



AGENDA

FOR THE REGULAR MEETING OF THE
LOS ANGELES COUNTY HOUSING ADVISORY COMMITTEE
WEDNESDAY, JULY 28, 2021, 12:00 PM

TELECONFERENCE CALL-IN NUMBER: (747) 200-6781
CONFERENCE ID: 928 734 548#

To join via phone, dial (747) 200-6781, then enter 928 734 548# when prompted.

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1. **Call to Order**

2. **Roll Call**

Ruthie Myers, Chair
Zella Knight, Vice Chair
James Brooks
Mary Canoy
Renee Contreras
Elda Mendez-Lemus
Takao Suzuki
Pamela Williams

3. **Reading and Approval of the Minutes of the Previous Meeting**

Regular Meeting of June 23, 2021

4. **Report of the Executive Director**

5. **Presentations**

None



Administrative Office
700 West Main Street, Alhambra, CA 91801
Tel: (626) 262-4511 TDD: (626) 943-3898



Executive Director: Emilio Salas
Commissioners: Hilda L. Solis, Holly J. Mitchell, Sheila Kuehl, Janice Hahn, Kathryn Barger

6. **Public Comments**

Regular Agenda

7. **Approve Contract for Housing Inspection Services (All Districts)**

Recommend that the Board of Commissioners:

Authorize the Executive Director, or his designee, to execute a one-year Contract and all related documents with NMAI, LLC for housing inspection services, in the amount of up to \$700,000 using program funds included in the LACDA's approved Fiscal Year 2021-2022 budget.

Authorize the Executive Director, or his designee, to execute amendments to the Contract, following approval as to form by County Counsel, to extend the term for a maximum of four additional years, in one-year increments, with an annual compensation of up to \$700,000 per year plus annual consumer price index (CPI) adjustments at the sole discretion of the LACDA.

Authorize the Executive Director, or his designee, upon his determination and as necessary and appropriate under terms of the Contract, to amend the Contract to add or delete services, add or delete sites, modify the scope of work, and increase the annual compensation by up to 10% of the contract total as needed for additional services, and if necessary, to terminate for convenience.

Authorize the Executive Director or designee, upon his determination and as necessary and appropriate under the terms of the Contract, to terminate for convenience the Contract.

Find that approval of a Contract with NMAI, LLC is not subject to the California Environmental Quality Act (CEQA) because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

8. **Commissioner Comments or Suggestions for Future Agenda Items**

Access to the agenda and supporting documents are available on the LACDA website. Agendas in Braille are available upon request. American Sign Language (ASL) interpreters, or reasonable modifications to Housing Advisory Committee meeting policies and/or procedures, to assist members of the disabled community who would like to request a disability-related accommodation in addressing the Commission, are available if requested at least four (4) business days prior to the meeting. Later requests will be accommodated to the extent possible. Please contact the Executive Office of the LACDA by phone at (626) 586-1855 from 8:00 a.m. to 5:00 p.m., Monday through Thursday, or by e-mail at nick.teske@lacda.org.

**MINUTES FOR THE REGULAR MEETING OF THE
LOS ANGELES COUNTY DEVELOPMENT AUTHORITY
HOUSING ADVISORY COMMITTEE**

Wednesday, June 23, 2021.

The meeting was convened via teleconference.

Digest of the meeting. The Minutes are being reported seriatim.

The meeting was called to order by Commissioner Myers at 12:03 p.m.

<u>Roll Call</u>	<u>Present</u>	<u>Absent</u>
Ruthie Myers	X	
Zella Knight	X	
James Brooks	X	
Mary Canoy	X	
Elda Mendez-Lemus	X	
Takao Suzuki		X
Pamela Williams	X	

Agenda Item No. 3 – Reading and Approval of the Minutes of the Previous Meeting

On motion by Commissioner Knight, seconded by Commissioner Brooks, the minutes of the Regular Meeting of April 28, 2021 were approved as presented.

Agenda Item No. 4 – Report of the Executive Director

Executive Director Emilio Salas introduced Commissioner Mendez-Lemus and welcomed her to the Committee. Emilio provided an update on SB 91, which created the statewide rent relief program. To date, the State has paid out approximately \$28 million, but the program is still not fully subscribed. The LACDA has held meetings with the State three times per week, and we are continuing our efforts to engage the community and increase awareness about the program. The LACDA has also been advocating with our legislative representatives to change the program design to allow for 100% of rental arrearages to be paid, to allow for 100% of prospective rent to be paid, and to allow for 100% to be paid directly to tenants in cases where landlords decline to participate.

