

Clause embodied in Report No. 8 of the Policy and Finance Committee, as adopted by the Council of the City of Toronto at its meeting held on July 22, 23 and 24, 2003.

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Toronto Public Library Board Financial Control Policy

(City Council on July 22, 23 and 24, 2003, adopted this Clause, without amendment.)

The Policy and Finance Committee recommends the adoption of the following report (June 24, 2003) from the City Librarian:

Purpose:

The purpose of this report is to obtain City Council's authorization for the Toronto Public Library Board to make minor reallocations of the expenditure of funds from its annual budgets in a similar manner as departments are permitted at the City itself.

Funding Implications and Impact Statement:

Approval of the recommendation contained in this report will have no effect on the total amount of funds expended from the Library budgets. However, approval of the recommendation will allow the possibility of minor variations in actual expenditures from the approved budget in a similar manner as permitted under the City's Financial Control By-law.

Recommendation:

It is recommended that City Council authorize the Toronto Public Library Board to apply money paid to the Board as part of its budget estimates in accordance with the three sections of the Board's Financial Control Policy set out in Appendix "A" to this report.

Background:

At its meeting held on June 9, 2003, the Toronto Public Library Board (the "Board") adopted a new Financial Control Policy (the "Policy"), attached as Appendix "B" to this report for information. The Policy was designed to consolidate the Board's existing Interim Financial Control Policy and Purchasing Policy and to reflect the City's own Purchasing and Financial Control By-laws that form part of the City's Municipal Code.

In adopting the Policy, the Board directed the City Librarian to submit clauses 3.3.4, 3.4.3 and 3.4.7 of the Policy, attached as Appendix "A", to City Council for approval prior to those clauses becoming effective, in order to comply with the requirements of section 24 of the *Public Libraries Act* (the "Act").

Comments:

Section 24 of the Act requires the Board annually to submit to Council estimates of the sums required by the Board during the year. Subsection 24(2) authorizes Council to approve, or amend and approve, the Board's estimates. Subsection 24(3) requires the Board to apply the money paid to it by the City, in accordance with the estimates as approved. This requirement to expend the funds in accordance with the estimates as approved is made subject to subsection 24(4) of the Act. That subsection allows Council to authorize the Board to apply a specified amount or percentage of the money paid to it under its estimates other than in accordance with the items of the estimates as approved.

The sections of the Policy, identified above and set out in Appendix "A", authorize the City Librarian to make limited transfers of funds between different appropriations and capital projects within the budget. This authority mirrors the authority conferred by City Council on department heads and the Treasurer at the City in its own Financial Control By-law, and to the extent possible, the wording of the relevant sections of the Policy reflects the wording of the City By-law. However, as a result of the provisions of section 24 of the Act, Council approval is required in order to allow the Board, through the City Librarian, to exercise that authority since any such transfer or reallocation of budget would result in an expenditure other than in accordance with the estimates as approved by City Council.

Conclusion:

Approval of the recommendations contained in this report would allow the Board, through the City Librarian, to make minor variations in expenditures from the budget other than as approved by Council, consistent with the authority delegated by City Council to department heads and the Treasurer at the City itself.

Contact:

Larry Hughsam, Director, Finance and Treasurer, 416-397-5946, lhughsam@tpl.toronto.on.ca

List of Attachments:

- Appendix 1: Toronto Public Library – Excerpt from Financial Control Policy
- Appendix 2: Toronto Public Library – Financial Control Policy

Appendix A

Toronto Public Library Excerpt From Financial Control Policy

3.3 Spending Authority - Operating Budget

3.3.4 The transfer of approved operating Budget of not more than \$500,000.00 annually between Appropriations which do not affect the net operating Budget for the Library shall require the approval of the City Librarian and the Library Treasurer. Any such transfer shall be reported to the Board not later than the second regular Board meeting following the transfer. Transfer of approved Budget in excess of \$500,000.00 requires both Board and Council approval.

