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TITLE 27. CONTRACTS AND PROCUREMENTS
CHAPTER 9. SURPLUS PROPERTY

CDCR 27-900 (2007)

27-900. GENERAL PROVISIONS

900.1 This chapter sets forth the operating procedures and practices to be carried out by the District of Columbia State Agency for Surplus Property (SASP) in effecting fair and equitable distribution of federal surplus personal property to District of Columbia Government Public Agencies, and District of Columbia non-profit, tax-exempt educational and health institutions as are determined to be eligible to receive surplus personal property under § 203(j) of the Federal Property and Administrative Services Act of 1949, as amended.

900.2 Operating procedures and practices described in this chapter are in accordance with the regulations as set forth in FPMR 101-44 (41 CFR 101-44) as revised to conform to the provisions of Public Law 94-519, 94th Congress.

AUTHORITY: Unless otherwise noted, the authority for this chapter is the Federal Property and Administrative Services Act of 1949, as amended, P.L. 81-698, approved August 16, 1950.

SOURCE: Final Rulemaking published at 30 DCR 2209 (May 13, 1983), incorporating Proposed Rulemaking published at 24 DCR 1705 (August 19, 1977)
History of Regulations since Last Compilation (July 1988)

NOTES:

EDITOR'S NOTE: Hereafter, source citations for this chapter are to the proposed rather than the final rulemaking notice.

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TITLE 27. CONTRACTS AND PROCUREMENTS
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CDCR 27-901 (2007)

27-901. AUTHORITY

901.1 In accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended, Public Law 698, 81st Congress, Chapter 720, 2d Session (H.R. 6104) was approved August 16, 1950 to authorize the District of Columbia State Agency for Surplus Property (SASP) to acquire and distribute to all eligible donees in the District of Columbia any and all surplus property deemed surplus to the Federal Government. The D.C. SASP is vested with all necessary powers and authorities to accomplish the above mentioned functions.

901.2 The D.C. SASP may make any certifications, take any actions, make any expenditures, and enter into any agreements and undertakings for and in the name of the District of Columbia, pursuant to applicable D.C. laws.

901.3 The D.C. SASP may enter into cooperative agreements as provided by the Federal Property and Administrative Services Act of 1949, as amended, and authorities cited in §§ 901.1 and 901.2.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1708 (August 19, 1977)
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CDCR 27-902 (2007)

27-902. RESERVED

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TITLE 27. CONTRACTS AND PROCUREMENTS
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CDCR 27-903 (2007)

27-903. DESIGNATION OF STATE AGENCY

903.1 The Surplus Acquisition Section of the Equipment Management Division, Materiel Management Administration, Department of Administrative Services, is designated as the Agency responsible for administering the State Plan of Operation pursuant to Commissioner's Order No. 69-96, dated March 7, 1969, and Reorganization Plan No. 5 of 1983.

903.2 The Administrator for Materiel Management, through the Chief, Equipment Management Division, shall be responsible for the operations of the SASP.

903.3 The Director of Administrative Services shall supervise the Administrator for Materiel Management, who is the Procurement Officer for the District of Columbia.

903.4 Organization, supervision, and staffing shall be as outlined on the organizational chart of the agency. Generally, the Chief, Equipment Management Division, as directed by the Administrator, Materiel Management Administration, shall be responsible for requesting, receiving, storing and distributing surplus property.

903.5 The District of Columbia State Agent shall be the Chief of the Surplus Acquisition Section, and may make charges, assess fees, and distribute surplus property in accordance with all federal and District of Columbia laws and regulations governing the donation program.

903.6 The SASP shall distribute property from one warehouse at #5 Village Lane, S.W., Washington, D.C.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1709 (August 19, 1977)
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CDCR 27-904 (2007)

27-904. INVENTORY CONTROL

904.1 The SASP shall use the D.C. Systems for inventory control and accounting, as promulgated by the Audit Office of the District of Columbia Department of Finance and Revenue.

904.2 The inventory control system shall include all property allocated to SASP on SF-123, with no exceptions. Accountability records of all single items having a unit acquisition cost of three thousand dollars (\$ 3,000), or more, and all motor vehicles regardless of cost, shall be maintained on a Stock Record Ledger Card and supplemented with the Control Sheet for Restricted Donable Property at the time of issue.

