

TORONTO TRANSIT COMMISSION REPORT NO.

MEETING DATE: July 9, 2009

SUBJECT: CORPORATE POLICY UPDATE – TTC CORPORATE POLICY
REVIEW – AUTHORIZATION FOR SALES 5.2.3

ACTION ITEM

RECOMMENDATION

It is recommended that the Commission approve the following Corporate Policy, as recommended, which is attached hereto as Appendix 'A':

- Policy 5.2.4 Authorization for Sales

BACKGROUND

At its meeting on July 14, 2004 the Commission approved a motion to undertake a review of the TTC's Corporate Policy Manual.

DISCUSSION

The above process was commenced at the Commission meeting of February 9, 2005. The Authorization for Sales Policy is submitted for Commission approval with suggested changes (see Appendix 'B').

June 4, 2009
9-118-80

Attachments - Appendix 'A' & 'B'

Toronto Transit Commission

POLICY/INSTRUCTION

APPENDIX 'A'

SUBJECT	CLASSIFICATION	DATE APPROVED	P/I NUMBER
Authorization for Sales	Materials and Procurement		5.2.4

1.0 RESPONSIBILITY

Manager - Materials and Procurement - (M&P)

2.0 PURPOSE

To set out the requirements of the process to be followed to declare TTC assets surplus, to determine the appropriate method to dispose of Surplus Assets, and to obtain competitive bids, where possible, for the sale or disposal of Surplus Assets. The TTC solicits competitive submissions from interested parties and accepts the compliant submission that represents the best interest of the TTC. In addition, it sets out the process for the Donation of Surplus Assets and Accommodation Sales.

Employees or pensioners are not eligible to purchase TTC surplus goods either directly or indirectly.

This policy does not apply to transactions for real estate or disposal of Hazardous Materials, unless such materials are considered a Surplus Asset.

3.0 DEFINITIONS

The following definitions apply within the context of surplus sales.

Surplus Asset: is any non real estate asset that is no longer required as the TTC is finished with its use; or the asset has ended its intended useful life; or the asset is considered no longer fit for purpose. The value of an asset is required to be estimated by the department that is declaring the asset surplus.

All Surplus Assets are sold or donated on an "as is, where is" basis and imply no warranties of any kind whatsoever by the Commission.

3.1 Formal Sale

This process is used when the estimated value of a Surplus Asset is greater than \$60,000. Bidders are solicited through public advertisement on the TTC web site and/or a daily press or trade publications, as well as by invitation. Sealed bids are received and opened by the General Secretary's Office in accordance with the Procurement Policy; Disclosure of Tender / Proposal information.

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3.2 Informal Sale

This process is used when the estimated value of a Surplus Asset is less than \$60,000. A minimum of three potential bidders, if available, are selected from the Bidders List or the sale may be posted on the TTC website if appropriate and bidders are invited to submit an informal bid directly to M&P. Bids in the form of a letter, facsimile, or electronically are acceptable.

3.3 Auction Sales

The Manager - M&P may approve the sale of Surplus Assets by public auction, in lieu of the Informal or Formal Sales process. This process is used in circumstances where it is expected that a greater return on investment may be realized through a public auction.

The services of a public auction company would be retained as part of a bid process in accordance with the Procurement Policy.

3.4 Accommodation Sale

The Manager - M&P may authorize the sale of goods (e.g. inventory) to other organizations, (i.e. primarily transit properties), as an accommodation in the interest of fostering good business relations, usually under emergency circumstances, if it is in the best interest of the TTC. All inventory requirements are considered before agreeing to an Accommodation Sale. These goods will be sold at replacement cost, plus the percentage for handling and overhead that is determined by the Chief Financial Officer. The Manager – M&P may delegate authorization to approve an Accommodation Sale up to \$25,000.

3.5 Donations

The TTC may at its sole discretion make donations of Surplus Assets, if available, to various organizations that are determined to be not for profit, when it is determined that it is not in the best interest of the TTC to proceed with a sale of a Surplus Asset, or if a request for donation of a Surplus Asset from such an organization is justified. Upon receipt of a request for a donation from an appropriate not for profit organization, the Manager - M&P, will request authorization from the Chief General Manager to donate goods, where the estimated value exceeds \$60,000. The Manager – M&P may authorize a Donation where the estimated value of the Surplus Assets is \$60,000 or less. M&P will determine the availability of suitable Surplus Assets for Donations. The Surplus Assets Administrator will obtain the appropriate approval and co-

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ordinate the removal of the donated goods with the recipient.

