

RESOLUTION NO: 2016-07-14B

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS, AUTHORIZING THE CITY'S APPLICATION TO THE TEXAS FACILITIES COMMISSION FEDERAL SURPLUS PROPERTY PROGRAM (FSP) FOR THE PURPOSE OF PURCHASING SURPLUS FEDERAL PROPERTY THROUGH SAID PROGRAM.

WHEREAS, the City of Overton, Texas desires to participate in the Federal Surplus Property Program(FSP) as administered by and under the State of Texas Facilities Commission; and

WHEREAS, in order to participate in this program the City is required to authorize execution of certain agreements and assurances that are required for enrolling in and exercising the rights of participation; and

WHEREAS, the City Council is of the opinion that participation in this program will be highly beneficial to the taxpayers of the City of Overton, through efficiencies and potential savings to be realized;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS THAT:

Section 1: The City Council of the City of Overton authorizes submittal of the "Application for Eligibility" as shown in Attachment A and execution by the Mayor of Overton.

Section 2: The City Council of the City of Overton authorizes submittal of the "Authorized Representatives" form as shown in Attachment B and execution by the Mayor of Overton.

Section 3: The City Council of the City of Overton authorizes submittal of the "Nondiscrimination Assurance" form as shown in Attachment C and execution by the Mayor of Overton.

Section 4: The City Council of the City of Overton authorizes submittal of the "Donee Certifications and Agreements" form as shown in Attachment D and execution by the Mayor of Overton.

Section 5: The City Council of the City of Overton authorizes submittal of the "Property Compliance Period" form as shown in Attachment E and execution by the Mayor of Overton.

Section 6: All Attachments submitted herewith are incorporated herein for all purposes.

APPROVED AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVERTON, INTRODUCED, READ AND APPROVED FOR ADOPTION AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF OVERTON, TEXAS ON THIS 14th DAY OF JULY, 2016.



CITY OF OVERTON

C.R. Evans, Jr.
C.R. Evans, Jr., Mayor

ATTEST:

Rachél Gafford
Rachél Gafford, City Secretary

Blake Thompson
Blake Thompson, City Attorney

TEXAS FACILITIES COMMISSION
 FEDERAL SURPLUS PROPERTY PROGRAM (FSP)
 P.O. Box 13047, Austin, Texas 78711
 TEL: (512) 463-4551 - FAX: (512) 236-6173
 EMAIL: federal.surplus@tfc.state.tx.us
www.tfc.state.tx.us/surplus/index.html

APPLICATION FOR ELIGIBILITY

INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR ELIGIBILITY FORM TO RECEIVE FEDERAL SURPLUS PROPERTY (41 CFR 101-44.207)

See pages 7-11 for list of required supporting documentation that must be submitted with application.

All donees must reapply every three (3) years. To reapply, a donee must submit a completed Application for Eligibility along with all required supporting documentation.

SECTION I: Provide the full legal name of your organization on the first line of this section. Provide the Federal Employer ID#. Provide the complete mailing address of your organization as recognized by the U.S. Postal Service, including the nine-digit Zip Code. Provide the street address, if different from mailing address, or provide directions if located on a rural route or in other remote area. List a business telephone number with area code, and a fax number. Provide the fiscal year ending date and an email address. **E-mail addresses provided will receive broadcast e-mails about account status, new arrivals, specials and discounts.**

SECTION II: Check the appropriate box that describes your organization.

SECTION III: Check the appropriate box or boxes (check as many as apply) that indicate the type or purpose of your organization. If you are unable to determine which status to check, please contact this office for assistance. Please see pages 7-11 for additional requirements for specific types of organizations.

SECTION IV: Indicate source(s) of funding for your organization and provide supporting documentation if appropriate. Depending on your organization type, you may need to include a comprehensive written description of all programs or services and a description of the operational facilities. Please see pages 7-11 to determine if this requirement applies to your organization. Public agencies (i.e. cities, counties, state agencies, public schools) are not required to submit additional documentation for this section.

SECTION V: Nonprofit organizations must provide a copy of current, valid IRS Tax Exemption Letter indicating your organization is exempt under Section 501(C) of Internal Revenue Code. The name of the organization on this IRS letter must match the name provided in Section I of this application. If not, applicant must include sufficient evidence such as amendments to Articles of Incorporation, or Assumed Name filing certificates to establish an audit trail or names showing the legal connection. Please see pages 7-11 to determine if this requirement applies to your organization. Public agencies (i.e. cities, counties, state agencies, public schools) and VFDs are not required to submit documentation for this section.

