

Date Issued: September 23, 2022



**SUMMARY OF ACTIONS**  
**BOARD OF DIRECTORS MEETING OF SEPTEMBER 23, 2022**

**Resolution No. 2022-077 (September 22, 2022 meeting of the Finance-Auditing Committee)**

Ratifies actions taken by the Auditor-Controller, as follows:

- (1) Ratifies Commitments and/or Expenditures;
- (2) Ratifies previous investments;
- (3) Authorizes investments; and,
- (4) Accepts the "Investment Report" for August 2022.

**Resolution No. 2022-078 (September 22, 2022 meeting of the Building & Operating Committee)**

Approves funding through approximately December 2023, and authorizes the following actions relative to Project #1526, *Golden Gate Bridge Physical Suicide Deterrent System Project*: 1) increases the project budget in the amount of \$4,637,000; 2) executes the Third Amendment to Professional Services Agreement No. 2018-B-07, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Construction Scheduling and Claim Review Services*, with Secretariat International, of Manhattan Beach, CA, in an amount not-to-exceed \$1,542,000; 3) executes the Third Amendment to Professional Services Agreement No. 2018-B-084, *Golden Gate Bridge Physical Suicide Deterrent Field Inspection Support Services*, with Summit Associates, of Concord, CA, in an amount not-to-exceed \$2,127,000; and, 4) increases the Fiscal Year 2022/2023 Bridge Division Capital Budget for Project #1526 in the amount of \$8,306,000, in concurrence with the Finance-Auditing Committee, and as detailed in the staff report.

**Resolution No. 2022-079 (September 22, 2022 meeting of the Building & Operating Committee)**

Approves award of sole source Contract No. 2022-F-084, *California Air Resource Board (CARB) Compliant Tier 4 Diesel Engines*, to Pacific Power Group of Kent, WA, in the amount of \$3,505,727, and authorizes a contract contingency of \$175,286 to cover unforeseen materials or services necessary to preserve and store the four engines, as detailed in the staff report.

**Resolution No. 2022-080 (September 22, 2022 meeting of the Finance-Auditing Committee)**

Authorizes the General Manager to request that the Metropolitan Transportation Commission (MTC) encumber \$4,341,929 in Revenue-based State Transit Assistance (STA) to MTC to support implementation of the Blue Ribbon Transit Transformation Action Plan to allow for the disbursement and payment of \$4,341,929 to MTC to implement the Action Plan, as detailed in the staff report.

**Resolution No. 2022-081 (September 23, 2022 meeting of the Board of Directors)**

Adopts a Resolution in Accordance with Assembly Bill 361 Finding That the Proclaimed State of Emergency Continues to Impact the Ability to Meet Safely in Person, as detailed in the staff report.

  
Amorette M. Ko-Wong, Secretary of the District

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**GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT**

**RESOLUTION NO. 2022-077**

**RATIFY PREVIOUS ACTIONS BY THE AUDITOR-CONTROLLER AND ACCEPT  
THE INVESTMENT REPORTS FOR AUGUST 2022  
AS PREPARED BY PUBLIC FINANCIAL MANAGEMENT**

September 23, 2022

**WHEREAS**, the Auditor-Controller and the Finance-Auditing Committee, at its meeting of September 22, 2022, has so recommended; now, therefore, be it

**RESOLVED**, that the Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District had no commitments and/or expenditures to ratify for the period of August 1, 2022 through August 31, 2022; and be it further

**RESOLVED**, that the Board ratifies investments made during the period August 13, 2022 through September 12, 2022; and be it further

**RESOLVED**, that the Board hereby authorizes the reinvestment, within the established policy of the Board, of any investments maturing between September 12, 2022 and October 17, 2022, as well as the investment of all other funds not required to cover expenditures which may become available; and be it further

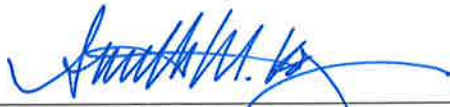
**RESOLVED**, that the Board hereby accepts the Investment Report for August 2022, as prepared by Public Financial Management and included in the staff report.

**ADOPTED** this 23<sup>rd</sup> day of September 2022, by the following vote of the Board of Directors:

**AYES (15):** Directors Arnold, Conroy, Garbarino, Hernández, Grosboll, Mastin, Pahre, Rabbitt, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran and President Theriault.  
**NOES (0):** None.  
**ABSENT (1):** Director Giudice.

[Note: On this date, there were three vacancies on the Board of Directors.]

