

Category: 400

Number: 411

Subject: **POLICY ON THE SALE OF REAL AND PERSONAL PROPERTY**

1. PURPOSE: The purpose of this Policy is to:
 - 1.1 Formulate a formal written County Policy with respect to the Sale Of Real And Personal Property; and,
 - 1.2 Define and clarify proper procedure to be followed in the event that conditions necessitate The Sale of Real or Personal Property by County officials.
2. AUTHORITY: The Saginaw County Board of Commissioners.
3. APPLICATION: This policy applies to all Elected Offices, Departments and Agencies of Saginaw County.
4. RESPONSIBILITY: The Saginaw County Board of Commissioners hereby authorizes the Saginaw County Controller's Office to implement the Sale Of Real or Personal Property that is titled to the County of Saginaw when such sale is proper and appropriate. The Purchasing Division of the Saginaw County Controller's Office will administer this Policy and the sale of such property using the following procedures.
5. DEFINITION(S): NONE
6. POLICY:
 - 6.1 Sale of Personal Property and/or surplus supplies or equipment shall be sold or otherwise disposed of using the best online option deemed by the Purchasing Division. This will include determining fair market value and listing the personal property online or auction sites, i.e. Craigslist, EBay, Marketplace, GovDeals, etc.
 - 6.2 The Purchasing Division of the Saginaw County Controller's office is further authorized to sell and/or dispose of real estate. Before such process is begun, the Purchasing Division of the Saginaw County Controller's Office will determine the fair market value of such residential and/or commercial real estate by using a professional appraisal firm or the County's Equalization Department. Once a fair market value has been determined, the Purchasing Division of the Saginaw County Controller's Office shall use either of the following procedures to sell and/or dispose of real estate.
 - 6.2.1 Use of a Professional Realtor: When the Purchasing Division, in consultation with the Saginaw County Controller, has determined that it is optimal to use a Professional Realtor for sale of real estate, the Purchasing Division will engage the services of a realtor serving the geographical area where the property is located. The Purchasing Division shall negotiate a commissioned rate for the sale

and shall authorize the Professional Realtor to market the property for a period not to exceed six (6) months.

6.2.1.1 The Purchasing Division of the Saginaw County Controller's Office shall be authorized to accept cash offers that are not lower than twenty (20) percent of the fair market value as determined by the Professional Appraisal Firm. (If the Purchasing Division of the Saginaw County Controller's Office receives an offer which is less than 20% under the fair market value as determined by the Appraisal Firm and believes it is in the best interest of the County to accept such offer, the Saginaw County Controller is authorized to accept such offers.) If the Purchasing Division believes it is in the best interest of the County to accept an offer which is lower than 30% below the fair market value of the property, the Saginaw County Board of Commissioners is hereby authorized to accept such offers.

6.2.2 Selling of Real Estate through Competitive Sealed Proposals: In the event that the Purchasing Division of the Saginaw County Controller's Office determines it is appropriate to sell and/or dispose of real estate through competitive sealed proposals, an invitation for proposals shall be issued by the Purchasing Division of the Controller's Office and shall include all contractual terms and conditions applicable to the sale.

6.2.2.1 Public Notice: Adequate public notice through the County website of the invitation to purchase such real estate shall be published in a reasonable time, not less than 14 calendar days prior to the date set forth for the opening of proposals. Public Notice shall state the place, date and time of such proposal opening.

6.2.2.2 Proposal Opening: Proposals shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitations for proposal. The amount of each proposal and such relevant information as deemed appropriate, together with the name and address of each proposer shall be recorded. The record of sealed proposals received shall be open to public inspection.

6.2.2.3 Proposal Acceptance: Proposals shall be unconditionally accepted without alteration and correction. Proposals, which do not comply with the criteria set forth in the invitation for proposal, may, at the discretion of the Purchasing Agent, be deemed not qualified proposals. Also, proposals that do not meet or exceed fair market value of the property being sold, as determined by a real estate appraiser, may, at the discretion of the Purchasing Agent, be deemed not qualified proposals.

- 6.2.2.4 Correction or Withdrawal of Proposals: Correction or withdrawal of inadvertently erroneous proposals, before or after proposal opening or cancellation of contracts based on such proposal mistakes may be permitted where appropriate. After proposal opening, no changes in proposal prices or other provisions are allowed.
- 6.2.2.5 Award: Award shall be made to the responsible offerer whose proposal is determined to be the most advantageous to the County of Saginaw.
- 6.2.2.6 Reservation: The County of Saginaw shall reserve the right to accept, reject, or negotiate and amend any proposal submitted with the high proposer, or to accept or reject any proposal received if doing so would be in the best interests of the County of Saginaw, and to waive any irregularities and/or informalities in the proposal process.

6.3 Earnest Money

- 6.3.1 In the sale of real estate through either the use of a professional realtor or the use of competitive sealed proposals, an earnest money deposit shall be required of the successful vendor. The amount of such earnest money deposit shall be determined by the Purchasing Agent in consultation with the Saginaw County Controller.

7. ADMINISTRATIVE PROCEDURES: NONE

8. CONTROLLER/CAO LEGAL COUNSEL REVIEW: The Controller/CAO has determined that this policy as submitted to the Board of Commissioners contains the necessary substance in order to carry out the purpose of the policy. County Civil Counsel has determined that this policy as submitted contains content that appears to be legal activities of the Saginaw County Board of Commissioners.

Approved as to Substance:

Approved as to Legal Content:

Saginaw County Controller/CAO

Saginaw County Civil Counsel

ADOPTED: November 23, 1999

AMENDED: August 25, 2020