

Memorandum



Date: April 20, 2021

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

Agenda Item No. 8(J)(1)

From: Daniella Levine Cava
Mayor

Resolution No. R-293-21

Daniella Levine Cava

Subject: Resolution Approving and Authorizing the Execution of the Memorandum of Agreement between Miami-Dade County and the United States Customs and Border Protection for Reimbursement of Equipment, Services, Maintenance and Circuit Recurring Costs, and Upgrades for Cruise Terminal V

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the accompanying resolution, which approves and authorizes the County Mayor or County Mayor's designee to execute the Memorandum of Agreement (MOA) between the County and United States Customs and Border Protection (CBP) for County reimbursement to CBP of communications and information technology equipment costs, services, and recurring annual service costs at PortMiami in connection with the CBP Cruise Terminal V facility for a one-time amount not to exceed \$525,375.34, estimated maintenance and circuit annual recurring costs of \$39,038.67, and estimated annual upgrade costs of \$12,000.00.

Scope

PortMiami is located within District 5 – Commissioner Eileen Higgins, however the impact of this agenda item is countywide as PortMiami is a regional asset and generates employment for residents throughout Miami-Dade County.

Fiscal Impact/Funding Source

The MOA has a one-time cost that will not exceed \$525,375.34 (estimated expenditure is lower, at \$486,336.67), which will be funded through PortMiami bond proceeds. The MOA also requires the County to reimburse CBP maintenance and circuit recurring costs estimated at \$39,038.67 annually. The annual recurring cost will be funded from the Port's annual operating budget. The MOA also requires the County to reimburse CBP for upgrades to the CBP equipment on a 3–5-year cycle, as determined by CBP. Any such upgrades will be funded from Port revenues, at an estimated average annual upgrade cost of \$12,000.00. As the cost of upgrades is expressed as an estimated average, the County's costs may be higher in some years and lower in others. As with the other costs payable by the County under the MOA, the County is only responsible for the reimbursement of the actual costs incurred by CBP.

Track Record/Monitor

PortMiami staff members responsible for monitoring this agreement are Andy Hecker, Managing Port Director/CFO, and Elizabeth Ogden, Assistant Port Director, Capital Development.

Background

The construction of the new Cruise Terminal V at PortMiami is underway and is intended to allow for additional capacity and to accommodate a range of new vessels. The Cruise Terminal V project is to include a state-of-the-art, multi-level cruise terminal building, expansion of the existing bulkhead and waterside improvements to accommodate the berthing of new vessels, ship’s provisioning and provisioning services, connection to PortMiami roadways, and site improvements. Cruise Terminal V is expected to initially serve Virgin Voyages with vessels up to 2,800 guests/passengers. The overall improvement project is budgeted at approximately \$158,439,747.91.

Federal law requires port operators to provide “turn-key” federal inspection service facilities at seaports and airports at no cost to CBP. For this new CBP facility to be fully functional, the Port must reimburse CBP the actual cost of certain information technology equipment to be procured by CBP and annual recurring service charges for the circuit equipment, also procured by CBP, that will be utilized at the new CBP security facility.

The County will not incur any costs associated with CBP service fees for maintenance or repairs/replacement of equipment covered by manufacturer-provided warranties, as CBP will have possessory rights and sole control of the equipment and circuit for as long as CBP provides federal inspection services at the site. However, if and when CBP vacates the Cruise Terminal V facility, all equipment which CBP is purchasing with reimbursement funds from the County pursuant to the MOA including the circuit procured and installed by CBP will become County property. It is important for CBP to maintain these information technology connections to efficiently process the high volume of cruise passengers at PortMiami, and the higher volumes anticipated with the Port’s future growth projections.

Delegated Authority

The accompanying resolution authorizes the County Mayor or County Mayor’s designee to execute the MOA and to exercise all rights contained therein, including rights of cancellation.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: April 20, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(J)(1)

Please note any items checked.

