

APPLICATION RETURN CHECKLIST

1. **Application for Eligibility** completed.
2. All names, titles, and signatures on **Authorized Representatives** form.
3. **Nondiscrimination Assurance Form** completed and signed.
4. Copies of all supporting documents.
5. Statement concerning needs, resources, and ability to utilize the property.
6. Description of program operations and activities.
7. Evidence that applicant's program is a public agency or exempt under Section 501 of the IRS Code of 1954.
8. **Return Policy** read by all persons shown on Authorized Representative form and signed by authorized official.
9. **Terms and Conditions** read by all persons shown on Authorized Representative form and signed by authorized official.
10. **Payment Terms and Conditions** read by all persons shown on Authorized Representative form and signed by authorized official.

NOTE: The above requirements must be met or application will be returned unprocessed.

If you have questions please call 334-3477 or 1-800-722-1629.

INSTRUCTIONS FOR ELIGIBILITY APPLICATIONS

A. Instructions Applicable to All Applicants

1. Public Law 94-519 mandates that surplus property be distributed in a fair and equitable manner based on the relative needs and resources of interested eligible agencies and organizations and their ability to utilize the property. To assist the state agency in complying with this requirement, enclose a statement with the application providing information relating to the following.
 - a. Source of funds, such as tax revenues, federal or state grants, tuition or service charges, and donations or contributions.
 - b. Economic condition of the agency or organization, including any extraordinary economic problems.
 - c. Availability of funds and facilities to repair or renovate the property and maintain the property in use.
 - d. General description of the nature and types of property needed for use in the program or activities

B. Instructions Applicable Only to Certain Specified Applicants

1. If the applicant is a school, college, or university lacking evidence of formal approval or accreditation, the following type of information may be accepted in lieu thereof: a letter from a school district governing board or the State Board of Education or similar authority stating that the institution meets the academic or instructional standards prescribed for public schools, colleges, or universities in the state or that students will be accepted for transfer to accredited or approved institutions at the same academic level: OR a minimum of three letters from accredited or approved institutions to the effect that students from the applicant institution have been and are accepted as if coming from an accredited or approved institution.
2. If the applicant is a school for the mentally or physically handicapped, the application must include a copy of a certificate or other evidence that the facility meets the state and local health and safety standards. Give data on length of school day, week, and year and the number and qualifications of staff.
3. If the applicant is an educational radio or educational television station, the application must be accompanied by a copy of the FCC license to operate exclusively for noncommercial educational purposes.
4. If the applicant is a private, nonprofit library, the application must include a statement from the governing body that the library serves free all residents of the community.
5. If the applicant is a medical institution lacking evidence of formal approval, accreditation, or licensing, the application must include a letter from a city, county, state, or federal health authority stating that the institution is approved by that authority. A licensing authority will be accepted as evidence of approval only when the licensing authority prescribes the medical requirement and standards for the professional and technical services of the institution.
6. If the applicant is a provider of services to the homeless the application must include evidence that the applicant is a publicly recognized provider of assistance to the homeless; i.e. a letter from a local city official (Mayor, Head of Welfare Department, Social Services Director, etc.) indicating services provided by the applicant. Other acceptable forms of evidence include occupancy permits, fire and safety inspection certificates, documented receipt of FEMA funds for Federal/State Grant Funds for homeless programs.

ANSWERS TO FREQUENTLY ASKED QUESTIONS ABOUT THE DONATION PROGRAM

What is surplus property? – It's property belonging to the federal government which has gone through the federal agency screening cycle and is excess to all federal needs. Idaho statutes authorize the state agency to receive, warehouse, and distribute surplus property in accordance with federal laws and regulations.

What are the basic eligibility requirements? – Evidence that the organization: (1) meets a federal definition of a particular type eligible institution; (2) meets civil rights compliance requirements; (3) is tax supported or nonprofit and tax exempt under IRS 501; and (4) is approved by a State governing board or accredited by a recognized accrediting council.

