**Equipment Transfer Request and Agreement**

**Virginia Tobacco Region Revitalization Commission**

This form must be completed and signed by all parties to finalize the no cost transfer of equipment to eligible organizations, for Tobacco Region Revitalization Commission (“the Commission”) grant-funded equipment assets. A written communication explaining the justification and terms of the transfer request is also required. Equipment with an original purchase price, or aggregate value, of $5,000 or above is subject to the Commission’s Funding Policies on Management of Grant Funded Assets.

**SECTION I**

*Section I provides details of the equipment assets that are part of the transfer request.*

**Original Grantee (Transferring Organization):**

**Contact Name, Email, Phone Number:**

**Receiving Organization:**

**Contact Name, Email, Phone Number:**

Identify in the chart below the equipment items that are the subject of this transfer request.

An alternative equipment asset list with this same information may be provided.

|  |  |
| --- | --- |
| **Vendor / Item Name / Description** | **Serial Number** |
| **Original** **Purchase Price** | **Original** **Acquisition Date** | **Amount of TRRC Investment** | **TRRC Grant** **Number** |
| ***Example:***Paul Miller Farms, Inc.  ASA - Lift GB 1000 Bean Harvester  | *Serial # or Product ID Number:* Lift Machine Number 28538 |
| Price = $ 53,443 | Date = February 6, 2017 | TRRC = $ 53,442 | # 3111 |
| 1. A
 | *Serial # or Product ID Number:* |
| Price = $  | Date | TRRC = $  | # |
|  | *Serial # or Product ID Number:* |
| Price = $  | Date | TRRC = $  | # |
|  | *Serial # or Product ID Number:* |
| Price = $  | Date | TRRC = $  | # |

**Contact Name, Email, Phone Number:**

Mark an “X” in the box to the left, if additional equipment assets (starting with item #4) are being

­­­transferred and reported on the Supplemental – Equipment Transfer List (Pages 4).

**SECTION II**

*Section II confirms the transferring grantee’s acceptance of the terms for transferring equipment assets; and the receiving organization’s acceptance of terms including the* ***Sale or Encumbrance; Security Interest*** *provision governing any sale, disposition, hypothecation, etc. This section also verifies that the equipment ownership transfer has the written approval from the Commission’s Executive Director, to whom this authority is delegated by the Tobacco Commission.*

**COMMISSION TRANSFER TERMS:**

In consideration of the mutual benefits and undertakings of the Transferring Organization and the Receiving Organization, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**Sale or Encumbrance of Commission Grant-Funded Assets; Commission’s Security Interest in Such Assets:**

None of the assets or property acquired, constructed, improved, equipped, and/or furnished as part of a Commission grant-funded project – including those transferred by this agreement – shall be leased, sold, exchanged, disposed of, hypothecated, mortgaged or encumbered without the prior written approval of the Commission’s Executive Director. In the event that such asset or property is leased, sold, exchanged, disposed of, hypothecated, mortgaged or encumbered without the prior written approval of the Commission’s Executive Director, the Commission may assert its interest in the asset or property to recover the Commission’s share of the value of such asset or property and/or recover from the Transferring Organization or Receiving Organization, unless otherwise prohibited by law.

The Receiving Organization hereby pledges, delivers and assigns to the Commission a security interest in, to and on all property transferred pursuant to this request, to secure the Transferring Organization and Receiving Organization’s full performance under Grant Agreement **[TRRC Grant #** ] between the Commission and the Transferring Organization, all provisions of which are hereby incorporated by reference. Upon the request of the Commission, the Receiving Organization will execute, provide and sign all documents necessary to establish and/or perfect the Commission’s security interest in such property including filing of financing statements, continuation statements or other instruments and documents which may be reasonably required.

**Transferring Organization’s Responsibilities:**

1. Submit an original signed copy of this form to the Commission’s Southside/Southwest Offices no less than 30 days prior to the identified transfer date.
2. Maintain all grant records pertaining to this equipment after the transfer is complete.
3. Provide to Receiving Organization the title (if there is one), instruction manuals or other technical assistance materials received with the original purchase, if available, for any equipment being transferred.

**Receiving Organization’s Responsibilities:**

1. Agree to the Commission’s Terms & Conditions for Sale or Encumbrance; Security Interest in Such Assets.
2. Provide all necessary annual maintenance, calibration, repair, and parts replacement for equipment received to keep such equipment in good working order or saleable condition at Receiving Organization’s expense for the useful life of the assets.
3. Provide proper training to those assigned to use the equipment.
4. Contact Commission staff prior to sale, or ownership transfer, of any equipment received.
5. Hold harmless both the Transferring Organization and the Commission from any and all liabilities, claims, losses, judgments, suits, or expenses related to or arising from the operation, condition, or possession of any assets transferred pursuant to this agreement.

**BY SIGNING THIS DOCUMENT, YOU AGREE TO THE ABOVE TRANSFER TERMS.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Date Equipment Transfer is to be completed

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*Transferring Organization’s Representative* (Signature) Printed Name Date

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*Receiving Organization’s Representative* (Signature) Printed Name Date

**Approval of Ownership Transfer Request:**

 Evan Feinman

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*TRRC Executive Director* (Signature) Printed Name Date

***This section is to be completed by the Receiving Organization after the equipment transfer has occurred.***

***A copy of this form must be submitted to the TRRC regional Grants Program Administrator.***

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Date Equipment Transfer was completed

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*Receiving Organization’s Representative* (Signature) Printed Name Date

**Supplemental – TRRC Equipment Transfer List**

*(Continuation from Page 1)*

|  |  |
| --- | --- |
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|  | *Serial # or Product ID Number:* |
| Price = $  | Date | TRRC = $  | # |
|  | *Serial # or Product ID Number:* |
| Price = $  | Date | TRRC = $  | # |
|  | *Serial # or Product ID Number:* |
| Price = $  | Date | TRRC = $  | # |