

January 25, 2013

The Special Board Meeting of the Philadelphia Housing Authority Board of Commissioner for December was held on Friday, January 25, 2013, 2:00 pm, at PHA Executive Offices, 12 S. 23rd Street, Philadelphia, Pennsylvania.

Present: Estelle Richman, Board of Commissioner  
Kelvin Jeremiah, Interim Executive Director/Interim Administrative Receiver  
Barbara Adams, General Counsel

The Board of Commissioner, Ms. Estelle Richman, called the meeting to order and asked the Interim Executive Director/Interim Administrative Receiver, Mr. Kelvin Jeremiah, for remarks. Mr. Jeremiah made several announcements: first and foremost, PHA is excited to announce that City Council approved the slate of appointees to be the PHA Board of Commissioners. This board will ensure that PHA will operate with the highest ethical standards.

PHA submitted its Section 3 Report to HUD, which documented with an improvement in the number of residents hired in 2012 - 41 percent of PHA's direct hires were Section 3 residents. PHA is also looking into creating a program that will allow the agency to meet a goal of at least 25 percent of the new hires coming in from our various programs, as a pipeline for PHA employment.

On January 28, the civil trial involving the former Executive Director in his suit against PHA will commence and it is expected to last about two to three weeks.

Lastly, Mr. Jeremiah reminded the audience of the rules for addressing the board, and that the comments must be dignified and no personal attacks are permitted.

Mr. Jeremiah advised the Commissioner that PHA was presenting three (3) resolutions to be considered.

Commissioner Estelle Richman moved for the adoption of the following resolution.

**RESOLUTION NO. 11582**

**RESOLUTION AMENDING THE RESOLUTION TO CONCLUDE AND TO EXECUTE VARIOUS CONTRACTS UNDER FEDERAL AND STATE COOPERATIVE PURCHASING AND SIMILAR PROGRAMS**

**WHEREAS**, under certain circumstances, the Philadelphia Housing Authority (PHA) is allowed to acquire and lease goods and services using the Federal Supply Schedules maintained by the U.S. General Services Administration ("GSA"), which are also referred to as the "GSA Schedules" and "Multiple Award Schedules" ("MAS"); and

**WHEREAS**, pursuant to the Pennsylvania Commonwealth Procurement Code, Act 57 of 1998, as amended (the "Procurement Code"), PHA is authorized to engage in cooperative purchasing with the Commonwealth of Pennsylvania through the use of statewide contracts and the COSTARS system maintained by the Pennsylvania Department of General Services;

**WHEREAS**, pursuant to United States Department of Housing and Urban Development ("HUD") regulations, PHA may enter into intergovernmental agreements with State or local government agencies (including other housing authorities) to obtain needed supplies or services;

**WHEREAS**, such Federal and State cooperative purchasing and similar programs offer competitively obtained and standardized prices, terms and conditions, and enable acquisitions to be effected on a streamlined basis; and

**WHEREAS**, pursuant to HUD regulations applicable to procurement by public housing authorities (24 C.F.R. § 85.36(b)(5)), public housing authorities are "encouraged to enter into State and local intergovernmental agreements for procurement or use of common goods and services," in order to "foster greater economy and efficiency;"

**WHEREAS**, pursuant to Board Resolution No. 11529 adopted on April 26, 2012 (the "Cooperative Purchase Resolution"), PHA's Board approved the purchase of goods and services under such Federal and State cooperative purchase agreements in an aggregate amount not to exceed **TWENTY MILLION SIX HUNDRED THIRTY FIVE THOUSAND DOLLARS (\$20,635,000)** for a one-year period;

**WHEREAS**, pursuant to the Cooperative Purchase Resolution, PHA's Board authorized the Contracting Officer to enter into such Federal and State cooperative purchasing contracts with governmental and private entities for terms not-to-exceed five (5) years, but only authorized funding for a one-year period for such contracts;

**WHEREAS**, the Cooperative Purchase Resolution was extended pursuant to Board Resolution No. 11484 to allow PHA to purchase goods and services under the Federal and State cooperative purchase agreements and similar programs through March 31, 2014; and

**WHEREAS**, PHA would like to continue to purchase goods and services from the contractors that were procured under the Cooperative Purchase Resolution for another one-year period for an amount not to exceed **TWENTY MILLION SIX HUNDRED THIRTY FIVE THOUSAND DOLLARS (\$20,635,000)**.

**NOW, THEREFORE, BE IT RESOLVED**, that (1) the Interim Executive Director/Interim Administrative Receiver or his duly authorized designee is authorized to take all actions necessary to implement this resolution in accordance with its terms and the "Whereas" clauses above; (2) the contracts are subject to

the availability of funds thereof; and (3) no contracts shall exist until signed by the Interim Executive Director/Interim Administrative Receiver or his designee.

