municipality of cumberland

Municipality of the County of Cumberland SOP 16-02
Disposal of Surplus Municipal Assets

General

1. The Municipality may, from time to time, find that it has surplus assets.

2. The Municipal Government Act provides authority to the Chief Administrative Officer to sell surplus assets and to delegate this authority to employees of the Municipality. The responsibility for the sale and/or disposal of surplus assets is hereby delegated to the Safety Officer /Engineering Technologist Position, who shall administer this Procedure under the authority of the Director of the Municipal Department from which the asset is being disposed.

Purpose

3. The purpose of this Operating Procedure is to define a fair, equitable, and transparent process to identify and dispose of surplus assets.

Definition

4. In this procedure:

    a. "CAO" means the Chief Administrative Officer of the Municipality.
    b. "local" means within Cumberland County.
    c. "Municipality" means the Municipality of the County of Cumberland.
    d. "spouse has the same means as in the Municipal conflict of Interest Act.
    e. "surplus assets" and "surplus Municipal assets" mean vehicles, furniture, tools, equipment, supplies, and materials that are obsolete, unsuitable for use, surplus to the requirements of, or no longer needed by the Municipality, but still have reasonable value. The terms do not include real estate or items being disposed of as solid waste.

Procedures

5. The Municipality will not sell or give surplus Municipal assets to employees or Councillors of the Municipality, or their spouses.

6. The Director of each Municipal Department, or the CAO, shall submit, on the attached form, details regarding identified surplus assets. If the assets are not suitable for donation or public sale for reasons such as security or public health, those reasons shall be indicated on the form, along with the recommended method of disposal.

7. Surplus assets may be given to a charitable or nonprofit organization operating in the Municipality, instead of being sold of otherwise disposed of

8. Before any surplus asset, other than a vehicle, is offered to the public, a notice shall be placed on the Municipality's web page for at least 30 days, to advise local charitable and non-profit organizations of the opportunity to acquire this asset at no cost.

9. Surplus Municipal assets suitable for public sale will be offered for sale in either a public sealed tender process or a public auction. In either case the assets will be sold to the highest bidder.

10. The extent and method of advertising will be done in a cost effective manner to ensure that such advertising costs do not exceed the anticipated sale proceeds, and may be limited to the Municipality's website.

11. Sealed tenders must be submitted on the prescribed bid form. Successful tenderers must pay in full by cash or certified cheque within seven days of notification of award. In the event that the highest tenderer fails to pay within the seven days, the next highest bid will be accepted. In the event a tenderer submits more than one bid, only the highest will be considered.

12. Surplus assets that are not donated to a charitable or nonprofit organization and fail to sell in the public tender or auction process may be disposed of at an appropriate solid waste management facility, at the discretion of the Safety Officer/Engineering Technician or a Director.

13. Surplus assets that are not suitable for public sale, but that have recoverable value, will be sold to an arm's length purchaser at the discretion of a Director or the Safety Officer/Engineering Technician.

Annotation of Official Procedure

Date of implementation of procedure: August 17, 2016

I certify that this SOP is an official procedure of the Municipality of Cumberland.

Rennie Bagley, CAO

August 17, 2016
Date