



## DISPOSAL OF SURPLUS PERSONAL PROPERTY POLICY

### I. GENERAL PURPOSE

The purpose of this **Delta Conveyance Design and Construction Authority (DCA)** Disposal of Surplus Personal Property Policy is to set forth the procedures for the disposition of surplus personal property. As used in this Policy, “surplus personal property” may refer to, but is not necessarily limited to, items such as equipment, vehicles, supplies, goods, and similar tangible property owned by DCA, and which are no longer needed by DCA. These items may no longer be needed, for example, because they are in excess of DCA’s current supply, or lack a use in the foreseeable future, or are obsolete with no further use for their intended purpose (i.e., because they have exceeded their service life or cannot be repaired economically). “Surplus personal property” does not include real property or interests in land.

### II. SCOPE OF AUTHORITY

DCA’s Executive Director is responsible for using reasonable prudence to select the optimal means of disposing of surplus personal property, considering principles of efficiency and realization of the best value for DCA.

Disposition of personal property that had an initial purchase price of \$10,000 or more requires prior approval by the Board of Directors. Personal property with an initial purchase price of under \$10,000 only requires written approval of the Executive Director or designee.

Members of the Board of Directors and DCA staff are ineligible to purchase surplus personal property of DCA.

### III. METHODS OF DISPOSITION

Once property has been declared surplus by the Board or Executive Director, it may be disposed of in any of the following manners (the Board shall make the determination as to method for disposition of items with an initial purchase price of \$10,000 or more, and the Executive Director or designee shall make the determination for all other items).

Prior to the sale, recycling, or disposal of any surplus computer, tablet, smartphone, or other electronic device, the Executive Director or designee shall ensure that all erasable data is securely deleted by DCA’s Information Technology specialist.

**a) Trade-In Return to Manufacturer**

Surplus personal property may be offered as a trade-in for credit toward the acquisition of new property or returned to the manufacturer for buy-back. If surplus personal property is to be applied to a purchase order, the trade-in value shall be itemized on the purchase order.

**b) Public Auction**

Surplus personal property may be sold at public auction. Public auctions may be conducted by DCA directly, or DCA may contract with a professional auctioneer including professional auction services.

**c) General Public Sale**

Surplus personal property may be sold to the general public at market value. The property will be displayed for sale in a highly visible public location for a minimum of 2 weeks after which DCA will accept sale of the property for the list price or best offer.

**d) Internet Auction**

DCA may utilize an Internet auction service (i.e., e-Bay; Public Surplus, etc.) to sell surplus property. Notice of sale/auction of surplus property shall be posted on DCA's website.

**e) Sealed Bids**

Sealed bids may be solicited for the sale of surplus personal property. Surplus property disposed of in this manner shall be sold to the highest bidder. Notice of the sale of surplus property shall be posted at DCA offices and published in one or more newspapers in California at least once ten (10) days prior to the closing of bid notices.

**f) Negotiated Sale**

Surplus personal property may be sold outright if DCA determines that only one known buyer is available or interested in acquiring the property. Reasonable assurances that the negotiated sale served a public purpose shall be documented.

**g) Donation**

Surplus personal property may be donated directly to charitable nonprofit organizations or to other public agencies including, but not limited to, cities, counties, school districts, sister-cities, special districts, and joint powers agencies upon receiving reasonable written assurances that the property (or the proceeds) will be used to serve a public purpose of the DCA.

**h) Sold for Scrap**

Surplus personal property may be sold as scrap if DCA deems that the value of the raw material exceeds the value of the property as a whole.

**i) No Value Item**

Surplus property with a minimal value (i.e., less than \$500 fair market value) to DCA due to spoilage, obsolescence, or other cause, or where DCA determines that the cost of disposal of such supplies or equipment would exceed the recovery value, shall be disposed of in such a manner as appropriate and in the best interest of DCA.

**IV. NON-WARRANTY**

All surplus personal property disposed will be "as is" and "where is," with no warranty, guarantee, or representation of any kind, expressed or implied, as to the condition, utility, or usability of the property. All bills of sale, transfers of title, or other documentation reflecting the transfer of surplus property to any third party must include warranty disclaimers consistent with this section.

**V. GRANT FUNDS**

Notwithstanding anything to the contrary in this Policy, no surplus property may be disposed of in violation of any federal or state laws or regulations. Prior to disposing of any surplus property, DCA must determine whether any federal or state grant funds were used to acquire the property and whether those grants limit or otherwise affect the disposal of the property. As applicable, DCA shall dispose of the property consistent with this Policy but subject to any federal or state grant restrictions.

**VI. CHANGES TO THIS POLICY**

DCA may modify, amend, or supplement this Policy and any applicable rules and regulations as it deems necessary and appropriate at any time and without prior notice. DCA reserves the right to administer this Policy and other matters relating to disposition of surplus personal property through a duly authorized representative.

**Adopted: 05/16/2024, DCA Board Meeting**



BOARD OF DIRECTORS OF THE DELTA CONVEYANCE DESIGN AND CONSTRUCTION AUTHORITY

RESOLUTION NO. 24-06

Introduced by Director: Gary Martin

Seconded by Director: Martin Milobar

*DISPOSAL OF SURPLUS PERSONAL PROPERTY*

Whereas, consistent with best practices and Section 4.2.3 of the DCA Amended and Restated Joint Power Agreement, the Board of Directors wishes to adopt a surplus property policy as set forth below.

Now, therefore, the Board of Directors hereby resolves as follows:

1. RECITALS

The above recitals are incorporated into this Resolution by reference.

2. ADOPTION OF POLICY

The Board of Directors hereby adopts the attached Surplus Property Policy, which shall supersede any prior policy.

3. EFFECTIVE DATE

This Resolution shall be effective upon its adoption.

\* \* \* \* \*

This Resolution was passed and adopted this 16th day of May 2024, by the following vote:

Ayes: 7

Noes: 0

Absent: 0

Abstain: 0

DocuSigned by:  5/29/2024  
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Sarah Palmer, Board President

Attest:

DocuSigned by:  5/21/2024  
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Gary Martin, Secretary