

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: March 13, 2007	<input checked="" type="checkbox"/> [X]	Consent	<input type="checkbox"/> []	Regular
	<input type="checkbox"/> []	Workshop	<input type="checkbox"/> []	Public Hearing

Department:

Submitted By: Department of Airports

Submitted For:

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a U. S. Customs and Border Protection (CBP) Bond for \$100,000.00 for operations at Palm Beach International Airport (PBIA).

Summary: CBP operates an airport security program under the authority of Title 19, Code of Federal Regulations, Section 122.182. This section of the regulation stipulates the conditions of unescorted access to airport security program participants within the identified CBP security areas. The regulation requires certain persons to apply and qualify for a CBP security seal identification card and the applications be supported by a bond of the applicant's employer or principal on CBP Form 301.

Countywide LMB

Background and Justification: CBP operates and is regulated under the Title 19, Code of Federal Regulations. The CPB has notified the Department of Airports that CPB policy requires the County to obtain a \$100,000.00 bond. Currently the Department of Airports has a \$50,000.00 bond. The bond amount now required is \$100,000.00.

Attachments:

- 1. Customs Bond
- 2. Importer ID Input Record
- 3. Indemnity
- 4. Bond Information
- 5. Customs Form 301 Bond Permission Letter
- 6. Current Bond Termination Letter

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Recommended By:		2/9/07
	Department Director	Date

Approved By:		2/9/07
	County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures					
Operating Costs	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>
Operating Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes ☒ No ☐
 Budget Account No: Fund 4100 Department 120 Unit 1410 Object 4501
 Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

The Premium for this CBP Bond is estimated to cost \$1,000 per fiscal year.

C. Departmental Fiscal Review:

CM Simon

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

OFMB 2-15-07
 2/14/2007 2/14/07 2/14/11

Contract Dev and Control 2/16/07 2/16/07

B. Legal Sufficiency:

Laura Beebe 2/20/07
 Assistant County Attorney

C. Other Department Review:

 Department Director

In order to obtain the bond,
 the County is required
 to enter into an
 indemnification agreement
 with the Surety company.
 The Bond is required by
 U.S. Customs and federal
 regulations, which is why
 the bond is being forwarded
 for BCC consideration.

BK REF	DEPARTMENT OF THE TREASURY UNITED STATES CUSTOMS SERVICE CUSTOMS BOND 19 CFR Part 113	CUSTOMS USE ONLY	BOND NUMBER ¹ (Assigned by Customs)
			FILE REFERENCE

In order to secure payment of any duty, tax or charge and compliance with law or regulation as a result of activity covered by any condition referenced below, we the below named principal(s) and surety(ies), bind ourselves to the United States in the amount or amounts, as set forth below.

Execution Date

SECTION I - Select Single Transaction OR Continuous Bond (not both) and fill in the applicable blank spaces.

<input type="checkbox"/> SINGLE TRANSACTION BOND	Identification of transaction secured by this bond (e.g., entry no., seizure no., etc.) XX	Date of Transaction XXXXXXXXXXXX	Transaction district & port code XXXXXXXXXX
<input checked="" type="checkbox"/> CONTINUOUS BOND	Effective Date	This bond remains in force for one year beginning with the effective date and for each succeeding annual period, or until terminated. This bond constitutes a separate bond for each period in the amounts listed below for liabilities that accrue in each period., The intention to terminate this bond must be conveyed within the time period and manner prescribed in the Customs Regulations.	

SECTION II -This bond includes the following agreements² (Check one box only, except that, 1a maybe checked independently or with 1, and 3a may be checked independently or with 3. Line out all other parts of this section that are not used.)

Activity Code	Activity Name and Customs Regulations in which conditions codified	Limit of Liability	Activity Code	Activity Name and Customs Regulations in which conditions codified	Limit of Liability
<input checked="" type="checkbox"/> 1	Importer or broker ----- 113.62	100,000.00	<input type="checkbox"/> 5	Public Gauger ----- 113.67	XXXXXXXXXXXX
<input type="checkbox"/> 1a	Drawback Payment Refunds ----- 113.65	XXXXXXXXXXXX	<input type="checkbox"/> 6	Wool & Fur Products Labeling Acts Importation (Single Entry Only) ----- 113.68	XXXXXXXXXXXX
<input type="checkbox"/> 2	Custodian of bonded merchandise ----- 113.63 (includes bonded carriers, freight forwarders, cartmen and lighter-men, all classes of, warehouses, container station operators)	XXXXXXXXXXXX	<input type="checkbox"/> 7	Bill of Lading (Single Entry Only) ----- 113.69	XXXXXXXXXXXX
<input type="checkbox"/> 3	International Carrier ----- 113.64	XXXXXXXXXXXX	<input type="checkbox"/> 8	Detention of Copyrighted Material (Single Entry Only) ----- 113.70	XXXXXXXXXXXX
<input type="checkbox"/> 3a	Instruments of International Traffic ----- 113.66	XXXXXXXXXXXX	<input type="checkbox"/> 9	Neutrality (Single Entry Only) ----- 113.71	XXXXXXXXXXXX
<input type="checkbox"/> 4	Foreign Trade Zone Operator ----- 113.73	XXXXXXXXXXXX	<input type="checkbox"/> 10	Court Costs for Condemned Goods (Single Entry Only) ----- 113.72	XXXXXXXXXXXX

