

December 6, 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 November 8, 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 contract for ERP procurement augmentation services; the agreement for Pedestrian and Bicycle Committee facilitation services; the contract documents for joining the Axia procurement cooperative; the amendment to the janitorial services agreement; the security guard services contract change order; and, the proposals related to the RFP for transportation statistics reporting system and implementation services.
- **District Division Matters:** Provided assistance to staff in connection with the review of documents and preparation of responses to multiple Public Records Act requests; intellectual property matters; 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 conducting committee and Board meetings.
- **Financial Matters:** Provided advice and assistance to District staff related to various matters, including the agreement for external audit services.
- **Labor Negotiations:** Assisted staff with on-going negotiations with the ATU and Coalition units.

***Bridge Division:***

- **Suicide Deterrent Project:** Provided assistance and advice to Engineering Department staff in connection with on-going contractor and claims issues.
- **All Electronic Tolling Litigation and Legislation:** Attended to the aftermath of the class action litigation in 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 where the District defeated class

certification; continued the process of reimbursement by co-defendant Conduent and our insurance carrier; and, monitoring and analyzing new legislation regarding tolling.

- Bridge Division Matters/Procurement: Provided assistance in connection with various Bridge Division matters, including the IFB for the toll plaza administration building door and window rehabilitation project; records retention for Bridge tours; legislative matters; 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 fixed route and regional paratransit services agreements; the MOU with College of Marin; the California Labor Federation and California Transit Works agreements; the amendment to the agreement for Novato bus facility underground storage tank site clean up and closure design services; 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; preparation for arbitration regarding dispute among the ATU Pension trustees concerning the agreement between the ATU and the District with regard to the termination of subsidies; attention to counsel for the ATU Pension's erroneous advice with regard to the workings of the pension; and, correction of the record with regard to the vested rights doctrine.

***Ferry Division:***

- Vessel Refurbishment/Maintenance: Attention to various ferry refurbishment contracts and maintenance issues, including the CARB compliant Tier 4 diesel engines procurement; the on-call engineering services agreements; and, the agreement for on-site support for the MV Marin.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with: extension of the Incat settlement agreement; the amendment to the Vivalon shuttle bus services agreement; the Larkspur ferry terminal dredging project; and, the amendment to the tank gauge system contract.

Sincerely,

  
Kimon Manolius