

CHAPTER 274

TANGIBLE PERSONAL PROPERTY OWNED BY LOCAL GOVERNMENTS

**274.01 Definitions.**—The following words as used in this act have the meanings set forth in the below subsections, unless a different meaning is required by the context:

- (1) “Governmental unit” means the governing board, commission or authority of a county or taxing district of the state or the sheriff of the county.
- (2) “Custodian” means the person to whom the custody of county or district property has been delegated by the governmental unit.
- (3) “Property” means all tangible personal property, owned by a governmental unit, of a nonconsumable nature.
- (4) “Fiscal year” means the governmental unit’s fiscal year established pursuant to law; otherwise, it means the calendar year.

**History.**—s. 1, ch. 59-163; s. 1, ch. 61-102.

**274.05 Surplus property.**—A governmental unit shall have discretion to classify as surplus any of its property, which property is not otherwise lawfully disposed of, that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function. Within the reasonable exercise of its discretion and having consideration for the best interests of the county or district, the value and condition of property classified as surplus, and the probability of such property’s being desired by the prospective bidder or donee to whom offered, the governmental unit may offer surplus property to other governmental units in the county or district for sale or donation or may offer the property to private nonprofit agencies as defined in s. 273.01(3) by sale or donation. If the surplus property is offered for sale and no acceptable bid is received within a reasonable time, the governmental unit shall offer such property to such other governmental units or private nonprofit agencies as determined by the governmental units on the basis of the foregoing criteria. Such offer shall disclose the value and condition of the property. The best bid shall be accepted by the governmental unit offering such surplus property. The cost of transferring the property shall be paid by the governmental unit or the private nonprofit agency purchasing or receiving the donation of the surplus property.

**DISPOSAL OF DISTRICT SURPLUS PERSONAL PROPERTY**

The trustee entrusted with an area of proposed surplus property and an employee of the District familiar with the function of the personal property in question will assess the value to the District and the reason for the assessment. It may be a result of replacing the property, accidental damage, used beyond its life expectancy, or for any other reason.

After the examination by the Trustee and the employee and there is a mutual agreement that the property is surplus, the Trustee and employee will establish a value for the property. The proposed disposal will be presented to the Board of Trustees on Form 1018F for the Boards approval to dispose of the property by using one of the following:

1. No value to anyone for anything- Prepare form 1018F and put on agenda for Board of Trustees. When approved by the Board, the Trustee and employee together may discard as junk and verify disposal on the Form 1018F. The form to be on file in the office as a public record.
2. Estimated value of \$2000.00 or less- Prepare form 1018F and submit to the Board of Trustees. If approved an advertisement for the surplus shall be placed in the Bayshore Banner, posted on District website, bulletin boards, and social media. The notice would include a description, operating condition, price, and address of surplus. This would be **Local Distribution Authorization** .
3. Estimate value over \$2000.00 Prepare form 1018F and submit to Board of Trustees for approval. If approved the item shall be posted on District bulletin boards, Bayshore Banner, website, and an be placed in the For Sale portion of the local newspaper of general circulation of at least five days a week.
4. Estimated value of \$5000.00 or more, Prepare form 1018F to be presented to the Board of Trustee for approval. If approved the surplus shall be published for a minimum of one week, but not more than two weeks before the sale, in a newspaper of general circulation of at least five days a week. Additional Medias may be used for advertisements. The website and Banner shall also be used for this purpose. The advertisements for the surplus must be offered for sale by sealed bids only. (Pursuant to 274.06)

### **POSTINGS**

Postings and ads must contain a basic description of the surplus, its location, disposal/inventory tag number, contact person, inspection times, and operating condition. State the date, time and place of opening the sealed bids.

### **BID PROCESS**

Three, and four above will all be by sealed bids. The bids must be received and the envelope must be clearly marked on the outside ***BIDS FOR \_\_\_\_\_ DATE \_\_\_\_\_*** and mailed or hand delivered to the District office by the closing of business of the date bidding ends. Email bids or bids received after the cutoff date will not be considered. The opening of the bids shall be scheduled to correspond to a Regularly scheduled Board of Trustee meeting. Bids shall not be opened until the agenda item for bids is recognized by the Board.

### **PAYMENT**

Full payment by certified check, money order, or cash will be required from the successful bidder before release of surplus . Any item thought to have a value of over \$1000.00 shall require a certified check in the amount of 10% of the bid offered, and shall be included with the bid. Unsuccessful bidders will have

their checks returned. All monies received shall be deposited in the General Fund of the District. All sales are as is, where is, and final. No guarantee of any kind is offered or inferred.

**NO BIDS RECEIVED**

**274.06 Alternative procedure.**—Having consideration for the best interests of the county or district, a governmental unit's property that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function, which property is not otherwise lawfully disposed of, may be disposed of for value to any person, or may be disposed of for value without bids to the state, to any if the surplus property is offered for sale and no acceptable bid is received within a reasonable time, the governmental unit shall offer such property to such other governmental units or private nonprofit agencies as determined by the governmental units on the basis of the foregoing criteria. Such offer shall disclose the value and condition of the property. The best bid shall be accepted by the governmental unit offering such surplus property. The cost of transferring the property shall be paid by the governmental unit or the private nonprofit agency purchasing or receiving the donation of the surplus property.

If no offers from above process the price will be lowered until sold. The surplus may also be donated to a not for profit organization as well as any other governmental unit if approved by the Board at a Regularly scheduled meeting.

**These procedures are in compliance with Florida statutes 274.05 and 274.06**

Approved 5/15/2018 Sharon Denson

Revised \_\_\_\_\_

Effective 5/15/2018

