

September 29, 2011

The Board Meeting of the Philadelphia Housing Authority Board of Commissioner for September 2011 was held on Thursday, September 29, 2011, 4:30 pm, at PHA Executive Offices, 12 S. 23rd Street, Philadelphia, Pennsylvania.

Present: Estelle Richman, Board of Commissioner
Michael P. Kelly, Administrative Receiver
Barbara Adams, General Counsel

The Board of Commissioner, Estelle Richman opened the meeting with the announcement that this will be her last board meeting for she is now the Acting Deputy Secretary for HUD and maintaining both positions created a legal problem in terms of the board. An official announcement of her replacement will be in mid-October.

With that she asked for remarks from the Administrative Receiver/Executive Director, Mr. Michael P. Kelly expressed his gratitude to Ms. Richman for her commitment. Whereas the following announcements were made: Tuesday, October 4, 2011, at 11:30 there will be a dedication for the opening of Mantua Square, 3500 Fairmount Ave. Acknowledgement of National Preparedness Month, PHA partnered with Target and the City to kick off that effort. PHA was recognized by Mayor Nutter as the recipient of this year's Mayoral Proclamation around the emergency preparedness in the City of Philadelphia. Awards were presented to those who assisted the clients during the storm; Dinesh Indala, Ted Wooley, Jacqueline Sampson, Harveen Kothari, Jack Keshishian, Kevin Brady. PHA also received from the Pennsylvania Association of Housing and Redevelopment the Best Practice Award for Mantua Square. The Department of Association of Greater Philadelphia has given first place awards to Warnock Village and Gladys B. Jacobs for community preservation and excellence and will be featured in an exhibit being held at the Center for Architecture at 1218 Arch.

PHA has gotten through their first two HUD's real estate assessments and received official word of a closeout of the HCV Audit and the General Audit on Conflict of Interest. A brief presentation was shown about the recovery plan. Whereas Mr. Kelly stated there were nine (9) resolutions for approval and there had been a decision to take action of the extending agreement with the Resident Advisory Board and the existing at the pre-funding levels that were established in the earlier MOU and the advisory board would continue under the new extension

The next order of business was the approval of the minutes. Commissioner Richman moved for the adoption of the July 22 and August 4th, and Mr. Kelly presided over the remaining agenda.

Commissioner Richman moved for the adoption of the following minutes.

RESOLUTION NO. 11475

RESOLUTION APPROVING MINUTES OF THE BOARD OF COMMISSIONER MEETING HELD ON JULY 22, 2011 AND THE SPECIAL BOARD MEETING HELD ON AUGUST 4, 2011.

BE IT RESOLVED, that the minutes of the Board Meeting of the Philadelphia Housing Authority Meetings held on July 22, 2011 and the Special Board Meeting held on August 4, 2011, copies of which have already been provided, be the same are hereby ratified, confirmed and approved.

Commissioner Richman thereupon declared the Minutes unanimously adopted.

I hereby certify that this is
APPROVED BY THE BOARD
Santana Williams, General Counsel
9/29/11
ATTORNEY

Commissioner Richman moved for the adoption of the following resolution.

RESOLUTION NO. 11476

**RESOLUTION AUTHORIZING THE ADMINISTRATIVE RECEIVER/EXECUTIVE DIRECTOR TO CONCLUDE AND TO EXECUTE A CONTRACT FOR UPDATE OF DATABASE OF PHILADELPHIA MARKET-RATE RENTAL HOUSING AND RELATED SERVICES WITH APPLIED REAL ESTATE ANALYSIS, INC.
(SOLICITATION NO. P-004016)**

WHEREAS, The Philadelphia Housing Authority (PHA) identified a need for an Update of the Database of Philadelphia Market-Rate Rental Housing and other Related Services; and

WHEREAS, Solicitation No. P-00416 was developed according to established procedures 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:

Applied Real Estate Analysis, Inc.
Higgins & Welch Real Estate, Inc.