Emilio reported that the Board recently asked for a report from County Counsel and the LACDA to evaluate the total outstanding rental debt in the County and to explore options for the County to buy down the debt. The County recently received \$211 million in rent relief funds from HUD under the American Rescue Plan. The LACDA is gearing up to deploy our own local program to complement the State’s program, in conjunction with the Department of Consumer and Business Affairs.

Emilio reported on SB 679, which would establish a new regional entity to be responsible for affordable housing development and preservation, which would be governed by a Board similar to the Metropolitan Transportation Authority. Many of the proposed authorities of the new entity would overlap with existing responsibilities for the LACDA and other County departments, and we are monitoring it closely as it moves through the legislative process. The Board has asked for an evaluation of potential opportunities for the County to augment its current abilities to achieve the same goals of the legislation, via the implementation of innovative financing mechanisms and tools identified, but not limited to, those in SB 679.

Emilio reported that the LACDA received an allocation of nearly 2,000 emergency housing vouchers under the American Rescue Plan. The vouchers are required to be deployed through the Continuum of Care. We are working with the Los Angeles Homeless Services Authority (LAHSA) to lease up these vouchers as quickly as possible. The LACDA has an additional approximately 1,400 regular Housing Choice Vouchers to lease up, for which 50% will be pulled from seniors or persons with disabilities on the LACDA's waiting list.

Emilio reported that County offices are remaining closed to the public for now, but we are making plans to resume in-person events and field operations this summer, including back-to-school events in August. The LACDA continues to partner with the Department of Public Health to provide COVID-19 vaccinations at our public housing sites. All LACDA staff have been reporting to the office at least one day per week, and we are bringing on more than 40 new employees for the increased lease-up efforts.

Agenda Item No. 5 - Presentations

None

Agenda Item No. 6 - Public Comments

Philip Karen
Cheryl Garner

Agenda Item No. 7 – Approve Contracts for Environmental Site Assessment and Environmental Documentation Consulting Services (All Districts)

On motion by Commissioner Brooks, seconded by Commissioner Knight, with Commissioner Knight abstaining, the following was approved:

Recommend that the Board of Commissioners:

Find that approval of the Contracts for environmental site assessment consulting (ESAC) services and environmental documentation consulting (EDC) services are not subject to the provisions of the California Environmental Quality Act because the action will not have the potential for causing a significant effect on the environment.

Authorize the Executive Director, or designee, to execute, amend, and, if necessary, terminate one-year Contracts with Terraphase Engineering Inc., EFI Global, Inc., and Rincon Consultants, Inc. to provide ESAC services, and a contract with Rincon Consultants, Inc. to provide EDC services, with an aggregate annual compensation not to exceed \$200,000 for each service, using program funds included in the LACDA's approved Fiscal Year 2021-2022 budget, to be effective following approval as to form by County Counsel and execution by all parties.

Authorize the Executive Director, or designee, to amend the Contracts for ESAC and EDC services, following approval as to form by County Counsel, to extend the term for a maximum of four additional years, in one-year increments, with the same aggregate annual compensation of up to \$200,000, contingent upon satisfactory performance and continued funding, using funds to be included in the LACDA's annual budget approval process.

Authorize the Executive Director, or designee, to amend the Contracts for ESAC and EDC services, when needed, to modify the scope of work, fee schedule, and increase the annual compensation by up to 10% as needed for unforeseen costs.

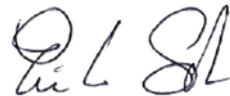
Agenda Item No. 8 - Commissioner Comments or Suggestions for Future Agenda Items

Commissioner Knight requested a way to showcase activities at our public housing sites while we are still unable to hold in-person meetings at the sites.

Commissioner Myers requested a report about smoking and marijuana policies in public housing. She congratulated South Bay Gardens resident Melvin Hightower on his 99th birthday and requested that it be noted in the resident newsletter.

The meeting was adjourned at 1:06 p.m.

