

Tendering Policy  
Disposal of Surplus Goods  
Administration #005-93

As all capital assets are the property of all citizens of the incorporated municipality of Haines Junction it is the philosophy of Council that all items be disposed of in a manner whereby every citizen has the opportunity to purchase those items deemed surplus goods by Council Resolution.

The municipality may, from time to time, conduct a review of its assets and goods and develop an itemized list of goods or assets which may be brought forward to Council to be declared surplus.

Procedure pursuant to a motion made and passed by Council to dispose of surplus goods owned by the municipality the following procedure shall apply.

Declaration of Surplus Goods

The Chief Administrative Officer shall create or cause to be created, a list of all municipal asset(s) scheduled for disposal for review by Council. Council shall then, by way of a motion, decide by majority vote if the asset(s) will be declared surplus. Should Council make or approve such declaration, the Chief Administrative Officer will then be authorized to take steps to dispose the assets in accordance with this policy.

Advertising Tender or Auction

1. All items offered for sale shall be advertised by Public Tender or Auction, which shall include:
  - a. Posting the prescribed notices at 3 conspicuous locations within the Municipality, and/or
  - b. As necessary, any other method Council deems expedient.

Posting Invitation to Tender or Auction

2. Notices shall be publicly posted and/or received by the post office a minimum of ten working days before the closing date of tender.

Writing Invitation to Tender

3. Notices shall as applicable:
  - a. Contain a clear description of the item(s) offered for sale, including where and when the item(s) can be viewed during the period prior to closing;
  - b. Contain the statement that 'the highest or any bid may not necessarily be accepted';
  - c. Stipulate that payment shall be made by cash, certified cheque, money order, debit, or credit within two weeks of notification of acceptance;
  - d. Stipulate the closing date;
  - e. Stipulate that no tenders shall be accepted when received later than 4:30pm on the date specified as the closing date;
  - f. State the date and location that the bids shall be opened;

- g. State that all tender bids must be placed in a sealed envelope plainly marked as specified;
- h. State length of time for removal after acceptance and payment as in (c) above;
- i. State whether site restoration deposit, insurance or any other qualification is necessary;  
and
- j. Contains the "reserve" or minimum bids for items, if applicable.

#### Receipt of Tenders by Municipal Office

4. No tender bid shall be accepted by the municipal office unless received in a sealed envelope.
5. No tender bid shall be accepted outside of the municipal office at any time by any employee or Councillor of the Village of Haines Junction.
6. The date and time the sealed tender envelope is received by the municipal office shall be placed on the outside of the sealed envelope and shall be signed by the person receiving.
7. Tender envelopes shall remain sealed until opened.

#### Opening of Tenders

8. Tenders shall be included as an agenda item at the next scheduled or special meeting of Council after the closing date.
9. The Clerk of the Municipality of Haines Junction shall open the tender documents in the presence of the Chief Administrative Officer, municipal employee or Councillor and both shall initial each tender document.
10. The opening of the tender document shall be recorded on a comparison form and shall be recorded in the minute of the meeting of Council.
11. The opened tenders shall be placed in a file specifically for that purpose and filed by the Clerk in the appropriate manner.

#### Municipal Auctions

The Chief Administrated Officer, designated employee, or agent of the municipality as appointed by the Chief Administrative Officer, may accept a bid price not lower than the "reserve" or minimum bid on behalf of the municipality.

Where deemed appropriate by the Chief Administrative Officer and where approved through a Resolution of Council, the municipality may host an Auction for the purpose of selling surplus goods and assets. All auction items are sold "AS IS WHERE IS" meaning it is the bidder's sole responsibility to satisfy themselves as to the condition and specifications of the goods being offered for sale before placing a bid. Additionally, all sales once closed are deemed final and the municipality, nor its employees, representatives or agents shall be held liable in any way for the refund of any item purchased. By placing a bid and otherwise participating in the auction, the bidder certifies:

- a) That they are of the legal age of majority to enter into a binding sales contract with the municipality;

- b) That they are immediately financially capable of settling the bid price that they have made for the item;
- c) That they are aware that bids are non-retractable; and
- d) Should they be the winner of that item, they are solely responsible for picking up the item during regular business hours of the municipality within one (1) week of the municipality receiving payment for the item

Reserve Bids

A minimum or "reserve" bid may be applied to any item approved for sale through a tender or an auction. If the "reserve" or minimum bid is not met during the tendering or auction process, the Municipality reserves the right to:

- a) Amend the "reserve" or minimum bid lower so as to meet the highest bid received in order to sell the item; or,
- b) Withdraw the offer to sell the item

Withdrawal of Item

At any time prior to the close of the sale and without prior notice, the Municipality acting through the Chief Administrative Officer, a designated employee, or agent, reserves the right to suspend and or cancel the offer to sell any item designated as surplus goods or assets.

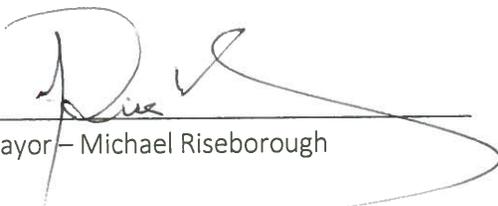
Awarding of Tender

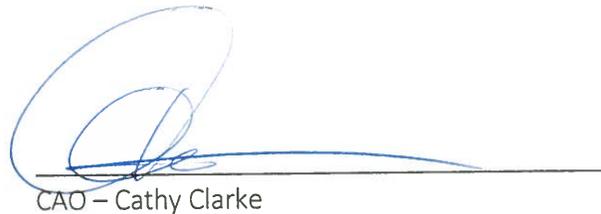
- 12. The tender shall be accepted at the discretion of Council with written notification to the successful bidder within 5 working days.

All previous policies pertaining to Disposal of Surplus Goods are rescinded.  
This policy comes into affect upon resolution of Council.

Resolution # 194-18

Date of Enforcement: August 8, 2018

  
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Mayor – Michael Riseborough

  
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CAO – Cathy Clarke