SECTION VI: Nonprofit organizations are required to submit evidence that they are currently approved, accredited or licensed by a nationally recognized accrediting or licensing organization. Recreation, social service, referral only, religious and counseling service programs are not eligible to participate in the program. Please see pages 7-11 to determine if this requirement applies to your organization. Public agencies (i.e. cities, counties, state agencies, and public schools) and VFDs are not required to submit additional documentation for this section.

SECTION VII: Annotate date and provide an original signature of applicant's Authorizing Official (i.e. County Judge, Mayor, City Manager, Superintendent, Fire Chief, Executive Director, CEO/President, Board Chairman, or other person with executive authority to execute legal documents for the applicant). Applications submitted by counties must be signed by the County Judge. Type or print the name and title of authorizing official on the lines provided.

NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. IF YOU HAVE QUESTIONS OR NEED ASSISTANCE, PLEASE CALL (512) 463-4551.

SEND ALL APPLICATIONS TO:
Applications may be emailed, faxed or mailed.

TEXAS FACILITIES COMMISSION
 FEDERAL SURPLUS PROPERTY PROGRAM
 P.O. BOX 13047, AUSTIN, TX 78711-3047
 TEL: 512-463-4551 FAX: 512-236-6173
 EMAIL: federal.surplus@tfc.state.tx.us

SIGNATURE FROM AUTHORIZING OFFICIAL IS REQUIRED ON PAGES 2 - 6

ATTACHMENT B

TEXAS FACILITIES COMMISSION
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www.tfc.state.tx.us/surplus/index.html

APPLICATION FOR ELIGIBILITY

PLEASE TYPE OR PRINT LEGIBLY IN BLUE OR BLACK INK WHERE APPROPRIATE

I. ORGANIZATION NAME & INFORMATION: Payments must be in the name of donee or parent company.

City of Overton, TX 75-6000630
LEGAL NAME OF ORGANIZATION FEDERAL EMPLOYER ID
1200 South Commerce Street Overton TX 75684
STREET ADDRESS CITY STATE ZIP CODE
1200 South Commerce Street Overton TX 75684
MAILING ADDRESS (P.O. Box #) CITY STATE ZIP CODE
Rusk / Smith 903-834-3171 903-834-3174
COUNTY TELEPHONE # FAX #
FISCAL YEAR END DATE: September 30th EMAIL: admin@ci.overton.tx.us

II. APPLICANT STATUS (CHECK ONE):

[X] Public Agency, including Public Schools (Tax Supported) [] SBA 8(a) Business Development Program
[] Nonprofit, tax-exempt Organization

III. TYPE OR PURPOSE OF ORGANIZATION: (see pages 7-11 for requirements for specific types of organizations)

[X] City [] Child Care Center [] Program Funded for Older Americans
[] County [] Preschool [] Provider of Assistance to the Homeless
[] State Agency [] Elementary School [] Provider of Assistance to the Impoverished
[] Conservation (soil, water, or utility district) [] Middle or High School [] Emergency Services District
[] Economic Development [] School District [] Volunteer Fire Dept., EMS or Rescue Squad
[] Library [] College or University [] Public Safety (specify)
[] Museum [] Clinic or Hospital [] Veterans' Organization
[] Zoo or Aquarium [] Other health center (specify)
[] Radio or TV Station [] SBA 8(a) Business [] Other

IV. SOURCE(S) OF FUNDING: [X] Tax-supported [X] Grants [X] Contributions [X] Other Utility Services Provided

V. (For non-profit organizations only) HAS THE ORGANIZATION BEEN DETERMINED TO BE TAX EXEMPT UNDER SECTION 501 OF THE INTERNAL REVENUE CODE OF 1986? [X] Yes [] No

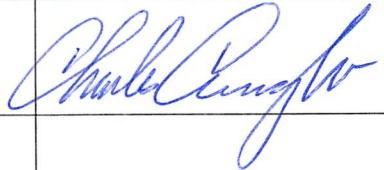

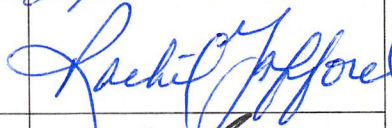
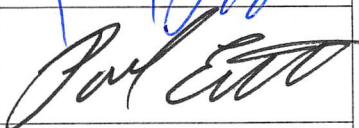
VI. IS THE ORGANIZATION APPROVED, ACCREDITED, OR LICENSED? [X] Yes [] No
IF YES, BY WHAT AUTHORITY? Subdivision of the State of Texas

