

March 15, 2022

***ATTORNEY'S REPORT***



Board of Directors  
Golden Gate Bridge, Highway  
and Transportation District

President Theriault 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 February 15, 2022, 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 agreement for ERP implementation consulting services; the assignment of the Cisco and VMWare agreement; the Marin Parking Authority joint powers agreement; the agreement for customer communication services platform utilizing interaction voice technology; and, the agreement for pre-employment background screening.
- 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; intellectual property matters; Title VI matters; the mutual aid MOU; cybersecurity standards; strategic planning; and, potential conflicts of interest for Board members.
- 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; mask requirements; and, conducting committee and Board meetings in the on-going COVID environment.
- Financial Matters: Provided advice and assistance to District staff related to various matters, including the 2022 FTA certifications and assurances.
- Labor Negotiations: Assisted staff with on-going negotiations.

***Bridge Division:***

- Suicide Deterrent Project: Provided assistance and advice to Engineering Department staff in connection with on-going contractor and claims issues; and, the IFB for aluminum clip fabrication for “singing bridge” remediation.

- 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. Coordinated with Bay Area Toll Authority regarding our response to a new class action lawsuit against both agencies entitled *Gregorio v. BATA & GGB*, which challenges as excessive the fines that those who do not pay their tolls must pay.
- Bridge Division Matters/Procurement: Provided assistance in connection with various Bridge Division matters, including matters related to the toll gantry project.


***Bus Division:***

- Bus Division Matters/Procurement: Provided assistance and advice in connection with various Bus Division matters, including: the MCTD paratransit and local services contracts; the Genfare software system upgrade agreement; the Santa Rosa bus facility resurfacing project; and, the San Rafael Transit Center project.
- 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 multi-vessel refurbishment procurement strategy; and, change orders for the ferry fleet scheduled drydocking and capital improvements contract.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with: special event ferry ticket services; the amendment to the AMD feasibility study agreement; the agreement for on-call inspection and service of inflatable buoyancy apparatus and marine evacuation system; and, the vessel replacement project, including the RFP/RFQ for design services; and RFQ for engineering services.

Sincerely,

  
Kimon Manolius