



HOME IMPROVEMENT GUIDE

A Free Contractor Directory & Resource Guide For Homeowners And Consumers

Construction Project Check List

- Check the contractor license number at www.cslb.ca.gov to make sure it is current and in good standing.
- Ask to see the contractor's pocket license and a current photo ID.
- Ask for a list of current contact information (*telephone number and business address*) for the contractor, subcontractors, and suppliers.
- Find out from your local building department whether your project needs a building permit and confirm that your contractor will obtain all necessary permits.
- Get at least three contractor bids and references, and check out, in person, each prospective contractor's recent similar projects.
- Ask whether your contractor carries general liability insurance for employees in case accidental damage occurs during the project, and workers' compensation insurance for employees.
- Make sure all project materials and expectations are spelled out and signed in a written contract, including clean-up, debris removal, and site security.
- Ask your contractor if he or she understands your project expectations.
- Schedule and document each phase of your project and the corresponding payment schedule. Do not let payments get ahead of the work.
- Pay no more than 10% down or \$1,000, whichever is less.*
- Avoid paying in cash.
- Keep all of your project documents, including payments and photographs, in a job file.
- Try researching your contractor's name online for additional reviews.

* There is an exception to this rule for contractors who have filed a blanket performance and payment bond with CSLB's Registrar. This information is noted on the contractor's license detail page on CSLB's website at www.cslb.ca.gov.

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25 QUESTIONS TO ASK AN ARCHITECT (OR DESIGNER/DRAFTER)

By Mike Behler, Behler Construction Company
President, North Coast Builders Exchange

EXPERIENCE:

- What is your design philosophy?
- What sets your firm apart from other architects with similar experience?
- Do you have experience with the building type and size of my project?
- Will you share with me a portfolio of similar projects and provide a list of client references?
- Who from the architecture firm will I be dealing with on a regular basis? Is this the person who will design my project?

MY PROJECT:

- Are you interested enough in this project to make it a priority?
- What challenges do you foresee for my project?
- What do you see as the important issues or considerations in my project?

- What is your estimated timetable for my project?
- What means will you use to collect information about my needs, goals, etc ...?
- How will you help me to fully understand the scope and sequence of the project? Will you utilize models, drawings, or computer animation?

DESIGN:

- What are the steps in the design process, and how are they organized?
- What criteria will be used to establish priorities and make design decisions?
- What do you expect me to provide?
- How disruptive will construction be?
- What role do you have during construction? Am I expected to work with the contractor directly?

MORE ON PAGE 3

Solid Answers To Your Building And Remodeling Questions

How To Use This Guide

Welcome to the 2021-22 Fall/Winter edition of the North Coast Builders Exchange Home Improvement Guide.

If anyone can make the process of finding someone to help with your residential or commercial building project easier, it's NCBE. We're an association with 1200 members throughout Sonoma, Lake, Mendocino and Napa Counties, and we've been offering consumer recommendations for over 60 years.

Here's how we suggest you use this Guide. First, look at the work specialty

listings on page 2 to find out where in the Guide you can find the contractor or supplier to meet your need. Then check each listing to get the company's name, principal contact person, address, phone number and contractor's license number.

The Guide is one of the most complete we've ever published. In addition to listing a wide variety of contractors for your every building need, we have included a number of suppliers of legal, financial, insurance and other professional services.

Also, in the back of the Guide there are several consumer information articles that you should find interesting. When you're done with the directory portion, we suggest you keep the Guide around your home or business as a handy reference tool.

We also encourage you to look at the display ads found throughout the Guide. They will provide you with additional information on those firms that will be helpful in your selection process.

Good luck! If you've got any questions, feel free to call us at (707) 542-9502.

2021-22 Fall/Winter Home Improvement Guide

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WHAT YOU NEED TO KNOW BEFORE HIRING A CONTRACTOR

By Mike Behler,
Behler Construction Company

1. Type of Construction:

There are options. What works best for you?

a. Custom designed home:

i. Pros: get what you want.

ii. Cons: takes more time for entire process, could cost more than a pre-designed home.

b. Rebuild original design:

i. Pros: updating existing plans could be faster than a new custom design.

ii. Cons: could cost more than a pre-designed home.

c. Use pre-designed home:

i. Pros: faster approval process, best pricing.

ii. Cons: house may resemble many others in the neighborhood.

