

OAKLAND REDEVELOPMENT SUCCESSOR AGENCY

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY ADMINISTRATOR TO AWARD A CONTRACT TO MACIAS GINI & O’CONNELL, LLP TO PROVIDE PROFESSIONAL AUDITING SERVICES FOR FISCAL YEARS ENDING JUNE, 30 2025, JUNE 30, 2026, AND JUNE 30, 2027 IN AN AMOUNT NOT TO EXCEED \$2,476,651 (OF WHICH \$2,395,051 WILL BE FUNDED BY THE CITY OF OAKLAND AND \$81,600 WILL BE FUNDED BY THE OAKLAND REDEVELOPMENT SUCCESSOR AGENCY), WITH A TWO-YEAR OPTION TO EXTEND THE CONTRACT FOR FISCAL YEARS ENDING JUNE 30, 2028 AND JUNE 30, 2029 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$4,290,391, CONTINGENT ON AVAILABLE FUNDING; AND WAIVING THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS REQUIREMENTS AND THE LOCAL/SMALL LOCAL BUSINESS ENTERPRISE REQUIREMENTS.

WHEREAS, the Oakland Redevelopment Successor Agency (“ORSA” or “Agency”) requires an annual audit by an independent certified public accountant who shall examine and report to ORSA on the annual financial statements of the Agency; and

WHEREAS, the Agency follows the administrative rules of the City of Oakland (“City”), including contracting rules; and

WHEREAS, in December 2024, the City and the Port of Oakland (“Port”) advertised and issued a Request For Proposal (“RFP”) for As-Needed Professional Auditing Services for Fiscal Years ending June 30, 2025 through June 30, 2027, with a two-year (2) option to extend the contract through June 30, 2028 and June 30, 2029; and

WHEREAS, in January 2025, the City and the Port received and opened three (3) proposals in response to the RFP for Professional Auditing Services; and

WHEREAS, the City and the Port reviewed the proposal and determined that Macias, Gini & O’Connell, LLP (sometimes referred to herein as “MGO”) met all requirements of the RFP for Professional Auditing Services, and met the needs of both the City and the Port; and

WHEREAS, the City’s Department of Workforce & Employment Standards (“DWES”) established a 20 percent Local and Small Local Business Enterprises (“L/SLBE”) participation requirement, as determined by an Availability Analysis; and

WHEREAS, DWES has determined that the Oakland small business proposed as MGO’s subcontractor, Williams-Adley and Company-CA, LLP was not registered as a L/SLBE at the time proposals were submitted; and

WHEREAS, MGO’s proposed subcontractor, Williams-Adley and Company-CA, LLP is currently seeking to re-establish its certification as an L/SLBE, has operated as a small business in Oakland for 43 years, is registered as a small business with the County of Alameda’s Small, Local and Emerging Business (SLEB) Program at its Oakland address, and has served the City and Agency capably on prior engagements; and

WHEREAS, MGO has extensive experience and knowledge of the City’s financial systems, financial statements, the Annual Comprehensive Financial Report (“ACFR”), ORSA, the Police and Fire Retirement System, the City’s Measure Z Public Safety and Services Violence Prevention Act of 2014, the Measure C – Transient Occupancy Tax Surcharge Compliance Audit, the Gann Appropriation Limit, and the Single Audit Report for Federal Awards; and

WHEREAS, funds will be available in the Recognized Obligation Payments Schedule (“ROPS”) for the fiscal years ending June 30, 2025, June 30, 2026, and June 30, 2027 in the amount of \$81,600, and the remaining \$2,395,051 will be funded by the City; 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, Oakland Municipal Code (OMC) section 2.04.051.A requires a competitive RFP or request for qualifications (“RFQ”) process for the award of professional services contracts and OMC section 2.04.051.B provides that the City Council may waive the RFP/RFQ process upon a finding that it is in the best interest of the City to do so; and

WHEREAS, the Agency may waive the City’s L/SLBE requirements pursuant to Part 1 of Oakland’s Local and Small Local Business Enterprise Program guidelines adopted by Ordinance No. 13647 C.M.S.; and

WHEREAS, the Agency Administrator has determined that it is in the best interest of the Agency to waive the RFP/RFQ process in the interest of timeliness and efficiency, and such waiver will prevent the delay in the start of Fiscal Year 2024-25 audits for the Agency, the City and the Port; and

WHEREAS, it is the desire of the Agency to engage the services of the firm MGO; now therefore be it

RESOLVED: That based on information provided by the City Administrator, the Agency finds that this contract is of a professional and temporary nature and shall not result in the loss of

employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED: That pursuant to OMC section 2.04.051 and the reasons stated in this resolution and the accompanying agenda report, the Agency finds and determines that a waiver of the advertising and request for proposals/qualifications process for this contract amendment is in the best interest of the Agency, and so waives the requirements; and be it

FURTHER RESOLVED: That the Agency hereby waives the L/SLBE requirements for this contract; and be it

FURTHER RESOLVED, That the Agency authorizes the Agency Administrator or designee to award a three (3) year contract with the firm of Macias Gini & O'Connell, LLP in an amount not to exceed \$81,600 for the fiscal years ending June 30, 2025, June 30, 2026, and June 30, 2027 for professional auditing services, with a two-year option to extend for fiscal years ending June 30, 2028 and June 30, 2029; and be it

FURTHER RESOLVED, That funds will be available in the ROPS for the fiscal years ending June 30, 2025, June 30, 2026, and June 30, 2027 in the amount of \$81,600.

BY SUCCESSOR AGENCY, OAKLAND, CALIFORNIA, _____, 2025

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, HOUSTON, KAPLAN, RAMACHANDRAN, UNGER, AND
PRESIDENT PRO TEMPORE GALLO

NOES –

ABSENT – COUNCIL PRESIDENT JENKINS (serving as Mayor pursuant to Charter Section 303)

ABSTENTION –

ATTEST: _____

ASHA REED
Secretary of the Oakland
Redevelopment Successor Agency