VII. SIGNATURE & TITLE OF AUTHORIZING OFFICIAL FOR ORGANIZATION (ex. Mayor, County Judge, Superintendent, President, CEO, Fire Chief)

C. R. Evans, Jr. Mayor
PRINTED NAME OF AUTHORIZING OFFICIAL TITLE
[X] SIGNATURE OF AUTHORIZING OFFICIAL DATE 7/14/2016

AUTHORIZED REPRESENTATIVES

- I. An "Authorized Representative" is a person from your organization that has been authorized to sign for the release of property on the organization's behalf.
- II. All representatives listed in any prior applications or account updates will be deleted from the account.
- III. **An authorized representative must sign in the provided space below in order to sign for the release of property.** Only those representatives listed on this application with a valid signature will be allowed to acquire property. All others listed below may visit our warehouse locations and will be included in email broadcasts from our office, but will not be able to sign for the release of property.
- IV. Valid driver's license or state issued photo identification required prior to entering state or federal facilities.
- V. If you wish to have the Authorizing Official included as an Authorized Representative on your account, please be sure to include him/her in the list below.

<u>NAME</u>	<u>TITLE</u>	<u>TELEPHONE and EMAIL ADDRESS</u>	<u>Authorized Representative's Signature</u>
(example) John Doe	County Judge	(512) 123-4567 John.doe@gmail.com	John Doe
Charles L. Cunningham	City Manager	(903) 834-3171 ccunningham@ci.overton.tx.us	
Clyde Carter	Chief of Police	(903) 834-3145 ccarter@ci.overton.tx.us	
Rachel Gafford	City Secretary	(903) 834-3171 rgafford@ci.overton.tx.us	
Paul Everett	PW Superintendent	(903) 834-3171 p.everett@ci.overton.tx.us	


The applicant hereby certifies the information provided is correct and complete and he/she understands and agrees to all terms and conditions.

City of Overton

 NAME OF APPLICANT ORGANIZATION

C. R. Evans, Jr.

 PRINTED NAME OF AUTHORIZED OFFICIAL

X 

 SIGNATURE OF AUTHORIZING OFFICIAL & TITLE (e.g., Mayor, Judge, Exec. Dir., Superintendent)

7/14/2016

 DATE

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NONDISCRIMINATION ASSURANCE

City of Overton

(Legal Name of Organization)

the donee, agrees that the program for or in connection with

which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with all requirements imposed by or pursuant to the regulations of the General Services Administration (41 C.F.R., 101-6.2 and 101-8) issued under the provisions of Title VI of the Civil Rights Act of 1964, as amended, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, Section 303 of the Age Discrimination Act of 1975, and the Civil Right Restoration Act of 1987, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and hereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees (1) that this agreement shall be subject in all respects to the provisions of said Federal statutes and regulations (2) that this agreement obligates the donee for the period during which it retains ownership or possession of the property, (3) that the United States shall have the right to seek judicial enforcement of this agreement, and (4) that this agreement shall be binding upon any successor in interest of the donee and the word "donee" as used herein includes any such successor in interest.

COUNTY/COUNTIES SERVED BY APPLICANT ORGANIZATION: Rusk & Smith Counties

X 
SIGNATURE OF AUTHORIZING OFFICIAL & TITLE (e.g., Mayor, Judge, Exec. Dir., Superintendent)

7/14/2016
DATE

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DONEE CERTIFICATIONS & AGREEMENTS

(a) THE DONEE CERTIFIES THAT:

- (1) It is a public agency or a nonprofit institution or organization, exempt from taxation under section 501 of the Internal Revenue code of 1954; within the meaning of section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and/or the regulations of the General Services Administration (GSA).
- (2) If a public agency, the property is needed and will be used by the recipient for carrying out or promoting for the residents of a given political area one or more public purposes, or if a nonprofit tax-exempt institution or organization, the property is needed for and will be used by the recipient for educational or public health purposes, including research for any such purpose, or for programs for older individuals, or SBA or SEA organizations, or assistance to homeless/ impoverished. 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 and GSA.
- (3) Funds are available to pay all costs and charges incident to donation.
- (4) 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, Title VI Section 606 of the Federal Property and Administrative Services Act of 1949, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975 and the Civil Right Restoration Act of 1987.
- (5) In accordance with 28 C.F.R. Section 42.401-42.415, the Federal Surplus Property Program collects information related to a donee's race and national origin in order to provide GSA officials, upon request, with enough information for determining compliance with applicable civil rights laws. Data is collected for those donees who; (1) are eligible to participate in the FSP Program; (2) those actually participating in the recipient's programs and activities; (3) those denied participation in the recipient's program.

