

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

  
ORA Agency Counsel

2010 APR 15 PM 4:16

**REDEVELOPMENT AGENCY  
OF THE CITY OF OAKLAND**

**Resolution No. 2010-0048 C.M.S.**

---

**RESOLUTION AUTHORIZING THE AGENCY ADMINISTRATOR TO WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS PROCESS AND EXECUTE A FIVE-YEAR CONTRACT EXTENSION WITH MACIAS GINI & O'CONNELL, LLP TO PROVIDE AUDIT SERVICES FOR FISCAL YEAR ENDING JUNE 30, 2010 THROUGH FISCAL YEAR ENDING JUNE 30, 2014 IN AN AMOUNT NOT TO EXCEED \$ 464,467.**

**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**, the Agency finds that the service is professional and temporary in nature and, based on the representations of the City Administrator in the report accompanying this resolution, shall not result in the loss of salary or employment by any person having permanent status in the competitive service; and

**WHEREAS**, it is in the Agency's best interest to waive the competitive RFP process for the contract to provide audit services because the proposed contract represents significant savings to the Agency, an option to renew for two years was already planned, and conducting a new joint RFP process with the Port would be costly by delaying the annual audit and requiring significant amounts of staff time to orient a new firm to the Agency's organization and processes; and

**WHEREAS**, the Agency finds that the service is exempt from competitive bidding pursuant to Section 2.04.050 I of the Oakland Municipal Code; now therefore be it

**RESOLVED**, that the Agency 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 the competitive RFP process is hereby waived in the best interests of the Agency based on the foregoing findings, and be it

**FURTHER RESOLVED**, that the Agency Administrator is authorized to execute a five-year extension contract with the firm of Macias Gini & O'Connell, LLP in an amount not to exceed \$464,467 for the fiscal year end June 30, 2010 through fiscal year end June 30, 2014 audit services; and be it

**FURTHER RESOLVED**, that the partners in the firm of Macias Gini & O'Connell, LLP working on Agency accounts will be rotated every five years from the date of entry into the existing contract; and be it

**FURTHER RESOLVED**, that the Agency Counsel will approve the contract 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.

APR 20 2010

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

**PASSED BY THE FOLLOWING VOTE:**

AYES - ~~Brooks~~, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, DE LA FUENTE and CHAIRPERSON  
BRUNNER - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:

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