WHEREAS, this proposal was reviewed and rated by the Review Committee and Legal Counsel and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, based upon evaluation, it was recommended that a contract be awarded to Applied Real Estate Analysis, Inc.; and

WHEREAS, it is further recommended that the contract, if awarded, shall be for a two (2) year base periods with three (3) one-year option periods in an amount not to exceed **TWO HUNDRED AND FORTY ONE THOUSAND SIX HUNDRED AND FIFTY TWO DOLLARS (\$241,652.00) for Base Year 1 NINETY NINE THOUSAND FOUR HUNDRED AND SEVENTY SEVEN DOLLARS (\$99,477.00) for Base Year 2; NINETY NINE THOUSAND SEVEN HUNDRED AND SIX DOLLARS (\$99,706.00) for Option Year 1; NINETY-NINE THOUSAND EIGHT HUNDRED FORTY ONE DOLLARS (\$99,841.00) for Option Year 2, NINETY NINE THOUSAND EIGHT HUNDRED AND EIGHTY ONE DOLLARS (\$99,881.00) for Option Year 3;** for a total contract amount not to exceed **SIX HUNDRED AND FORTY THOUSAND FIVE HUNDRED AND FIFTY SEVEN THOUSAND DOLLARS (\$640,557.00)** to Applied Real Estate Analysis, Inc. for market analysis services; and

BE IT RESOLVED, by and for The Philadelphia Housing Authority, that the Administrative Receiver/Executive Director, or his designee, is hereby authorized to conclude and to execute a contract with Applied Real Estate Analysis, Inc. for the provision of Update of Database of Philadelphia Market-Rate Rental Housing and Related Services.

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 in accordance with the "Whereas" clause above; (2) the contract is subject to approval by PHA's funding source before a contract shall exist; (3) no contract shall exist until signed by the Administrative Receiver/Executive Director or his designee; and (4) if PHA and the offeror have not mutually agreed on the terms of a contract within forty-five (45) days of the next regularly scheduled Board meeting, then this resolution shall be void and the authority of the Administrative Receiver/Executive Director shall cease.

Commissioner Richman thereupon declared the Minutes unanimously adopted.

Commissioner Richman moved for the adoption of the following resolution.

RESOLUTION NO. 11477

RESOLUTIONS OF THE BOARD OF COMMISSIONER ADOPTING THE STANDARDS OF ETHICAL CONDUCT, EQUAL EMPLOYMENT OPPORTUNITY POLICY, EMPLOYEE COMPLAINT PROCEDURE, ANTI-FRAUD POLICY, OUTSIDE EMPLOYMENT POLICY, POLITICAL ACTIVITY POLICY, DRUGFREE WORKPLACE POLICY, WORKPLACE VIOLENCE POLICY, ELECTRONIC AND TELEPHONE COMMUNICATION SYSTEMS POLICY AND USE OF SUCH POLICIES AS THE BASIS OF A MANDATORY TRAINING PROGRAM

WHEREAS, it is the objective of the Philadelphia Housing Authority (“PHA”) and its leadership to create and foster a culture of mutual respect and accountability, and to promote a workplace free of discrimination and harassment in any form

WHEREAS, by Board Resolution No. 11398 dated August 26, 2010, the-then Interim Executive Director resolved to undertake a further review of the sexual harassment and other employment policies which may be amended and enhanced from time to time intended to eliminate and prevent intimidation, discrimination and harassment in the workplace and to protect all employees from any form of harassment, discrimination or intimidation, physical, verbal or implied; and

WHEREAS, PHA is committed to ensuring that all agency activities and employee actions are conducted in the public interest, in an open and transparent manner, and in conformance with all applicable federal, state, and local ethics and other laws and regulations; and

WHEREAS, by Board Resolution No. 11445 dated March 25, 2011, the Board of Commissioner ratified Board Resolution No. 11429 dated January 2011, authorizing the then-Interim Executive Director to establish and implement comprehensive ethics policies and procedures applicable to every PHA employee that conform to all applicable federal, state, and local statutes and regulations including the Annual Contributions Contracts; to establish the position of Ethics Officer, who will be responsible for implementation and enforcement of the Ethics Policies; and directed that all employees be trained in the Ethics Policies, and also designated the General Counsel of PHA as the Ethics Officer; and

