

February 23, 2023



**MINUTES OF THE BUILDING AND OPERATING COMMITTEE/  
COMMITTEE OF THE WHOLE**

**Assembly Bill 361, signed by the Governor of the State of California on September 16, 2021, amends the Ralph M. Brown Act to allow Board members, staff and the public to participate remotely in meetings, without complying with traditional teleconference meeting rules.**

**These minutes are supplemented by the video recording that is posted online at:  
<https://www.youtube.com/user/goldengatedistrict>.**

Honorable Board of Directors  
Golden Gate Bridge, Highway  
and Transportation District

Honorable Members:

A meeting of the Building and Operating Committee/Committee of the Whole (Committee) of the Golden Gate Bridge, Highway and Transportation District (District) met in regular session held virtually/remotely on Thursday, February 23, 2023, at 10:00 a.m., Chair Garbarino presiding.

- (1) Call to Order:** 10:00 a.m. **[00:22 Minutes Mark on the Video Recording]**
- (2) Roll Call:** Secretary of the District Amorette M. Ko-Wong. **[01:13 Minutes Mark on the Video Recording]**

**Committee Members Present (7):** Chair Garbarino; Vice-Chair Mastin; Directors Cochran, Pahre, Rabbitt and Thier; President Thériault.

**Committee Members Absent (1):** Director Conroy.

**Other Directors Present (6):** Directors Giudice, Grosboll, Hernández, Hill, Rodoni and Snyder.

**Committee of the Whole Members Present (13):** Directors Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rabbitt, Rodoni, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.

**Committee of the Whole Members Absent (5):** Director Conroy, Dorsey, Moulton-Peters, Safaí and Stefani.

**[Note: On this date, there was one vacancy on the Board of Directors.]**

**BUILDING AND OPERATING COMMITTEE/COMMITTEE OF THE WHOLE  
FEBRUARY 23, 2023/PAGE 2**

**Staff Present:** General Manager Denis Mulligan; Auditor-Controller Joseph Wire; District Engineer Ewa Bauer-Furbush; Secretary of the District Amorette Ko-Wong; Attorneys Madeline Chun and Kimon Manolius; Deputy General Manager/Bridge Division David Rivera; Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Administration and Development Kellee Hopper; Director of Planning Ron Downing; Executive Administrator to the General Manager Justine Bock; Senior Board Analyst Elizabeth Eells.

Copies of all reports are available on the District's web site at <https://www.goldengate.org/district/board-of-directors/meeting-documents> or upon request from the Office of the District Secretary.

**(3) Approve Actions Relative to Award of Contract No. 2022-B-084, *Suicide Deterrent System Rescue Training Net*, to Valentine Corporation [03:46 Minutes Mark on the Video Recording]**

District Engineer Ewa Bauer-Furbush presented the staff report.

**[10:24 Minutes Mark on the Video Recording]**

Directors Grosboll and Hernández expressed appreciation for the percentage of Small Business Enterprise (SBE) participation in the contract.

Directors Grosboll inquired about the number of bidders, and project timeline. He commented about the Suicide Deterrent System (SDS) project timeline.

President Thériault inquired about the subcontractors.

Director Hernández acknowledged the efforts of staff to achieve the high SBE participation, and she specifically mentioned DBE Program Administrator Artemise Davenport, and the Procurement and Engineering departments. She expressed appreciation for Ms. Bauer-Furbush and her team's work to ensure the training net project is completed before the SDS is fully constructed.

Ms. Bauer-Furbush responded to the Directors' inquiries.

**(a) Action by the Committee**

Staff recommended and the Committee concurred by motion made and seconded by **Directors THIER/COCHRAN** to forward the following recommendation to the Board of Directors for its consideration:

**RECOMMENDATION**

The Building and Operating Committee/Committee of the Whole recommends that the Board of Directors approve the following actions relative to Contract No. 2022-B-084, *Suicide Deterrent System Rescue Training Net*, as follows:

**BUILDING AND OPERATING COMMITTEE/COMMITTEE OF THE WHOLE  
FEBRUARY 23, 2023/PAGE 3**

- (i) Approve award of Contract No. 2022-B-084, to Valentine Corporation of San Rafael, CA, in the amount of \$487,505;
- (ii) Establish a construction contingency for Contract No. 2022-B-084 in the amount of \$73,126, equal to 15% of the contract award amount; and,
- (iii) Authorize an increase in the amount of \$101,169 in the FY 2022/23 Bridge Division Capital Budget for Project # 2321, Suicide Deterrent System Rescue Training Net, for a revised total project budget of \$925,169.