2. Contractor Selection:

a. References: Use every means possible to find a qualified contractor that you're comfortable with. Check with family and friends, neighbors, material suppliers, or organizations for suggestions. Watch for ads in local and social media.

b. Do your homework: Before and during a meeting with general contractors, find out all you can about their specific experience and qualifications. Visit their websites and request references, particularly past clients, and contact those references. Possible questions:

i. Do they hold a current "B" license with the State of California? If you want to verify, visit the Contractors State License Board website at www.cslb.ca.gov

ii. How long have they been in business?

iii. Are they local or coming into the area?

iv. Do they have a headquarters? You want them to be there in case something happens down the road.

v. Can contractor show you a portfolio of previously completed work on projects of your size?

vi. How many other projects would contractor have going at the same time and what is the anticipated construction schedule?

vii. Can the contractor give you names, addresses, and phone numbers of at least three clients with projects like yours. Ask each client how long ago the project was and whether it was completed on time. Was the client satisfied? Were there any unexpected costs? Did workers show up on time and clean up after finishing the job?

viii. Can you visit their jobs in progress?

ix. What are their insurance coverages and limits?

x. What type of warranties do you provide (*statutory, 3rd party*)?

xi. How much work will be self-performed versus subcontracted?

c. When you meet them, do you like them? This rebuilding process will be lengthy and require frequent and ongoing communications. Choosing a contractor you feel comfortable talking to can make for a more positive experience overall.

3. Pricing:

Don't expect contractors to give you the precise costs of rebuilding your home the first time you meet them. There are too many variables and unknowns for contractors until complete documents are prepared and the best you can hope for is to get rough estimates. Ask the contractor to

explain what these variables and unknowns are so that you'll have a better understanding of the difficulties they face in pricing your project. Things to understand:

a. Production builders can likely give you a more accurate price earlier on in the process.

b. Until the plans and specifications are fully updated and approved (*or prepared for a new design*), the contractor will not be able to obtain firm pricing from subcontractors and suppliers.

c. Site related work (*building pad and utilities*) often won't be known until consultants can do their inspections and design.

4. Pre-construction Process:

a. Two of the available options for getting your home rebuilt are:

i. Hire an architect to coordinate all of the things listed in "b" below. Having a contractor on board during this process is very beneficial because they can help with budgeting, details, and recommendations during the design phase.

ii. Find a contractor to coordinate all of the things listed in "b" below.

b. The pre-construction work that needs to be done is complex and can include:

i. Civil engineering

ii. Architectural design

iii. Soils testing

iv. Landscape design

v. Fire sprinkler design

vi. Structural engineering

vii. Interior design

viii. Mechanical and electrical design

ix. Title 24

x. CalGreen

xi. Encroachment permits (*if needed*)

xii. Processing required fee payments

xiii. HOA approval (*if needed*)

xiv. Site surveying

xv. Permitting

c. Understand what items will remain the Owner's responsibility (*i.e. pay fees, all-risk insurance, consultant costs, compliance / 3rd party testing*)?

5. Your Insurance/Lenders:

Have a full understanding of your home insurance policy and be prepared and willing to review that policy with a contractor so that there is a clear understanding of exactly what the policy allows. Ask if the contractor has previous experience working with insurance companies and/or construction lenders.

a. Working with insurance companies and/or lenders typically requires more paperwork and it's good to know that your contractor can handle this.

b. Will you need to contribute additional funds to your insurance settlement to be able to rebuild your home?

6. Contract:

It may seem obvious, but make sure everything you and a contractor discuss or agree upon is put in writing. Different contractors usually have different contract formats so have an attorney review any documents before you sign them. The contract is one of the best ways to prevent problems before you begin. The contract protects you and the contractor by including everything you have both agreed upon.

