

May 9, 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 April 12, 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 Marin Parking Authority joint powers agreement; the Brinks contract extension; the amendment to the agreement for substance abuse professional services; the amendment to the agreement for interim temporary staffing services; the Kronos agreement for time and attendance scheduling; the agreement for on-going support for the CAD/AVL system; and, the agreement for commuter benefits program services.
- District Division Matters: Provided assistance to staff in connection with the review of documents and preparation of responses to Public Records Act requests; template document revisions; records retention; cybersecurity standards; the FY 2023-2025 proposed overall DBE goal; 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 the mask mandate and court ruling lifting the requirement; and, conducting committee and Board meetings in the ever-changing COVID environment.
- Financial Matters: Provided advice and assistance to District staff related to various matters, including the actuarial services RFP; restrictions on use of federal COVID relief funds for operating purposes; and, the amendment to the grant administrative services for COVID-19 disaster cost recovery.
- 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; the IFB for aluminum clip fabrication for “singing bridge” remediation; and, consultant agreement amendments.

- All Electronic Tolling Litigation: Attended to defense and indemnity issues vis a vis the Kelly/ Kendrick/ Montgomery lawsuits, which concern the District's alleged improper sharing of information with the Department of Motor Vehicles and the class action plaintiffs' claim for improper penalties; Conduent's duty and refusal to defend and indemnify the District under the 2003 and 2013 BATA contracts; and, defense of the new class action lawsuit against both the District and BATA 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 legislative matters; the toll plaza administration building elevator repairs and improvements project; and, 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 services contract; the amendment to the Hastus BidWeb training materials contract; 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 the multi-vessel refurbishment project; the contract for on-call engineering services for the M.V. Marin; and, the contract for the M.S. San Francisco and M.S. Sonoma scheduled and capital improvements project.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with: the agreement for ferry ticking services for Giants games; the amendment to the Vivalon shuttle bus services agreement; the IFB for the Larkspur ferry terminal dredging project; the contract for San Francisco ferry terminal west berth ramp repairs; ferry concession services agreement; and, the vessel replacement project, including environmental review.

Sincerely,



Kimon Manolius