3.4 Spending Authority – Capital Budget

3.4.3 The City Librarian is authorized to approve additional expenditures where the costs of a Capital Project funded from the capital Budget increase to the extent that they exceed the original funding approval for the Capital Project by the lesser of 10 per cent or \$500,000.00, provided that excess funds are available in the approved funding of another Capital Project to fund the over-expenditure. If the costs of a Capital Project exceed the original funding by more than 10 per cent or \$500,000.00 or excess funds are not available in the approved funding of another Capital Project, Board and Council approval must be obtained before any payment can be made to incur the additional costs, except for expenditures made under clause 6.3.1. If clause 6.3.1 applies, the City Librarian is authorized to approve the expenditure for the additional costs, and such additional costs shall be reported to the Board and Council. If the additional funding is to be provided through the issuance of debentures, the City Treasurer must certify that such funding is within the City's updated debt and financial obligation limit.

3.4.3 Any transfer of Budget between Capital Projects in an amount of less than \$250,000 requires approval of the City Librarian. Any transfer of Budget in excess of \$250,000 between Capital Projects requires approval of the City Librarian, the Board, and Council.

Appendix B

Toronto Public Library Board Financial Control Policy

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1 Definitions

In this policy,

“Account” means a financial liability of the Board arising from a Commitment and evidenced by any invoice, pay sheet, receipt or other document indicating payment is due for the Goods or Services specified in the account;

“Acquisitions Manager” means the person holding the position of Acquisitions Manager for Library Materials with the Library or a similar successor position, and includes his or her Designate;

“Act” means the Public Libraries Act, as it may be amended from time to time;

“Appropriation” means the allocation of funds for either Library services or Library administration in the interim operating Budget and the operating Budget;

“Award” means the acceptance of a Bid or Proposal in accordance with the terms of this policy;

“Bid” means a formal price response to a Call issued by the Library;

“Bidder” means any legal entity submitting a Bid in response to a Call by the Library;

“Board” means the Toronto Public Library Board;

“Budget” means the annual operating and capital budgets approved by Council and adopted by the Board in accordance with section 24 of the Act;

“Call” means a Solicitation from the Library to external suppliers or providers to submit a Tender or Quotation;

“Capital Account” means the fund allocated by the Board for a particular Capital Project in the Capital Program and or funds raised from other sources for Capital Projects;

“Capital Project” means an undertaking in respect of which an expenditure is incurred to acquire, improve and maintain land, buildings, engineering structures, machinery or equipment, including installation of computer hardware, software and other technology and is the level at which the Board and Council approve funding in the capital Budget;

“Capital Program” means the multi-year plan adopted by the Board and Council respecting intended expenditures for Capital Projects;

“City” means the City of Toronto;

“City Librarian” means the person appointed by the Board holding the position of Chief Executive Officer for the Library or a similar successor position, and includes his or her Designate;

“City Solicitor” means the person holding the position of City Solicitor for the City, or a similar successor position, and includes his or her Designate;

“City Treasurer” means the person holding the position of the Chief Financial Officer and Treasurer of the City or a similar successor position, and includes his or her Designate;

“Commitment” means the document evidencing the contractual obligation for the purchase of any Goods or Services arising from an Award;

“Co-operative Purchasing” means procurement conducted by the Purchasing Agent on behalf of the Library and one or more public agencies, or the involvement of the Purchasing Agent in procurement by other public agencies which includes procurement on behalf of the Library;

“Council” means City Council;

“Delegate” means a Library employee to whom authority has been delegated pursuant to clause 13.3.1 of this policy;

“Department” means an administrative unit of a Division of the Library headed by a Manager;

“Departmental Purchase Limit” means the maximum amount that a Director or Designate may expend to procure Goods and Services directly rather than through the Purchasing Agent;

“Designate” means a Library employee designated to exercise authority pursuant to clause 13.3.3 of this policy;

“Director” means a person holding a management position in charge of a Division reporting directly to the City Librarian or the Director Branch Services, or a similar successor position, and includes his or her Designate, and includes the Director Branch Services;

“Division” means an administrative unit of the Library headed by a Director;

“Estimates” means the estimates the Board submits to Council for adoption pursuant to section 24 of the Act;

“Existing Agreement” means an agreement between the City and a vendor for the supply of Goods or Services at prices specified in the agreement, provided that:

- (a) competitive prices for the Goods or Services have been obtained by way of bid or quotation; and
- (b) the agreement was awarded to the vendor that offered the Goods or Services at the lowest price that met the specifications;

