

# APPLICATION FOR ELIGIBILITY

To Receive Federal Surplus Property (41 CFR 101-44.207)

## I. LEGAL NAME & MAILING ADDRESS OF APPLICANT ORGANIZATION:

\_\_\_\_\_  
*Name of Organization* *Federal Tax ID#*

\_\_\_\_\_  
*Mailing Address (P.O. Box #, Street, City & State)* *Zip Code*

\_\_\_\_\_  
*Street Address/Location (if different from mailing address)*

\_\_\_\_\_  
*County* *( ) Telephone #*

## II. APPLICANT STATUS (CHECK ONE):

- Public Agency including Public Schools (evidence must be provided)  
 Nonprofit, tax-exempt Organization

## III. TYPE OR PURPOSE OF ORGANIZATION:

- |  |  |   |  |  |
|--|--|---|--|--|
| <input type="checkbox"/> State           | <input type="checkbox"/> College or University         | <input type="checkbox"/> Child Care Center                              | <input type="checkbox"/> Training Center                     | <input type="checkbox"/> Medical Institution |
| <input type="checkbox"/> County          | <input type="checkbox"/> Secondary School              | <input type="checkbox"/> School for Handicapped                         | <input type="checkbox"/> Radio/TV Station                    | <input type="checkbox"/> Hospital            |
| <input type="checkbox"/> City            | <input type="checkbox"/> Elementary School             | <input type="checkbox"/> School for Retarded                            | <input type="checkbox"/> Library                             | <input type="checkbox"/> Health Center       |
| <input type="checkbox"/> School District | <input type="checkbox"/> Preschool                     | <input type="checkbox"/> Museum   | <input type="checkbox"/> Sheltered Workshop Training Program | <input type="checkbox"/> Clinic              |
|  | <input type="checkbox"/> Program for Older Individuals | <input type="checkbox"/> Provider of Assistance to Homeless Individuals | <input type="checkbox"/> Other (Specify) _____               |  |

## IV. PROVIDE A WRITTEN DESCRIPTION OF PROGRAM OR SERVICES OFFERED, INCLUDING A DESCRIPTION OF FACILITIES OPERATED. (REQUIRED)

## V. SOURCES OF FUNDING (Attach Supporting Documentation):

- Tax supported     Grant     Contributions     Other (Specify) \_\_\_\_\_

## VI. HAS THE ORGANIZATION BEEN DETERMINED TO BE TAX EXEMPT UNDER SECTION 501 OF THE INTERNAL REVENUE CODE OF 1954: \_\_\_\_\_ (COPY REQUIRED)

## VII. HAS THE ORGANIZATION BEEN APPROVED, ACCREDITED, OR LICENSED? \_\_\_\_\_ (COPY REQUIRED) BY WHAT AUTHORITY? \_\_\_\_\_

VIII. \_\_\_\_\_  
*Date* *Signature of Authorized Official*

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FOR STATE USE ONLY

The applicant has been determined  eligible     ineligible     conditionally eligible  
as  a public agency,     nonprofit education,     nonprofit health

Eligibility expires \_\_\_\_\_ Account # \_\_\_\_\_

\_\_\_\_\_  
*Date* *Director*

**INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR ELIGIBILITY FORM**  
(Please type or print in blue or black ink only)

**SECTION I:** Provide the full legal name of your organization on the first line of this section. Provide the mailing address of your organization as recognized by the U.S. Postal Service. Include ZIP Code. Provide the street address if different from mailing address, or provide directions if located on a rural route or other remote area. List the county in which the organization is actually located and a business telephone number with area code.

**SECTION II:** Check the appropriate box which describes your organization. (If you are unable to determine which status to check, please contact this office for assistance.)

**SECTION III:** Check the appropriate box or boxes (check as many as apply) which indicates the type or purpose of your organization. (Definitions have been provided on the reverse side of the application to assist in making this determination.)

**SECTION IV:** A comprehensive written description of all programs or services provided is required. A description of the operational facilities should also be included. Be sure to include information on staff and staff qualifications, hours of operation, services and programs offered, population or enrollment, fees charged etc. Include samples of pamphlets, catalogs, brochures or posters. If incorporated, include complete copy of Articles of Incorporation with all filing certificates and amendments, and a copy of your current by-laws.

**SECTION V:** Check the appropriate box which indicates the organization's sources of funding. Supporting documentation indicating the types and amounts of funding must be submitted with the completed application.

