

**WEST VIRGINIA UNIVERSITY
BOARD OF GOVERNORS
POLICY 25A**

DISPOSITION & SALE OF SURPLUS/EXCESS PROPERTY

West Virginia University Only

(See Policy 25B for Regional Campuses)

Section 1. General

- 1.1. Scope: Policy regarding the disposition of surplus/excess property at West Virginia University.
- 1.2. Authority: WV code §18B-5-7
- 1.3. Effective Date: June 2, 2006

Section 2. Policy

The President of West Virginia University or his/her designee shall establish a procedure for the disposition of all obsolete and unusable equipment, surplus supplies and other unneeded materials, excluding surplus computers and computer-related equipment (“surplus materials”) in compliance with all applicable law. Disposition of surplus computers and computer-related equipment shall be handled in compliance with West Virginia Code § 18B-3-2 and BOG Policy 33.

Section 3. Procedural Requirements

- 3.1 The procedure shall, at a minimum,
 - 3.1.1 Establish a method for identifying surplus materials, determining the value of the surplus materials at the time of disposal, and accounting for the method of disposal for such surplus materials;
 - 3.1.2 Address methods for attaining compliance with the West Virginia Ethics Act and any related institutional policies, to ensure that surplus materials are not disposed of for personal gain or benefit;
 - 3.1.3 Provide for the disposition of surplus materials according to sound business practices as warranted under applicable law and existing circumstances and conditions;
 - 3.1.4 Provide for depositing of all proceeds from the sale or transfer of surplus materials in the State Treasury to the credit on a pro rata basis of the fund or funds from which the purchase of the particular materials was made; and

- 3.1.5 Provide for the charging and assessing of fees reasonably related to the costs of care and handling with respect to the transfer, warehousing, sale and distribution of surplus materials disposed of or sold pursuant to this Policy and West Virginia Code § 18B-5-7.
- 3.2 For disposition of surplus materials whose value exceeds \$5,000 in recorded net book value at the time of disposal, the procedure shall comply with West Virginia Code § 18B-5-7(a), as amended, and may authorize disposal of surplus materials by (a) transfer to other governmental agencies or institutions; (b) exchange or trade; and (c) sale by public auction or sealed bid, or by sale as junk or otherwise.
- 3.3 For disposition of surplus materials whose value in recorded net book value at the time of disposal is equal to or less than \$5,000, the procedure may, without limitation:
 - 3.3.1 Establish a method for identifying surplus materials with de minimus value and disposing of such surplus materials in the most cost-effective manner consistent with applicable law and ethical standards;
 - 3.3.2 Allow for maximum utilization and security for and minimum cost to the University; and
 - 3.3.3 Identify means for disposing of surplus materials in addition to (a) transfer to other governmental agencies or institutions; (b) exchange or trade; and (c) sale by public auction or sealed bid, or by sale as junk or otherwise, taking into account, without limitation, the condition of and potential market and use for the surplus materials.

Section 4. Proceeds

The proceeds from all sales or transfers of surplus materials shall be handled as set forth in West Virginia Code § 18B-5-7(c), as amended (see 3.1.4).

Section 5. Reporting.

West Virginia University shall report biennially to the Legislative Auditor the total sales of surplus materials made during the preceding biennium along with the total recorded net book value of the surplus materials.