



CCDA

California Commission
on Disability Access

Guide to Accessible Parking: Business Owners and Operators

* CBC 2022 Edition



* Publication: **XX-XX-XXXX**, This document is based on the California Building Code 2022 edition and will not be updated unless there are relevant changes to the code.

DGS

CALIFORNIA DEPARTMENT OF
GENERAL SERVICES



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Please note that this toolkit is not an exhaustive list of the elements and spaces required to be accessible per the 2022 California Building Code (CBC). While parking facilities used by the public are required to be accessible under both the Americans with Disabilities Act (ADA) and the CBC, the provisions within the CBC are more restrictive than the requirements of the ADA. Thus, the scoping and technical provisions herein refer only to their associated sections of the CBC.

Please refer to the California Building Code for all accessibility compliance requirements.¹

List of Abbreviations Used:

- **ADA:** Americans with Disabilities Act
- **CASp:** Certified Access Specialist
- **CalCAP:** California Capital Access Program
- **CBC:** California Building Code
- **CCDA:** California Commission on Disability Access
- **CFILC:** California Foundation for Independent Living Centers
- **CSLB:** Contractors State License Board
- **DSA:** Division of the State Architect
- **EVCS:** Electric Vehicle Charging Stations
- **ISA:** International Symbol of Accessibility

¹ International Code Council (ICC). 2022 CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUMES 1, Chapter 11B. Accessed March 3, 2024. <http://codes.iccsafe.org/content/CABC2022P1/chapter-11b-accessibility-to-public-buildings-public-accommodations-commercial-buildings-and-public-housing>.

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How to Use This Toolkit

Did you know that at least one-third of formal complaints involve **issues with accessible parking and accessible routes?**

The following toolkit and educational information are intended to help you avoid those complaints. This toolkit is not intended to be used as a checklist in lieu of the specific requirements in the CBC. Rather, the purpose is to provide awareness, generally summarize the requirements, and provide information about available resources for improvements. This information is not intended to substitute for an evaluation by a Certified Access Specialist (CAsp) or licensed design professional, or for competent financial or legal advice.



Why This Matters to You and Your Customers

It's the law – The ADA was signed into law in 1990. It set a legal obligation for business and building owners to provide independent access to their goods and services. There are also California state laws and building codes that set requirements for accessibility. Noncompliance may result in legal action against you and your business. Smart business owners avoid the lawsuits and their enormous costs by understanding their obligation and achieving and maintaining compliance.

It's the right thing to do – People with disabilities want to have independent access to the same things that most of us do. Providing the required accessibility makes your business open to individuals with disabilities and makes an impact that greatly improves the lives of individuals with disabilities and their friends and family. It is not only good for your community; it is also good for your business!

Compliance matters – To individuals with disabilities, compliant construction makes all the difference in the world. For a person with a disability who uses a mobility device, a walkway that has inappropriate slope may result in a terrible fall. For this reason, very specific standards have been established for accessibility features. Compliance matters.

Definitions

Accessibility is the combination of various elements in a building, facility, site or area, or portion thereof, that allows access, circulation and the full use of the building and facilities by persons with disabilities in compliance with the California Building Code.

An **access aisle** is the space adjacent to or between accessible parking spaces that provides a space for a person with a disability to exit out of their vehicle and into an accessible route that leads to the building entrance.

An **accessible route** is a continuous, unobstructed path connecting accessible elements and spaces that can be negotiated by a person using a wheelchair, and that is also safe for and usable by persons with other disabilities. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks ramps and lifts.

The **International Symbol of Accessibility (ISA)** consists of a white figure in a wheelchair on a blue background and is used to indicate that buildings and facilities are designed in a manner to be usable by persons with disabilities.



For technical and formal definitions, please refer to the California Building Code.²

What is a Certified Access Specialist?

A CASp is an individual who has been certified by the state of California to have specialized knowledge of construction-related accessibility standards.

A CASp is able to inspect a facility for accessibility compliance issues, provide an inspection report, and issue Disability Access Inspection Certificates.

What is an Inspection Report and Disability Access Inspection Certificate?