WHEREAS, the PHA has also conducted a comprehensive review of employment policies and has updated policies and intends to use them as the basis of a mandatory training program for all employees, including the Standards of Ethical Conduct, Equal Employment Opportunity Policy, Employee Complaint Procedure, Anti-Fraud Policy, Outside Employment Policy, Political Activity Policy, Drug Free Workplace Policy, Workplace Violence Policy, Electronic and Telephone Communication Systems Policy; and

BE IT THEREFORE RESOLVED, that PHA adopts the Standards of Ethical Conduct, Equal Employment Opportunity Policy, Employee Complaint Procedure, Anti-Fraud Policy, Outside Employment Policy, Political Activity Policy, Drug Free Workplace Policy, Workplace Violence Policy and Electronic and Telephone Communication Systems Policy in the respective forms attached to this resolution; and such policies shall be used as the basis of a mandatory training program; and

AND FURTHER RESOLVED, that this resolution shall become effective immediately.

Commissioner Richman thereupon declared the Resolution unanimously adopted.

Commissioner Richman moved for the adoption of the following resolution.

RESOLUTION NO. 11478

**RESOLUTION OF THE BOARD OF COMMISSIONER ADOPTING THE AMENDED AND RESTATED
POST EMPLOYMENT EXECUTIVE HEALTH PROTECTION PLAN IMPLEMENTING A
PARTICIPATION FREEZE EFFECTIVE AUGUST 29, 2011**

WHEREAS, the Philadelphia Housing Authority post-employment Executive Health Protection Plan (“Executive Plan”) was originally adopted February 14, 2005, implemented November 1, 2005, and subsequently amended and restated on November 8, 2006; and

WHEREAS, pursuant to Article X of the post-employment Executive Plan, the Philadelphia Housing Authority (“PHA”) has the authority to amend or terminate the post-employment Executive Plan at any time; and

WHEREAS, the PHA desires to amend the post-employment Executive Plan to freeze participation in the post-employment Executive Plan effective August 29, 2011.

BE IT THEREFORE RESOLVED, that the PHA amends and restates the post-employment Executive Plan substantially in the form attached hereto; and

BE IT FURTHER RESOLVED, that the officers of the PHA are hereby authorized to take any and all such other actions as may be necessary to carry out the intent and purposes of the foregoing resolutions, and that any and all actions taken by such officers to carry out such intent and purposes prior to these resolutions are hereby ratified and confirmed by, and adopted as the action of, the Board of Commissioner of the PHA.

Commissioner Richman thereupon declared the Resolution unanimously adopted.

Commissioner Richman moved for the adoption of the following resolution.

RESOLUTION NO. 11479

RESOLUTION RATIFYING RESOLUTION NO. 11408, DATED OCTOBER 25, 2010, AUTHORIZING THE SUBMISSION OF APPROPRIATE EXPEDITED APPLICATIONS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”) TO DEMOLISH PROPERTIES CITED AS IMMINENTLY DANGEROUS OR DANGEROUSLY UNSAFE BY THE CITY OF PHILADELPHIA DEPARTMENT OF LICENSES AND INSPECTIONS OR BY STRUCTURAL ENGINEERING PROFESSIONALS

WHEREAS, Resolution Number 11408 was adopted on October 25, 2010 by the PHA Board (the “Adopted Resolution”) in connection with the submission of applications to HUD in connection with PHA properties cited as imminently dangerous or dangerously unsafe by the City of Philadelphia Department of Licenses and Inspections or by structural engineering professionals; and

WHEREAS, in order to obtain expedited HUD approval of Demolition Applications in connection with PHA properties deemed dangerously unsafe, PHA must comply with certain provisions of the regulations at 24 CFR, Part 970 and other related laws in connection with governmental consultation by ratifying the Adopted Resolution.