904.3 Property shall be checked into the warehouse upon receipt, using the SF-123 as the warehouse receiving report recorded on the Stock Record Ledger card. Issues shall be posted against the Card, and periodic inventories shall be taken to verify card balances. Actual count shall determine shortages and overages. Certain items such as nuts, bolts, screws, and washers, shall be isolated when received and sold in units of pounds or other measurements of acceptance.

904.4 Verification of property on hand shall be accomplished by complete or random sampling inventory. Random sampling inventories shall always be used whenever discrepancies are noted by the warehouse clerk.

904.5 Overages and shortages of receipts shall be recorded on the receiving report. In the case of overages on line items over five hundred dollars (\$ 500), Form SF-123 shall be prepared and forwarded to GSA. Overage and shortage reports shall be handled pursuant to FPMR 101-44.115 (a) and (b).

904.6 The SASP shall conduct at least one (1) complete inventory each fiscal year. Property verifications shall be recorded on the the Stock Record Ledger Card and all discrepancies shall be reported to the Chief, Equipment Management Division, for review and action. Adjustment action shall be performed by the Accounting Division, Department of Administrative Services.

904.7 Property shall be issued to eligible donees on D. C. Form 2630-12, Property Receipt, which shall be signed by an authorized representative of the donee at the time of issues. An authorized signature file shall be maintained by the SASP for all authorized donee-agents. Items with a unit acquisition cost of three thousand dollars (\$ 3,000) or more, and motor vehicles regardless of cost shall also be issued on the D.C. Form 2630-12, which has the special restrictions printed on the reverse side.

904.8 Property distributed directly to a donee shall be physically received and issued as described in §§ 904.3 and 904.7, with the exception being the absence of the property at the warehouse.

904.9 The audit trail shall be provided by the Stock Record Ledger Card which contains the D.C. (State) Serial Number assigned the Form SF-123, the requesting and receiving document, and the voucher number assigned the D.C. Form 2630-12, the issue and accounts receivable document.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1710 (August 19, 1977)
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CDCR 27-905 (2007)

27-905. ACCOUNTING

905.1 The accounting system for the SASP, consisting of a double-entry system, shall be maintained by the Accounting Division, Department of Administrative Services. It shall include a chart of accounts, a general ledger with accounts for all assets, liabilities, income and expenses, and journals for the original record of transactions.

905.2 The accounting system for the SASP shall identify and separately account for funds accumulated from service charges which are recorded from the Property Receipts forwarded by SASP each month. The Accounting Division shall maintain the documents by donee. The SASP shall maintain the documents by numerical voucher-order sequence on a monthly basis.

905.3 The Accounting Division shall utilize the District of Columbia's Financial Management System for recording its receipts and expense transactions. This System furnishes budgetary information and fund accounting on a double-entry cash basis.

905.4 Accounts receivable shall be recorded at the fund level, but shall not be recognized as revenue in the accounts until collected. The Accounting System shall allow for recording encumbrances, if necessary, and shall be available for inspection by authorized representatives following due notice.

905.5 At the end of each quarter, Administrative Services Accounting shall prepare for the Equipment Management Division a set of statements to include a Statement of Operations, a Balance Sheet, and an aged schedule of accounts receivable. These statements shall be prepared on the accrual basis of accounting.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1712 (May 13, 1983)
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CDCR 27-906 (2007)

906-907. RESERVED

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CDCR 27-908 (2007)

27-908. RETURN OF DONATED PROPERTY

908.1 When a determination has been made that property has not been put into use by a donee within one year from the date of receipt, or when the donee ceases to use the property within one (1) year after placing the property in use, under the terms and conditions of the Certifications and Agreements the donee shall, at the direction of SASP, do one (1) of the following:

- (a) Return all property, while usable, at its own expense to the SASP warehouse;
- (b) Retransfer all usable property to another eligible donee; or
- (c) Make some other disposal as deemed appropriate.