Commissioner Estelle Richman thereupon declared the Resolution unanimously adopted.

Commissioner Estelle Richman moved for the adoption of the following resolution.

**RESOLUTION NO. 11583**

**RESOLUTION AUTHORIZING THE PHA INTERIM EXECUTIVE DIRECTOR/INTERIM ADMINISTRATIVE RECEIVER OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE A CONTRACT FOR BANKING SERVICES (SOLICITATION NO. P-004186)**

**WHEREAS**, the Philadelphia Housing Authority (PHA) has identified a need for Banking Services; and

**WHEREAS**, Solicitation No. P-004186 was developed according to established procedures and all applicable laws regarding public contracts and was advertised in the Philadelphia Inquirer and several community newspapers;

**WHEREAS**, the Request for Proposal was mailed to the appropriate companies on PHA Bidders' List, and distributed to those who responded to the invitation through the publications;

**WHEREAS**, five (5) offerors responded to the solicitation by submitting a proposal as follows:

**U.S. BANK**

Wells Fargo  
Bank of America  
PNC Bank  
CitiBank

**WHEREAS**, the proposals were reviewed and evaluated by the evaluation committee appointed for such purpose (the "Evaluation Committee") and the supporting documents were reviewed by the Contracting Officer;

**WHEREAS**, based upon the evaluation, it was recommended that a contract be awarded to U.S. Bank; and

**WHEREAS**, it is further recommended that the contract, if awarded shall be for a three (3) year base period with an additional two (2) one year option periods in an amount not to exceed **TWO HUNDRED THIRTY-EIGHT THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS (\$238,636.00)** for each base year; **TWO HUNDRED THIRTY-EIGHT THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS (\$238,636.00)** if PHA exercises option year one (1); **TWO HUNDRED THIRTY-EIGHT THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS (\$238,636.00)** if PHA exercises option year two (2); for a total contract amount not to exceed **ONE MILLION ONE HUNDRED NINETY-THREE THOUSAND ONE HUNDRED EIGHTY DOLLARS (\$1,193,180.00)** to U.S. Bank.

**NOW THEREFORE BE IT RESOLVED**, by and for the Philadelphia Housing Authority, that, based on the recommendation of the Evaluation Committee, the Interim Executive Director/Interim Administrative Receiver is hereby authorized to conclude and to execute a contract with U.S. Bank in accordance with the "Whereas" clauses above; and

**BE IT FURTHER RESOLVED**, that (1) the recommended contractors comply with all terms required by the solicitation; (2) the contract is subject to approval by PHA's funding source before any contract shall exist; (3) no contract shall exist until signed by the Interim Executive Director/Interim Administrative Receiver or his designee; and (4) if PHA and the offerors have not mutually agreed on the terms of a contract within ninety (90) days following the next regularly scheduled Board meeting, then this resolution

shall be void and the authority of the Interim Executive Director/Interim Administrative Receiver shall cease.

Commissioner Estelle Richman thereupon declared the Resolution unanimously adopted.

Commissioner Estelle Richman moved for the adoption of the following resolution.

**RESOLUTION NO. 11584**

**RESOLUTION AUTHORIZING THE BOARD TO AMEND THE DEFINED CONTRIBUTION PLAN TO ALLOW CURRENT PARTICIPANTS IN THE PLAN TO APPLY FOR A LOAN FROM THE DEFINED CONTRIBUTION PLAN**

**WHEREAS**, PHA has determined that it would be in the best interests of its current employees to allow each employee participating in the Defined Contribution Plan to take loans from the employees' plan contributions;

**WHEREAS**, in order for the Board to allow employees to borrow from their Defined Contribution Plan contributions, an amendment to the Defined Contribution Plan is required; and

**WHEREAS**, the amendment of the Defined Contribution Plan would allow current employees of PHA to borrow from the Defined Contribution Plan under certain rules, regulations and restrictions adopted by the Plan Administrator.

**NOW THEREFORE, BE IT RESOLVED**, that the Board authorizes the Interim Executive Director/Interim Administrative Receiver or his designee, to take all necessary steps to adopt an amendment to the Defined Contribution Plan, substantially in the form attached hereto, to allow any participant in the Defined Contribution Plan who is a present employee of PHA to apply for a loan from the Defined Contribution Plan.

Commissioner Estelle Richman thereupon declared the Resolution unanimously adopted.

The resolutions were adopted. With that, Commissioner Estelle Richman opened the meeting for public comments. Comments were given by Mr. Muhammad and Ms. Robinson. With no other public comments being heard, Commissioner Richman adjourned the meeting. (Copies of the actual transcript will be provided upon written request).