NOW THEREFORE, BE IT RESOLVED, that the Adopted Resolution is hereby ratified, subject to and in compliance with all applicable laws, statutes and regulations.

Commissioner Richman thereupon declared the Resolution unanimously adopted.

Commissioner Richman moved for the adoption of the following resolution.

RESOLUTION NO. 11480

RESOLUTION AUTHORIZING THE PHA ADMINISTRATIVE RECEIVER, OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE A CONTRACT FOR THE PROVISION OF SECURITY SYSTEMS ASSESSMENT, DESIGN, CONSTRUCTION, REPAIRS AND PREVENTATIVE MAINTENANCE AT VARIOUS PHA SITES WITH SCHNEIDER ELECTRIC BUILDINGS AMERICA (SOLICITATION NO. P-004088)

WHEREAS, The Philadelphia Housing Authority (PHA) has identified a need for security systems assessment, design, construction, repairs and preventative maintenance at various PHA sites; and

WHEREAS, Solicitation No. P-004088 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, five (5) offerors responded to the solicitation by submitting a proposal as follows:

Schneider Electric Buildings America

Hunter Roberts Construction Group
Shoemaker/Synterra JV
Verizon Business
Apex Electrical; and

WHEREAS, the proposal was 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 evaluation, it was recommended that a contract be awarded to Schneider Electric Buildings America.; and

WHEREAS, it is further recommended that the contract shall be for eighteen (18) months and not to exceed **NINE MILLION, NINE HUNDRED SEVENTY ONE THOUSAND, EIGHT HUNDRED ELEVEN DOLLARS AND THIRTY FOUR CENTS (\$9,971,811.34)**; and

BE IT RESOLVED, by and for The Philadelphia Housing Authority, that the Administrative Receiver, or his designee, is hereby authorized to conclude and to execute a contract with Schneider Electric Buildings America for the provision of security assessment, design, construction, repairs and preventative maintenance at various PHA Sites; 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 in accordance with the "Whereas" clause above; (2) the contract is subject to approval by PHA's funding source before any contract shall exist; (3) no contracts shall exist until signed by the Administrative Receiver/Executive Director, or his designee; and (4) if PHA and the offeror have not mutually agreed on the terms of a contract 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 shall cease.

Commissioner Richman thereupon declared the Resolution unanimously adopted.

RESOLUTION NO. 11481

RESOLUTION AUTHORIZING THE PHA ADMINISTRATIVE RECEIVER/EXECUTIVE DIRECTOR, OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE CONTRACTS FOR THE PROVISION OF GENERAL LEGAL SERVICES WITH RENO & CAVANAUGH PLLC, MARGOLIS EDELSTEIN, ARCHER & GREINER, P.C., KELLY, MONACO & NAPLES, FOX ROTHSCHILD,LLP, PEPPER HAMILTON LLP AND DILWORTH PAXSON, LLP (SOLICITATION NO. P-004026)

WHEREAS, The Philadelphia Housing Authority (PHA) has identified a need for general legal services; and

WHEREAS, Solicitation No. P-004026 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, twenty-six (26) offerors responded to the solicitation by submitting a proposal as follows:

Reno & Cavanaugh PLLC
Margolis Edelstein
Archer & Greiner, P.C.
Kelly, Monaco & Naples
Fox Rothschild, LLP
Pepper Hamilton LLP
Dilworth Paxson LLP
Fineman Krekstein & Harris
Bowman Kavulich
Nixon Peabody
Blank Rome LLP
Kolber Freiman & Randazzo
Hawkins Delafield & Wood LLP
The Smyler Firm
Mattioni Ltd
Trujillo Rodriguez & Richards
Flaster Greenberg
Friedman Schuman
Ballard Spahr LLP
Buchanan Ingersoll & Rooney
Zarwin Baum, et al
Eckert Seamans
Kleinbard Bell Brecker LLP
Duane Morris
Reed Smith LLP
Juristaff, Inc.