908.2 The SASP shall periodically emphasize the provisions § 908.1 when corresponding and meeting with donees, and when surveying the utilization of donated property at donee facilities. Property returned by donees shall be received in the inventory for reissue.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1713 (August 19, 1977)
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TITLE 27. CONTRACTS AND PROCUREMENTS
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CDCR 27-909 (2007)

27-909. FINANCING AND SERVICE CHARGES

909.1 The SASP shall be financed through the use and collection of service charges.

909.2 The service charge shall be based on the prorated expenses incurred annually by the SASP, and shall be assessed at a rate designed to provide adequate coverage for all cost factors involved in the acquisition and distribution of surplus property. Moreover, the service charges shall be fair and equitable in relation to the services performed.

909.3 The SASP may accept gifts of a redeeming value from concerned District of Columbia entities to augment its financial posture, if approved prior to acceptance by the Director of Administrative Services or his or her authorized designee.

909.4 The factors considered in determining service charges shall be as follows:

- (a) Original acquisition cost and present value of property;
- (b) Screening;
- (c) Quantity of property available;
- (d) Condition of property;
- (e) Desirability of property;
- (f) Transportation to include fuels, lubricants, and maintenance;
- (g) Warehousing and storage;
- (h) Loading and unloading;
- (i) Packing and crating;
- (j) Repair and rehabilitation of property;

- (k) Utilization and compliance;
- (l) Depreciation and reserve;
- (m) Administration and accounting;
- (n) Utilities and telephone;
- (o) Trash removal;
- (p) Printing;
- (q) Supplies;
- (r) Travel; and
- (s) Personnel.

909.5 Generally, items shall be priced as follows:

- (a) At thirty-five percent (35%) or less for items with a unit acquisition cost between one cent (\$.01) and five hundred dollars (\$ 500);
- (b) At twenty-five percent (25%) or less for items between five hundred and one dollars (\$ 501) and one thousand dollars (\$ 1,000);
- (c) At fifteen percent (15%) or less for items between one thousand and one dollars (\$ 1,001) and fifteen hundred dollars (\$ 1,500); and
- (d) At ten percent (10%) or less for items over fifteen hundred dollars (\$ 1,500). No item shall cost more than two thousand dollars (\$ 2,000), excluding special freight and handling.

909.6 Direct costs shall be added to the service charges for the following:

- (a) Special rehabilitation of property;
- (b) Overseas property returned to the United States at the request of the donee;
- (c) Long-distance hauling;
- (d) Special handling such as packing and cratings; and
- (e) Special purchases to replace parts.

909.7 Minimum service charges shall be assessed in cases where the SASP provides only minimum services. Those cases may include direct transfer of property whereby the donee furnishes labor and equipment to locate, screen, and pickup property.

909.8 When transactions cited in § 909.7 occur, SASP shall discount the service charge that would have been normally assessed by twenty-five percent (25%) for locating and screening, and twenty-five percent (25%) for pickup. This direct method shall be authorized only in the case where technical or scientific properties are involved, and the expertise of selection exceeds the capabilities of the SASP employees. Under this arrangement, no transaction shall cost less than sixty dollars (\$ 60), and no more than one thousand dollars (\$

action shall cost less than sixty dollars (\$ 60), and no more than one thousand dollars (\$ 1,000), excluding special freight and handling and the exceptions itemized in § 909.6.

909.9 Minimum charges, when appropriate, may also reflect the sum total of SASP expenses prorated by the number of documents processed for the month.

909.10 The SASP shall not refund service charges to donees in excess of the working capital reserve. However, when a determination has been made by Administrative Services Accounting that the working capital reserve reflects an excessive amount, the service charges shall be reduced by the percentage recommended by Administrative Services Accounting necessary to counteract only that amount determined to be in excess. The period of the reduced service charges shall be as defined by Administrative Services Accounting, or as otherwise directed.

909.11 Service charge funds remitted by donees, including those accumulated prior to October 17, 1977, shall be used for the benefit of the participating donees, and the sole operation of the SASP Distribution Center. Included in the use shall be coverage of the direct and indirect cost of the SASP operations, as subject to D.C. law and budgetary requirements, and improvements to or acquisition of additional office and warehousing facilities. The service charge funds may also be used to purchase necessary equipment and supplies, and to repair and rehabilitate existing equipment.