  
**Michael Theriault**  
President, Board of Directors

**ATTEST:**   
**Amorette M. Ko-Wong**  
Secretary of the District

Reference: September 22, 2022, Finance-Auditing Committee, Agenda Item No. (3)  
<https://www.goldengate.org/assets/1/25/2022-0922-financecomm-no3-ratofaction.pdf>

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**GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT**

**RESOLUTION NO. 2022-078**

**APPROVE ACTIONS RELATIVE TO THE  
GOLDEN GATE BRIDGE PHYSICAL SUICIDE DETERRENT SYSTEM PROJECT**

September 23, 2022

**WHEREAS**, by Resolution No. 2016-087, the Golden Gate Bridge, Highway and Transportation District (District) Board of Directors (Board) authorized the award of construction Contract No. 2016-B-01, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Projects*, to Shimmick Construction Company, Inc./Danny's Construction Company LLC, a Joint Venture;

**WHEREAS**, the *Golden Gate Bridge Physical Suicide Deterrent System Project (Project #1526)* is funded in part with monies from the Federal Highway Administration (FHWA) received through the Metropolitan Transportation Commission and Caltrans, and follows the rules and procedures set forth in the California Department of Transportation (Caltrans) Local Assistance Procedures Manual (LAPM) for federally assisted projects;

**WHEREAS**, in conformance with the LAPM, the District has developed a Construction Contract Administration Plan for the project, which provides that administration and management of the project construction by the District is performed by the Engineering Department staff with the assistance of consultants with expertise in various aspects of construction administration and engineering;

**WHEREAS**, Contract No. 2016-B-01 specifies a contract completion date of January 12, 2021 and, as has been previously reported, the contractor has not progressed the work as required by the contract and current estimated completion date of all contract work is now January 2026;

**WHEREAS**, as a result of the continued delay in construction completion, engineering staff and consultant support services costs will continue to increase, as detailed in the staff report;

**WHEREAS**, staff has reviewed the Project #1526 budget and determined that the budgets for the Engineering staff, schedule/estimating/claim support services and field inspection services will be depleted in October 2022 and are required to be increased in order to continue with supporting the project implementation;

**WHEREAS**, staff anticipates that the same level of Engineering staff contract administration and construction engineering services, construction schedule, estimating and claim review services, and field inspection services provided for the past year will be required through the end of 2023;

**WHEREAS**, a budget increase is necessary for Engineering staff costs to ensure continued construction administration, engineering and inspection of contract work, and administration and monitoring of consultant support services contracts, and staff recommends a budget increase in the amount of \$4,637,000 to the Project #1526 staff budget to allow for a continuation of these efforts

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**BOARD OF DIRECTORS MEETING OF SEPTEMBER 23, 2022**  
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through approximately December 2023, with the understanding that Engineering staff will monitor the progress of the construction work and will make an assessment towards the end of 2023 of the remaining work and the additional budget amounts that may be necessary to finance additional support services required through the construction completion;

**WHEREAS**, a third contract amendment is necessary in order to continue to perform scheduling and claim support services under PSA No. 2018-B-07, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Construction Scheduling and Claim Review Services*, and, at the request of Engineering staff, Secretariat International has provided a cost proposal in the not-to-exceed amount of \$1,542,000 for continuation of its services through approximately December 2023;

**WHEREAS**, Engineering staff has reviewed the cost proposal and found it to be fair and reasonable, and the District's Disadvantaged Business Enterprise (DBE) Program Administrator has verified that work under the proposed Third Amendment includes 6.53% DBE subconsultant participation;

**WHEREAS**, a third contract amendment is necessary in order to continue field inspection services under PSA No. 2018-B-084, *Golden Gate Bridge Physical Suicide Deterrent Field Inspection Support Services*, and at the request of Engineering staff, Summit Associates has provided a cost proposal in the not-to-exceed amount of \$2,127,000 for continuation of its services through approximately December 2023;

**WHEREAS**, Engineering staff has reviewed the cost proposal and found it to be fair and reasonable, and the District's DBE Program Administrator has verified that work under the proposed Third Amendment includes approximately 73.62% DBE participation;

**WHEREAS**, the Building and Operating Committee has so recommended, and the Finance-Auditing Committee concurred, at their meetings of September 22, 2022; now, therefore, be it

**RESOLVED** that the Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District (District) hereby authorizes a \$4,637,000 increase in the *Golden Gate Bridge Physical Suicide Deterrent System Project* (Project #1526) budget to finance District Engineering staff contract administration and construction engineering costs through approximately December 2023; and be it further

