

April 27, 2023



MINUTES OF THE BUILDING AND OPERATING COMMITTEE

These minutes are supplemented by the audio recording that is posted online at:
<https://www.goldengate.org/district/board-of-directors/meeting-documents>.

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

Honorable Members:

The Building and Operating Committee (Committee) of the Golden Gate Bridge, Highway and Transportation District (District) met in regular session at the United Irish Cultural Center, St. Francis Room, 2700 45th Avenue, San Francisco, CA, on Thursday, April 27, 2023, at 9:03 a.m., Chair Garbarino presiding. A remote audio option for public participation was available.

- (1) **Call to Order:** 9:03 a.m.
- (2) **Roll Call:** Secretary of the District Amorette M. Ko-Wong. **[00:38 Minutes Mark on the Audio Recording]**

Committee Members Present (8): Chair Garbarino; Directors Cochran and Thier; President Thériault. Directors Giudice, Hernández, Hill and Rodoni were appointed Committee Members Pro Tem for this meeting only.

Committee Members Absent (4): Vice-Chair Mastin; Directors Conroy, Pahre and Rabbitt.

Chair Garbarino appointed all other Board members present to be Committee Members Pro Tem for the meeting.

Staff Present: General Manager Denis Mulligan; Auditor-Controller Joseph Wire; District Engineer Ewa Bauer-Furbush; Secretary of the District Amorette Ko-Wong; Attorneys Kimon Manolius and Nicole Witt; Deputy General Manager/Bridge Division David Rivera; Deputy General Manager/Bus Transit Division Mona Babauta; Deputy General Manager/Ferry Division Michael Hoffman; Deputy General Manager/Administration and Development Kellee Hopper; Chief Technology Director Fang Lu; 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

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<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-114, Golden Gate Bridge Toll Plaza Pavement Overlay, to Argonaut Constructors** [01:49 Minutes Mark on the Audio Recording]

District Engineer Ewa Bauer-Furbush presented the staff report.

She stated that the District has received a bid protest from the second lowest bidder Ghilotti Bros. Inc. (Ghilotti) regarding the award of the contract to the lowest bidder Argonaut Constructors (Argonaut), and the District's Attorney Kimon Manolius would present the District team's (staff and attorneys) assessment of this protest.

Attorney Manolius introduced his colleague Attorney Nicole Witt who spoke about the Ghilotti protest, which states that Argonaut's bid is non-responsive due to deficiencies, and she reviewed the allegations.

Ms. Witt said that District staff contacted Argonaut's representatives, and they refuted all the allegations.

She reviewed the District's tests for bid responsiveness and responsibility. She said that the District found the Argonaut bid substantially complies with the District's bid specifications. She reviewed the District's findings that Argonaut's bid met the requirements or had minor irregularities that may be waived by the District.

For more information, see Ghilotti's bid protest and the District's response, which are available at <https://www.goldengate.org/district/board-of-directors/meeting-documents>, Building & Operating Committee April 27, 2023, Item No. 3.

She stated that in light of the District's review and legal findings, staff recommends that the Committee reject the bid protest.

[16:47 Minutes Mark on the Audio Recording]

Chair Garbarino expressed appreciation for the staff report and additional information from the legal team.

Director Hernández expressed appreciation for the comprehensive report and commented about the protest. She inquired about the possibility of updating the bid specifications documents to make certain points clearer. She commented about the electrical subcontractor, and device type. She inquired about the District's evaluation of the bidder's good faith efforts to solicit Disadvantaged Business Enterprise (DBE) subcontractors.

Mr. Mulligan and Ms. Witt responded to the Director's inquiries. Mr. Mulligan explained that the magnetometer device is wireless, does not have any electrical wiring, and is dropped in the roadway. As a result, an electrical subcontractor is not required. Ms. Witt

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indicated that Argonaut exceeded the District's DBE goals for the contract and as a result, the omission of the rejected DBE subcontractors does not have a substantive bearing on their bid.

[23:36 Minutes Mark on the Audio Recording]

The following individual made public comments remotely:

- David Pilpel, San Francisco Resident

(a) Action by the Committee

RECOMMENDATION

Staff recommended and the Committee concurred by motion made and seconded by **Directors COCHRAN/HILL** to reject the bid protest submitted by Ghilotti Bros. Inc.

AYES (8): Chair Garbarino; Directors Cochran, Giudice, Hernández, Hill, Rodoni and Thier; President Thériault.
NOES (0): None.
ABSENT (4): Vice-Chair Mastin; Directors Conroy, Pahre and Rabbitt.