909.12 Any funds realized from either the sale or dissolution of the SASP facilities shall be deposited to the District of Columbia General Fund.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1714 (August 19, 1977)
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CDCR 27-910 (2007)

27-910. TERMS AND CONDITIONS ON DONABLE PROPERTY

910.1 The SASP shall require each eligible donee, in support of eligibility, to file with the SASP a Certification and Agreements Form, which outlines the certifications, agreements, terms, conditions, reservations, and restrictions under which all Federal surplus personal property will be donated, as specified in § 934.

910.2 The SASP shall require each eligible donee, in support of eligibility, to file with the SASP the Civil Rights Assurance Form, which prohibits discrimination on the basis of race, religion, national origin, sex, handicap, age, and education.

910.3 Each form filed pursuant to §§ 910.1 and 910.2 shall be signed by the Governing Board or Chief Executive Officer of the donee-organization agreeing to all stipulations prior to donation. The terms, conditions, and restrictions contained in the Certifications and Agreements are printed on the reverse side of the D.C. 2630-12, Property Receipt.

910.4 The following periods of restriction shall be followed by the SASP regarding property with a unit acquisition cost of three thousand dollars (\$ 3,000) or more, and all motor vehicles regardless of cost:

(a) Motor vehicles - Twenty-four (24) months from the date the property is placed in use. D.C. Public Agencies requesting purchase of vehicles from SASP shall produce a bonafide certification of fleet addition or fleet replacement prior to obtaining vehicles of any sort.

(b) Compliance property (items with a unit acquisition cost of three thousand dollars (\$ 3,000) or more) - twenty-four (24) months from the date property is placed in use.

(c) Aircraft (non-combat type), and Vessels (fifty feet (50") or more in length - sixty (60) months from the date property is placed in use. These donations shall be subject to the requirements of the Non-Combat Aircraft Conditional Transfer Document and the Vessel Conditional Transfer Document.

910.5 In addition to the periods of restrictions cited in § 910.4 above, the SASP shall impose the statutory requirements that all items donated shall be placed into use within one year of the donation period, and be used for the purposes acquired for one year thereafter, or become subject to the provisions of § 908 of this chapter.

910.6 Excluding combat-type aircraft, the SASP may reduce the period of restriction to eighteen (18) months on donable property providing sufficient rationale justifies the request, and is approved by SASP at the time of donation.

910.7 The SASP, when considered reasonable or appropriate, may impose such terms, conditions, reservations, and restrictions on the use of all donable property, regardless of acquisition cost, except such conditions involving special handling or use limitations as GSA may determine, which shall be mandatory.

910.8 The SASP may amend, modify, or grant release of any terms, conditions, reservations, or restrictions it has imposed on donated property, in accordance with the standards outlined in the Release of Restrictions Form, provided the cogency of each situation has been previously ratified by SASP and made a matter of public record.

910.9 The SASP shall not authorize release of any federal or District of Columbia law or regulation except where authority is specifically granted by those laws or regulations.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1715 (August 19, 1977)
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CDCR 27-911 (2007)

27-911. NON-UTILIZED DONABLE PROPERTY

911.1 All property in the possession of the SASP for two (2) complete inventory cycles, and all property which cannot be utilized by eligible donees in the District of Columbia, regardless of time, shall be disposed in accordance with FPMR 101-44.205 by one (1) of the following methods:

- (a) Retransfer to another SASP;
- (b) Abandonment or destruction; or
- (c) As prescribed by GSA.

911.2 When donable property is either retransferred or disposed as prescribed by GSA, the District of Columbia SASP may seek reimbursement for the cost of care and handling as authorized by FPMR 101-44.205(j).

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1720 (August 19, 1977)
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CDCR 27-912 (2007)

27-912. FAIR AND EQUITABLE DISTRIBUTION

912.1 The SASP shall distribute all donable surplus property to all eligible donees of the District of Columbia on a fair and equitable basis considering relative needs, relative resources, and the ability to utilize the property as the prime factors.

