

February 16, 2021

## ***ATTORNEY'S REPORT***



Board of Directors  
Golden Gate Bridge, Highway  
and Transportation District

President Pahre and Members of the Board:

Set forth below is a status report of legal matters on which Hanson Bridgett has worked since our last written report of January 12, 2021, to the Board of Directors.

In addition to provision of day-to-day assistance and advice, such as attendance at E-Team, Committee and Board meetings; review of draft minutes and staff reports, resolutions and ordinances; and, assistance with on-going personnel and labor relations matters, our time has been devoted to assisting the District and its operating divisions with the following specific matters:

### ***District:***

- **District Division Procurements:** Assisted District staff with a variety of procurement matters, including: the agreement for mobile drug and alcohol testing services; the amendment to the Kronos agreement; the TVM contract; the contract for Clipper 2.0 system interface upgrade; the RFP for storm water compliance services; the amendment to the emergency notification system agreement; the RFP for on-call cyber security services; the amendment to the Maximo implementation agreement; and, the RFP for workers' compensation claims administration services.
- **District Division Matters:** Provided assistance to staff in connection the procurement templates project; legal research regarding release of employee information; the sensitive data handling project; attention to tracking participation in sexual harassment prevention training; and, review of documents and preparation of responses to multiple Public Records Act requests.
- **COVID-19:** Continued assistance and advice to District staff in response to the COVID-19 pandemic, including on-going impacts on District operations and personnel; contact tracing and employee testing; Cal/OSHA regulation compliance; MTC CRRSAA allocations; and, conducting committee and Board meetings.
- **Financial Matters:** Provided advice and assistance to District staff related to revenue sharing agreements; revisions to the investment policy; review of the FTA 2021 Certifications and Assurances; and, the RFP for grant administration services for COVID-19 disaster recovery.
- **Labor Negotiations:** Assisted staff with the 2020 Coalition negotiation cycle.

***Bridge Division:***

- Suicide Deterrent Project: Provided assistance and advice to Engineering Department staff in connection with various contractor and claim issues; Buy America request; DBE participation finding; and, amendment to consultant services agreement.
- All Electronic Tolling Litigation: Attended to post-trial matters in *Saliani v. GGBH&TD*, *Moore v. GGBH&TD*, and *Freeland v. GGBH&TD*, the class actions pertaining to alleged problems with Xerox's delivery of toll invoices and violation notices; post-trial briefing, and objections to the Court's draft Statement of Decision; defense of the *Kelly/ Kendrick/ Montgomery* lawsuits, which concern the District's alleged improper sharing of information with the Department of Motor Vehicles; and, attention to issues of Conduent's duty and refusal to indemnify the District under the 2013 BATA contract.
- Bridge Division Matters/Procurement: Provided assistance in connection with various Bridge Division matters, including the agreement for bridge inspection services; and, the negotiations with the consultant regarding the toll gantry project.

***Bus Division:***

- Bus Division Matters/Procurement: Provided assistance and advice in connection with various Bus Division matters, including the modular testing facility lease; face mask requirements compliance for transit center lessee; the amendment to the paratransit services agreement; the Novato bus facility underground storage tank cleanup project; and, the bus stop review project.
- Labor Negotiations: Continued assistance with implementation of the new ATU labor agreement.
- ATU Pension Plan: Assistance with research on the health and financial condition of the Plan and options to improve that condition.

***Ferry Division:***

- Vessel Refurbishment/Maintenance: Attention to various ferry refurbishment contracts and maintenance issues including: Buy America and resident inspector rules related to M.S. Sonoma refurbishment; FTA rules governing construction management services; the change order request for M.V. Mendocino; and, the on-call engineering site visit services agreement.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with the emergency San Francisco ferry terminal repairs; the 2017 oil release; Corte Madera ecological reserve project; issues related to Angel Island /Tiburon service; and the ferry concession services contract .

Sincerely,

  
Kimon Manolius