

**NOTICE OF INTENDED DONATION OF
SURPLUS FLEET VEHICLES**

1. DESCRIPTION OF SURPLUS ITEMS

The City has retired the following vehicles from the active San José fleet because of age, mileage, mechanical and operational obsolescence.

- One 1986 Pierce Fire Apparatus, 1500gpm Pumper
- One 1988 Pierce Snorkel Fire Apparatus, 85 Foot Aerial Device
- Four 1994 Spartan Fire Apparatus, 1500gpm Pumper
- One 2007 Harley Davidson Police Motorcycle FLHTP
- One 2009 Chevrolet Traverse LS

Detailed information and a photograph of each vehicle is attached to this Notice.

Pursuant to Council Policy 1-20, the City is required to determine interest from organizations that would like to be considered as donees for this property. The entire policy may be reviewed at <http://www.sanjoseca.gov/DocumentCenter/View/3849>

2. CONTACT

For additional information or in order to inspect the vehicles, please contact:

Pete Leon
1661 Senter Road, Bldg. D1
San José, CA 95112
Office (408) 975-7147
pete.leon@sanjoseca.gov

The City will have the specified vehicles available for inspection by interested donees; inspection is required for all organizations submitting a Donation Request Form. To schedule your inspection, please email the contact listed above.

For the inspection visit, please park in the visitor parking lot (facing Senter Road) located at the North end of the building A.

3. ELIGIBLE ORGANIZATIONS

Priority shall be given to organizations on the basis of how likely the donation of surplus property will benefit City residents with preference given to governmental agencies and volunteer fire departments over non-profit organizations. Organizations that are eligible donees are listed below:

- Government Agencies
- Volunteer Fire Departments
- Non-Profit Organizations that are so classified per Internal Revenue Code Section 501 (c) (3), and who also meet one of the following:
 1. Must currently provide a service that compliments or serves a common client base of an existing City program.
 2. Must be able to utilize the donation to further a special project or geographically focused City effort or benefits a particular group such as the elderly, low income families, the homeless population, or any group or community the City wishes to provide assistance to.

4. HOW TO SUBMIT REQUEST FOR DONATION

Eligible organizations may request consideration for donation items by submitting the Donation Request Form attached. As a condition to final selection, organizations recommended for selection as donees will be required to sign the attached Disclaimer Form. Submission of the attached Disclaimer Form does not guarantee final selection; organizations which are finally selected as donees shall be notified in writing by the Director of Finance or designee.

5. DEADLINE FOR APPLICATIONS

The deadline to submit the Donation Request Form and Disclaimer Form (attached) is November 20, 2017 by 4:00 pm (Pacific Time) and must be submitted to the contact person listed above in Section 2.

Details of Items to be Donated:

1. One 1986 Pierce Fire Apparatus, 1500gpm Pumper

General Description of Vehicle: Fire engine pumper

- As Is Condition



Mileage: Approximately 191,000 miles

Chassis: Pierce

Body: Pierce Arrow

Transmission: Allison HT 740

Pump Make/Model/Capacity: Waterous, 1500 GPM

Water tank capacity: 500 gallons

2. One 1988 Pierce Snorkel Fire Apparatus, 85 Foot Aerial Device

General Description of Vehicle: Fire Aerial Device

- As Is Condition



Mileage: Approximately 83,000 miles

Chassis: Pierce

Engine: Detroit

Transmission: Allison HTB 755

Pump: Waterous, 1500 GPM

3. Four 1994 Spartan Fire Apparatus, 1500gpm Pumper

General Description of Vehicle: Fire engine pumper

- As Is Condition



Mileage: 135,000 thru 170,000 miles

Chassis: Spartan

Body: Hi-Tech

Engine: Detroit Series 60

Transmission: Allison HD 4560

Pump: Hale, 1500 GPM

Water tank capacity: 500 gallons

4. One 2007 Harley Davidson Police Motorcycle FLHTP

General Description of Vehicle: Police Motorcycle

- As Is Condition



Mileage: Approx. 60,000 miles

Make: Harley Davidson

Model: FLHTP

5. One 2009 Chevrolet Traverse LS

General Description of Vehicle: Sport Utility Vehicle

- As Is Condition



Mileage: Approx. 117,000 miles

Chassis: Chevrolet

Model: Traverse LS

DONATION REQUEST FORM

- Type of Organization:**
- Government Agency
 - Volunteer Fire Department
 - Non-Profit Organization

