



Adopted: September 18, 1996

EMID 6067 Board Policy 802

Revised: January 18, 2005; February, 2008, April, 2010; March 18, 2015

802 DISPOSITION OF OBSOLETE EQUIPMENT AND MATERIAL

I. PURPOSE

The purpose of this policy is to provide guidelines to EMID administration for the timely disposition of obsolete equipment and material.

II. GENERAL STATEMENT OF POLICY

At times, effective use of space and consideration for safety of personnel may require disposal of obsolete equipment and material.

III. DEFINITIONS

- A. "Contract" means an agreement entered into by EMID for the sale of supplies, materials or equipment.
- B. "Official newspaper" is a regular issue of a qualified legal newspaper.

IV. MANNER OF DISPOSITION

A. Authorization

The Executive Director shall be authorized to dispose of obsolete equipment and materials by selling it at a fair price consistent with the procedures outlined in this policy. Any sale exceeding the minimum amount for which bids are required must first be specifically authorized by the Board. The Executive Director shall be authorized to properly dispose of used books, materials and equipment deemed to have little or no value.

B. Contracts Less Than \$25,000

If the amount of the sale is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, at the discretion of the Board. The sale in the open market may be by auction. If the contract is made on quotation, it shall be based, so far as practicable, on at least two quotations which shall be kept on file for a period of at least one year after receipt.

C. Electronic Sale of Surplus Supplies, Materials, and Equipment



Notwithstanding the other procedural requirements of this policy, EMID may contract to sell supplies, materials, and equipment which is surplus, obsolete, or unused through an electronic selling process in which purchasers compete to purchase the supplies, materials, or equipment at the highest purchase price in an open and interactive environment.

D. Notice of Quotation

Notice of procedures to receive quotations shall be given by publication or other means as appropriate to provide reasonable notice to the public.

E. Sales to Employees

No officer or employee of EMID shall sell or procure for sale to any other officer or employee of EMID any property or materials owned by EMID unless the property and materials are not needed for public purposes and are sold to an EMID employee after reasonable public notice, at a public auction or by sealed response, if the employee is not directly involved in the auction or sale process. Reasonable notice shall include at least one week's published or posted notice. A record of the transaction shall be kept on file for one year thereafter. This section shall not apply to the sale of property or materials acquired or produced by EMID for sale to the general public in the ordinary course of business. Nothing in this section shall prohibit an employee of EMID from selling or possessing for sale public property if the sale or possession for sale is in the ordinary course of business or the normal course of the employee's duties.

F. Exceptions for Surplus Computers

EMID may bypass the requirements for competitive bidding and is not subject to any other laws relating to school district contracts if it is disposing of surplus computer and related equipment by conveying the property and title to:

1. another school district;
2. the State Department of Corrections;
3. the board of trustees of Minnesota State Colleges and Universities; or
4. the family of a student residing in the member districts whose total family income meets the federal definition of poverty.

In any such event, a record of the disposition shall be kept for one year.

Legal References: Minn. Stat. § 15.054 (Public Employees Not to Purchase Merchandise From Governmental Agencies; Exceptions; Penalty)
Minn. Stat. § 123B.29 (Sale of School Building at Auction)
Minn. Stat. § 123B.52 (Contracts)



Minn. Stat. § 471.345 (Uniform Municipal Contracting Law)

Minn. Stat. § 645.11 (Published Notice)

Minn. Stat. § 13.591 (Business Data)

Cross References:

MSBA Service Manual, Chapter 13, School Law Bulletin “F” (School District Contract and Bidding Procedures)