

Virginia State Agency for Surplus Property Application for Eligibility Instructions

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

Instructions are generally provided or self-explanatory on the application form. Additional instructions are provided below:

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

SECTION IV: A comprehensive written description of all programs 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 a complete copy of Articles of Incorporation with all filing certificates and amendments, and a copy of your current by-laws. If your organization is an authority, please include a reference to the Act of Law under which you were created. Supplemental information may be requested as to needs, resources, and utilization capabilities, to aid the State Agency for Surplus Property in the fair and equitable distribution of available property.

SECTION VI: All organizations applying as “nonprofit, tax-exempt” are required to submit evidence that the organization is currently approved, accredited or licensed. Programs for older individuals must include evidence of funding under the Older Americans Act of 1965; Titles IV or XX of the Social Security Act; Titles VIII and 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, City or County Manager or comparable authority, which certifies that the applicant is a “provider of assistance to the homeless”. The certification must identify the services or assistance being provided and the number of individuals receiving such assistance.

SIGNATURE/DATE: Annotate the date and provide an original signature of applicant’s chief executive officer/agency head (President, Chairman of the Board, Mayor, Executive Director, etc.). Photocopied, rubber stamped, machine produced, carbon or other facsimile type signatures are not acceptable.

AUTHORIZED REPRESENTATIVES: The chief executive officer/agency head 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, reservations and restrictions applying to property obtained through the agency. The names and titles of authorized representatives must be completed with each individual’s signature.

Please forward the completed application to:

Virginia State Agency for Surplus Property
1910 Darbytown Road
Richmond, VA 23231-5312
E-mail: kim.hayes@dgs.virginia.gov
Telephone: (804) 236-3662
Fax: (804) 236-3671

<http://surplus.dgs.virginia.gov>
Click on Browse Inventory

VIRGINIA STATE AGENCY FOR SURPLUS PROPERTY
1910 Darbytown Road
Richmond, VA 23231-5312

APPLICATION for ELIGIBILITY- FEDERAL SURPLUS PROPERTY PROGRAM

I. ORGANIZATION INFORMATION

Organization Legal Name

Organization Mailing Address (PO Box Number, Street, City, State, County & Zip Code (nine digit zip code if applicable))

Street Address (If different from Mailing Address)

Name of Organization Chief Executive/Agency Head

Phone # Fax #

E-mail Web Address

Federal Tax Number

II. APPLICANT STATUS (Check One; see Definitions):

- Public Agency, Including Public School
Nonprofit; tax-exempt organization
Other

III. TYPE OR PURPOSE OF ORGANIZATION (Check One; see Definitions)

- State, County, City, Township, Borough, Authority, Public Safety, School District, College/University
Programs for Older Individuals, Child Care Centers, School for the Handicapped, Vocational, Technical or Trade School, Museum, Training Center, Radio/TV Station, Provider of Assistance to Homeless Individuals, SEA (Service Educational Activity)
Nursing Home, Medical Institution, Hospital, Health Center, Clinic, Sheltered Workshop, Library, Provider of Assistance to the Impoverished, SBA 8A

IV. PROVIDE A WRITTEN DESCRIPTION OF PROGRAMS OR SERVICES OFFERED, INCLUDING A DESCRIPTION OF FACILITIES OPERATED

(Attach description documentation)

V. SOURCE OF FUNDING (Attach supporting documentation)

- Tax-Supported, Grant, Contributions, Other (specify)

VI. (For Non-Profit Organizations Only) HAS THE ORGANIZATION BEEN DETERMINED TO BE TAX-EXEMPT UNDER SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE OF 1986?

Yes (copy of determination required) No

VII. (For Non-Profit Organizations Only) IS THE ORGANIZATION APPROVED, ACCREDITED OR LICENSED?

Yes (copy required) No

VIII. I have read and understand the attached Certifications and Agreements on this application

IX. CERTIFICATION

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

X. NON-DISCRIMINATION CERTIFICATION

The "donee" hereby agrees that the program for or in connection with which any property is donated 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) issued under the provisions of Title VI of the Civil Rights Act of 1964, 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, and Section 303 of the Age Discrimination Act of 1975, and Civil Rights Restoration Act of 1987, to the end that no person in the United States shall, on the ground of race, color, natural 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 the 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 that this agreement shall be subject in all respects to the provisions of said regulations, that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property, that the United States shall have the right to seek judicial enforcement of this agreement, and 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 Chief Executive Officer/Agency Head

