



## City of Fitchburg, Massachusetts

### Procurement Department

#### POLICY FOR DISPOSAL OF SURPLUS SUPPLIES, MATERIALS & EQUIPMENT

#### OBJECTIVE

The goal of this policy is to provide a reference tool for staff to understand the process for disposal of surplus supplies, materials, and equipment that have been purchased with municipal funds but are no longer used or have outlived their useful life.

#### AUTHORITY

Disposal of these items are subject to MGL c. 30B and the Chief Procurement Officer has been authorized by ordinance to provide a disposal procedure.

#### PROCUREMENT PROCEDURE

From time to time the City finds it necessary to dispose of scrap metals, materials, residue inventory and surplus/obsolete equipment. It is the intent of this policy to establish reasonable control over scrap, surplus and obsolete material generation, handling, sale and disposal, and to maximize revenue.

- Supplies, materials, or equipment (hereinafter described as "Surplus") included in this policy are defined as items no longer useful to the governmental body.
- No tangible property owned by the City of Fitchburg, whether the same be controlled by any department or otherwise, shall be sold, alienated or otherwise disposed of except in accordance with this policy.
- The department head having control of surplus item(s) shall submit their written recommendation for disposal to the Mayor on the "Property Disposition Request Form." Contained within this form shall be a good faith estimate value of the items individually listed. The good faith estimate shall reflect the estimate of either a single item, or a lot of similar items that would reasonably be assumed to go together. Transactions may not be split to avoid reaching a higher threshold amount and triggering a more restrictive procurement process.
- If approved by the Mayor, the form will be submitted to the Procurement Department, recorded with the City Property Committee, and copied to the City Auditor for inventory purposes.

#### For surplus determined to have a value less than \$1,000:

- Items may be disposed of by any means on the departmental level, provided prior public disclosure takes place via the Property Disposition Request Form being signed by the Mayor, and provided the funds generated (if any) are deposited into the City's General Fund.
- If the item may have value or be usable to another City department, as a courtesy, it should be offered to other departments prior to disposal or disposition. If there is a cost to dispose of the item, consider value of scrap or recycling. Disposal for cost should be the last resort for any surplus item that has a potential use.

#### For surplus determined to have a value more than \$1000 and less than \$10,000:

1. Upon receipt of the Property Disposition Request Form, the Procurement Department will first offer the item(s) to other City departments via an email notification. City departments will have ten (10) business days to declare their interest and take ownership of the item(s).
2. If there is no internal interest in the item(s), the Procurement Department shall determine the appropriate method of disposal and conduct the sale or disposition. The controlling department shall provide the item in for-sale condition (as cleaned up as possible and free of preventable defects) and shall inform the Procurement Department of the location and condition of the item(s).
3. The Procurement Department will endeavor to obtain the greatest return, and in most cases, items will be provided to a competitive clearing-house to dispose of the item(s) in a timely manner and with little to no cost to the City. In certain circumstances, the Chief Procurement Officer may elect to use a more competitive process for an item that has particular interest or value.

For surplus determined to have a value in excess of \$10,000:

1. Upon receipt of the Property Disposition Request Form, the Procurement Department will first offer the item(s) to other City departments via an email notification. City departments will have ten (10) business days to declare their interest and take ownership of the item(s).
2. If there is no internal interest in the item(s), the Procurement Department shall perform the disposition in accordance with the provisions of MGL c. 30B relating to such higher value dispositions, by inter-municipal agreement, auction, or bid. The controlling department shall provide the item in sale condition (as cleaned up as possible and free of preventable defects) and shall inform the Procurement Department of the location and condition of the item(s).

The following shall apply to all disposition transactions:

1. All funds generated by the sale of surplus shall be deposited to the City's General Fund regardless of how the items were first acquired, except in the case of certain criminal forfeiture transactions.
2. Items declared and approved as surplus may be traded in towards the purchase of new supplies and equipment only as allowed under MGL c. 30B.
3. Departments shall retain the ability to destroy and/or discard outright any supplies, materials, equipment or scrap that are broken, unusable, or unsellable.
4. The City will furnish the buyer with a Bill of Sale detailing the items conveyed and the price paid for the item(s), and shall retain the documents as required by the Public Records Law.