This matter will be presented to the Finance-Auditing Committee at its meeting of February 23, 2023, for concurrence.

**Action by the Board at its meeting of February 24, 2023 – Resolution  
Refer to Finance-Auditing Committee meeting of February 23, 2023**

**AYES (13):** Directors Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rabbitt, Rodoni, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.

**NOES (0):** None.

**ABSENT (5):** Director Conroy, Dorsey, Moulton-Peters, Safaí and Stefani.

- (4) **Approve Actions Relative to Professional Services Agreement No. 2011-B-2, *Design Services for the Golden Gate Bridge Physical Suicide Deterrent System*, with HNTB Corporation [16:49 Minutes Mark on the Video Recording]**

**[Director Thier stated that she has a conflict of interest and departed.]**

District Engineer Ewa Bauer-Furbush presented the staff report.

**(a) Action by the Committee**

Staff recommended and the Committee concurred by motion made and seconded by **Directors PAHRE/COCHRAN** to forward the following recommendation to the Board of Directors for its consideration:

**RECOMMENDATION**

The Building and Operating Committee/Committee of the Whole recommends that the Board of Directors approve the following actions relative to Professional Services Agreement (PSA) No. 2011-B-2, *Golden Gate Bridge Physical Suicide Deterrent System*, with HNTB Corporation, as follows:

- (i) Contingent upon the award of construction Contract No. 2022-B-084, *Suicide Deterrent System Rescue Net*, authorize award execution of the First Addendum to

**BUILDING AND OPERATING COMMITTEE/COMMITTEE OF THE WHOLE  
FEBRUARY 23, 2023/PAGE 4**

the Sixth Amendment to PSA No. 2011-B-2, in an amount not-to-exceed \$66,000, for engineering support services during construction of the rescue net; and,

- (ii) Establish a 10% contingency for the First Addendum to the sixth Amendment to PSA No. 2011-B-2 in the amount of \$6,600.

These actions are conditioned upon award of construction Contract No. 2022-B-084, *Suicide Deterrent System Rescue Net*, and approval of the revised FY 22/23 Bridge Division Capital Budget for Project #2321, *Suicide Deterrent System Rescue Training Net*, (presented in a separate item) to provide sufficient funds to finance these costs.

**Action by the Board at its meeting of February 24, 2023 – Resolution**

<b>AYES (12):</b>	Directors Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rabbitt, Rodoni and Snyder; Second Vice President Hill; First Vice President Cochran; President Thériault.
<b>NOES (0):</b>	None.
<b>ABSENT (6):</b>	Director Conroy, Dorsey, Moulton-Peters, Safaí, Stefani and Thier.

[Director Thier returned.]

- (5) **Approve Actions Relative to Award of Contract No. 2022-B-104, *Golden Gate Bridge Toll Plaza Administration Building Door and Window Rehabilitation*, to Pinguelo Construction [21:50 Minutes Mark on the Video Recording]**

District Engineer Ewa Bauer-Furbush presented the staff report.

**[27:14 Minutes Mark on the Video Recording]**

Director Hernández inquired if the contract is subject to the Public Works Law. She asked about the Engineer's Estimate and the difference between the bidders' prices. She commented about difference between the bids, and the possibility the low bidder would attempt to reduce expenses. She requested that staff carefully evaluate the contractor's performance and review its certified payroll information. She verified that she has faith in the Engineering department and expressed support for the item.

President Thériault stated that Director Hernández had already asked the questions he wanted to pose.

Ms. Bauer-Furbush responded to the Directors' inquiries. She said staff developed an Engineer's Estimate and Pinguelo Construction's low bid is somewhat less than that Estimate. She stated that the contractor has the experience and skills to perform the work. She commented about the difference between the bidders' prices, how some make assumptions and accordingly price their bids.

