

May 28, 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, May 28, 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 (7): Chair Theriault; Vice Chair Moylan; Directors Cochran, Fredericks, Garbarino and Rabbitt; President Pahre.

Committee Members Absent (1): Director Belforte.

Other Directors Present (5): Directors Grosboll, Hill, Mastin, Sobel and Yee.

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

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

[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 Division 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 Actions Relative to Professional Services Agreement No. 2018-B-06, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Steel Fabrication Shop Inspection Services*, with Materials Testing & Inspection

(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 actions relative to the Professional Services Agreement No. 2018-B-06, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Steel Fabrication Shop Inspection Services* for continuation of structural steel fabrication inspection 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. Bauer-Furbush reviewed the staff report. She said that the Suicide Deterrent System (SDS) and Wind Retrofit project plan requires steel fabrication quality assurance. She pointed out that the original contractor's schedule was to complete its work in 24 months. However, the steel fabrication contractor moved its fabrication and other services to more locations. In addition, the SDS contractor informed the District the fabrication services would not be done until December 2020. As a result, staff asked the inspection services contractor to submit a modified cost proposal. She said staff has reviewed the revised cost proposal to perform additional services and recommends the Second Amendment be approved.

(c) Discussion by Committee

Chair Theriault asked if the additional expense arises from the lack of a solid schedule from the SDS contractor and if some of the District's additional expenses could be reduced at a later time. Ms. Bauer-Furbush responded in the affirmative. She added that the District could submit a claim for liquidated damages for causing delays against the contractor's liability insurance coverage, and possibly recoup the expense of up to \$5,000 a day at a later date. She noted staff is following the issues and will take appropriate steps to address them.

(d) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors MOYLAN/COCHRAN** 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 the following actions relative to the Professional Services Agreement (PSA) No. 2018-B-06, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Steel Fabrication Shop Inspection Services*:

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- (i) Authorize execution of the Second Amendment to PSA No. 2018-B-06, with Materials Testing & Inspection, Boise, ID, in an amount not to exceed \$180,000 for continuation of structural steel fabrication inspection services, for the total PSA amount of \$1,779,408.17; and,
- (ii) Establish a 10% contingency for the amendment in the amount of \$18,000;

with the understanding that sufficient funds to finance the Second Amendment to the PSA and its contingency are available in the budget for construction of the Golden Gate Bridge Physical Suicide Deterrent System Project (Project #1526).

Action by the Board at its meeting of May 29, 2020 – Resolution

AYES (11): Directors Fredericks, Garbarino, Grosboll, Hill, Mastin, Moylan, Rabbitt and Sobel; Second Vice President Cochran; First Vice President Theriault; President Pahre.

NOES (0): None.

ABSENT (6): Directors Arnold, Belforte, Fewer, Hernández, Sears and Yee.

[Director Yee arrived.]

(4) Approve Actions Relative to Professional Services Agreement No. 2010-B-01, *Golden Gate Bridge Seismic Retrofit Phase IIIB Design Services*, with HDR Engineering, Inc.

(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 authorize actions relative to Professional Services Agreement (PSA) No. 2010-B-1, *Golden Gate Bridge Seismic Retrofit Phase IIIB Design Services* for continuation of engineering support services during project construction. 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 said the District often utilizes the services of the design consultant during the project as questions and issues arise. The Seismic Retrofit design consultant designed the Wind Retrofit, but because of the SDS project and its effect on the Bridge, the Wind Retrofit work is being done as part of the SDS construction project. She noted that sometimes, staff and the contractor identify issues in the field, and then, the design consultant helps to address those issues. She said that the SDS and Wind Retrofit contractor notified the District the project will not be completed until January 2022, and as a result, the Wind Retrofit design consultant's services will be required for a longer period of time. She recommended approval of the item.

(c) Discussion by the Committee

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Chair Theriault said he had the same question as he did for Agenda Item No. 3. Ms. Bauer-Furbush responded she had the same response as she did for his question regarding Agenda Item No. 3.

