

AN ORDINANCE 2018-04-12-0268

AUTHORIZING A MEMORANDUM OF AGREEMENT WITH UNITED STATES CUSTOMS AND BORDER PROTECTION TO REIMBURSE THE FEDERAL AGENCY FOR COSTS RELATED TO IT AND TECHNOLOGY IMPROVEMENTS RELATED TO THE EXPANSION AND RENOVATION OF THE CUSTOMS AREA, OTHERWISE KNOWN AS THE FEDERAL INSPECTION SERVICES FACILITY, IN TERMINAL A OF THE SAN ANTONIO INTERNATIONAL AIRPORT IN THE AMOUNT NOT TO EXCEED \$317,060.12.

* * * * *

WHEREAS, the federal law requires the United States Customs and Border Protection (CBP) to process international visitors for both commercial and general aviation aircraft at designated airports; and

WHEREAS, the Commercial aircraft are currently processed in the Federal Inspection Station (FIS) in Terminal A at the San Antonio International Airport; and

WHEREAS, in 2017, construction began to renovate and expand the facility to allow CBP to increase process capacity; and

WHEREAS, the CBP has incurred \$317,060.12 in costs related to IT and technology improvements necessary for the upgrade and operation of this facility; and

WHEREAS, it is now necessary to authorize the execution of a Memorandum of Agreement with CBP, attached hereto as **Exhibit 1**, for reimbursement of these costs; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

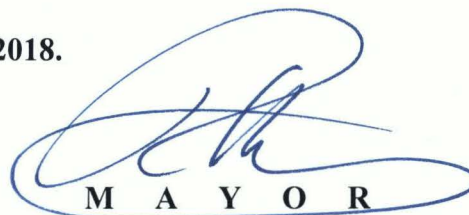
SECTION 1. The City Manager or her designee is hereby authorized to execute the Memorandum of Agreement with Customs and Border Protection, attached hereto as **Exhibit 1**, to reimburse the federal agency for costs related to IT and technology improvements related to the expansion and renovation of the Customs Area, otherwise known as the Federal Inspection Services facility, in Terminal A of the San Antonio International Airport in the amount not to exceed \$317,060.12.

SECTION 2. Payment in the amount of \$317,060.12, in SAP Fund 51099000, Airport Capital Projects, SAP Project Definition 33-00096, Terminal A Renovations and Refurbishment, is authorized to be encumbered and made payable to United States Customs and Border Protection, for the costs associated with IT and technology equipment and services related to the expansion and renovation of the Federal Inspection Station.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

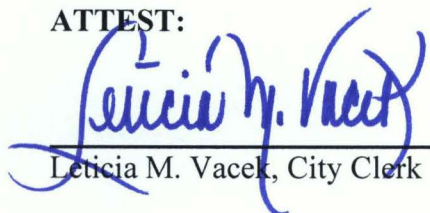
SECTION 4. This Ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED and APPROVED this 12th day of April, 2018.



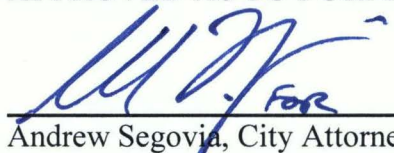
M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

Agenda Item:	14 (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19A, 19B, 20, Z-1, Z-2, 21, Z-3)						
Date:	04/12/2018						
Time:	09:21:34 AM						
Vote Type:	Motion to Approve						
Description:	Ordinance approving a Memorandum of Agreement with United States Customs and Border Protection to reimburse the federal agency in an amount not to exceed \$317,060.12 for costs related to IT and technology improvements related to the expansion and renovation of the Customs Area, otherwise known as the Federal Inspection Services facility, in Terminal A of the San Antonio International Airport. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
William Cruz Shaw	District 2		x			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6	x					
Ana E. Sandoval	District 7	x					
Manny Pelaez	District 8	x					
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

MAT
04/12/2018
Item No. 14

Exhibit 1



**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 San Antonio International Airport (Sponsor) and CBP in regards to the sponsor’s responsibility to reimburse CBP for costs related to providing the equipment required for the performance of the Federal Inspections Services (FIS) facility at the below named location. The legal authority for CBP to enter into and require such an agreement is found at 19 U.S.C. § 58(b); 19 U.S.C. § 482; 19 U.S.C. § 1433; 19 U.S.C. § 1461; 19 U.S.C. § 1459; 19 U.S.C. § 1499; 19 U.S.C. § 1644a; 19 U.S.C. § 1524; 8 U.S.C. §§ 1222-1225; 8 U.S.C. § 1356(a); 6 U.S.C. § 231; 8 C.F.R. Part 234; 19 C.F.R. § 122.11; 19 C.F.R. § 122.12; 19 C.F.R. § 122.14.

