

GREATER ROCHESTER SPORTS AUTHORITY

Policy for Tracking, Inventory, and Disposal of Assets

Adopted: December 15, 2005

Re-Adopted: April 1, 2008

Re-Adopted: August 12, 2009

Re-Adopted: March 23, 2011

Re-Adopted: March 16, 2012

Amended: March 13, 2013

Re-Adopted: March 12, 2014

The Greater Rochester Sports Authority (Authority) constitutes a public benefit corporation of the State of New York. The Authority fulfills a public mission and must comply with the provisions of applicable laws, including the New York Public Authorities Law. Because the Authority's assets are held for the public benefit, the Authority's members have a fiduciary duty to protect them. The following policies set forth internal controls for tracking, inventory and disposal of Authority's fixed assets and real property.

1. Purpose

The Authority seeks to establish a policy providing for orderly and consistent tracking and disposal of its assets, including real property, to insure that such assets are properly tracked, sold, transferred or disposed of and that the Authority realizes the best value for those assets and are intended to comply with the requirements of the Public Authorities Law. This policy shall be reviewed and approved annually by the Authority and a copy of this policy most recently adopted shall be filed with the Comptroller.

2. Designation of Contracting Officer

The Authority hereby designates the Authority's legal counsel, as the Authority's Contracting Officer. The Contracting Officer shall be responsible for compliance with and implementation of this policy. The Contracting Officer shall cause this policy to be made available to the general public as requested and to be posted on the Authority's website if one has been created.

3. Scope

This policy applies to all fixed assets, which term includes property with a useful life of one year or longer and a value at the time of acquisition of over five thousand dollars (\$5,000) that are owned or leased by the Authority. Examples include buildings, furniture, fixtures, tools equipment, vehicles, computer equipment, supplies and any other tangible goods purchased or leased by the Authority. This policy also applies to the disposition of real property.

4. Tracking of Assets

The Contracting Officer shall assign an asset number to each fixed asset and record a full description of the asset and the location to which the asset has been assigned. The number will allow the Authority to track each asset's deployment, redeployment and disposal.

5. Periodic Inventory of Assets

A physical inventory of all fixed assets shall be performed by the Contracting Officer no less frequently than once every three years. As part of each physical inventory the Contracting Officer shall identify assets that are no longer in use or should be disposed of or retired.

6. Identifying Assets for Disposal

Those assets that are no longer required, no longer functional and/or are no longer serving the purpose for which they were acquired shall be identified for disposal by the Contracting Officer.

7. Classifying Assets

Once assets have been identified for disposal, the Contracting Officer shall classify the assets into one of the following three categories:

- a. Waste. This category includes materials or items that have no functional value or known intrinsic value. These assets shall be disposed of as the Contracting Officer may determine in a safe and appropriate manner.
- b. Scrap. This category includes materials or items that have no functional value, but retain an intrinsic value due to the material out of which they are made. These assets may be disposed of as the Contracting Officer may determine obtaining the best value on behalf of the Authority.
- c. Surplus. This category includes materials or items that retain functional value and may or may not have an intrinsic value. These assets may be disposed of by the Contracting Officer and in accordance with this policy.

8. Disposal of Surplus Assets

The Contracting Officer may dispose of property for not less than fair market value by sale, exchange, transfer for cash, credit or other property upon such terms as the Contracting Officer deems proper. Any disposal of real property shall require an appraisal by an independent appraiser to determine fair market value.

9. Disposal of Surplus Assets Where Fair Market Value is Under \$15,000

Surplus assets with a fair market value of under \$15,000 may be sold through participation in the County of Monroe’s public notice and auction process, use of any other public notice procedure, placement of ads in publications and general circulation or electronic classified ads or auction sites, or by negotiation. It is the responsibility of the Contracting Officer to determine the best method of disposal to achieve the greatest return for the Authority.

If the surplus assets offered for sale are not sold within a reasonable time (60 days) the Contracting Officer may determine to donate such items to a Governmental or not for profit organization or make any other disposition of the property.