Respectfully submitted,



EMILIO SALAS
Executive Director
Secretary–Treasurer



July 28, 2021

TO: Housing Advisory Committee

FROM: Tracie Mann, Director
Housing Assistance Division

RE: **FSS PROGRAM UPDATE – JUNE 2021**

The Family Self-Sufficiency (FSS) Program is a HUD initiative intended to assist Housing Choice Voucher and Public Housing participants achieve economic independence and self-sufficiency.

ACTIVITIES

NUMBER CURRENTLY ENROLLED	386	As of July 1, 2021 , there were 326 Housing Choice Voucher (HCV) and 60 Public Housing (PH) FSS participants.
NEW ENROLLMENTS	4	(4) FSS participants enrolled for Housing Choice Voucher (HCV) and (0) for Public Housing (PH).
CONTRACTS EXPIRED	6	(6) FSS contracts expired for Housing Choice Voucher (HCV) and (0) for Public Housing (PH).
DIRECT ASSISTANCE REFERRALS	1495 536 371 189 351 194 189 1 1 0 228 0	Job Referrals Work Source/Job Fairs Home Ownership Counseling Financial Literacy Educational/Vocational/Job Training Credit Repair Computer Training Other/Utility/Legal Aid/Covid-19/Child Care Services LACDA Home Ownership Program Youth Services Scholarship Small Business
OUTREACH & COMMUNITY EVENT	0	
GRADUATIONS	3	(3) Request for Graduation for Housing Choice Voucher (HCV) and (0) for Public Housing (PH).

If you have any questions, please feel free to contact me at (626) 586-1670.

Attachment

FAMILY SELF-SUFFICIENCY (FSS) GLOSSARY OF TERMS

Listed below are brief descriptions of each category in the monthly FSS Report.

1. **Number Currently Enrolled** – Current number enrolled in the FSS program as of the date the FSS Report is presented.
2. **New Enrollments** - The number of Participants enrolled in the FSS program with an effective date in the month the FSS Report is presented.
3. **Contract Expired** – The number of participant contracts that expired at the end of the month prior to the FSS Report presented.
4. **Direct Assistance Referrals** – Referrals sent to FSS participants based on their requests and or the participant's goals needed to be accomplished prior to successfully completing the program.
5. **Outreach and Community Events** – Information that was shared with FSS participants and or events or meetings the FSS Coordinators attended.
6. **Graduations** – FSS participants that graduated last month.
7. **Pending Graduations** – FSS participants who have requested to graduate and are pending review of successful completion of goals.