Date

Typed/Printed Name

Title

DO NOT WRITE IN THIS SPACE (For VA State Agency for Surplus Property Use Only)

FEDERAL SURPLUS PROPERTY APPLICATION DETERMINATION

Application Approved: _____ **Application Disapproved:** _____ **Date:** _____

Application Approved Conditionally: _____ **Approved by** _____

Certifications and Agreements

(Including Terms, Conditions, Reservations and Restrictions cited in State Agency Invoices and Distribution Documents for Federal Surplus Property)

(A) THE DONEE CERTIFIES THAT:

- (1) It is a public agency or a nonprofit 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/or the regulations of the General Services Administration (GSA).
- (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, including research for any such purpose, or for programs for older individuals. 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 written approval of the State agency.
- (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, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 304 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 Civil Rights Restoration Act of 1987.

(B) THE DONEE AGREES TO THE FOLLOWING CONDITIONS:

- (1) All items of property shall be placed in use for the purpose(s) for which acquired within 1 year of receipt and shall be continued in use for such purpose(s) for 1 year from the date the property was placed in use. In the event the property is not placed in use, or continued in use, the donee shall immediately notify the State Agency and, at the donee's expense, return such property to the State Agency or otherwise make the property available for transfer or other disposal by the State Agency, provided the property is still usable as determined by the State Agency.
- (2) Such special handling or use limitations as are imposed by 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 donee shall release such property to such person as GSA or its designee shall direct.

(C) THE DONEE AGREES TO THE FOLLOWING CONDITIONS IMPOSED BY THE STATE AGENCY, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$5000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT, FOREIGN GIFTS OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR PURPOSE FOR WHICH ACQUIRED:

- (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, except for such items of major equipment, listed hereon, on which the state agency designates a further period of restriction.
- (3) In the event the property is not so used as required by (C)(1) and (2), and Federal restrictions (B)(1) and (2) and (G)(1) have expired, right to the possession of such property shall, at the option of the State Agency, revert to the State of Virginia and donee shall release such property to such person as the State Agency shall direct.

(D) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS AND RESTRICTIONS:

- (1) From the date it receives the property listed hereon and through the period(s) of time the conditions imposed by this agreement remain in effect, the donee 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) and (1) or the State Agency under (C) and (1). 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, shall be remitted promptly by the donee to GSA or the State Agency, as the case may be.
- (2) In the event any of the property listed hereon is sold, traded, leased, loaned, bailed, encumbered, cannibalized or otherwise disposed of by the donee from the date it receives the property through the period(s) of time the conditions imposed by this agreement remain in effect, without the prior approval of GSA or the State Agency, the donee, at the option of GSA or the State Agency shall pay to GSA or the State Agency, as the case may be, the proceeds of the disposal or 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.
- (3) If at any time from the date it receives the property through the period(s) of the time conditions imposed by this agreement remain in effect, any of the property listed hereon is not longer suitable, usable or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the State Agency and shall, as directed by the State Agency, return the property to the State Agency, release the property to another donee or another State Agency, or to 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 donee to the State Agency.
- (4) The donee shall make reports to the State Agency 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.

(5) At the option of the State Agency, the donee may abrogate the State conditions set forth in (C) and the State terms, reservations, restrictions and conditions pertinent therein in (D) by payment of an amount as determined by the State Agency.

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

- (1) The property acquired by the donee is on an "as is, where is" basis, without warranty of any kind.
- (2) Where a donee 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, GSA or the State Agency, as the case may be, will be entitled to reimbursement from the donee out of the insurance proceeds of an amount equal to the unamortized portion of the fair market value of the damaged or destroyed donated items.

(F) THE DONEE AGREES TO THE FOLLOWING ADDITIONAL SPECIAL TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$5000 OR MORE, AND FOREIGN GIFTS OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR PURPOSE FOR WHICH ACQUIRED:

- (1) The donation shall be subject to the additional special terms, conditions, reservations and restrictions set forth in the Conditional Transfer Document or other agreement by the authorized donee representative.

Definitions

ACCREDITED: Approved by a recognized accrediting board or association on a regional, state or national level.

