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OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

11 JAN 26 PM 4:36

*Kathleen Helen Boyd*  
ORA Agency Counsel

# REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

Resolution No. \_\_\_\_\_ C.M.S.

**AN AGENCY RESOLUTION AMENDING CITY COUNCIL RESOLUTION NO. 2010-0048 C.M.S., WHICH AUTHORIZED A CONTRACT WITH MACIAS GINI, & O'CONNELL, LLP TO PROVIDE AUDIT SERVICES, TO INCREASE THE CONTRACT FOR OAKLAND ARMY BASE REPORT BY SIXTY THOUSAND DOLLARS (\$60,000), FROM THREE THOUSAND SIXTY DOLLARS (\$3,060) TO AN AMOUNT NOT-TO-EXCEED SIXTY THREE THOUSAND SIXTY DOLLARS (\$63,060) TO PROVIDE COMPREHENSIVE FINANCIAL STATEMENTS FOR THE YEARS ENDED JUNE 30, 2007, 2008, 2009 AND 2010 AND THE CLOSE-OUT PERIOD ENDED AUGUST 7, 2010 AND WAIVER OF REQUEST FOR PROPOSALS**

**WHEREAS**, the Redevelopment Agency of the City of Oakland requires an annual audit by an independent certified public accountant who shall examine and report to the Redevelopment Agency on the annual financial statements of the Agency; and

**WHEREAS**, it is the desire of the Agency to engage the services of the firm Macias, Gini & O'Connell, LLP to conduct an audit of the Agency's financial records; and

**WHEREAS**, Resolution No. 2010-0048 C.M.S. was passed on April 20, 2010 which authorized the City Administrator to execute a contract with Macias Gini & O'Connell, LLP to provide audit services for the City of Oakland and Oakland Redevelopment Agency; and

**WHEREAS**, it has been determined that the Agency is required to provide for certain required supplementary information (RSI), such as the management's discussion and analysis (MD&A), to supplement the Oakland Army Base Fund's basic financial statements for the years ended June 30, 2007, 2008, 2009 and 2010 and the close-out period ended August 7, 2010; and

WHEREAS, Oakland Municipal Code 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 City's best interest to do so; and

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

**RESOLVED**, that the Agency Board finds and determines the forgoing recitals to be true and correct and hereby adopts and incorporates them into this Resolution; and be it

**FURTHER RESOLVED**, that pursuant to the Oakland Municipal Code Municipal Code Section 2.04.040.B, the Agency Board hereby finds and determines that it is in the best interests of the City to waive the request for proposal or qualifications process for the hiring of an independent certified public account to perform these additional Single Audit services extending the work already being performed by Macias for the City, the requirement for which was unknown at the time the original contract was awarded to Macias Gini & O'Connell, and be it

**FURTHER RESOLVED**, that the Agency Board hereby authorizes the City Administrator to amend the amount of the contract with Macias Gini & O'Connell, LLP in an amount not-to-exceed sixty thousand dollars (\$60,000) to pay for certain required supplemental information under the Oakland Army Base Audit, for a total contract amount not-to exceed sixty-three thousand sixty dollars (\$63,060); and be it

**FURTHER RESOLVED**, that the Agency Counsel will approve the contract amendment as to form and legality and a copy will be on file in the Office of the Secretary of the Agency; and be it

**FURTHER RESOLVED**, that this Resolution shall take effect immediately upon its passage.

IN AGENCY, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, KAPLAN, KERNIGHAN, NADEL, SCHAAF, REID, DE LA FUENTE and CHAIRPERSON BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
Secretary of the Redevelopment Agency  
of the City of Oakland, California

AMENDED RESOLUTION

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Oakland City Attorney's Office

**OAKLAND CITY COUNCIL**

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

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**A CITY RESOLUTION AMENDING CITY COUNCIL RESOLUTION NO. 82682 C.M.S., WHICH AUTHORIZED A CONTRACT WITH MACIAS GINI, & O'CONNELL, LLP TO PROVIDE AUDIT SERVICES (SINGLE AUDIT), TO INCREASE THE CONTRACT FOR SINGLE AUDIT REPORT BY NINETEEN THOUSAND FOUR HUNDRED DOLLARS (\$19,400), FROM EIGHTY-SEVEN THOUSAND TWO HUNDRED THREE DOLLARS (\$87,203) TO ONE HUNDRED SIX THOUSAND SIX HUNDRED THREE DOLLARS (\$106,603) TO COVER TESTING OF TWO ADDITIONAL MAJOR PROGRAMS FOR FISCAL YEAR ENDING JUNE 30, 2010 AND WAIVER OF REQUEST FOR PROPOSALS**

**WHEREAS**, Section 809 of the Charter of the City of Oakland provides for an annual audit by an independent certified public accountant who shall examine and report to the City Council on the annual financial statements of the City; and

**WHEREAS**, it is the desire of the City Council to engage the services of the firm Macias, Gini & O'Connell, LLP; and

**WHEREAS**, Resolution No. 82682 C.M.S. was passed on April 20, 2010 which authorized the City Administrator to execute a contract with Macias Gini & O'Connell, LLP to provide audit services for the City of Oakland and Oakland Redevelopment Agency; and

**WHEREAS**, during the risk assessments of federal programs, Macias Gini & O'Connell, LLP has identified ten (10) federal programs for fiscal year ending June 30, 2010, resulting in two additional major programs that requires testing under the Single Audit;

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

AMENDED RESOLUTION

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

**RESOLVED**, that the City Council finds and determines the forgoing recitals to be true and correct and hereby adopts and incorporates them into this Resolution; and be it

**FURTHER RESOLVED**, that pursuant to the Oakland Municipal Code Municipal Code Section 2.04.051.B and for the reasons stated above and in the report(s) accompanying this item, the City Council hereby finds and determines that it is in the best interests of the City to waive the advertising and the request for proposals process for the hiring of an independent certified public account to perform the additional Single Audit services extending the work already being performed by Macias for the City, and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the City Administrator to amend the amount of the contract with Macias Gini & O'Connell, LLP in an amount of nineteen thousand four hundred dollars (\$19,400) to pay for the testing of two additional major programs under the Single Audit, for a total contract amount of one hundred six thousand six hundred three dollars (\$106,603); and be it

**FURTHER RESOLVED**, that the Office of the City Attorney will approve the contract amendment as to form and legality and a copy will be on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED**, that this Resolution shall take effect immediately upon its passage.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, KAPLAN, KERNIGHAN, NADEL, SCHAAF, REID, DE LA FUENTE and PRESIDENT BRUNNER,

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California