“Goods” means all forms of personal property, both tangible and intangible;

“Library” means the Toronto Public Library;

“Library Materials” means books, videotapes, periodicals, subscriptions, serials, electronic information products and any other media, purchased by the Library for use by the public;

“Library Treasurer” means the person holding the position of Director, Finance and Treasurer of the Library or a similar successor position, and includes his or her Designate;

“Proponent” means any legal entity submitting a Proposal in response to a Request;

“Proposal” means an offer to furnish Goods or Services, including professional or consulting services, as a basis for negotiations for entering into a contract;

“Purchasing Agent” means the person holding the position of Manager, Purchasing and Administration in the Library’s Finance Department, or a similar successor position, and includes his or her Designate, and whose responsibility it is to supervise and carry out selected procurement functions on behalf of the Library in accordance with this policy;

“Quotation” means an offer to supply specified Goods or Services at a price fixed as to the total amount or on a unit basis, or both;

“Request” means a Solicitation from the Library to external suppliers to submit a Proposal;

“Services” means any matter in respect of which the Board may incur a financial obligation other than Goods, excluding real property;

“Single Sourcing” means the procurement of Goods or Services from a particular vendor rather than through Solicitation of Bids or Proposals from other vendors;

“Sole Sourcing” means the procurement of Goods or Services that are unique to a particular vendor and cannot be obtained from another source;

“Solicitation” means the process of notifying prospective Bidders or Proponents that the Board wishes to receive Bids or Proposals;

“Subproject” means a level within a Capital Project that the City Librarian or the Library Treasurer may choose to use to track expenditures within the Capital Project;

“Tender” means an offer in respect of a Project at a fixed price as to total amount or on a unit basis, or both, and where all of the material terms, conditions and specifications to be met for the project, aside from price and, in some cases, time for completion, are contained in the Call and determined at the time a bid is opened so that there is no prospect of negotiations between the parties.

2 General

2.1 Purpose

2.1.1 The approval of the Budget, the purchasing of all Goods and Services on behalf of the Board, the payment of Accounts of the Board and the related matters identified in this policy, shall be carried out in accordance with the provisions of this policy.

2.2 Ethics in Purchasing

2.2.1 In addition to any conflict of interest policy applicable to Library employees, as may be adopted by the Board from time to time, the code of purchasing ethics established by the Purchasing Management Association of Canada shall apply to all Library employees involved in the procurement process.

3 Budgets

3.1 Interim Operating Budget

3.1.1 Prior to Council's approval of an annual operating Budget for the Board and the Library, the Board and the Library will expend funds in accordance with the annual interim operating budget adopted by Council in accordance with Chapter 71, Financial Control, of the City of Toronto Municipal Code, for the period from the first day of January in each year until the approval of the Budget for such year.

3.1.2 Subsequent to Council's adoption of the annual interim operating budget, the Board shall adopt such Budget.

3.2 Estimates

3.2.1 The Board shall submit to Council, annually on or before the date and in the form specified by the Council, the Estimates of all sums required during the year for the purposes of the Board.

3.2.2 The amount of the Board's Estimates that is approved by Council shall be adopted by the Board, and shall be the Board's Budget.

3.2.3 Subject to the other provisions of this policy, the Board shall apply the money paid to it in accordance with the Budget.

3.3 Spending Authority - Operating Budget

3.3.1 The operating Budget approved by Council establishes the spending authority for the Board from the operating Budget and the City Librarian shall ensure that expenditures from the operating Budget do not exceed that Budget subject to any obligations to expend funds for any unanticipated and uncontrollable expenditure.