How does the State acquire surplus property? – The General Services Administration (GSA), through its regional allocating offices, receives Idaho's requests or applications, along with those of other states, and allocates the property according to needs, resources, ability to utilize and other factors which include entitlement formulas based on Idaho's population and per capita income. Once property is allocated, Idaho is responsible for transporting, warehousing and distributions.

What is meant by "screening" property? – Screening is a method used to determine if a need exists for the available property. It normally is accompanied by visual inspection of the item, referencing the item by stock number, or determining by experience or expertise that the item would be of use to an eligible recipient in Idaho.

What is the property condition? – Property is received in both new and used condition. Normally, there is utility in all items. The quality varies but repairs or modifications are often necessary.

Are there charges for the property? – Yes. Service and handling charges are placed on all property which is distributed by this agency. The fees are based on total expenses in acquiring, transporting, warehousing and transferring the property, but are equalized by fair value and other contributing factors.

How are the service and handling charges collected? – All property is transferred on an open account basis. They may be paid either by invoice or by the agency's end of the month statement. The agency is NOT authorized to accept personal checks, money orders, or cash. All checks in payment of service and handling charges must be drawn on the eligible donee institution, or public agency, made payable to the Idaho Federal Surplus Property program, and sent to the agency in Boise.

May adjustments be made on assessed handling charges? – In certain cases. All property is transferred to the donee on an "AS IS WHERE IS" basis WITHOUT warranty of any kind. Some credit adjustments may be approved on property returned within 30 days of issue. Such credit will be approved only on a case-by-case situation. **Property transferred directly from a federal installation is NOT RETURNABLE.** Property returned for credit must be returned to our Boise warehouse at the donee's expense.

What happens to the collected service and handling charges? – The receipts are used **ONLY** for the agency operation. The Idaho Federal Surplus Property Agency is a self supporting agency which does not receive any tax funding.

Does the agency distribute a catalog? – No. It's not practical for the agency to distribute a catalog because of the tremendous volume of property handled. The agency does list **SOME** of the available items on a bulletin which is distributed on at least a quarterly basis.

Does the agency repair or renovate property? - Yes, on a limited scale. As an example, Idaho Federal Surplus Property performs repairs on some vehicles and equipment prior to offering them for donation.

What is the best method of program utilization? – By far, the most efficient use of the program is through the use of the **WANT LIST**. Donees make their needs known to the Federal Surplus Agency via a “want list request”. All want list requests are categorized and organized into format which allows screeners to search for that property which will fill the needs of our donees. When such property is found, the donee is notified that the property is available. Another way to utilize the program is to make frequent, regular visits to our warehouse. There are **THOUSANDS** of items on display, ready for immediate transfer and new items arrive almost daily.

How many times may a donee visit the warehouse? – There are no limits on visits. The agency warehouse is open from 8:00 A.M. to 12 noon and from 1:00 P.M. to 5:00 P.M., Monday through Friday. No appointments are necessary. The agency is closed on all legal holidays.

How does the agency distribute hard to find/high demand items? – Any donee desiring one or more of these items must send such a request along with a letter of justification explaining the severity of need, and the proposed usage of the item. Such items are allocated to the donee which shows the greatest need and best utilization potential. Every effort is made to promote fair and equitable property distribution.

May an individual purchase or use surplus property? – **NO!**
Federal and state law prohibits such action.

Are there restrictions on the use of surplus property? – Yes. Certification forms, distribution documents and the invoice signed upon receipt of property, outline these restrictions. The donee should be familiar with all restrictions which include, in part, that all property must be needed and placed in eligible use within 12 months and kept in eligible use for an additional 12 months. **SPECIAL RESTRICTIONS APPLY** on all real property, aircraft, large boats, passenger motor vehicles, special use items, and items having a unit acquisition cost of \$5,000 or more.

Does the Idaho agency enforce compliance restrictions? – Yes. The Idaho Federal Surplus Property agency is authorized by federal law to conduct field utilization checks or compliance checks via mail. Any violations must be corrected or the Federal Government is notified.