SECTION III- List below all tradenames or unincorporated divisions that will be permitted to obligate this bond in the principal's name including their Customs Identification Number(s).³ (if more space is needed, use Section III(Continuation) on back of form.)

Importer Number	Importer Name	Importer Number	Importer Name

Total number of importer names listed in Section III:

Principal and surety agree that any charge against the bond under any of the listed names is as though it was made by the principal(s).

If the surety fails to appoint an agent under Title 6, United States Code, Section 7, surety consents to service on the Clerk of any United States District Court or the U.S. Court of International Trade, where suit is brought on this bond. That clerk is to send notice of the service to the surety at:

Mailing Address Requested by the Surety

101 South Philips Avenue
Sioux Falls, SD 57117-6703

PRINCIPAL ⁴	Name and Address Palm Beach CountyPalm Beach Inter. Airport Building 846 West Palm Beach, FL 33406 (FL Corporation)	Importer No ⁵ 59-600078500	SEAL	
		SIGNATURE		
PRINCIPAL ⁴	Name and Address	Importer No. ³	SEAL	
		SIGNATURE		
SURETY ^{4,6}	Name and Address Western Surety Company 101 South Philips Avenue Sioux Falls, SD 57117-6703 (SD Corporation)	Surety No ⁷ 913	SEAL	
		SIGNATURE		
SURETY ^{4,6}	Name and Address	Surety No ⁷	SEAL	
		SIGNATURE		
SURETY AGENTS	Names	Identification No. ⁹	Names	Identification No. ⁹

SECTION III(Continuation)

Importer Number	Importer Name	Importer Number	Importer Name

SIGNED, SEALED, and DELIVERED in the PRESENCE OF:

Name and Address of Witness for the Principal	Name and Address of Witness for the Surety
<div>SIGNATURE:</div>	<div>SIGNATURE:</div>
Name and Address of Witness for the Principal	Name and Address of Witness for the Surety
<div>SIGNATURE:</div>	<div>SIGNATURE:</div>

WITNESSES

Two witnesses are required to authenticate the signature of any person who signs as an individual or as a partner; however, a witness may authenticate the signatures of both such non-corporate principals and sureties. No witness is needed to authenticate the signature of a corporate official or agent who signs for the corporation.

EXPLANATION AND FOOTNOTES

1. The Customs Bond Number is a control number assigned by Customs to the bond contract when the bond is approved by an authorized Customs official.

2. For all bond coverage available and the language of the bond conditions refer to Part 113, subpart G, Customs Regulations.

3. The Importer Number is the Customs identification number filed pursuant to section 24.5, Customs Regulations. When the Internal Revenue Service employer identification number is used the two-digit suffix code must be shown.

4. If the principal or surety is a corporation, the name of the State in which incorporated must be shown.

5. See witness requirement above.
6. Surety Name, if a corporation, shall be the company's name as it is spelled in this Surety Companies Annual List published in the Federal Register by the Department of the Treasury (Treasury Department Circular 570).

7. Surety Number is the three-digit identification code assigned by Customs to a surety company at the time the surety company initially gives notice to Customs that the company will be writing Customs bonds.

8. Surety Agent is the individual granted a Corporate Surety Power of Attorney, CF 5297, by the surety company executing the bond.

9. Agent Identification Number shall be the individual's Social Security Number as shown on the Corporate Surety Power of Attorney, CF 5297, filed by the surety granting such power of attorney.