**SECTION VI:** All applicants making application as "Nonprofit, tax-exempt organizations" must provide a copy of the IRS determination letter indicating tax exemption under Section 501 of the IRS Code of 1954. The name of the organization on this IRS letter must match the name provided in Section I of this application, if not, include sufficient evidence such as amendments to Articles of Incorporation, or Assumed Name filing certificates to establish an "audit trail" of names showing the legal connection.

**SECTION VII:** Applicants making application as "Nonprofit, tax-exempt organization" are required to submit evidence that the applicant is currently approved, accredited, or licensed. Programs for older individuals must include evidence of funding under the Older Americans Act of 1965; Titles IV or XX of the Social Security Act; Titles VIII or X of the Economic Development Act of 1964; or the Community Services Block Grant Act. Providers of assistance to homeless individuals must include a letter from the mayor, county judge, city or county health officer or comparable authority which certifies that applicant is a "provider of assistance to the homeless". The certification must identify the service or assistance being provided and the number of individuals receiving such assistance.

**SECTION VIII:** Annotate date and provide an original signature of applicant's Authorized Official (President, Chairman of the Board, County Judge, Mayor, City Manager, Executive Director, Administrator, Fire Chief, or other comparable authorized official). Photo copied, rubber stamped, machine produced, carbon, or other facsimile type signatures are not acceptable.

**NOTE: INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. USE THIS INSTRUCTION SHEET AS YOUR CHECKLIST TO ASSURE ALL REQUIRED INFORMATION AND DOCUMENTATION IS PROVIDED. IF YOU HAVE A QUESTION OR NEED ASSISTANCE CALL 831-6757.**

## **NONDISCRIMINATION ASSURANCE**

LEGAL NAME & MAILING ADDRESS OF APPLICANT ORGANIZATION:

\_\_\_\_\_  
*Name of Organization*

\_\_\_\_\_  
*Mailing Address (P.O. Box #, Street, City & State)*

\_\_\_\_\_  
*Zip Code*

\_\_\_\_\_  
*Street Address/Location (If different from mailing address)*

\_\_\_\_\_  
*County*

( ) \_\_\_\_\_  
*Telephone #*

\_\_\_\_\_, the donee,  
*(Name of Organization)*

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 Rights 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.

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Signature of Authorized Official)*

## DEFINITIONS

**APPROVED** – Recognition and approval by the State department of education, State department of health, or other appropriate authority where no recognized accrediting board, association, or other authority exists for the purpose of making an accreditation. For an educational institution or an educational program, approval must relate to academic or instructional standards established by the appropriate authority. An educational institution or program may be considered approved if its instruction and credits therefor are accepted by three accredited or State-approved institutions, or if it meets the academic or instructional standards prescribed for public schools in the State; i.e., the organizational entity or program is devoted primarily to approved academic, vocational (including technical or occupational), or professional study and instruction, which operates primarily for educational purposes on a full-time base for a minimum school year as prescribed by the State and employs a full-time staff of qualified instructors. For a public health institution or program, approval must relate to the medical requirements and standards for the professional and technical services of the institution established by the appropriate authority. A health institution or program may be considered as approved when a State body having authority under law to establish standards and requirements for public health institutions renders approval thereto whether by accreditation procedures or by licensing or such other method prescribed by State law. In the absence of an official State approving authority for public health institution or program or educational institution or program, the awarding of research grants to the institution or organization by a recognized authority such as the National Institutes of Health, the National Institute of Education, or by similar national advisory council or organization may constitute approval of the institution or program provided all other criteria are met.

**Accredited** – Approved by a recognized accrediting board or association, at a regional, State or national level such as a State board of education or health; the American Hospital Association; a regional or national accrediting association for universities, colleges, or secondary schools; or another recognized accrediting association.

**Adult Day Care** – A program of services provided under health leadership in an ambulatory care setting for adults who do not require 24 hour institutional care and yet, due to physical and/or mental impairment, are not capable of full-time independent living. Participants in the day care program are referred to the program by their attending physician or by some other appropriate source such as an institutional discharge planning program, a welfare agency, etc. The essential elements of a day care program are directed toward meeting the health maintenance and restorative needs of participants. However, there are socialization elements in the program which, by overcoming the isolation so often associated with illness in the aged and disabled, are considered vital for the purpose of fostering and maintaining the maximum possible state of health and well-being.