San Antonio International Airport: San Antonio International Airport (SAIA)

Location: 9800 Airport Boulevard
San Antonio, Texas 78216

San Antonio International Airport (SAIA)

RESPONSIBILITIES

Data and Cabling

SAIA will be responsible for the procurement and installation of all data cabling and electrical components required for connectivity of the Automated Data Processing (ADP) Local Area Network (LAN), Data, Information Technology (IT), and Voice and Tactical Communications (TacCom) Systems and equipment according to CBP Office of Information Technology (OIT) provided specifications for the San Antonio International Airport (SAIA) located at 9800 Airport Blvd., San Antonio, Texas 76216. SAIA 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, IT, Voice, TacCom Systems and Equipment Costs

SAIA agrees to reimburse CBP for all ADP LAN, Data, IT, Voice, and TacCom Systems and equipment and connectivity costs, including equipment ordering, installation, maintenance, and recurring costs relative to standing-up and maintaining continuous CBP operations at the SAIA Federal Inspection Services (FIS) Facility. Estimated ADP LAN, Data, IT, Voice and TacCom equipment costs total of \$309,060.12, and at most \$8,000.00 in one time travel costs for equipment installation. Attached is CBP OIT’s Cost Estimate SNA001A that identifies the one-time ADP LAN, Data, IT, Voice and TacCom equipment requirements for the CBP FIS for which SAIA will reimburse CBP actual equipment costs.

SAIA recognizes that CBP OIT’s Cost Estimate SNA001A does not include any initial and/or recurring costs for the circuit required by CBP for Federal Inspection Services (FIS) infrastructure connectivity, as SAIA already funds the circuit under previous agreement. Any future upgrade and/or replacement circuit requirements will be addressed with SAIA by separate agreement. SAIA understands insufficient bandwidth slows-down CBP’s LAN access and connectivity, and impacts increased passenger processing. Extreme impacts increases risk of CBP reversion to manual operations until SAIA funds all costs to re-establish, improve, and/or upgrade circuit connectivity. Reversion to manual CBP operations will result in extensive processing delays.

SAIA will be billed for the actual costs of the CBP procured ADP LAN, Data, IT, Voice and TacCom equipment included in CBP OIT's Cost Estimate SNA001A

ADP LAN, Data, IT, Voice and TacCom Equipment Upgrades

Upgrades to the ADP LAN, Data, IT, Voice and TacCom equipment may be required on a schedule determined by CBP (approximately every 3-5 years, as needed). SAIA agrees to reimburse CBP costs to upgrade ADP LAN, Data, IT, Voice and TacCom equipment. CBP will provide SAIA at minimum a 180-day advance notice of required upgrades. Continuous access to the CBP LAN is a mandatory requirement for efficient CBP FIS operations, and the lack of secured connectivity to the CBP LAN will require officers to revert to a CONOPS that delays processing.

SAIA Accounts Payable Information

SAIA Tax Identification Number:

SAIA Bill To Representative:

SAIA Phone Number:

SAIA Email Address:

SAIA Address:

Voice Communications Services

SAIA shall be responsible for directly ordering and funding the telephone services line(s) required to establish and maintain continuous voice connectivity for CBP OIT ordered, installed and maintained SAIA reimbursed Voice Communications Systems equipment required at the SAIA CBP FIS located at 9800 Airport Blvd., San Antonio, TX 78216, as identified in CBP OIT Cost Estimate SNA001A. CBP will retain possessory ownership of the Voice Communications Systems equipment ordered by CBP and reimbursed by the SAIA until CBP vacates the premises. SAIA will ensure the continued connectivity of the telephone line(s) at the SAIA at no cost to CBP.

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 SAIA a bill for the actual ADP LAN, Data, IT, Voice and TacCom equipment costs not to exceed \$317,060.12. The CBP NFC will also bill SAIA 90-days prior to the due date for \$317,060.12 in recurring out-year network and connectivity charges owed, and any sums owed for future ADP LAN, Data, IT, Voice and TacCom 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 SAIA.

Equipment Ownership

CBP will retain possessory ownership of all ADP LAN, Data, IT, Voice and TacCom equipment ordered by CBP and reimbursed by SAIA until CBP vacates the premises. CBP will transfer ownership rights of all ADP LAN, Data, IT, Voice and TacCom equipment used in CBP operations and reimbursed by SAIA for the CBP FIS when CBP vacates the premises. Within one month (60-days) following installation and reimbursement, CBP OIT will deliver a list of Serial Numbers and/or other identification and warranty information for the SAIA reimbursed ADP LAN, Data, IT, Voice and TacCom equipment to the SAIA as instructed below.

SAIA Equipment Administrator:

SAIA Email Address:

SAIA Phone Number:

SAIA Ship to Address:

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 SAIA CBP FIS located at 9800 Airport Blvd., San Antonio, TX 78216 to the CBP National Data Center, and imaging, maintaining, and controlling all of the ADP LAN, Data, IT, Voice and TacCom equipment listed in the attached CBP OIT Cost SNA001A required by CBP, the costs of which SAIA shall reimburse CBP. SAIA will incur no additional costs or CBP OIT charged service fees for any required ADP LAN, Data, IT, Voice and TacCom 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 shall be CBP's responsibility to properly remove said data before possession of any equipment is transferred to the SAIA. In the event data inadvertently remains on any of the equipment upon transfer, SAIA 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 SAIA signatory to this MOA represents and warrants that he or she is a duly authorized representative of the SAIA, with full power and authority to enter into this MOA and to bind the SAIA with regard to all matters relating to this agreement.

Agreement to these terms is attested by the signatures below.

San Antonio International Airport

Email Address

Date

Lois E. Hunter
Port Director
Office of Field Operations, San Antonio
U.S. Customs and Border Protection

Email Address

Date