

**TITLE 300. GRAND RIVER DAM AUTHORITY
CHAPTER 15. SURPLUS PROPERTY**

SUBCHAPTER 1. GENERAL PROVISIONS

300:15-1-1. Purpose

This chapter provides general information and provisions pertaining to the transfer, disposal and acquisition of Grand River Dam Authority surplus property. Pursuant to 82 O.S. § 862.1 (6), the Grand River Dam Authority is exempt from the provisions of the Oklahoma Surplus Property Act. These rules are promulgated to ensure that the Authority's surplus property is disposed of at fair market value, in an independent and ethical manner, and that the property or the value of the property has not been misrepresented.

300:15-1-2. Definitions

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly requires otherwise:

"Authority" or "GRDA" means the Grand River Dam Authority.

"Business entity" means an individual, partnership, business trust, cooperative, association, corporation or any other firm, group or concern which functions as a separate entity for business purposes.

"Cannibalization" means to take salvageable parts from (as a disabled machine) for use in building or repairing another machine; or to make use of (a part taken from one thing) in building or repairing something else.

"CEO" means the Chief Executive Officer of the GRDA.

"OMES" means the Office of Management and Enterprise Services.

"Proceeds" means funds derived from the sale of surplus property.

"Public auction" means either a tangible event at a public location or an electronic event which is advertised and made available to the public via the Internet.

300:15-1-3. Prohibitions

(a) **Donations of state property.** Surplus property may not be donated to for-profit business entities and individuals.

(b) **Sales to employees.** The sale of property to GRDA employees is prohibited unless items are sold at announced public sales or auctions.

SUBCHAPTER 3. DECLARATION AND APPROVAL OF SURPLUS PROPERTY

300:15-3-1. Declaring property surplus

(a) **Declaration and approval.** The Authority's Board of Directors shall declare the Authority's property as surplus and not necessary to the Authority's business by an affirmative vote of at least five (5) Directors. [82 O.S. § 874]

(b) **Request for approval to sell or transfer surplus property.** The Authority's personal property shall not be destroyed, scrapped, sold, transferred, traded in, traded, discarded, donated or otherwise disposed of without prior written approval from the CEO, or his/her designee. This rule applies to and includes any residue that may be remaining from cannibalization of property.

(c) **Surplus property transfer form.** To request official approval to dispose of surplus

property, a Vice President shall submit a surplus property transfer form to the CEO, which shall include the following information:

- (1) The Division or Department within the Authority where the property is located.
- (2) A desired method of disposal of the surplus property (i.e. public auction or sealed bid).
- (3) The reason the property should be declared as surplus property, which may be stated as:
 - (A) No longer needed to perform the duties intended; or
 - (B) Broken, cost to repair not economical; or
 - (C) Obsolete. Not compatible with newer equipment; or
 - (D) Other, which shall be followed by a specific explanation.
- (4) The inventory control number, if any, assigned to the surplus property item;
- (5) A description of the surplus property item, including serial, model or other identification numbers, whenever available;
- (6) A general statement as to the condition of the surplus property item (i.e. excellent, good, fair, poor, damaged, scrap, missing parts, etc.);
- (7) Any known defects or enhancements;
- (8) An estimate, current value, suggested selling price or minimum acceptable price;
- (9) Any other information which may assist the efficient disposal of the property.
- (10) **Additional information for surplus vehicles and equipment.** When the Authority desires to dispose of vehicles or equipment, the following information, in addition to the information listed in 300:15-3-1(c) above, shall be included on the form: Make, model and model year;
- (11) Body style, load rating, seats or passenger capacity, number of cylinders, number of drive wheels;
- (12) Vehicle options (i.e. power steering, power brakes, etc.);
- (13) Mileage or operation hours;
- (14) Vehicle Identification Number (VIN).

(d) **Approval by the Authority.** The Authority's CEO, or his designee, shall review the form and decide whether to seek a declaration from the GRDA Board of Directors for a declaration that the property is surplus and shall be disposed.

300:15-3-2. Vehicles, equipment and office inventory for disposal through OMES Surplus Property Division

GRDA surplus vehicles, equipment and office inventory may be disposed of by the OMES' Surplus Property Division at the discretion of the GRDA Board of Directors in accordance with Rules promulgated by the State.

SUBCHAPTER 5. SALE OR DISPOSAL OF SURPLUS PROPERTY

300:15-5-1. Methods of disposal of surplus property

The method of disposal of surplus property shall be recommended by the department Vice President and approved by the CEO or designee and by a vote of at least five (5) members of the Authority's Board of Directors prior to disposal of the property. [82 O.S. § 874]

300:15-5-2. Sales to related parties

(a) A related party is defined as someone who may fit into any of the following categories pertaining to the surplus property in question:

- (1) Has purchasing authority.

- (2) Has maintenance authority.
 - (3) Has disposition or signature authority.
 - (4) Has authority regarding the disposal price.
 - (5) Has access to restricted information.
- (b) Related parties may not purchase the Authority's surplus property.

300:15-5-3. Sales are final

All surplus property, vehicles and equipment are sold "as is" and are not returnable. All proceeds from sales shall be deposited into a GRDA designated account.

300:15-5-4. Payment provisions

General requirements for purchases. Payment made by the public shall be at the time of purchase and prior to removal of the property purchased. A private business shall provide a business tax identification number and a tax exempt certificate, if applicable, at the time of payment. Otherwise, local sales tax shall be charged. Payment may be in the form of cash, certified funds, business check (not to exceed \$2,000.00), money order, cashier's check or credit card approved for use by the Authority. Payments made by the public for property purchased through online auction (i.e. OMES Surplus Property and govdeals.com) shall be in accordance with the applicable auction website's payment methods and conditions for sale and pick up. All property sold at live auction must be picked-up by the buyer within ten (10) days following the sale.