



## Consent Item 7

**TO:** East Bay Community Energy Board of Directors

**FROM:** Howard Chang, COO & Treasurer

**SUBJECT:** Contract Extension with Pisenti and Brinker for Financial Auditor Services

**DATE:** July 20, 2022

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### Recommendation

Adopt a Resolution authorizing the CEO to negotiate and execute a two-year extension of the Pisenti and Brinker Consulting Services Agreement for financial auditing services. Compensation under this agreement will be \$27,500 for FY 2021-2022 and \$28,00 for FY 2022-2023, total compensation is not to exceed \$135,000.

### Background and Discussion

EBCE conducted an RFP for financial auditor services in the second quarter of 2019. Pisenti and Brinker was selected. Pisenti and Brinker stood out as the best option for the following reasons:

1. They had significantly the most direct, relevant experience with auditing CCA's. Including EBCE, P&B has audited 6 CCAs with this work going as far back as 2013.
2. Already familiar with EBCE's existing financial processes, systems, and controls
3. Expressed clear commitment to the Board's interest
4. Provided a very competitive cost
5. Local to the Bay Area and available for in-person meetings, as necessary.

The Board of Directors approved this selection in June 2019 for a three-year contract (July 1, 2019 through December 31, 2021), plus the option for an additional two-year

term (January 1, 2022 through December 31, 2023), contingent upon Board satisfaction.

### **Fiscal Impact**

The cost for the additional services for the audit of FY 2021-2022 and FY 2022-2023 will be \$27,500 and \$28,000, which will be paid in FY 2022-2023 and FY 2023-2024. The audit, conducted in October, is of the former fiscal year, and EBCE pays in the fiscal year in which the audit is performed.

### **Attachments**

- A. Resolution Authorizing the CEO to Negotiate and Execute an Extension of the Consulting Services Agreement with Pisenti and Brinker for Two Years.

**RESOLUTION NO. R-2022-xx**

**A RESOLUTION OF THE BOARD OF DIRECTORS**

**OF THE EAST BAY COMMUNITY ENERGY AUTHORITY TO AUTHORIZE THE CEO TO  
NEGOTIATE AND EXECUTE AN EXTENSION OF THE CONSULTING SERVICES  
AGREEMENT WITH PISENTI & BRINKER FOR TWO YEARS**

**WHEREAS** The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, Under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

**WHEREAS** In 2019, East Bay Community Energy Authority (“EBCE”) conducted an RFP for financial auditor services, then selected Piseni & Brinker, LLP, as the highest scoring applicant for audit services,

**WHEREAS** EBCE then contracted with Piseni & Brinker LLP for a three year term plus two optional years as EBCE’s financial auditor, pursuant to the terms described in the staff report associated with this item,

**WHEREAS** EBCE wished to exercise the option to extend the term for the two optional years, through December 31, 2023.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. the CEO is hereby authorized to negotiate and execute a two-year extension of Piseni and Brinker Consulting Services Agreement for financial auditing services. Compensation under this agreement will be \$27,500 for the audit of FY 2021-2022 (paid in FY 2022-2023) and \$28,000 for the audit of FY 2022-2023 (paid in FY 2023-2024), total compensation is not to exceed \$135,000.

ADOPTED AND APPROVED this 20<sup>th</sup> day of July, 2022.

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Dianne Martinez, Chair

ATTEST:

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Adrian Bankhead, Clerk of the Board