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 evaluation, it was recommended that contracts be awarded to the following companies: Reno & Cavanaugh PLLC, Margolis Edelstein, Archer & Greiner, P.C., Kelly, Monaco & Naples, Fox Rothschild LLP, Pepper Hamilton LLP and Dilworth Paxson LLP; and

WHEREAS, it is further recommended that the contracts to be awarded to each of Reno & Cavanaugh PLLC, Margolis Edelstein, Archer & Greiner, P.C., Kelly, Monaco & Naples, Fox Rothschild LLP, Pepper Hamilton LLP and Dilworth Paxson LLP shall each be for a two year (2) base period followed by three one year periods at the option of both parties to the contract, the aggregate amount per year of all such contracts to be not more than One Million Seven Hundred Fifty Thousand Dollars (**\$1,750,000.00**) to be allocated among the firms as determined by the General Counsel to best address the legal services needs of the Philadelphia Housing Authority.

BE IT RESOLVED, by and for The Philadelphia Housing Authority, that, based on the recommendation of the Evaluation Committee made pursuant to the preceding paragraph, the Administrative Receiver or his designee, is hereby authorized to negotiate, conclude and to execute contracts with Reno & Cavanaugh PLLC, Margolis Edelstein, Archer & Greiner, P.C., Kelly, Monaco & Naples, Fox Rothschild LLP, Pepper Hamilton LLP and Dilworth Paxson, LLP; such contracts to be subject to HUD approval; and

BE IT FURTHER RESOLVED, that (1) the Administrative Receiver/Executive Director, the General Counsel and all other appropriate personnel of PHA are authorized to take all actions necessary to implement these resolutions in accordance with their terms and the "WHEREAS" clauses above (2) the contracts are subject to approval by PHA's funding source before any contracts shall exist; (3) no contracts shall exist until signed by the Administrative Receiver, or his designee; and (4) if PHA and any of the selected firms have not mutually agreed on the terms of the contract within 45 days following the next regularly scheduled Board meeting, then this resolution shall be void as to that firm and the Authority of the Administrative Receiver/Executive Director hereunder with respect to that firm shall cease but all other authority pursuant to this resolution shall continue

BE IT FURTHER RESOLVED, that if any increases to the dollar amount of the awarded contracts become necessary, such increases must be approved by PHA's Board of Commissioners regardless of the dollar amount.

Commissioner Richman moved for the adoption of the following resolution.

RESOLUTION NO. 11482

**RESOLUTION AUTHORIZING THE ADMINISTRATIVE RECEIVER/EXECUTIVE DIRECTOR OR
DESIGNEE TO EXECUTE A CONTRACT AND INSURANCE POLICY WITH LIBERTY MUTUAL
INSURANCE COMPANY FOR WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY
INSURANCE
(SOLICITATION P-004133)**

WHEREAS, the Philadelphia Housing Authority (PHA) identified a need for Workers' Compensation and Employers' Liability Insurance; and

WHEREAS, Solicitation No P-004133 was developed according to established procedures, and was properly advertised by our brokerage firm; and

WHEREAS, a Request for Proposal was provided to the appropriate companies and distributed to those who responded to the invitation; and

WHEREAS, the proposals were reviewed by the Evaluation Committee and Contracting Officer; and

WHEREAS, the existing coverage is scheduled to expire on October 15, 2011; and

WHEREAS, it is recommended that PHA execute a contract with Liberty Mutual Insurance Company; and

WHEREAS, the contract would be in an amount not to exceed **ELEVEN MILLION SEVEN HUNDRED THIRTY NINE THOUSAND FIFTY-THREE DOLLARS (\$11,739,053.00)** for such one-year renewal period if PHA provides cash collateral to Liberty Mutual to secure PHA'S obligations to pay deductibles and certain other expenses; and

BE IT RESOLVED, by and for the Philadelphia Housing Authority, that the Board of Commissioner or her designee is hereby authorized to conclude and to execute a contract with Liberty Mutual Insurance Company as described 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 in accordance with the "Whereas" clause above; (2) the contract is subject to approval by PHA's funding source before a contract shall exist; (3) no contract shall exist until signed by the Board of Commissioners or their designee; and, (4) if PHA and the bidder have not mutually agreed on the terms of a contract within forty five (45) days of the next regularly scheduled Board Meeting, then this resolution shall be void and the authority of the Board of Commissioners or her designee shall cease.