3.6 Hazardous Materials

Any hazardous material, including WHMIS controlled products are not disposed of under this policy under normal circumstances.

However, where a material that may be hazardous is considered a Surplus Asset as it may be a source of revenue (e.g. used engine oil), or if the hazardous material makes up only a very small part of the Surplus Asset then this policy may apply to the disposal of such a Surplus Asset.

If in processing the sale/disposal of a Surplus Asset, it is determined the Surplus Asset or a part thereof is considered hazardous, the Surplus Assets Administrator will co-ordinate the disposal in conjunction with the Safety Department and will use a qualified supplier, under a contract approved by Safety Department, to remove and properly dispose of such Surplus Asset.

3.7 Scrap Metal

Scrap Metals consist of various ferrous metals and non ferrous metals that include steel, copper, aluminium, brass, stainless steel, etc. Scrap Metal is a general classification of a Surplus Asset that is normally generated as a result of maintenance activities such as; replacing overhead wire, steel bus wheels, subway rail, etc. This material is normally collected in large bins and sold as part of annual contracts awarded in accordance with the Procurement Policy.

4.0 AUTHORIZATION FOR DECLARING GOODS SURPLUS

If material / equipment has reached the end of its useful life; or is no longer fit for the intended purpose, the Department Head responsible for the material / equipment, may declare such material and equipment as surplus. All Revenue and Non revenue vehicles may be declared as a Surplus Asset by the Department Head of the area responsible for fleet management, if they are covered as part of a fleet plan as approved by the Commission.

If material/equipment other than that not noted above is being declared a Surplus Asset prior to the end of its useful life and it is still fit for purpose, then the following approvals shall apply:

* Authorization to Declare Goods as

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	<u>a Surplus Asset</u>	
Commission	over	\$1,000,000
Chief General Manager	up to	\$1,000,000
General Managers	up to	\$500,000
Deputy General Managers	up to	\$250,000
Department Heads **	up to	\$100,000

* All values are based on estimated prevailing market value

** Department Heads may delegate authorization to declare goods as a Surplus Asset to a direct report up to \$25,000.

5.0 AUTHORIZATION FOR THE SALE OF SURPLUS ASSETS

The following approvals are required to award a contract to a company for the sale of a Surplus Asset:

	<u>*Authorization to Sell a Surplus Asset</u>	
Commission	over	\$5,000,000
Chief General Manager	up to	\$5,000,000
General Manager - Executive	up to	\$1,000,000
Manager - Materials and Procurement	up to	\$ 500,000
Chief Inventory Planning	up to	\$ 60,000

6.0 PROCEDURE

6.1 The originating department identifies surplus goods to M&P and provides an estimated market value for the goods. M&P will verify market value using various methods. The originating department provides M&P with a Declaration for Surplus Form. This form is to be used to declare all goods as Surplus Assets with the exception of Scrap Metal or any inventoried material, which do not require a Declaration for Surplus Form.

6.2 M&P initiates an investigation to determine if the Surplus Asset can be utilized elsewhere in the TTC or by the City of Toronto, if appropriate.

6.3 Informal Sales (under \$60,000) are handled by the Surplus Assets

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Administrator, who may e-mail or fax the list of Surplus Assets to a minimum of 3 known companies, if available or list such assets on the TTC Website, if appropriate. The Surplus Assets Administrator will receive and evaluate the submissions, obtain written approval from the Chief - Inventory Planning then notify the successful bidder by letter, fax or email.