MORE ON PAGE 3

WHAT YOU NEED TO KNOW BEFORE HIRING A CONTRACTOR

FROM PAGE 2

- a. Get it in writing. Since a written contract protects both you and the contractor, all agreements should be put in writing. It should be as specific as possible regarding all materials to be used, such as the quality, quantity, weight, color, size, or brand name as it may apply. For example, the contract should read *“install oak kitchen cabinets, manufactured by Company XYZ, model 01381A, as per the plan,”* not just *“install kitchen cabinets.”*
- b. Don't sign anything until you understand the contract and agree to the terms. Anything you sign as authorization to move forward with the project could become the contract. Ask questions until you understand and agree to all the terms before signing.
- c. Make sure the contract includes everything that is agreed to, up to and including complete cleanup and removal of debris and materials, along with special requests like saving lumber for firewood or saving certain materials or appliances. Also give instructions regarding pets, children or areas where materials may not be stored.
- d. Never sign a blank or partially blank contract. Once you sign, both you and the contractor are bound by everything in the contract. Get a copy of the contract and keep it for your records.
- e. Always update your contract. Even after you have signed the contract and the work already has begun, you may want to make some changes. If you have added or subtracted work, substituted materials or equipment, changed the completion date, etc., make sure to note it in writing on a *“change order,”* and include any price changes. After a change order is signed, it becomes part of the written contract.
- f. Make sure the financial terms are clear. The contract should include the total price, when payments will be made, and whether there is a cancellation penalty.
- g. Several contract options are *“Stipulated Sum,” “Guaranteed Maximum Price,”* and *“Cost of Work Plus a Fee.”* Some variation or combination is also possible.
- h. If your contract contains allowances, make sure they are listed with corresponding amounts. Understand what the process to convert them to hard numbers will be.
- i. The itemized breakdown provided during the pricing of your home should be referenced in your contract.
- j. Your contract should list all documents being used to build your home. This would include all plans, engineering, reports, and specifications.
- k. Understand deposits and the difference allowed for Home Improvement and New Construction contracts. You should expect to make a down payment on any

home improvement job. That down payment should never exceed 10 percent of the contract price or \$1,000, whichever is less for a Home Improvement Contract. Deposits on New Construction can be much more but the CSLB recommends *“you ask your contractor to honor the same principles as home improvement projects located in the disaster zone”*. Understand when deposits will be credited back (i.e. first billing or later in the process)?

l. See Billings and Payments below for contract recommendations.

m. Ask to be named as additional insured on their general liability and workers' comp policies.

n. Get your attorney to review your contract!

7. Billings and Payments:

Be sure to ask the contractor *“What are your payment requirements?”* Include in your discussions the issues of an initial deposit, all fees, and the payment schedule the homeowner is required to follow. Reaching agreement up front can prevent financial and legal problems later.

a. **Payment requirements should be included in the contract.** A standard billing/payment cycle is monthly. More often may be requested and should be discussed with your insurance company and/or lender. Note more frequent payments require more billing and lien release paperwork.

b. Confirm that this process works with whatever your insurance company and/or lender can provide.

c. Other payment items to discuss are:

i. Possible retention. Will retention be held on contractor and subcontractors?

ii. Material deposits. Will any material deposits be required? Often, custom orders for materials require deposit.

iii. Pre-construction billings. Will there be billings for pre-construction work (see 4c above for some descriptions)?

iv. Final payment. Don't make it until:

1. You are satisfied with the work.
2. A Notice of Completion is recorded with the County.
3. The permit final has been signed.

d. Avoid paying in cash. Paying via check gives you a better paper trail.

e. Don't overpay on progress invoices. Paying on a percent complete basis helps prevent this.

f. Billing format. Does the billing format follow the itemized breakdown? Will they be billing on a percent complete basis or a milestone basis?

g. Billing inclusions:

i. Subcontractor and supplier invoices.

ii. Conditional releases from contractor, subcontractors, and suppliers for the current billing.

iii. Unconditional releases from contractor, subcontractors, and suppliers for the previous billing.

8. The lien process:

Educate yourself on steps required to ensure a *“lien free”* project.

a. Having a lien free project is obviously desired. Have contractor explain their lien and payment processes. Does contractor issue joint checks to pre-liened subcontractors and suppliers if conditional releases are provided? More information can be found here:

i. www.cslb.ca.gov/Consumers/Legal_Issues_For_Consumers/Mechanics_Lien/How_To_Prevent_A_Mechanics_Lien.aspx

b. You'll want to understand preliminary lien and conditional and unconditional liens upon progress and final payments.

c. Failing to follow a process could subject the Owner to paying twice for the same work.

