

January 17, 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 December 6, 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 contract for ERP implementation consultation services; the amendment to the contract for customer research for strategic planning services; the contract documents for joining the Axia procurement cooperative; the job posting services agreement; the security guard services contract; the RFP for Microsoft and VMware professional services; the Maximo managed services and on-call Maximo professional services RFP; the amendment to the agreement for mobile drug and alcohol testing services; the agreement for recruitment and pre-employment services; and, the RFP for regional bus, ferry and bridge user and non-user survey.
- **District Division Matters:** Provided assistance to staff in connection with the review of documents and preparation of responses to multiple Public Records Act requests; intellectual property matters; 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.
- **Financial Matters:** Provided advice and assistance to District staff related to various matters, including the upcoming 5-year transit fare program; the agreement for external audit services; and the amendment to the agreement for grants 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 the amendment to the agreement for temporary structures engineering advisor support services; the safety training net project; 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 agreement with California Highway Patrol for security and traffic control services; the agreement for industrial hygiene and environmental health and safety consultant services; the amendment to the agreement for main cable access system design services; the IFB for the toll plaza administration building door and window rehabilitation project; the toll plaza paving project specifications; the agreement for GPS data services; records retention for Bridge tour waiver and release documents; 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 fixed route and regional paratransit services agreements; the MOU with College of Marin; the California Labor Federation and California Transit Works agreements; the DMV employer testing program; the bus advertising services contract amendment; 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; the on-call engineering services agreements; and, the MS Sonoma refurbishment project.
- Ferry Division Matters/Procurement: Provided assistance to District staff in connection with: lighting on channel marker pylons; SF Port landing fees/landing rights; the amendment to the Vivalon shuttle bus services agreement; the Larkspur ferry terminal dredging project; the port security grant program RFP; the MOU with County of Marin regarding temporary evacuation site; the ferry advertising services contract amendment; the amendment to the agreement for the Sausalito ferry terminal repairs project; the amendment to the agreement for the ferry facilities improvements for Larkspur, Sausalito and San Francisco ferry terminal facilities project; and, the amendment to the agreement for the structural assessment of San Francisco ferry terminal.

Sincerely,


Kimon Manolius