Paperwork Reduction Act Notice. The Paperwork Reduction Act of 1980 says we must tell you why we are collecting this information, how we will use it and whether you have to give it to us. We ask for this information to carry out the U.S. Customs Service laws of the United States. We need it to ensure that persons transacting business with Customs have the proper bond coverage to secure their transactions as required by law and regulation. Your response is required to enter into any transaction in which a bond is a prerequisite under the Tariff Act of 1930, as amended

Privacy Act Statement: The following notice is given pursuant to section 7(b) of the Privacy Act of 1974 (5 U.S.C. 552a). Furnishing the information on this form, including the Social Security Number is mandatory. The primary use of the Social Security Number is to verify, in the Customs Automated System, at the time an agent submits a Customs bond for approval that the individual was granted a Corporate Surety Power of Attorney by the surety company. Section 7 of Act of July 30, 1947, chapter 390, 61 Stat. 646, authorizes the collection of this information.

Statement required by 5 CFR 1320.21: The estimated average burden associated with this collection of information is 0.25 hours per respondent or recordkeeper depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to U.S. Customs Service, Paper Management Branch, Washington DC 20229 or to the Office of Management and Budget, Paperwork Reduction Project (1515-0144), Washington, DC 20503

DEPARTMENT OF THE TREASURY
UNITED STATES CUSTOMS SERVICE

Approved through OMB NO 1515-0191

IMPORTER ID
INPUT RECORD

19 CFR 24.5

1. TYPE OF ACTION (Mark all applicable)

- ☐ Notification of
Importer's number
- ☐ Change of name*

- ☐ Change of address*
- ☐ Check here if you also want your
address updated in the Fines Penalties, and
Forfeitures Office

* NOTE--If a continuous bond is on file, a bond rider must accompany this change document.

2. IMPORTER NUMBER (Fill in one format):--

2A. I.R.S. Number												
5	9	-	6	0	0	0	7	8	5		0	0

2B. Social Security Number												
				-				-				

2C.	<input type="checkbox"/>	Check here if requesting a Customs-assigned number and indicate reason(s). (Check all that apply.)	<input type="checkbox"/>	I have no IRS No.	<input type="checkbox"/>	I have no Social Security No.	<input type="checkbox"/>	I have not applied for either number.	<input type="checkbox"/>	I am not a U.S. resident.
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2D. Customs-Assigned Number

3. Importer Name	
Palm Beach CountyPalm Beach Inter. Airport	
4. DIV/AKA/DBA	5. DIV/AKA/DBA Name
<input type="checkbox"/> DIV <input type="checkbox"/> AKA <input type="checkbox"/> DBA	

6. Type
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Individual <input type="checkbox"/> U.S. Government <input type="checkbox"/> State/Local Governments <input type="checkbox"/> Foreign Governments

7. Importer Mailing Address (2 32-character lines maximum)
Building 846

8. City	9. State Code	10. ZIP
West Palm Beach	FL	33406
11. Country ISO Code (Non-U. S. Only)		

12. Importer Physical Location Address (2 32-character lines maximum; see instructions)

13. City	14. State Code	15. ZIP
16. Country ISO Code (Non-U.S. Only)		

17a. Has importer ever been assigned a Customs Importer Number using the <u>same</u> name as block 3?	17b. Has importer ever been assigned a Customs Importer Number using a name <u>different</u> from that in Block 3?
<input type="checkbox"/> No <input type="checkbox"/> Yes (List number(s) and/or names(s) in Block 17c)	<input type="checkbox"/> No <input type="checkbox"/> Yes (List number(s) and/or name(s) in Block 17c.)

17c. If "Yes" to 17a and/or 17b, list number(s) and/or name(s)

I CERTIFY. That the Information presented herein is Correct; that if my Social Security Number is used it is because I have no IRS Employer Number; that if my Customs-assigned number is used it is because I have neither a Social Security Number nor an IRS Employer Number, that if none of these numbers is used, it is because I have none, and my signature constitutes a request for assignment of a number by Customs.	18. Printed or Typed Name and Title	(561) 355-2001
	20. Signature	19. Telephone No. Including Area Code
	X	March 13, 2007
		21. Date

22. Broker Use Only

PRIVACY ACT STATEMENT: Pursuant to the requirements of Public Law 93-579 (Privacy Act of 1974), notice is hereby given that 19 CFR 24.5 authorizes the disclosure of Social Security numbers (SSN) on the Customs Form 5106. The principal purpose for disclosure of the Social Security number is to assure maintenance of records that have a high degree of usefulness in regulatory investigations or proceedings. The information collected may be provided to those officers and employees of the Customs Service and any constituent unit of the Department of the Treasury who have a need for the records in the performance of their duties. The records may be referred to any department or agency of the federal government upon the request of the head of such department or agency. The authority to collect the SSN is 31 CFR 103.25. The SSN will be used to identify the individuals conducting business with the Customs Service.

