

**PLACER COUNTY
OFFICE OF EMERGENCY SERVICES**

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Thomas Miller, County Executive Officer
By Richard Simmons, Emergency Services Program Manager

DATE: January 24, 2012

SUBJECT: Resolution to authorize five designated County employees to acquire property through the Federal Surplus Personal Property Program

ACTION REQUESTED

That the Board of Supervisors authorize by resolution five designated employees to act on behalf of Placer County to acquire property through the Federal Surplus Personal Property Program, and authorize both the County Executive Officer and the Clerk of the Board to sign the eligibility renewal documents.

BACKGROUND

The Federal Surplus Personal Property Program provides excess property such as vehicles, generators, emergency supplies, office equipment, etc. to federal, state and local public agencies. Participation in this program within California is coordinated by the Department of General Services. Except for a one to five percent service and handling fee based on original acquisition cost, items are free of charge. However, it will be the County's responsibility to physically obtain and transport the items from their warehouse location.

DISCUSSION

Per your Board's approval in December, 2008, the County has participated in the program, but the only acquisition since that time was a storage shed in 2009. County eligibility lapses in February, 2012 and this action renews eligibility for an additional three years. Staff feels that recent comments by Department of Defense (DoD) officials, as reported by Dr. Burton, indicate that the decision to renew eligibility is well justified. The comments, made at the DoD Assistant Secretary level, were something to the effect of, "...a high priority [is] to make significant amounts of the DoD resources from our recent withdrawal from Iraq and future force reductions around the world available for state and local jurisdictions." In the existing fiscal climate, any and all cost-saving methodologies should be considered, and this program presents just such an opportunity.

Items are available for viewing and assessing on a website; however access to the website, as well as to the program, is strictly limited to five individuals per organization and the designated individuals approved by resolution of your Board. Participation has been proffered to those County Departments most likely to need the type of equipment and supplies offered, and which are best able to store and maintain any items procured.

The five Departments, and their designated representatives, are:

- Sheriff's Office – Devon Bell, Undersheriff
- Public Works – Ken Grehm, Director
- Facility Services – Joel Swift, Assistant Director
- Health and Human Services – Dr. Burton, Director
- Administrative Services – Jerry Gamez, Director

The names, titles, and e-mail addresses of these individuals will be included on the Eligibility Renewal Application which must be signed by the Clerk of the Board. The County Executive Officer should also be authorized to sign the *Assurance of Compliance with General Services Administration Regulations* and the *Certification Regarding Debarment*. Per Federal guidelines, these forms must be signed by "President/Chairman of the Board or comparable authorized official."

FISCAL IMPACT

There is no impact on the General Fund as a result of this action.

Attachments:

- Resolution
- Eligibility Renewal Application
- Assurance of Compliance with GSA Regulations
- Certification Regarding Debarment

Before the Board of Supervisors County of Placer, State of California

In the matter of: **A RESOLUTION DESIGNATING FIVE
COUNTY EMPLOYEES TO ACQUIRE PROPERTY
ON BEHALF OF THE COUNTY THROUGH THE
FEDERAL SURPLUS PERSONAL PROPERTY PROGRAM**

Resol. No: _____

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **JANUARY 24, 2012** by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:

Clerk of said Board _____

WHEREAS the Federal Surplus Personal Property Program provides excess federal property such as vehicles, power generation equipment, emergency supplies, office equipment, etc. to federal, state and local public agencies; and

WHEREAS Placer County has had access to the Program in the past, the County's program eligibility, good for only three years, has lapsed; and

WHEREAS access to the program as well as to its website to ascertain property availability is limited to five individuals who must be designated by name and title by the Board of Supervisors; and

WHEREAS employees Devon Bell (Sheriff's Office), Joel Swift (Department of Facility Services), Ken Grehm (Department of Public Works), Dr. Richard Burton (Health and Human Services) and Jerry Gamez (Administrative Services) have been appointed to represent their agencies and Placer County in the program; and

WHEREAS two other forms, the *Assurance of Compliance with General Services Administration Regulations* and the *Certification Regarding Debarment* must be signed by the "Chairman of the Board or comparable authorized official," and therefore Thomas M. Miller, County Executive Officer, is designated to sign these forms as the "Authorized Official."

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer that the employees whose names appear above are hereby authorized as representatives to acquire state or federal surplus property from the California State Agency for Surplus Property and to approve incidental fees under the Terms and Conditions listed on the attached Form 201-A.."

