



VIRGIN ISLANDS PORT AUTHORITY

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MEMORANDUM OF UNDERSTANDING

Airport Operations Area Access

PURPOSE

This Memorandum of Understanding serves as an understanding between the Virgin Islands Port Authority, P.O. Box 301707, Charlotte Amalie, St Thomas, VI 00803-1707 and **Thomas World Air LLC**, hereinafter referred to as the Tenant.

1. The intended purpose of this understanding is to establish clear procedures and guidelines for access to the Airport Operations Area (AOA) from any gate or door in the Cyril E. King Airport Terminal and from any location with access points to the Airport Operations Area (AOA) through Terminal Gates, Terminal Doors, and other Vehicle access points.
2. This MOU includes methods for preventing the entry of unauthorized persons and ground vehicles onto the AOA, and establishes clear accountability for payment and settlement of any Fees, Penalties or other monetary Fines or disciplinary actions levied against the Tenant or Employee of the Tenant who fail to comply with the Airport Security Plan and **49 CFR 1542**.
3. All persons who are authorized to access the AOA, or are required to monitor the access of persons entering the AOA through designated access points at their Leased premises or through authorized Terminal Gates, will be responsible for any Fees, Penalties or other Monetary Fines, levied against them by the VIPA and the TSA, whenever there is a breach or security violation at that location.
4. The Virgin Islands Port Authority will not incur any monetary fees, penalties or fines that are levied against any Airport Tenant, Airport FBO, Airport Employee or other Unauthorized persons who gain entry from a Passenger Gate, Fixed Base Operator(FBO) Access Gate, or other area that is under the control of the Airport Tenant, Airline or Fixed Base Operator (FBO).

It is further understood that the Tenant (Airline or Fixed Based Operator) will implement and maintain the following Security Measures in accordance with the Cyril E. King Airport Security Plan (ASP) as required under **49 CFR 1542**:

The Tenant (Airline or FBO) is delegated the authority to control access through Gate(s) and/or Door(s) numbered or lettered or otherwise described as **TA-2, TP-3**, during such times that the Gate(s) and or Door(s) are being utilized by the Airline or Tenant in accordance with this Memorandum of Understanding for the purpose of authorized persons gaining entry or access to the Airport Operations Areas (AOA).

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APPLICABILITY:

It is understood that the Tenant (Airline or FBO) will implement and maintain the following security measures detailed below:

1. Said Gate(s) or Door(s) shall only be utilized by the Airline or Tenant and shall monitor and control access through the Gate(s) or Door(s)
2. At all times while using the Gate(s) or Door(s), the Airline or Tenant shall monitor and control access through the Gate(s) or Door(s).
3. While using the Gate(s) or Door(s), the Airline or Tenant shall not allow any other person access through the Gate(s) or Door(s) unless the person is an employee or a contracted passenger of the Carrier or Tenant who is duly authorized to enter the AOA. No other persons shall be given entry through the Gate(s) unless that person displays a V.I. Port Authority Identification Badge and has been cleared by the Safety and Security Office.
4. If, while the Gate(s) or Door(s) are under the control of the Airline or Tenant, an unauthorized person gains entry through the Gate(s) or Door(s), the Airport Manager's Office and the VIPA Police Office shall be notified immediately.
5. Any penalties, fines, or other monetary or disciplinary actions shall be assessed against the Employee of the Airline or Tenant who incurred the infraction and the Employer. The Virgin Islands Port Authority will not be responsible for, and will be held harmless, from any penalties or fines assessed against the Tenant or the Employee as a result of a Security Breach or any violation of 49 CFR 1542.
6. During the hours of daylight, designated access points will be locked or manned by personnel assigned by the Airline or Tenant. During the hours of night-time, designated access points will be locked and secured by the Airline or Tenant. And during the periods that the Airline or Tenant are closed, the access points will remain locked.
7. All persons who obtain a VIPA Security Identification Badge will be advised of personnel access to all areas of the airport, including Terminal Areas, Restricted Areas, Airport Operations Areas and USCBP Zones. The employees of the Airline or Tenant will be indoctrinated on specific security responsibilities and procedures, as well as all TSA mandates and USCBP regulations in the Security Identification Display Area (SIDA) class.
8. Tenant personnel will immediately notify the Airport Manager or his designee and the VIPA Police each time a suspicious action on the Airport Operations Area (AOA) is observed or whenever they have a question regarding activities on the Airport Operations Area (AOA).

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9. Whenever an Airline or Tenant is unable to comply with all of the stipulations in this Memorandum of Understanding (MOU), the Airline or Tenant will immediately notify the Airport Manager and the VIPA Police, who will take immediate corrective action to establish the required Security levels at the Airport.

10. Airline Employees or Tenants will challenge all persons recognized as unauthorized or not properly displaying the proper Airport SIDA Identification Badge in the required Challenge Procedure and will immediately notify the Airport Manager and VIPA Police of the infraction.

It is further understood that **THOMAS WORLD AIR LLC**, hereinafter referred to as the Tenant, will hold the Virgin Islands Port Authority harmless, for the payment or settlement of any Fees, Penalties, or other Monetary Fines levied against the Tenant or Employee of the Tenant, for any infraction caused by a violation of any VIPA Rules and Regulations, Policies, Airport Security Plan or FAA or TSA Mandates related to Access to Airport Operations Areas (AOA) as outlined in 49 CFR 1542.

Acknowledged and Signed by:



Airport Manager or Designee

3/21/2017

Date

Airline/Tenant Representative

Date