- _____ "3-Day Rule" for committees applicable if raised
- _____ 6 weeks required between first reading and public hearing
- _____ 4 weeks notification to municipal officials required prior to public hearing
- _____ Decreases revenues or increases expenditures without balancing budget
- _____ Budget required
- _____ Statement of fiscal impact required
- _____ Statement of social equity required
- _____ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- _____ No committee review
- _____ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- _____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(J)(1)
4-20-21

RESOLUTION NO. _____ R-293-21

RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY AND UNITED STATES CUSTOMS AND BORDER PROTECTION (CBP) FOR COUNTY REIMBURSEMENT TO CBP OF ACTUAL COMMUNICATIONS AND INFORMATION TECHNOLOGY EQUIPMENT COSTS AND SERVICES IN CONNECTION WITH THE CBP CRUISE TERMINAL V FACILITY FOR A ONE TIME ESTIMATED AMOUNT NOT TO EXCEED \$525,375.34, AN ESTIMATED MAINTENANCE AND CIRCUIT ANNUAL RECURRING COST OF \$39,038.67, AND ESTIMATED UPGRADE COSTS OF \$12,000.00 ON AVERAGE PER YEAR; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE MEMORANDUM OF AGREEMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL COUNTY RIGHTS CONFERRED THEREIN, INCLUDING RIGHTS OF CANCELLATION

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

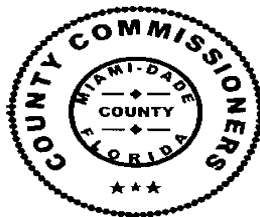
Section 1. Approves the Memorandum of Agreement ("MOA") between the County and United States Customs and Border Protection ("CBP"), in substantially the form attached hereto and made a part hereof, for County reimbursement to CBP of actual communications and information technology equipment costs and services in connection with the CBP Cruise Terminal V facility for a one-time amount not to exceed \$525,375.34, estimated maintenance and circuit annual recurring costs of \$39,038.67, and estimated upgrade costs of \$12,000.00 on average per year.

Section 2. Authorizes the County Mayor or County Mayor’s designee to execute the MOA and exercise all rights conferred in the MOA, including rights of cancellation.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Eileen Higgins** and upon being put to a vote, the vote was as follows:

Jose “Pepe” Diaz, Chairman	aye	
Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	aye	Keon Hardemon aye
Sally A. Heyman	aye	Danielle Cohen Higgins aye
Eileen Higgins	aye	Joe A. Martinez aye
Kionne L. McGhee	aye	Jean Monestime aye
Raquel A. Regalado	aye	Rebeca Sosa aye
Sen. Javier D. Souto	aye	

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of April, 2021. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. MAG

Miguel A. Gonzalez



**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 PortMiami (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 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. § 1223(b), and 19 U.S.C. §§ 1433(a), 1459(b), and 1467.

Cruise Terminal Owner/Operator: PortMiami (Sponsor)
Location: Cruise Terminal V
903 S America Way, Terminal 6
Miami, FL 33132

SPONSOR'S RESPONSIBILITIES

Data and Cabling

PortMiami 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. PortMiami is required to provide a two week advanced notice of all cable pulls to allow CBP to observe installation.

Reimbursement of Equipment, Services, and Recurring Costs

PortMiami agrees to reimburse CBP for all equipment and service costs, including installation, maintenance, and recurring costs, at the Cruise Terminal V, Miami Seaport, 903 S America Way, Terminal 6, Miami, FL, 33132. Current estimated equipment and service costs total \$486,336.67. The estimated annual recurring costs are \$39,038.67. CBP OIT's Cost Estimate titled "MIA088A-OFO-20848C" is attached.

PortMiami will be billed the actual costs for the equipment identified in CBP OIT's Cost Estimate MIA088A-OFO-20848C, 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 PortMiami.

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). PortMiami is responsible for the cost of required upgrades. CBP will provide PortMiami a minimum of 180 days advance notice of any required upgrades.

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 PortMiami. In the event data inadvertently remains on any equipment after transfer, PortMiami 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 PortMiami, with full power and authority to enter into this MOA and to bind PortMiami with regard to all matters relating to this agreement.

Agreement to these terms is attested by the signatures below.

