

Portland State University Surplus Property Policy

I. Authority

Portland State University (PSU) policy on surplus property is governed by Oregon Administrative Rules (OAR) 580-040-0300 through 580-040-0311. This procedure is written in accordance with these rules. If any conflicts arise with these procedures, the administrative rules will supercede any language contained herein.

II. Definitions

For the purposes of surplus property disposal:

- (1) "Employee" means a person who, within the last twelve months, has been paid a wage for full-time, part-time, or temporary work by PSU.
- (2) "Personal Property" means all PSU owned equipment, vehicles, vessels, fixtures and fittings and collections that are moveable from one location to another. See OUS Fiscal Policy Manual 55.150 (<http://www.ous.edu/cont-div/fpm/fixe.55.100.php#.752>)
- (3) "Real Property" means all PSU owned buildings, land, improvements other than buildings and infrastructure.
- (4) "Private Property" means all personal property not owned by PSU.
- (5) "Abandoned Property" means all private property that has been left unclaimed
- (6) "Surplus Property" means all personal property, including lost, mislaid or abandoned property, vehicles and titled equipment that is worn-out, obsolete or excess to PSU's needs, or otherwise unsuitable for intended use, the disposal of which would be to the financial benefit of PSU.
- (7) "Federally Funded Surplus Property" means personal property, vehicles, and titled equipment, purchased with federal grant or other federal funds and that is worn-out, obsolete, or excess to PSU's needs, or otherwise unsuitable for intended use, the disposal of which would be to the financial benefit of PSU.
- (8) "Scrap" means materials, including lost, mislaid, or abandoned property having no financial value or such low financial value as to make sale not cost effective.

III. Declaration as Surplus

PSU will declare as surplus all personal or abandoned property of no further use to the institution.

PSU may declare surplus items that have a current value less than the cost of disposal to be scrap.

PSU may declare items surplus or scrap if the cost of storage exceeds the future benefit to the institution.

IV. Authorization to Dispose

The surplus property program is part of Facilities and Planning (FAP). The FAP Director may delegate the decision on disposal methods of surplus property to the manager of the Surplus Property Program (SPP) at PSU.

V. Methods of Disposal

PSU will use the most efficient method of disposal to optimize benefit to the institution.

Methods of disposal include, but are not limited to

(1) Sale

(a) Sell surplus property to another state or local government agency within Oregon without public advertisement or receipt of competitive bid; or

(b) Sell surplus property after public advertisement of sale through:

- (i) PSU surplus property website; or
- (ii) State of Oregon surplus property program;
- (iii) Other public advertisement as appropriate

(c) On occasions PSU may have large quantities of surplus property to be disposed of in a restricted timeframe, for example when a building is being vacated for a major renovation. In these situations PSU will solicit bids from commercial used property dealers to purchase the surplus property as a single lot.

(2) Transfer

(a) Transfers of surplus property or scrap may be made to a collaborating government or other non-profit institution when intended for institution purposes and consistent with

restrictions on its transfer. Transfer shall be documented, signed and dated by both parties.

(3) Exchange or Trade-in

(a) PSU may exchange or trade-in property when such exchange or trade-in is in the best interest of PSU and is otherwise in compliance with applicable rules or policy. Exchange or trade-in will be considered disposal for purposes of these rules. Records will be kept regarding the valuation methodology used in evaluating the relative benefits of trade-in, exchange or sale.

(4) Scrap

(a) If PSU declares surplus property to be scrap it will be disposed of in accordance with all state, federal, and local regulations regarding environmental health and recycling. PSU's preference is to recycle wherever possible in accordance with the University's priority in following sustainable practices.

VI. Methods of Payments, Warranties and Eligibility to Acquire

(1) Methods of payment

PSU will accept payment credit card, cash, cashier's check, personal check, wire transfer, or money order. If a personal check is used as payment for an item or items greater than \$100 the items will be held by PSU for a period of 10 working days or until the check has cleared, whichever is sooner.

Surplus property paid for, but not claimed with the time specified in the sales terms and conditions will be conclusively considered the property of PSU and may be disposed of in compliance with these rules.

(2) Warranties

All property is conveyed "AS-IS, WHERE-IS" with no warranty, express or implied, of merchantability or fitness for a particular purpose, or any other warranties or guarantees. A purchaser or disappointed bidder will have no recourse against the State of Oregon, the Oregon University System, PSU, or any of their officers, employees, or agents. All sales will be final.

(3) Eligibility to Acquire

No current PSU employee, or individual who has been employed by PSU within the 12 months prior to the sale of property, or agent for such will be granted any benefit or opportunity not granted the general public in acquisition of items through the disposal process. Such individuals may participate in open public sales, auctions and sealed bid sales.

(4) Title

Title to surplus property or scrap is transferred to the purchaser when PSU makes the item available to the purchaser either by the purchaser, purchaser's agent, or purchaser's or institution's designated shipper taking possession of the item. Surplus property must be paid for in full before the PSU will make it available to the purchaser. Purchaser assumes all responsibility, including risk of loss or damage, for the item when title is transferred.

VIII. Disposal of Computer and Electronic Storage Devices and Media

Prior to disposal of any computer, computer peripheral, computer software, electronic storage device, or storage media device, PSU will, completely erase or otherwise render unreadable all information, data, and software residing on the Device.

Computer equipment to be “scrapped” will be recycled in accordance with PSU sustainability guidelines.

IX. Exceptions

(1) Federally Funded Surplus Property

Federally funded property will be disposed of in accordance with applicable federal law or federal grant terms, if any. Otherwise, such property will be disposed of in accordance with these rules.

(2) Gift Funded Surplus Property

Disposition of property acquired by gift will be in accordance with the Internal Revenue Code and any restrictions applicable to the property. Otherwise, the property will be disposed of in accordance with these rules.

(3) Certificates of Participation

These rules do not apply to any equipment, goods, supplies, material, information technology or other personal property encumbered by a certificate of participation that will be disposed of in accordance with applicable law

(4) Real Property

These rules do not cover the disposal of real property.