ELIGIBILITY RENEWAL APPLICATION STATE & FEDERAL SURPLUS PROPERTY PROGRAM

A. Name of the Organization County of Placer Telephone (530) 889-4015
 Address 175 Fulweiler Ave. City Auburn CA. Zip 95603
 Fax Number (530) 889-4099 E-mail Address diwalsh@placer.ca.gov

Organization is a: **PUBLIC GOVERNMENTAL AGENCY** **PRIVATE AGENCY/ORGANIZATION**
 A. Conservation A. Homeless Program
 B. Economic Development B. Private Education - ADA
 C. Education - ADA C. Private Health
 D. Parks & Recreation D. Older Americans Act for Sr. Citizens
 E. Public Health E. Other, Explain _____
 F. Public Safety
 G. Other, Explain County

Number of Service Sites _____
 Total Number of Clients Served Each Day _____

RESOLUTION

B. "BE IT RESOLVED by the Governing Board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire surplus property through the auspices of the California State Agency for Surplus Property and accept responsibility for payment of incidental fees by the surplus property agency under the Terms and Conditions accompanying this form or listed on the reverse side of this form."

NAME (Print or type)	TITLE	SIGNATURE	E-MAIL ADDRESS
<u>Devon Bell</u>	<u>Undersheriff</u>	_____	<u>DBell@placer.ca.gov</u>
<u>Richard Burton</u>	<u>Dr/Health Officer</u>	_____	<u>RBurton@placer.ca.gov</u>
<u>Ken Grehm</u>	<u>Department Head DPW</u>	_____	<u>KGrehm@placer.ca.gov</u>
<u>Joel Swift</u>	<u>Deputy Director FS</u>	_____	<u>JSwift@placer.ca.gov</u>
<u>Jerry Gamez</u>	<u>Department Head AS</u>	_____	<u>JGamez@placer.ca.gov</u>

*Note: All signatures must be in original form. No copied or stamped signatures.

The above resolution was PASSED AND ADOPTED this 24 day of January 2012 by the Governing Board of the: County of Placer
 by the following vote: AYES: _____ NOES: _____ ABSENT: _____

I, Ann Holman Clerk of the Governing Board known as Board of Supervisors, County of Placer

Do hereby certify that the foregoing is a full, true, and correct resolution adopted by the governing board of the above named organization at the meeting thereof held at its regular place of meeting on the date and by the vote above stated, a copy of said resolution is on file in the principal office of the Governing Board.

Signed by: _____

NOTE: ALL LOCAL GOVERNMENT & NON-PROFIT INCORPORATED ORGANIZATIONS HAVE A GOVERNING BOARD, THEREFORE COMPLETE ONLY SECTIONS "A" & "B". THE FOLLOWING SECTION "C" IS FOR STATE AGENCIES ONLY.

C. AUTHORIZED BY: _____
 Printed Name and Title of Chief Administrative Officer

 Signature of Chief Administrative Officer _____ Date _____

STATE OF CALIFORNIA AGENCIES ARE REQUIRED TO PROVIDE THEIR STATE BILLING CODE# _____

FOR STATE SURPLUS AGENCY USE ONLY

Renewal Application Approved _____ Renewal Application Disapproved _____
 Date: _____ Signed: _____

ASSURANCE OF COMPLIANCE WITH GSA REGULATIONS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, 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 AND SECTION 303 OF THE AGE DISCRIMINATION ACT OF 1975

County of Placer, (hereinafter called the "donee"),
(Name of donee organization)

HEREBY 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 CFR 101-6.2) issued under the provisions of Title VI of the Civil Rights Act of 1964, 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, and Section 303 of the Age Discrimination Act of 1975, 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 the 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 that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; that the United States shall have the right to seek judicial enforcement of this agreement; and, 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.

Date _____ County of Placer _____
Donee Organization

BY _____
County Executive Officer

County of Placer
175 Fulweiler Ave.
Auburn, CA 95603
Donee Mailing Address

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND
VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS**

This certification is required by the General Services Administration regulations implementing Executive Order 12549-41 CFR 105-68 – for all lower tier transactions meeting the requirements stated at 41 CFR 105-68.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department of agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage section of rule implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitation for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF DONEE APPLICANT

County of Placer

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE

DATE