

February 14, 2023

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 January 17, 2023, 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 Microsoft and VMware professional services solicitation; the agreement for job posting and advertising services; the agreement for recruitment and pre-employment services; the agreement for regional bus, ferry and bridge user and non-user survey services; and, 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 Public Records Act requests; 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 amendment to the agreement for grant administration services for COVID-19 disaster cost recovery; and, conducting committee and Board meetings.
- Financial Matters: Provided advice and assistance to District staff related to various matters, including the upcoming 5-year transit fare program; and, the amendment to the payroll HRIS internal controls agreement.
- 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 the amendment to the agreement for temporary structures engineering advisor support services; the safety training net project; amendments to consultant services agreements; and, 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 agreement with California Highway Patrol for security and traffic control services; the toll plaza administration building door and window rehabilitation project; the IFB for the toll plaza paving project; 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 paratransit service agreement; the amendment to the 2017 Hastus upgrade agreement; the MOU with College of Marin; the DMV employer testing program; the amendment to the Genfare software system upgrade agreement; the Route 114 Title VI equity analysis; 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 IFB for scheduled drydocking and capital improvements for the MV Golden Gate and MV Napa.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with: the channel lights agreement; the Larkspur ferry terminal dredging project; the agreement for the port security grant program; and, the annual monitoring report for the Corte Madera tidal marsh restoration project.

Sincerely,


Kimon Manolius