Action by the Board at its meeting of April 28, 2023 – Resolution

Staff further 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 recommends that the Board of Directors approve the following actions relative to Contract No. 2022-B-114, *Golden Gate Bridge Toll Plaza Pavement Overlay*, as follows:

- (i) Approve award of Contract No. 2022-B-114, to Argonaut Constructors of Santa Rosa, CA in the amount of \$3,024,389;
- (ii) Establish a construction contingency for Contract No. 2022-B-114 in the amount of \$453,000 equal to 15% of the contract award amount; and,
- (iii) Authorize an increase in the amount of \$627,389 in the FY 2022/23 Bridge Division Capital Budget for Project # 1722, *Toll Plaza Pavement Overlay*, for a revised total project budget of \$4,127,389.

This matter will be presented to the Finance-Auditing Committee at its April 27, 2023, meeting for concurrence with the second recommendation, and the Board of Directors with both recommendations at its April 28, 2023, meeting for appropriate action.

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Action by the Board at its meeting of April 28, 2023 – Resolution Refer to Finance-Auditing Committee meeting of April 27, 2023

AYES (8): Chair Garbarino; Directors Cochran, Giudice, Hernández, Hill, Rodoni and Thier; President Thériault.
NOES (0): None.
ABSENT (4): Vice-Chair Mastin; Directors Conroy, Pahre and Rabbitt.

Director Thier stated that she has a conflict of interest and is leaving the meeting.

[Director Thier departed.]

(4) Approve Actions Relative to Professional Services Agreement No. 2017-B-15, Golden Gate Bridge Toll Gantry Design Services, with AECOM [28:01 Minutes Mark on the Audio Recording]

District Engineer Ewa Bauer-Furbush presented the staff report.

[35:00 Minutes Mark on the Audio Recording]

President Thériault commented about the specific nature of the design and expressed his hope that the District will have a more flexible and adaptable design in the future.

Mr. Wire responded to the President's comments, and confirmed that AECOM is designing a more flexible gantry.

[36:31 Minutes Mark on the Audio Recording]

The following individual made public comments remotely:

- David Pilpel, San Francisco Resident

(a) Action by the Committee

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

RECOMMENDATION

The Building and Operating Committee recommends that the Board of Directors approve the following actions relative to the Professional Services Agreement No. 2017-B-15, *Golden Gate Bridge Toll Gantry Design Services*:

- Authorize execution of the Seventh Amendment to Professional Services Agreement (PSA) No. 2017-B-15, *Golden Gate Bridge Toll Gantry Design Services*, with AECOM, Oakland, CA, in an amount not-to-exceed \$291,662.17, for additional design services, for the total PSA amount of \$1,520,708.65, and,

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- (ii) Establish a 10% contingency for the amendment in the amount of \$29,170;

with the understanding that sufficient funds to finance the Seventh Amendment to the PSA and its contingency are available in the budget for the Toll Plaza Gantry Construction Project (Project #1820).

Action by the Board at its meeting of April 28, 2023 – Resolution

AYES (7): Chair Garbarino; Directors Cochran, Giudice, Hernández, Hill and Rodoni; President Thériault.
NOES (0): None.
ABSENT (5): Vice-Chair Mastin; Directors Conroy, Pahre, Rabbitt and Thier.

[Director Thier returned.]

(5) Discussion and Possible Action Relative to the Naming of a New Ferry Vessel [38:44 Minutes Mark on the Audio Recording]

Deputy General Manager, Ferry Division Michael Hoffman presented the staff report.

Mr. Mulligan added that historically the District has selected the name of a place for the ferries and staff recommends this approach.

[41:06 Minutes Mark on the Audio Recording]

Chair Garbarino expressed appreciation for the presentation.

Director Cochran spoke about his involvement with naming exercises. He suggested the name of “The City” and possibly the names of the county seats. He also suggested that the Board get input from the public.

Director Thier inquired about the history of naming District vessels and requested the names of the other ferries.

Director Giudice stated he is familiar with Olompali State Park and he understands the Olompali name means “southern village or people.” He spoke about the value of showing respect for indigenous tribes. He also spoke about the Federated Indians of Graton Rancheria (FIGR), and their positive effect on Rohnert Park. He added that the Board could consider shifting the District’s business model and capture more of the recreational travel of tourists. He encouraged the Committee to take this step respectfully.

President Thériault commented that people have a practice of honoring the earlier inhabitants of the land and spoke about the value of the practice. He stated that he understands that Olompali is a village that goes back a thousand years, and the name fits into the tradition of naming ferry vessels after places.

Director Hill expressed support for the Olompali name.

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Director Thier echoed the comments of Director Giudice and President Thériault. She spoke about the value of honoring the first inhabitants of the land, and said she is pleased to be part of the naming effort.

[44:06 Minutes Mark on the Audio Recording]

Mr. Mulligan reviewed some of the history and provided the names of the District's vessels: *Golden Gate* (two different vessels), *San Francisco*, *Marin*, *Sonoma*, *Del Norte*, *Mendocino*, *Napa*.

