

March 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 February 14, 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 agreements for recruitment and pre-employment services; the RFQ for datacenter and network equipment cleaning services; the Maximo managed services RFP; the agreement for document conversion services; and, the agreement 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; 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 and preparing for the return to in-person meetings.
- Financial Matters: Provided advice and assistance to District staff related to various matters, including the upcoming 5-year transit fare program, including Title VI analysis; the FTA 2023 Certifications and Assurances; and, the RFP for investment management consulting 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 the rescue training net project agreement; 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 dust collector solicitation; the toll plaza administration building door and window rehabilitation 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 Early Bird Express Service agreement; the MOU with College of Marin; the DMV employer testing program; the amendment to the Genfare software system upgrade agreement; the Stillman Street homeless encampment; 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; and, the on-call engineering services agreements.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with: the Buy America presentation at the Breaking Barriers in the Marine Industry Workshop; the Vivalon shuttle bus services agreement; and, Gate B lease negotiations.

Sincerely,


Kimon Manolius