Los Angeles County Development Authority

Contract Status Report



District	Project Name	PMWebNo.	Contractor Name	Original Contract Amount	Current Contract Amount	% COR	Approved Payments	% Complete	Status
1st	Nueva Maravilla Roof Replacement	47	ALLSTATE ENGINEERING	\$3,015,125.00	\$2,789,894.37	-8%	\$678,990.35	24%	Construction
1st	Herbert Kitchen Rehabilitation	65	HARBOR COATING AND RESTORATION	\$498,363.84	\$498,363.84	0%	\$10,401.88	2%	Pre-Construction Meeting
1st	Nueva Maravilla Ceiling Repairs	70	KLD CONSTRUCTION CORP	\$63,224.06	\$63,224.06	0%	\$60,062.86	95%	Construction
1st	Nueva Maravilla Doors	73	KLD CONSTRUCTION CORP	\$72,752.38	\$72,752.38	0%	\$69,114.76	95%	Construction
1st	Nueva Maravilla Doors	73	KLD CONSTRUCTION CORP	\$717,008.43	\$717,008.43	0%	\$580,326.72	81%	Construction
1st	Whittier Manor Unit Flooring Replacement	76	PUB CONSTRUCTION INC.	\$237,654.48	\$237,654.48	0%		0%	Bidding
1st	Maravilla Childcare Roof Repairs	98	KLD CONSTRUCTION CORP	\$100,000.00	\$100,000.00	0%		0%	Completed
1st	East County Scattered Sites Concrete	102	KLD CONSTRUCTION CORP	\$226,828.18	\$226,828.18	0%	\$226,828.17	100%	Completed
1st	East County Window Replacement	110	PUB CONSTRUCTION INC.	\$293,991.80	\$293,991.80	0%		0%	Construction
1st	Office Re-configurations for COVID 19	111	PUB CONSTRUCTION INC.	\$72,699.06	\$72,699.06	0%	\$69,064.11	95%	Close Out
1st	Francisquito Villa Generator Installation	116	PUB CONSTRUCTION INC.	\$115,357.67	\$115,357.67	0%	\$109,589.79	95%	Construction
2nd	South Bay Garden Generators	107	PUB CONSTRUCTION INC.	\$56,499.83	\$56,499.83	0%	\$53,674.84	95%	Construction
2nd	Southbay Gardens Roof Replacement & Coating	67	ERC ROOFING & WATERPROOFING	\$477,680.00	\$520,960.00	8%	\$520,960.00	100%	Contract
2nd	Southbay Gardens Windows and Sliding Glass Doors	69	HARRY H JOH CONSTRUCTION INC	\$302,098.00	\$302,098.00	0%		0%	Submittals
2nd	SSS Concrete Repairs	56	KLD CONSTRUCTION CORP	\$427,200.94	\$324,555.48	-32%	\$308,327.71	95%	Close Out
3rd	Kings Road Deck & Drain Repairs	63	KLD CONSTRUCTION CORP	\$71,354.03	\$71,354.03	0%	\$71,354.03	100%	Completed
3rd	Palm Apts Common Area Flooring	54	KLD CONSTRUCTION CORP	\$150,639.91	\$151,752.90	1%	\$150,639.91	99%	Completed
3rd	Westknoll Common Area Fire Doors	99	PUB CONSTRUCTION INC.	\$68,566.41	\$68,566.41	0%	\$65,138.09	95%	Completed

Los Angeles County Development Authority

Contract Status Report



3rd	Palm Roof Swamp Cooler Replacement	75	PUB CONSTRUCTION INC.	\$107,150.68	\$107,150.68	0%	\$106,835.17	100%	Completed
3rd	Palm Apartments Common Area Painting	91	KLD CONSTRUCTION CORP	\$111,745.42	\$111,745.42	0%	\$111,745.42	100%	Completed
3rd	West Knoll & Palm Drainline Repair	101	PUB CONSTRUCTION INC.	\$120,434.20	\$120,434.20	0%	\$114,412.49	95%	Construction
3rd	Ocean Park CCTV Installation	125	PUB CONSTRUCTION INC.	\$79,489.65	\$79,489.65	0%	\$75,515.17	95%	Completed
3rd	Palm Apartments Window & Slider Replacements	97	PUB CONSTRUCTION INC.	\$546,656.61	\$546,656.61	0%	\$25,578.23	5%	Contract
4th	Carmelitos YMCA Flooring and Painting Project	128	PUB CONSTRUCTION INC.	\$98,776.42	\$98,776.42	0%		0%	Construction
4th	The Growing Experience Lighting and Landscaping	118	PUB CONSTRUCTION INC.	\$140,750.79	\$140,750.79	0%	\$140,750.79	100%	Completed
4th	Carmelitos Lead Mitigation	81	PUB CONSTRUCTION INC.	\$186,033.39	\$186,033.39	0%	\$72,460.03	39%	Contract
4th	Whittier Manor Roof	52	KLD CONSTRUCTION CORP	\$79,460.28	\$79,460.28	0%	\$79,460.28	100%	Completed
4th	Carmelitos Community Center A/C	59	PUB CONSTRUCTION INC.	\$186,521.88	\$186,521.88	0%	\$59,330.34	32%	Plan Development
4th	Carmelitos Kitchen Rehab Phase III	60	GIBRALTAR CONSTRUCTION COMPANY INC	\$2,095,000.00	\$2,095,000.00	0%		0%	Pre-Construction Meeting
4th	Harbor Hills Unit Flooring Replacement	61	PUB CONSTRUCTION INC.	\$55,105.28	\$55,105.28	0%	\$52,350.02	95%	Plan Development
4th	Whittier Manor Generator Installation	62	PUB CONSTRUCTION INC.	\$92,562.29	\$92,562.29	0%	\$87,934.18	95%	Construction
5th	Foothill Villa Windows and External Lighting	68	PUB CONSTRUCTION INC.	\$288,332.50	\$288,332.50	0%	\$218,079.06	76%	Construction
5th	Orchard Arms Unit Flooring	64	KLD CONSTRUCTION CORP	\$437,339.41	\$437,339.41	0%	\$208,632.35	48%	Construction
5th	Orchard Arms Unit & Common Area Windows	77	TL VETERANS CONSTRUCTION INC.	\$655,000.00	\$655,000.00	0%	\$31,754.99	5%	Contract
5th	Lancaster Homes Generator Installation	87	PUB CONSTRUCTION INC.	\$140,345.72	\$140,345.72	0%		0%	Pre-Construction Meeting
5th	Foothill Roof Replacement	100	PUB CONSTRUCTION INC.	\$297,619.34	\$297,619.34	0%	\$51,630.66	17%	Construction
Totals:				\$12,685,367.88	\$12,401,884.78	-31%	\$4,410,942.40		