_____ Daniella Levine Cava Mayor Miami-Dade County	_____ Date	<u>daniella.cava@miamidade.gov</u> Email address
JORGE L ROIG  Digitally signed by JORGE L ROIG Date: 2021.01.11 12:53:21 -05'00'	_____ Date	<u>jorge.l.roig@cbp.dhs.gov</u> Email address
Jorge L. Roig Area Port Director, Miami Seaport Field Operations Customs and Border Protection		

Approved as to legal form and sufficiency

_____ Miguel A. Gonzalez Assistant County Attorney Miami-Dade County	_____ Date	<u>miguel.gonzalez2@miamidade.gov</u> Email address
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U.S. Customs and Border Protection Office of Information & Technology Cost Sign-Off Document*

(*Actual costs will be derived from actual obligations)

This is a Rough Order of Magnitude Estimate.

Final costs will be determined once the network designs are completed

Site Code: MIA088A

Site Name: Port Miami Cruise Terminal V - Virgin Voyages

Site Address: 903 S AMERICA WAY TERMINAL 6 MIAMI, FL 33132

Date Prepared: 11/19/2020

Preparer: Donald.R.Mitchell@cbp.dhs.gov

Equipment and Service Costs Data Equipment Costs (OCC-31)

Line Item	Description	Qty	Unit Cost	Total
10	Std Desktop - Slim Line Form Factor (1TB Drive, 32 GB RAM)	28	\$1,350.00	\$37,800.00
20	ViewSonic VG2428WM-LED 24" Monitor w/Sound (BRAND NAME or EQUIVALENT)	24	\$350.00	\$8,400.00
30	Dell 30" UltraSharp Monitor U3017 - 2560 x 1600 (BRAND NAME or EQUIVALENT)	8	\$1,400.00	\$11,200.00
40	Panasonic Toughpad FZ-G1 Ruggedized Tablet (BRAND NAME or EQUIVALENT)	4	\$3,000.00	\$12,000.00
50	Panasonic ToughPad Docking Station for FZ-G1 Tablet (BRAND NAME or EQUIVALENT)	4	\$500.00	\$2,000.00
60	Fujitsu ScanSnap iX1500 (BRAND NAME or EQUIVALENT)	8	\$500.00	\$4,000.00
70	Cables To Go 3' Cat6 550MHz Blue Patch Cable; 50 Pack (BRAND NAME or EQUIVALENT)	2	\$300.00	\$600.00
80	HP Color LaserJet M653dn Printer (BRAND NAME or EQUIVALENT)	2	\$1,800.00	\$3,600.00
90	HP LaserJet Pro M404dn B/W Printer (BRAND NAME or EQUIVALENT)	6	\$300.00	\$1,800.00
100	Netgard MFD for Network Printers (BRAND NAME or EQUIVALENT)	5	\$950.00	\$4,750.00
110	HP B/W LaserJet Enterprise Printer - M605dn (BRAND NAME or EQUIVALENT)	1	\$1,200.00	\$1,200.00
120	Cables To Go 5' Cat6 550MHz Blue Patch Cable; 50 Pack (BRAND NAME or EQUIVALENT)	2	\$325.00	\$650.00
130	Cables To Go 7' Cat6 550MHz Blue Patch Cable; 50 Pack (BRAND NAME or EQUIVALENT)	1	\$350.00	\$350.00
140	3M Passport Reader Model AT9000MK2 (BRAND NAME or EQUIVALENT)	12	\$2,500.00	\$30,000.00
150	Integrated Biometrics Kojak 10-Print Scanner w/Bracket (BRAND NAME or EQUIVALENT)	15	\$1,000.00	\$15,000.00
160	Logitech C920 Pro WebCam w/5' Cable (BRAND NAME or EQUIVALENT)	20	\$100.00	\$2,000.00
170	Topaz Electronic Signature Pad (BRAND NAME or EQUIVALENT)	6	\$250.00	\$1,500.00
180	SnakeClamp Camera Mount Adapter (BRAND NAME or EQUIVALENT)	12	\$20.00	\$240.00
190	SnakeClamp 13" Flex Arm for Camera, Black (BRAND NAME or EQUIVALENT)	12	\$20.00	\$240.00