- 6.4 Formal sales (more than \$60,000) are sent by the Surplus Assets Administrator to the Purchasing and Sales (P&S) section of Materials and Procurement. P&S will advertise the Surplus Asset on the TTC Website. The General Secretary's Office receives, opens and forwards the bids to P&S and posts results on the TTC's Website. P&S completes a commercial analysis and forwards to the Chief - Inventory Planning. The Surplus Assets Administrator circulates the commercial analysis for appropriate approvals. Once all approvals are obtained, P&S will notify the successful bidder by letter, fax or email.
- 6.5 M&P arranges authorization of credit approval as specified in the RFP, through Finance, if required for a Formal or Informal Sale. In most cases, credit is in the form of a letter of credit.
- 6.6 M&P controls the release of surplus assets leaving the Commission's property and issues the Sales Delivery Slip (SDS) that records the transfer of the title of the Surplus Asset to the successful bidder. SDS is required to be completed with vehicle numbers along with supporting spreadsheet showing serial numbers and the spreadsheet forwarded to Finance to ensure appropriate disposition of assets on the books.
- 6.7 M&P are responsible for receiving proceeds from any sale (i.e. certified cheques or cheques for sales below \$250, cash is not acceptable), and issuing a receipt. The collected proceeds are forwarded to Finance by the next business day or as soon as possible thereafter.
- 6.8 Finance receives proceeds directly from successful bidders where credit has been authorized and from Accommodation Sales to other transit properties. In some cases, proceeds from the sale of a Surplus Asset are credited back to the originating department of the asset, subject to agreement by Finance.
- 6.9 M&P issues a monthly report to the Chief Financial Officer detailing all sales of Surplus Assets and Donations and an annual report to the General Manager Executive.

7.0 REFERENCE SOURCES

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- Authorization for Sales/Declaration as Surplus Form (No. 803639)
- Procurement Policy

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Authorization for Sales	Materials and Procurement	Sept 24/03	5.2.34

1.0 RESPONSIBILITY

Manager - Materials and Procurement - (M&P)

2.0 PURPOSE

~~2.1 To obtain competitive quotations from interested sources for the sale of goods.~~

~~2.2 To process donation requests in the best interests of the TTC.~~

~~Note: Employees are not eligible to purchase surplus goods from the TTC or its agents.~~

~~This policy does not apply for transactions involving real estate property.~~

To set out the requirements of the process to be followed to declare TTC assets surplus, to determine the appropriate method to dispose of Surplus Assets, and to obtain competitive bids, where possible, for the sale or disposal of Surplus Assets. The TTC solicits competitive submissions from interested parties and accepts the compliant submission that represents the best interest of the TTC. In addition, it sets out the process for the Donation of Surplus Assets and Accommodation Sales.

Employees or pensioners are not eligible to purchase TTC surplus goods either directly or indirectly.

This policy does not apply to transactions for real estate or disposal of Hazardous Materials, unless such materials are considered a Surplus Asset.

3.0 DEFINITIONS

The following definitions apply within the context of surplus sales.

Surplus Asset: is any non real estate asset that is no longer required as the TTC is finished with its use; or the asset has ended its intended useful life; or the asset is considered no longer fit for purpose. The value of an asset is required to be estimated by the department that is declaring the asset surplus.

All Surplus Assets are sold or donated on a "as is, where is" basis and imply no warranties of any kind whatsoever by the Commission.

3.1 Formal Quotation Sale

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This process is used when the estimated value of a Surplus Asset is greater than \$60,000. Bidders are solicited through public advertisement on the TTC web site and/or a daily press or trade publications, as well as by invitation. Sealed quotations ~~bids~~ in excess of \$20,000 are received and opened by the General Secretary's Office *in accordance with the Procurement Policy; Disclosure of Tender / Proposal information.* ~~The Manager M&P can apply the formal quotation process in lieu of the informal quotation process in circumstances where a greater return on investment can be realized.~~

3.2 Informal Quotation Sale

This process is used when the estimated value of a Surplus Asset is less than \$60,000. A minimum of three potential bidders, if available, are selected from the Bidders List *or the sale may be posted on the TTC website if appropriate* and *bidders* are invited to submit an informal offer *bid directly* to M&P ~~for bids up to \$20,000.~~ Bids in the form of a letter, or facsimile, or *electronically* are acceptable.

3.3 Auction Sales

The Manager - M&P *may approve* ~~can apply~~ the sale of ~~surplus goods~~ *Assets* by public auction, *in lieu of the Informal or Formal Sales* process. This process ~~is would be~~ used in circumstances where *it is expected* that a greater return on investment ~~can~~ *may* be realized *through a public auction.*

The services of a public auction company would be retained as part of a bid process in accordance with the Procurement Policy.