ADULT DAY CARE: A program of services provided under health leadership in an ambulatory care setting for adults who do not require 24-hour institutional care and yet, due to physical and/or mental impairment, are not capable of full-time independent living. Participants in the day care program are referred to the program by their attending physician or by some other appropriate source such as an institutional discharge planning program, a welfare agency, etc. The essential elements of a day care program are directed toward meeting the health and maintenance and restorative needs of participants.

APPROVED: Recognition and approval by the State Department of Education, State Department of Health or other appropriate authority exists for the purpose of making an accreditation. For an education institution or an educational program, approval must relate to academic or instructional standards established by the appropriate authority. An educational institution or program may be considered approved if its instruction and credits therefore are accepted by the three accredited or state-approved institutions, or of it meets the academic or instructional standards prescribed for public school in the state; i.e., the organizational entity or program is devoted primarily to approved academic, vocational (including technical or occupational) or professional study and instruction, which is operated primarily for educational purposes by a full-time staff of qualified instructors. For a public health institution or program, approval must relate to the medical requirements and standards for the professional and technical services of the institution established by the appropriate authority. A health institution or program may be considered as approved when a state body having authority under law to establish standards and requirements for public health institutions renders approval thereto whether by accreditation procedures or licensing or such other method prescribed by state law. In the absence of an official state approving authority for a public health institution or program or educational institution or program, the awarding of research grants to the institution or organization by a recognized authority may constitute approval.

CHILD CARE CENTER: A public or nonprofit facility where educational, social, health and nutritional services are provided to children through age 14 or as prescribed by state law, and which is approved or licensed by the state or other appropriate authority as a child day care center.

CLINIC: An approved public or nonprofit facility organized and operated for the primary purpose of providing outpatient public health services.

COLLEGE: An approved or accredited public or nonprofit institution of higher learning offering organized study courses and credits leading to baccalaureate or higher degree.

EDUCATIONAL INSTITUTION: An approved, accredited or licensed public or nonprofit institution, facility, entity or organization conducting educational programs.

EDUCATIONAL RADIO STATION: A radio station licensed by the Federal Communications Commission and operated exclusively for noncommercial educational purposes and which is public or nonprofit and tax-exempt under Section 501 of the Internal Revenue Code of 1986.

EDUCATIONAL TELEVISION STATION: A television station licensed by the Federal Communications Commission and operated exclusively for noncommercial educational purposes and which is public or nonprofit and tax-exempt under Section 501 of the Internal Revenue Code of 1986.

HEALTH CENTER: An approved public or nonprofit facility utilized by a health unit for the provision of public health services.

HOSPITAL: An approved or accredited public or nonprofit institution providing public health services primarily for inpatient medical or surgical care of the sick and injured, including related facilities such as laboratories, outpatient departments, training facilities and staff offices.

LIBRARY: A public or nonprofit facility providing library services free to all residents of a community, district, state or region.

LICENSED: Recognition and approval by the appropriate state or local authority approving institutions or programs in specialized areas. Licensing generally relates to established minimum public standards of safety, sanitation, staffing and equipment as they relate

to the construction, maintenance and operation of a health or educational facility, rather than to the academic, instructional or medical standards for these institutions. Licensing may be required for educational or public health programs such as occupational training, physical or mental health rehabilitation services or nursing care. Licenses must be renewed periodically.

LOCAL GOVERNMENT: A government or administration of a locality within a state or possession of the United States.

MEDICAL INSTITUTION: An approved, accredited or licensed public or nonprofit institution, facility, entity or organization the primary function of which is the furnishing of public health and medical services to the public at large or promoting public health through the conduct of research for any such purposes, experiments, training or demonstrations related to cause, prevention and methods of diagnosis and treatment of diseases and injuries. The term includes but is not limited to hospitals, clinics, alcoholic and drug abuse treatment centers, public health or treatment centers, research and health centers, geriatric centers, laboratories, medical schools, nursing schools and similar institutions. The term does not include institutions primarily engaged in domiciliary care, although a separate medical facility within such a domiciliary institution may qualify as a "medical institution".

