

XV DISPOSITION OF SALVAGE OR SURPLUS PROPERTY

LGC 263.152. DISPOSITION

- (a) The commissioners court of a county may:
- (1) periodically sell the county's surplus or salvage property by competitive bid or auction, except that competitive bidding or an auction is not necessary if the purchaser is another county or a political subdivision within the county that is selling the surplus or salvage property;
 - (2) offer the property as a trade-in for new property of the same general type if the commissioners court considers that action to be in the best interests of the county;
 - (3) order any of the property to be destroyed or otherwise disposed of as worthless if the commissioners court undertakes to sell that property under Subdivision (1) and is unable to do so because no bids are made;
 - (4) dispose of the property by donating it to a civic or charitable organization located in the county if the commissioners court determines that:
 - (A) undertaking to sell the property under Subdivision (1) would likely result in no bids or a bid price that is less than the county's expenses required for the bid process;
 - (B) the donation serves a public purpose; and
 - (C) the organization will provide the county with adequate consideration, such as relieving the county of transportation or disposal expenses related to the property;
 - (5) transfer gambling equipment in the possession of the county following its forfeiture to the state to the Texas Facilities Commission for sale under Section 2175.904, Government Code; or
 - (6) order any vehicle retired under a program designed to encourage the use of low-emission vehicles to be crushed and recycled, if practicable, without a competitive bid or auction.

A. Auction Guidelines

Brazoria County contracts with online auctioneers for periodical disposition of the County's surplus or salvage property. Payments for auctioned items are made directly to the auctioneer and the net proceeds are forwarded to the Purchasing Department. An auction bidder is therefore subject to the online auctioneers' terms and conditions as well as the following guidelines.

Preview/Inspection

1. Appointments are required for all preview and inspections. Previews and inspections must be scheduled through the preview/removal representative.
2. Inspection will be for the lot as it sits, lots will not be unpacked for viewing purposes.
3. Vehicle/Equipment Viewing - Upon request, the preview/removal representative will attempt to start the motor operated equipment or vehicle(s) for the potential bidder; however, test-driving is prohibited.

Appointments

4. Appointments must be scheduled at least one business day in advance.
5. Separate appointments are required for items in multiple locations.
6. Due to warehouse staffing, appointments are made in strictly 45-minute intervals. If fifteen minutes has passed since a scheduled appointment time and no one is present to claim a lot, the appointment will be cancelled, and will need to be rescheduled.
7. If an invoice is unpaid at the scheduled appointment time, the appointment will be cancelled, and will need to be rescheduled.
8. If the entire lot cannot be removed during the scheduled appointment time, the appointment will be cancelled, and need to be rescheduled.

Removal

9. The paid invoice from the auctioneer and valid identification are required to remove the lot(s).
10. The entire lot(s) must be removed at the scheduled appointment time. Loading equipment and assistance will not be provided by the County under any circumstances.
11. The County does not ship or provide transportation or loading services for removal.

12. Onsite repairs are prohibited at the lot location site. Should an item need services, the item will need to be removed from the location site for services.
13. If a third party is sent to remove the lot(s), the Buyer must submit to the preview/removal representative an Authorization of Release, See Exhibit C "Authorization of Release."
14. Vehicles Only – A copy of the original title and a Texas Department of Motor Vehicle form 130-U, Application for Texas Title and/or Registration.

Unclaimed Lots

15. If a lot(s) remains after the final removal time, either the auctioneer or the preview/removal representative will attempt to contact the Buyer to remove the unclaimed lot(s).
16. If after the first attempt, the Buyer has not removed the lot(s), per the auctioneer's terms and conditions, ownership of the lot will revert back to the County and the County may dispose or resale the lot(s) at its discretion.
17. If ownership reverts back to the County, the Buyer will not be refunded