

April 23, 2020



**MINUTES OF THE BUILDING AND OPERATING COMMITTEE/
COMMITTEE OF THE WHOLE**

Executive Order N-25-20 and N-29-20, issued by the Governor of the State of California, in which portions of the Ralph M. Brown Act are suspended and allows, all Board members, staff and the public to participate by telephone.

Honorable Board of Directors
Golden Gate Bridge, Highway
and Transportation District

Honorable Members:

A meeting of the Building and Operating Committee/Committee of the Whole (Committee) of the Golden Gate Bridge, Highway and Transportation District (District) was held via audio conferencing on Thursday, April 23, 2020, at 9:00 a.m., Chair Theriault presiding.

- (1) **Call to Order:** 9:00 a.m.
- (2) **Roll Call:** Secretary of the District Amorette M. Ko-Wong.

Committee Members Present (8): Chair Theriault; Vice Chair Moylan; Directors Belforte, Cochran, Fredericks, Garbarino and Rabbitt; President Pahre.

Committee Members Absent (0): None.

Other Directors Present (4): Directors Grosboll, Hill, Mastin and Sobel.

Committee of the Whole Members Present (12): Directors Belforte, Fredericks, Garbarino, Grosboll, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

Committee of the Whole Members Absent (5): Directors Arnold, Fewer, Hernández, Sears, and Yee.

[Note: On this date, there were two vacancies on the Board of Directors.]

Staff Present: General Manager Denis Mulligan; Auditor-Controller Joseph Wire; District Engineer Ewa Bauer-Furbush; Secretary of the District Amorette Ko-Wong; Attorney Kimon Manolius; Deputy General Manager/Administration and Development Kellee Hopper; Deputy General Manager/Bridge Steve Miller; Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Ferry Division James Swindler; Executive Assistant to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

Visitors Present: None

(3) Approve Contract Change Order No. 20 to Contract No. 2016-B-1, Golden Gate Bridge Physical Suicide Deterrent System And Wind Retrofit

(a) Staff Report

In a memorandum to the Committee, Deputy District Engineer John Eberle, District Engineer Ewa Bauer-Furbush and General Manager Denis Mulligan reported on staff's recommendation to approve Contract Change Order (CCO) No. 20 to Contract No. 2016-B-1, *Golden Gate Bridge Suicide Deterrent System and Wind Retrofit Project*, for modifications to the North Approach Viaduct Floor Beam Strengthening details. A copy of the staff report is available on the District's web site or upon request from the Office of the District Secretary.

(b) Presentation of Staff Report

At the meeting, Ms. Bauer-Furbush reviewed the staff report. She spoke about the background of the item, and reviewed the reasons why a CCO is required. She said that strengthening the existing steel floor beams on the North Approach Viaduct is necessary to ensure they can carry the added load of the Suicide Deterrent System (SDS). She also said the contractor performed field measurements and reverification of the existing conditions of the Bridge structures as required by the contract. She highlighted that the contractor found conflicts between the design details and the existing Bridge dimensions, and as a result, the design consultant revised the plans to mitigate the conflicts.

Ms. Bauer-Furbush stated that the contractor submitted a proposed CCO cost in excess of \$3 million. She also stated that in contrast to the contractor, the Engineering staff and consultant estimate the cost changes to be \$478,847. Because of the large difference between the contractor's cost proposal and the staff estimate of the reasonable and fair compensation for the changes, staff recommends CCO No. 20 be issued in the amount of \$428,332 for the labor, equipment, and material costs associated with the changes as allowed under the contract.

(c) Discussion by Committee

Director Cochran thanked Deputy District Engineer John Eberle for sending him a copy of design changes. He said the information was very helpful to him.

Director Mastin asked what will be the contractor's recourse for resolving the dispute between their estimate and the District's estimate, which is approximately one-eighth of the contractor's proposed price. Ms. Bauer-Furbush responded that staff advised the contractor that it can submit a notice of compensable charges and notice of potential claim. She said the notice must state the reasons why the contractor disagrees with District's cost estimate, and prove its demanded price is fair. She said staff believes the contractor is not following the cost estimating procedure especially in the area of overhead markups. She noted that through this process, the contractor has the right to file a claim, but the contractor's work on the Suicide Deterrent System will not be delayed under the contract.

