610 West Ash Street
Suite 1200
San Diego, CA 92101

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 City of San Diego, Department of Real Estate and Airport Management (DREAM) (Sponsor) and CBP in regards to the Sponsor's responsibility to reimburse CBP for costs related to providing communications and information technology (IT) equipment and services required at Brown Field Municipal Airport (KSDM). The legal authority for CBP to enter into and require such an agreement is found at 8 U.S.C. §§ 1223-1224,1356(a); 19 U.S.C. §§ 1459, 1461, 1499, 1524, 1644a; 8 C.F.R. Part 234; 19 C.F.R. Part 122.

Airport Owner/Operator: City of San Diego
Department of Real Estate and Airport Management
Location: Brown Field Municipal Airport
1424 Continental St
San Diego, CA 92154

SPONSOR'S RESPONSIBILITIES

Data and Cabling
Sponsor 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. At this juncture CBP does not anticipate a need for Sponsor to upgrade data cabling and electrical components as part of this project; however, if new cabling is required, Sponsor is required to provide a two-weekadvanced notice of all cable pulls to allow CBP to observe installation.

Reimbursement of Equipment, Initial Service, and Recurring Costs
Sponsor agrees to reimburse CBP for all equipment and connectivity costs, including installation, maintenance, and recurring costs, at KSDM, 1424 Continental Street, CA 92153. Current estimated equipment and initial service costs total $63,572.00. The estimated annual recurring costs are $18,416.40. CBP OIT's Cost Estimate titled "OTM008B" is attached.

Sponsor will be billed the actual costs for the equipment identified in CBP OIT's Cost Estimate OTM008B, 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 Sponsor. However, Sponsor's liability for any costs in excess of $90,000 during the Sponsor's current fiscal year, and any costs for future fiscal years beyond the Sponsor's current fiscal year which is FY2022, is

contingent upon Sponsor's City Council appropriating sufficient funds for such purpose. If Sponsor's City Council fails to appropriate sufficient funds to reimburse CBP for any future fiscal year, Sponsor shall notify CBP of such failure within fifteen (15) business days, and Sponsor shall have no liability to CBP for any expenses pursuant to this MOA for that fiscal year.

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). Sponsor is responsible for the cost of required upgrades. CBP will provide Sponsor 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 Sponsor a bill for the actual equipment and initial services costs not to exceed $63,572.00, as detailed in CBP OIT Cost Estimate OTM008B. The CBP NFC will bill Sponsor 90-days prior to the due date for any amounts owed.

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.

Accounts Payable Information:City of San Diego / DREAM Airport Management
Tax Identification Number: 95-6000776
Bill To Representative: Deputy Director, Airport Management
Phone Number: 858-573-1441
Email Address: jerubio@sandiego.gov
Address: 3750 John J. Montgomery Drive, San Diego, CA 92123

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 Sponsor 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 Sponsor reimbursed equipment to the point of contact listed below.

Equipment Administrator: City of San Diego / DREAM Airport Management
Email Address: jerubio@sandiego.gov]
Phone Number: 858-573-1441
Ship to Address: 3750 John J. Montgomery Drive, San Diego, CA 92123

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 Sponsor 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

OTM008B. Sponsor 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 Sponsor.In the event data inadvertently remains on any equipment after transfer, Sponsor shall keep the information confidential and immediately notify CBP so that CBP can remove the data.

AUTHORIZATION

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

Agreement to these terms is attested by the signatures below.

Penny Maus (Mar 21, 2022 14:48 PDT)

pmaus@sandiego.gov
Email Address

Mar 21, 2022
Date

Penny Maus
Director
Department of Real Estate and Airport Management
City of San Diego

moises.castillo@cbp.dhs.gov
Email Address

03/22/2022
Date

Moises Castillo
Port Director
San Ysidro, LPOE Office of Field Operations, San Diego Field Office
U.S. Customs and Border Protection