912.2 The procedures for effecting the distribution shall be determined by the following factors:

(a) Relative needs, which shall include an assessment of the following factors:

- (1) Justification;
- (2) Size and type of program in operation; and
- (3) Type and quantity of property previously issued.

(b) Relative resources, which shall include an assessment of the following factors:

- (1) Economic condition of donee;
- (2) Funding source and availability of funds; and
- (3) Ability to maintain property in use.

(c) Ability to utilize property, which shall include an assessment of the following factors:

- (1) Planned usage of property;
- (2) Length of time for contemplated usage; and

(3) Ability and timeliness of selection and removal.

912.3 The SASP shall maintain a donee want-list which shall serve as a fundamental tool designed to neutralize the necessity of frequent visits to the Distribution Center in search of desired properties. The SASP employees shall be guided by these requests in the screening and selection of property.

912.4 The SASP, insofar as practical, shall select property as requested by the donees, and, upon request, arrange for direct shipment.

912.5 The SASP shall prioritize its efforts to locate and distribute needed property to any donee that suffers any type of major disaster due to fire, vandalism, Acts of God, or any other type of uncontrollable catastrophe [catastrophe].

912.6 Catalogs and bulletins, containing listings of available property, shall be mailed by SASP periodically to all eligible donees in order to enhance item awareness and avoid customer stagnation.

912.7 The SASP shall conclude all competing requests utilizing the provisions cited in this section.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1721 (August 19, 1977)
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CDCR 27-913 (2007)

27-913. ELIGIBILITY

913.1 Pursuant to FPMR 101-44.207(e), the State Agency (D.C. SASP) is responsible for the determination that an applicant is eligible as a public agency or a non-profit educational or public health institution or organization to participate in the program and receive donations of surplus personal property. However, in establishing eligibility, the standards and guidelines as set forth in FPMR 101-44.207 shall be utilized, as well as the final approval of the Director of the Department of Administrative Services.

913.2 Surplus property may be donated through SASP to any public agency in the District of Columbia that carries out or promotes one or more public purpose.

913.3 For the purposes of this section, a public agency, as defined in FPMR 101-44.001-10, includes any 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, multijurisdictional substate districts established by or pursuant to State law; or any Indian tribe, band, group, pueblo, or community located on a State reservation.

913.4 For the purposes of this section, public purpose, as defined in FPMR 101-44.207(a)(22), means 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.

913.5 Surplus property may be donated through SASP to non-profit educational or public health institutions, or tax-exempt organizations within the District of Columbia that are classified as medical institutions, hospitals, clinics, health centers, schools, colleges, universities, schools for the mentally retarded, schools for the physically handicapped, child

sities, schools for the mentally retarded, schools for the physically handicapped, child care centers, radio and television stations licensed by the FCC as educational, museums attended by the public, and libraries serving free all residents of the District of Columbia.

913.6 A non-profit, tax-exempt institution, as defined in FPMR 101-44.207(17), includes any educational or public health institution or organization of which no part of the net-earnings 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 § 501 of the *Internal Revenue Code of 1954*.

913.7 The SASP shall provide full assistance to the perpetual development of potential donees in the District of Columbia with constant vigilance towards manifesting optimum program participation.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1723 (August 19, 1977)
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CDCR 27-914 (2007)

27-914. APPLICATION

914.1 Each donee-applicant shall be required to file the following information:

(a) An application form containing the following information:

- (1) The legal name, address and telephone;
- (2) Status as a public agency or non-profit, tax-exempt educational or public health unit, and evidence of status given;
- (3) Detailed analysis of program activities;
- (4) Types of property needed;
- (5) Financial information;
- (6) Proof of tax exemption under § 501 of the *Internal Revenue Code of 1954*; and
- (7) Proof that applicant is approved, accredited or licensed, if any one is required.

(b) A Certifications and Agreements Form signed by the Chief Executive Officer accepting the terms and conditions under which property will be transferred.

(c) An Assurance of Compliance Form indicating acceptance of civil rights and non-discrimination on the basis of race, religion, national origin, sex, handicap, age or education, in accordance with GSA regulations and requirements.