(d) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/RABBITT** to forward the following recommendation to the Board of Directors for its consideration:

RECOMMENDATION

The Building and Operating Committee/Committee of the Whole recommends that the Board of Directors approve Contract Change Order (CCO) No. 20 to Contract No. 2016-B-1, *Golden Gate Bridge Suicide Deterrent System and Wind Retrofit Project*, in the amount of \$428,332, for modifications to the North Approach Viaduct Floor Beam Strengthening details; with the understanding that sufficient funds are available in the Contract No. 2016-B-1 construction contingency to finance this CCO.

Action by the Board at its meeting of April 24, 2020 – Resolution

- AYES (11):** Directors Belforte, Fredericks, Garbarino, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.
NOES (0): None.
ABSENT (6): Directors Arnold, Fewer, Grosboll, Hernández, Sears, and Yee.

(4) Approve New Five-Year Lease with Marin Airporter on a Three-Acre Portion of 1011 Andersen Drive, San Rafael, CA, for Terminal and Parking for Marin Airporter Service

(a) Staff Report

In a memorandum to the Committee, Manager of Real Estate Services and Property Development Norma Jellison, Director of Planning Ron Downing, Deputy General Manager/Administration and Development Kellee Hopper and General Manager Denis Mulligan reported on staff's recommendation to authorize execution of a new five-year lease, with Marin Airporter for continued operation of the Marin Airporter terminal and customer parking associated with Marin Airporter service to the San Francisco Airport. A copy of the staff report is available on the District's web site or upon request from the Office of the District Secretary.

(b) Presentation of Staff Report

At the meeting, Ms. Hopper reviewed the staff report.

(c) Discussion by the Committee

Director Sobel asked about whether or not Marin Airporter management has asked for relief in light of the COVID-19 related transit and airline service reductions. Ms. Hopper stated and Mr. Mulligan confirmed that Marin Airporter management has not asked for relief.

(d) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/BELFORTE** to forward the following recommendation to the Board of Directors for its consideration:

RECOMMENDATION

The Building and Operating Committee/Committee of the Whole recommends that the Board of Directors authorize execution of a new five-year lease with Marin Airporter, for approximately three acres of the Golden Gate Bridge, Highway and Transportation District's 1011 Andersen Drive, San Rafael, CA property, at \$23,025 per month for the first year, for continued operation of the Marin Airporter terminal and customer parking associated with Marin Airporter service to the San Francisco Airport, effective May 15, 2020; with the understanding that subsequent annual rent increases will be based on the Consumer Price Index.

Action by the Board at its meeting of April 24, 2020 - Resolution

AYES (12): Directors Belforte, Fredericks, Garbarino, Grosboll, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Fewer, Hernández, Sears, and Yee.

(5) Authorize Execution of Professional Services Agreements Relative to Request for Proposals No. 2019-D-085, Citrix and Microsoft Professional Services

(a) Staff Report

In a memorandum to the Committee, Information Systems Manager Joseph Leong, Chief Technology Director Fang Lu, Deputy General Manager/Administration and Development Kellee Hopper and General Manager Denis Mulligan reported on staff's recommendation to authorize execution of four Professional Services Agreements relative to Request for Proposals (RFP) No. 2019-D-085, *Citrix and Microsoft Professional Services*, for on-call professional services. A copy of the staff report is available on the District's web site or upon request from the Office of the District Secretary.

(b) Presentation of Staff Report

At the meeting, Ms. Hopper reviewed the staff report. She noted this item is for on-call services. She said the on-call aspect of these arrangements allows the District to be more flexible with its support engagements.

(c) Discussion by the Committee

Director Mastin asked if the District requires that the consultants respond in a specific timeframe and if this response time meets the District's requirements. Ms. Hopper responded that the consultants respond within a 24 hour window and she confirmed the consultant's response time does meet the District's requirements.

(d) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors MOYLAN/FREDERICKS** to forward the following recommendation to the Board of Directors for its consideration:

RECOMMENDATION

The Building and Operating Committee/Committee of the Whole recommends that the Board of Directors authorize execution of four Professional Services Agreements with the following firms: 1) BlueChipTek, Santa Clara, CA; 2) Cornerstone Technologies (SonaSoft), San Jose, CA; 3) InterVision Systems, Santa Clara, CA; and, 4) Presidio Networked Solutions, Pleasanton, CA, pursuant to Request for Proposals (RFP) No. 2019-D-085, *Citrix and Microsoft Professional Services*, for on-call technology project services, for a three-year term, in a total aggregate not-to-exceed amount of \$2,250,000 for all four contracts, with two one-year option terms, exercisable at the General Manager's sole discretion, in the aggregate not-to-exceed amount of \$750,000 for Option Year 1 and \$750,000 for Option Year 2;

with the understanding that the total annual spending across all four contracts will not exceed \$750,000 in any one year, and with the further understanding that requisite funds for these services are available in the FY 19/20 District Division Operating and/or Capital Budgets and future years will be budgeted accordingly.