The Construction-related Accessibility Standards Compliance Act (Civil Code Section 55.51) establishes a process whereby a business or facility owner may voluntarily hire a CASp to inspect their facility for compliance with applicable construction-related accessibility standards. By hiring a CASp to perform an inspection of their facility, a facility owner or business owner can be informed of accessibility violations and undertake improvements to achieve and maintain compliance with applicable construction-related accessibility standards and exercise legal benefits if sued.

What are the benefits of a CASp report?

A CASp is able to identify which standards apply to a property based on the age of the facility and its history of improvements. A licensed design professional such as an architect or engineer may be able to provide an access compliance evaluation, however, only a CASp can provide services that offer “qualified defendant” status in a construction-related accessibility lawsuit. The good-faith effort of hiring a CASp, receiving an inspection report and making the necessary improvements to achieve compliance may reduce a business or property owner's susceptibility to a lawsuit and offers specific legal benefits if an accessibility claim is filed against them.

For more information and a current list of CASps, please contact the Division of the State Architect (DSA).³

² International Code Council (ICC). 2022 CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUMES 1, Chapter 11B. Accessed March 3, 2024. <http://codes.iccsafe.org/content/CABC2022P1/chapter-11b-accessibility-to-public-buildings-public-accommodations-commercial-buildings-and-public-housing>.

³ “CASp Property Inspection.” <http://www.dgs.ca.gov>. Accessed November 18, 2022. <https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Certified-Access-Specialist-Property-Inspection>.

Responsibilities and Legal Liability

The ADA is a federal civil rights law. Under the ADA, a business is required to provide access to goods and services to individuals with disabilities. Facilities built after January 26, 1993, are required to be in compliance with the standards in effect at the time of construction, and maintaining compliance to the standards is required. For facilities constructed prior to this date, owners are required to remove barriers readily achievable without much difficulty or expense. An owner who has determined that removing a physical barrier was not initially readily achievable must periodically reevaluate whether removal of a barrier is achievable over time and plan for the removal of barriers so that the facility can provide accessibility as required by law.

Under the ADA and California law, both the property owner and the tenant/business owner are responsible for ensuring facilities are accessible. For this reason, it is important to check lease agreements to determine which party is responsible for ensuring facilities are accessible.

In California, a commercial property owner is required to state on every lease or rental agreement executed on or after January 1, 2017, whether or not the premises have been inspected by a CASp. If not inspected, the owner must allow the tenant to hire a CASp and mutually agree on the cost of making repairs.

If the owner has had a CASp inspection of the property, they must allow an opportunity for the prospective tenant to review the CASp report 48 hours prior to the execution of a lease or rental agreement, and if not provided, the tenant is granted the right to rescind the agreement based on information in the report for up to 72 hours after the agreement has been signed (Civil Code Section 1938).⁴



⁴ California Legislative Information. "California Civil Code Section 1938." Accessed August 25, 2023. https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=1938&lawCode=CIV

Parking Accessibility Evaluation Questions

A "no" answer to any of the following questions may indicate that you have accessibility violations in your parking facility.

The list below is not inclusive of all accessibility requirements for parking facilities, and is not a checklist to self-determine compliance of your facility.

Please contact a CASp to assist you with an inspection.

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Location and Arrangement

Are accessible parking spaces and access aisles designed so that persons using them do not need to travel behind parking spaces other than the parking space in which they parked?

Is there a curb or wheel stop to prevent encroachment of the vehicle over the required clear width of an adjacent accessible route?

Does the access aisle adjoin an accessible route to the facility entrance?

Size of Accessible Parking Spaces

Are accessible parking spaces at least 18 feet long?

Are accessible parking spaces at least 9 feet wide?

Are accessible van spaces at least 12 feet wide with a 5-foot-wide access aisle, or 9 feet wide with an 8-foot-wide access aisle?

Accessible Parking Access Aisles

Are access aisles at least 5 feet wide?

Are access aisles at least as long as the required length of the accessible parking space(s) they serve?

With van-accessible parking spaces, is the access aisle located on the passenger side of the parking space?

Accessible Parking Space and Access Aisle Surfaces

Are surface slopes no more than 1:48 (2.08%) in all directions?

Are the accessible parking space and access aisle surfaces stable, firm, and slip-resistant?