(b) THE DONEE AGREES TO THE FOLLOWING FEDERAL CONDITIONS:

- (1) All items of property shall be placed in use for the purpose(s) for which acquired within one year of receipt and shall be continued in use for such purposes for one 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 State agency, and at the donee's expense, return such property to the State agency, or otherwise make the property available for transfer or other disposal by the State agency, provided the property is still usable as determined by the State agency.
- (2) Such special handling or use limitations as are imposed by General Services Administration (GSA) on any item(s) or property.
- (3) In the event the property is not used or handled as required by (b)(1) and (2), title and right to the possession of such property shall at the option of GSA revert to the United States of America and upon demand the donee shall release such property to such person as GSA or its designee shall direct.

(c) THE DONEE AGREES TO THE FOLLOWING CONDITIONS IMPOSED BY THE STATE AGENCY, APPLICABLE TO ITEMS WITH A UNIT ACQUISITION COST OF \$5,000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT, FOREIGN GIFTS OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR PURPOSE FOR WHICH ACQUIRED:

- (1) The property shall be used only for the purpose(s) for which acquired and for no other purpose(s).
- (2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which acquired for a period of 18 months from the date the property is placed in use.
- (3) In the event the property is not used as required by (c)(1) and (2) and Federal restrictions (b)(1), (b)(2) and (f) have expired then right to the possession of such property shall at the option of the State agency revert to the State of Texas and the donee shall release such property to such person as the State agency shall direct.

(d) THE DONEE AGREES TO THE FOLLOWING TERMS, RESERVATIONS, AND RESTRICTIONS:

- (1) From the date it receives the property and through period(s) of time the conditions imposed by (b), (c) and (f) 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 under (b) and (f), or the State agency under (c) and (f). The proceeds from any sale, trade, lease, loan, bailment, encumbrance or other disposal of the property, when such action is authorized by GSA or by the State agency, shall be remitted promptly by the donee to GSA or the State agency, as the case may be.
- (2) In the event any of the property 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 (b), (c) and (f) remain in effect, without prior approval of GSA or the State agency, the donee, at the option of GSA or the State agency shall pay to GSA or the State agency, as the case may be, the proceeds of the disposal or the fair market value or the fair rental value of the property at the time of such disposal, as determined by GSA or the State agency.
- (3) If at any time, from the date it receives the property through the period(s) of time the conditions imposed by (b), (c) and (f) remain in effect, any of the property is no longer suitable, usable, or further needed by the donee for the purpose(s) for which acquired, the donee shall promptly notify the State agency, and shall, as directed by the State agency, return the property to the State agency, release the property to another donee or another State agency, 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 State agency.
- (4) The donee shall make reports to the State agency on the use, condition, and location of the property and on other pertinent matters as may be required time to time by the State agency.
- (5) At the option of the State agency, the donee may abrogate the State conditions set forth in (c) and the State terms, reservations, and restrictions pertinent thereto in (d) by payment of any amount as determined by the State agency.

(e) THE DONEE AGREES TO THE FOLLOWING CONDITIONS, APPLICABLE TO ALL ITEMS OF PROPERTY:

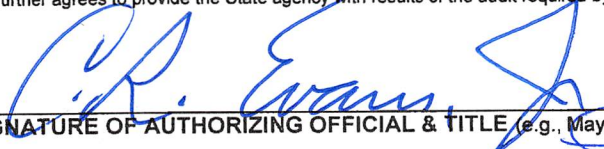
- (1) The property acquired by the donee is on an "as is, where is" basis, without warranty of any kind, and the Government of the United States of America, the State of Texas, its agencies or assigns, and employees thereof will be held harmless from any or all debts, liabilities, judgments, costs, demands, suits, actions, or claims of any nature arising from or incident to the donation of the property, its use, or final disposition.
- (2) Where a donee carries insurance against damages to or loss of property due to fire or other hazards and where loss of or damage to donated property with unexpired terms, conditions, reservations or restrictions occurs, GSA or the State agency, as the case may be, will be entitled to reimbursement from the donee out of the insurance proceeds, of any amount equal to the unamortized portion of the fair market value of the damaged or destroyed donated items.

(f) THE DONEE AGREES TO THE FOLLOWING ADDITIONAL TERMS AND CONDITIONS APPLICABLE TO THE DONATION OF AIRCRAFT AND VESSELS (50 FEET OR MORE IN LENGTH) HAVING AN ACQUISITION COST OF \$5,000 OR MORE, AND FOREIGN GIFTS OR OTHER ITEMS OF PROPERTY REQUIRING SPECIAL HANDLING OR USE LIMITATIONS, REGARDLESS OF THE ACQUISITION COST OR THE PURPOSE FOR WHICH ACQUIRED:

- (1) The donation shall be subject to the additional special terms, conditions, reservations, and restrictions set forth in the Conditional Transfer Document or other agreements executed by the authorized donee representative.