(d) A written authorization signed by the chairperson of the governing body or executive head of the donee activity, or a resolution of the governing body

designating one or more representatives to act for the applicant in the obligation of any necessary funds and the execution of property receipts.

914.2 Each donee applicant shall file the application at the SASP Distribution Center, and should allow a normal processing period of thirty (30) days. Unusual applications may require a longer period.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1725 (August 19, 1977)
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CDCR 27-915 (2007)

27-915. MAINTAINING ELIGIBILITY

915.1 The SASP shall review and update all approved applicants every three years.

915.2 When an eligible donee ceases to operate, whether by loss of license, accreditation, or approval, or otherwise, the SASP shall terminate the distribution of all property immediately upon notification.

915.3 When an eligible donee fails to satisfy all financial obligations as required or fails to maintain a reasonable posture regarding all financial obligations, the SASP shall terminate distribution of property immediately upon notification.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1726 (August 19, 1977)
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CDCR 27-916 (2007)

27-916. COMPLIANCE AND UTILIZATION

916.1 Representatives of SASP shall survey a minimum of twenty percent (20%) of all eligible donees on its regular annual utilization reviews, which shall serve as the period of inspection to determine compliance with terms, conditions, reservations and restrictions imposed for property having an acquisition cost of three thousand dollars (\$ 3,000) or more and any passenger vehicle.

916.2 The utilization review shall also include a survey of donee compliance with any special handling conditions or use limitations stipulated, as well as the statutory requirement that all property donated is being used for purposes acquired, and that same has been placed into use within one year of acquisition and used for one year thereafter.

916.3 The SASP shall set the utilization reviews to coincide with the first anniversary of the property-issue date, and continue in sequential order during the restriction periods. SASP shall rotate all accounts to insure total District of Columbia review within a 5-year period.

916.4 The SASP shall prepare reports on all utilization reviews conducted indicating donees visited, property inspected, and any corrective actions taken. Reports shall be available for inspection by all authorized representatives.

916.5 In cases where fraud or misuse of donated property is discovered, the SASP shall initiate an investigation to determine if further legal action is required. Where fraud is indicated, the SASP shall notify the proper authorities in the Department of Administrative Services, the Federal Bureau of Investigation, and the appropriate regional office of GSA. Further, the SASP shall assist General Services Administration, or any other Federal or State Agency in the investigation of alleged fraud or misuse.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1727 (August 19, 1977)
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TITLE 27. CONTRACTS AND PROCUREMENTS
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CDCR 27-917 (2007)

27-917. CONSULTATION WITH ADVISORY BODIES AND PUBLIC AND PRIVATE
GROUPS

917.1 The SASP shall meet at the direction of the Administrator for Materiel Management Administration with the advisory board designated by the Director of the Department of Administrative Services.

917.2 The advisory board shall be composed of not more than ten (10) members, with total membership comprising representatives of the tax-supported, tax-exempt, and non-profit educational and health institutions in the District of Columbia. The board members shall serve without compensation and at the pleasure of the Director of the Department of Administrative Services, and may submit reports and recommendations to the Director regarding status of relative needs and resources of donees, and utilization and distribution of property to meet program functions.

917.3 The reports and recommendations of the board members shall be used by SASP to aid the determination of relative needs and resources of donees, and to ascertain the extrinsic nature of utilization and distribution of donable property to fill existing needs. Moreover, SASP shall solicit expressions of need and interest from the advisory board, and public and private groups, in order to advise GSA of such requirements for specific items of property.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1729 (August 19, 1977)
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CDCR 27-918 (2007)

27-918. AUDIT

918.1 Commencing eighteen (18) months after acceptance of this plan, and not less than every two (2) years subsequent, the SASP shall be audited by the General Accounting Office. This audit shall include a review of agency conformance with the provisions of this plan, and the requirements of 41 CFR 101-44. A copy of the audit report shall be furnished to the appropriate GSA regional office along with a resume of corrective actions take. All books and records of the SASP shall be available for periodic inspection by representatives of GSA, GAO, or other authorized Federal Agencies.

918.2 An internal audit of the SASP shall be conducted by the D.C. Director of the Department of Administrative Services, or an authorized representative not less than every two years.

