

May 4, 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 April 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 agreement for pre-employment background screening services; the agreement for datacenter and network equipment cleaning services; the agreement for EEO program consulting services; the IFB for storage appliances for data center; the Maximo managed services and on-call Maximo services agreement; the agreement for document conversion services; the agreement for transportation statistics reporting system and implementation services; the amendment to the agreement for mobile drug and alcohol testing services; the Microsoft VMware RFP; the security services contract change order; and, the intervention and prevention platform system agreement amendment.
- **District Division Matters:** Provided assistance to staff in connection with intellectual property matters; 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 changes to conducting committee and Board meetings and the return to in-person meetings.
- **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.
- **Suicide Deterrent Project (Litigation):** Analyzed and prepared for the litigation brought by the SDS contractor; commenced preparation for discovery plans, motion practice, and responsive pleadings.

- 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 toll plaza pavement overlay project; the administration building door and window rehabilitation project agreement; the agreement for Alexander Avenue slide repairs; 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: paratransit service issue; the notice for proposed rulemaking for the Public Agency Safety Transportation Plans; the Tamalpais/Highway 101 bus stop change; the MOU with College of Marin; the Genfare software system upgrade agreement; the Stillman Street homeless encampment; and, the San Rafael Transit Center project, including the RFP for property acquisition consultant services.
- 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 Spaulding repower project; the RFP for scheduled drydocking and capital improvements for the MV Golden Gate and MV Napa; and the IFB for scheduled drydocking and capital improvements for the MV Del Norte and MV Mendocino.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with: the backup generator and BAAQMD permitting issue; the Gate B lease agreement; the port security grant program; the IFB for the Larkspur fuel tanks rehabilitation project; and, new vessel procurement strategy.

Sincerely,

  
Kimon Manolius