(g) THE DONEE CERTIFIES by signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 41 CFR105-68, certifies to the best of its knowledge and belief that it and its principals: (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. (b) Where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

(h) THE DONEE UNDERSTANDS that by execution of this document, it is considered a sub recipient of federal financial assistance pursuant to the Single Audit Act of 1984 and further agrees to provide the State agency with results of the audit required by OMB Circular A-133.

X  7/14/2016
 SIGNATURE OF AUTHORIZING OFFICIAL & TITLE (e.g., Mayor, Judge, Exec. Dir., Superintendent) DATE

PROPERTY COMPLIANCE PERIOD

Participating organizations (referred to as "donees" by the federal government) are required to use the property obtained through the program for a specific amount of time before the property can be sold or transferred.

- Property must be used for the program approved for participation in the Federal Surplus Property program.
- All property must be placed into use within the first year of possession.
- Property valued at less than \$5,000 in original cost - the compliance period is 12 months from the date put into use.
- All vehicles and property valued at more than \$5,000 in original cost - the compliance period is 18 months from the date put into use.
- Aircraft and vessels longer than 50 feet - the compliance period is 60 months (5 years) from the date put into use..
- Donee organizations do not obtain title or ownership to property designated "perpetual use" by the federal government. The compliance period is considered to be "perpetual" or ongoing on these items.
- State and federal program staff performs scheduled and unscheduled onsite property compliance visits to ensure the property is being used as represented.
- If the property is not paid for in full or is not being used or handled as required, the donee (program participant) will be required, at its expense, to return the property to TFC or another donee, as instructed by TFC.
- Property must be used and stored at the primary location listed on Page 2 of this Application, or at other appropriate donee-managed satellite locations (for example, county precinct barns, district fire stations, school campuses, maintenance/transportation warehouse). Property may not be removed indefinitely from an approved location without prior, written approval from TFC.
- Property may not be stored at a personal residence, unrelated business or storage facility, or any other location that is not managed by the donee organization. Property is not intended for personal use; it must be readily accessible to all donee staff.
- During the compliance period, the donee may 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.
- If property is sold, transferred, or otherwise disposed of during the compliance period, the donee may be subject to penalties and fines, as well as possible state or federal prosecution.
- Program participants are required to complete reports regarding property use as a condition of participating in the program.

I understand and agree to the above terms and conditions regarding property compliance and reporting and the Certifications & Agreements on page five.

If applying as an SBA 8(a) business I understand that the property compliance terms identified above do not apply to my business and that as an SBA 8(a) business I must follow SBA property compliance guidelines.

X


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7/14/2016

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DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

Please review to determine which of the following eligibility category your organization falls under, and if you are required to submit additional documentation. Questions? Please contact us at (512)463-4551 or federal_surplus@tfc.state.tx.us.

Government or Public (Tax-Supported) Agency

1. Public agency includes (a) State or department, agency, or instrumentality thereof; (b) Political subdivision of the state, including any unit of local government or economic development district or any department, agency or instrumentality thereof; or (c) Instrumentality created by contract or other agreement between states or political subdivisions. Public agency purposes include, but are not limited to, programs such as conservation, economic development, education, parks and recreation, public health and public safety. For public agencies whose primary purpose is to provide services to homeless or impoverished persons, please see Pages 9-10.
2. Most tax-supported public agencies (including cities, counties, state agencies and public schools) are **NOT** required to submit any additional documentation. Others may be asked to submit proof of public agency status (i.e. charter or statute creating the agency or evidence of tax-supported status) and/or a narrative describing the services provided by the agency.