[54:12 Minutes Mark on the Audio Recording]

The following individuals made public comments remotely:

- David Pilpel, San Francisco Resident
- James Mastin, Director and Mendocino County Resident

(a) Action by the Committee

Directors THÉRIAULT/THIER moved and seconded to forward the following recommendation to the Board of Directors for its consideration:

RECOMMENDATION

The Building and Operating Committee recommends that the Board of Directors approve the selection of the name of *Motor Vessel (M.V.) Olompali* for the Golden Gate Bridge, Highway and Transportation District's new ferry vessel, and authorize the official filing of the name with the United States Coast Guard with the understanding that upon approval staff will seek permission to use the name *Olompali*.

Action by the Board at its meeting of April 28, 2023 – Resolution

AYES (8): Chair Garbarino; Directors Cochran*, Giudice, Hernández, Hill, Rodoni** and Thier; President Thériault.
NOES (0): None.
ABSENT (4): Vice-Chair Mastin; Directors Conroy, Pahre and Rabbitt.

*Director Cochran commented about the Yurok in Del Norte County, and said he would like the Board to consider naming future ferries after the Yurok.

**Director Rodoni requested the Board add Coast Miwok to a list of possible names for ferries in the future.

(6) Approve Actions Relative to Award of Contracts No. 2023-D-129, Maximo Managed Services and On-Call Professional Services [58:19 Minutes Mark on the Audio Recording]

Chief Technology Director Fang Lu presented the staff report.

[01:06:01 Hour Mark on the Audio Recording]

Chair Garbarino expressed appreciation for the in-depth report.

Director Thier inquired about the DBE percentage and inquired about the District setting Local Business Enterprise (LBE) goals. She commented about jurisdiction processes for certifying LBE organizations, and LBE organizations' contributions to the community.

Mr. Mulligan responded to the Director's inquiries. Mr. Mulligan clarified that under State law, the District cannot establish a DBE goal on a contract that does not have federal funding. He said that the Board could discuss the possibility of having LBE goals and spoke about some of the complexities of LBE goals for the District as a multi-county agency.

(a) Action by the Committee

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

RECOMMENDATION

The Building and Operating Committee recommends that the Board of Directors approve actions relative to award of Contracts No. 2023-D-129, *Maximo Managed Services and On-Call Professional Services*, as follows:

- (i) Authorize award of Managed Services for the Golden Gate Bridge, Highway and Transportation District's (District) Maximo Asset Management software application, relative to Contract No. 2023-D-129-01, with A3J Group LLC of Tampa, FL, for a three-year base term, with up to two additional one-year option terms, for a total not-to-exceed amount of \$840,000; and,
- (ii) Authorize award of On-Call Maximo Professional Services for the District's Maximo Asset Management software application, relative to Contracts No. 2023-D-129, to:
 - a. A3J Group LLC, Tampa, FL (Contract No. 2023-D-129-02);
 - b. Interloc Solutions Inc., Folsom, CA (Contract No. 2023-D-129-03);
 - c. Maven Asset Management, Lutz, FL (Contract No. 2023-D-129-04); and,
 - d. ZPro Solutions Inc., Sacramento, CA (Contract No. 2023-D-129-05);

for a three-year base term, with up to two additional one-year option terms, for a total aggregate not-to-exceed amount of \$750,000 for the five-year term.

Action by the Board at its meeting of April 28, 2023 – Resolution

AYES (8): Chair Garbarino; Directors Cochran, Giudice, Hernández, Hill, Rodoni and Thier; President Thériault.

NOES (0): None.

ABSENT (4): Vice-Chair Mastin; Directors Conroy, Pahre and Rabbitt.

(7) **Status Report from Board Appointee(s) on Sonoma-Marin Area Rail Transit Board**
[01:09:55 Hour Mark on the Audio Recording]

Chair Garbarino provided a Sonoma-Marin 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.

[01:12:47 Hour Mark on the Audio Recording]

President Thériault inquired about Butter and Egg Days.

Chair Garbarino stated the Butter and Egg Days honor Petaluma's heritage.

(8) **Status Report on Engineering Projects** **[01:14:43 Hour Mark on the Audio Recording]**

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

(9) **Public Comment**

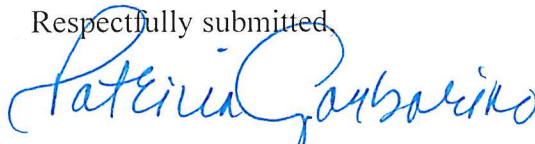
There was no public comment.

(10) **Adjournment** **[01:15:37 Hour Mark on the Audio Recording]**

All business having been concluded, **Directors HILL/COCHRAN** moved and seconded that the meeting be adjourned at 10:19 a.m.

Carried

Respectfully submitted,



Patricia Garbarino, Chair
Building and Operating Committee