DEFINITIONS

Approved – Recognition and approval by the State department of education, State department of health, or other appropriate authority where no recognized accrediting board, association, or other authority exists for the purpose of making an accreditation. For an educational institution or 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 three accredited or State-approved institutions, or if it meets the academic or instructional standards prescribed for public schools 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 operates primarily for educational purposes on a full-time basis for a minimum school year as prescribed by the State and employs 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 by licensing or such other method prescribed by State law. In the absence of an official State approving authority for public health institution or program or educational institution or program, the awarding of research grants to the institution or organization by a recognized authority such as the National Institutes of Health, the National Institute of Education, or by similar national advisory council or organization may constitute approval of the institution or program provided all other criteria are met.

Accredited – Approved by a recognized accrediting board or association, at a regional, State or national level such as a State board of education or health; the American Hospital Association; a regional or national accrediting association for universities, colleges, or secondary schools; or another recognized accrediting association.

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 programs 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 maintenance and restorative needs of participants. However, there are socialization elements in the program which, by overcoming the isolation so often associated with illness in the aged and disabled, are considered vital for the purpose of fostering and maintaining the maximum possible state of health and well-being.

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 or child care center.

Clinic – An approved public or nonprofit facility organized and operated for the primary purpose of providing outpatient public health services, including customary related services such as laboratories and treatment rooms.

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

Economic Development – A program(s) carried out or promoted by a public agency for public purposes which involves, directly or indirectly, efforts to improve the opportunities of a given political area for the successful establishment or expansion of industrial, commercial, or agricultural plants or facilities and which otherwise assists in the creation of long term employment opportunities in the area or primarily benefits the unemployed or those with low incomes. For public agency use may not act as a conduit for the transfer of property.

Educational Institution – An approved, accredited, or licensed public or nonprofit institution, facility, entity, or organization conducting educational programs including research for any such programs, such as a child care center, school, college, university, school for the mentally retarded, school for the physically handicapped, or an educational radio or television station.

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 1954.

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 1954.

Health Center – An approved public or nonprofit facility utilized by a health unit for the provision of public health services, including related facilities such as diagnostic and laboratory facilities and clinics.

Homeless Individual – An individual who lacks a fixed, regular and adequate nighttime residence or who has a primary nighttime residence that is: (1) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional 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 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 a State Law.

DEFINITIONS

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 department, 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 related to the construction, maintenance, and operation of a health or educational facility, rather than to the academic, instructional, or educational or public health programs such as occupational training, physical or mental health rehabilitation services, or nursing care. Licenses frequently must be renewed at periodic intervals.

Local Government – A government or administration of a locality, within a State or a 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 or 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, dental 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 at a nominal charge. As used in the Donation Program, the term “museum” includes, but is not limited to, the following institutions if they satisfy all other provisions of FPHR 101-44.207: aquariums and zoological park; botanical gardens and arboretums; museums relating to art, history, natural history, science, and technology; and planetariums. For the purposes of this program, 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 of museum does not include any institution which exhibits objects to the public if they display or use of the objects is only incidental to the primary function of the institution. For example, an institution which is engaged primarily in the sale of antiques, objects d’art, or other artifacts and which incidentally provides displays to the public of animate or inanimate object, either free or at a nominal charge, does not qualify as a museum.

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 1954.

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 title IV or title 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 Homeless Individuals – A public or a nonprofit, tax-exempt institution or organization that operates a program which provides assistance such as food, shelter, or other services to homeless individuals, as defined above. Property acquired through the donation program by such institutions or organizations must be used exclusively in their program(s) for providing assistance to homeless individuals.

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

School (except schools for the mentally retarded and schools for the physically handicapped) – 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 minimum school year and employs a full-time staff of qualified instructors.

School for the Mentally Retarded – A facility or institution operated primarily to provide specialized instruction to students of limited mental capacity. It must be public or nonprofit and must operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction of the mentally retarded, have staff of qualified instructors, and demonstrate that the facility meets the health and safety standards of the State or local governmental body.