Emergency Services District or Fire Prevention District

1. Must receive dedicated tax funds.
2. Required additional documentation that must be submitted with application:
 - a. Letter from the chief/president that contains information on the department, including:
 - i. number of fireman
 - ii. training schedule
 - iii. area(s) covered
 - b. Charter, Organizing Document, or Other Evidence of Approval by Proper Government Authority (i.e. Commissioners Court/City Council Meeting Minutes, Articles of Incorporation)

Volunteer Fire Department / Rescue Squad / Emergency Medical Services

1. Must be funded annually in whole or part by state, county, city or emergency service district. Approved organizations in this category must submit the above funding information annually.
2. Required additional documentation that must be submitted with application:
 - a. Letter from the fire chief/president that contains information on the department, including:
 - i. number of fireman,
 - ii. training schedule, and
 - iii. area(s) covered.
 - b. Evidence that your department is endorsed by the state, county, city or emergency services district. This could be a letter of endorsement from the head of the proper government authority (i.e. county judge, city mayor/administrator) or a copy of current contract.
 - c. Evidence that your department currently receives public funding. Acceptable forms of supporting documentation include:
 - i. Line item budget from the state/city/county/ESD,
 - ii. Contract with the state/city/county/ESD to provide services, or
 - iii. Letter of endorsement from the head of the proper government authority (i.e. county judge, mayor).
 - d. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes:
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.
 - e. Articles of incorporations, bylaws, charter or other organizing document (*optional*)

Conservation

1. Includes soil, water, irrigation, and other utility districts.
2. Required additional documentation that must be submitted with application:
 - a. Certificate of approval or charter from proper authority demonstrating you provide services to the public (i.e. Texas Commission on Environmental Quality Certificate of Convenience and Necessity)
 - b. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes: (*does not apply to public agencies*)
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.
 - c. Articles of incorporations, bylaws, or other organizing document. (*Optional*)
 - d. Non-profits may provide an IRS letter certifying your tax-exempt status as a 501(C) non-profit. (*Optional*)

DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

Please review to determine which of the following eligibility category your organization falls under, and if you are required to submit additional documentation. Questions? Please contact us at (512)463-4551 or federal.surplus@tfc.state.tx.us.

SBA 8(a) Business

1. Businesses that are currently part of the U.S. Small Business Administration's 8(a) Business Development Program may participate in the FSP program. Businesses are only eligible to receive property during their nine (9) year membership in the 8(a) program.
2. Required additional documentation that must be submitted with application: Letter from the U.S. Small Business Administration certifying your company as a member of the 8(a) Business Development Program.

Education Organization (Non-Profit)

1. Must be accredited or approved by nationally recognized accrediting agency (ex. Texas Education Agency, Southern Association of Colleges & Schools' Commission on Colleges) or the current recipient of research grants by a recognized authority such as the National Institute of Education, or by similar national advisory organization.
2. Required additional documentation that must be submitted with application:
 - a. Letter from IRS certifying your tax-exempt status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - b. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes:
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.
 - c. Complete narrative about your organization, including:
 - i. course levels
 - ii. enrollment
 - iii. facilities
 - iv. staff information
 - d. Certificate of accreditation or letter of approval from a nationally recognized accrediting agency OR research grant from National Institute of Education or similar national advisory organization.
 - e. Articles of incorporations, bylaws, charter or other organizing document (*optional*)
 - f. List of additional research grants awarded (*optional*)

Museums, Libraries & Zoos

1. Must be open to the public a minimum of 1,000 hours per year (1,000 hours cannot be by appointment).
2. Must have a minimum of one fulltime staff member or the equivalent (for example, one staff member who works 40 hours per week or two staff members who work 20 hours each per week).
3. Required additional documentation that must be submitted with application:
 - a. Letter from IRS certifying your tax-exempt status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - b. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes:
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.
 - c. Complete narrative about your organization, including
 - i. brochures, pamphlets or website
 - ii. types of exhibits (if applicable)
 - iii. days and hours open to the public
 - iv. location (must provide street address)
 - d. Staff roster, including number of hours each staff member works per week (volunteer or paid).
 - e. Pictures of exhibits, signage, facilities, and posted hours of operation.
 - f. Articles of incorporations, bylaws, charter or other organizing document (*optional*)
 - g. Organizational Memberships (*optional*)

DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

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Provider of Assistance to Older Americans

1. Required additional documentation that must be submitted with application:
 - a. Letter from IRS certifying your tax-exempt status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - b. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes:
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.
 - c. Certification establishing that applicant is receiving state, federal or local government-appropriated funds for operation of older individual program under the Older American Act.
 - d. Complete narrative about your organization, including:
 - i. Description of services provided
 - ii. Description of facilities
 - iii. Overview of key staff and their qualifications
 - iv. Number of individuals receiving assistance and frequency of assistance (daily, weekly or monthly)
 - e. Proof of current accreditation, approval or licensing if appropriate (i.e. medical center)
 - f. Articles of incorporations, bylaws, charter or other organizing document (*optional*)

