

**IN THE MATTER OF THE TORONTO EXTERNAL CONTRACTS INQUIRY**

**AFFIDAVIT OF BRENDAN POWER**

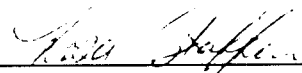
I, Brendan Power, of the City of Toronto, in the Province of Ontario, MAKE OATH AND SAY:

1. I served as a consultant for the City of Toronto's Year 2000 Project Office, reporting to Lana Viinamae. I was responsible for external partners, in particular, ensuring that the City's outside contracts contained the proper Y2K representations and warranties.
2. I did not negotiate the terms and conditions of the contracts with the external partners. However, if the City did not have a written contract with a particular supplier, I would facilitate the preparation of a contract by providing a standard form contract. A schedule setting out details such as hours of work, rates of pay, and so on, would be provided to me by either the department or the supplier and attached to the contract. These schedules would usually be verified by the department hiring the consultant.
3. I have reviewed the City of Toronto's contracts with Michael Saunders (**TEC007748, vol. 2, tab 44**) and David Maxson (**TEC008324, vol. 2, tab 54**). They appear to be standard form contracts. I have also reviewed the schedules attached to these contracts. I do not know who prepared these schedules.
4. In paragraph 60 of her affidavit sworn on November 14, 2004, Lana Viinamae stated that these contracts were prepared by me on the specific direction of Jim Andrew. I

do not have any recollection of preparing these contracts. I would have received the schedules for these contracts from either the Finance Department, or Michael Saunders and/or David Maxson. My job was not to negotiate the terms and conditions of these contracts and schedules.

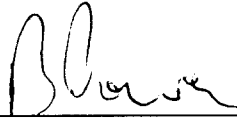
5. I have reviewed a copy of an email from Jim Andrew to me dated August 4, 1999 regarding Michael Saunders' contract (TEC051885, vol. 2, tab 47). I do not recall receiving this email. It would have been unusual for me to have spoken to Jim Andrew about these contracts because I reported to Lana Viinamae.

SWORN BEFORE ME at the City of )  
Toronto, in the Province of Ontario )  
on the 15<sup>th</sup> day of January, 2005 )

  
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A COMMISSIONER, ETC.

ELISA MARIE STAFFIERI, a Commissioner, etc.,  
City of Toronto, for McPhadden, Samac, Merner, Darling,  
Barristers and Solicitors.  
Expires March 21, 2005.

  
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BRENDAN POWER