

Veteran-Owned Small Businesses Application for Eligibility

To receive federal surplus property (41CFR 101-44.2017)

I. Legal name and mailing address of applicant or organization:

<i>Name of Organization</i>		
<i>Name of Executive Officer of Organization</i>	<i>Telephone Number</i>	
<i>Organization's Mailing Address (P.O. Box Number, Street, City, and State)</i>	<i>County</i>	<i>Zip Code</i>
<i>Street Address/Location (if different from Mailing Address)</i>		
<i>Email Address for Receipt of Communication for Organization</i>		

II. Has the organization been approved by Veterans Affairs as a veteran-owned small business?

Yes (Copy of approval required) No

III. Certification regarding debarment, suspension, ineligibility, and voluntary exclusion – lower tier covered transactions: *By signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 41 CFR 105-68, certifies to the best of its knowledge and belief that it and its principals:*

- (a) *are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department of agency;*
- (b) *where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.*

IV. Provide a list of property needed. (Attach separately).

<i>Signature of Executive Officer</i>	<i>Date</i>
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STATE AGENCY FOR SURPLUS PROPERTY USE ONLY		
The (New _____/Renewed _____) applicant has been determined as follows:		
<input type="checkbox"/> Eligible	<input type="checkbox"/> Ineligible	
Eligibility Expires:	Status: Blue	
Account Number:	Date:	Signature of Surplus Manager:

Submit VOSB Application for Eligibility to:

West Virginia State Agency for Surplus Property: 2700 Charles Avenue, Dunbar, WV 25064
Telephone: (304) 766-2626; Toll-free: (800) 576-7587; FAX: (304) 766-2631

Certifications and Agreements (including terms, conditions, reservations, and restrictions) to be Included on the State Agency Invoice or Distribution Document

(A) THE APPLICANT CERTIFIES THAT:

(1) It is a public agency; or a nonprofit educational or public health institution or organization, exempt from taxation under Section 501 of the Internal Revenue Code of 1986; within the meaning of Section 203 (j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the Administrator of General Services. (2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area one or more public purposes, or, if a nonprofit tax-exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, and including research for such purpose. The property is not being acquired for any other use or purpose, or for sale or other distribution; or for permanent use outside the State, except with prior approval of the State Agency for Surplus Property. (3) Funds are available to pay all costs and charges incident to donation. (4) This transaction shall be subject to the nondiscrimination regulations governing the donation of surplus personal property issued under Title VI of the Civil Rights Act of 1964; Title VI, Section 606 of the Federal Property and Administrative Services Act of 1949, as amended, and Section 504 of the Vocational Rehabilitation Act of 1973, as amended.

(B) THE APPLICANT AGREES TO THE FOLLOWING FEDERAL CONDITIONS:

(1) All items of property shall be placed in use for the purposes for which acquired within one year of receipt and shall be continued in use for such purposes for one year from the date the property was placed in use. In the event the property is not so placed in use, or continued in use, the Applicant shall immediately notify the State Agency for Surplus Property, and at the Applicant's expense, return such property to the State Agency for Surplus Property, or otherwise make the property available for transfer or other disposal by the State Agency for Surplus Property, provided the property is still usable as determined by the State Agency for Surplus Property. (2) Such special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) of property listed hereon. (3) In the event the property is not so used or handled as required by (B) (1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and upon demand the Applicant shall release such property to such person as GSA or its designee shall direct.

(C) THE APPLICANT AGREES TO THE FOLLOWING FEDERAL CONDITIONS, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$5,000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT:

(1) The property shall be used only for the purpose(s) for which acquired and for no other purpose(s). (2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which acquired for a period of 18 months from the date the property is placed in use. (3) In the event the property is not so used as required by (C) (1) and (2) and Federal restrictions (B) (1) and (2) have expired the title and right to the possession of such property shall at the option of the General Services Administration revert to the State of West Virginia and the Applicant shall release such property to such person as the State Agency for Surplus Property shall direct.