Provider of Assistance to Impoverished

1. Services to the impoverished (as defined in section 673 of the Community Services Block Grant Act) (42 U.S.C. 9902) must be the primary function of the organization. If any activity operates a broad spectrum of programs through which assistance to the impoverished is peripheral and incidental, the entity would not be eligible.
2. Required additional documentation that must be submitted with application:
 - a. Letter from IRS certifying your tax-exempt status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - b. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes: (*does not apply to public agencies*)
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.
 - c. Latest Annual Financial Statement
 - d. Public Recognition as an Impoverished Assistance Provider. Provide letter of endorsement from an official (i.e. Mayor, Head of Welfare Dept., Social Services Director, county supervisor, head of agency that oversees program, etc.) indicating services provided by applicant. The letter must indicate that assistance to the impoverished is the organization's primary focus, and the name must match the IRS document. You may also include documented receipt of Federal/State Block Grant Funds for poverty programs, or proof of membership or affiliation with national organization that provides support for impoverished (i.e. Second Harvest National Food Bank Network, Habitat for Humanity, Salvation Army).
 - e. Complete narrative about your organization, including:
 - i. Comprehensive description of services (assistance to impoverished must be primary mission)
 - ii. Number of individuals receiving assistance and frequency of assistance (daily, weekly or monthly)
 - iii. Requirements for clients to be eligible to receive services, including any required fees.
 - iv. Description of facilities
 - v. Hours/days of operation
 - vi. Description of funding source(s) with supporting documentation
 - vii. Overview of staff (paid/volunteer, full-time/part-time) including list of key staff and their qualifications
 - f. Description of how your organization determines if a person is eligible to receive assistance, and how your organization determines if that person is impoverished. Your organization's primary function must to provide money, goods, or services to families or individuals whose annual incomes are below the poverty line (as defined in section 673 of the Community Services Block Grant Act) (42 U.S.C. 9902). If recipients are required to complete an application before receiving services, please attach a sample application.
 - g. Proof of current accreditation, approval or licensing if appropriate (i.e. child care or medical/health center).
 - h. Signed Articles of Incorporation, Bylaws, Charter or other organizing document
 - i. Brochures (or other printed materials) or link to website (*Optional*)

DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

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Health Organization (Non-Profit)

1. Must be licensed, accredited or approved by nationally recognized accrediting or licensing agency (Ex. Texas Department of State Health Services) or the current recipient of research grants by a recognized authority such as the National Institutes of Health, or by similar national advisory council or organization.
2. Required additional documentation that must be submitted with application:
 - a. Letter from IRS certifying your tax-exempt status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - b. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes:
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.
 - c. Complete narrative about your organization, including:
 - i. Description of services provided
 - ii. Number and type of patients served
 - iii. Description of facilities, including number of beds
 - iv. Overview of key staff and their qualifications
 - d. Certificate of accreditation, license, or letter of approval from a nationally recognized accrediting or licensing agency OR research grant from National Institutes of Health or similar national advisory organization.
 - e. Articles of incorporations, bylaws, charter or other organizing document (*optional*)
 - f. List of additional research grants awarded (*optional*)

Provider of Assistance to Homeless Persons

1. Services to the homeless must be the primary function of the organization. If any activity operates a broad spectrum of programs through which assistance to the homeless is peripheral and incidental, the entity would not be eligible. Property donated must be used in a program primarily for homeless persons. Examples of eligible programs include:
 - a. Overnight, daytime and around-the-clock shelters.
 - b. Shelters for battered spouses, abused children, and orphans.
 - c. Halfway houses or transitional housing for temporary residence of homeless parolees, mental patients, and/or substance abusers.
 - d. Food banks that provide food directly to facilities where homeless people are fed may be eligible.
2. Required additional documentation that must be submitted with application:
 - a. Letter from IRS certifying your tax-exempt status as a 501(C) non-profit. IRS ruling letter must include current name and address.
 - b. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes: (*does not apply to public agencies*)
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.
 - c. Public Recognition as a Homeless Assistance Provider. Please provide a letter from a local city official (i.e. Mayor, Head of Welfare Dept., Social Services Director, etc.) indicating services provided by applicant. The letter must indicate that assistance to the impoverished is the organization's primary focus, and the name must match the IRS document. You may also include:
 - i. Occupancy permit or fire and safety inspection certificate.
 - ii. Documented receipt of FEMA funds for Federal/State Block Grant Funds for homeless programs
 - d. Complete narrative about your organization, including:
 - i. Comprehensive description of services provided (assistance to homeless must be primary mission)
 - ii. Number of individuals receiving assistance and frequency of assistance (daily, weekly or monthly)
 - iii. Requirements for clients to be eligible to receive services, including any required fees.
 - iv. Description of facilities, including hours/days of operation
 - v. Description of funding source(s) with supporting documentation
 - vi. Overview of staff (paid/volunteer, full-time/part-time) including list of key staff and their qualifications
 - e. Proof of current accreditation, approval or licensing if appropriate (i.e. child care or medical/health center).
 - f. Signed Articles of Incorporation, Bylaws, Charter or other organizing document (*Optional*)
 - g. Brochures (or other printed materials) or link to website (*Optional*)