918.3 GSA may conduct its own audit of the SASP following due notice to the Mayor of the District of Columbia indicating reasons for an audit.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1730 (August 19, 1977); as amended by D.C. Act 13-375, 47 DCR 6308 (August 11, 2000).

History of Regulations since Last Compilation (July 1988)

August 11, 2000 *27 DCMR 918.1* amended at 47 DCR 6308 by D.C. Act 13-375

[EDITOR'S NOTE: issued in July 2004]

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CDCR 27-919 (2007)

27-919. COOPERATIVE AGREEMENTS

919.1 The SASP may enter into cooperative agreements. This may include use of donable property by SASP, use of FTS, Inter-State cooperative agreements, use of Federal facilities and overseas property, and other agreements as provided by § 203(n) of the Federal Property and Administrative Services Act of 1949, as amended, FPMR 101-44.206, and the D. C. Home Rule Act.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1731 (August 19, 1977)
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CDCR 27-920 (2007)

27-920. LIQUIDATION

920.1 A liquidation plan shall be submitted to the appropriate GSA Regional Office in accordance with FPMR 101-44.202(c)(14) prior to actual liquidation. That plan shall include the following information:

- (a) Reasons for liquidation;
- (b) A liquidation schedule and an estimated termination date;
- (c) A method of disposing of surplus property on hand;
- (d) The method of disposing of the physical and financial assets; and
- (e) Provisions for the retention of all books and records for a two-year (2) period following liquidation.

920.2 Any funds realized following liquidation shall be deposited in the District of Columbia General Fund.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1732 (August 19, 1977)
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CDCR 27-921 (2007)

27-921-929. RESERVED

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CDCR 27-930 (2007)

27-930. FORMS

930.1 Applicants and participants shall complete and file all forms as specified by the SASP.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1733 (August 19, 1977)
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CDCR 27-931 (2007)

27-931. RECORDS

931.1 All records pertaining to the operations of SASP, including, but not limited to, fiscal, applications for property, inventory control and distribution documents shall be retained for a minimum of three years.

931.2 Records on vessels and non-combat aircraft shall be retained for one (1) year after expiration of the period of restriction, and longer if required by the District of Columbia.

931.3 Records on items in compliance status shall be retained for one (1) year following completion of the compliance action.

931.4 Records on combat aircraft shall be retained for one (1) year after return of the aircraft to the Federal Government.

931.5 All records shall be retained for any period as required under applicable District of Columbia or federal regulations. If any regulations are inconsistent as to the period of retention, the longer period shall be applicable.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1734 (August 19, 1977)
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CDCR 27-932 (2007)

27-932. ADMISSION TO SASP DISTRIBUTION CENTER AND SELECTION OF
PROPERTY

932.1 Admission to the SASP Distribution Center, as well as authorization to select property, shall be by Warehouse Authorization Card only. The cards shall be furnished to each donee institution, in the amount specified by the institution, and shall be assigned by the agent as well as the head of the institution. For each card issued by the donee institution, SASP shall maintain a corresponding card in its file for control and identification purposes. Cards shall be updated by SASP every two (2) years, and shall not be transferrable.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1735 (August 19, 1977)
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CDCR 27-933 (2007)

27-933. DONEE-SCREENERS

933.1 In accordance with FPMR 101-44.116, the State Agency (D.C. SASP) shall recommend and submit to GSA the names of donee representatives to be authorized to screen and select personal property.

933.2 Each donee representative shall be authorized and certified by GSA prior to conducting visits to any Federal installation.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1736 (August 19, 1977)
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TITLE 27. CONTRACTS AND PROCUREMENTS
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CDCR 27-934 (2007)

27-934. CERTIFICATIONS AND AGREEMENTS (INCLUDING TERMS,
CONDITIONS, RESERVATIONS AND RESTRICTIONS) COVERING THE
DONATION OF DONABLE FEDERAL SURPLUS PROPERTY

934.1 The Certification and Agreements Form which shall be filed pursuant to § 910.1, shall contain the provisions specified in this section.

