

**U. S. CUSTOMS AND BORDER PROTECTION (CBP)
MEMORANDUM OF AGREEMENT TO REIMBURSE CBP**

This Memorandum of Agreement (“MOA”) outlines the agreement between the CITY OF FORT LAUDERDALE (CITY) and U.S. CUSTOMS AND BORDER PROTECTION (CBP) in regards to the City’s responsibility to reimburse CBP for costs related to providing Information Technology (IT) services at the below named location. The legal authority for CBP to enter into and to require such an agreement is found at 8 U.S.C. §§ 1223(b), 1356(a) and 19 U.S.C. §§ 58b, 58c (b)(9)(B)(ii).

CBP Location: U.S. Customs and Border Protection Facility
5301 East Perimeter Road
Fort Lauderdale, FL 33309

CITY OF FORT LAUDERDALE RESPONSIBILITIES

Data and Cabling

CITY OF FORT LAUDERDALE (CITY) will be responsible for the procurement and installation of all data cabling and electrical components required for connectivity of the Automated Data Processing (ADP) equipment according to CBP Office of Information Technology (OIT) provided specifications.

Reimbursement of ADP Costs

CITY agrees to reimburse CBP for all ADP costs, including equipment purchase, installation, connectivity and recurring costs relative to standing-up and continuous CBP operations for the General Aviation Facility (GAF) at the Fort Lauderdale Executive Airport. Estimated ADP costs total \$208,350. Attached is CBP OIT’s Rough Order of Magnitude Cost (ROM) that identifies the ADP equipment requirements for the GAF for which CITY will reimburse CBP.

CITY will be billed for the costs of the ADP equipment, the one-time and recurring charges for the network, and any required replacement equipment. Recurring out-year network charges are estimated at \$5,179 per year.

ADP Equipment Upgrades

Upgrades to the ADP equipment may be required on a schedule determined by CBP (approximately every 3-5 years, as needed). CITY also agrees to reimburse CBP costs to upgrade ADP equipment. CBP will provide CITY at minimum a 180-day notice advance of required upgrades.

CITY Accounts Payable Information

Tax Identification Number: 56-6000319
Bill To Representative: Mr. Rufus James, Assistant Airport Manager
Representative Phone: (954) 828-4968
Representative Email: RJames@fortlauderdale.gov
Bill To Address: 6000 NW 21st Avenue, Fort Lauderdale, FL 33309

Payment Process

Upon execution of this MOA, CBP OIT will forward a signed original copy to the CBP National Finance Center (NFC). Upon receipt and installation of equipment, the NFC will forward CITY a bill for the actual ADP costs not to exceed \$208,350. The CBP NFC will also forward CITY a bill, 90-days prior to the due date, for \$5,179 in recurring out-year network charges owed, and any sums owed for future ADP equipment upgrades and replacements.

Pursuant to 19 C.F.R. § 24.3a, any amounts due CBP under the terms of this agreement not reimbursed within 30 days of billing will begin accruing interest charges based on current U.S. Treasury borrowing rates and may ultimately be referred for collection against the Airport Authority’s surety.

Equipment Ownership

CITY will retain ownership of all ADP equipment purchased by CBP and reimbursed by CITY for the GAF. Within one month (30-days) following installation and reimbursement, CBP OIT will deliver a list of Serial Numbers and/or other identification and warranty information for the CITY owned ADP equipment to CITY as instructed below.

ADP Equipment Administrator: Mr. Rufus James, Asst. Airport Manager
Ship to Address: 6000 NW 21st Avenue
Fort Lauderdale, FL 33309

U.S. CUSTOMS AND BORDER PROTECTION (CBP) RESPONSIBILITIES

Equipment Connectivity and Maintenance

The CBP OIT will be responsible for supplying and installing required data equipment connection(s) from CITY facility to the CBP National Data Center, and imaging, maintaining, and controlling the equipment as required by CBP, the costs of which CITY will reimburse CBP. CITY will incur no additional costs or CBP OIT charged service fees for any required ADP equipment maintenance/repair/replacement covered by equipment warranties.

CBP Loaner Equipment

CBP will ensure the GAF is operational on or by April 1, 2015 (estimated date), either by furnishing the required equipment identified in the attached CBP ADP equipment CBP OIT Cost ROM, or by supplying and installing CBP loaner equipment at the GAF for inspectional use from April 1, 2015 (estimated date), until the subject equipment is installed at the GAF.

AUTHORIZATION (TWO ORIGINALS WITH SIGNATURES ARE REQUIRED)

Agreement to these terms is attested by the signatures below.

Vernon T. Foret
Director, Field Operations
Customs and Border Protection

Date

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first above written.

CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida:

By _____
JOHN P. "JACK" SEILER, Mayor

By _____
LEE R. FELDMAN, City Manager

(CORPORATE SEAL)

ATTEST:

JONDA K. JOSEPH, City Clerk

Approved as to form:

DIANSJHAN WILLIAMS-PERSAD
Assistant City Attorney