Commissioner Richman moved for the adoption of the following resolution.

Commissioner Richman thereupon declared the Resolution unanimously adopted.

RESOLUTION NO. 11483

**RESOLUTION AUTHORIZING THE PHA ADMINISTRATIVE RECEIVER/EXECUTIVE DIRECTOR OR HIS AUTHORIZED DESIGNEE TO CONCLUDE AND TO EXECUTE A CONTRACT WITH HUNTER ROBERTS CONSTRUCTION GROUP FOR DOOR REMOVAL AND REPLACEMENT AT VARIOUS SITES
(SOLICITATION NO. P-004094)**

WHEREAS, The Philadelphia Housing Authority (PHA) has identified a need for construction services for door removal and replacement at various sites; and

WHEREAS, Solicitation No. P-004094 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, three (3) offerors responded to the solicitation by submitting a proposal as follows:

Hunter Roberts Construction Group

M&S Contractors & Associates Inc.

Nesmith & Company Inc.; 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 Hunter Roberts Construction Group; and

WHEREAS, it is further recommended that the contract, if awarded shall be for a one (1) year base period in an amount not to exceed **FOUR HUNDRED FORTY EIGHT THOUSAND THREE HUNDRED THIRTY DOLLARS (\$448,330.00)**; and

BE IT RESOLVED, by and for The Philadelphia Housing Authority, that, based on the recommendation of the Evaluation Committee, the Administrative Receiver/Executive Director is hereby authorized to conclude and to execute contract with Hunter Roberts Construction Group; 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 in accordance with the "Whereas" clause above; (2) the contracts are subject to approval by PHA's funding source before any contracts shall exist; (3) no contracts shall exist until signed by the Administrative Receiver/Executive Director, or his designee; and (4) if PHA and the offerors have not mutually agreed on the terms of a contract 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 Richman thereupon declared the Minutes unanimously adopted.

Commissioner Richman moved for the adoption of the following resolution.

RESOLUTION NO. 11484

RESOLUTION MODIFYING RESOLUTION NO. 11414 TO EXTEND THE EXPIRATION DATE OF THE AUTHORIZATION FOR PHA TO UTILIZE FEDERAL AND STATE COOPERATIVE PURCHASING AND SIMILAR PROGRAMS

WHEREAS, The Philadelphia Housing Authority (“PHA”) had needs for certain goods and services; and

WHEREAS, under certain circumstances, 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 schedules are also referred to as the “GSA Schedules” and Multiple Award Schedules (“MAS”); and

WHEREAS, under the GSA Schedules program, GSA establishes long-term government wide contracts with commercial firms, providing access to over 11 million commercial supplies (products) and services at volume discount pricing; and

WHEREAS, GSA Schedules provide fast, flexible, cost-effective procurement solutions that allow customers to meet acquisition challenges, while achieving their missions; and

WHEREAS, the benefits of using GSA Schedules include realizing cost savings, experiencing flexibility and choice, saving time, achieving transparency, and controlling the procurement; and

WHEREAS, purchasing from GSA Schedule contracts offers the following advantages over procuring on the open market:

- GSA has determined prices under Schedule contracts to be fair and reasonable,
- Schedule contracts have been awarded in compliance with all applicable laws and regulations,
- administrative time is reduced, and schedule contracts offer a wide selection of state-of-the-art commercial supplies and services; and

WHEREAS, Section 211 of the E-Government Act of 2002 amended the Federal Property and Administrative Services Act to allow for "Cooperative Purchasing;" and

WHEREAS, Cooperative Purchasing allows for the Administrator of General Services to provide states and localities access to certain items offered through GSA's Federal Supply Schedule 70, Information Technology (“IT”), and Consolidated (formerly Corporate Contracts) Schedule contracts, containing IT Special Item Numbers (SINs); and the information technology available to state and local governments includes automated data processing equipment (including firmware), software, supplies, support equipment, and services; and