Are the accessible parking spaces and access aisles free of any changes in level?

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Surface Markings

Are access aisles marked with a blue border?

Are access aisles marked with blue or white diagonal lines no more than 36 inches apart?

Is "NO PARKING" painted within the access aisle in white letters at least 12 inches high and located so that it is visible from the adjacent vehicular way?

Is each accessible parking space marked with the ISA?

Is the ISA symbol white on a blue background at least 36 inches wide by 36 inches high?

Is the centerline of the ISA symbol no more than 6 inches from the centerline of the parking space?

Are the sides of the ISA parallel to the length of the parking space and its lower corner at, or its lower side aligned with, the end of the parking space?

Signs

Is there a sign with the ISA in white on a blue background provided at each accessible parking space?

Does the sign state "MINIMUM FINE \$250" below the ISA?

Is there a sign stating "VAN ACCESSIBLE" identifying van-accessible parking spaces?

Are signs permanently posted either right next to the parking space or within the projected parking space width at the head of the parking space, or on a wall at the end of the parking space?

Are there at least 60 inches between the bottom of the signs and the finish floor or ground surface?

If located in a circulation path, is the bottom of the sign at least 80 inches above the floor or ground?

Is there an additional sign at each parking facility entrance (or immediately adjacent to accessible parking and visible from each parking space) providing a warning to individuals unauthorized to park in accessible parking spaces identifying where towed cars can be retrieved?

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Facility Maintenance

Every facility requires maintenance of accessible features. To ensure that maintenance work, such as parking restriping, does not violate or compromise accessibility requirements, contact a CASp to assist you prior to performing maintenance.

How to Find a CASp

For a list of CASps, please access this link to the Division of the State Architect's website for information regarding CASp Property Inspection:

<https://www.dgs.ca.gov/DSA/Resources/Page-Content/Resources-List-Folder/Certified-Access-Specialist-Property-Inspection>

How to Find a Contractor

The Contractors State License Board (CSLB) protects consumers by regulating the construction industry through policies that promote health, safety and general welfare of the public in matters relating to construction. Access the CSLB website for more information: <https://www.cslb.ca.gov/>. CSLB regulates contractors and issues licenses to conduct business as a contractor in a variety of construction trades. CSLB also provides useful information on its website to assist consumers in hiring a properly licensed contractor. Refer to the CSLB website for information.⁵

Create a Maintenance Plan to Ensure Accessible Features are Maintained

Every business or facility owner should create a maintenance plan that ensures accessibility features are maintained in compliance with the applicable standards at the time of construction. Maintenance issues may have associated costs, so it is important to budget accordingly.

According to CCDA's Top 10 Alleged Construction-Related Disability Access Violations, violations related to accessible parking are frequently the basis of a discrimination lawsuit. As such, a business owner may want to begin to address exterior accessibility violations first. It is also advisable to document accessibility maintenance efforts with dates, photos and receipts, as it may demonstrate your commitment to maintaining accessible features in the event a discrimination claim is filed against you.

Train Employees

Train employees on disability etiquette when serving customers with disabilities, service animals, and maintaining accessible features.

For local disability training and additional information, please contact the California Foundation for Independent Living Centers (CFILC).⁶

⁵“CSLB - California State License Board.” <https://www.cslb.ca.gov/>. Accessed November 18, 2022. <https://www.cslb.ca.gov/>.

⁶“CFILC - California Foundation for Independent Living Centers.” <http://www.cfilc.org>. Accessed November 18, 2022. <https://www.cfilc.org>.