934.2 The donee shall certify that it is a public agency; or a nonprofit educational or public health institution or organization, exempt from taxation under § 501 of the *Internal Revenue Code of 1954*; within the meaning of § 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the Administrator of Administrative Services.

934.3 The donee shall certify that, if a public agency, the property is needed and shall be used by the recipient for carrying out or promoting for the residents of a given political area one (1) or more public purposes; or, if a nonprofit tax-exempt institution or organization, the property is needed for and shall be used by the recipient for educational or public health purposes, and including research for such purpose. The donee shall certify that 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 approval of the State Agency for Surplus Property (SASP).

934.4 The donee shall certify that funds are available to pay all costs and charges incident to donation.

934.5 The donee shall certify that 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, § 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, § 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and § 303 of the

title IX of the Education Amendments of 1972, as amended, and § 303 of the Age Discrimination Act of 1975.

934.6 The donee shall agree that all items of property shall be placed in use for the purposes for which acquired within one (1) year of receipt and shall be continued in use for such purposes for one (1) 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 SASP and at the donee's expense, return such property to the SASP, or otherwise make the property available for transfer or other disposal by the SASP, provided the property is still usable as determined by the SASP.

934.7 The donee shall agree to any special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) of property listed hereon.

934.8 The donee shall agree that in the event the property is not so used or handled as required by §§ 934.6 and 934.7, title and right to the possession of that property shall at the option of GSA revert to the United States of America and upon demand the donee shall release that property to that person as GSA or as its designee shall direct.

934.9 The donee agrees to the following conditions imposed by the SASP, applicable to items with a unit acquisition cost of three thousand dollars (\$ 3,000) or more and passenger motor vehicles, regardless of acquisition cost, except vessels fifty feet (50") or more in length and aircraft:

(a) The property shall be used only for the purpose(s) for which acquired and for no other purpose(s).

(b) There shall be a period of restriction which will expire after that property has been used for the purpose(s) for which acquired for a period of eighteen (18) months from the date the property is placed in use, except for any items of major equipment, listed on the form, on which the SASP designates a further period of restriction.

(c) In the event the property is not so used as required by §§ 934.9(a) and (b) and 934.6 and 934.7 have expired then title and right to the possession of that property shall at the option of the SASP revert to the State of D.C. and the donee shall release that property to any person as the SASP shall direct.

934.10 The donee shall agree that from the date it receives the property listed hereon and through the period(s) of time the conditions imposed by §§ 934.6, 934.7, 934.8 and 934.9 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 or the SASP pursuant to this section. The proceeds from any sale, trade, lease, loan, bailment, encumbrance or other disposal of the property, when any action is authorized by GSA or by the SASP, shall be remitted promptly by the donee to GSA or the SASP, as the case may be.

934.11 The donee shall agree that 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 receives the property through the period(s) of time the conditions imposed by this section and remain in effect, without the prior approval of GSA or the SASP, the donee, at the option of GSA or the SASP shall pay to GSA or SASP, 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 the disposal, as determined by GSA or the SASP.

934.12 The donee shall agree that if at any time, from the date it receives the property through the period(s) of time the conditions [conditions] imposed by this section remain in effect, any of the property listed hereon is no longer suitable, usable, or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the SASP, and shall, as directed by the SASP, return the property to the SASP, release the property to another donee or another SASP, 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 SASP.

934.13 The donee shall make reports to the SASP 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 SASP.

934.14 At the option of the SASP, 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 SASP.

934.15 The donee shall agree the property acquired by the donee is on an "as is" basis, without warranty of any kind.

934.16 Where a donee carries insurance against damages to or loss of property due to fire or other hazards and where loss or damage to donated property with unexpired terms, conditions, reservations or restrictions, occurs, the SASP shall 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.

934.17 The donation of aircraft and vessels (fifty feet (50") or more in length) having an acquisition cost of three thousand dollars (\$ 3,000) or more, regardless of the purpose for which acquired shall be subject to the terms, conditions, reservations, and restrictions set forth in the Conditional Transfer Document executed by the authorized donee representative.

SOURCE: Final Rulemaking incorporating 24 DCR 1705, 1742 (August 19, 1977)
History of Regulations since Last Compilation (July 1988)