
HALDIMAND COUNTY

Report CAO-03-2020 Delegated Authority – Declared Emergencies For Consideration by Committee of the Whole on April 21, 2020



OBJECTIVE:

To delegate authority to execute required contracts, agreements and award bids for tenders or requests for proposals during a declared emergency.

RECOMMENDATIONS:

1. THAT Report CAO-03-2020 Delegated Authority – Declared Emergencies be received;
2. AND THAT further to Procurement Policy 2013-02, authority be delegated to the Chief Administrative Officer (CAO) or designate during a declared emergency, to award any bids for goods, services and construction to an unlimited dollar value, and to reallocate approved budget funds as necessary to effect such purchases, until such time as the emergency is concluded, or the authority is rescinded;
3. AND THAT the authorities outlined in Attachment #1 to Report CAO-03-2020 be delegated to the Chief Administrative Officer or designate, and shall be in effect during a declared emergency or until such time as the emergency is concluded or the authority is rescinded;
4. AND THAT a by-law be presented for enactment, effecting the delegation of authority as outlined in Report CAO-03-2020;
5. AND THAT staff provide a verbal update on matters wherein the authorities granted in Report CAO-03-2020 were exercised.

Respectfully submitted: Craig Manley, MCIP, RPP, Chief Administrative Officer

EXECUTIVE SUMMARY:

By delegating additional authority to the Chief Administrative Officer or designate for a declared emergency, County business can continue without delay. A number of the requested authorities are similar to those already provided during the Council Summer Recess timeframe. Other requests are to ensure business continuity and flexibility to be able to respond to the quickly changing circumstances associated with the current COVID-19 pandemic. Council will be apprised of any circumstances wherein it was essential for the delegation to be exercised.

BACKGROUND:

Section 270 of the Municipal Act, 2001, as amended, provides that Council shall adopt a policy to delegate authority. Council accomplished this by adopting Haldimand County Policy 2007-06 – Delegation of Powers and Duties on December 17, 2007.

Authority has been delegated to the Chief Administrative Officer or designate for the execution of contracts, agreements and awarding of tenders or proposals under the Procurement Policy during the Council Recess timeframe annually. Staff verbally apprise Council in Committee at the first meeting

immediately following the Council summer recess, of any situations wherein it was necessary to exercise this authority.

Additionally, the Chief Administrative Officer also has delegated authorities through the CAO appointment By-law #52-2000 and for emergency purchases under Haldimand County Policy 2013-02 (Procurement Policy).

In response to the COVID-19 pandemic the Province of Ontario declared an emergency on March 17, 2020 and subsequently Haldimand County declared a local emergency on March 24, 2020.

ANALYSIS:

The COVID-19 Pandemic Emergency has disrupted normal business operations on an unprecedented level. Current information suggests that social distancing and other measures such as facility closures to prevent gatherings will continue for several more weeks/months. Due to the pandemic, the March 31st Council in Committee meeting and the April 6th Council meeting were cancelled, and although the intent is to begin a more normalized meeting schedule utilizing electronic participation by Council Members, the pace and change associated with the COVID-19 emergency requires flexibility to be able to:

- Address the fiscal challenges being faced to respond to the crisis and from the economic impacts stemming from it;
- Address the need to provide adequate human resources to respond to changing needs/priorities;
- Respond to opportunities that may be beneficial to the municipality as senior levels of government develop their responses to the emergency;
- Ensure business continuity in terms of the delivery of municipal services and the capital program.

Furthermore, while virtual Council Meetings will be implemented, given that the County has scaled back its services in response to extended closures and the suspension of non-essential services by the Province, the number of staff reports generated and thus frequency of Council meetings during the emergency will be reduced. Additionally the effectiveness of virtual meetings remains to be seen particularly in terms of facilitating discussion on complex matters.

As a result staff are asking that Council approve the delegation to the CAO of the procurement responsibilities normally authorized during summer recess as well as the other responsibilities outlined in Attachment #1 for the duration of the declared emergency. It is intended that the CAO will periodically update Council during the emergency on the use of any of these authorities and will provide a report on all utilization of delegated authority at the conclusion of the emergency.

FINANCIAL/LEGAL IMPLICATIONS:

N/A

STAKEHOLDER IMPACTS:

Delegation of authority to staff during the declared emergency will assist from an operational perspective to achieve project timelines and schedules for all affected departments as well as managing the County response to the COVID-19 pandemic emergency.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Additional Delegated Authorities to CAO During Declared Emergency