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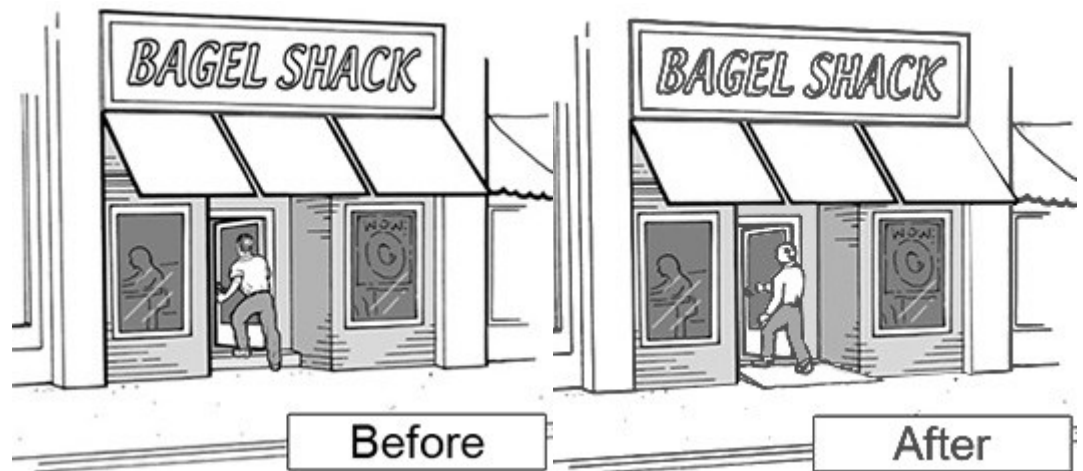
Barrier Removal Tax Credit Programs

Businesses may be eligible for reimbursement of barrier removal costs by the federal government through the Disabled Access Credit (up to \$10,000) and the Architectural Barrier Removal Tax Deduction (up to \$15,000). The Disabled Access Credit is available to eligible small businesses and the Architectural Barrier Removal Tax Deduction is available to all businesses. Expenditures to remove barriers do not include expenditures that are paid or incurred in connection with any facility first placed in service after November 5, 1990.

Under the Disabled Tax Credit, reasonable and necessary costs may be eligible for reimbursement for things such as providing qualified interpreters or other methods of making audio materials available to deaf or hard of hearing individuals, providing methods of making visual materials available to individuals with visual impairments, or acquiring and modifying equipment or devices for individuals with disabilities. Please refer to the Internal Revenue Service (IRS) website for more information on the program and ways to maximize credits and deductions.⁷

The California Capital Access Program (CalCAP) Americans with Disabilities Act (CalCAP/ADA) Financing Program assists eligible small businesses with financing the costs to alter or retrofit existing small business facilities to comply with the requirements of the ADA. Businesses may receive more favorable loan terms from a lender if the loan is enrolled in the CalCAP/ADA Financing Program. To learn more about this loan, contact the California Pollution Control Financing Authority ADA Program.⁸

For further federal tax incentives, please refer to the ADA National Network Quick Tips and Tax Incentives.⁹



⁷ "IRS Tax Information For Businesses." <https://www.irs.gov/>. Accessed November 18, 2022. <https://www.irs.gov/businesses>.

⁸ "CalCAP/ADA program." <https://www.treasurer.ca.gov/>. Accessed November 18, 2022. <https://www.treasurer.ca.gov/cpcf/calcap/ada/faq-ada.asp>.

⁹ "ADA Quick Tips - Tax Incentives." <http://www.adata.org>. Accessed November 30, 2022. <https://adata.org/factsheet/quicktips-tax>.

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Exterior Accessible Routes

An accessible route from accessible parking spaces is necessary for individuals with disabilities to get to your business entrance.

Accessible parking spaces must be on the shortest accessible route to an accessible entrance.

Where parking serves more than one accessible entrance, accessible parking spaces shall be dispersed and located on the shortest accessible route to each of the accessible entrances.



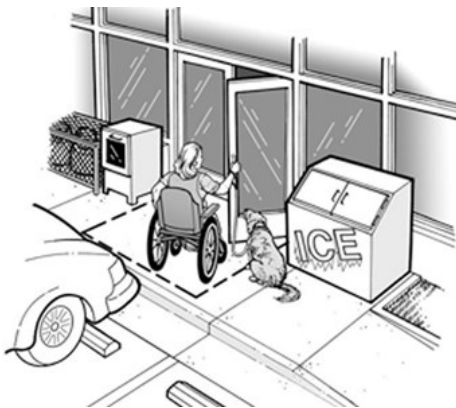
For detailed requirements, please refer to the California Building Code.¹⁰

