

June 12, 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 May 4, 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 IFB for storage appliances for data center; the Maximo managed services and on-call Maximo services agreement; the amendment to the agreement for electronic records management services; the Ventek source code license agreement; the amendment to the agreement for facilitation of Pedestrian and Bicycle Committee meetings; the agreement for transportation statistics reporting system and implementation services; the amendment to the digital communications management platform agreement; the amendment to the agreement for compensation consulting services; the agreement for engineering recruitment services; the IFB for unleaded gasoline, ultra-low sulfur and renewable diesel fuels; and, the intervention and prevention platform system agreement amendment.
- **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.
- **Financial Matters:** Assisted staff in connection with the agreement for investment and general consulting services, as well as with fiscal cliff strategies.
- **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, and with implementation of agreements reached.

Bridge Division:

- **Suicide Deterrent Project:** Provided assistance and advice to Engineering Department staff in connection with the change order to the contract for aluminum clip fabrication for the suspension bridge sound reduction project.

- **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 CM/GC services RFQ for the seismic retrofit project; the MOU with the CHP for emergency radio use; the toll plaza pavement overlay project; the administration building door and window rehabilitation project; the agreement for Alexander Avenue roadway restriping; 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.
- **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; correction of the record with regard to the vested rights doctrine; and, working to set up a solution-based advisory body.

Ferry Division:

- **Vessel Refurbishment/Maintenance:** Attention to various ferry refurbishment contracts and maintenance issues, including the agreement for midlife engine maintenance for MV Golden Gate, MV Del Norte, MV Mendocino and MV Napa; the contract for hydraulic cylinder repairs for MV Mendocino; the contract change order for on-call engineering services; the agreement for midlife engine maintenance for MS Marin; the request for prequalification for the MS San Francisco and MS Marin repower project; 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 Gate B landing rights/lease agreement; the agreement for emergency Gate B repairs; the port security grant program; the amendment to the Vivalon agreement; the IFB for the Larkspur fuel tanks rehabilitation project; and, the new vessel procurement project.

Sincerely,


Kimon Manolius