3.4 Accommodation Sale

The Manager - M&P may authorize the sale of goods (e.g. inventory) ~~items~~ to other organizations, (*i.e.* primarily transit properties), as an accommodation in the interest of fostering good business relations, usually under emergency circumstances, *if it is in the best interest of the TTC.* All inventory requirements are considered before *agreeing to an Accommodation Sale.* ~~a sales decision is made.~~ These goods will be sold at replacement cost, plus the percentage for handling and overhead that is determined by the Chief Financial Officer. *The Manager – M&P may delegate authorization to approve an Accommodation Sale up to \$25,000.*

~~The Manager – M&P may also authorize the sale of goods in accordance with~~

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the ~~current~~ CORPORATE DELEGATION CHART if it is determined to be in the best interest of the Commission.

3.5 Donations

The TTC may at its sole discretion make donations of Surplus Assets, if available, to various organizations that are determined to be not for profit, when it is determined that it is not in the best interest of the TTC to proceed with a sale of a Surplus Asset goods, or if a request for donation of a Surplus Asset goods from such an organization is justified. Upon receipt of a request for a donation from an appropriate not for profit organization, the Manager - M&P, will request authorization from the Chief General Manager to donate goods, where the estimated value exceeds \$60,000. The Manager – M&P may authorize a Donation where the estimated value of the Surplus Assets is \$60,000 or less. M&P will determine the availability of suitable Surplus Assets for Donations.

The Surplus Assets Administrator will obtain the appropriate approval and co-ordinate the removal of the donated goods with the recipient.

3.6 Hazardous Materials

Any hazardous material, including WHMIS controlled products are not disposed of under this policy under normal circumstances.

However, where a material that may be hazardous is considered a Surplus Asset as it may be a source of revenue (e.g. used engine oil), or if the hazardous material makes up only a very small part of the Surplus Asset then this policy may apply to the disposal of such a Surplus Asset.

If in processing the sale/disposal of a Surplus Asset, it is determined the Surplus Asset or a part thereof is considered hazardous, the Surplus Assets Administrator will co-ordinate the disposal in conjunction with the Safety Department and will use a qualified supplier, under a contract approved by Safety Department, to remove and properly dispose of such Surplus Asset.

3.7 Scrap Metal

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Scrap Metals consist of various ferrous metals and non ferrous metals that include steel, copper, aluminium, brass, stainless steel, etc. Scrap Metal is a general classification of a Surplus Asset that is normally generated as a result of maintenance activities such as; replacing overhead wire, steel bus wheels, subway rail, etc. This material is normally collected in large bins and sold as part of annual contracts rewarded in accordance with the Procurement Policy.

4.0 CORPORATE DELEGATION CHART **AUTHORIZATION FOR DECLARING GOODS SURPLUS**

If material / equipment has reached the end of its useful life; or is no longer fit for the intended purpose, the Department Head responsible for the material / equipment, may declare such material and equipment as surplus. All Revenue and Non revenue vehicles may be declared as a Surplus Asset by the Department Head of the area responsible for fleet management, if they are covered as part of a fleet plan as approved by the Commission.

If material/equipment other than that not noted above is being declared a Surplus Asset prior to the end of its useful life and it is still fit for purpose, then the following approvals shall apply:

	* Authorization to Declare Goods as <u>a Surplus Asset or Accommodation Sale</u>
Commission	over \$100,000 – \$1,000,000
Chief General Manager	up to \$100,000 \$1,000,000
General Managers	up to \$75,000 \$500,000
Deputy General Managers	up to \$50,000 \$250,000
Department Heads **	up to \$25,000 \$100,000

* All values are based on estimated prevailing market value
~~All revenue vehicles are to be declared surplus by the Commission.~~

** **Department Heads may delegate authorization to declare goods as a Surplus Asset to a direct report up to \$25,000.**

5.0 AUTHORIZATION FOR THE SALE OF SURPLUS ASSETS

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The following approvals are required to award a contract to a company for the sale of a Surplus Asset:

	<i>*Authorization to Sell a Surplus Asset</i>	
<i>Commission</i>	<i>over</i>	<i>\$5,000,000</i>
<i>Chief General Manager</i>	<i>up to</i>	<i>\$5,000,000</i>
<i>General Manager - Executive</i>	<i>up to</i>	<i>\$1,000,000</i>
<i>Manager - Materials and Procurement</i>	<i>up to</i>	<i>\$ 500,000</i>
<i>Chief Inventory Planning</i>	<i>up to</i>	<i>\$ 60,000</i>