Mr. Mulligan said that the Engineering department staff do an excellent job of ensuring that prevailing wage requirements are met. He indicated that staff interview workers in

**BUILDING AND OPERATING COMMITTEE/COMMITTEE OF THE WHOLE  
FEBRUARY 23, 2023/PAGE 5**

their own languages, and ensure the wages actually paid match the paperwork. He confirmed that the low bidder, Pinguelo Construction, is the lowest responsive and responsible bidder.

**(a) Action by the Committee**

Staff recommended and the Committee concurred by motion made and seconded by **Directors RABBITT/MASTIN** to forward the following recommendation to the Board of Directors for its consideration:

**RECOMMENDATION**

The Building and Operating Committee/Committee of the Whole recommends that the Board of Directors approve the following actions relative to award of Contract No. 2022-B-104, *Golden Gate Bridge Toll Plaza Administration Building Door and Window Rehabilitation*, as follows:

- (i) Approve award of Contract No. 2022-B-104, to Pinguelo Construction of Fairfield, CA, in the amount of \$220,000; and,
- (ii) Establish a construction contingency for Contract No. 2022-B-104 in the amount of \$33,000 equal to 15% of the contract award amount,

with the understanding that sufficient funds are available in the FY 22/23 District Division Capital Budget for the *Facilities Ventilation Assessment, Rehabilitation Improvement Project* (Project # 2214) to finance these actions.

**Action by the Board at its meeting of February 24, 2023 – Resolution**

**AYES (11):** Directors Garbarino, Giudice, Hernández, Mastin, Pahre, Rabbitt, Rodoni, Snyder and Thier; Second Vice President Hill; First Vice President Cochran.

**NOES (2):** Director Grosboll; President Thériault.

**ABSENT (5):** Director Conroy, Dorsey, Moulton-Peters, Safaí and Stefani.

- (6) Approve Actions Relative to Professional Services Agreement No. 2018-B-075, Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit, Suicide Deterrent Net System Fabrication Shop Inspection Services, with David Engineering, LLC [35:47 Minutes Mark on the Video Recording]**

District Engineer Ewa Bauer-Furbush presented the staff report.

**[40:48 Minutes Mark on the Video Recording]**

Director Hill inquired about the status of the aluminum clip installation on the Bridge.

Director Snyder expressed appreciation for the staff report, commented about the reason for the delay, and inquired about the possibility of recouping costs from the Suicide Deterrent System (SDS) project prime contractor.

Ms. Bauer-Furbush responded to the Directors' inquiries. She indicated that the contractor is fabricating the initial batch of aluminum clips and the fabrication would take a couple of months. She said that the District has a dispute with the SDS project prime contractor about the reasons for the delay and spoke about the liquidated damage provisions of the contract.

**(a) Action by the Committee**

Staff recommended and the Committee concurred by motion made and seconded by **Directors THIER/MASTIN** to forward the following recommendation to the Board of Directors for its consideration:

**RECOMMENDATION**

The Building and Operating Committee/Committee of the Whole recommends that the Board of Directors approve the following actions relative to the Professional Services Agreement (PSA) No. 2018-B-075, *Golden Gate Bridge Physical Suicide Deterrent System and Wind Retrofit, Suicide Deterrent Net System Fabrication Shop Inspection Services*:

- (i) Authorize execution of the Seventh Amendment to PSA No. 2018-B-075 with David Engineering, LLC. (David Engineering), Chicago, IL, in an amount not-to-exceed \$94,000 for continuation of the suicide deterrent net system fabrication inspection services through December 2023; and,
- (ii) Authorize a budget increase in the FY 2022/23 Bridge Division Capital Budget in the amount of \$94,000, relative to Project #1526, *Golden Gate Bridge Suicide Deterrent System Construction*, for a revised total project budget of \$215,032,868.

This matter will be presented to the Finance-Auditing Committee at its February 23, 2023, meeting for concurrence.