- 3.3.2 Spending or funds control is based on the total gross expenditures approved for the Board and the City Librarian must review expenditure levels to address revenue shortfalls.
- 3.3.3 The City Librarian shall report any anticipated over-expenditure from the operating Budget to the Board and the City Treasurer as soon as such potential over-expenditure is known.
- 3.3.4 The transfer of approved operating Budget of not more than \$500,000 annually between Appropriations which do not affect the net operating Budget for the Library shall require the approval of the City Librarian and the Library Treasurer. Any such transfer shall be reported to the Board not later than the second regular Board meeting following the transfer. Transfer of approved Budget in excess of \$500,000 requires both Board and Council approval.
- 3.4 Spending Authority – Capital Budget
- 3.4.1 The capital Budget approved by Council establishes the spending authority for the Board from the capital Budget and the City Librarian shall ensure that expenditures from the capital Budget do not exceed that approved Budget.
- 3.4.2 Subject to clause 3.4.3, the City Librarian shall report any anticipated over-expenditure to the Board and the City Treasurer as soon as such potential over-expenditure is known.
- 3.4.3 The City Librarian is authorized to approve additional expenditures where the costs of a Capital Project funded from the capital Budget increase to the extent that they exceed the original funding approval for the Capital Project by the lesser of 10 per cent or \$500,000, provided that excess funds are available in the approved funding of another Capital Project to fund the over-expenditure. If the costs of a Capital Project exceed the original funding by more than 10 per cent or \$500,000 or excess funds are not available in the approved funding of another Capital Project, Board and Council approval must be obtained before any payment can be made to incur the additional costs, except for expenditures made under clause 6.3.1. If clause 6.3.1 applies, the City Librarian is authorized to approve the expenditure for the additional costs, and such additional costs shall be reported to the Board and Council. If the additional funding is to be provided through the issuance of debentures, the City Treasurer must certify that such funding is within the City's updated debt and financial obligation limit
- 3.4.4 If, prior to the enactment of this policy, the costs of a Capital Project funded from the capital Budget have exceeded the original funding approved for the Capital Project, a report to the Board and Council shall be prepared by the City Librarian identifying suggested sources of funding for the over-expenditure. If the additional funding is to be provided through the issuance of debentures, the City Treasurer must certify that such funding is within the City's updated debt and financial obligation limit.

- 3.4.5 For any Capital Project that is completed, the Library Treasurer shall obtain the approval of the City Treasurer to apply unspent funds from the capital Budget for that project first against other Capital Projects of the Library that may be overspent and if there are still excess funds, then to apply the remaining funds to another Capital Project within the Library.
- 3.4.6 Allocations between Subprojects within a Capital Project and any subsequent transfers of these funds among other Subprojects or the addition of Subprojects may be made by the Library Treasurer, provided that such transfer does not exceed the amount approved by Council for the Capital Project.
- 3.4.7 Any transfer of Budget between Capital Projects in an amount of less than \$250,000 requires approval of the City Librarian. Any transfer of Budget in excess of \$250,000 between Capital Projects requires approval of the City Librarian, the Board, and Council.
- 3.4.8 In preparing the annual capital Estimates, the Board shall include in the submissions a cash flow forecast which indicates the entire capital expenditure for each Capital Project from the City, including those Capital Projects approved in previous years.
- 3.4.9 Any Capital Project approved in a previous year for which a cash flow forecast is not included in a subsequent capital Budget shall be considered to be completed and may be closed by the City Treasurer after consultation with the City Librarian. If additional expenditures are expected to occur as a result of litigation or claims, it may not be appropriate to reflect those expenditures in the capital forecasts. In such cases the City Librarian shall advise the City Treasurer of the possibility of additional costs to the Capital Project.
- 3.4.10 The City Treasurer, after consultation with the City Librarian, may close any Capital Project that is considered to be complete.
- 4 Purchasing
- 4.1 Purchasing Agent
- 4.1.1 Subject to sub-articles 4.2 and 4.4, the Purchasing Agent shall be responsible for:
- 4.1.1.1 determining, in consultation with the City Solicitor where the Purchasing Agent considers it necessary, and in accordance with policies and directives as may be provided from time to time by the Board, the appropriate form and method by which all Goods and Services that meet the Library's operational needs and specifications shall be procured on behalf of the Board in the most competitive manner reasonably possible;
- 4.1.1.2 the Solicitation of Goods and Services in such forms and by such methods as determined under sub-clause 4.1.1.1;

