

February 28, 2012

The Special Board Meeting of the Philadelphia Housing Authority Board of Commissioner for February was held on Tuesday, February 28, 2012, 4:00 pm, at Abbottsford Homes Community Center, Philadelphia, Pennsylvania.

Present: Karen Newton Cole, Board of Commissioner
Michael P. Kelly, Administrative Receiver
Barbara Adams, Esq., General Counsel

The Board of Commissioner, Karen Newton Cole called the meeting to order, and asked the Administrative Receiver/Executive Director, Mr. Michael P. Kelly for remarks.

Mr. Kelly recognized a few members in the audience and thanked them for attending, Nellie Reynolds - Resident Liaison, Jane Vincent - Regional Director for the area and Sandra Henriquez - HUD Secretary. He stated today was the first day of the new rules governing public testimony at PHA Board Meetings and explained the process. Updates were given on PHA's goals regarding the recovery plan. Whereas he recognized Dr. Sam Little, Deputy Executive Director for Resident Services who is moving toward providing another strong policy voice. PHA has been having "Doing Business with PHA" workshops every second Tuesday at 1pm. A power point presentation was shown on the update of the recovery plan. Mr. Kelly then asked Kelvin Jeremiah to introduce the newest members of his team, Mr. Leon Goodman, Chief Counsel; Mr. Michael Muffley, Chief Investigator; Jesus Serrano.

The next order of business was the approval of the minutes. Commissioner Karen Newton Cole moved for the adoption of the January 6, 2012 & January 26, 2012 minutes. With that Mr. Kelly presided over the remaining agenda.

Commissioner Karen Newton Cole moved for the adoption of the following minutes.

RESOLUTION NO. 11509

**RESOLUTION APPROVING MINUTES OF THE BOARD OF COMMISSIONER MEETING HELD ON
JANUARY 6, 2012 AND JANUARY 26, 2012**

BE IT RESOLVED, that the minutes of the Board Meeting of the Philadelphia Housing Authority Meetings held on January 6, 2012 and January 26, 2012, copies of which have already been provided, be the same are hereby ratified, confirmed and approved.

Commissioner Karen Newton Cole thereupon declared the Minutes unanimously adopted.

I hereby certify that this was
APPROVED BY THE BOARD ON 2/28/12
Barbara Cole General Counsel
ATTORNEY FOR PHA

Commissioner Karen Newton Cole moved for the adoption of the following resolution.

RESOLUTION NO. 11510

**RESOLUTION AUTHORIZING THE ADMINISTRATIVE RECEIVER/EXECUTIVE DIRECTOR TO CONCLUDE AND TO EXECUTE A CONTRACT MODIFICATION WITH EACH OF AFFORDABLE HOUSING CENTERS OF PENNSYLVANIA AND PHILADELPHIA COUNCIL FOR COMMUNITY ADVANCEMENT INC. FOR COMPREHENSIVE HOUSING COUNSELING IN RELATION TO THE 2008 RESIDENT OPPORTUNITIES AND SELF SUFFICIENCY (ROSS) FAMILY/HOMEOWNERSHIP PROGRAM GRANT
(CONTRACT NO. P-003857-A AND P-003857-B)**

WHEREAS, The Philadelphia Housing Authority (“PHA”) continues to have a need for Comprehensive Housing Counseling in support of the 2008 ROSS Family/Homeownership Program Grant; and

WHEREAS, PHA entered into a contract with Affordable Housing Centers of Pennsylvania on July 15, 2009, and with Philadelphia Council for Community Advancement Inc., on September 1, 2009 to provide comprehensive housing counseling for PHA Residents; and

WHEREAS, HUD granted PHA 2-six month extensions for a total of 12 months to the 2008 ROSS Family/Homeownership Program grant; and

WHEREAS, PHA has identified a continued need to serve and assist PHA Residents in Self-Sufficiency efforts, such as in becoming home owners through housing counseling and home ownership preparation services; and

WHEREAS, a modification to cover an increased length of contract for 12 months, with no additional costs resulting from the HUD approved grant extension is required.