July 28, 2021

Housing Advisory Committee
Los Angeles County Development Authority
700 West Main Street
Alhambra, California 91801

Dear Commissioners:

**CONTRACT FOR HOUSING INSPECTION SERVICES
(ALL DISTRICTS)**

SUBJECT

This letter recommends approval of a Contract with NMAI, LLC to provide housing inspection services for rental assistance program properties and public housing units located throughout the County of Los Angeles on an as-needed basis.

IT IS RECOMMENDED THAT THE COMMITTEE:

1. Recommend that the Board of Commissioners authorize the Executive Director, or his designee, to execute a one-year Contract and all related documents with NMAI, LLC for housing inspection services, in the amount of up to \$700,000 using program funds included in the LACDA's approved Fiscal Year 2021-2022 budget.
2. Recommend that the Board of Commissioners authorize the Executive Director, or his designee, to execute amendments to the Contract, following approval as to form by County Counsel, to extend the term for a maximum of four additional years, in one-year increments, with an annual compensation of up to \$700,000 per year plus annual consumer price index (CPI) adjustments at the sole discretion of the LACDA.
3. Recommend that the Board of Commissioners authorize the Executive Director, or his designee, upon his determination and as necessary and appropriate under terms of the Contract, to amend the Contract to add or



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Executive Director: Emilio Salas

Commissioners: Hilda L. Solis, Holly J. Mitchell, Sheila Kuehl, Janice Hahn, Kathryn Barger

delete services, add or delete sites, modify the scope of work, and increase the annual compensation by up to 10% of the contract total as needed for additional services, and if necessary, to terminate for convenience.

4. Recommend that the Board of Commissioners authorize the Executive Director or designee, upon his determination and as necessary and appropriate under the terms of the Contract, to terminate for convenience the Contract.
5. Recommend that the Board of Commissioners find that approval of a Contract with NMAI, LLC is not subject to the California Environmental Quality Act (CEQA) because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

PURPOSE /JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this action is to provide for housing inspection services to the rental assistance program properties and public housing units located throughout the County of Los Angeles on an as-needed basis. Due to the COVID-19 pandemic, the LACDA was unable to complete Housing Quality Standards (HQS) inspections and annual inspections of public housing units. The LACDA now faces a backlog of approximately 14,000 inspections for the rental assistance program and approximately 3,000 inspections for the public housing units, which are required by the U.S. Department of Housing and Urban Development (HUD) to be conducted by the end of 2021. The LACDA staffs 14 inspectors in a normal year, and these inspectors conduct roughly 25,500 inspections annually. The LACDA does not have adequate staffing in-house to handle the backlog of inspections. This letter recommends the award of a Contract for supplemental inspection services on an as-needed basis. The LACDA anticipates more work in the first year due to the post-pandemic backlog and less work in subsequent years.

FISCAL IMPACT/FINANCING

There is no impact on the County General Fund. The Contract will be funded with up to \$700,000 included in the LACDA's approved Fiscal Year 2021-2022 budget, consisting of up to \$550,000 in Section 8 Administrative Fees for rental assistance program properties and up to \$150,000 in Public Housing Operating Funds for public housing units.

