

1

CONTRACT AWARDS AND EXECUTION OF DOCUMENTS

1. RECOMMENDATIONS

It is recommended that:

1. During the period June 25, 2004 to September 23, 2004, the Regional Chair or Chair of the respective Standing Committee and the Chief Administrative Officer be authorized to approve contracts and to authorize property acquisitions where such matters are not authorized by the current Purchasing By-law, subject to the conditions set out in this report.
2. The exercise of this authority be subject to the following conditions:
 - (a) the Regional Chair or Chair of the respective Standing Committee and the Chief Administrative Officer being satisfied that the authorization to approve the contract or acquire the property, as the case may be, is required to prevent interruption of service delivery or to avoid incurring unnecessary costs;
 - (b) a memorandum outlining the necessity of such requests be submitted to the Regional Chair or Chair of the respective Standing Committee and the Chief Administrative Officer by the respective Commissioner;
 - (c) any contracts be subject to review and approval by Legal Services as to form and content;
 - (d) where the Chief Administrative Officer designates a Commissioner to exercise his duties from time to time pursuant to By-Law No. A-0342-2004-048, such Commissioner shall obtain the signature of a second Commissioner to authorize or approve a contract pertaining to his/her own department; and
 - (e) a report be submitted to Regional Council at its meeting on September 18, 2003 to advise of the approval of any contracts under this authority.

2. PURPOSE

The purpose of this report is to seek Council's authorization to delegate the award of contracts and the purchase of property for matters that are not already delegated by the Purchasing By-law, in order to ensure the continuity of service delivery over the summer months.

3. BACKGROUND

The Region's Purchasing By-law delegates the authority to staff to award and execute contracts for goods and services subject to certain conditions and expenditure limits. Currently, the Chief Administrative Officer is authorized to award contracts for an unlimited amount, provided that a formal tender is issued, three bids are received, and the

award is to the lowest responsive bidder. Similarly, the Chief Administrative Officer may award contracts as a result of requests for proposals up to \$250,000.00. There is also authority for the Chief Administrative Officer and Commissioner of Corporate Services to approve land acquisitions up to \$50,000.00.

Reports to Council are still required to authorize certain expenditures. These include awards in excess of the limits set out in the by-law, award of contracts where sole-sourcing is recommended, or where the contract is to be awarded to other than the lowest bidder or highest scoring proponent. As well, reports must be submitted to Council for leases and property acquisitions in excess of \$50,000.00 as these are not authorized by the Purchasing By-law.

4. ANALYSIS AND OPTIONS

During the period between the Council meetings in June and September, 2004, authorization may be required to award and execute contracts and authorize land acquisitions and leases that are not currently authorized by the Purchasing By-law. In these circumstances, it is recommended that the authority to make such commitments be jointly delegated to the Regional Chair or Chair of the respective Standing Committee and the Chief Administrative Officer. It is also recommended that certain procedures be put in place as follows:

- that a memorandum be submitted by the respective Commissioner indicating the need for the contract;
- that the contract be subject to review and approval by Legal Services; and
- that the authorization to purchase goods and services or acquire the property is required to prevent interruption of service delay or to avoid incurring extra costs.

This practice has been routinely established in past years to ensure continuity of service delivery.

5. FINANCIAL IMPLICATIONS

Any commitment authorized under the approval process set out in this report will be subject to funds being available in the 2004 budget.

6. LOCAL MUNICIPAL IMPACT

There are no local municipal implications associated with this report.

7. CONCLUSION

In order to ensure continuity of service delivery during the months of July, August and early September, 2004, staff recommend that a process be adopted as set out in this report for approval of contracts not currently authorized by the purchasing by-law. The authority would be exercised only where strictly essential and would be subject to a report to Council at its meeting in September to advise of any commitments made under this authority.