9. Scheduling:

a. There are five important questions you should ask in any meeting you have with a contractor:

i. *“Can you give me at least a general timeline for rebuilding my home?”*

ii. *“How long will it take once you start construction?”*

iii. *“If we agree on a contract, when can you start?”*

iv. *“How is the construction schedule updated through construction?”*

v. *“Do you have a sample construction schedule?”*

b. Building as part of a group/neighborhood arrangement might mean you don't get to go first. For the builder and the best end result finished product, there are work flows (i.e. *back of cul-de-sac to front, or right to left around a court*) that work best for the construction process.

c. You might ask how long it'll take to get through the design and permitting process. This could vary substantially depending on whether you opt to rebuild exactly what you had before or by making changes (or even starting completely over).

d. Unfortunately, delays happen in construction projects. Although you may clearly understand the terms of your contract, the contractor may experience circumstances (such as *weather or material availability*) that prevent the construction work from remaining on schedule. This is just a normal part of a construction project.

10. Other Tips:

a. Keep everything. Keep a file of all documents relating to your project including estimates, contracts, preliminary notices, change orders, schedules, billings, payments, etc ...

b. Take photos. Take photos during all project phases.

25 QUESTIONS TO ASK AN ARCHITECT (OR DESIGNER/DRAFTER)

FROM PAGE 1

GREEN DESIGN:

- Do you have experience with *“green”* or sustainable design?
- Do you regularly integrate low or no cost sustainable design strategies into projects?
- Considering the many areas that may be affected by sustainable design, how will you determine which options to pursue?
- If sustainable design technologies are implemented, do upfront costs exist that may affect the construction budget? What are the expected pay back times?

FEEES:

- How do you establish fees?
- In anticipation of a formal proposal with costs, what would you expect your fee to be for this project?
- What is included in your basic services and what services would incur additional fees?
- If the scope of the project changes later in the project, will there be additional fees? How will these fees be justified? How will this be communicated to me?
- What is your track record with completing a project within the original budget?

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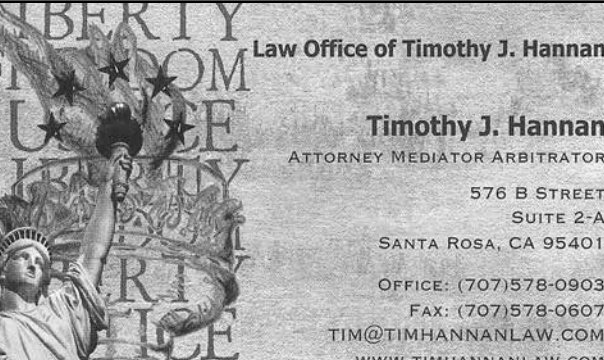
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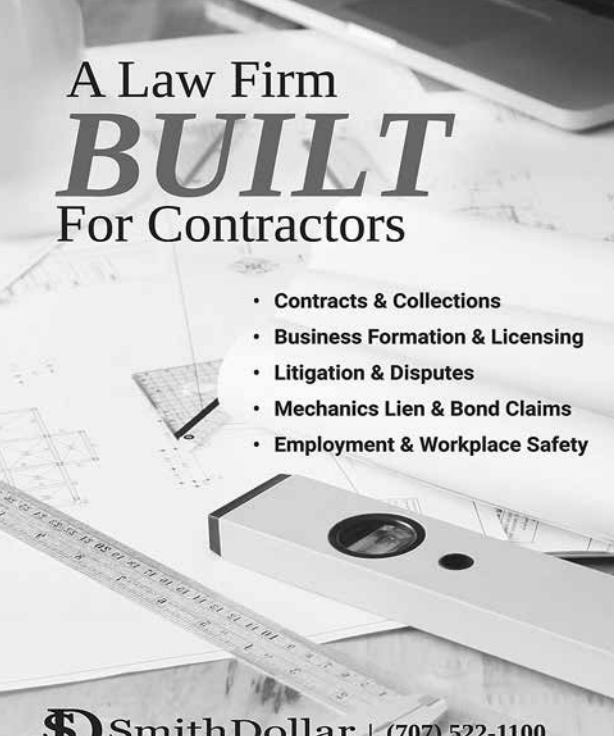
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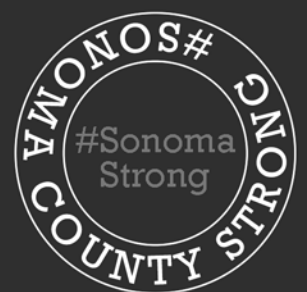
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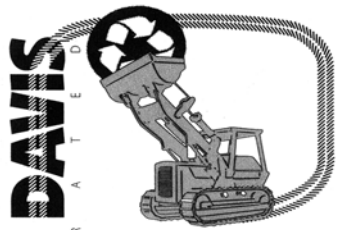
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TERMS OF AGREEMENT