**Action by the Board at its meeting of February 24, 2023 – Resolution  
Refer to Finance-Auditing Committee meeting of February 23, 2023**

<b>AYES (13):</b>	Directors Garbarino, Giudice, Grosboll, Hernández, Mastin, Pahre, Rabbitt, Rodoni, Snyder and Thier; Second Vice President Hill; First Vice President Cochran; President Thériault.
<b>NOES (0):</b>	None.
<b>ABSENT (5):</b>	Director Conroy, Dorsey, Moulton-Peters, Safaí and Stefani.

- (7) One-Year Update on Implementation of Bicycle Safety Recommendations [46:11  
Minutes Mark on the Video Recording]**

**BUILDING AND OPERATING COMMITTEE/COMMITTEE OF THE WHOLE  
FEBRUARY 23, 2023/PAGE 7**

Deputy General Manager/Bridge Division David Rivera presented the staff report, which was for informational purposes only and no action was taken.

Mr. Mulligan said staff are committed to the Bridge pedestrian and bicycle safety measures.

**[53:40 Minutes Mark on the Video Recording]**

Director Hill inquired about the District's measures to assist people to make decisions about traveling on the Bridge in high winds. He asked if District staff evaluate bicyclists' capabilities when making recommendations. He also inquired about the difference between the words "accident" and "incident" in the staff report.

President Thériault commented about the District's website at [www.goldengate.org](http://www.goldengate.org), how to get to the section regarding wind (navigate to Visiting the Bridge, Current Weather and Current Wind Conditions), and the value of the posted wind information. He asked whether the indicator and lights were correctly aligned in the photo on page 5 of the report (page 27 of the meeting packet) and commented about the value of the signage and indicator lights.

Director Grosboll inquired about the bicycle community comments about the bicycle safety measures that were implemented.

Director Thier expressed appreciation to Mr. Rivera and all the involved staff for the measures to promote bicycle safety including the self-reporting tool (Bike Incident Form), signage and speed advisory indicators. She spoke about the importance of furthering pedestrian and bicyclist safety.

Mr. Mulligan responded to the Directors' inquiries. He stated that the District changed its policy about allowing bicycles on the Bridge, and bicyclists are allowed to ride on the east sidewalk during high wind events. He said that this approach is a standardized protocol. He confirmed the Marin County Bicycle Coalition and San Francisco Bicycle Coalition endorsed the safety changes and spoke about the District's Pedestrian and Bicycle Advisory Committee. He said that the current signage is a short-term solution and a longer-term solution will be implemented in the future.

Mr. Rivera explained that when staff complete a *Sergeants' Office Incident Report*, the occurrence is treated as an accident. He stated that the signage and gate are correctly aligned in the photo on page 5 of the staff report (page 27 of the meeting packet).

The following individual spoke under public comment: **[1:00:51 Hour Mark on the Video Recording]**

- David Pilpel, San Francisco Resident

**(8) Status Report from Board Appointee(s) on Sonoma-Marin Area Rail Transit Board  
**[1:02:02 Hour Mark on the Video Recording]****



**BUILDING AND OPERATING COMMITTEE/COMMITTEE OF THE WHOLE  
FEBRUARY 23, 2023/PAGE 8**

Chair Garbarino provided a Sonoma-Marín Area Rail Transit (SMART) Board status report, which was for informational purposes only and no action was taken. Directors Pahre and Rabbitt added to her report.

**(9) Status Report on Engineering Projects [1:08:20 Hour Mark on the Video Recording]**

District Engineer Ewa Bauer-Furbush presented a status report, which was for informational purposes only and no action was taken.

The following individual spoke under public comment: [1:08:52 Hour Mark on the Video Recording]

- David Pilpel, San Francisco Resident

**(10) Public Comment**

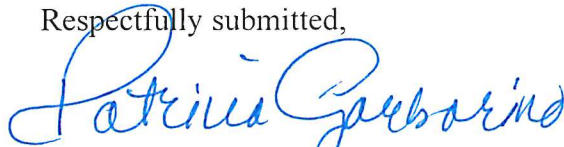
There was no public comment.

**(11) Adjournment [1:10:38 Hour Mark on the Video Recording]**

All business having been concluded, **Directors PAHRE/THIER** moved and seconded that the meeting be adjourned at 11:11 a.m.

**Carried**

Respectfully submitted,



Patricia Garbarino, Chair  
Building and Operating Committee