

APPLICATION FOR ELIGIBILITY

To Receive Federal Surplus Property (41CFR 101-44.207) and/or State Surplus Property (West Virginia Code §5A-3)

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

Name of Organization

Name of Executive Officer of Organization _____
Telephone Number

Organization's Mailing Address (P.O. Box Number, Street, City & State) _____
County _____
Zip Code

Street Address/Location (if different from Mailing Address)

II. Applicant status (Check One):

- Public Agency, including Public School *(evidence must be provided)*
- Non-profit, tax-exempt organization

III. Type or purpose of organization:

- | | | |
|---|---|--|
| <input type="checkbox"/> State | <input type="checkbox"/> Programs for Older Individuals | <input type="checkbox"/> Medical Institution |
| <input type="checkbox"/> County | <input type="checkbox"/> Child Care Centers | <input type="checkbox"/> Hospital |
| <input type="checkbox"/> City | <input type="checkbox"/> School for the Handicapped | <input type="checkbox"/> Health Center |
| <input type="checkbox"/> School District | <input type="checkbox"/> Museum | <input type="checkbox"/> Clinic |
| <input type="checkbox"/> College/University | <input type="checkbox"/> Training Center | <input type="checkbox"/> Sheltered Workshop |
| <input type="checkbox"/> Secondary School | <input type="checkbox"/> Radio/TV Station | <input type="checkbox"/> Library |
| <input type="checkbox"/> Elementary School | <input type="checkbox"/> Provider of Assistance to the Homeless or Impoverished | |
| <input type="checkbox"/> Preschool | | |

IV. Provide a written description of programs or services offered, including a description of facilities operated. (This information is required for application approval)

V. Source of Funding (Attach supporting documentation; Required for application approval):

- Tax-Supported Grant Contributions Other (specify): _____

VI. Has the organization been determined to be tax-exempt under 501 of the Internal Revenue Code of 1986?

- Yes *(copy required)* No

VII. Has the organization been approved, accredited, or licensed?

- Yes *(copy required)* No

VIII. 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.

IX. Provide a list of types of property needed. (Attach separately).

Signature of Executive Officer _____
Date

STATE AGENCY FOR SURPLUS PROPERTY USE ONLY		
The (New_____/Renewed_____) applicant has been determined as follows:		
<input type="checkbox"/> eligible <input type="checkbox"/> ineligible <input type="checkbox"/> conditionally eligible		
as a... <input type="checkbox"/> public agency <input type="checkbox"/> non-profit education <input type="checkbox"/> non-profit health <input type="checkbox"/> other non-profit		
Eligibility Expires: _____	Status: _____	License Expires: _____
_____ <i>Account Number</i>	_____ <i>Date</i>	_____ <i>Signature of Surplus Property Manager</i>

Submit *Application for Eligibility* to: West Virginia State Agency for Surplus Property; 2700 Charles Avenue; Dunbar, West Virginia 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**

FEDERAL PROPERTY REQUIREMENTS

(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 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 to 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.

STATE PROPERTY REQUIREMENTS

(A) ELIGIBILITY:

(1) Section 3A, Article 8, Chapter 5A of the *West Virginia Code*, states that 'county commissions, county boards of education, municipalities, public service districts, county building commissions, airport authorities, parks and recreation commissions, nonprofit domestic corporations qualified as tax-exempt under Section 501 (c) (3) of the Internal Revenue Code of 1986, as amended, and volunteer fire departments in this State, when such volunteer fire departments have been held exempt from taxation under Section 501 (c) of the United State Internal Revenue Code' are eligible to participate in the State Surplus Property Program.

(B) COMPLIANCE:

(1) Section 3A, Article 8, Chapter 5A of the *West Virginia Code*, states that 'the duly authorized representative of such eligible organization, for whom such motor vehicle or other similar surplus equipment is purchase or otherwise obtained, shall cause ownership and property title thereto to be vested only in the official name of the authorized governing body for whom the purchase or transfer was made. Such ownership or title, or both, shall remain in the possession of the governing body and be nontransferable for a period of not less than one year from the date of such purchase or transfer of ownership of such motor vehicle or equipment prior to an elapsed period of one year may be made only by reason of certified unserviceability.

I hereby state that I have read and understand the certifications and agreements by which I am obligated to abide.

Signature of Executive Officer

Date



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	E-Mail Address	Signature
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

V. Certification

_____ *Signature of Executive Officer and Title* _____ *Date*

Submit 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.



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*

Submit 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.

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR ELIGIBILITY FORM

(Please type or print in blue or black ink only)

SECTION I: Provide the full legal name of your organization on the first line of this section. Provide the name of the executive officer of the organization and a telephone number at which he/she may be reached. Complete the mailing address of your organization as recognized by the US Postal Service, including the zip code. Provide the street address if different from the mailing address or provide directions if located on a rural route or other remote area. List the county in which the organization is actually located and a business telephone number with area code.

SECTION II: Check the appropriate box which describes your organization. *(If you are unable to determine which status to check, please contact this office for assistance).*

SECTION III: Check the appropriate box(es) *(check as many as apply)* which indicate the type or purpose of your organization. *(Definitions have been provided on the reverse side of the application to assist in making this determination).*

SECTION IV: A comprehensive written description of all program or services provided is required. A description of the operational facilities should also be included. Be sure to include information on staff and staff qualifications, hours of operation, services and programs offered, population or enrollment, fees charged, etc. Include samples of pamphlets, catalogs, brochures or posters. If incorporated, include complete copy of Articles of Incorporation with all filing certificates and amendments, and a copy of your current By-Laws.

SECTION V: Check the appropriate box which indicates the organization's sources of funding. Supporting documentation indicating the types and amounts of funding must be submitted with the completed application.

SECTION VI: All applicants making application as "nonprofit, tax-exempt organizations" must provide a copy of the IRS determination letter indicating tax exemption under Section 501 of the IRS Code of 1954. The name of the organization on this IRS letter **must** match the name provided in Section I of this application. If not, include sufficient evidence such as amendments to Articles of Incorporation, or Assumed Name filing certificates to establish an "audit trail" of names showing the legal corrections.

SECTION VII: Applicants making application for Federal Surplus Property as "nonprofit, tax-exempt organization" are required to submit evidence that the applicant is **currently** approved, accredited, or licensed. Programs for older individuals must include evidence of funding under the Older Americans Act of 1965; Titles IV of XX of the Social Security Act; Titles VIII of X of the Economic Development Act of 1964; or the Community Services Block Grant Act. Providers of Assistance to homeless individuals must include a letter from the Mayor, County Judge, City or County Health Officer or comparable authority which certifies that applicant is a "provider of assistance to the homeless". The certification must identify the service or assistance being provided and the number of individuals receiving such assistance.

AUTHORIZED REPRESENTATIVES: The executive official must designate selected individuals within the organization to be responsible to acquire Federal Surplus Property; obligate necessary funds for this purpose; and execute Distribution Documents agreeing to terms, conditions, reservation, and restrictions applying to property obtained through the agency. The names and titles of authorized representatives must be completed with each individual's signature.

SIGNATURE/DATE: Annotate date and provide the signature of applicant's Authorized Official (President, Chairman of the Board, County Judge, Mayor, City Manager, Executive Director, Administrator, Fire Chief, or other comparable authorized official).

NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. USE THIS INSTRUCTION SHEET AS YOUR CHECK LIST TO ASSURE THAT ALL REQUIRED INFORMATION AND DOCUMENTATION IS PROVIDED. IF YOU HAVE A QUESTION OR NEED ASSISTANCE CONTACT:

**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**