- 4.1.1.3 determining, in consultation with the City Solicitor where the Purchasing Agent considers it necessary, and in accordance with policies and directives as may be provided from time to time by the Board, the appropriate form and method by which potential vendors shall be pre-qualified and administering the pre-qualification process;
- 4.1.1.4 scheduling, in consultation with the Library Treasurer, the place, date and time for the receipt and opening of Bids and Proposals and the making of Awards;
- 4.1.1.5 reporting, along with the Director who initiated the Call of Request, to the Board on all Bids or Proposals that require Board approval;
- 4.1.1.6 generally monitoring, supervising and reporting to the Board, as required from time to time, on the purchasing process; and
- 4.1.1.7 compiling and maintaining a compendium of all policies adopted by the Board from time to time affecting the purchasing process and communicating such policies to Bidders and Proponents and all staff involved in the purchasing process.
- 4.1.2 The Purchasing Agent may engage in Solicitations other than in accordance with sub-clause 4.1.1.2 under the following circumstances:
 - 4.1.2.1 when an event occurs that could not reasonably have been foreseen that is determined by the City Librarian to be an emergency, threat or risk to public welfare, the welfare of public property or the security of the Library's interests and the occurrence requires the immediate delivery of Goods or Services and time does not permit for such Solicitation;
 - 4.1.2.2 when competition in respect of the Goods or Services is precluded because of the need to engage in Sole Sourcing, or the existence of patent rights, proprietary rights, copyrights, secret processes, control of basic raw material or other similar restrictions;
 - 4.1.2.3 when, in the opinion of the Purchasing Agent, there is significant justification for Single Sourcing;
 - 4.1.2.4 when no responsive Bid or Proposal has been received, or the lowest Bid or Proposal received exceeds the estimated costs, and the time involved in the issuance of another Request or Call would adversely affect the interests of the Library;
 - 4.1.2.5 when all Bids or Proposals fail to comply with the specifications or conditions and the time involved in the issuance of another Request or Call would adversely affect the interests of the Library;
 - 4.1.2.6 when the extension of an existing Commitment would prove most cost-effective or beneficial to the Board provided that any such extension shall only occur once and shall not exceed a period of one year; or

- 4.1.2.7 when, in the opinion of the Purchasing Agent, a fluctuating market for Goods or Services exists and such Solicitation would adversely affect the interests of the Board and the Library given rising market prices.
- 4.1.3 Despite sub-clause 4.1.1.2 and clause 4.1.2, the Purchasing Agent may refrain from undertaking a Solicitation if the relevant Goods or Services can be obtained at the prices specified in an Existing Agreement.
- 4.1.4 The Purchasing Agent may only engage in Solicitations pursuant to clause 4.1.2, or refrain from undertaking a Solicitation pursuant to clause 4.1.3, with the approval of the City Librarian or the Library Treasurer and, in the case of situations arising under sub-clause 4.1.2.3, the Purchasing Agent shall provide written justification for the Single Sourcing in a form acceptable to the City Librarian or the Library Treasurer, as the case may be.
- 4.1.5 The Purchasing Agent shall be authorized to cancel any Call or Request when:
- 4.1.5.1 Bids or Proposals received are greater than approved funding; or
- 4.1.5.2 in the opinion of the Purchasing Agent and/or the Director who initiated the Call or Request:
- 4.1.5.2.1 a documented significant change in the scope of work or specifications requires that a new Call or Request be issued;
- 4.1.5.2.2 the Goods or Services that are the subject of the Call or Request no longer meet the Library's operational needs; or
- 4.1.5.2.3 proceeding with the Call or Request would not be in the best interests of the Board and the Library.
- 4.1.6 Bids and Proposals received by the Purchasing Agent in the location specified in the Call or Request before the time stipulated therein for the receipt, shall be opened by the Purchasing Agent at the time and location specified in the Call or Request, and the names of the Bidders and Proponents shall be read out. All Bidders and Proponents and other interested members of the public shall be entitled to be present when the information is read out. The prices bid on Calls only, where considered appropriate in the discretion of the Purchasing Agent, shall also be read out. The prices bid on Requests shall not be read out.
- 4.2 Directors
- 4.2.1 Despite sub-clause 4.1.1.2, a Director may engage in Solicitations directly rather than through the Purchasing Agent for purchases within the Departmental Purchase Limit provided that the method and form of solicitation is approved by the Purchasing Agent.