DETAILED REQUIREMENTS FOR SPECIFIC TYPES OF ORGANIZATIONS

Please review to determine which of the following eligibility category your organization falls under, and if you are required to submit additional documentation. Questions? Please contact us at (512)463-4551 or federal.surplus@tfc.state.tx.us.

Service Educational Activities

1. The following Service Educational Activities (SEA) are eligible: American National Red Cross, Armed Services, YMCA of the USA, Big Brothers/Big Sisters of America, Boys and Girls Clubs of America, Boy Scouts of America, Camp Fire, Inc., Center for Excellence in Education, Girl Scouts of the USA, Little League Baseball, Inc., Marine Cadets of America, National Association for Equal Opportunity in Higher Education, National Civilian Community Corps, National Ski Patrol System, Inc., Naval Sea Cadet Corps, Operation Raleigh, United Service Organizations, Inc., U.S. Olympic Committee, Young Marines of the Marine Corps, League/Marine Corps League.
2. Required additional documentation that must be submitted with application
 - a. Proof of association with the national organization (ex. Boy Scouts of America charter).
 - b. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes:
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.

Veterans' Organizations

1. Select veterans' service organizations are eligible for FSP following the passage of the FOR VETS Act of 2013.
2. For eligibility purposes, "Veterans Organizations" means organizations eligible to receive Federal surplus property for purposes of providing services to veterans under 40 U.S.C. 549(c)(3)(C). Eligible veterans organizations are those whose (1) membership comprises substantially veterans (at least 33%); and (2) representatives are recognized by the Secretary of Veterans Affairs under 38 U.S.C. 5902. The Department of Veterans Affairs maintains a searchable Web site of recognized organizations. The address is <http://www.va.gov/ogc/apps/accreditation/index.asp>.
3. Examples of organizations and its local chapters/districts that may be eligible: African American PTSD Association, American Ex-Prisoners of War, Inc., American GI Forum National Veterans Outreach Program, American Legion, AMVETS, Armed Forces Services Corporation, Army and Navy Union, U.S.A., Inc., Associates of Vietnam Veterans of America, Blinded Veterans Association, Catholic War Veterans of the U.S.A., Inc., Disabled American Veterans, Fleet Reserve Association, Gold Star Wives of America, Inc., Italian American War Veterans of the United States, Inc., Jewish War Veterans of the U.S.A., Legion of Valor of the United States of America, Inc., Marine Corps League, Military Order of the Purple Heart, National Amputation Foundation, Inc., National Association for Black Veterans, Inc., National Association of County Veterans Service Officers, Navy Mutual Aid Association, Non Commissioned Officers Association of the U.S.A, Paralyzed Veterans of America, Polish Legion of American Veterans, U.S.A, The Retired Enlisted Association, United Spanish War Veterans, United Spinal Association, Inc., Veterans of Foreign Wars of the United States, Veterans of the Vietnam War, Inc. & the Veterans Coalition, Vietnam Era Veterans Association, and Vietnam Veterans of America.
4. Required additional documentation that must be submitted with application:
 - a. Complete narrative about your organization, including:
 - i. Description of services provided
 - ii. Percentage of membership comprised of veterans
 - iii. Facility information & location
 - b. Proof of affiliation with an eligible veterans organization recognized by the Secretary of Veterans Affairs under section 5902 of title 38 of the FORVETS Act of 2013 (see *Dept. of Veterans website*: <http://www.va.gov/ogc/apps/accreditation/index.asp>.)
 - c. Payment Account Information - Payment for property must be in the form of a check drawn on the account of your organization or parent/charter organization.
 - i. Acceptable forms of supporting documentation includes
 1. Voided check or deposit slip,
 2. Copy of recent bank statement, or
 3. Letter from bank certifying account name and status.
 - ii. If a parent/charter organization will be submitting payment on your behalf, then you must also provide an explanation of the relationship between your organization and parent organization.

SEND ALL APPLICATIONS TO:

Applications may be emailed, faxed or mailed.

TEXAS FACILITIES COMMISSION
FEDERAL SURPLUS PROPERTY PROGRAM
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