

# **COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY d/b/a Imagine Monroe Powered by COMIDA**

## **Policy for Tracking Inventory and Disposal of Assets**

COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (“Agency”), pursuant to the Authority contained in Section 858, Title 1 of Article 18A of the General Municipal Law, as set out in Chapter 1030 of the Laws of 1969, and Section 916 of the General Municipal Law as set out in Chapter 55 of the Laws of 1972 of the State of New York, sets forth the following policies and internal controls for tracking, inventory and disposal of the Agency’s fixed assets and real property.

### **1. Purpose**

The purpose of this policy is to provide for the orderly and consistent tracking, financial reporting and disposal of the Agency’s assets, including real property, to ensure that such assets are properly tracked, sold, transferred or disposed of and that the Agency realizes the best value for those assets. This policy shall be reviewed and approved annually to ensure compliance with all legal requirements. A copy of this policy shall be filed with the Comptroller of the State of New York on or before March 31<sup>st</sup> of each year.

### **2. Designation of Contracting Officer**

The Agency hereby designates the Executive Director, as the Agency’s Contracting Officer. The Contracting Officer shall be responsible for compliance with and implementation of this policy. The Contracting Officer shall cause this policy to be made available to the general public as requested and to be posted on the Agency website if one has been created.

### **3. Scope**

This policy applies to all fixed assets, which term includes property with a useful life of one year or longer and a value at the time of acquisition of over five thousand dollars (\$5,000) that are owned or leased by the Agency. Examples include buildings, furniture, fixtures, tools equipment, vehicles, computer equipment, supplies and any other tangible goods purchased or leased by the Agency. This policy also applies to the disposition of real property.

### **4. Tracking of Assets**

The Contracting Officer shall assign an asset number to each fixed asset and record a full description of the asset and the location to which the asset has been assigned. The number will allow the Agency to track each asset’s deployment, redeployment and disposal.

### **5. Periodic Inventory of Assets**

A physical inventory of all fixed assets shall be performed by the Contracting Officer no less frequently than once every three years. As part of each physical inventory the Contracting Officer shall identify assets that are no longer in use or should be disposed of or retired.

## **6. Identifying Assets for Disposal**

Those assets that are no longer required, no longer functional and/or are no longer serving the purpose for which they were acquired shall be identified for disposal by the Contracting Officer.

## **7. Classifying Assets**

Once assets have been identified for disposal, the Contracting Officer shall classify the assets into one of the following three categories:

- a. Waste. This category includes materials or items that have no functional value or known intrinsic value. These assets shall be disposed of as the Contracting Officer may determine in a safe and appropriate manner.
- b. Scrap. This category includes materials or items that have no functional value, but retain an intrinsic value due to the material out of which they are made. These assets may be disposed of as the Contracting Officer may determine obtaining the best value on behalf of the Agency.
- c. Surplus. This category includes materials or items that retain functional value and may or may not have an intrinsic value. These assets may be disposed of by the Contracting Officer and in accordance with this policy.

## **8. Disposal of Surplus Assets**

The Contracting Officer may dispose of property for not less than fair market value by sale, exchange, transfer for cash, credit or other property upon such terms as the Contracting Officer deems proper. Any disposal of real property shall require an appraisal by an independent appraiser to determine fair market value.

## **9. Disposal of Surplus Assets Where Fair Market Value is Under \$15,000**

Surplus assets with a fair market value of under \$15,000 may be sold through participation in the County of Monroe's public notice and auction process, use of any other public notice procedure, placement of ads in publications and general circulation or electronic classified ads or auction sites, or by negotiation. It is the responsibility of the Contracting Officer to determine the best method of disposal to achieve the greatest return for the Agency. If the surplus assets offered for sale are not sold within a reasonable time (60 days) the Contracting Officer may determine to donate such items to a Governmental or not for profit organization or make any other disposition of the property.

## **10. Disposal of Surplus Assets Where Fair Market Value is \$15,000 or Greater and for Disposal of Real Property**

### **a. Advertised Bid**

All disposal of surplus property with a fair market value \$15,000 or greater shall be made after public advertising for bids for the purchase of the Agency property. The Contracting Officer shall order the advertising for bids in such a manner and in such publications as the Contracting Officer deems reasonably necessary to permit full and fair competition for the property consistent with the fair market value and nature of the property. All advertisements and announcements soliciting bids shall state the place and time at which the content of all bids received for the property advertised shall be publicly disclosed.

### **b. Award of Property Subject to Bid**

The Contracting Officer shall evaluate the bids and select the bid most advantageous to the Agency based upon (a) conformance with the invitation for bids, (b) the terms, including but not limited to the price offered, and (c) any other factors that warrant consideration. Notwithstanding the foregoing, the Agency may reject as inadequate all bids received in response to a particular solicitation for bids if the Contracting Officer deems that it is in the best interest of the Agency to reject all bids.

### **c. Notification of Successful Bid**

The Agency shall notify the successful bidder in writing of acceptance of the bid. This notice shall contain a description of the property, the amount of the successful bid and any other material items of the bid. The bidder shall be required to make payment to the Agency Treasurer in a form and on terms acceptable to the Agency before taking possession of the property. The Agency shall gather the following information regarding any successful bidder: name, address, phone number. The Agency shall provide to the successful bidder a deed, bill of sale, lease or other appropriate instrument adequate to transfer to the successful bidder the interest of the Agency in the property. The Contracting Officer is authorized to execute said documents on behalf of the Agency.

## **11. Disposal of Property by Negotiation**

The Agency may dispose of property through negotiation or by public auction without regard to the above described procedures if the Contracting Officer determines that any of the following conditions exist:

- a. introduction into the market of the personal property to be disposed of would adversely affect the local market for that kind of property, and a fair market price and other terms for the sale of the personal property can be obtained through negotiation;
- b. prices for the property that were obtained by advertised bid were not reasonable or the bid process did not generate open competition;
- c. disposal of the property is to the state or any political subdivision and fair market value can be arranged through negotiation;
- d. the property is being disposed of for less than fair market value, the terms of the disposal have been reached through public auction or negotiation the disposal of the property is intended to further the health, safety, welfare or economic development interests of the state or any of its political subdivisions, and the Board has approved the particular transaction by resolution or;
- e. the use of advertised bids is an inappropriate method for disposal of the property.

## **12. Documentation of Disposal by Negotiation**

The Contracting Officer shall cause to be prepared an explanation of the circumstances of the disposal when property is disposed of through the negotiation process described in Section 11, and any of the following are true;

- a. personal property disposed of has an estimated fair market value in excess of fifteen thousand dollars (\$15,000);
- b. real property sold has an appraised value in excess of one hundred thousand dollars (\$100,000.00);
- c. real property leased has been leased for a period of five years or less and the estimated annual fair market rent is in excess of one hundred thousand dollars (\$100,000.00);
- d. real property leased has been leased for a period of more than five years and the total estimated fair market rent over the term of the lease is more than one hundred thousand dollars (\$100,000.00);
- e. the personal or real property has been disposed of by exchange;
- f. any part of the consideration for the property disposed of consists of real property.

### **13. Yearly Property Report**

Each year the Contracting Officer shall publish a report listing all real property of the Agency and all real and personal property disposed of by the Agency during the previous twelve-month period. The report shall contain a full description of each item of property disposed of, the price received by the Agency, and the name of the individual (s) or entity that purchased the property.

The Contracting Officer shall comply with all statutory reporting requirements.

Approved and adopted this 20<sup>th</sup> day of June 2006.

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