A Consumer Guide to Home Improvement Contracts

What is a Contract?

A contract is a legal agreement between two or more people. A written agreement is one of the most important communication tools for both the contractor and consumer. It insures there are no misunderstandings about what a job will include. A thorough contract tells how the work will be done, when it will be done, what materials will be used and how much it will cost.

In California, there must be a written contract for all home improvement projects over \$500. By law, that contract must include specific information about your rights and responsibilities. The Contractors State License Board outlines the information for you on their website www.cslb.ca.gov.

A home improvement contract and any changes made to that contract must be in writing, be legible, be easy to understand, and inform the consumer of their rights to cancel or rescind the contract. If you are promised something orally make sure that it is included in writing.

Disagreements over home improvement projects can cost time and money. Besides producing bad feelings, they can also lead to lawsuits or other legal action. A well-written contract prevents that.

Anatomy of a Contract

A contract should contain everything agreed upon by the consumer and contractor. It should detail the work, price, when payments are made, who gets the necessary permits, and when the job will be finished. It should also identify the contractor, give their address and contractor license number.

A good contract also has warnings and notices about the right to cancel, mechanic's liens, and permissible delays.

Don't sign anything until you understand the contract and agree to the terms.

Description of Work to be Done (The Sign of a Well-Built Contract)

The best way to avoid disputes over what is or isn't expected from a home improvement job is to write out the details in a contract.

The contract should be as specific as possible regarding all materials to be used, such as the quality, quantity, weight, color, size, or brand name as it may apply.

For example, the contract should say "install oak kitchen cabinets, manufactured by Company XYZ, model 01381A, as per the plan," not just "install kitchen cabinets."

Describing the job - the good, the bad and the ugly

THE GOOD	THE BAD	THE UGLY
Install kitchen cabinets manufactured by Company XYZ, model ABC, per plan	Install oak country style kitchen cabinets	Install some cabinets
Paint indoor entry (per plan) using brand X paint, color ABC, two coats, with preparation described in next paragraph.	Prep and paint entryway with blue paint	Paint the entry
Brand X kitchen faucet in style ABC and color BCS.	Kitchen faucet replaced if necessary	Replace kitchen fixtures

Swimming pool contracts must include a plan and scale drawing showing the shape, size dimensions, and construction and equipment specifications.

Make sure the contract includes everything that is agreed to, up to and including complete cleanup and removal of debris and materials, and special requests like saving lumber for firewood or saving certain materials or appliances.

Complaints and Warranties

Be sure to get any warranty offered by the contractor for labor and materials in writing. It should specify which parts of the work are covered and the duration of the warranty. You should also request any written warranties offered by the manufacturers of materials or appliances installed by the contractor.

Consumers generally have 4 years to file a complaint about a faulty project with the CSLB. That deadline can be extended if there are additional warranties written into the contract.

Money - The Bottom Line

Price - All contracts must include the price that was agreed upon for the work. Any job \$500 or more needs a written home improvement contract. And by law, the job must be completed for the agreed upon contract price.

If the contract price needs to be changed, it **MUST** be done with a written "Change Order", which then becomes a part of the contract.

Down Payment - If the contract calls for a down payment before work starts, the down payment can not be more than one thousand dollars (\$1,000) or 10 percent of the contract price, whichever is less, for a home improvement job or swimming pool, excluding finance charges. There are no exceptions for special order materials.

Schedule of Payments - A home improvement contract must include the payment schedule. It should show the amount of each payment and explain what work, materials or services are to be performed for that particular payment.

Payments to the contractor cannot exceed the value of the work performed.

