

August 18, 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 July 13, 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 several procurement matters, including: the TVM contract; the amendment to the business continuity plan agreement; the enterprise resource planning (ERP) system agreement; the amendment to the agreement for health and welfare insurance consultant services; and, the agreement for human resources software services.
- **District Division Matters:** Provided assistance to staff in connection with the Advisory Committee on Equity & Diversity; review of documents and preparation of responses to Public Records Act requests; and, analyses of potential conflicts of interest for Board members.
- **COVID-19:** Continued assistance and advice to District staff in response to the COVID-19 pandemic, including the COVID-19 testing services agreement; on-going impacts on District operations and personnel; passenger and personnel mask requirements; and, conducting committee and Board meetings in this new challenging environment.
- **Financial Matters:** Provided advice and assistance to District staff related to various matters, including the investment management services agreement; the amendment to the external audit services agreement; the amendment to the agreement for IFAS and Maximo interface development and testing services; the FTA ICAP review; and, closure of AET accounts and escheatment issues.
- **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; and, issues related to the “singing bridge” mitigation.
- All Electronic Tolling Litigation: Attended to indemnity issues 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, including Conduent’s duty and refusal to defend and indemnify the District under the 2003 and 2013 BATA contracts; and, defense of the *Kelly/ Kendrick/ Montgomery* lawsuits, which concern the District’s alleged improper sharing of information with the Department of Motor Vehicles.
- Bridge Division Matters/Procurement: Provided assistance in connection with various Bridge Division matters, including the on-going contractor transition issues in connection with the toll gantry project.


Bus Division:

- Bus Division Matters/Procurement: Provided assistance and advice in connection with various Bus Division matters, including SMS implementation; the amendment to the Hastus contract; post-pandemic service planning and Title VI analysis; the MCTD local service contract and RFP for paratransit services; and, the San Rafael Transit Center draft EIR.
- 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 multiple contract change orders; and, the on-call engineering site visit services agreement.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with the proposed Angel Island /Tiburon service; the Tideline CPUC application; the 2017 oil spill matter; Title VI analysis for ferry services changes; historic status ferry terminal buildings; the agreement for San Francisco inner and outer berth damage assessment; the Larkspur Ferry Terminal dredging RFP; and, the new build vessel project.

Sincerely,


Kimon Manolius