BE IT RESOLVED, by and for the Philadelphia Housing Authority, that the PHA Administrative Receiver/Executive Director or his duly authorized designee is hereby authorized to conclude and to execute a contract modification extending PHA Contract No. P-003857-A with Affordable Housing Centers of Pennsylvania for an additional 12 months.

BE IT FURTHER RESOLVED, by and for the Philadelphia Housing Authority, that the PHA Administrative Receiver/Executive Director or his duly authorized designee is hereby authorized to conclude and to execute a contract modification extending PHA Contract No. P-003857-B with Philadelphia Council for Community Advancement Inc., for an additional 12 months.

Commissioner Karen Newton Cole thereupon declared the Resolution unanimously adopted.

Commissioner Karen Newton Cole moved for the adoption of the following resolution.

RESOLUTION NO. 11511

RESOLUTION AUTHORIZING THE PHA ADMINISTRATIVE RECEIVER/EXECUTIVE DIRECTOR OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE A CONTRACT WITH FOODARAMA CATERERS, INC., FOR FOOD SERVICE MANAGEMENT FOR THE 2012 SUMMER FOOD SERVICE PROGRAM (SOLICITATION NO. P-004150)

WHEREAS, The Philadelphia Housing Authority (PHA) has identified a need for a food service management company for the Summer Food Service Program at various PHA sites; and

WHEREAS, Solicitation No. P-004150 was developed according to established procedures and all applicable laws regarding public contracts and was advertised in the Philadelphia Inquirer and several community newspapers; and

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

WHEREAS, one (1) offeror responded to the solicitation by submitting a bid as follows:

Foodarama Caterers, Inc.; and

WHEREAS, the bid was reviewed and evaluated by PHA's Office of General Counsel and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, based upon the evaluation, it was recommended that a contract be awarded to Foodarama Caterers, Inc.; and

WHEREAS, it is further recommended that the contract, if awarded, shall be for a one (1) year base period with four (4) additional one year option periods in an amount not to exceed **TWO HUNDRED SIXTY THOUSAND NINE HUNDRED FIFTY EIGHT DOLLARS AND EIGHTEEN CENTS (\$260,958.18)** for the one (1) year base period; **TWO HUNDRED EIGHTY SEVEN THOUSAND ONE HUNDRED FORTY FIVE DOLLARS AND NINETY CENTS (\$287,145.90)** if PHA exercises option year one (1); **THREE HUNDRED SEVEN THOUSAND ONE HUNDRED SEVENTY THREE DOLLARS AND NINETY ONE CENTS (\$307,173.91)** if PHA exercises option year two (2); **THREE HUNDRED TWENTY EIGHT THOUSAND SIX HUNDRED NINETY NINE DOLLARS AND TWENTY SIX CENTS (\$328,699.26)** if PHA exercises option year three (3); and **THREE HUNDRED FIFTY ONE THOUSAND FOUR HUNDRED THIRTY TWO DOLLARS AND SEVENTY NINE CENTS (\$351,432.79)** if PHA exercises option year four (4) for a total contract amount not to exceed **ONE MILLION FIVE HUNDRED THIRTY FIVE THOUSAND FOUR HUNDRED TEN DOLLARS AND FOUR CENTS (\$1,535,410.04)** to Foodarama Caterers, Inc.

NOW THEREFORE, BE IT RESOLVED, by and for The Philadelphia Housing Authority, that the Administrative Receiver/Executive Director or his authorized designee is hereby authorized to conclude and to execute a contract with Foodarama Caterers, Inc.; consistent with the "Whereas" clauses above; and

BE IT FURTHER RESOLVED, that (1) the Administrative Receiver/Executive Director and all other appropriate personnel of PHA are authorized to take all actions necessary to implement these resolutions (2) the contract is subject to the availability of funds before a contract shall exist; (3) no contract shall exist unless signed by the Administrative Receiver/Executive Director or his authorized designee within forty-five (45) days of the next regularly scheduled Board meeting.

Commissioner Karen Newton Cole thereupon declared the Resolution unanimously adopted.

Commissioner Karen Newton Cole moved for the adoption of the following resolution.