Name of Group/Organization:		
If Non-Profit, you must be a recognized Internal Revenue Code Section 501 (c) (3) Organization.	<input type="checkbox"/> Yes <input type="checkbox"/> No Attach documentation	Tax ID: _____ - _____
Contact Name:	Title:	
Email:	Telephone #:	

Select which item(s) you are requesting:

<u>Select</u>	<u>Vehicle Description</u>
<input type="checkbox"/>	1986 Pierce Pumper
<input type="checkbox"/>	1988 Pierce Snorkel
<input type="checkbox"/>	1994 Spartan Pumpers
<input type="checkbox"/>	2007 Harley Davidson Motorcycle
<input type="checkbox"/>	2009 Chevrolet Traverse

1. Provide information about your Organization (attach separate page if necessary):

2. Describe intended use of donation and the benefit to your Organization and City of San Jose residents to be derived from donated item being requested (attach separate page if necessary):

In addition, please be aware of the following:

1. When requested to do so, prospective donees will be required to sign the attached Disclaimer Form, which contains conditions applicable to the donation, including an acknowledgement that the donation will be made on an “as is” basis without warranties of any kind and an indemnity in favor of the City.
2. Prior to final selection, prospective donees will be required to inspect the items requested to be donated.
3. Selected donees will be required to pick up the donated property at a designated City facility.

DISCLAIMER AND OTHER CONDITIONS OF DONATION

As an authorized representative of _____ (“Donee”), I have read, understand and accept the conditions of donation as outlined below on behalf of the Donee:

Conditions of donation of the following described fire trucks (“Donated Equipment”):

Select Item	Item Description	Condition
1. <input type="checkbox"/>	1986 Pierce Fire Apparatus, Pumper	• AS IS
2. <input type="checkbox"/>	1988 Pierce Snorkel Fire Apparatus	• AS IS
2. <input type="checkbox"/>	1994 Spartan Fire Apparatus, Pumper	• AS IS
3. <input type="checkbox"/>	2007 Harley Davidson Police Motorcycle	• AS IS
4. <input type="checkbox"/>	2009 Chevrolet Traverse LS	• AS IS

The following conditions are hereby incorporated as conditions to the donative transfer of the Donated Equipment from the City of San José, California to Donee.

1. DISCLAIMER

THE DONATED EQUIPMENT WILL BE TRANSFERRED ON AN “AS IS” BASIS WITHOUT WARRANTY, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION ANY WARRANTY OF MERCHANTABILITY, WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE, WARRANTY OF TITLE, WARRANTY AGAINST INFRINGEMENT OF PATENT OF SIMILAR RIGHTS, OR WARRANTY THAT THE DONATED EQUIPMENT CAN BE SAFELY USED AT ALL, and no affirmation of the City, by words or action, will constitute a warranty as to the donated equipment. THE ENTIRE RISK AS TO THE QUALITY, CONDITION AND PERFORMANCE OF, AND TITLE OR OTHER RIGHTS TO, THE DONATED EQUIPMENT IS WITH DONEE, AND SHOULD THE DONATED EQUIPMENT OR TITLE OR OTHER RIGHTS THERETO PROVE DEFECTIVE FOLLOWING THE TRANSFER, DONEE, AND NOT THE CITY ASSUMES THE ENTIRE RISK OF USE AND COST OF ALL NECESSARY SERVICING, REPAIR OR DEFENSE.

2. INDEMNIFICATION

Donee agrees to defend, indemnify and hold harmless City, its officers and employees, from and against any and all claims, causes of action, damages, losses or liabilities arising out of or resulting in any way from the condition of the Donated Equipment or its ownership or use by Donee or subsequent transferee of the Donated Equipment.

3. USE OF DONATED EQUIPMENT

Donee covenants that the Donated Equipment shall be used for the benefits which are described in the Donation Request Form submitted by Donee with respect to the Donated Equipment.

4. INSPECTION; NO PROFIT OR FEE

Donee certifies that: i) Donee acknowledges condition of the Donated Equipment, as described above, that the City offered Donee the opportunity to fully inspect the Donated Equipment and demanded that Donee inspect the Donated Equipment, and that Donee undertook such inspection; and ii) no one involved in the donative process has received or shall receive a profit or fee in relation to the Donated Equipment.

5. PICKUP OF DONATED EQUIPMENT

Donee will be required to pick up the Donated Equipment at a City facility as designated by City.

Organization: _____

Name: _____

Title: _____

Signature: _____

Date: _____