6.0 PROCEDURE

- 6.1 The user **originating** department identifies surplus goods, **to M&P** and **provides** requests an estimated market value for the goods from M&P. M&P **will** estimate or verify market value **using various methods**. The originating department provides M&P with an Authorization for Sales/Declaration as Surplus Form, **a Declaration for Surplus Form** authorized in accordance with the CORPORATE DELEGATION CHART. **This form is to be used to declare all goods as Surplus Assets with the exception of Scrap Metal or any inventoried material, which do not require a Declaration for Surplus Form.**
- 6.2 M&P initiates an investigation to determine if the s-Surplus goods **Asset** can be utilized elsewhere in the TTC or by the City of Toronto, **if appropriate**.
- 6.3 General Secretary's Office receives, opens, and forwards the formal quotations to M&P. Results are posted on the TTC's web site. All other informal quotations are received, opened and recorded by M&P. **Informal Sales (under \$60,000) are handled by the Surplus Assets Administrator, who may e-mail or fax the list of Surplus Assets to a minimum of 3 known companies, if available or list such assets on the TTC Website, if appropriate. The Surplus Assets Administrator will receive and evaluate the submissions, obtain written approval from the Chief - Inventory Planning then notify the successful bidder by letter, fax or email.**
- 6.4 M&P evaluate submissions and select the successful bidder. Informal quotations are awarded based on this evaluation. The award of formal quotations requires a commercial analysis authorized by the Manager M&P. A higher level of authorization may be obtained at the discretion of the Manager M&P. **Formal sales (more than \$60,000) are sent by the Surplus Assets Administrator to the Purchasing and Sales (P&S) section of Materials and**

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Procurement. P&S will advertise the Surplus Asset on the TTC Website. The General Secretary's Office receives, opens and forwards the bids to P&S and posts results on the TTC's Website. P&S completes a commercial analysis and forwards to the Chief - Inventory Planning. The Surplus Assets Administrator circulates the commercial analysis for appropriate approvals. Once all approvals are obtained, P&S will notify the successful bidder by letter, fax or email.

- ~~5.5~~ General Secretary's Office receives, opens, and forwards the formal quotations to M&P. Results are posted on the TTC's web site. All other informal quotations are received, opened and recorded by M&P.
- ~~6.6~~ M&P evaluate submissions and select the successful bidder. Informal quotations are awarded based on this evaluation by the Chief of Inventory Planning. The award of formal quotations requires a commercial analysis authorized by the Manager. M&P higher level of authorization may be obtained at the discretion of the Manager. M&P.
- 6.5 M&P arranges authorization of credit approval, as specified in the RFP, through Finance, if required for a ***Formal or Informal Sale***. ***In most cases, credit is in the form of a letter of credit.***
- 6.6 M&P ***controls the release of surplus assets leaving the Commission's property and*** issues the Sales Delivery Slip (***SDS***) that records the transfer of ***the title of the goods Surplus Asset*** to the successful bidder. ***SDS is required to be completed with vehicle numbers along with supporting spreadsheet showing serial numbers and the spreadsheet forwarded to Finance to ensure appropriate disposition of assets on the books.***
- 6.7 M&P are responsible for receiving proceeds from any sale auctions and successful bidders (cash/ i.e. certified cheques ***or cheques for sales below \$250, cash is not acceptable, sales only***), and issuing a receipt. The collected proceeds are forwarded to Finance by the next business day ***or as soon as possible thereafter.***
- 6.8 Finance receives proceeds directly from successful bidders where credit has been authorized and ***from Accommodation Sales*** to purchases by other transit properties. ***In some cases, proceeds from the sale of a Surplus Asset are credited back to the originating department of the asset, subject to agreement by Finance.***
- 6.9 M&P issues a monthly report to the Chief Financial Officer detailing all sales of

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Surplus Assets and Donations *and an annual report to the General Manager Executive.*

7.0 REFERENCE SOURCES

- Authorization for Sales/Declaration as Surplus Form (No. 803639)
- ~~Charitable Requests Policy~~
- ~~Toronto Transit Commission Procedural By-law No. 2~~
- ***Procurement Policy***

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