- 4.2.2 The City Librarian may determine the Departmental Purchase Limit from time to time provided that the amount of such limit does not exceed the amount of \$10,000 in any instance, inclusive of all taxes and related charges.
- 4.3 Co-operative Purchasing
 - 4.3.1 The Purchasing Agent may participate in Co-operative Purchasing with other public agencies.
 - 4.3.2 Participation in Co-operative Purchasing shall be in compliance with the provisions of this policy to the extent that purchasing results in a Commitment on behalf of the Board.
- 4.4 Purchasing of Library Materials
 - 4.4.1 Despite sub-article 4.1, the Acquisitions Manager, in consultation with the Purchasing Agent, shall be responsible for the procurement of all Library Materials required by the Library and shall determine the appropriate method by which Library Materials shall be obtained for the Library to best meet the Library's needs.
 - 4.4.2 The Acquisitions Manager, in consultation with the Purchasing Agent, shall be responsible for undertaking regular evaluation of vendors of Library Materials to ensure the Library is obtaining competitive pricing for Library Materials.
- 5 Access to Bids
 - 5.1 Access to Bids
 - 5.1.1 The contents of any Bid shall be made available to the public, on request, except to the extent such information may not be disclosed under the provisions of the Municipal Freedom of Information and Protection of Privacy Act.
- 6 Awards and Commitments
 - 6.1 Approval
 - 6.1.1 No Award or Commitment shall be made, no debt shall be incurred, no expenditure shall be made and no Account shall be paid by or on behalf of the Board except with Board approval or in accordance with the provisions of this policy and any applicable legal requirements.
 - 6.2 Award and Commitment Authorities
 - 6.2.1 The following persons have the authority identified below, provided the conditions set out in clause 6.2.4 have been met:

- 6.2.1.1 The City Librarian may make an Award for an amount not exceeding \$500,000 in any one instance, inclusive of all taxes and related charges;
- 6.2.1.2 The Library Treasurer may make an Award for:
 - 6.2.1.2.1 an amount not exceeding \$250,000 in any one instance, inclusive of all taxes and related charges; and
 - 6.2.1.2.2 the acquisition of Library Materials for an amount not exceeding \$500,000 in any one instance, inclusive of all taxes and related charges;
- 6.2.1.3 A Director may make an Award for an amount not exceeding \$100,000 in any one instance, inclusive of all taxes and related charges; and
- 6.2.1.4 The Acquisitions Manager may make an Award for the acquisition of Library Materials for an amount not exceeding \$250,000 in any one instance, inclusive of all taxes and related charges.
- 6.2.2 Those persons authorized to make Awards under clause 6.2.1 are also authorized to enter into Commitments arising from such Awards.
- 6.2.3 In cases where the Board has made the Award, the City Librarian or the Library Treasurer are authorized to enter into the Commitment arising from the Award, subject to such terms and conditions imposed by the Board when making the Award.
- 6.2.4 An Award and Commitment may be made under clauses 6.2.1 and 6.2.2, provided:
 - 6.2.4.1 any applicable purchasing policies and procedure approved by the Board or the City Librarian have been followed; and
 - 6.2.4.2 subject to the authority to transfer set out in clauses 3.3.4, funds for the purpose of the Award and Commitment are available in the interim operating Budget or the operating Budget in the year in which the Award and Commitment are being made, or from another source and the amount payable under the Commitment in the year in which the Award and Commitment are made does not exceed the amount of such funds or the funds available from another source; or
 - 6.2.4.3 subject to the authority to transfer set out in clauses 3.4.3 and 3.4.7, the Capital Project and its funding have been approved and the amount payable under the Commitment in the year in which the Award and Commitment are made does not exceed the amount of approved funding in the year or the funds available from another source.
- 6.2.5 The City Librarian may authorize additional cumulative expenditures on a Commitment authorized in accordance with this policy of up to 10 per cent of the original Commitment, subject to the limits set in the sub-clause 6.2.1.1 provided that, in the year in which the additional expenditures is being made:

- 6.2.5.1 funds are available in the interim operating Budget or the operating Budget for that purpose; or
- 6.2.5.2 the Capital Project and its funding have been approved; and
- 6.2.5.3 sufficient funds remain in the Capital Account.
- 6.2.6 All Commitments shall be in a form specified in Article 7 of this policy.
- 6.3 Emergencies
 - 6.3.1 Where, in the opinion of the City Librarian, an emergency exists, the City Librarian may take such steps as he or she, acting reasonably, considers necessary to deal with the emergency, without the necessity for compliance with the requirements of this policy and despite the fact that any expenditure in relation to the emergency may result in an Award or Commitment exceeding his or her authority under this policy.
 - 6.3.2 If the City Librarian exercises his or her authority under clause 6.3.1, he or she shall report such actions to the Board at the next regularly scheduled Board meeting.
- 6.4 Advance Payments
 - 6.4.1 Prior to making an Award or Commitment, the person making the Award or Commitment shall request the Library Treasurer to certify an Account is payable prior to Goods, Services or Library Materials being supplied or rendered and the Library Treasurer may so certify if, in his or her opinion, such payment will ensure the Goods, Services or Library Materials are obtained at the best possible price without placing the Library at undue risk.
- 6.5 Petty Cash
 - 6.5.1 The Library Treasurer may establish petty cash funds for a Department in an amount he or she considers appropriate having regard to the operational requirements of the Library and the Department.
 - 6.5.2 Managers of Departments are authorized to dispense money from the petty cash fund for their respective Departments upon delivery of receipts and/or such other documentation as may be directed by the Library Treasurer.
 - 6.5.3 The Library Treasurer is authorized to reimburse a petty cash fund upon delivery of original receipts and/or such other documentation as specified in clause 6.5.2 and as the Library Treasurer may require from time to time.
 - 6.5.4 Petty cash payments for any individual purchase shall not exceed \$200.
- 6.6 City Librarian – Extended Authority

- 6.6.1 If Board meetings are cancelled, the Board's normal meeting schedule interrupted because of a labour disruption, or, during the months of July or August, no Board meetings are scheduled or held, the City Librarian is authorized to exercise the power of the Board to make an Award to the lowest Bidder whose Bid meets the specifications and requirements set out in the Call, provided there is no written objection to the merits of the Award to the City Librarian or the Purchasing Agent before the Award is made.
- 6.6.2 If the City Librarian makes an Award under clause 6.6.1, the Award shall be reported to the Board at the next regularly scheduled Board meeting.
- 7 Forms of Commitment
- 7.1 Purchase Order
- 7.1.1 Subject to sub-article 7.2, Goods or Services shall be purchased by the issuance of a purchase order.
- 7.1.2 A purchase order shall be in such form as the Purchasing Agent may prescribe from time to time, in consultation with the City Solicitor.
- 7.2 Other Agreements
- 7.2.1 In addition to the forms of Commitment otherwise specified in this Part, a Commitment may be made by means of an agreement in a form approved by the Purchasing Agent in consultation with the City Solicitor when the Purchasing Agent considers it necessary.
- 7.2.2 When in the opinion of the person making the Commitment or the Purchasing Agent the forms of Commitment otherwise identified in this Part are inadequate to address the situation, the Commitment shall be in a form approved by the Purchasing Agent in consultation with the City Solicitor.
- 7.3 Execution
- 7.3.1 Where a Commitment is made in accordance with this policy, those authorized to make the Commitment are authorized to execute any necessary agreements or other relevant documents and to take the necessary action to give effect thereto.
- 8 Authority to Pay Accounts
- 8.1 Authority to Pay Accounts
- 8.1.1 Despite any other provision in this policy, the Library Treasurer is authorized to pay the following Accounts provided that funds are available in the interim Budget, the operating Budget or the capital Budget for that purpose or, if funds are not so

available, an expenditure of additional funds identified in Article 9 has been approved in accordance with the requirements of that section:

- 8.1.1.1 all salaries, wages and benefits due to, or paid on account of, any person employed by the Board;
- 8.1.1.2 all retiring allowances and mandatory sick pay grants due to any person previously employed by the Board;
- 8.1.1.3 all accounts for telephones, postage and utilities supplied to the Library;
- 8.1.1.4 all accounts for fees and levies payable to federal, provincial or municipal governments, or to any agency, board or commission thereof; and
- 8.1.1.5 all accounts relating to employee pension deductions and employer pension contributions in respect of the salaries and wages of those persons who are paid by or employed by the Board, and which are payable in respect of any duly authorized registered pension plan on behalf of the respective employee.