MUSEUM: A public or private nonprofit institution which is organized on a permanent basis essentially for educational or esthetic purposes and which, using a professional staff, owns or uses tangible objects, whether animate or inanimate; cares for these objects; and exhibits them to the public on a regular basis either free or for a nominal charge. The term "museum" includes, but is not limited to, the following institutions, if they satisfy all other provisions of federal regulations: aquariums and zoological parks, botanical gardens and arboreturns, museums relating to art, history, natural history, science and technology and planetariums. An institution uses a professional staff if it employs full time at least one qualified staff member who devotes his or her time primarily to the acquisition, care or public exhibition of objects owned or used by the institution. This definition does not include any institution which exhibits objects to the public if the display or use of the objects is only incidental to the primary function of the institution.

NONPROFIT TAX-EXEMPT ACTIVITY: An institution or organization, no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual, and which has been held to be tax-exempt under the provisions of Section 501 of the Internal Revenue Code of 1986.

PROGRAM FOR OLDER INDIVIDUALS: Any state or local government agency or any nonprofit, tax-exempt activity which receives funds appropriated for programs for older individuals under the Older Americans Act of 1965, as amended, under Titles IV or XX of the Social Security Act, or under Titles VIII and X of the Economic Opportunity Act of 1964 and the Community Services Block Grant Act.

PROVIDER OF ASSISTANCE TO THE HOMELESS: A public agency or a nonprofit, tax-exempt institution or organization that operates a program which provides assistance such as food, shelter or other services directly to homeless individuals. The term "homeless individual" means an individual who lacks a fixed, regular and adequate nighttime residence, or who has a primary nighttime residence that is (1) a supervised public or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelter and traditional housing for the mentally ill); (2) an institution that provides a temporary residence for individuals intended to be institutionalized; or (3) a public or private place not designed for, or ordinarily not used as a regular sleeping accommodation for human beings. For purposes of this regulation, the term does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or state law. Property acquired through the donation program by such institutions or organizations must be used primarily in their program for providing assistance to homeless individuals.

PROVIDER OF ASSISTANCE TO THE IMPOVERISHED: A public agency or a nonprofit, tax-exempt institution or organization that operates a program whose primary function is to provide money, goods, or services to families or individuals whose annual incomes are below the poverty line (as defined in section 673 of the Community Services Block Grant Act) (42 U.S.C. 9902). Providers include food banks, self-help housing groups, and organizations providing services such as the following: Health care; medical transportation; scholarships and tuition assistance; tutoring and literacy instruction; job training and placement; employment counseling; child care assistance; meals or other nutritional support; clothing distribution; home construction or repairs; utility or rental assistance; and legal counsel.

PUBLIC AGENCY: Any state, political subdivision thereof (including any unit of local government or economic development district) or any department, agency, instrumentality thereof (including instrumentalities created by compact or other agreement between states or political subdivisions), or any Indian Tribe, band, group, pueblo or community located on a state reservation.

PUBLIC HEALTH INSTITUTION: An approved, accredited or licensed public or nonprofit institution, facility, entity or organization conducting a public health program or programs such as a hospital, clinic, health center or medical institution, including research for any such program, the services of which are available to the public at large.

PUBLIC PURPOSE: A program or programs carried out by a public agency which are legally authorized in accordance with the laws of the state or political subdivision thereof and for which public funds may be expended. Public purposes include but are not limited to programs such as conservation, economic development, education, parks and recreation, public health and public safety.

PUBLIC SAFETY: A program or programs carried out or promoted by a public agency for public purposes involving directly or indirectly the protection, safety, law enforcement activities and criminal justice system of a given political area. Public safety programs may include but are not limited to those carried out by public police departments, sheriff's offices, the courts, penal and correctional institutions including juvenile facilities, state and civil defense organizations, fire departments and rescue squads, including volunteer fire departments and rescue squads supported in whole or in part with public funds.

SCHOOL: A public or nonprofit approved or accredited organizational entity devoted primarily to approved academic, vocational or professional study and instruction which operates primarily for educational purposes on a full-time basis for a minimum school year and employs a full-time staff of qualified instructors.

SEA (SERVICE EDUCATIONAL ACTIVITY): Certain schools and national organizations are eligible to receive donations of Department of Defense (DoD) surplus property. Organizations include American National Red Cross, Boys Scouts of America, Girl Scouts of America and Boys and Girls Clubs of America.

UNIVERSITY: A public or nonprofit approved or accredited institution for instruction and study in the higher branches of learning and empowered to confer degrees in special departments or colleges.