



Consent Item 11

TO: East Bay Community Energy Board of Directors

FROM: Jason Bartlett, Sr. Finance Manager

SUBJECT: Second Amendment to the Consulting Agreement with Maher Accountancy

DATE: May 17, 2023

Recommendation

Adopt a Resolution authorizing the Chief Executive Officer (CEO) to negotiate and execute a Second Amendment to the existing Consulting Services Agreement with Maher Accountancy.

Background and Discussion

EBCE uses an independent accountant to support ongoing financial operations. The accountant is crucial to supporting all of EBCE's financial functions, including invoicing, payments, reporting, and the audit process. EBCE has worked with Maher Accountancy since June 1, 2018. Prior to which, EBCE received accounting services from the Alameda County Finance Department.

During their contracted period, Maher Accountancy has assisted EBCE with four audits and has performed exceptionally well in managing EBCE's books and ledgers. Maher Accountancy's familiarity within the CCA space is unparalleled as they currently provide accounting services for eight CCAs, including Clean Power Alliance, Marin Clean Energy, Monterey Bay Community Power, Peninsula Clean Energy, Silicon Valley Clean Energy, and Sonoma Clean Power. Over Maher Accountancy's history, they have served ten CCAs in total in some capacity.

Maher Accountancy has proposed the development of an online portal that integrates real-time expense tracking with EBCE's annual budget. This portal can be broken down by functional area, track contract terms and cost limits, and allow user input for various functionalities such as budget development, general ledger corrections, and staff approval assignments among many other advantageous functions.

The benefits of this portal to staff is the ability to centralize many finance functions in one tool rather than multiple resource tracking. Additionally, it will improve reporting and tracking processes by integrating with other finance and accounting systems directly.

Fiscal Impact

The total cost of development and implementation is estimated at \$19,000 and is not expected to have any additional impact on EBCE budget or finances.

Attachments

- A. Resolution Authorizing the CEO to Negotiate and Execute a Second Amendment to the Consulting Services Agreement with Maher Accountancy

RESOLUTION NO. __

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CEO TO
NEGOTIATE AND EXECUTE A SECOND AMENDMENT TO THE CONSULTING SERVICES
AGREEMENT WITH MAHER ACCOUNTANCY**

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. The city of Stockton located in San Joaquin County, was added as a member of EBCE in December of 2022.

WHEREAS EBCE and Maher Accountancy entered into that certain Consulting Services Agreement dated January 1, 2022 (“Agreement”), wherein Maher Accountancy agreed to provide accounting services to EBCE, with compensation not to exceed \$255,000 and with a term length of one year with an option to renew for three additional years with fees not increasing by more than 4-6% annually.

WHEREAS EBCE and Maher Accountancy entered into a First Amendment to the Consulting Services Agreement on December 1, 2022, to add additional compensation, increasing the not-to-exceed amount by \$270,400 for a total amount not to exceed \$525,400, and to extend the term through December 31, 2023.

WHEREAS EBCE and Maher Accountancy now desire to amend the Agreement to expand the scope of work and to add additional compensation, increasing the not-to-exceed amount by \$19,000 to cover an online budget portal development tool for a total amount not to exceed \$544,400.

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

Section 1. EBCE’s Board of Directors hereby authorizes EBCE’s CEO to negotiate and execute a Second Amendment to the Consulting Services Agreement with Maher Accountancy for developing online budget portal services increasing total compensation by \$19,000, for a total not to exceed an amount of \$544,400.

Elisa Márquez , Chair

ATTEST:

Adrian Bankhead, Clerk of the Board