

July 12, 2022

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 June 15, 2022, 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 amendment to the agreement for interim temporary staffing services; the INIT software agreement; the contract for customer research for strategic planning services; the EJ Ward system upgrade agreement; the amendment to the agreement for software, maintenance and support services for configuration of Maximo system; and, the agreement for commuter benefits program services.
- **District Division Matters:** Provided assistance to staff in connection with the review of documents and preparation of responses to Public Records Act requests; intellectual property matters; the Clipper Amended and Restated MOU; 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 agreement for COVID-19 testing services; Title VI equity analysis for ferry pandemic-related service reductions; and, conducting committee and Board meetings in the ever-changing COVID environment.
- **Financial Matters:** Provided advice and assistance to District staff related to various matters, including the FTA triennial review; preparation of the annual opinion of counsel for TDA/STA/RM2 funds; and, the amendments to the OPEB trust agreement and related agreement for investment management 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 on-going contractor and claims issues; the amendment to the on-call video

production services agreement; the consultant agreement amendments; and, preparation for the July 12-13 mediation regarding the Suicide Deterrent Project.

- All Electronic Tolling Litigation: Provided defense and opposition to class action certification 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; briefed and argued a motion for judgment on the pleadings in the new Gregorio class action; attended to Conduent's duty to defend and indemnify the District under the 2003 and 2013 BATA contracts.
- Bridge Division Matters/Procurement: Provided assistance in connection with various Bridge Division matters, including the RFP for consulting services for the toll plaza window replacement project; legislative matters; and, matters related to the toll gantry project including but not limited, to preparation for and attendance at the July 7 mediation with the District's vendor Kapsch.


Bus Division:

- Bus Division Matters/Procurement: Provided assistance and advice in connection with various Bus Division matters, including: the MOU with College of Marin for the bus operator apprenticeship program; the Public Transportation Agency Safety Plan and Safety Committee; ADA requirements for service animals and leash requirements; the amendment to the contract for transit data dashboard software; 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.

Ferry Division:

- Vessel Refurbishment/Maintenance: Attention to various ferry refurbishment contracts and maintenance issues, including the RFQ for on-call engineering services; and, the agreement for on-site support for M.V. Marin.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with: the amendment to the Vivalon shuttle bus services agreement; the Larkspur ferry terminal dredging project, including the contract for dredging services, the amendment to the agreement for design, pile design and permit support services, and the State Lands Commission lease; the agreement for Larkspur ferry terminal emergency repairs; the City of Sausalito pass-through agreement compliance letter; and, the vessel replacement project, including CEQA/NEPA findings.

Sincerely,


Kimon Manolius