Statement required by 5 CFR 1320.21: The estimated average burden associated with this collection of information is 6 minutes per respondent or recordkeeper depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to U.S. Customs Service, Paper Management Branch, Washington DC 20229. DO NOT send completed form(s) to this office.

Paperwork Reduction Act Notice: We need this information to establish the importer's name, address, and importer number. We will use this information as basis for establishing bond coverage, release and entry of merchandise, liquidation, issuance of bills and refunds, and processing of drawback and FP&F actions. Your response is mandatory.

AMERICAN CASUALTY CO. OF READING, PA
CONTINENTAL CASUALTY COMPANY.
FEDERAL INSURANCE COMPANY
RLI INSURANCE COMPANY

By Palm Beach CountyPalm Beach Inter. Airport, Address Building 846, West Palm Beach, FL 33406
on behalf of Palm Beach CountyPalm Beach Inter. Airport, Address Building 846, West Palm Beach, FL 33406

061220008

ALL

Bond Information

Shea Reference: 061220008

12/20/2006

Company Name: Palm Beach CountyPalm Beach Inter. Airport

Building 846
West Palm Beach, FL 33406

Activity Code: 1

Please complete the questions below and fill-in the missing information, if any.

Co -Principals	IRS	State of Inc.	Type of Organization
Palm Beach CountyPalm Beach Inter. Airport	59-600078500	FL	Corporation

Requested Effective Date	Please print the name of the person who signed the bond	Title
		Commissioner

Is there a bond currently in effect? Yes No
if yes, please indicate, bond type, insurance carrier and broker

Customs Bond, American Casualey Co. of Reading PA, Arther J. Gallagher Risk Management Services

Has your corporation or any officer of your corporation ever filed any form of Bankruptcy? Yes No if yes, please explain

Has a surety ever paid a U.S. Customs claim on your behalf? Yes No if yes, please explain

Has your company ever been penalized under Customs section USC1592? Yes No if yes, please advise of current status or outcome

Has your company been audited by U.S. Customs in the last 3 years? Yes No if yes, please advise of the audit outcome
Quarterly - Passed

Does your company participate in Periodic Monthly Processing of your duty payments? Yes No N/A

Are your goods subject to anti-dumping, countervailing duty or withheld appraisement? Yes No N/A if yes, please explain

Please return this form along with the other forms in this packet.

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
Addie L. Greene, Chairperson
Jeff Koons, Vice Chair
Karen T. Marcus
Warren H. Newell
Mary McCarty
Burt Aaronson
Jess R. Santamaria

COUNTY ADMINISTRATOR
Robert Weisman

DEPARTMENT OF AIRPORTS



March 13, 2007

Bureau of Customs and Border Protection

Attention: Bond Desk

Gentlemen:

We respectfully request permission to file a continuous Customs Form 301 Bond.

We are importers of N/A.

Total value of importations entered, and Duties paid during the calendar year 2005 were approximately:

Value	\$ <u>N/A</u>
Duty, Taxes, Fees Paid	\$ <u>N/A</u>
I.R. Taxes	\$ <u>N/A</u> (WHERE APPLICABLE)

Our Employer I.R.S. Identification Number is 59-600078500. We will also be importing under the following tradenames and unincorporated division(s) with the following I.R.S. Identification Numbers.

I certify that the factual information contained in this application is true and accurate and any information provided which is based upon estimates is based upon the best information available on the date of this application.

Respectfully,


(Name & Title of Person Signing)

PALM BEACH COUNTY DEPARTMENT OF AIRPORTS
846 Palm Beach International Airport
West Palm Beach, FL 33406-1470
(561) 471-7412 FAX: (561) 471-7427
www.pbia.org

PALM BEACH COUNTY GLADES AIRPORT
Pahokee

PALM BEACH COUNTY PARK AIRPORT
Lantana

NORTH COUNTY GENERAL AVIATION AIRPORT
Palm Beach Gardens

 printed on recycled paper

"An Equal Opportunity Affirmative Action Employer"

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
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Jess R. Santamaria

COUNTY ADMINISTRATOR
Robert Weisman

DEPARTMENT OF AIRPORTS



March 13, 2007

Bureau of Customs and Border Protection

Attention: Bond Desk

Sir:

We respectfully request you terminate our bond 529200534 effective
_____ as a new bond is being filed.

This letter is being filed concurrently with a new bond and this request to
terminate the above captioned bond is contingent upon acceptance of the new bond.

Thank you for your cooperation in this matter.

Respectfully,


(Name & Title of Person Signing)

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