**RESOLVED** that the Board hereby authorizes execution of the Third Amendment to Professional Services Agreement (PSA) No. 2018-B-07, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit Construction Scheduling and Claim Review Services*, with Secretariat International, Manhattan Beach, CA, in an amount not-to-exceed \$1,542,000, for continuation of expert construction scheduling and estimating and claim evaluation services through approximately December 2023; and be it further

**RESOLVED** that the Board hereby authorizes execution of the Third Amendment to Professional Services Agreement No. 2018-B-084, *Golden Gate Bridge Physical Suicide*

**RESOLUTION NO. 2022-078**  
**BOARD OF DIRECTORS MEETING OF SEPTEMBER 23, 2022**  
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*Deterrent Field Inspection Support Services*, with Summit Associates, Concord, CA, in an amount not-to-exceed \$2,127,000, for continuation of field inspection services through approximately December 2023; and be it further

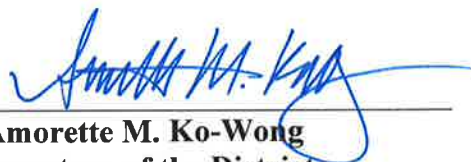
**RESOLVED** that the Board hereby authorizes an increase in the amount of \$8,306,000 in the FY 22/23 Bridge Division Capital Budget for the *Golden Gate Bridge Physical Suicide Deterrent System Project* (Project #1526), to be funded from District reserves, for a revised total Project #1526 budget of \$214,938,868.

**ADOPTED** this 23<sup>rd</sup> day of September 2022, by the following vote of the Board of Directors:

- AYES (15):** Directors Arnold, Conroy, Garbarino, Hernández, Grosboll, Mastin, Pahre, Rabbitt, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran and President Theriault.
- NOES (0):** None.
- ABSENT (1):** Director Giudice.

[Note: On this date, there were three vacancies on the Board of Directors.]

  
**Michael Theriault**  
**President, Board of Directors**

**ATTEST:**   
**Amorette M. Ko-Wong**  
**Secretary of the District**

Reference: September 22, 2022, Building and Operating Committee, Agenda Item No. (3)  
<https://www.goldengate.org/assets/1/25/2022-0922-bocomm-no3-sdsaddnlstaffconsultcosts.pdf>

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**GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT**

**RESOLUTION NO. 2022-079**

**APPROVE ACTIONS RELATIVE TO THE AWARD OF SOLE SOURCE CONTRACT  
NO. 2022-F-084, CALIFORNIA AIR RESOURCE BOARD (CARB) COMPLIANT TIER 4  
DIESEL ENGINES, TO PACIFIC POWER GROUP**

September 23, 2022

**WHEREAS**, March 24, 2022, the California Air Resources Board (CARB) approved amendments to its Commercial Harbor Craft Regulation (Regulation) aimed at reducing emissions from harbor crafts, such as tugboats and ferries, operated near California's coast, which will require combustion Tier 4 engines and a Diesel Particulate Filter on ferries operating in routes greater than three nautical miles;

**WHEREAS**, all of the Golden Gate Bridge, Highway and Transportation District's (District) ferry vessels, including the *M.S. San Francisco* and *M.S. Marin*, are subject to this Regulation;

**WHEREAS**, in order to meet the emissions standards of the new Regulation, the District has developed a CARB Compliance Plan that includes the repowering of the *M.S. San Francisco* and *M.S. Marin*, with Tier 4 engines in late 2023;

**WHEREAS**, given current lead times of between nine and twelve months, and unstable supply chains, the District must purchase the four engines necessary to repower the *M.S. San Francisco* and *M.S. Marin* now, in order to stay on schedule with the CARB Compliance Plan;

**WHEREAS**, the District's operational needs necessitate that the *M.S. San Francisco* and the *M.S. Marin* use MTU 12v4000M65R main propulsion engines, which are manufactured in Germany by MTU Friedrichshafen GmbH (MTU);

**WHEREAS**, Pacific Power Group (PPG) is the only MTU factory authorized dealership for the sale, parts and service of the MTU engines serving the geographic area in which the District is located, and PPG is the only vendor able to provide the necessary engines;

**WHEREAS**, this procurement meets the requirement for a sole source procurement and is appropriate under the District's Procurement Policy;

**WHEREAS**, District staff has analyzed PPG's price proposal and finds it to be fair and reasonable, as the price is in alignment with previous engine procurements; and

**WHEREAS**, the Building and Operating Committee, at its meeting of September 22, 2022, has so recommended; now, therefore, be it

