

Frequently Asked Questions

Seismic Mitigation Program

AVAILABLE FUNDING

Q. *Is Seismic Mitigation Program (SMP) funding available?*

There is approximately \$86.2 million in remaining bond authority as of the April 20, 2016 State Allocation Board (SAB) meeting, however, cash is not readily available. Projects receive unfunded approvals from the SAB to reserve bond authority. Cash becomes available in either of the following two ways:

1. Funds return to the state from other projects that did not move forward (such as rescissions or savings from previous projects)
2. A bond sale provides funds for SMP projects and other projects with unfunded approvals

Q. *How do I know if my project qualifies for SMP funding?*

Qualifying for participation in the SMP begins at the Division of the State Architect (DSA). Please read DSA's Procedure: [School Facility Program/Seismic Mitigation Program](#) (Procedure PR 08-03) to get started.

QUALIFYING FOR THE SMP

Q. *What facilities qualify for SMP funding?*

The facility must be a Category 2 building that qualifies as determined by DSA either by the existence of (1) a facility that has a collapse potential due to seismic deficiencies and ground shaking factors and/or (2) a facility that has collapse potential due to faulting, liquefaction, or landslide. Category 2 buildings must meet all of the following requirements:

- Construction contract must be executed on or after May 20, 2006
- Project funding provided shall be for the minimum work required to receive DSA approval

- The building is designed for occupancy by students and staff
- DSA concurs with a report by a structural engineer, identifying structural deficiencies that pose an unacceptable risk of injury to its occupants in a seismic event

The building must also be one of the following building types as defined in School Facility Program Regulation Section 1859.2:

C1 – Concrete Moment Frame

C1B – Reinforced Concrete Cantilever Columns with Flexible Diaphragms

C2A – Concrete Shear Wall with Flexible Diaphragms

C3A – Concrete Frame with Infill Masonry Shear Walls and Flexible Diaphragms

PC1 – Precast/Tilt-up Concrete Shear Wall with Flexible Diaphragms

PC1A – Precast/Tilt-up Concrete Shear Wall with Rigid Diaphragms

PC2A – Precast Concrete Frame without Concrete Shear Walls and with Rigid Diaphragms

PC2 – Precast Concrete Frame and Roofs with Concrete Shear Walls

URM – Unreinforced Masonry Bearing Wall Buildings

RM1 – Reinforced Masonry Bearing Wall with Flexible Diaphragms

URMA – Unreinforced Masonry Bearing Wall with Rigid Diaphragms

S1B – Steel Cantilever Columns with Flexible Diaphragm

S3 – Steel Light Frame Metal Siding and/or Rod Bracing

M – Mixed construction containing at least one of the above structure types

For more information on Category 2 buildings see the [Seismic Safety Inventory of California Public Schools Report](#).

APPLICATION PROCESS

Q. *What documents do I need to submit to OPSC to apply for SMP funding?*

- Industry Specialist's report(s): A report from a structural engineer identifying the seismic deficiencies. The report must also contain the recommended minimum work to mitigate the deficiencies.
- Governmental Concurrence: Two letters from DSA and, if applicable, a letter from the California Geological Survey (CGS).
 - DSA Step 1 (phase 1, or, eligibility) letter, which concurs that the facility qualifies for SMP funding
 - DSA Step 2 (phase 2/3) letter, concurring that the district's corrective plan represents the minimum work required to mitigate the seismic deficiencies
 - A CGS letter is required only if qualification is based on site/ground issues
- Detailed cost estimate for rehabilitation: The SMP provides funding for the minimum work to mitigate the seismic deficiencies as identified by the structural engineer; therefore, the cost estimate must only contain the costs associated with the minimum work. All cost estimates will be reviewed by the OPSC to determine the amount of funding for which the project is eligible. Please note that even if the district will be replacing facilities, this cost estimate is still required.
- Cost-Benefit Analysis: This analysis compares the minimum costs to rehabilitate the facilities to the cost to replace the facilities. The current replacement grant amounts are updated each year; please see the [Annual Adjustment to School Facility Program Grants](#). This will indicate the type of funding for which the project is eligible (rehabilitation or replacement).
- Site Diagram: Specifically list or mark the building(s) affected
- DSA approved plans
- An Application for Funding (Form SAB 50-04) and all accompanying [Documents for a Full Funding Application](#).

Note: Please be advised that DSA is the building standards agency that focuses on reviewing compliance and not actual costs associated with the project. The OPSC is a funding agency. The OPSC's primary focus when reviewing estimated rehabilitation costs is to ensure that they include only the minimum necessary to mitigate the seismic deficiencies and to obtain DSA approval.

Q. *What is a Conceptual Approval?*

Because of the complex nature of Facility Hardship and SMP projects, the OPSC will accept most

documents in advance of submitting a funding application, to give the district an idea of any potential issues that may arise, and how the OPSC will fund the project.

To apply for Conceptual Approval, the district must submit all of the forms listed above, except for the funding documents. The district also does not need to submit DSA-approved plans; however, some measurable documentation will be required to verify the district's cost estimate. Please contact a [Facility Hardship/SMP analyst](#) for more details.

Q. *If the SAB approves my Conceptual Application, are SMP funds reserved for my project?*

No funds are reserved at the time of a conceptual approval. Conceptual approval is not a mandatory step in the funding process, but allows a school district and its stakeholders to receive acknowledgement from the SAB that the project meets program requirements. Conceptual approval shows that a project is eligible to apply for funding if bond authority is available and all other application requirements have been completed.

OTHER QUESTIONS

Q. *What is the State/District matching share percentage for SMP projects?*

All SMP projects are funded on a 50/50 state and local match basis. The only exception is when a district obtains financial hardship status; then the project may receive up to 100 percent state funding. Districts should contact the Financial Hardship Team supervisor to determine whether a project meets the requirements to qualify for Financial Hardship assistance.

- John Leininger, Financial Hardship Team supervisor, 916.375.4610.

Q. *We need to provide interim housing during construction or repair. Can I get additional funding for interim housing?*

Districts may expend Facility Hardship SMP funds on interim housing; however, projects are not provided any additional grants for this purpose.

Q. *Is there state funding available to pay for the industry specialist to prepare the Eligibility Evaluation Report Template?*

While advanced funding is not available through the SMP, costs associated with the preparation of the Eligibility Evaluation Report are eligible expenditures. The district may reimburse itself for those costs after the receipt of SMP funds. School districts should contact the Financial Hardship Team supervisor prior to the expenditure of any funding. This is to

ensure proper documentation is retained so that any potential Financial Hardship funding is not jeopardized.

Q. *What is the order in which projects are funded?*

Complete SMP project submittals are processed to the SAB in order of received date. Facility Hardship is a health and safety mitigation program; therefore, projects approved by the SAB are placed at the top of the Unfunded List (Lack of AB 55 Loans) and given priority for funding once cash (and bond authority, once current authority is exhausted) becomes available.

Q. *Can I submit an application for reimbursement for seismic work already completed?*

Yes. Reimbursement projects for Category 2 buildings that meet the criteria in SFP Regulation Section 1859.82 will be considered for funding. As mentioned above, districts must ensure that Category 2 buildings meet all of the following requirements:

- The construction contract be executed on or after May 20, 2006
- The project funding provided shall be for the minimum work required to receive DSA approval
- The building is designed for occupancy by students and staff
- DSA concurs with a report by a structural engineer, identifying structural deficiencies that pose an unacceptable risk of injury to its occupants in a seismic event