<p>Things to Consider:</p>	<ul style="list-style-type: none"> • Running slope and cross slope in accessible route — are slopes 1:20 and 1:48, respectively? • Type of materials used — are they firm and slip-resistant? • Level changes — are they a maximum of 1/4" vertical change, or beveled with slope no greater than 1:2 for level changes between 1/4" and 1/2"?
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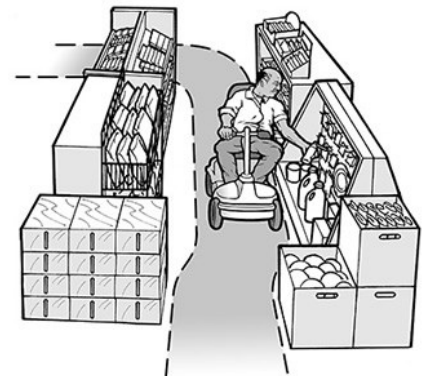
Understanding Accessible Routes

An accessible route is a continuous, unobstructed path connecting accessible elements and spaces of an accessible site, building or facility that can be negotiated by a person with a disability using a wheelchair, and that is also safe for and usable by persons with other disabilities.

Interior accessible routes must connect all accessible elements and spaces within the building and may include corridors, hallways, floors, ramps, elevators and lifts.



Exterior accessible routes begin at site arrival points, such as accessible parking spaces and the public sidewalk, and may include elements such as curb ramps, walks and ramps. Platform lifts may be used where permitted by the CBC.¹⁰



¹⁰ International Code Council (ICC). 2022 CALIFORNIA BUILDING CODE, TITLE 24, PART 2, VOLUMES 1, Chapter 11B. Accessed March 3, 2024. <http://codes.iccsafe.org/content/CABC2022P1/chapter-11b-accessibility-to-public-buildings-public-accommodations-commercial-buildings-and-public-housing>.

Curb Ramps

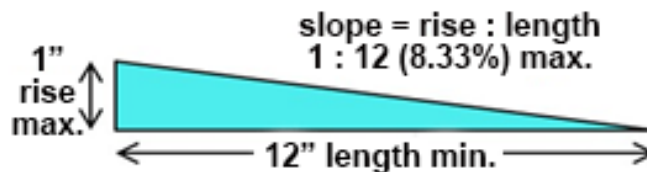


A curb ramp is the accessible link between the parking lot level and the walk that leads to the accessible entrance. Noncompliant curb ramps can be hazardous and a liability for the property owner. So, it is important to get it right.

A curb ramp is at minimum 4 feet wide and is set at a mild slope to make it easier for individuals who use wheelchairs to travel from the accessible parking spaces to the building entrance. Without a curb ramp, there would be no way for people with disabilities who use wheelchairs to access the walk.

While there are many detailed requirements in the CBC for curb ramps, the most important element is:

Slope of curb ramp: The maximum allowed slope of a curb ramp is 1:12, or 8.33%. Slopes that are greater than 1:12 or 8.33% are extremely difficult to maneuver in a wheelchair. The final slope is usually verified by the building inspector or CASp using a 2-foot-long digital level.



Curb Ramps (Continued)

Curb ramps have additional specific requirements for the slope of flared sides and landings, and also have a requirement to provide detectable warnings, which is the bumpy surface, typically yellow, at the edge of a curb ramp. Detectable warnings are provided for the blind or for individuals with visual impairments to warn them that they are entering a vehicular area or street.



For detailed information on the various types of curb ramps, see CBC 11B-406.

For detailed information on detectable warnings, see CBC 11B-705.

Accessible Parking Space Quantity

TOTAL NUMBER OF PARKING SPACES PROVIDED IN PARKING	MINIMUM NUMBER OF REQUIRED ACCESSIBLE PARKING SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
1,001 and over	20, plus 1 for each 100, or fraction thereof,

The following is a copy of CBC Table 11B-208.2. For information regarding how many of the total accessible parking spaces must be van-accessible, see CBC 208.2.4.

Accessible Parking Spaces Near Outdoor Dining



Outdoor dining areas are often constructed in locations that were originally parking spaces. When outdoor dining spaces are provided in areas that were previously for parking, it is important that accessible parking spaces are not removed from service.

Please check with the local authority for further guidance.