Line Item	Description	Qty	Unit Cost	Total
200	SnakeClamp 3" x 3" Mounting Plate for Camera (BRAND NAME or EQUIVALENT)	12	\$20.00	\$240.00
210	Havis Camera Mount Flex Arm (BRAND NAME or EQUIVALENT)	12	\$100.00	\$1,200.00
220	Self Gripping Strap Back-to-Back Polypropylene Hook Nylon Loop Shape Cut to Length Roll Length 25 yd.	2	\$30.00	\$60.00
230	Canon MultiFunction Printer/Copier imageRUNNER ADVANCE C356iFG3 (BRAND NAME or EQUIVALENT)	1	\$6,000.00	\$6,000.00
240	HP Color LaserJet M452dn Color Laser Printer (BRAND NAME or EQUIVALENT)	1	\$500.00	\$500.00
250	Dell 27" USB-C Monitor: P2719HC (BRAND NAME or EQUIVALENT)	8	\$400.00	\$3,200.00
260	StarTech 2 Port USB DisplayPort KVM Switch with Audio (BRAND NAME or EQUIVALENT)	3	\$250.00	\$750.00
270	Configuration Manager DP Workstation (Replaces SCCM Workstation)	1	\$1,750.00	\$1,750.00
280	USB A (Male) to B (Male) High Speed Printer Cable 10'	14	\$20.00	\$280.00
290	Cables To Go 10' Cat6 550MHz Blue Patch Cable; 50 Pack (BRAND NAME or EQUIVALENT)	1	\$450.00	\$450.00
300	3M LC-LC 62.5/125 OM1 Duplex Multimode PVC Fiber Optic Cable - Orange (BRAND NAME or EQUIVALENT)	2	\$30.00	\$60.00
310	3M LC-LC 9/125 OS2 Duplex Single-Mode PVC Fiber Optic Cable - Yellow (BRAND NAME or EQUIVALENT)	4	\$45.00	\$180.00
320	APC Smart-UPS 1500VA (BRAND NAME or EQUIVALENT)	1	\$700.00	\$700.00
330	10% Cost Contingency for Equipment	1	\$15,270.00	\$15,270.00
Total Data Equipment Costs:				\$167,970.00
Network Equipment Costs (OCC-31)				
340	101 Mbps - 500 Mbps Router (ENCS 5408 for up to 500M circuit)	1	\$25,955.00	\$25,955.00
350	48-port Stackable Access Switch	2	\$14,762.00	\$29,524.00
360	1000Mbps Single Mode SFP	4	\$655.00	\$2,620.00
370	Riverbed Steelhead CX3080 Enterprise	1	\$43,598.00	\$43,598.00
380	1000Mbps Copper SFP	2	\$273.00	\$546.00
390	Cloud Managed Indoor AP	10	\$1,850.00	\$18,500.00
400	1000Mbps Multimode SFP	2	\$330.00	\$660.00
410	24-port Stackable Access Switch	1	\$13,075.00	\$13,075.00
420	10% Cost Contingency for Equipment	1	\$13,447.80	\$13,448.00
Total Network Equipment Costs:				\$147,926.00
Voice Equipment Costs (OCC-31)				
430	J179 IP Phone - No Pwr Supply	50	\$280.00	\$14,000.00
440	J139/J169/J179 Wall Mount Kit	10	\$15.00	\$150.00
450	B169 Anlg Conference Phone US	1	\$600.00	\$600.00
460	96XX RPLCMNT LINE CORD	70	\$8.00	\$560.00
470	Avaya Phone System	1	\$46,000.00	\$46,000.00