Swimming Pools - With swimming pool contracts, the final payment may be made at the completion of the final plastering phase of construction (*Provided that any installation of equipment, decking, or fencing required by the contract is also completed*). To learn more about hiring and dealing with swimming pool contractors, see the CSLB's free publication, *Before You Dive Into Swimming Pool Construction*.

Finance Charges - Must be laid out separately from the contract amount.

Sales Commission - If the contract provides for a payment of a salesperson's commission out of the contract price, that payment shall be made on a pro rata basis in proportion to the schedule of payments made to the contractor.

Salespersons - A salesperson cannot legally sign a home improvement contract for the contractor unless they are registered with the CSLB.

Mechanics Liens

Consumers are required to receive a "Notice to Owner" warning about property liens. Anyone who helps improve property, but who is not paid, may place what is called a mechanics' lien on the property. A mechanics' lien is a claim made against the property and recorded with the county.

Even if the contractor is paid in full, unpaid subcontractors, suppliers, and laborers involved in the project may record a mechanics' lien and sue the property owner in court to foreclose the lien. A property owner could be forced to pay twice or have the court sell their home to pay the lien. Liens can also affect a consumer's personal credit along with the ability to borrow and refinance.

Consumers can protect themselves from liens by getting a list from the contractor of all the subcontractors and material suppliers who will work on the project along with the dates when they will start. After 20 days it is possible to get suppliers and subcontractors to sign lien releases when their portion of the work is completed.

Another option for consumers is to pay with a joint check. Write a joint check payable to both the contractor and the subcontractor or material supplier.

For other ways to prevent liens, get the free CSLB Publication, *A Homeowners Guide To Preventing Mechanics Liens*.

Canceling

The Three-Day Right to Cancel - The Home Solicitation Sales Act requires a seller of home goods or services to give the buyer three days to think about whether or not to buy the offered goods or services.

To cancel, the buyer need only give the contractor written notice of his or her intent not to be bound by the contract — there is no penalty or obligation on the part of the buyer. Under the law when the contract is canceled the seller can be required to return the entire contract amount and, if a service has been provided, to return the consumer's property to the way it was before the

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Terms of Agreement: A Consumer Guide to Home Improvement Contracts

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contract, and return any materials to the contractor that were applied to the project.

The purpose of the three-day right to cancel is to protect consumers from the pressure they often feel from door-to-door solicitors.

Unless the contract is negotiated at the contractor’s place of business, the buyer qualifies for the 3-day right to cancel.

The Exception

Service and Repair Contracts

One major exception to the “three-day right to cancel” is a ‘Service and Repair’ contract that covers emergency repairs or services that are requested by the consumer on short notice.

The right to a three-day notice is automatically canceled the moment the contract is signed and the contractor begins working on a service and repair contract.

Checklist for Homeowners

Check Out Your Contractor

- Did you contact the Contractors State License Board (CSLB) to check the status of the contractor’s license? Contact the CSLB at (800) 321-CSLB (2752) or visit our web site: www.cslb.ca.gov.
- Did you get at least three local references from the contractors you are considering?
- Did you call them and see the work the contractor completed?

Building Permits

- Will the contractor get any needed permits before the work starts?
- Are the permit fees included in the contract?

Check Out The Contract

- Did you read and do you understand your contract?
- Does the 3-day right to cancel a contract apply to you?
- Does the contract tell you when work will start and end?
- Does the contract include a detailed description of the work to be done, the material to be used, and equipment to be installed? This description should include a plan and scale drawing showing the shape, size, dimensions and specifications. It should include brand names, model numbers, quantities and colors. Specific descriptions now will prevent disputes later.
- Are you required to pay a down payment? If you are, the down payment should never be more than 10% of the contract price or \$1,000, whichever is less.
- Is there a schedule of payments? If there is, you should pay only as work is completed and not before.
- Did your contractor give you a “Notice to Owner,” a warning notice describing liens and ways to prevent them? Even if you pay your contractor, a lien can be placed on your home by unpaid laborers, subcontractors, or material suppliers. A lien can result in you paying twice or, in some cases, losing your home in a foreclosure. Check the “Notice to Owner” for ways to protect yourself.
- Did you know changes or additions to your contract must all be in writing? Putting changes in writing reduces the possibility of a later dispute.

California Contractors State License Board
(800) 321-CSLB
www.cslb.ca.gov

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