For more information, please refer to CCDA's Open-Air Dining and Curbside Pickup Disability Access Considerations.¹¹

Accessible Parking Spaces and Electric Vehicle Charging Stations

Electric vehicle charging stations (EVCS) are not parking spaces. In places of public accommodation, EVCS and parking are different services that are provided by a business or facility owner. Electric vehicle drivers do not need to charge every time they park, so EVCS are reserved specifically for charging under California law.



Adding EVCS reduces the total number of parking spaces provided and potentially reduces the number of accessible parking spaces required. Consult CBC Table 11B-208.2 (see page 10) before converting accessible parking spaces to EVCS.

Where EVCS are provided in a facility available to the general public, EVCS accessible to persons with disabilities shall be provided in accordance with CBC Sections 11B-228.3 and 11B-812. EVCS have separate accessibility requirements from accessible parking spaces.

An accessible parking space and an accessible EVCS may share the same access aisle. A CASp inspection will be able to assist in determining the accessibility of EVCS you provide on your property, and a licensed design professional should be consulted if you plan to install EVCS on your property.

For more information regarding EVCS accessibility requirements, consult this video provided by the Division of the State Architect: <https://www.youtube.com/watch?v=5Wd5CjI50HM&t=1688s>

¹¹ "Open-Air Dining and Curbside Pickup Disability Access Considerations." <https://www.dgs.ca.gov/CCDA>. Accessed November 15, 2022. <https://www.dgs.ca.gov/en/CCDA/Business-Connect>.

Resources

The information outlined in this publication is based on California standards. Federal standards, which may be less restrictive, can be found at the ADA National Network (<https://adata.org/>).

For information on California's building codes and standards, contact the California Building Standards Commission (BSC) (<https://www.dgs.ca.gov/BSC>).

For information on access programs, refer to the California Capital Access Program (CalCAP) (<https://www.treasurer.ca.gov/cpcf/calcap/ada/faq-ada.asp>).

For information on California's accessibility laws and guidance, contact the California Commission on Disability Access (CCDA) (<https://www.dgs.ca.gov/CCDA>).

For information on California's accessibility laws and guidance, contact the California Department of Rehabilitation (DOR) (<https://www.dor.ca.gov>).

For information on California's accessibility laws, compliance advice or interpretations on accessibility requirements, contact the California Division of the State Architect (DSA) (<https://www.dgs.ca.gov/en/DSA>).

For a licensed California Certified Access Specialist (CASp), refer to the California Division of the State Architect (DSA) — CASp Property Inspection (<http://www.dgs.ca.gov/casp>).

For information on local programs, refer to the California Foundation for Independent Living Centers (CFILC) (<https://www.cfilc.org/>).

For information on California programs, refer to the California Governor's Office of Business and Economic Development (<https://www.business.ca.gov>).

To access CASI, refer to the Certified Access Specialist Institute (CASI) (<https://www.casinstitute.org>).

For licensing a contractor, refer to the Department of Consumer Affairs Contractors State License Board (CSLB) (<https://www.cslb.ca.gov>).

For tax incentive information, refer to the Internal Revenue Service (IRS) — Businesses (<https://www.irs.gov/businesses>).

The information outlined in this publication is based on California standards. Information on federal standards can be found at United States Department of Justice (DOJ) — Civil Rights Division Disability Rights Section (<https://www.ada.gov>).

The information outlined in this publication is based on California standards. To access the California Building Code (2022), refer to <http://codes.iccsafe.org/content/CABC2022P1/chapter-11b-accessibility-to-public-buildings-public-accommodations-commercial-buildings-and-public-housing>.

For information on local programs and trainings, refer to the Pacific ADA Center (<https://www.adapacific.org/>).

The Information outlined in this publication is based on California standards. For information on federal standards, refer to the United States Access Board (<https://www.access-board.gov/>).

Credits

CCDA Checklist Committee — Accessible Parking Campaign ADA Coordinators & Business Owners and Operators Work Group

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 Roberto Cortez — President and CEO, Monarch Engineers
 Brian Holloway — CCDA Commissioner; President, Holloway Land Development
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 Craig Perry — Managing Partner, Point Source Construction Management
 Katherine White — Chief of Public Affairs, CSLB

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Department of General Services (DGS) Real Estate Services Division (RESD)

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