

Existing Metro Acquisition Policy and Procedure Manual

(From Chapter 12 – Surplus Sales Contracts)

12.8 Donations

- ~~A. The donation of any material, equipment or non-revenue vehicle to a public agency, private or Non-Profit organization is permitted if it meets one of the following conditions:~~
- ~~B. If the asset has value, it must be determined that the asset will be used for some public transit related purpose within the MTA's jurisdiction; or~~
- ~~C. It must be determined that the asset has no market/salvage value; or~~
- ~~D. It must be determined that the cost to remove or dispose of the asset will exceed the estimated revenue or return from the sale.~~
- ~~E. This policy shall be implemented in concert with the prohibitions against gifts of public funds.~~

Revised Metro Acquisition Policy and Procedure Manual

12.8 Donations

Metro may make donations of its available surplus material, equipment, revenue service vehicles and non-revenue vehicles ("Surplus Asset") to Public Agencies, Municipalities, School Districts and Non-Profit Organizations ("Eligible Donee") for continued public transit services, or for other re-purposed public uses and services that benefits all Los Angeles County citizens.

Approved donation requests shall meet the policy standard that all donations shall not constitute a gift of public funds. In order to meet that standard a Cost/Benefit Analysis shall be performed on each donation request to ensure that the well-intended use of the Surplus Asset by the Eligible Donee is greater than the value that Metro would earn through the sale or salvage of the Surplus Asset.

- A. The Eligible Donee shall submit a Donation request to Vendor/Contract Management for a specific Surplus Asset. The Donation request shall provide a detailed description of the well-intended uses of the Surplus Asset, including the real value to be earned from the continued transit use of the Surplus Asset, and any factors that describe the real or intrinsic value of any repurposed use.
- B. Vendor/Contract Management shall perform a Cost/Benefit Analysis that first identifies the net value of the Surplus Asset to Metro. The net value includes the estimated market value for the sale or salvage of the Surplus Asset minus the cost to remove or dispose of the Surplus Asset.

The Cost/Benefit Analysis shall measure the net value of the Surplus Asset against the value of the services or re-purposed uses of the Surplus Asset by the Eligible Donee.

- C. The Chief of Vendor/Contract Management may approve the donation of Metro Assets if the Cost/Benefit Analysis performed by Metro demonstrates that the well-intentioned use by the Eligible Donee has greater value to all citizens of Los Angeles County than the net value of the Surplus Asset to Metro.
- D. Once a donation is approved by Metro the Eligible Donee is responsible for all costs associated with the transfer, storage, maintenance and re-title of the Surplus Asset. The Eligible Donee must remove and take possession of the Surplus Asset within 120 days of Metro's approval.
- E. The Eligible Donee shall indemnify Metro for any claims in connection with or relating to, the transfer, use or services performed by the Eligible Donee with the Surplus Asset.