

Veteran Owned Small Business (VOSB) and Service Disabled Veteran Owned Small Business (SDVOSB)

ACCESS TO ARKANSAS FEDERAL SURPLUS PROPERTY

15 U.S.C 657b (g) provides for eligible Veteran Owned Small Business' (VOSB) and Service Disabled Veteran Owned Small Business' (SDVOSB) to receive federal surplus government property through the Arkansas' Federal Surplus Property Program. (ARFSP) This form must be signed by the veteran or surviving spouse (owner) of the requesting VOSB/SDVOSB firm. Once the form is fully executed, the original will be submitted to ARFSP along with the eligibility application, business narrative document, and SBA's VetCert Program verification.

The procedures set forth in 13 CFR 128, 41 CFR 102 and this form will be used to transfer surplus personal property to such concerns.

Conditions for VOSB/SDVOSB'S

- (1) That the VOSB/SDVOSB is located and operating within the State of Arkansas
- (2) That the small business is unconditionally owned and controlled by one or more eligible veterans, service-disabled veterans, or surviving spouses;
- (3) Has registered and is in "verified" status in the SBA's VetCert Program Database
- (4) That it will use the acquired surplus personal property in the normal conduct of its business activities. Personal or non-business use is prohibited.
- (5) That it will not **sell, transfer, loan, lease**, encumber or otherwise dispose of the property during the period of restriction unless it has received express written authorization from ARFSP, GSA, and SBA pursuant to 41 CFR §102-37.
- (6) That it will obtain permission from the ARFSP before permanently removing the property from the State (41 CFR §102-37.450).
- (7) That it will place the property in use as intended within one year of receipt and utilize the property for the duration of the required restriction period.
- (8) That it will maintain its eligibility with the SBA with the ARFSP for the duration of the applicable Federal period of restriction for donated property (41 CFR §102-37.410)
- (9) That it will give ARFSP access to inspect the property and all records pertaining to it; and shall complete in a timely matter any utilization reports AS REQUIRED.

- (10) That should the VOSB violate any of the paragraphs above, the VOSB will return the property to the ARFSP at the VOSB's expense, or if the VOSB has sold, transferred, or otherwise disposed of the acquired surplus property in violation of the agreement covering sale and disposal, the VOSB will be liable to the Federal Government for the Fair Market Value (as determined by GSA or the ARFSP) or the sale price of the property, whichever is greater.
- (11) COSTS: Firms acquiring surplus property from the ARFSP will be required to pay a service fee in accordance with 41 CFR 102-37.280. Payment must be in the form of a company check. Cash, cashier's checks, personal checks or money orders are not accepted.

Payment in full is required before property leaves the facility.

- (12) TITLE: Conditional title to the property will pass to the eligible VOSB when the VOSB executes the required certifications and agreements and takes possession of the property. Donated property carries a Federally-imposed period of restriction that varies by property type. Additionally, certain items have a subsequent State-imposed period of restriction. Full title will pass to the VOSB only after the donee has completed the applicable period(s) of restriction and met the conditions of 41 CFR §102-37.450.

Failure to comply with any of the commitments made here constitutes a basis for suspension from the program and possible subsequent legal action. By signing below, you are hereby accepting the above conditions imposed by 13 CFR 128, 41 CFR 102.

Printed Name: _____ Date: _____

Signature: _____

Title: _____

Company Name: _____