



## **GOVERNMENT ENTITY NO-COST SALE POLICY**

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### **I. PURPOSE:**

To create a process by which a West Virginia state agency may execute a no-cost sale of state property to a non-state public entity.

### **II. SCOPE:**

This policy applies to any local government entity identified by a West Virginia state agency as a suitable recipient whose work aligns with the property's original intended use once it is no longer needed by the owning agency.

### **III. POLICY:**

In certain circumstances, it is in the best interest of the State of West Virginia to execute a no-cost sale of state commodities to non-state public entities, specifically in instances when the property was procured with federal funds or was otherwise purchased with the intent to perform a function handled by the non-state public entity. This policy outlines the criteria and process for executing such a sale to these entities.

#### **A. Eligibility Criteria for Receiving Entity**

- a. The receiving entity must be a local government agency, including but not limited to a municipality, a county commission, a county board of education, or a health department.

#### **B. Justification for the Sale**

- a. The owning agency must demonstrate that the no-cost sale aligns with the original purpose of the purchase.
- b. The owning agency must demonstrate that failing to execute the sale would be detrimental to the State of West Virginia.

#### **C. Financial Conditions**

- a. The owning agency may not receive any monetary compensation or trade-in value from the receiving entity in exchange for the property.
- b. Property purchased exclusively with state funds is not eligible for this program.



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### **D. Compliance Conditions**

- a. The receiving entity must comply with the following conditions:
  - i. Agree to a compliance period of one (1) year before disposing of the commodity.
  - ii. Be subject to a potential inspection of the commodity by the West Virginia State Agency for Surplus Property (WVSASP) with 30 days' notice during the compliance period.
- b. If the receiving entity must dispose of the commodity within the one-year period, they must:
  - i. Complete a WV-103N form.
  - ii. Obtain prior approval from the WVSASP regarding the method of disposition, consistent with the requirements of any state agency under the authority of WVSASP.
- c. Failure to comply with these requirements may result in the entity becoming ineligible for future no-cost sales under this program.

### **E. Approval Process**

- a. If all criteria are met, the Surplus Manager will approve and submit the request to the Director of Purchasing.
- b. If the Director of Purchasing approves the request, the WVSASP will issue a memo authorizing the execution of the no-cost sale.

### **F. Documentation and Disposition Process**

- a. The owning agency must process the property disposition as follows in wvOASIS:
  - i. Select "DTSP" (Deliver to Surplus) as the Disposition Code.
  - ii. Attach the Director of Purchasing's approval memo to the FD document in wvOASIS or the WV-103 form.
- b. When retiring the commodity in wvOASIS, the extended description must include:



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- i. A description of the commodity.
- ii. The name of the receiving entity.
- iii. The date of the Director of Purchasing's approval.

G. Confirmation that it is a zero-cost transaction.

**V. EFFECTIVE DATE:** This policy will go into effect on July 1, 2025. The Director of the Purchasing Division may revoke this policy at any time.

**VI. POLICY NUMBER: SUR-25-002**

Approved and issued by:

Samantha Willis, Director/General Counsel  
West Virginia Purchasing Division

Appropriate Authority

7/1/25

Date



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### POLICY - APPENDIX A

#### Acknowledgement Statement for Owning Entity

As the authorized representative of \_\_\_\_\_, I acknowledge that the no-cost sale of state property to \_\_\_\_\_ is conducted in accordance with the State of West Virginia's policy on the no-cost sale of state commodities to non-state public entities.

I confirm that:

- The receiving entity meets the eligibility criteria as a qualifying local government agency.
- The no-cost sale aligns with the original purpose of the property's purchase and is in the best interest of the State of West Virginia.
- No monetary compensation or trade-in value has been received in exchange for the property.
- The receiving entity has agreed to a one-year compliance period before disposing of the property and understands the requirement to obtain WVSASP approval if disposal within that period becomes necessary.

I understand that failure to adhere to these requirements may result in the receiving entity becoming ineligible for future transfers.

**Authorized Signature:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**Agency Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_