Line Item	Description	Qty	Unit Cost	Total
480	10% Cost Contingency for Equipment	1	\$6,131.00	\$6,131.00
Total Voice Equipment Costs				\$67,441.00
BSDP Equipment Costs (OCC-31)				
490	N/A			
Total BSDP Equipment Costs:				\$0.00
Tactical Communication (TACCOM) Equipment Costs (OCC-31):				
500	APX 8500 Console (Dual Band)	1	\$10,100.00	\$10,100.00
510	APX / MCD Radio Gateway Unit (RGU)	1	\$1,600.00	\$1,600.00
520	APX / MCD 5000 Deskset	6	\$1,600.00	\$9,600.00
530	Network Rack UPS	1	\$2,000.00	\$2,000.00
540	Network Switch PoE 12 Port w/ SFP	2	\$1,600.00	\$3,200.00
550	Antenna, Wideband	1	\$3,000.00	\$3,000.00
560	APX Transmission Line	300	\$5.00	\$1,500.00
570	APX Ancillary Equipment (cables, connectors, mounting, etc.)	1	\$1,200.00	\$1,200.00
580	10% Cost Contingency for Equipment	1	\$3,220.00	\$3,220.00
Total Communication Equipment Costs:				\$35,420.00
TOTAL EQUIPMENT COSTS:				\$418,757.00
Service Costs Circuit Costs (OCC-23)				
590	Lumen Technologies 200M ICP Circuit Annual Recurring Cost	12	\$1,457.05	\$17,484.60
600	32% Cost Contingency for Tax / USF	12	\$466.26	\$5,595.07
610	Lumen Technologies 200M ICP Circuit Installation Cost	1	\$2,000.00	\$2,000.00
620	Lumen Technologies 200M ICP Special Construction Cost	1	\$5,000.00	\$5,000.00
Total Circuit Costs:				\$30,079.67
BSDP Services Costs (OCC-25)				
630	N/A			
Total BSDP Contract Services Costs:				\$0.00
TACCOM Service Costs (OCC-25)				
640	TACCOM Installation Services	1	\$28,500.00	\$28,500.00
Total Tactical Communication Services Costs:				\$28,500.00
Government Travel (OCC-21)				
650	Travel for Voice Engineer	1	\$4,000.00	\$4,000.00
660	Travel for TacCom Engineer	2	\$2,500.00	\$5,000.00

Line Item	Description	Qty	Unit Cost	Total
Total Government Travel Costs:				\$9,000.00
TOTAL SERVICE COSTS:				\$67,579.67
TOTAL ESTIMATED INITIAL EQUIPMENT AND SERVICES				\$486,336.67
Out Year Recurring Service Costs Circuit Recurring Costs (OCC-23)				
670	Lumen Technologies 200M ICP Circuit Annual Recurring Cost	12	\$1,457.05	\$17,484.60
680	32% Cost Contingency for Tax / USF	12	\$466.26	\$5,595.07
Total Recurring Circuit Costs:				\$23,079.67
Network Equipment Service Costs (OCC-25)				
690	ICP Router (ENCS 5408) Maintenance Annual Recurring Costs	1	\$2,596.00	\$2,596.00
700	Riverbed (CX3080) Maintenance Annual Recurring Costs	1	\$7,253.00	\$7,253.00
710	Access Switch (48-port) Maintenance Annual Recurring Costs	2	\$1,476.00	\$2,952.00
720	Access Switch (24-port) Maintenance Annual Recurring Costs	1	\$1,308.00	\$1,308.00
730	Indoor AP Maintenance Annual Recurring Costs	10	\$185.00	\$1,850.00
Total Recurring Network ServiceCosts:				\$15,959.00
BSDP Service Costs (OCC-25)				
740	N/A			
Total Recurring BSDP ServiceCosts:				\$0.00
TACCOM Annual Operation and Maintenance Costs (OCC-25)				
750	N/A			
Total RecurringTACCOM ServiceCosts:				\$0.00
TOTAL ANNUAL RECURRING COSTS				\$39,038.67
NOTE: The OIT Cost Sign-Off Document and the associated estimated costs listed above expires 90 days from the above Date Prepared or at the end of the Governments current fiscal year, whichever comes first. After such time, a new OIT Cost Sign-Off Document is required.				
Acceptance				
By signing below, I accept any and all costs associated with the purchase and installation of equipment itemized above.				
Authority Signature:			Date:	

Line Item	Description	Qty	Unit Cost	Total
Authority Printed Name:				
Phone/Email Address:				
OIT REFERENCE Number: MIA088A-OFO-20848C Document Expiration Date: 5/1/2021				