**RESOLUTION NO. 2022-079**  
**BOARD OF DIRECTORS MEETING OF SEPTEMBER 23, 2022**  
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**RESOLVED** that the Board of Directors (Board) of the Golden Gate Bridge, Highway and Transportation District hereby authorizes award of Sole Source Contract No. 2022-F-084, *CARB Compliant Tier 4 Diesel Engines*, to Pacific Power Group of Kent, WA, in the amount of \$3,505,727, inclusive of taxes, for four engines; and, be it further

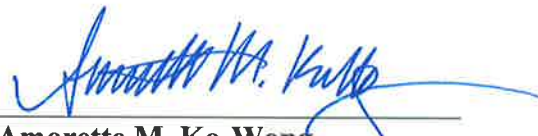
**RESOLVED** that the Board hereby authorizes a contract contingency of \$175,286, to cover unforeseen materials or service in support of the required preservation and storage of the four engines.

**ADOPTED** this 23<sup>rd</sup> day of September 2022, by the following vote of the Board of Directors:

**AYES (15):** Directors Arnold, Conroy, Garbarino, Hernández, Grosboll, Mastin, Pahre, Rabbitt, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran and President Theriault.  
**NOES (0):** None.  
**ABSENT (1):** Director Giudice.

[Note: On this date, there were three vacancies on the Board of Directors.]

  
**Michael Theriault**  
**President, Board of Directors**

**ATTEST:**   
**Amorette M. Ko-Wong**  
**Secretary of the District**

Reference: September 22, 2022, Building and Operating Committee, Agenda Item No. (4)  
<https://www.goldengate.org/assets/1/25/2022-0922-bocomm-no4-appRACTTIER4enginescarb.pdf>

**GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT**

**RESOLUTION NO. 2022-080**

**AUTHORIZE DIRECT ENCUMBRANCE AND DISBURSEMENT OF FY 22/23  
REVENUE-BASED STATE TRANSIT ASSISTANCE FUNDS TO THE  
METROPOLITAN TRANSPORTATION COMMISSION**

September 23, 2022

**WHEREAS**, MTC convened the Blue Ribbon Transit Recovery Task Force (Task Force) to respond to the disruption in transit service and transit ridership as a result of the COVID-19 pandemic;

**WHEREAS**, the Golden Gate Bridge, Highway and Transportation District (District) had a representative on the Blue Ribbon Transit Recovery Task Force (Task Force) convened by the Metropolitan Transportation Commission (MTC);

**WHEREAS**, the Task Force developed and endorsed the Transit Transformation Action Plan (Action Plan) in July 2021;

**WHEREAS**, the Action Plan identifies near-term actions needed to achieve a more connected, efficient, and user-focused mobility network across the Bay Area and beyond;

**WHEREAS**, the American Rescue Plan Act of 2021 (ARP) (H.R. 1319) was signed into law in response to the nationwide Coronavirus pandemic and provides supplemental appropriations for Emergency Transit Operations Assistance through the Federal Transit Administration (FTA) Section 5307 Urbanized Area and Section 5311 Rural Area formula programs; and

**WHEREAS**, MTC approved an ARP funding distribution policy in MTC Resolution No. 4481, which identified that a minimum of \$85 million in ARP funds “should support the implementation of certain recommendations from the Blue Ribbon Transit Recovery Task Force”;

**WHEREAS**, to best position Bay Area transit operators to compete for additional FTA discretionary financial assistance, MTC distributed the reserved \$85 million in ARP funds to transit operators, including the District, and in return transit operators agreed to collectively provide an equivalent amount in alternate near-term revenue sources to implement the Action Plan and recommendations from the Task Force;

**WHEREAS**, MTC has programmed \$5,390,277 of the \$85 million in ARP originally intended to support the implementation of the Action Plan to the District;

**WHEREAS**, the District has agreed to provide \$5,390,277 to MTC in alternative near-term funding to support implementation of the Action Plan;

**WHEREAS**, the District will fulfill a portion of its obligation to provide \$5,390,277 to MTC by providing \$4,341,929 of the District’s Revenue-based State Transit Assistance (STA);

**RESOLUTION NO. 2022-080**  
**BOARD OF DIRECTORS MEETING OF SEPTEMBER 23, 2022**  
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**WHEREAS**, MTC is the implementing agency for the Action Plan;

**WHEREAS**, MTC will facilitate the transfer of the balance of the funding commitment through the FY 2022-23 Fund Estimate, MTC Resolution No. 4504 and/or the Transit Capital Priority Program, MTC Resolution No. 4510, or successor resolutions, as the case may be;