9 Additional Funds

9.1 Additional Funds

9.1.1 Application for additional funds from the City may only be made for:

- 9.1.1.1 one-time non-recurring costs that were not identified at the time the Budget was approved; or
- 9.1.1.2 unforeseen expenditures resulting from economic, climatic, in-year legislative changes from senior levels of government or legal settlements.

9.1.2 Board approval must be obtained to apply to the City Treasurer for additional funds from the City.

10 Payments

10.1 Certification

10.1.1 Prior to an Account being paid, the person who made the Award or is authorized to execute the Commitment must sign the receipt, invoice or other similar document submitted in respect to the Account and identify the account codes to be charged.

10.1.2 By signing the receipt, invoice or other document, the signatory is confirming that:

- 10.1.2.1 there is authority to make the expenditure;

- 10.1.2.2 subject to sub-article 6.4, the Goods and Services have been supplied or rendered and are satisfactory; and
- 10.1.2.3 the amount of the requested payment is correct and the payment is due.
- 10.1.3 Where Goods or Services are supplied under the supervision or direction of a person retained by or on behalf of the Board, the appropriate person identified in clause 10.1.1 shall obtain a certificate from such person attesting to the supply or rendering of the Goods or Services, in a format acceptable to the Library Treasurer, prior to requisitioning payment for the Account under this sub-article.
- 11 Custody of Documents
 - 11.1 Custody of Documents
 - 11.1.1 Duly executed copies of all agreements, including all bonds, letters of credit and other security for the due performance of the agreements, all insurance and certificates of insurance, and all other documents executed on behalf of the Board shall be deposited and maintained as directed by the City Librarian.
- 12 Write-offs
 - 12.1 Write-offs
 - 12.1.1 The Library Treasurer is authorized to write-off outstanding amounts of \$10,000 or less owing to the Board or the Library as uncollectible provided that reasonable efforts have been made to collect the outstanding amount.
- 13 Administration
 - 13.1 Forms
 - 13.1.1 The Library Treasurer shall approve all necessary forms and other documentation for recording and substantiating the Accounts of the Board.
 - 13.2 Controls
 - 13.2.1 The Library Treasurer shall undertake tests and inquiries as are appropriate to ensure that the Library maintains satisfactory internal control practices, and that all officials and employees duly carry out the terms of this policy, and shall carry out such tests and inquiries as are requested by the Board.
 - 13.3 Schedule of Delegations
 - 13.3.1 Subject to clause 13.3.2, any individual who is authorized to exercise authority under this policy, other than a Designate, may delegate to one or more Library employees the right to exercise such authority on an ongoing basis.

13.3.2 The authority under this policy to make an Award pursuant to sub-article 6.2, and to transfer, re-allocate, and approve expenditures from, the operating or capital Budget pursuant to clauses 3.3.4, 3.4.3 and 3.4.7, may not be delegated.

13.3.3 Any individual who is authorized to exercise authority under this policy, other than a Designate, may from time to time, in writing, designate a Library employee to exercise the authority in the individual's absence or inability to exercise such authority.

13.3.4 The City Librarian shall formulate and maintain a current schedule specifying any delegation of authority under clause 13.3.1 including, but not limited to, Commitment, certification and payment authorities.

14 Miscellaneous

14.1 Repeal:

14.1.1 This policy replaces the Purchasing Policy, Motion #00-144, dated October 2, 2000 and the Interim Financial Control Policy, Motion #98-88, dated May 25, 1998, with the exception of Section 10, Sale or Disposal of Surplus Goods and Equipment, and Section 13, Sale or Disposal of Surplus Library Materials, of the Purchasing Policy.

14.1.2 Despite clause 14.1.1, the provisions of the above Policies shall continue to apply to Calls, Requests, Awards, Commitments and payments made prior to the date of enactment of this policy.

14.2 Effective Date

14.2.1 This policy is effective from the date of its adoption by the Board.