School for the Physically Handicapped – A school organized primarily to provide specialized instruction to students whose physical handicaps necessitate individuals or group instruction. The schools must be public or nonprofit and operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction for the physically handicapped, have a staff of qualified instructors, and demonstrate that the facility meets the health and safety standards of the State or local governmental body.

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.

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 mailing address of your organization as recognized by the U.S. Postal Service. Include Zip Code. Provide the street address if different from mailing address, or provide directions if located on 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 or boxes (check as many as apply) which indicates 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 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 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 I.R.S. 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 connection.

SECTION VII: Applicants making application 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 or XX of the Social Security Act; Titles VIII or 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.

SECTION VIII: Annotate date and provide an original 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). Photo copied, rubber stamped, machine produced, carbon, or other facsimile type signatures are not acceptable.

NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. USE THIS INSTRUCTION SHEET AS YOUR CHECK LIST TO ASSURE ALL REQUIRED INFORMATION AND DOCUMENTATION IS PROVIDED. IF YOU HAVE A QUESTION OR NEED ASSISTANCE CALL 334-3477.

APPLICATION FOR ELIGIBILITY
To Receive Federal Surplus Property (41 CFR 101-44.207)

I. LEGAL NAME & MAILING ADDRESS OF APPLICANT ORGANIZATION:

Name of Organization		Federal Tax ID #
Mailing Address (PO Box #, Street)		Street Address/Location (if different from mailing address)
City, State, Zip Code () ()		County
Telephone	Fax	E-mail address

II. APPLICANT STATUS (CHECK ONE):

- Public Agency including Public Schools (evidence must be provided)
 Nonprofit, tax-exempt Organization

III. TYPE OR PURPOSE OF ORGANIZATION:

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> State | <input type="checkbox"/> Program for Older Individuals | <input type="checkbox"/> Training Center | <input type="checkbox"/> Service Educational |
| <input type="checkbox"/> County | <input type="checkbox"/> Child Care Center | <input type="checkbox"/> Radio/TV Station | <input type="checkbox"/> Activity (SEA) |
| <input type="checkbox"/> City | <input type="checkbox"/> School for Handicapped | <input type="checkbox"/> Library | <input type="checkbox"/> Small Business Administration (AA) |
| <input type="checkbox"/> School District | <input type="checkbox"/> School for Retarded | <input type="checkbox"/> Sheltered Workshop | <input type="checkbox"/> Other (specify) _____ |
| <input type="checkbox"/> College or University | <input type="checkbox"/> Museum | <input type="checkbox"/> Medical Institution | |
| <input type="checkbox"/> Secondary School | <input type="checkbox"/> Provider of Assistance to Homeless Individuals | <input type="checkbox"/> Hospital | |
| <input type="checkbox"/> Elementary School | | <input type="checkbox"/> Health Center | |
| <input type="checkbox"/> Preschool | | <input type="checkbox"/> Clinic | |

IV. PROVIDE A WRITTEN DESCRIPTION OF PROGRAM OR SERVICES OFFERED, INCLUDING A DESCRIPTION OF FACILITIES OPERATED. (REQUIRED)

V. SOURCES OF FUNDING (Attach Supporting Documentation):

- Tax Supported Grant Contributions Other (Specify) _____

VI. HAS THE ORGANIZATION BEEN DETERMINED TO BE TAX EXEMPT UNDER SECTION 501 OF THE INTERNAL REVENUE CODE OF 1954: _____ (COPY REQUIRED)

VII. HAS THE ORGANIZATION BEEN APPROVED, ACCREDITED, OR LICENSED? _____ (COPY REQUIRED) BY WHAT AUTHORITY? _____

VIII. _____
Date _____ Signature of Authorized Official _____

FOR STATE AGENCY USE ONLY

The applicant has been determined eligible ineligible conditionally eligible
as a public agency nonprofit education nonprofit health

