

Attachment B -

**Memorandum of
Agreement for
Reimbursement**



**U.S. Customs and
Border Protection**

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

This Memorandum of Agreement (“MOA”) outlines the agreement between the below named User Fee Airport Owner/Operator (Sponsor) and CBP regarding the Sponsor’s responsibility to reimburse CBP for costs related to providing communications and information technology (IT) equipment and services at the below named User Fee Airport location. The legal authority for CBP to enter into and require such an agreement is found at 6 U.S.C. § 231; 8 U.S.C. §§ 1223-1224, 1356(a); 19 U.S.C. §§ 58(b), 1459, 1461, 1499, 1524, 1644a; 8 C.F.R. Part 234; 19 C.F.R. Part 122.

Airport Owner/Operator: **Southern California Logistics Airport (Sponsor)**
Location: 18374 Phantom St.
Victorville, CA 92394

SOUTHERN CALIFORNIA LOGISTICS AIRPORT RESPONSIBILITIES

Data and Cabling

Southern California Logistics Airport is responsible for the procurement and installation of all data cabling and electrical components required for connectivity of systems and equipment, according to CBP Office of Information Technology (OIT) provided specifications. Southern California Logistics Airport is required to provide a two week advanced notice of all cable pulls to allow CBP to observe installation.

Reimbursement of Equipment and Recurring Costs

Southern California Logistics Airport agrees to reimburse CBP for all equipment and connectivity costs, including installation, maintenance, and recurring costs, at the Southern California Logistics Airport, 18374 Phantom St. Victorville, CA 92394. Current estimated equipment and service costs total \$71,559.20. The estimated annual recurring costs are \$12,976.20. CBP OIT’s Cost Estimate, VIC011A-OFO-21182C is attached.

Southern California Logistics Airport will be billed the actual costs for the equipment identified in CBP OIT’s Cost Estimate VIC011A-OFO-21182C, along with any outstanding reimbursements due from any previously executed agreement(s). Recurring out-year network circuit charges, and the cost of any necessary replacement equipment not covered under warranty, will also be billed to Southern California Logistics Airport.

Equipment Upgrades

Upgrades to CBP required equipment and connectivity may be required on a schedule determined by CBP (approximately every 3-5 years, as needed). Southern California Logistics Airport is responsible for the cost of required upgrades. CBP will provide Southern California Logistics Airport a minimum of 180 days advance notice of any required upgrades.

Payment Process

A copy of this signed agreement will be forwarded to the CBP National Finance Center (NFC). Upon receipt and installation of all equipment, the NFC will issue Southern California Logistics Airport a bill for the actual equipment costs not to exceed \$71,559.20, as detailed in CBP OIT Cost Estimate VIC011A-OFO-21182C. The CBP NFC will bill Southern California Logistics Airport 90-days prior to the due date for recurring out-year network and connectivity charges owed, along with any sums owed for replacement equipment not covered by manufacturer warranties.

Pursuant to 19 C.F.R. § 24.3a, any amounts due CBP under the terms of this agreement that are more than 30 days past-due will begin accruing interest charges based on U.S. Treasury borrowing rates and may ultimately be referred for collection.

Southern California Logistics International Airports Accounts Payable Information

Tax Identification Number: 95-2843184

Bill To Representative: Heather Kurowski

Phone Number: 760-243-1905

Email Address: hkurowski@victorvilleca.gov

Address: 18374 Phantom St. Victorville, CA 92394

Equipment Ownership

CBP will retain possessory ownership of all equipment used in CBP operations until CBP vacates the premises. CBP will transfer the equipment reimbursed by Southern California Logistics Airport when CBP vacates the premises. Within two months (60-days) of installation and reimbursement, CBP OIT will deliver a list of serial numbers and/or other identification and warranty information for Southern California Logistics Airport reimbursed equipment to the point of contact listed below.

Southern California Logistics Airport Equipment Administrator: James Murawski

Email Address: jmurawski@victorvilleca.gov

Phone Number: 760-243-1945

Ship to Address: 18374 Phantom St. Victorville, CA 92394

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

Equipment Connectivity and Maintenance

CBP OIT will be responsible for ordering and installing required circuit, data equipment, and connection(s) from Southern California Logistics Airport to the CBP National Data Center. CBP is also responsible for imaging, maintaining, and controlling all equipment listed in the attached CBP OIT Cost Estimate VIC011A-OFO-21182C. Southern California Logistics Airport will incur no CBP OIT charged service fees for any equipment maintenance/repair/replacement covered by CBP procured equipment warranties.

Data Ownership

All data entered and/or stored in any manner on the equipment covered by this MOA shall belong to the United States and is confidential and protected information. It is CBP's

responsibility to properly remove data before possession of any equipment is transferred to Southern California Logistics Airport. In the event data inadvertently remains on any equipment after transfer, Southern California Logistics Airport shall keep the information confidential and immediately notify CBP so that CBP can remove the data.

AUTHORIZATION (TWO ORIGINALS WITH SIGNATURES ARE REQUIRED)

Authorized Representative

The signatory to this MOA represents and warrants that he or she is a duly authorized representative of Southern California Logistics Airport, with full power and authority to enter into this MOA and to bind Southern California Logistics Airport with regard to all matters relating to this agreement.

Agreement to these terms is attested by the signatures below.

_____	<u>eray@victorvilleca.gov</u>	_____
Eric Ray		Date
Airport Director		

_____	<u>lafonda.d.sutton-burke@cbp.dhs.gov</u>	_____
LaFonda D. Sutton-Burke		Date
Area Port Director, Los Angeles International Airport		
Office of Field Operations, Los Angeles Field Office		
U.S. Customs and Border Protection		