After the first year, the LACDA may extend the Contract for up to four additional years, in one-year increments, contingent upon availability of funds. If extended, compensation for the second, third, fourth and fifth years of the Contract, including the costs of unforeseen housing inspection services and any adjustment for the CPI, will use funds to be approved through the annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

These services are being federally funded, and are not subject to the requirements of the Greater Avenues for Independence (GAIN) Program or the General Relief Opportunity for Work (GROW) Program implemented by the County of Los Angeles. Instead, NMAI, LLC will comply with Section 3 of the Housing and Community Development Act of 1968, as amended, which requires that employment and other economic opportunities generated by certain HUD assistance be directed to low- and very low-income persons, particularly to persons who are recipients of HUD housing assistance.

The Contract contains all latest applicable Board-mandated provisions, including those pertaining to contractor responsibility and debarment, Child Support program, the Safely Surrendered Baby Law, Compliance with County of Los Angeles Policy of Equity, Zero Tolerance Human Trafficking, and Fair Chance Employment Practice.

The Contract and Statement of Work has been approved as to form by County Counsel and executed by NMAI, LLC. It will be effective on September 1, 2021 following Board approval.

ENVIRONMENTAL DOCUMENTATION

Pursuant to Title 24 of the Code of Federal Regulations, Section 58.35 (b) (3), this action is excluded from the National Environmental Policy Act (NEPA) because it involves activities that will not alter existing environmental conditions. The action is not subject to the provisions of CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378 because it is not defined as a project under CEQA and does not have the potential for causing a significant effect on the environment.

CONTRACTING PROCESS

On April 9, 2021, the LACDA issued a Request for Proposals (RFP) for Housing Inspection Services, Solicitation Number LACDA21-007, to identify a vendor to provide housing inspection services for rental assistance program properties and public housing units located throughout the County of Los Angeles on an as-needed basis. The RFP solicitation package was posted on the LACDA website and L.A. County WebVen for 20 days.

On April 28, 2021, four proposals were received. NMAI, LLC submitted the highest ranked responsive and responsible proposal based on the evaluation criteria set forth in the RFP and is being recommended for the Contract award. The Summary of Outreach Activities is included as Attachment A.

Housing Advisory Committee

July 28, 2021

Page 4

IMPACT ON CURRENT PROGRAM

Approval of the recommended actions will enable the LACDA to continue to provide safe and sanitary housing to rental assistance program and public housing units residents throughout the County of Los Angeles in accordance with HUD housing program requirements.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Emilio Salas". The signature is stylized and cursive.

EMILIO SALAS
Executive Director

Enclosures

ATTACHMENT A

Summary of Outreach Activities Housing Inspection Services

On April 9, 2021, the following outreach was initiated to identify a company to provide housing inspection services for the Housing Choice Voucher program, Continuum of Care program, Veterans Affairs Supportive Housing program, Housing Opportunities for Persons with Aids program, Public Housing and Multifamily program, and other programs funded by the HUD and locally-funded programs for the LACDA.

A. Announcement and Distribution of Request for Proposals (RFP)

On April 9, 2021, announcements were posted on the LACDA's and County WebVen websites for 20 days and released over 1,890 email notices to housing inspection companies identified on both websites. In the solicitation for housing inspection services, 71 companies downloaded a copy of the solicitation package.

B. Request for Proposal Results

On April 28, 2021, four proposers submitted proposals for housing inspection services, two of which were disqualified for not meeting the RFP requirements. The remaining two proposals meet the minimum RFP requirements and were evaluated. The final scores were as follows:

<u>Proposer</u>	<u>Score</u>
NMAI, LLC	787
Neighborhood Housing Services of Los Angeles County	404

NMAI, LLC was selected as the contractor most qualified to provide housing inspection services for the LACDA.

C. Minority/Woman Ownership

<u>Proposer</u>	<u>Ownership</u>
NMAI, LLC	Non-Minority
Neighborhood Housing Services of Los Angeles County	Non-Minority
McCright & Associates	Non-Minority
Earthmaidclean, Inc.	Minority & Woman

The LACDA conducts ongoing outreach to include minorities and women in the contract award process, including: providing information at local and national conferences; conducting seminars for minorities and women regarding programs and services; advertising in newspapers to invite placement on the vendor list; and mailing information to associations representing minorities and women. The above information has been voluntarily provided to the LACDA.

The recommended award of Contract is being made in accordance with the LACDA's policies and federal regulations, and without regard to race, creed, color, or gender.