Eligibility expires _____ Account# _____

Date

Director

AUTHORIZED REPRESENTATIVES

I. LEGAL NAME & MAILING ADDRESS OF APPLICANT ORGANIZATION:

Name of Organization

Mailing Address (PO Box #, Street, City & State)

Zip Code

Street Address/Location (If different from mailing address)

County

()
Telephone #

()
Fax #

II. THE FOLLOWING REPRESENTATIVES ARE DESIGNATED TO:

- A. Represent Donee Organization as its authorized agent; and
- B. Acquire Federal surplus property on behalf of the Donee Organization; and
- C. Obligate necessary Donee Organization funds for this purpose; and
- D. Execute Distribution Documents binding the Donee Organization to the terms, conditions, reservations, and restrictions applying to Property obtained through its agency.

III. _____ NEW DESIGNATIONS
(Delete all previous authorizations)

_____ ADDITIONAL DESIGNATIONS ONLY
(Add to previous authorizations)

IV. REPRESENTATIVES:

Print Name	Title	Signature
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

V. CERTIFICATION

Date

Signature of Authorized Official

Title

STATE OF IDAHO
BUREAU OF FEDERAL SURPLUS PROPERTY
PO BOX 83720
BOISE ID 83720-0086

NONDISCRIMINATION ASSURANCE

LEGAL NAME & MAILING ADDRESS OF APPLICANT ORGANIZATION:

Name of Organization

Mailing Address (PO Box #, Street, City & State)

Street Address / Location (If different from mailing address)

()

County

Telephone #

_____, the donee

Name of Organization

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 Service Administration (41 C.F.R. 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.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION FOR LOWER TIER COVERED TRANSACTIONS

- The Applicant Organization certifies, by submission of this application, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department agency.
- The Applicant Organization is unable to certify any of the statements in this certification and shall attach an explanation to this proposal.

(Date)

(Signature of Authorized Official)

RETURN POLICY

PROPERTY ACQUIRED THROUGH THIS PROGRAM IS DONATED ON AN "AS IS-WHERE IS" BASIS, WITH NO WARRANTY OR GUARANTEE OF ANY KIND.

Regulations require that property be put into use within one year and utilized for a **MINIMUM** of one year. We realize that there can be extenuating circumstances, and have established a return policy as follows:

IF RETURNED TO OUR AGENCY WITHIN 30 DAYS OF THE DATE ON THE WAREHOUSE ISSUE SHEET (INVOICE), FULL CREDIT WILL BE EXTENDED WITH ANY COSTS INVOLVED IN RETURNING THE PROPERTY TO OUR WAREHOUSE TO BE THE RESPONSIBILITY OF THE DONEE.

IF RETURNED BETWEEN 30 AND 60 DAYS, 50% CREDIT WILL BE EXTENDED. AGAIN, ANY COSTS INVOLVED IN RETURNING THE PROPERTY WILL BE THE RESPONSIBILITY OF THE DONEE.

SERVICE AND HANDLING FEES ON DIRECT TRANSFERS ARE NOT REFUNDABLE.

IDAHO FEDERAL SURPLUS WILL ACCEPT PROPERTY AFTER THE 60 DAY PERIOD IF FOR ANY REASON THE DONEE IS UNABLE TO COMPLY WITH THE REGULATIONS GOVERNING UTILIZATION. BUT NO CREDIT WILL BE ALLOWED AND THE RESPONSIBILITY FOR TRANSPORTATION TO THE WAREHOUSE RESTS WITH THE DONEE.

ANY CREDIT ALLOWED UNDER THE TERMS EXPLAINED ABOVE APPLIES ONLY TO THE SERVICE AND HANDLING CHARGES ASSESSED TO THE PROPERTY AND NOT TO ANY FREIGHT OR DELIVERY CHARGES.

EACH RETURN REQUIRES PRIOR APPROVAL AND ALL PROPERTY RETURNED WILL BE SUBJECT TO INSPECTION BY THE WAREHOUSE STAFF PRIOR TO ISSUANCE OF ANY CREDIT.

