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OAKLAND

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Approved as to form and legality:

By: 
Agency Counsel

OAKLAND REDEVELOPMENT SUCCESSOR AGENCY

Resolution No. 2012,005

A SUCCESSOR AGENCY RESOLUTION AMENDING REDEVELOPMENT AGENCY RESOLUTION NO. 2010-0048 C.M.S., WHICH AUTHORIZED A CONTRACT WITH MACIAS GINI, & O'CONNELL, LLP, FOR AUDIT SERVICES IN AN AMOUNT NOT TO EXCEED \$464,467, TO INCREASE THE CONTRACT BY AN AMOUNT NOT TO EXCEED \$100,000 TO PROVIDE DUE DILIGENCE ASSET REVIEW SERVICES AS REQUIRED BY HEALTH & SAFETY CODE SECTION 34179.5, AND OTHER AUDIT SERVICES, AND WAIVING COMPETITIVE REQUIREMENTS FOR SUCH SERVICES

WHEREAS, the Redevelopment Agency of the City of Oakland passed Resolution No. 2010-0048 C.M.S. on April 20, 2010, which authorized the Agency Administrator to execute a contract with Macias Gini & O'Connell, LLP to provide audit services for the Redevelopment Agency in an amount not to exceed \$464,467; and

WHEREAS, the City Council passed Resolution No. 84017 C.M.S. on July 17, 2012, establishing the Oakland Redevelopment Successor Agency as the successor agency to the Redevelopment Agency of the City of Oakland; and

WHEREAS, California Health and Safety Code Section 34179.5 requires that a due diligence review of former Redevelopment Agency assets be completed by a licensed accountant; and

WHEREAS, the Successor Agency, which follows the same contracting process as the City of Oakland, wishes to amend the contract with Macias Gini & O'Connell, LLP, to provide such services; and

WHEREAS, Oakland Municipal Code Section 2.04.051.B authorizes the Agency Board to waive advertising and the request for proposals process upon a finding that it is in the Successor Agency's best interest to do so; and

WHEREAS, staff recommends that it is in the Successor Agency's best interests to waive advertising and the request for proposals process for the due diligence review services to be added to the contract because at the time the Redevelopment Agency entered its contract with Macias Gini & O'Connell, LLP the requirement for these additional services was unknown, the current contract involves closely related services; and the expansion of the scope of the contract is reasonable and economical under the circumstances; now, therefore, be it

RESOLVED: That pursuant to Oakland Municipal Code Section 2.04.051.B, the Agency Board hereby finds and determines that it is in the best interests of the Successor Agency to waive the request for proposal or qualifications process for the hiring of an independent certified public accountant to perform the audit services and the due diligence asset review as mandated by Health and Safety Code Section 34179.5, for the reasons set forth above; and be it

FURTHER RESOLVED: That the Agency Board hereby authorizes the Agency Administrator to negotiate and enter into an amendment to the contract with Macias Gini & O'Connell, LLP to provide due diligence asset review services and other audit services, and to increase the contract amount by an amount not-to-exceed one hundred thousand dollars (\$100,000) to pay for such services; and be it

FURTHER RESOLVED: That Agency Counsel will review and approve the contract amendment as to form and legality, and a copy will be place on file with the Secretary of the Agency; and be it

FURTHER RESOLVED: That the Agency Administrator or her designee is hereby authorized to take any other action with respect to such contract amendment consistent with this Resolution and its basic purposes.

OCT 02 2012

IN SUCCESSOR AGENCY, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:


AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, AND
CHAIRPERSON REID — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LaTonda Simmons
Secretary of the Oakland Redevelopment
Successor Agency