(D) THE APPLICANT AGREES TO THE FOLLOWING TERMS, RESERVATION AND RESTRICTIONS:

(1) From the date it receives the property listed hereon and through the period(s) of time the conditions imposed by (B) and (C) above remain in effect, the Applicant shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property or remove it permanently, for use outside the State, without the prior approval of GSA under (B) or the State Agency for Surplus Property under (C). The proceeds from any sale, trade, lease, loan, bailment, encumbrance or other disposal of the property, when such action is authorized by GSA or by the State Agency for Surplus Property, shall be remitted promptly by the Applicant to GSA or the State Agency for Surplus Property, as the case may be. (2) In the event any of the property listed hereon is sold, traded, leased, loaned, bailed, cannibalized, encumbered, or otherwise disposed of by the Applicant from the date it receives the property through the period(s) of time the conditions imposed by (B) and (C) remain in effect, without the prior approval of GSA or the State Agency for Surplus Property, the Applicant, at the option of GSA or the State Agency for Surplus Property shall pay to GSA or the State Agency for Surplus Property, as the case may be, the proceeds of the disposal or for the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the State Agency for Surplus Property. (3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (B) or (C) remain in effect, any of the property listed hereon is no longer suitable, usable, or further needed by the Applicant for the purpose(s) for which acquired, the Applicant shall promptly notify the State Agency for Surplus Property, and shall, as directed by the State Agency for Surplus

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Property, return the property to the State Agency for Surplus Property, release the property to another Applicant or another State Agency for Surplus Property, a department or agency of the United States, sell or otherwise dispose of the property. The proceeds from any sale shall be remitted promptly by the Applicant by the State Agency for Surplus Property. (4) The Applicant shall make reports to the State Agency for Surplus Property on the use, condition, and location of the property listed hereon, and on other pertinent matters as may be required from time to time by the State Agency for Surplus Property. (5) At the option of the State Agency for Surplus Property, the Applicant may abrogate the conditions set forth in (C) and the terms, reservations and restriction pertinent thereto in (D) by payment of an amount as determined by the State Agency for Surplus Property.

(E) THE APPLICANT AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY LISTED HEREON:

(1) The property acquired by the Applicant is on an "as is, where is" basis, without warranty of any kind. (2) Where an Applicant carries insurance against damages to or loss of property due to fire or other hazards and where loss of or damage to donated property with unexpired terms, conditions, reservations or restrictions, occurs, the State Agency for Surplus Property will be entitled to reimbursement from Applicant out of the insurance proceeds, of an amount equal to the unamortized portion of the fair value of the damaged or destroyed donated items.

(F) TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$5,000 OR MORE, REGARDLESS OF THE PURPOSE FOR WHICH ACQUIRED:

(1) The donation shall be subject to the terms, condition, reservations, and restrictions set forth in the Conditional Transfer Document executed by the Authorized Applicant representative.

Signature of Executive Officer

Date

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AUTHORIZED REPRESENTATIVES

I. Legal name and address of applicant or organization:

Name of Organization

Name of Executive Officer of Organization *Telephone Number*

Mailing Address (P.O. Box Number, Street, City & State) *County* *Zip Code*

Street Address/Location (if different from Mailing Address)

II. The following representatives are designated to:

- (a) Acquire Federal Surplus Property;
- (b) Obligate necessary funds for this purpose; and,
- (c) Execute Distribution Documents agreeing to terms, conditions, reservations, and restrictions applying to property obtained through the agency.

- III. **New Designations** **Additional Designations Only**
(Delete all previous authorizations) *(Add to previous authorizations)*

IV. Representatives:

Name	Title	Email	Address	Signature
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

V. Certification

Signature of Executive Officer and Title

Date

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NONDISCRIMINATION ASSURANCE

Legal Name and Mailing Address of Applicant Organization

<i>Name of Organization</i>		
_____		_____
<i>Name of Executive Officer of Organization</i>		<i>Telephone Number</i>

<i>Mailing Address (P.O. Box Number, Street, City & State)</i>	<i>County</i>	<i>Zip Code</i>

<i>Street Address/Location (if different from Mailing Address)</i>		

The Donee listed above agrees that the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2 and 101-8) issued under the provisions of Title VI of the Civil Rights Act of 1964, as amended, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, Section 303 of the Age Discrimination Act of 1975, and the Civil Rights Restoration Act of 1987, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and hereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees (1) that this agreement shall be subject in all respects to the provisions of said Federal statutes and regulations (2) that this agreement obligates the donee for the period during which it retains ownership or possession of the property, (3) that the United States shall have the right to seek judicial enforcement of this agreement, and (4) that this agreement shall be binding upon any successor in interest of the donee and the word "donee" as used herein includes any such successor in interest.

Signature of Executive Officer and Title _____ *Date*

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