**WHEREAS**, MTC has allocated \$8,901,072 to the District in FY 2022-23 Revenue-based STA through the FY 2022-23 Fund Estimate, MTC Resolution No. 4504 in conformance with PUC Sections 99312.2 and 99314.3;

**WHEREAS**, the District desires to fulfill its funding commitment to implement the Action Plan by directly encumbering \$4,341,929 in FY 2022-23 Revenue-based STA to MTC; and

**WHEREAS**, the Finance-Auditing Committee, at its meeting of September 22 2022, has so recommended; now, therefore, be it

**RESOLVED**, that Board of Directors of the District requests that MTC encumber \$4,341,929 in Revenue-based State Transit Assistance (STA) to MTC to support implementation of the Action Plan; and, be it further

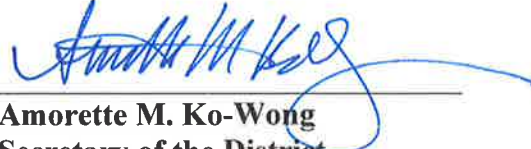
**RESOLVED**, that encumbrance of \$4,341,929 in Revenue-based STA will allow for the disbursement and payment of \$4,341,929 to MTC to implement the Action Plan.

**ADOPTED** this 23<sup>rd</sup> day of September 2022, by the following vote of the Board of Directors:

**AYES (15):** Directors Arnold, Conroy, Garbarino, Hernández, Grosboll, Mastin, Pahre, Rabbitt, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran and President Theriault.  
**NOES (0):** None.  
**ABSENT (1):** Director Giudice.

[Note: On this date, there were three vacancies on the Board of Directors.]

  
**Michael Theriault**  
**President, Board of Directors**

**ATTEST:**   
**Amorette M. Ko-Wong**  
**Secretary of the District**

Reference: September 22, 2022, Finance-Auditing Committee, Agenda Item No. (5)(a)  
<https://www.goldengate.org/assets/1/25/2022-0922-financecomm-no5a-authactionsrelativetosta.pdf>

**GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT**

**RESOLUTION NO. 2022-081**

**FINDING THAT THE PROCLAIMED STATE OF EMERGENCY CONTINUES TO  
IMPACT THE ABILITY TO MEET SAFELY IN PERSON**

September 23, 2022

**WHEREAS**, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19;

**WHEREAS**, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow legislative bodies to conduct meetings electronically without a physical meeting place;

**WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which specified that Executive Order N-29-20 would expire on September 30, 2021;

**WHEREAS**, on September 16, 2021, the Governor signed Assembly Bill 361 into law as urgency legislation that goes into effect on October 1, 2021, amending Government Code Section 54953 of the Brown Act to allow legislative bodies to continue to meet remotely during a proclaimed state of emergency, provided certain conditions are met and certain findings are made;

**WHEREAS**, the Governor's proclaimed State of Emergency remains in effect, and State and local officials, including the California Department of Public Health and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Board of Directors of the Golden Gate Bridge, Highway and Transportation District has reconsidered the circumstances of the State of Emergency, and finds that:
  - a. The factors triggering the State of Emergency continue to directly impact the ability of the members of the Board and members of the public to meet safely in person; and
  - b. State or local officials continue to recommend measures to promote social distancing.
2. The District will comply with the requirements of Government Code Section 54953(e)(2), when holding Board and committee meetings pursuant to this Resolution.
3. The Board of Directors will reconsider the circumstances of the State of Emergency and revisit the need to conduct meetings remotely within 30 days of the adoption of this Resolution.

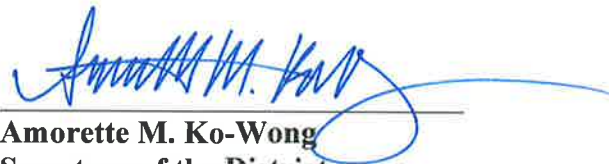
**RESOLUTION NO. 2022-081**  
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**ADOPTED** this 23<sup>rd</sup> day of September 2022, by the following vote of the Board of Directors:

- AYES (15):** Directors Arnold, Conroy, Garbarino, Hernández, Grosboll, Mastin, Pahre, Rabbitt, Rodoni, Snyder, Stefani and Thier; Second Vice President Hill; First Vice President Cochran and President Theriault.
- NOES (0):** None.
- ABSENT (1):** Director Giudice.

[Note: On this date, there were three vacancies on the Board of Directors.]

  
\_\_\_\_\_  
**Michael Theriault**  
**President, Board of Directors**

**ATTEST:**   
\_\_\_\_\_  
**Amorette M. Ko-Wong**  
**Secretary of the District**