WHEREAS, Public Law 110-248, the Local Preparedness Acquisition Act, amended the Cooperative Purchasing provisions of the Federal Property and Administrative Services Act to allow the Administrator of General Services to provide states and localities access to certain items offered through GSA's Federal Supply Schedule 84, Total Solutions for Law Enforcement, Security, Facility Management Systems, Fire, Rescue, Special Purpose Clothing, Marine Craft, and Emergency/Disaster Response. The products and services available to state and local governments include alarm and signal systems, facility management systems, firefighting and rescue equipment, law enforcement and security equipment, marine craft and related equipment, special purpose clothing, and related services; and

WHEREAS, the GSA Schedule ordering procedures encourage ordering entities to consider and, where applicable, give preference to small businesses; and

WHEREAS, the GSA Schedules provide tools to allow customers to tailor their searches specifically for products and services provided by small, minority, veteran, and women owned businesses; and

WHEREAS, customers ordering through the GSA Schedules may make socioeconomic status a primary evaluation factor when making a best value determination; and

WHEREAS, pursuant to the Pennsylvania Commonwealth Procurement Code, Act 57 of 1998, as amended (the "Procurement Code"), local public procurement units ("LPPUs") are 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; and

WHEREAS, PHA is a LPPU for the purposes of the Procurement Code; and

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 the regulations of the U.S. Department of Housing and Development ("HUD") 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;" and

WHEREAS, in view of the above-described benefits of Federal and State cooperative and similar programs, and HUD's authorization and encouragement to use such programs, PHA has determined that use of such methods for procurement of goods and services would be beneficial; and

WHEREAS, the competitive and intergovernmental nature of Federal and State cooperative purchasing and similar programs, as well as the establishment of volume pricing and standardized terms and conditions obviates the need for review and approval by the Board of Commissioners of the terms and conditions and pricing of such individual contracts; and

WHEREAS, PHA's contracting entities have established proposed projections for their procurement needs for the period December 1, 2010, to November 30, 2011, and is presenting such projections in the following paragraph of this resolution in order to obtain authorization from the Board of Commissioners to ("Board") enter into contracts under Federal and State cooperative purchasing and similar programs in amounts not to exceed such authorization; and

WHEREAS, PHA projected a need to acquire and lease goods and services in an aggregate amount not to exceed **THIRTY MILLION DOLLARS (\$30,000,000)** for the period from December 1, 2010, to November 30, 2011; and

WHEREAS, by Resolution No, 11414, the Board approved PHA's use of the above described Federal and State cooperative purchasing and similar programs in amounts not to exceed **THIRTY MILLION DOLLARS (\$30,000,000)** for the period from December 1, 2010, to November 30, 2011; and

WHEREAS, it has been decided that it is in PHA's best interest to extend this authorization to coincide with PHA's fiscal year without increasing the dollar amount of the authorization;

NOW, THEREFORE BE IT RESOLVED, by and for The Philadelphia Housing Authority, that the authorization to utilize Federal And State Cooperative Purchasing And Similar Programs be extended from November 30, 2011 to March 31, 2012; and

BE IT FURTHER RESOLVED, that (1) PHA will comply with all applicable requirements regarding the use of such cooperative purchasing and similar programs, including obtaining multiple quotations where required; (2) PHA shall require each contractor to comply with all terms required by the applicable solicitation or contract; (2) each contract is subject to funding availability; (3) no contract shall exist until signed by the Contracting Officer or his or her designee; and (4) except as amended by this Resolution, Resolution No. 11414 remains in full force and effect.

Commissioner Richman thereupon declared the Resolution unanimously adopted.

The resolutions were adopted. With that Commissioner Richman, opened the meeting for public comments. Comments were given by Asia Coney, Vernell Tate, Louise Hannible and Ms. Boyd. With no other public comments being heard Commissioner Richman adjourned the meeting (Copies of the actual transcript will be provided upon written request).