RESOLUTION NO. 11512

RESOLUTION AUTHORIZING THE PHA ADMINISTRATIVE RECEIVER/EXECUTIVE DIRECTOR OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE A CONTRACT FOR CELLULAR AND PUSH TO TALK SERVICES AND EQUIPMENT (SOLICITATION NO. P-004105)

WHEREAS, The Philadelphia Housing Authority (PHA) has identified a need for cellular and push to talk services and equipment; and

WHEREAS, Solicitation No. P-004105 was developed according to established procedures and all applicable laws regarding public contracts and was advertised in the Philadelphia Inquirer and several community newspapers; and

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; and

WHEREAS, two (2) offerors responded to the solicitation by submitting a proposal as follows:

Sprint Solutions Inc.

Verizon Wireless; and

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; and

WHEREAS, based upon the evaluation, it was recommended that a contract be awarded to Sprint Solutions Inc.; and

WHEREAS, it is further recommended that the contract, if awarded shall be for a two (2) year base period with three (3) additional one year option periods in an amount not to exceed **THREE HUNDRED EIGHTY FIVE THOUSAND TWO HUNDRED SEVENTY FOUR DOLLARS AND SEVENTY CENTS (\$385,274.70)** for the two (2) year base period, with no more than **ONE HUNDRED EIGHTY FOUR THOUSAND TWO HUNDRED SIXTY EIGHT DOLLARS AND SEVENTY CENTS (\$184,268.70)** for base year one (1); **TWO HUNDRED ONE THOUSAND SIX DOLLARS (\$201,006.00)** for base year two (2); and **TWO HUNDRED ONE THOUSAND SIX DOLLARS (\$201,006.00)** if PHA exercises option year one (1); and **TWO HUNDRED ONE THOUSAND SIX DOLLARS (\$201,006.00)** if PHA exercises option year two (2); and **TWO HUNDRED ONE THOUSAND SIX DOLLARS (\$201,006.00)** if PHA exercises option year three (3); for a total contract amount not to exceed **NINE HUNDRED EIGHTY EIGHT THOUSAND TWO HUNDRED NINETY TWO DOLLARS AND SEVENTY CENTS (\$988,292.70)** to Sprint Solutions Inc.; and

BE IT NOW THEREFORE, RESOLVED, by and for The Philadelphia Housing Authority, that, based on the recommendation of the Evaluation Committee, the Administrative Receiver/Executive Director or his authorized designee is hereby authorized to conclude and to execute contract with Sprint Solutions Inc.; consistent with the foregoing "Whereas" clauses; and

BE IT FURTHER RESOLVED, that (1) the Administrative Receiver/Executive Director and all other appropriate personnel of PHA are authorized to take all actions necessary to implement these resolutions (2) the contract is subject to the availability of funds before a contract shall exist; (3) no contract shall exist unless signed by the Administrative Receiver/Executive Director or his designee within forty-five (45) days of the next regularly scheduled Board meeting.

Commissioner Karen Newton Cole thereupon declared the Resolution unanimously adopted.

Commissioner Karen Newton Cole thereupon declared the Resolution unanimously adopted.

RESOLUTION NO. 11513

RESOLUTION AUTHORIZING THE PHA ADMINISTRATIVE RECEIVER/EXECUTIVE DIRECTOR OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE THE SIXTH LEASE AMENDMENT FOR OFFICE SPACE LOCATED AT 12 S. 23RD STREET WITH 12 S. 23RD STREET, L.P.

WHEREAS the Philadelphia Housing Authority (“PHA”) desires to lease office space for the use of PHA’s Executive Office, Human Resources Department, Communications Department, Office of General Counsel, Office of Audit and Compliance and the Community Partners Department; and

WHEREAS, 12 S. 23rd Street, L.P. (“Lessor”) has 44,352 rentable square feet of office space that is currently leased by PHA (the “Leased Premises”) pursuant to that certain lease agreement entered into between PHA and Posel Management Company (predecessor in interest to Lessor) dated May 6, 1998 (the “Lease”), as amended; and

WHEREAS, PHA was authorized to enter into said Lease pursuant to the authorization received by PHA from the Board of Commissioners on August 21, 1997 and January 22, 1998; and

