than 11x17.

CEBC-7. Allow 4-6 weeks for approvals and permit issuance.

Date complete: _____

Once the ESHP review is complete and the permit application has been submitted:

- Permit staff will contact the contractor with any questions required during plan check and for payment of applicable fees.
- If plan check prescribes special inspection(s), you will need to hire a special inspector separate from your contractor before the permit can be issued. Your contractor may recommend one. You are responsible for keeping copies of invoices and proof of payment for any associated costs.
- Once the FEMA review is complete and the selected construction bid has been approved, the ESHP office will issue a [Notice of FEMA Design Approval](#) to the owner confirming eligible activities and reimbursable costs and setting a deadline for project completion, which is typically 120 days from that letter.
- A copy of this notice will be provided to the Bureau of Building, authorizing them to issue the permit once their review is complete. Once all permit application requirements have been met, the permit may be issued and construction can begin.

Phase III: Construction and Reimbursement

CEBC engineered plans

CEBC-8. Begin and complete the permitted construction

Date complete:

Deadline for project completion per Notice of FEMA Design Approval: _____

Your contractor is responsible for permit requirements, including:

- Scheduling permit inspections.
- Coordinating special inspections by your hired inspector, if required.
- Identifying any necessary changes to the approved plans, coordinating the changes with your design professional, and obtaining permit approvals for them.

Your design professional is responsible for:

- Performing structural observation and providing reports to the Bureau of Building.
- Documenting and substantiating any necessary changes to the approved plans.
- Providing other services (e.g. construction management) per your agreement.

You are responsible for paying your contractor and retaining copies of invoices and proof of payment to submit with the reimbursement request as described below.

CEBC-9. Submit the Request for Reimbursement form and complete the close-out inspection.

Date complete:

Deadline: 30 days from the final permit inspection.

Follow the steps below for project close-out and reimbursement. When the submittal and the inspection are complete, the ESHP office will request funds from CalOES and disburse them to you with a Project Close-Out Notification. **This final step is expected to take 30 to 60 days.**

Register with [iSupplier](#)

The City's payment disbursement system is iSupplier. Register for the system here and note your assigned ID number: <https://www.oaklandca.gov/services/register-with-isupplier>. See instructions on the Reimbursement Request form.

Ensure that the project value of each relevant permit matches the project costs you intend to submit for reimbursement. Pay outstanding permit fees before submitting a request.

Complete and submit the Reimbursement Request form with invoices and proof of payment. The form will require details from your Notice of FEMA Design Approval regarding eligible costs along with invoices and proof of payment for actual costs incurred. If project costs exceeded the maximum as stated in the ESHP Design Approval and a funding increase has not already been approved, include supporting documentation with a narrative of the circumstances to request additional funds. Requests should be submitted as soon the need can be documented, ideally before costs have been incurred.

Coordinate and complete the close-out inspection

ESHP must inspect to document final conditions and ensure that all FEMA requirements were satisfied.