10. Disposal of Surplus Assets Where Fair Market Value is \$15,000 or Greater and for Disposal of Real Property

a. Advertised Bid

All disposal of surplus property with a fair market value \$15,000 or greater shall be made after public advertising for bids for the purchase of the Authority property. The Contracting Officer shall order the advertising for bids in such a manner and in such publications as the Contracting Officer deems reasonably necessary to permit full and fair competition for the property consistent with the fair market value and nature of the property. All advertisements and announcements soliciting bids shall state the place and time at which the content of all bids received for the property advertised shall be publicly disclosed.

b. Award of Property Subject to Bid

The Contracting Officer shall evaluate the bids and select the bid most advantageous to the Authority based upon (a) conformance with the invitation for bids, (b) the terms, including but not limited to the price offered, and (c) any other factors that warrant consideration.

Notwithstanding the foregoing, the Authority may reject as inadequate all bids received in response to a particular solicitation for bids if the Contracting Officer deems that it is in the best interest of the Authority to reject all bids.

c. Notification of Successful Bid

The Authority shall notify the successful bidder in writing of the Authority's acceptance of the bid. This notice shall contain a description of the property, the amount of the successful bid and any other material items of the bid. The bidder shall be required to make payment to the Authority Treasurer in a form and on terms acceptable to the Authority before taking possession of the property. The Authority shall gather the following information regarding any successful bidder: name, address, phone number. The Authority shall provide to the successful bidder a deed, bill of sale, lease or other appropriate instrument adequate to transfer to the successful bidder the interest of the Authority in the property and the Contracting Officer is authorized to execute said documents on behalf of the Authority.

11. Disposal of Property by Negotiation

The Authority may dispose of property through negotiation or by public auction without regard to the above described procedures if the Contracting Officer determines that any of the following conditions exist:

- a. introduction into the market of the personal property to be disposed of would adversely affect the local market for that kind of property, and a fair market price and other terms for the sale of the personal property can be obtained through negotiation;
- b. prices for the property that were obtained by advertised bid were not reasonable or the bid process did not generate open competition;
- c. disposal of the property is to the state or any political subdivision and fair market value can be arranged through negotiation;
- d. the property is being disposed of for less than fair market value, the terms of the disposal have been reached through public auction or negotiation, the disposal of the property is intended to further the health, safety, welfare or economic development interests of the state or any of its political subdivisions, and the Members of the Authority have approved the particular transaction by resolution;or
- e. the use of advertised bids is an inappropriate method for disposal of the property.

12. Documentation of Disposal by Negotiation

The Contracting Officer shall cause to be prepared an explanation of the circumstances of the disposal when property is disposed of through the negotiation process described in Section 11, and any of the following are true;

- a. personal property disposed of has an estimated fair market value in excess of fifteen thousand dollars (\$15,000);
- b. real property sold has an appraised value in excess of one hundred thousand dollars (\$100,000.00);
- c. real property leased has been leased for a period of five years or less and the estimated annual fair market rent is in excess of one hundred thousand dollars (\$100,000.00);
- d. real property leased has been leased for a period of more than five years and the total estimated fair market rent over the term of the lease is more than one hundred thousand dollars (\$100,000.00);
- e. the personal or real property has been disposed of by exchange;
- f. any part of the consideration for the property disposed of consists of real property.

13. Yearly Property Report

Each year the Contracting Officer shall publish a report listing all real property of the Authority, all real and personal property disposed of by the Authority during the previous twelve-month period. The report shall contain a full description of each item of property disposed of, the price received by the Authority, and the name of the individual (s) or entity that purchased the property.

The Contracting Officer shall cause the report to be delivered to the Comptroller, Director of the Budget, the Commissioner of General Services, and the New York State Legislature c/o the Speaker of the House and the Senate Majority Leader.

The Contracting Officer shall cause the report to be made available to the public.