**Child Care Center** – A public or nonprofit facility where educational, social, health, and nutritional services are provided to children through age 14 or as prescribed the State law, and which is approved or licensed by the State or other appropriate authority as a child day care center or child care center.

**Clinic** – An approved public or nonprofit facility organized and operated for the primary purpose of providing outpatient public health services, including customary related services such as laboratories and treatment rooms.

**College** – An approved or accredited public or nonprofit institution of higher learning offering organized study courses and credits leading to a baccalaureate or higher degree.

**Economic Development** – A program(s) carried out or promoted by a public agency for public purposes which involves, directly or indirectly, efforts to improve the opportunities of a given political area for the successful establishment or expansion of industrial, commercial, or agricultural plants or facilities and which otherwise assists in the creation of long term employment opportunities in the area or primarily benefits the unemployed or those with low incomes. For public agency use may not act as a conduit for the transfer of property.

**Educational Institution** – An approved, accredited, or licensed public or nonprofit institution, facility, entity, or organization conducting educational programs including research for any such programs, such as a child care center, school, college, university, school for the mentally retarded, school for the physically handicapped, or an educational radio or television station.

**Educational Radio Station** – A radio station licensed by the Federal Communications Commission and operated exclusively for noncommercial educational purposes and which is public or nonprofit and tax-exempt under section 501 of the Internal Revenue Code of 1954.

**Educational Television Station** – A television station licensed by the Federal Communications Commission and operated exclusively for noncommercial educational purposes and which is public or nonprofit and tax-exempt under section 501 of the Internal Revenue Code of 1954.

**Health Center** – An approved public or nonprofit facility utilized by a health unit for the provision of public health services, including related facilities such as diagnostic and laboratory facilities and clinics.

**Homeless Individual** – An individual who lacks a fixed, regular and adequate nighttime residence or who has a primary nighttime residence that is: (1) a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); (2) an institution that provides a temporary residence for individuals intended to be institutionalized; or (3) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. For purposes of this regulation, the term does not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.



## DEFINITIONS

Hospital – An approved or accredited public or nonprofit institution providing public health services primarily for inpatient medical or surgical care of the sick and injured, including related facilities such as laboratories, outpatient department, training facilities, and staff offices.

Library – A public or nonprofit facility providing library services free to all residents of a community, district, State or region.

Licensed – Recognition and approval by the appropriate State or local authority approving institutions or programs in specialized areas. Licensing generally relates to established minimum public standards of safety, sanitation, staffing, and equipment as they relate to the construction, maintenance, and operation of a health or educational facility, rather than to the academic, instructional, or educational or public health programs such as occupational training, physical or mental health rehabilitation services, or nursing care. Licenses frequently must be renewed at periodic intervals.

Local Government – A government, or administration of a locality, within a State or a possession of the United States.

Medical Institution – An approved, accredited, or licensed public or nonprofit institution, facility, entity, or organization the primary function of which is the furnishing of public health and medical services to the public at large or promoting public health through the conduct or research for any such purposes, experiments, training, or demonstrations related to cause, prevention, and methods of diagnosis and treatment of diseases and injuries. The term includes but is not limited to hospitals, clinics, alcoholic and drug abuse treatment centers, public health or treatment centers, research and health centers, geriatric centers, laboratories, medical schools, dental schools, nursing schools, and similar institutions. The term does not include institutions primarily engaged in domiciliary care although a separate medical facility within such a domiciliary institution may qualify as a “medical institution.”

Museum – A public or private nonprofit institution which is organized on a permanent basis essentially for educational or esthetic purposes and which, using a professional staff, owns or uses tangible objects, whether animate or inanimate; cares for these objects; and exhibits them to the public on a regular basis either free or at a nominal charge. As used in the Donation Program, the term “museum” includes, but is not limited to, the following institutions if they satisfy all other provisions of FPMR 101-44.207: aquariums and zoological park; botanical gardens and arboretums; museums relating to art, history, natural history, science, and technology; and planetariums. For the purposes of this program, an institution uses a professional staff if it employs full time at least one qualified staff member who devotes his or her time primarily to the acquisition, care, or public exhibition of objects owned or used by the institution. This definition of museum does not include any institution which exhibits object to the public if they display or use of the objects is only incidental to the primary function of the institution. For example, an institution which is engaged primarily in the sale of antiques, objects d’art, or other artifacts and which incidentally provides displays to the public of animate or inanimate object, either free or at a nominal charge, does not qualify as a museum.

