

The Regional Municipality of York

Committee of the Whole
Finance and Administration
November 11, 2021

Report of the Commissioner of Finance

Approvals Authorized under Delegated Authority During Council Recess in 2021

1. Recommendation

Council receive this report for information.

2. Summary

Pursuant to the provisions of Bylaw No. 2018-51, when regular meetings of Council are suspended either over the summer months or for any other reason, Council delegates authority to the Chief Administrative Officer and the Regional Treasurer to award and execute contracts and other forms of commitment where such matters are not otherwise currently delegated by Council, provided that the exercise of authority is required to prevent the interruption of service delivery or avoid incurring unnecessary costs.

Key Points:

- Summer Council Recess in 2021 was from June 25 – September 22
- Council delegated authority was exercised in two instances which resulted in the authorization of \$18.1 million in awards
- Private Attachment 1 to this report will be considered in private session as it relates security of Regional property

3. Background

Continuity during Council recess is required to ensure timely delivery of Regional services

Regional Council is responsible for providing good governance with respect to matters within its jurisdiction by delivering high quality services to residents and businesses. Accordingly, Council delegates authority to carry out these functions during periods where regular Council meetings are suspended for any reason, including summer and election recesses.

Bylaw 2018-51 delegates certain powers and duties to the Chief Administrative Officer and the Regional Treasurer during Council recess

During any period where regular Council meetings are suspended for any reason, Council delegates authority to the Chief Administrative Officer and the Regional Treasurer to award and execute contracts where they are not typically delegated by Council.

The delegation of Council's authority to the Chief Administrative Officer and the Regional Treasurer is subject to the following conditions:

- The Chief Administrative Officer and the Regional Treasurer are satisfied that the exercise of authority is required to prevent interruption of service delivery, or to avoid incurring unnecessary costs
- A memorandum outlining the necessity of any approval is to be submitted by a Commissioner
- Any contracts or related contract documentation are subject to the review and approval of Legal Services
- A report is submitted to Council at the earliest opportunity to advise of the approval of any matters under the delegation bylaw

4. Analysis

Council delegated authority was exercised in two instances, which resulted in the authorization of \$18.1 million in awards

The total value of the two approvals, authorized by the Chief Administrative Officer and the Regional Treasurer was \$18,088,900. The table below provides a breakdown of the approvals.

| Department | # of Approvals | Financial Impact (\$) |
|--------------------|-----------------------|------------------------------|
| Corporate Services | 1 | 125,000 |
| Finance | 1 | 17,963,900 |
| Total | 2 | 18,088,900 |

Attachment 1 and Private Attachment 1 provides a description of the approval authorized by the Chief Administrative Officer and the Regional Treasurer during Council recess.

Procurement Office's continuous improvement activities resulted in better planning and fewer approvals required during Council Recess

In 2020, there were seven approvals authorized under Delegated Authority during Council recess, in comparison to the two approvals that were authorized in 2021.

This is due to Procurement Office's forecasting initiative with departments and the Contract Awards and Amendments Requiring Council Approval report which have allowed for better planning of procurement activity.

5. Financial

The contracts authorized under delegated authority were within the department's approved budgets. There are no other direct financial implications associated with this contract.

6. Local Impact

There is no local municipal impact associated with this report.

7. Conclusion

Pursuant to Bylaw 2018-51, Council delegated its authority to the Chief Administrative Officer and the Regional Treasurer to award and execute contracts and other forms of commitment during Council Recess which would otherwise require Council approval. During the Council Recess, such authority was exercised in two instances with a total value of \$18,088,900.

All uses of delegated authority identified in this report were in compliance with the provisions of Bylaw No. 2018-51.

For more information on this report, please contact Fadi Samara, Director, Procurement Office, at 1-877-464-9675 ext.71650. Accessible formats or communication supports are available upon request.



Recommended by:

Jason Li, CPA, CA

Acting Commissioner of Finance and Regional Treasurer



Approved for Submission:

Bruce Macgregor

Chief Administrative Officer

October 29, 2021

Attachments (1)

Private Attachment (1)

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