THERE WILL BE NO CASH RETURNS. ALL RETURNS WILL BE CREDITED TO THE ACCOUNT OF THE DONEE ORGANIZATION. THIS RETURN POLICY WILL BE EFFECTIVE JULY 1, 1991. IF YOU HAVE ANY QUESTIONS CONCERNING THIS POLICY, THEY SHOULD BE DIRECTED TO THE BUSINESS MANAGER AT 334-3477.

I certify that all authorized representatives of this organization have read, understand, and agree to the RETURN POLICY as stated above.

date

signature of authorized official

organization

TERMS AND CONDITIONS

A. THE DONEE 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 1954; within the meaning of section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and 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, for sale or other distribution; or for permanent use outside the State, except with prior 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 and Title VI Section 606 of the Federal Property and Administrative Services Act of 1949, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended.

B. THE DONEE 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 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 by the State agency.
 2. Such special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) of property listed heron.
 3. In the event the property is not so used or handled as required by B1 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 persons 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 \$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, except for such items of major equipment, listed hereon, which the State agency designates a further period of restriction.

3. In the event the property is not so used as required by C1 and 2 and Federal restrictions B1 and 2 have expired then title and right to the possession of such property shall at the option of the State agency revert to the State of Idaho and the 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 B and C above 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 prior approval of GSA under B or the State agency 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, 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, cannibalized, encumbered, or otherwise disposed of by the donee from the date it received 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 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 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.

3. If at any time, from the date it receives the property through the period(s) of time the conditions imposed by B and C remain in effect, any of the property listed hereon is no longer suitable, usable, or further needed by 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, 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 conditions set forth in C and the terms, reservations and restrictions pertinent thereto 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", "whereis" 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, the State agency will be entitled to reimbursement from the donee 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 VESSEL (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$5,000 OR MORE, REGARDLESS OF THE PURPOSE FOR WHICH ACQUIRED:

The donation shall be subject to the terms and conditions, reservations, and restrictions set forth in the Conditional Transfer Document executed by the authorized donee representative.

G. THE DONEE AGREES TO THE FOLLOWING TERMS AND CONDITIONS IMPOSED BY THE STATE AGENCY APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF UNDER \$5,000:

There shall be a period of restriction on all motor vehicles, requiring registration for license, which shall 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 was placed in use.

I certify that all authorized representatives of this organization have read, understand and agree to the TERMS AND CONDITIONS as stated above.

Date

Signature of authorized
Official

Organization

PAYMENT TERMS AND CONDITIONS

STATE AND FEDERAL REGULATIONS: Acceptance of Federal Surplus equipment and supplies by users who have established eligibility to participate in the IDAHO FEDERAL SURPLUS PROGRAM is subject to certifications and agreements identified on the back side of the standard invoice.

1. Federal equipment and supplies are restricted to institutional use only, not personal use, and are to be placed in service within one year from the date the property was invoiced and used for a minimum of one year.
2. All vehicles and items with an acquisition cost of \$5,000.00 or more shall be used for the purpose(s) for which acquired within one year from the date the property was invoiced and used for a minimum of 18 months thereafter.
3. During the restriction period, the property shall not be sold, traded, leased, lent, bailed, cannibalized, or otherwise disposed of or removed from the State of Idaho without the express written approval of the Idaho State Agency for Federal Surplus Property. The recipients of federal property are urged to contact the State Agency prior to taking any action which may be interpreted as modifying any of the certifications and agreements stated on the back side of the invoice.

TERMS: NET 30 DAYS TO ALL DONEES. Payment must be by check issued by the eligible donee organization. No personal checks, cashier's checks, money orders or cash transactions are permitted.

SHIPPING: Shipping may be arranged by bureau truck, common carrier, UPS or Parcel Post. Delivery charges via parcel post, and UPS will be added to the invoice. Common carrier shipments will be sent freight collect.

Date

Signature of Authorized Official

Organization

