

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

This Memorandum of Agreement ("MOA") outlines the agreement between BROWARD COUNTY and U.S. Customs & Border Protection (CBP) regarding the port sponsor'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 require such an agreement is found at 8 U.S.C. § 1222-1225 and 1357; 6 U.S.C. § 231; 19 U.S.C. § 2, 482, 1433, 1434, 1448, 1449, 1461, 1459, 1463, 1467, 1499, 1552, 1581, 1644; and 19 C.F.R. § 19 and 113.

Seaport Authority: Broward County
Location: Port Everglades Cruise Terminal 4
1800 SE 20th Street
Fort Lauderdale, FL 33316

BROWARD COUNTY'S RESPONSIBILITIES

Data and Cabling

COUNTY will be responsible for the procurement and installation of all data cabling and electrical components required for connectivity of the Automated Data Processing (ADP) LAN, Data, Voice Communications Systems and IT equipment according to CBP Office of Information Technology (OIT) provided specifications. However, Port Everglades Department of Broward County (BCPED) must give CBP two weeks advance notice of all cable pulls so that CBP can be present and observe their installation.

Reimbursement of ADP LAN, Data and IT Equipment Costs

COUNTY agrees to reimburse CBP for all ADP LAN, Data and IT equipment and connectivity costs, including equipment ordering, installation, maintenance and recurring costs relative to standing-up and maintaining continuous CBP operations at the Port Everglades Cruise Terminal 4 Federal Inspection Services (FIS) facility. Estimated ADP LAN, Data and IT equipment costs total \$369,151.00, which includes a non-recurring cost of \$24,122.00 for CBP to procure the circuit. CBP OIT's Cost ROM identifies the ADP LAN, Data and IT equipment requirements for the CBP Cruise Terminal 4 FIS operations at Port Everglades, for which COUNTY will reimburse CBP.

COUNTY will be billed for the costs of the ADP LAN, Data, IT equipment, the one-time and recurring charges for the network and any required replacement equipment. To ensure continuity of service at all PEV cruise terminals, redundant circuits will be established at Terminal 2 and Terminal 26. CBP will provide the new circuit at Terminal 26 and the circuit identified in the IT Cost Sign Off form for Terminal 4 will be installed as the redundant circuit in Cruise Terminal 2, as requested by CBP and approved by BCPED. Recurring out-year network charges for this Verizon Data Circuit are estimated at \$24,122.00 per year.

ADP LAN, Data and IT Equipment Upgrades

Upgrades to the ADP LAN, Data and IT equipment may be required on a schedule determined by CBP (approximately every 3-5 years, as needed). COUNTY also agrees to reimburse CBP costs to upgrade ADP LAN, Data and IT equipment. CBP will provide BCPED a minimum 180 days advanced notice of required upgrades.

COUNTY Accounts Payable Information

COUNTY Tax Identification Number:	<u>59-6000531</u>
COUNTY Bill To Representative:	<u>Deputy Port Director</u>
COUNTY Phone Number:	<u>954-468-3504</u>
COUNTY Email Address:	<u>gwiltshire@broward.org</u>
COUNTY Address:	<u>1850 Eller Drive</u> <u>Fort Lauderdale, FL 33316</u>

BROWARD COUNTY'S Voice Communications Services

COUNTY shall be responsible for ordering and funding the telephone equipment and services line(s) required to establish voice connectivity for the Cruise Terminal 4 FIS location. These requirements are not included as a cost to be reimbursed in the estimate, but for direct procurement, installation and maintenance by COUNTY and its vendor of choice. CBP will retain possession of the Voice Communications Systems equipment ordered, installed, maintained and funded by COUNTY, including any monthly services and connectivity costs. COUNTY will ensure the continued connectivity of the telephone line(s) at Cruise Terminal 4 FIS at no cost to CBP. CBP will transfer possession of all Voice Communications Systems equipment used in CBP operations and funded by the COUNTY for the Cruise Terminal 4 when CBP vacates the premises.

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 all equipment, the NFC will issue COUNTY a bill for the actual ADP LAN, Data and IT equipment costs not to exceed \$369,151.00. The CBP NFC will also bill COUNTY 90-days prior to the due date for \$24,122. in recurring out-year network and connectivity charges owed, and any sums owed for future ADP LAN, Data and IT 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 BCPED's surety.

Equipment Ownership

COUNTY will retain ownership of all ADP equipment purchased by CBP and reimbursed by COUNTY for the FIS at Cruise Terminal 4. CBP will transfer possession of all ADP LAN, Data and IT equipment used in CBP operations and reimbursed by COUNTY for the Cruise Terminal 4 FIS when CBP vacates the premises. 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 COUNTY reimbursed ADP LAN, Data and IT equipment to the BCPED as instructed below.

BCPED ADP Equipment Administrator:	<u>Brenda Adams-Dean</u>
BCPED Email Address:	<u>badamsdean@broward.org</u>
BCPED Phone Number:	<u>954-468-0101</u>
BCPED Ship to Address:	<u>1850 Eller Drive</u> <u>Fort Lauderdale, FL 33316</u>

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

Equipment Connectivity and Maintenance

The CBP OIT will be responsible for ordering and installing required data equipment and connection(s) from the Cruise Terminal 4 to the CBP National Data Center, and imaging, maintaining and controlling all of the ADP LAN, Data and IT equipment listed in the attached CBP OIT Cost ROM for Cruise Terminal 4 as required by CBP, the costs of which BCPE shall reimburse CBP. COUNTY will incur no additional costs or CBP OIT charged service fees for any required ADP LAN, Data and IT equipment maintenance/repair/replacement covered by CBP procured equipment warranties.

IN WITNESS WHEREOF, the parties hereto have made and executed this Memorandum of Agreement to Reimburse U.S Customs & Border Protection BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice-Mayor, authorized to execute same by Board action on the ____ day of _____, 2014, and U.S Customs & Border Protection of the United States Department of Homeland Security, signing by and through its _____, duly authorized to execute same.

COUNTY

ATTEST:

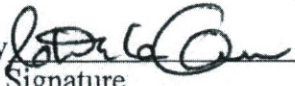
BROWARD COUNTY, by and through
its Board of County Commissioners,

Broward County Administrator, as
Ex-officio Clerk of the Broward County
Board of County Commissioners

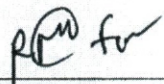
By _____
Mayor
____ day of _____, 2014

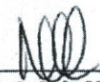
Insurance requirements
approved by Broward County
Risk Management Division

Approved as to form by
Joni Armstrong Coffey
Broward County Attorney
Port Everglades Department
1850 Eller Drive, Suite 502
Fort Lauderdale, FL 33316
Telephone: (954) 523-3404
Telecopier: (954) 468-3690

By  4.16.14
Signature (Date)
CARLOS DE LA GUERRA
RISK MANAGEMENT & CONTRACTS
BUSINESS ADMINISTRATION DIVISION
PORT EVERGLADES

Print Name and Title above

By  4/16/14
Hollie N. Hawn (Date)
Assistant County Attorney

By  4/16/14
Noel M. Pfeffer (Date)
Deputy County Attorney

CBP

Vernon T. Foret
Director Field Operations
Customs and Border Protection

Date