Nonprofit Tax-Exempt Activity – An institution or organization, no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual, and which has been held to be tax-exempt under the provisions of section 501 of the Internal Revenue Code of 1954.

Program for Older Individuals – Any state or local government agency or any nonprofit, tax-exempt activity which receives funds appropriated for programs for older individuals under the Older Americans Act of 1965 as amended under Title IV or Title XX of the Social Security Act, or under Titles VIII and X of the Economic Opportunity Act of 1964 and the Community Services Block Grant Act.

Provider of Assistance to Homeless Individuals – A public or a nonprofit, tax-exempt institution or organization that operates a program which provides assistance such as food, shelter, or other services to homeless individuals, as defined above. Property acquired through the donation program by such institutions or organizations must be used exclusively in their program(s) for providing assistance to homeless individuals.

Public Health Institution – An approved, accredited, or licensed public or nonprofit institution, facility, entity, or organization conducting a public health program or program such as a hospital, clinic, health center, or medical institution, including research for any such program, the services of which are available to the public at large.

School – (except schools for the mentally retarded and schools for the physically handicapped) – A public or nonprofit approved or accredited organizational entity devoted primarily to approved academic, vocational, or professional study and instruction which operates primarily for educational purposes on a full-time basis for minimum school year and employs a full-time staff of qualified instructors.

School for the Mentally Retarded – A facility or institution operated primarily to provide specialized instruction to students of limited mental capacity. It must be public or nonprofit and must operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction of the mentally retarded, have staff of qualified instructors, and demonstrate that the facility meets the health and safety standards of the State or local governmental body.

School for the Physically Handicapped – A school organized primarily to provide specialized instruction to students whose physical handicaps necessitate individuals or group instruction. The schools must be public or nonprofit and operate on a full-time basis for the equivalent of a minimum school year prescribed for public school instruction for the physically handicapped, have a staff of qualified instructors, and demonstrate that the facility meets the health and safety standards of the State or local governmental body.

University – A public or nonprofit approved or accredited institution for instruction and study in the higher branches of learning and empowered to confer degrees in special departments or colleges.

**Surplus Property Office**  
**729 Kakoi Street**  
**Honolulu, Hawaii 96819**  
**SPB Form No. 3**  
Rev. 01/2014

CERTIFICATION AND AGREEMENT  
FOR PARTICIPATION IN THE FEDERAL SURPLUS PERSONAL PROPERTY PROGRAM

We, \_\_\_\_\_, the donee,  
(Legal Name of Organization)

certify and agree to the following certifications, terms, and conditions governing the acquisition of federal surplus personal property from the Surplus Property Office, Department of Accounting and General Services, State of Hawaii (hereinafter referred to as the "State Agency").

(a) **THE DONEE CERTIFIES THAT:**

- (1) It is a public agency; or a nonprofit educational or public health 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 the regulations of the Administrator of General Services.
- (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 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, and including research for such purpose. 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.
- (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.

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

- (1) All items of property shall be placed in use for the purpose 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) of property listed hereon.
- (3) In the event the property is not so 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 done 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 \$3,000 OR MORE AND PASSENGER MOTOR VEHICLES, REGARDLESS OF ACQUISITION COST, EXCEPT VESSELS 50 FEET OR MORE IN LENGTH AND AIRCRAFT:

- (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 36 months from the date the property is placed in use, except that the period of restriction on passenger motor vehicles, regardless of acquisition cost, will expire after a period of 24 months of such use.
- (3) In the event the property is not so used as required by (c)(1) and (2) and Federal restrictions (b)(1) and (2) have expired then title and right to the possession of such property shall at the option of the State Agency revert to the State of Hawaii 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 listed hereon and through the period(s) of time the conditions imposed by (b) and (c) above 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) or the State Agency under (c). 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 listed hereon 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) and (c) remain in effect, without the prior approval of GSA or other 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 for 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) and (c) remain in effect, any of the property listed hereon 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 listed hereon, and on other pertinent matters as may be required from time to time by the State Agency.
- (5) At the option of the State Agency, the donee may abrogate the conditions set forth in (c) and the terms, reservations and restrictions pertinent thereto in (d) by payment of an amount as determined by the State Agency.

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

- (1) The property acquired by the donee is on an "as is," "where is" basis, without warranty of any kind.
- (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, the State Agency will be entitled to reimbursement from the donee out of the

