

04. PROCUREMENT POLICIES AND PROCEDURES

4.3. Surplus Property

BOS Approved - August 17, 2016

4.3.1. Purpose. This Surplus Policy shall determine the process for transfer, sale, destruction or disposal of all the County's tangible property.

4.3.2. Authorization. The Purchasing Agent is responsible for overseeing and implementing the County's Surplus Policy and is authorized to transfer, sell, trade, donate, or destroy the County's property and vehicles consistent with this Surplus Policy.

4.3.3. Definitions. Whether capitalized or not, within this Section 4.3, the following terms mean:

A. County. The County of Fluvanna, a political subdivision of the Commonwealth of Virginia, including all agencies, departments and constitutional offices of the County.

B. Department. Any department, agency or Constitutional office of the County reporting to the County Administrator.

C. Non-Profit. Any 501(c)(3) organization deemed to be serving a public purpose.

D. Property. All tangible property owned by the County except vehicles.

E. Purchasing Agent. The County Administrator is the County's Purchasing Agent and is responsible for the purchasing activity of Fluvanna County.

F. State Agency. Any agency or department of the Commonwealth of Virginia.

G. Surplus Property. Any tangible property that is no longer of use to the County because it is obsolete, uneconomical, uneconomical to repair, valued based only upon its contents, or for any other reason deemed appropriate by the Purchasing Agent.

H. Surplus Vehicle. Any vehicle that is no longer of use to the County because it is obsolete, uneconomical, uneconomical to repair, valued based only upon its contents, or for any other reason deemed appropriate by the Purchasing Agent.

I. Vehicles. All vehicles owned by the County.

4.3.4. Identification of Unused Property and Release of Property

A. All Department heads are responsible for identifying Property and Vehicles within their Department that are no longer used by or of use to such Department. The Department

Heads shall notify the Purchasing Agent in writing specifically identifying such unused Property or Vehicles from time to time, but at least semiannually.

B. Such written notice shall include all known pertinent information regarding the Property or Vehicle including, but not limited to, the following:

1. For Property:

- Type of Property;
- Year of purchase;
- Condition of Property;
- Manufacturer, if applicable; and
- Product identification, if applicable.

2. For Vehicles:

- year, make, and model of vehicle;
- VIN;
- general condition of interior and exterior;
- any known mechanical problems;
- any known major repairs;
- any known accident history;
- number of miles;
- number of doors; and
- other descriptors including, but not limited to, air conditioning, power steering, power brakes, power door locks, cruise control, etc.

C. All computer equipment being released must first be cleared by the IT administrator to ensure that the hard drive has been cleared of all privileged County information, software and documents.

4.3.5. Transfer of Property

A. Notice of Availability. Upon determination by the Purchasing Agent that Property or Vehicle(s) are unused and eligible for transfer, the Purchasing Agent shall notify the heads of Departments that such is available. If the Purchasing Agent deems the Property or Vehicle(s) unsafe or otherwise improper for use by the County, then the Purchasing Agent is authorized to proceed with the Property as Surplus Property, or in the case of a Vehicle, as a Surplus Vehicle under subsection 4.3.6 below.

B. Priority. Preference for transfer of Property or Vehicles shall generally be given to the Department with the most need for it or to the Department who responds first to the notice of availability, as determined by the Purchasing Agent in his sole discretion.

C. Notice of Determination. Upon receipt of requests by Departments to receive the Property or Vehicle(s), the Purchasing Agent shall make a determination as to the most effective

placement of the Property or Vehicle(s) and notify all requestors of the decision.

D. Transfer between County Departments. Should the Purchasing Agent choose to transfer property from one Department to another Department, the notification shall serve as final approval and the receiving Department shall contact the releasing agency for transfer of the Property or Vehicle(s), keys, etc.

4.3.6. Surplus Property and Surplus Vehicle(s)

A. Determination of Surplus Property

1. If the Purchasing Agent deems the Property or Vehicle(s) unsafe or otherwise improper for use by the County, then the Property is Surplus Property, or in the case of a Vehicle, is a Surplus Vehicle.

2. If no Department receives the Property or Vehicle(s) under Section 4.3.5 *supra*, i.e., the Purchasing Agent determines that no Department needs or is eligible to receive the Property or the Vehicle(s), then the Property is Surplus Property, or if a Vehicle, the Vehicle is a Surplus Vehicle.

B. Disposition of Surplus Property by Sale, Trade or Exchange. The Purchasing Agent has the authority to sell all Surplus Property and Surplus Vehicle(s) or to exchange the same for, or trade in the same for other Property or Vehicle(s). All sales of Surplus Property and Surplus Vehicle(s) shall be based on competitive principals and if feasible shall be sold on the basis of competitive bids to obtain the best price and insure that the County receives fair market value. The Purchasing Agent must require competitive sealed bids for any sale of Surplus Property or a Surplus Vehicle estimated to have a fair market value of more than \$50,000; and the Purchasing agent may require competitive sealed bids for any sale in his discretion.

C. Other Disposition of Surplus Property

1. When Applicable. The Purchasing Agent may use the other methods of disposition described herein only if the Purchasing Agent:

(a) Is unable to sell, trade or exchange the Surplus Property or Surplus Vehicle(s) as described in Section 4.3.6.B *supra*; or

(b) Has determined that the Surplus Property or Surplus Vehicle(s) have a nominal fair market value such that sale, trade or exchange is inappropriate.

2. Other Methods of Disposition: If either of the above conditions of 4.1.6.C are met, then the Purchasing Agent may do any of the following:

(a) Transfer of Surplus Property or Surplus Vehicle(s) from County Ownership to a State Agency or Non-Profit. The Purchasing Agent may transfer Surplus Property or Surplus Vehicle(s) from the County to a State Agency or Non-Profit as described

below.

(a) Notification. The Purchasing Agent shall notify heads of State Agencies and Non-Profits that have requested to receive such notifications that Surplus Property or Surplus Vehicle(s) are available.

(b) Priority. In the case of multiple interested parties, the Purchasing Agent shall give priority to Non-Profits operating in the County or offering services to County residents, then to State Agencies locally housed, then to other Non-Profits and finally to other State Agencies.

(c) Conditions. The receiving State Agency or Nonprofit, submits a letter stating the following: “The Surplus Property transfer is in the form of a donation and such donated property will not subsequently be sold.”; and that “Surplus property being received is “as is – where is”. It is understood that this is a gratuitous donation, that no representations or warranties are intended, that the donee assumes responsibility for inspection and use and that donee assumes risks of using the property.” Non-profit agencies must provide a copy of their IRS determination letter to verify their non-profit status.

(d) Pick-Up. It shall be the sole responsibility of the receiving Non-Profit or State Agency to arrange for pick-up of the Surplus Property or Surplus Vehicle(s) within ten (10) working days of notice of donation.

(e) Board of Supervisor Approval for Transfer of Surplus Vehicle(s). In addition to the requirements *supra*, the County Board of Supervisors must approve any transfer of a Surplus Vehicle to a State Agency or Non-Profit.

(b) Transfer to Surplus Property Pool. The Purchasing Agent may order that Surplus Property or Surplus Vehicle(s) be stored with other surplus property and made available at public auction (including online auctioning if authorized and appropriate).

D. Destruction of Property. The Purchasing Agent may order the destruction, removal to landfill or trash disposal of any Surplus Property or Surplus Vehicle(s) with no or nominal fair market value that cannot be otherwise disposed of under provisions of this of this Policy.