(d) Action by the Committee

Staff recommended and the Committee concurred by motion made and seconded by **Directors MOYLAN/COCHRAN** 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 the following actions relative to Professional Services Agreement (PSA) No. 2010-B-1, *Golden Gate Bridge Seismic Retrofit Phase IIIB Design Services*:

- (i) Authorize execution of the Second Addendum to the Seventh Amendment to PSA No. 2010-B-1, with HDR Engineering, Inc., Walnut Creek, CA, in an amount not to exceed \$106,752, for continuation of engineering support services during construction of the Golden Gate Bridge Wind Retrofit Project (Project #1528), for the total Seventh Amendment amount of \$436,752; and,
- (ii) Establish a 10% contingency for the addendum in the amount of \$10,600;

with the understanding that sufficient funds to finance the Second Addendum to the Seventh Amendment to the PSA and its contingency are available in the budget for construction of the Golden Gate Bridge Wind Retrofit Project (Project #1528).

Action by the Board at its meeting of May 29, 2020 - Resolution

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

NOES (0): None.

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

(5) Approve Actions Relative to Professional Services Agreement No. 2017-B-15, Golden Gate Bridge Toll Gantry Design Services, with AECOM

(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 actions relative to the Professional Services Agreement (PSA) No. 2017-B-15, *Golden Gate Bridge Toll Gantry Design Services* for additional design 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

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At the meeting, Ms. Bauer-Furbush reviewed the staff report. She said the existing toll collection system is out of date and has reached the end of its functional life. She said the District has an agreement with Kapsch for professional services to install a new toll collection system and a new Toll Gantry will be constructed to house the hardware and services to house the toll collection system. She noted the design services work is 99% complete. She said that AECOM identified additional design services as outlined in the staff report. As a result, the consultant has to perform more services. Staff evaluated the consultant's proposal including the scope and budget and recognized some additional budget would be required. Staff recommends the Third Amendment be approved along with a contingency for any unforeseen work.

(c) Discussion by the Committee

Director Sobel asked about the relationship and any potential crossover between the Suicide Deterrent System and Toll Gantry projects in terms of AECOM's involvement. Ms. Bauer-Furbush stated the projects involve completely different divisions within AECOM, and the staff interacts with AECOM's staff located in their Oakland office. She also added AECOM was the design consultant on the Moveable Median Barrier installation. She said AECOM presented an excellent proposal, was evaluated and selected for the Toll Gantry.

President Pahre stated that staff and the consultant were aware of the lift from the beginning and inquired about why this service was being added now. Ms. Bauer-Furbush stated the Toll Gantry design services work became more elaborate than anticipated, and as a result, additional budget is required.

(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 approve the following actions relative to the Professional Services Agreement (PSA) No. 2017-B-15, *Golden Gate Bridge Toll Gantry Design Services*:

- (i) Authorize execution of the Third Amendment to PSA No. 2017-B-15, with AECOM, Oakland, CA, in an amount not to exceed \$149,793.11, for additional design services, for the total PSA amount of 1,229,680.04; and,
- (ii) Establish a 10% contingency for the amendment in the amount of \$15,000;

with the understanding that sufficient funds to finance the Third Amendment to the PSA and its contingency are available in the budget for the Toll Plaza Gantry Project (Project #1820).

Action by the Board at its meeting of May 29, 2020 - Resolution

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

NOES (0): None.

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

(6) Status Report from Board Appointee(s) on Sonoma-Marín Area Rail Transit Board

The Committee received a verbal update on matters relating to the Sonoma-Marín 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 that the SMART trains are cleaned and sanitized each day. She said ridership is steadily growing about 5% each week, and SMART and the District are coordinating when to resume weekend service. She said the SMART Board voted to acquire the North Coast Railroad Authority (NCRA) freight operation as authorized by Senate Bill 1029. All parties anticipate the Governor will review and likely approve the acquisition of the freight. Then, it will go on through the federal process.

(7) Status Report on Engineering Projects

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.

(8) Public Comment

There were no Public Comments.

(9) Adjournment

All business having been concluded, **Directors MOYLAN/RABBITT** moved and seconded that the meeting be adjourned at 9:35 a.m.

Carried

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

NOES (0): None.

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

Respectfully submitted,



Michael Theriault, Chair
Building and Operating Committee