

Federal Management Regulation

§ 102-36.75

(6) Ensure that final disposition complies with applicable environmental, health, safety and national security regulations.

§ 102-36.50 May we use a contractor to perform the functions of excess personal property disposal?

Yes, you may use service contracts to perform disposal functions that are not inherently Governmental, such as warehousing or custodial duties. You are responsible for ensuring that the contractor conforms with the requirements of the Property Act and the Federal Management Regulation (41 CFR chapter 102), and any other applicable statutes and regulations when performing these functions.

§ 102-36.55 What is GSA's role in the disposition of excess personal property?

In addition to developing and issuing regulations for the management of excess personal property, GSA:

- (a) Screens and offers available excess personal property to Federal agencies and eligible non-Federal recipients.
- (b) Approves and processes transfers of excess personal property to eligible activities.
- (c) Determines the amount of reimbursement for transfers of excess personal property when appropriate.
- (d) Conducts sales of surplus and exchange/sale personal property when requested by an agency.
- (e) Maintains an automated system, FEDS, to facilitate the reporting and transferring of excess personal property.

Subpart B—Acquiring Excess Personal Property For Our Agency

ACQUIRING EXCESS

§ 102-36.60 Who is eligible to acquire excess personal property as authorized by the Property Act?

The following are eligible to acquire excess personal property:

- (a) Federal agencies (for their own use or use by their authorized contractors, cooperatives, and project grantees).
- (b) The Senate.
- (c) The House of Representatives.

(d) The Architect of the Capitol and any activities under his direction.

(e) The DC Government.

(f) Mixed-ownership Government corporations as defined in 31 U.S.C. 9101.

§ 102-36.65 Why must we use excess personal property instead of buying new property?

Using excess personal property to the maximum extent practicable maximizes the return on Government dollars spent and minimizes expenditures for new procurement. Before purchasing new property, check with the appropriate regional GSA Personal Property Management office or access FEDS for any available excess personal property that may be suitable for your needs. You must use excess personal property unless it would cause serious hardship, be impractical, or impair your operations.

§ 102-36.70 What must we consider when acquiring excess personal property?

Consider the following when acquiring excess personal property:

- (a) There must be an authorized requirement.
- (b) The cost of acquiring and maintaining the excess personal property (including packing, shipping, pickup, and necessary repairs) does not exceed the cost of purchasing and maintaining new material.
- (c) The sources of spare parts or repair/maintenance services to support the acquired item are readily accessible.
- (d) The supply of excess parts acquired must not exceed the life expectancy of the equipment supported.
- (e) The excess personal property will fulfill the required need with reasonable certainty without sacrificing mission or schedule.
- (f) You must not acquire excess personal property with the intent to sell or trade for other assets.

§ 102-36.75 Do we pay for excess personal property we acquire from another Federal agency under a transfer?

(a) No, except for the situations listed in paragraph (b) of this section, you do not pay for the property. However, you are responsible for shipping and