Action by the Board at its meeting of April 24, 2020 - Resolution

AYES (12): Directors Belforte, Fredericks, Garbarino, Grosboll, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Fewer, Hernández, Sears, and Yee.

(6) Approve an Amendment to Contract No. 2019-F-045, Engineering Support for M.S. Marin and M.S. San Francisco Shipyard Maintenance and Improvements, with BMT Designers & Planners

(a) Staff Report

In a memorandum to the Committee, Director of Engineering and Maintenance/Ferry Division Damon Brewer, Deputy General Manager/Ferry Division James Swindler, and General Manager Denis Mulligan reported on staff's recommendation to authorize the General Manager to approve an amendment to Contract No. 2019-F-045, *Engineering Support for M.S. Marin and M.S. San Francisco Shipyard Maintenance & Improvements*, with BMT Designers & Planners, increasing the not-to-exceed limit by \$39,295 to the total not-to-exceed amount of \$285,295. A copy of the staff report is available on the District's web site or upon request from the Office of the District Secretary.

(b) Presentation of Staff Report

At the meeting, Mr. Swindler reviewed the staff report.

(c) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors MOYLAN/GARBARINO** to forward the following recommendation to the Board of Directors for its consideration:

RECOMMENDATION

The Building and Operating Committee/Committee of the Whole recommends that the Board of Directors authorize the General Manager to approve an amendment to Contract No. 2019-F-045, *Engineering Support for M.S. Marin and M.S. San Francisco Shipyard Maintenance & Improvements*, with BMT Designers & Planners, for work that has exceeded the expected scope and level of BMT's effort in regard to additional submittals to the United States Coast Guard (USCG), increasing the not-to-exceed limit by \$39,295 to the total not-to-exceed amount of \$285,295; with the understanding that there are sufficient funds in the project budget to support this proposed Board actions.

Action by the Board at its meeting of April 24, 2020 - Resolution

AYES (12): Directors Belforte, Fredericks, Garbarino, Grosboll, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Fewer, Hernández, Sears, and Yee.

(7) Status Report from Board Appointee(s) on Sonoma-Marin Area Rail Transit Board

The Committee received a verbal update on matters relating to the Sonoma-Marin Area Rail Transit (SMART). The verbal update is provided for informational purposes only and no action is required. A copy of the written report is available on the District's web site or upon request from the Office of the District Secretary.

Director Garbarino reported on SMART ridership. She said that for the work week prior to the Bay Area counties issuing COVID-19 Shelter-in-Place Orders, SMART had ridership of 4,165. She said that for the past work week, SMART had ridership of 986. Director Garbarino further reported that the SMART Board reviewed the results of the Measure I, the initiative on the March ballot. She said that the Board and staff are still very optimistic about getting voters to approve a sales tax initiative, and agreed to proceed on four actions items:

- Take public comments to review the election outcome and improve future success;
- Invite organizations to attend Board meetings and seek their input;
- Utilize Citizen's Oversight Committee to reach out to other stakeholders and seek their input and ideas; and,
- Direct staff to develop public outreach and communication strategies to share these findings and future implementation plans.

(8) Status Report on Engineering Projects

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In a memorandum to the Committee, Deputy District Engineer John Eberle, District Engineer Ewa Bauer-Furbush, and General Manager Denis Mulligan reported on current engineering projects. The report is provided for informational purposes only and no action is required. A copy of the report is available on the District's web site or upon request from the Office of the District Secretary.

(9) Public Comment

There were no Public Comments.

(10) Adjournment

All business having been concluded, **Directors RABBITT/MOYLAN** moved and seconded that the meeting be adjourned at 9:31 a.m.

Carried

AYES (12): Directors Belforte, Fredericks, Garbarino, Grosboll, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (5): Directors Arnold, Fewer, Hernández, Sears, and Yee.

Respectfully submitted,



Michael Theriault, Chair
Building and Operating Committee

MT:AMK:EIE:MJL