WHEREAS, PHA and Lessor wish to further amend the Lease by extending its term for an additional five (5) years (the “Sixth Lease Amendment”) ; and

WHEREAS, it is further recommended that the Lease, as amended by the Sixth Lease Amendment, if executed, shall be for an additional five (5) year term in a rental amount, excluding utilities and common area maintenance (“CAM”) charges, not to exceed **NINE HUNDRED TWENTY THOUSAND THREE HUNDRED TWO DOLLARS AND ONE CENT (\$920,302.01)** for lease year one (1); **NINE HUNDRED FORTY-SEVEN THOUSAND NINE HUNDRED ELEVEN DOLLARS AND SEVEN CENTS (\$947,911.07)** for lease year two (2); **NINE HUNDRED SEVENTY-SIX THOUSAND THREE HUNDRED FORTY-EIGHT DOLLARS AND FORTY-ONE CENTS (\$976.348.41)** for lease year three (3); **ONE MILLION FIVE THOUSAND SIX HUNDRED THIRTY-EIGHT DOLLARS AND EIGHTY-SIX CENTS (\$1,005,638.86)** for lease year four (4); **ONE MILLION THIRTY-FIVE THOUSAND EIGHT HUNDRED EIGHT DOLLARS AND TWO CENTS (\$1,035,808.02)** for lease year 5; and additional **TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,00.00)** for agreed upon renovation expenses to the 5th floor of the Leased Premises, for a total rental amount, excluding utilities and CAM charges, not to exceed **FIVE MILLION ONE HUNDRED THIRTY-SIX THOUSAND EIGHT DOLLARS AND THIRTY-SEVEN CENTS (\$5,136,008.37)** to 12 S. 23rd Street, L.P.; and

WHEREAS, the proposed Sixth Lease Amendment represents the best value to PHA for addressing its need for office space;

BE IT NOW THEREFORE RESOLVED, by and for The Philadelphia Housing Authority, that the Administrative Receiver/Executive Director , or his authorized designee, is hereby authorized to conclude and to execute the Sixth Lease Amendment with Lessor consistent with the terms of the foregoing “Whereas” clauses.; and

BE IT FURTHER RESOLVED, that (1) no Sixth Lease Amendment shall exist until signed by the Administrative Receiver/Executive Director, or his authorized designee; and (2) if PHA and the Lessor have not mutually agreed on the terms of the Sixth Lease Amendment within forty-five (45) days following the next regularly scheduled Board meeting, then this resolution shall be void and the authority of the Administrative Receiver/Executive Director shall cease.

Commissioner Karen Newton Cole moved for the adoption of the following resolution.

Commissioner Karen Newton Cole moved for the adoption of the following resolution.

RESOLUTION NO. 11514

RESOLUTION DELEGATING CERTAIN SIGNATORY AUTHORITY TO THE ADMINISTRATIVE RECEIVER/EXECUTIVE DIRECTOR AND HIS DESIGNEES

WHEREAS, Board Resolution No. 11441 granted full authority to the United States Department of Housing and Urban Development's (HUD) Deputy Secretary or his designee to execute or amend or terminate any and all documents, contracts and agreements which could otherwise be executed or amended or terminated by the Board of Commissioners and/or Executive Director; and

WHEREAS, in the day-to-day operation of PHA certain documents, agreements and amendments need to be executed in accordance with PHA policies and procedures; and

WHEREAS, during the term of the Cooperative Endeavor Agreement, HUD hereby grants signatory authority to the Administrative Receiver/Executive Director to execute documents, agreements and amendments that have been prepared in accordance with PHA policies and procedures;

NOW THEREFORE, BE IT RESOLVED, that during the term of the Cooperative Endeavor Agreement, the PHA Board of Commissioner hereby delegates signatory authority for all documents, agreements, and amendments that are properly prepared in accordance with PHA policies and procedures;

BE IT FURTHER RESOLVED, that this Resolution authorizes the Administrative Receiver/Executive Director to delegate specific signatory authority to other officials of the PHA, which delegation will be effective only after filing evidence of such authority with the Corporate Records of PHA and providing a copy thereof to HUD.

Commissioner Karen Newton Cole thereupon declared the Resolution unanimously adopted.

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